With every positive drugs test the credibility and veracity of modern elite sport is diminished. In this radical and provocative critique of current anti-doping policy and practice, Verner Møller argues that the fight against doping – promoted as an initiative to cleanse sport of cheats – is at heart nothing less than a battle to save sport from itself, located on the fault-line between the will to purity and the will to win. Drawing on extensive and detailed case studies of doping in sport, and using a highly original blend of conceptual ideas from philosophy and sociology, Møller strongly criticises current anti-doping regimes and challenges our commonly held ideas about the nature of sport and the risks posed by drugs to health and fair play. He argues forcefully that we must understand the precarious position of the athlete and that only by containing coaches, doctors and drug companies within the anti-doping regime can we hope to ever make progress on this most important issue. Written in a lively and engaging style, and skilfully blending empirical case studies with cutting edge theory, this book represents an important statement on the nature of sport, morality and modernity. It is important reading for all serious students and scholars of the ethics, sociology and politics of sport.
The Yearbook of International Sports Arbitration is the first academic publication aiming to offer comprehensive coverage, on a yearly basis, of the most recent and salient developments regarding international sports arbitration, through a combination of general articles and case notes. The present volume covers decisions rendered by the Court of Arbitration for Sport (CAS) and national courts in 2015. It is a must-have for sports lawyers and arbitrators, as well as researchers engaged in this field. It provides in-depth articles on burning issues raised by international sports arbitration, and independent commentaries by esteemed academics and seasoned practitioners on the most important decisions of the CAS (e.g. the Dutee Chand case) and national courts (e.g. the Pechstein and Wilhelmshaven decision rendered by the OLG München and OLG Bremen in Germany). Dr. Antoine Duval is Senior Researcher for International and European Sports Law at the T.M.C. Asser Instituut in The Hague. He holds a Ph.D. on the interaction between Lex Sportiva and EU Law from the European University Institute in Florence. Prof. Antonio Rigozzi teaches international arbitration and sports law at the University of Neuchâtel, Switzerland, and is the partner in charge of the sports arbitration practice at Lévy Kaufmann-Kohler, a Geneva-based law firm specializing in international arbitration.

This book presents an interdisciplinary approach to examining gender-related sports dispute resolution by the Court of Arbitration. Identifying complexities around gender, gender binaries, and the ways in which intersecting identities complicate resolutions,
the author demonstrate how athletes' rights are threatened by a forced arbitration process.

This book considers the manner in which the making and implementation of law and governance is changing in the global context. It explores this through a study of the deployment of the global anti-doping apparatus including the World Anti-Doping Code and its institutions with specific reference to professional cycling, a sport that has been at the forefront of some of the most famous doping cases and controversies in recent years. Critically, it argues that the changes to law and governance are not restricted to sport and anti-doping, but are actually inherent in broader processes associated with neoliberalism and social and behavioural surveillance and affect all aspects of society and its political institutions. The author engages with concepts and arguments in contemporary social theory, including: Dardot and Laval on neoliberalism; Agamben on sovereignty; Hardt and Negri on globalisation; and others including Foucault, Deleuze and Guattari, and Louis Dumont. The work seeks to answer a question posed by both Foucault and Agamben; that is, given the growing primacy of the arts of government, what is the juridical form and theory of sovereignty that is able to sustain and found this primacy? It is argued that this question can be understood by reference to the shift from a social or public contract that was understood to be the foundation of society, to a society that is constituted by consent, private agreement and contract. In addition, the book examines the juridical concepts of the rule of law and sovereignty. Commencing
with the Festina scandal of 1998, the Spanish case of Operación Puerto and concluding with the fall from grace of the American cyclist Lance Armstrong in 2012, the principal processes examined include: - The increasing crossing of the borders between different legal regimes (whether supranational or simply particularised) and with it the erosion of what we knew as state sovereignty and constitutionalism; - The increasing use of judgment achieved through the media and how this arrives at new configurations of moral panic and scapegoating; - The creation of a need for rapid outcomes at the expense of the modernist value or version of the rule of law; - The increasing use of new and alternative methods of guilt, proof and ultra-legal detection.

Examining the legitimacy of the World Anti-Doping Agency, this book offers a critical analysis of the anti-doping system and the social and behavioural processes that shape policy, asking why the current system is failing. Featuring in-depth, contemporary case studies from around the world, including the whereabouts system; Lance Armstrong; therapeutic use exemptions; the Essendon Bombers; recreational drugs policy; and the Russian Olympic doping programme, this is the first text to analyse empirically how the legitimacy of WADA is constructed, contested and managed in the field of anti-doping, and the consequent impact this has on anti-doping. Based on the analysis of these case studies, the book discusses how legitimacy processes have shaped the current regulatory environment and offers structural and governance reforms to improve anti-doping policy design and implementation. Adopting a unique theoretical perspective,
rooted in a socio-cognitive perspective on organisational behaviour, this book is essential reading for any researcher or student working on drugs and doping in sport, sport management, the sociology of sport, governance, transnational organisations or strategic management. It also offers important insights for policymakers and administrators working in sport or in government.

* Our summary is short, simple and pragmatic. It allows you to have the essential ideas of a big book in less than 30 minutes. By reading this summary, you will learn how Russia has orchestrated a state doping system to maximize the results of its athletes at major international sporting events. You will also learn: how the World Anti-Doping Agency has been unable to prevent this fraud that has been going on for decades; that the life of Grigory Rodchenkov, a key witness in this case, is now in danger; that the FSB (formerly known as the KGB) is directly involved in the case; how the Russian state continues to deny its responsibility in this case; that all the sports results of the last few years are being called into question; that the 33 Russian medallists at the Olympic Games in Sochi were doped. What if all the sports results of the last few years were lies? Grigory Rodchenkov, former director of the anti-doping laboratory in Moscow, testifies and shows how Russia has institutionalized the doping of its athletes. In this way, the country has guaranteed positive sports results. While today the truth is being mishandled with "fake news" and other conspiracy theories, "Icarus" reminds us of the importance of the facts. Falsification of evidence, bribes, involvement of Vladimir
Putin himself... How could the Russian state have fooled the international authorities for so many years? *Buy now the summary of this book for the modest price of a cup of coffee!*

Athletes are always aiming to be faster, better, stronger. New techniques to enhance their sporting performance have increasingly been linked to use of novel psychoactive substances (NPS) and other hard-to-detect substances like performance-enhancing drugs. This book offers a timely analysis of the new challenges posed by this phenomenon in the anti-doping community. The authors present the first comprehensive perspective on the rapidly shifting doping scenario and reflect on use, regulation, policy, and market structure of NPS used in sports. They highlight the challenges with the list of prohibited substances and methods in and out of competition. They also evaluate how methods to detect new drugs present an ongoing battle for doping control as they have to be adapted constantly. Topics covered within the chapters include: Contamination of Sports Supplements with Novel Psychoactive Substances Untested Supplement Use Among Athletes: An Overlooked Phenomenon? International Drug Control: Protecting the Health of the Athlete Analysis of New Chemical Entities in a Sport Context Emerging Drugs in Sport establishes a clear benchmark on the policy discussion, drawing from available evidence and sources, including athletes' personal experiences, to generate a fact-based resource that informs a research as well as wider audience. The book is essential reading for those working...
in anti-doping, substance misuse, sports, ethics, and human enhancement. It also is useful for policy-makers, legislative personnel, and other professionals with an interest in protecting clean sport. “Doping is one of the greatest threats to the integrity of sport. We must never be tempted to turn our back on the problem and hope it will disappear. The benefits and values of clean sport have never been more important to the world. That is why this book with its wide-ranging approach is so valuable.” Thomas Bach, President, International Olympic Committee “Physical activity is vital to a healthy living, which is why doping is not just an assault on fair competition, but also on health. I strongly commend this book for compiling advanced knowledge on performance-enhancing drugs and promoting health through sport.” Tedros Adhanom Ghebreyesus, Director-General, World Health Organization

Drugs, sport and the law.

The use of performance-enhancing substances by athletes has a long history, predating the ancient Greek Olympiads. This report compares anti-doping policies for performance enhancing substances among the Olympic movement and three professional sports - Major League Baseball, the NBA, and the NFL.

The book addresses a series of key aspects of contemporary anti-doping policy. At the broader philosophical level, questions are asked about whether the scale of anti-doping activity and the intrusiveness of anti-doping policy in the lives of athletes is proportionate to the problem of doping. Aspects of existing anti-doping practice are also
explored at the level of transnational organisations such as the EU and WADA and also at the level of the personal choices that need to be made by athletes and doctors in relation to doping control. Other contributions examine the complex issue of assessing the extent of doping and also understanding the factors that motivate athletes to use performance-enhancing drugs. The analyses provided by academic contributors are complemented by three contributions, from the World Anti-Doping Agency, UK Anti-Doping and the International Tennis Federation, which provide insights into the strategies designed to reduce the prevalence of doping in sport and the management of anti-doping processes. This book was published as a special issue of the International Journal of Sport Policy and Politics.

The issue of doping has been the most widely discussed problem in sports ethics and is one of the most prominent issues across sports studies, the sports sciences and their constituent disciplines. This book adds uniquely to that catalogue of discourses by focusing on extant anti-doping policy and doping practices from a range of multi-disciplinary perspectives (specifically ethical, legal, and social scientific). With contributions from a world-class team of scholars and legal practitioners from the UK, Europe and North America, the book explores key contemporary issues such as: sports medicine international doping policy the whereabouts system the criminalization of doping privacy rights, gene doping and ethics imperfection in doping test procedures steroid use in the general population. Doping and Anti-Doping Policy in Sport offers an
important critique of contemporary anti-doping policy and is essential reading for any advanced student, researcher or policy maker with an interest in this vital issue. The use of nutritional supplements for sport continues to increase, with athletes and recreationally active trainees increasingly look for methods to improve performance. Many athletes have turned away from drugs like anabolic steroids toward nutritional supplements in the hope of gaining a competitive edge without threatening their health. Sport supplements can be defined as any product taken by the mouth, and that has been proposed to have a performance-enhancing effect. Supplements that are used to enhance athletic performance also called ergogenic aids. The use of supplement by athletes to improve performance is not a new practice. As early as BC 776, the Greek Olympians were reported to use substances such as dried figs, mushrooms, and strychnine to perform better. In recent years an explosion of information concerning sports nutrition has surfaced. In this book, only substances that are not currently banned by the World Anti-Doping Agency will be reviewed. Following the recent doping scandals that have brought the highest echelons of international sport into disrepute, this book examines the elitism at the core of the World Anti-Doping Agency and considers how the current World Anti-Doping Code might be restructured. Analyzing the correlation between the commodification of sports and doping, and the role WADA plays in this context, it takes into consideration the perspectives of non-elite athletes as well as athletes from developing countries which
have previously been excluded from the anti-doping discourse. It offers recommendations for improving the coordination and implementation of the World Anti-Doping Code and argues for the creation of a more inclusive anti-doping regime. This is an important resource for students of sports law, sports management and sports ethics, as well as vital reading for sports administrators, sports sociologists, sports policy makers, sports lawyers and arbitrators, as well as athletes themselves.

The paper addresses a fundamental challenge facing anti-doping regulation in sport: securing scientific integrity. The importance of evidence in anti-doping is similar to that found across many fields where science and expertise meet policy, ethics and regulation. The authors argue that a growing body of evidence indicates that anti-doping regulation under the World Anti-Doping Agency is sometimes arbitrary and too often not grounded in a solid foundation of evidence. They document shortfalls in standards of scientific integrity in four contexts: (1) the prevalence of doping, (2) performance benefits and health risks, (3) errors and inconsistencies in accusation, and (4) the evaluation of anti-doping policies. They give several suggestions to enhance scientific integrity in anti-doping regulation and argue that greater transparency will help to reduce inconsistencies and errors.

This is the first book to draw together cutting-edge research on the psychological processes underlying doping use in sport and exercise, thereby filling an important gap in our understanding of this centrally important issue in
contemporary sport. Covering diverse areas of psychology such as social cognition, automatic and controlled processes, moral decision-making, and societal and contextual influence on behaviour, the book also explores methodological considerations surrounding doping assessment in psychological research as well as future directions for evidence-based preventive interventions and anti-doping education. Written by a team of leading international researchers from countries including the US, Canada, Australia, the UK, Greece, Germany, Italy, Denmark and Ireland, the book integrates empirical findings with theoretical guidance for future psychological research on doping, and illuminates the challenges, needs and priorities in contemporary doping prevention. It is important reading for advanced students and researchers in sport and exercise science, sport management and sport policy, and will open up new perspectives for professional coaches, sports administrators, policy makers and sport medicine specialists looking to better understand the doping behaviours of athletes in sport.

Drug use and abuse represents perhaps the most profound and high-profile issue facing sport today. Each major international championship seems to deliver a new drug-related controversy, while drug takers and sports administrators attempt to out-manoeuvre each other with new substances and new testing
Drugs in Sport - 3rd Edition is a fully revised and updated version of the most comprehensive and authoritative text available on the subject. Leading figures in the field explore the hard science behind every major class of drug, as well as the social, ethical and organisational dimensions to the issue. Key topics include: * analysis of all the key substances, including anabolic steroids, EPO and human growth hormone * alcohol and social drug use in sport * creatine and nutritional supplements * evidence and issues around doping control in sport.

This is a highly accessible text for all sports science and sports studies students, coaches and professional sports people, and sports administrators and policy-makers.

This handbook offers an important and timely contribution to the interdisciplinary field of Olympic studies. It brings together for the first time in a single volume a complete analysis of current and future economic, commercial, socio-political, cultural and governance challenges facing both the Olympic and Paralympic Games, their athletes and institutions. The book presents new research and broad surveys exploring pressing debates, challenges and possible solutions surrounding the modern Olympic and Paralympic Games, across diverse socioeconomic and political contexts. Featuring chapters written by leading scholars, athletes and administrators from a range of disciplines and
backgrounds, the handbook is divided into four main areas: athletes, business, governance and socio-cultural issues within the Olympic and Paralympic Games. Examining key themes, theories and new emerging issues within the field, the book offers expert insights into every major topic related to the Olympic and Paralympic Games, including doping, integrity, athletes’ rights, culture, nationality, sponsorship, branding, governance, sports policy and law, marketing, social media, technology, e-sports, politics, ethics, international relations, legacy and impact. The only up-to-date handbook to reflect the true breadth and depth of this international field of research, the Routledge Handbook of the Olympic and Paralympic Games is a landmark publication for all students and scholars of sport studies, as well as those working in sport business, media, event management and administration, economics, marketing, management, politics, Olympic studies and cultural studies. It is also an important resource for sport management practitioners and sports officials. The use of alcohol and drugs seems contradictory to the popular ideal of sport as a healthy moral and physical pursuit, and yet it has been present in sports culture since clubs first became the focus for competitive games and social gatherings. Charting the changing patterns of the use of drugs and alcohol since the nineteenth century, this is a critical history that relates substance consumption
and regulation to social relations of power: sports men and women almost revelling in their deviance and leaving the moral agonising to their supposed ‘superiors’. In addition, certain substances have become at various times the focus of heightened controversy, raising questions about the symbolism of the body in sport, its uses and behaviours and associated perceptions. These questions are tackled here in a lively discussion on the social construction of drug and alcohol use, ideal as a catalyst for debate or as an informed introduction to the hottest topic in sport today. This book was previously published as a special issue of Sport in History.

This book accounts for over 25 of the most influential cases in international sports law, as written by some of the leading authorities in the area. Authors from Europe, the United States, Australia, South Africa, Canada and New Zealand trace the evolution of this emerging discipline of law through an analysis of individual cases, as discussed under a number of key debates and themes in contemporary sports law, including: the “public” nature of legal disputes in sport; player employment mobility litigation; doping and the spirit of sport; TV rights holding proceedings; and enduring themes in sports law such as on-field violence, spectator safety, animal welfare and gender equality. Valuable for sports law academics, arbitrators and practitioners, sports administrators and
governing bodies, but also for students (postgraduate and undergraduate) and all those with an interest in international sports law. This unique international legal and cross-disciplinary edited volume contains analysis of the legal impact of doping regulation by eminent and well known experts in the legal fields of sports doping regulation and diverse legal fields which are intrinsically important areas for consideration in the sports doping landscape. These are thoughtful extended reflections by experts on theory and policy and how they interact with law in the context of doping in sport. It is the first book to examine the topical and contentious area of sports doping from a variety of different but very relevant legal perspectives which impact the stakeholders in sport at both professional and grass roots levels. The World Anti-Doping Code contains an unusual mix of public and private regulation which is of more general interest and fully explored in this work. Each of the 14 chapters addresses doping regulation from a legal perspective such as tort, corporate governance, employment law, human rights law, or a scientific area. Legal areas are generally considered from an international and not national perspective. Issues including fairness, logic and the likelihood of compliance are explored. It is vital reading for anyone interested in the law, regulation and governance of sport. Drug abuse in sport has now become an acute international problem, which
undermines the integrity of sport and is a real danger to the health of thousands of athletes. The second edition of this publication has been updated to take account of new forms of drug abuse in the sports world, as well as developments in genetic engineering and gene therapy. It also contains a list of useful internet sources. A key finding is that the control of doping, including the harmonisation of both practice and policy among the major world sports bodies, requires a re-evaluation of the direction of future anti-doping policy, particularly in the light of the recent establishment of the World Anti-Doping Agency.

The great Tour de France scandal of 1998 was the first time ever that political forces intervened to lay bare the comprehensive doping practices of popular athletes. The essays in this book show that athletes who dope and those who pursue them are trapped in a fateful conflict far more complicated than the familiar story line suggests. Doping and Public Policy argues that the current strategy of condemnation and surveillance is not enough, and that it is time to rethink anti-doping policy in the global context where it belongs.

Doping is undoubtedly one of the most controversial issues within sport. Doping scandals wreck the careers of sportsmen and women, they can bankrupt governing bodies, infringe personal liberties, threaten livelihoods, tarnish images, galvanise the European Union, undermine the Olympic Movement and invoke
invective from politicians. In recent years, sports law has developed into one of the most exciting and challenging legal disciplines and the importance of the law in doping matters has been heightened by the influx of money into sport and the development of sport as a global economy. Drugs and Doping in Sport brings together work from leading academics, practitioners and administrators, analyses contemporary socio-legal and political themes related to doping in sport. It provides a challenging and often controversial view of doping issues and confronts political and legal orthodoxy, supplying the reader with a unique insight into this fascinating area of academic study.

The aim of the anti-doping work is to prevent the use of substances and methods that are hazardous for health and/or improve performance, to ensure the right to fair and pure sports and to control the adherence to the ethical principles of sports and medicine. The national anti-doping committees are responsible for doping control of athletes who participate in organized sports. They continually update doping regulations that are based on the regulations of World Anti-Doping Agency (WADA, www.wada-ama.org). This article describes the general principles of anti-doping regulation and provides guidance and examples for some common situations. Whenever there is uncertainty, check the facts at the website of your national anti-doping organization or WADA.
Doping has become one of the most important and high-profile issues in contemporary sport. Shocking cases such as that of Lance Armstrong and the US Postal cycling team have exposed the complicated relationships between athletes, teams, physicians, sports governing bodies, drugs providers, and judicial systems, all locked in a constant struggle for competitive advantage. The Routledge Handbook of Drugs and Sport is simply the most comprehensive and authoritative survey of social scientific research on this hugely important issue ever to be published. It presents an overview of key topics, problems, ideas, concepts and cases across seven thematic sections, which include chapters addressing: The history of doping in sport Philosophical approaches to understanding doping The development of anti-doping policy Studies of doping in seven major sports, including athletics, cycling, baseball and soccer In-depth analysis of four of the most prominent doping scandals in history, namely Ben Johnson, institutionalized doping in the former GDR, the 1998 Tour de France and Lance Armstrong WADA and the national anti-doping organizations Key contemporary debates around strict liability, the criminalization of doping, and zero tolerance versus harm reduction Doping outside of elite sport, in gyms, the military and the police. With contributions from many of the world’s leading researchers into drugs and sport, this book is the perfect starting point for any
advanced student, researcher, policy maker, coach or administrator looking to develop their understanding of an issue that has had, and will continue to have, a profound impact on the development of sport. Several issues which are related to the use of prohibited substances and doping methods in sport pose great challenges to the anti-doping governance. In order to fight against doping, some countries have implemented legal frameworks which are based exclusively on criminal law while other countries have relied on specialized mechanisms and bodies, either based exclusively on private law or on a hybrid regime of public and private law. These different regulatory approaches make the fight against doping in sport severely complicated as its success requires a degree of international cooperation as well as the concerted involvement of public authorities. However, such cooperation is often difficult to realize. At present, it can be observed, for example, that nation states are unable to effectively prevent transnational organized crime syndicates and organizations from involving in the doping market nor from restricting and eliminating prohibited doping substances and methods through their regulatory frameworks. Furthermore, the anti-doping governance framework which is based on the rules and standards of the World Anti-Doping Agency (WADA) distinguishes athletes from nonathletes, placing the former in a disadvantageous position. For example,
the standard of strict liability of no fault or negligence imposed on athletes requires less than proof beyond a reasonable doubt and allows the use of circumstantial evidence to establish an anti-doping rule violation. This standard of proof undermines the presumption of innocence principle and the principle of no penalty without a law. Moreover, the new World Anti-Doping Code of 2015 will empower the National Anti-Doping Organizations (NADOs) with investigative and intelligence-gathering powers and will add new categories of non-analytical based doping categories, while reducing the rights of athletes even further. In this thesis, we discuss specifically the private law-based regulatory framework of WADA because it fails to meet the current needs of global anti-doping governance. We therefore advocate for the adoption of a new approach where the penal and public global nature of doping is clearly recognized. Such recognition, combined with a suitable governance model based on a pluralistic approach of global administrative law, will produce a better accepted and more effective anti-doping governance among athletes and will also be of benefit for non-athletes. However, the new governance model that we propose will require all state and non-state parties to adjust their governance frameworks to meet the current challenges and problems, related to the global governance of doping in sport.
An updated guide and commentary to the rules which regulate anti-doping in sport, which includes numerous case studies. The sense of crisis that pervades global sport suggests that the war on doping is still very far from being won. In this critical and provocative study of anti-doping regimes in global sport, Paul Dimeo and Verner Møller argue that the current system is at a critical historical juncture. Reviewing the recent history of anti-doping, this book highlights serious problems in the approach developed and implemented by the World Anti-Doping Agency (WADA), including continued failure to accept responsibility for the ineffectiveness of the testing system, the growing number of dubious convictions, and damaging human-rights issues. Without a total rethink of how we deal with this critical issue in world sport, this book warns that we could be facing the collapse of anti-doping, both as a policy and as an ideology. The Anti-Doping Crisis in Sport: Causes, Consequences, Solutions is important reading for all students and scholars of sport studies, as well as researchers, coaches, doctors and policymakers interested in the politics and ethics of drug use in sport. It examines the reasons for the crisis, the consequences of policy strategies, and it explores potential solutions. The book explores the changing landscape of anti-doping investigations, which now largely centre on the collection of intelligence about doping through
processes such as surveillance, interviews with witnesses and interrogation of athletes. It examines why and how investigative processes, hitherto typically reserved for serious crimes, have been co-opted by anti-doping agencies into a situation where their potential for harm has received little or no critical consideration. This book highlights the opportunities and threats inherent in adopting new investigative processes. It is expected that many of the same problems that have engulfed forensic investigations over the last two decades, such as miscarriages of justice, are likely to surface in future anti-doping investigations. Drawing on empirical research and theory from a range of disciplines, including: forensic psychology, criminology, policing, law, sports management and policy studies, this book fills a scholarly vacuum on the investigation of doping through non-biological detection methods. This book is a comprehensive, practice-oriented guide to the evidentiary regime under the 2015 World Anti-Doping Code (WADC) including the functioning of the Athlete Biological Passport. It is the first to show how the interplay between science and law affects the collection and evaluation of evidence in anti-doping, and how paradigm shifts in anti-doping strategies may modify evidentiary assumptions implicit to the WADC regime. Unique in its dealing with the subtleties of anti-doping science and legal implications, the book gives lawyers
involved in anti-doping the keys to a better understanding of the science underlying the WADC regime, while providing anti-doping scientists with the first reference material to understand the legal framework in which their activities are embedded. The emphasis of the book is on international doping cases and it relies predominantly on CAS awards published up to Spring 2015. Written by an experienced Swiss lawyer it provides an insight into the Swiss legal system and its importance for the legal practice in doping matters. Marjolaine Viret is an attorney-at-law in Geneva, Switzerland, specialising in sports and health law. She has gained significant experience in sports arbitration as a senior associate in one of Switzerland’s leading law firms. She also holds positions within committees in sport, in particular as a member of the UCI Anti-Doping Commission. Ms Viret had her doctorate on anti-doping approved summa cum laude in 2015. She participates as a researcher in a project for a commentary of the 2015 WADC funded by the National Science Foundation and is regularly invited to lecture or speak in various fields of sports law. The book appears in the ASSER International Sports Law Series, under the editorship of Dr. Dave McArdle, Prof. Dr. Ben Van Rompuy and Marco A. van der harst LL.M.
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nowadays does not always meet the idealized image of a clean competition. In too many cases, illegal performance enhancement, so called “doping”, plays a dominant role in sports. This development might derive from the circumstance that sport is rather a business than an individual endeavour and self-realisation. Enormous amounts of money are involved in hosting events and marketing of athletes. However, increased doping actions may also result from the development and availability of various technical possibilities for performance enhancement. In the rather widespread field of doping, this paper focuses on the specific area of evidences on doping rule violations other than by so called “analytical positives”. This paper concentrates on circumstantial, non-analytical and evidence by longitude profiling. Concluding from the number of decisions, these forms of evidence play an important role in the conviction of doping infractions. Circumstantial evidences, for example, inhabit crucial importance in cases where an analytical sample is not available. This refers to cases where, for instance, a doping offence is detected some time later and to cases where, with present laboratory techniques, the use of a substance or method in general is hard/ impossible to detect. Especially in the latter case, methods like longitude profiling of blood/urine may be more widely used in the long term. However, in non-analytical cases, authorities have to face the challenge that the principle of
strict liability is not applicable, as in cases where the use of a prohibited substance is proven by the positive result of analytical laboratory tests. In this circumstance, strict liability means that the proof of knowledge or intent to use the substance is redundant. Furthermore, questions arise when the burden of proof is fulfilled in case of a doping allegation, and when non-analytical and/or circumstantial evidences amount to a conviction. Partially, the referring answer is dependent on the distinction between the system of criminal law and classification of disciplinary rules as part of public law. This paper will deal with these issues raised above standing. It will furthermore provide a critical analysis of selected decisions made by the International Court of Arbitration for Sport based on these special types of evidence. The paper, finally, will summarize difficulties and inconsistencies throughout the decisions, but also confirmations and similarities.

This book addresses the tension between, on the one hand, anti-doping practices and measures and, on the other hand, the fundamental rights of athletes. New techniques for testing and re-testing samples taken several years ago, have caused a push by the World Anti-Doping Agency and affiliated organizations for stricter rules, more doping tests and higher sanctions. Meanwhile, many States are adopting new laws and regulations to facilitate this push. At the same time,
privacy and data protection have gained new momentum, especially in the European Union, where the General Data Protection Regulation came into effect in May 2018. It contains new obligations for data controllers and processors, rights for data subjects and sanctions for those violating the data protection rules. It is clear that gathering whereabouts information on athletes, collecting urine and blood samples, analyzing the samples and using the data distilled there from falls within the scope of the data protection framework. In addition, European athletes can invoke their rights to privacy, fair trial and freedom from discrimination as guaranteed by the European Convention on Human Rights. The book is aimed at professionals and organizations involved in sports and anti-doping and provides them with an opportunity to delve into and understand the rights guaranteed to athletes within the European context. Furthermore, it is equally relevant for privacy and data protection lawyers and human rights scholars wishing to familiarize themselves with the difficult questions relating to human rights protection in the world of sport and anti-doping. Written in accessible language, it should also prove useful to athletes and laymen wanting to learn about the rules applicable to almost everyone who practices sport, even at a local amateur level. Bart van der Sloot is senior researcher at Tilburg University, Tilburg, The Netherlands, Mara Paun is PhD researcher at Tilburg University, Tilburg, The
Netherlands, Ronald Leenes is professor at Tilburg University, Tilburg, The Netherlands.

The law relating to anti-doping changes rapidly. The World Anti-Doping Code was first adopted in 2003 to provide a common set of anti-doping rules applicable across all sport worldwide. The Code has evolved and changed significantly through two major processes of review. This third edition provides essential guidance and commentary on the 2015 Code which replaces the 2009 Code. The 2015 Code contains many significant changes in the core Articles of the Code, particularly in the regime on sanctions for anti-doping rule violations, and in the amended International Standards. The text outlines how the current law has developed from anti-doping rules and principles in operation before the Code and explains the central role of the Court of Arbitration for Sport in this development and in applying the current Code. This third edition will be an important single resource for any reader working or studying in the field.

From turn-of-the-century horseracing to the monolithic anti-doping attitudes now supported by sporting organizations, the development of anti-doping ideology has spread throughout modern sport. Yet heretofore few historians have explored the many ways that international sport has responded to doping. This book seeks to fill that gap by examining different aspects of sport’s global efforts to respond to
athletes doping. By incorporating cultural, political, and feminist histories that examine international responses to doping, this special issue aims to better articulate the narrative of doping. The work starts with the first mention of doping in any sport. It examines not only the first efforts to ban doping but also the athletes who sought performance enhancers. Focusing on specific framing events, authors in this issue examine how history of doping and how it has indelibly marked the sporting landscape. The result is a work with both breadth and focus. From stories of Japanese swimmers to Italian runners to American jockeys, the work spans the range of doping history. At the same time, the authors remain focused around one single issue: the history of doping in sport. This book was published as a special issue of the International Journal of the History of Sport.