

Is the anti-doping system better prepared to prevent institutionalized doping?

Opinions by Graeme Steel and Joseph de Pencier.

At the end of 2022, iNADO collected feedback with the topics that were most interesting for our members. The answers went in all different directions with topics such as ADAMS, NADO independence, scientific developments, prevention, etc. voted by many. One answer with a fair number of votes “what are the (new) lessons learned from the Russian doping scandal”.

The processing of the Russian doping scandal has spawn over a number of years and the legal management of the consequences might seem convoluted and confusing for many. Therefore, there is merit in revisiting this episode trying to answer the question if we are better prepared now to deal with something like this in future.

Former iNADO CEOs Joseph de Pencier (2012 – 2017) and Graeme Steel (2017 – 2019) witnessed the eruption of the Russian institutionalized doping, its disruptive evolution, and the difficulties in dealing with the consequences. Therefore, their analysis is particularly relevant for the anti-doping community. Both conclude that the voice of the athletes will be crucial in preventing similar events in future . We would like to share their thoughts on the next page.

Jorge Leyva

Graeme Steel:

My thoughts may have evolved from previous views I have expressed on the topic. These thoughts are not definite nor finite, there is certainly more to be added.

NADOs are an essential and integral element of the international fight against doping. There is no prospect of an equivalent to the ITA recognising the broader scope and unique national circumstances of each NADO.

Given the above, the possibility that any individual NADO will manipulate its programme to "assist" its athletes will always exist.

The task, if the potential for cheating by a NADO/country can not be eliminated, is to minimise its impact by the imposition and oversight of more rigorous checks and balances than have existed to date. The current compliance assessment processes, even including on-site audits, while important tools, can be easily circumvented by cheating organisations.

An essential element of this is greater collaboration between NADOs and the ITA/other independent IF delegate. This has always been problematic as the integration of programmes has often been inefficient with each party more intent on preserving their autonomy and authority than ensuring seamless dovetailing of programmes and resources. The oversight and testing of International level athletes (at least) can not be solely determined by a NADO nor manipulated in such a way that they are ever out of reach of independent testing. Clearly accurate whereabouts is central to this as is access for external testers. (Nothing new in all this!)

Some NADOs have historically been resistant to this (on the basis that their programme is unimpeachable) but if the dirty players are to be controlled all must compromise. Equally, the ITA must continue to develop and demonstrate its competence and objectivity.

The availability of a WADA overseen process that more quickly addresses resistance of a party to share information and/or provide access to athletes must be in place. This may involve a dedicated troubleshooting panel with powers to enforce rulings.

WADA must be determined in its enforcement of such a process. It has historically been hamstrung by the resistance of the Olympic Movement primarily but also, in some cases - Governments, to the imposition of sanctions which are quick and meaningful. Maximising the spectacle of Olympic events (and/or preserving national alliances) has had priority.

The voice of independent athletes must play an important part of the evolution of this response. The historical difference between the approach and opinions of independent athlete groups to those IOC-appointed groups is telling. WADA must divorce athlete input from groups hanging on to the IOC coattails as they have always taken softer, more IOC-aligned positions.

At a more practical level, increased exchange of expertise between NADOs has always had huge potential huge benefits and is not expensive yet somehow it has never really become the norm. A team of two, one planner and one DCO, can be exchanged with each having full access to the other's processes, data, planning and testing. Most importantly these should share expertise and good practice and should explicitly be aimed at improved collaboration and performance. However, should anyone, as part of the exercise, become aware of suspicious processes these should be reported. Resistance to such exchanges would itself be suspicious.

Joseph de Pencier:

State-sponsored doping is always a risk whenever sport is being used / abused as a form of "soft" power by ambitious countries (especially where the rule of law is weak). The lessons learned about the former East Germany did not prevent the more recent Russian transgressions. I have little confidence that whatever we learn from, and however the sport movement responds to, the Russian misconduct uncovered in 2014 will prevent future state-run cheating.

It is not clear that the international sport community is yet completely and universally inclined to reject amoral state misconduct (such as unprovoked military aggression) as contrary to the values of sport, requiring exclusion from sport. There is at present far too much equivocation in international sport organization response to Russia and

Belarus participation is sport despite those states' war in Ukraine. The argument that sport must not be "politicized" by excluding rogue nations from sport is as naïve as it is unprincipled. The argument must be rejected categorically.

The myth persists that a country's athletes have no link to or stake in their state's international misconduct. In my view there is no such thing as an innocent or "clean" athlete from a country with a corrupt anti-doping system. An athlete's participation in international sport depends on their status as a national of a country. So if that country is sanctioned because of international misconduct, the athletes (and sport officials and other sport participants) are irrevocably and by definition caught by their country's punishment. There is no logical or principled reason for separating them from their country in this regard. Their cause for complaint is with their own governmental authorities, not with the international organizations responding to international misconduct.

WADA has yet to prove itself as a reliable protector of clean athletes in the face of state-sponsored doping. The management of all ADRVs from the Russian institutionalized doping has dragged on unresolved for a long time. WADA's processes turned out cumbersome and bureaucratic (and those of many other international sport organizations) grinding on and on, years after starting.

A silver lining to all of this is athletes themselves raising their voices in protest. And demanding more say. More of this sort of "democracy" is to be welcomed.