

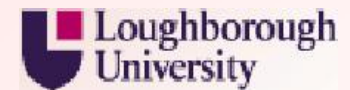
School of Sport & Exercise
Sciences

Dying to win

The second draft World Anti-Doping Code and the
fight against doping in sport

Barrie Houlihan
Loughborough University
UK

Institute of Sport &
Leisure Policy



Dying to win

- World Anti-Doping Code:
 - defining doping
 - agreeing sanctions
 - funding research & administration
 - harmonizing policy
 - ensuring compliance

Defining doping

- From ‘intent, harm & ergogenic effect’,
- to ‘strict liability’,
- to ‘enhance performance’,
‘unnecessary risk of harm’ and
‘contrary to the spirit of sport’,
- and back to ‘strict liability’.

Strict liability

- the presence of a prohibited substance or its metabolites or markers in an athlete's bodily specimen
- use or attempted use of a prohibited substance or a prohibited method
- failing, or refusing, to submit to sample collection....
- violation of applicable requirements regarding athlete availability....
- tampering...possession....trafficking... aiding and abetting....

Agreeing sanctions

- Issues:
 - purpose: punish, exclude, rehabilitate
...
 - categorisation of violations
 - equality or equity of treatment of sports
 - baseline sanctions or lowest common denominator

Agreeing sanctions

- Policies:
 - IFs - wide variation from 4 years (IAAF) to a few months (UEFA)
 - governments/courts - general agreement around 2 years
 - IOC - weak commitment to 2 years

Agreeing sanctions

- IOC Anti-Doping Code (1999)
 - ‘However, based on specific, exceptional circumstances to be evaluated in the first instance by the competent IF bodies, there may be a provision for a possible modification of the two-year sanction’

Agreeing sanctions

- WAD Code
 - 2 year sanction, but some allowance for inadvertent use, therapeutic use and ‘exceptional circumstances’, eg age and competitive experience
 - ‘if the athlete can clearly establish that the anti-doping rule violation was not the result of his or her fault or negligence’

Funding research & administration

- Costs:
 - testing - stable or declining
 - legal advice - rising steadily
 - scientific costs - rising rapidly

Funding research & administration

- Funding:
 - federations - remains limited & reluctant
 - governments - wide variation and some evidence of growing reluctance
 - IOC - remains crucial, but modest

Funding research and administration

- WADA 2002 budget & income (US\$)
(late October)
 - Olympic Movement 5,150,000 (8,500,000)
 - Public authorities 5,018,640 (8,500,000)
 - **Paid in full** - Japan, Denmark, Finland, France, Netherlands, UK, Norway, Sweden, Germany, Spain, Australia & NZ
 - **Paid at least half** - Korea, Romania, Belgium
 - **Paid nothing** - USA, all South America, India, Austria, Bulgaria, Ireland, Greece, Italy, Poland, Russia, Ukraine

Harmonizing policy

- WAD Code
 - considerable progress - uniformity, compatibility and proximity; ISO; models of best practice, BUT
 - USA not enthusiastic about use of ISO
 - many countries will need support to achieve harmonisation
 - vast number of aspects to harmonise

Harmonizing policy

- **Intensity of testing, selected sports in Britain, Apr '00 to March '01**

• Sport	Tests conducted	Approx.. no. of elite athletes	Approx.. chance of being tested
• Power lifting	185	50	370%
• Athletics	605	250	242%
• Weight-lifting	229	100	229%
• Swimming	110	100	110%
• Cycling	216	300	72%
• Rowing	42	100	42%
• Triathlon	13	40	33%
• Gymnastics	26	80	32.5%
• Football	1016	5000 (Eng)	20%

Achieving compliance

- **Distribution of medals at the 2000 Olympic Games between the 80 medal-winning countries**

% of medal winning countries	% of medals won
• Most successful 10% (n = 8)	52.6% (n = 456)
• Most successful 20% (n = 16)	72.5% (n = 629)
• Most successful 40% (n = 32)	90% (n = 780)
• Least successful 20% (n = 16)	2.6% (n = 23)

- **Distribution of medals at the 2002 Winter Olympic Games between the 25 medal-winning countries**

% of medal winning countries	% of medals won
• Most successful 20% (n = 5)	53.9% (n = 126)
• Most successful 40% (n = 10)	74.8% (n = 175)
• Least successful 20% (n = 5)	3.9% (n = 9)

Achieving compliance

- **Distribution of medals at the 2000 Olympic Games between the 199 participating countries**

% of participating countries	% of medals won
• Most successful 10% (n = 20)	77.5% (n = 672)
• Most successful 20% (n = 40)	94.7% (n = 821)
• Most successful 40% (n = 80)	100% (n = 869)

-
- **Distribution of medals at the 2002 Winter Olympic Games between the 77 participating countries**

% of participating countries	% of medals won
• Most successful 20% (n = 15)	89.3% (n = 209)
• Most successful 30% (n = 23)	99.2% (n = 232)

Achieving compliance

- Reasons for non-compliance by a government, NOC and IF:
 - choice
 - inability
 - inadvertence

Achieving compliance

- Available responses within the Code:
 - publicity of non-compliance
 - biennial report to WADA on compliance
 - WADA reports to IOC, IFs etc.

Achieving compliance

- Version 1: ‘..acceptance of the Code by both its NOC and government shall be a requirement for a country to host [the] Olympic Games... or world championships’.
‘...acceptance of the Code by its NOC shall be required for a country to participate in Olympic Games...’

Achieving compliance

- Version 2: ‘... Non-compliance with the Code by either the government or NOC of a country shall result in consequences with respect to Olympic Games....world championships ... as determined by the ruling body for each event.

Still 'Dying to Win'?

- increased commitment from the EU
- strong resistance from key IFs especially soccer and tennis
- static or declining commitment from governments
- little enthusiasm among National Olympic Committees
- athletes are on the margin of doping debates
- public largely ignored

Institute of Sport & Leisure Policy
School of Sport & Exercise Sciences



Excellence in Teaching
and Research

