

WHAT IS NEEDED IN TODAY'S SET-UP FROM A HUMAN RIGHTS PERSPECTIVE?

Julien Attuil-Kayser

Head of the Anti-Doping Unit

www.coe.int/sport



@JulienAttuil

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

HUMAN RIGHTS – A DEFINITION

Human rights are rights inherent to all **human beings**, regardless of race, sex, nationality, ethnicity, language, religion, or any other status. Everyone is entitled to these rights, without discrimination.

HUMAN RIGHTS AND ANTI-DOPING

Non-discrimination

equality

proportionality

Right to work

Right to protection

Right to privacy

Right to family life

Right to dignity

Fair procedure

Right to education

Presumption of innocence

Right to participate

Right to health & care

ANTI-DOPING UNIQUENESS

- ▶ Out-of-competition test vs criminal law
- ▶ Whereabouts vs freedom of movement
- ▶ Strict liability vs presumption of innocence
- ▶ Recording of personal/medical data vs data protection
- ▶ Disciplinary proceedings vs right to a fair procedure
- ▶ Urine and blood tests vs right to dignity/integrity

ANTI-DOPING IN CONSTANT EVOLUTION

WADA

- ▶ Regular revisions and improvements of the Code
- ▶ Athletes' Anti-Doping Rights Act
- ▶ Human Rights Impact Assessment (in progress)

CoE

- ▶ Recommendation on fair procedure in anti-doping proceedings
- ▶ Caselaw of the European Court of Human Rights
- ▶ Gender equality & antidoping (in progress)

National level

- ▶ Operational independence (NADO)
- ▶ Disciplinary procedure
- ▶ Education

A BETTER ANTI-DOPING SYSTEM

- ▶ A reinforced protection of the private life & data protection
- ▶ Athletes voice better heard and listen
- ▶ A better protection of athletes
- ▶ Improved disciplinary proceedings
- ▶ A stronger anti-doping system worldwide
- ▶ An equal treatment for all athletes
- ▶ A reinforced governance in anti-doping institutions

➤ HUMAN RIGHTS MAINSTREAMING