

Anti-Doping Awareness in Sports

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Lecture -4

WADA Code & Anti-Doping Organizations

Welcome everyone. Myself Dr. Ankush Gupta, Senior Project Officer, National Anti-Doping Agency, Ministry of Youth Affairs and Sports, Government of India. Today, I will talk about the World Anti-Doping Agency-related standard and the World Anti-Doping Code, associated guidelines, and the roles and responsibilities of the anti-doping organizations all across the world. My topic is outlined basically in the following matters and categories: the doping and the strict liabilities which lie with the athletes and the athlete support personnel and other persons in the country.

The origin of the anti-doping practices and the anti-doping framework all across the world, the convention which we call as the UNESCO International Convention Against Doping in Sports, which sets the procedures, policies, regulations, and framework for the state parties which are signatory to this convention. The World Anti-Doping Code, the World Anti-Doping Agency, and the related international standards and the guidelines which enable anti-doping organizations to adopt their best practices in their respective regions. And coming to that, the anti-doping program which is applicable and being implemented in our country by the National Anti-Doping Agency. In the end, I will talk about the National Anti-Doping Agency, which is the nodal agency responsible for implementing and putting efforts to eradicate the doping menace in our country, having some references for today's topic.

Now, doping, we all know that doping is not allowed, it is prohibited, it is cheating in sports. But some of the sportspersons and persons tend to commit this type of cheating in sports. Basically, doping is a common terminology. It is a layman's language which tells us that this is cheating, something happened in sports. But if we talk about the World Anti-Doping Agency Code and the National Anti-Doping Agency, it is a violation of the anti-doping rules adopted by the particular country or the anti-doping organization.

There are acts or conducts defined in the anti-doping rules or the World Anti-Doping Code, and any athlete or support person or any other person, if found to violate the rules in place, then we call it an anti-doping rule violation, and in a general term, it is doping. Doping, we have learned that doping is only the consumption of the prohibited substances by the athlete which eventually enhances the sporting performance and has some extra benefit or additional improvement in their performance, but this is not the only case. We have some other violations also, other kinds of doping also, as per the rules defined by the agency, like refusal of the sample to the authority, evasion from the doping control process, or trafficking of the prohibited substances, or complicity, prohibited association within the sporting ecosystem, and the whereabouts failure clause is also very important with regard to the anti-doping rule violation.

So, my dear friends, doping is not only the consumption of the prohibited substances, it is the occurrence of one or more anti-doping rule violations as defined in the code and the rules. There are a total at present of 11 anti-doping rule violations which comprise the doping elements in sports. Now, what are the substances and methods which are prohibited by the WADA for doping in sports? There are basically more than 350 substances which are comprised in the prohibited list identified by the WADA, which is being implemented every year from 1st January, like for example, 2025. 1st January the new set of prohibited list has already come into place, it is available on the WADA website, in the public portal also, and is going to be effective from 1st January 2025 next year.

Before introducing any substances or methods in the prohibited list, the World Anti-Doping Agency has consultations with the other global health regulatory authorities and the pharmacological manufacturing companies, pharma companies, on what are those preferences which may have fulfilled the three criteria or any of the two criteria from the following criteria. Like for example, if any pharmacological preparation or the substances have the potential of enhancing the sporting performance of the athlete. Second, any pharmacological preparation or medication which has a threat to the athlete's health, like athlete health can be deteriorated by consumption of those prohibited substances. And any substances which may violate the spirit of sports. These are the three criteria for having consideration of any prohibited substances into the prohibited list of categories of substances.

And any substances or methods which fulfil any of the two of the three criteria mentioned here can be considered for the inclusion in the doping agents or the prohibited substances by the World Anti-Doping Agency. Basically, doping is a prohibited use of prohibited substances or violation of anti-doping rules provisions which may enhance the sporting performance and is fundamentally wrong and unethical and is detrimental to the overall spirit of the sports. Drug misuse can be harmful to an athlete's health also, not only to the individual but to other athletes who are competing in sports. Basically, doping severely

damages the integrity, image, and values of sports, whether or not the motivation to use drugs is to improve sporting performance. We all know that to achieve the integrity and fairness in sports and to save our future generation, which is having the sports lovers and those who can give something to the sports, a commitment to the clean sports field of play is very critical.

And we all have to work in coordination to eradicate this menace in our sporting ecosystem. In a global anti-doping framework system, there is a mechanism, there are guidelines set in place which regulate the overall procedures of the systems globally related to the anti-doping framework. There is an international convention against doping in sports which is the fundamental and binding document for all the government signatories and the public authorities. Then after, the World Anti-Doping Code and the national anti-doping rules in every country which is the signatory of the WADA code and the UNESCO convention. These three processes and documents outline the anti-doping framework all across the globe.

What is the convention? The convention is the commitment of the governments to adopt the best practices and to have the fair play concept and environment in their country. The international convention and the cooperation to protect ethics, integrities, and values, to have the capacity building to assist the government and developing national anti-doping programs through policies, framework, and trafficking, and to supplement the health and policies. Also, the education and prevention program which is outlined in the convention and the WADA code to foster sports values and inform the youth about the consequences. The convention, it is the International Convention Against Doping in Sports, which was adopted in 2005 at the 33rd UNESCO General Assembly Conference and entered into force from 1st February 2007, which is ratified by more than 191 state parties and countries all across the globe. The unique feature of this convention is that it is the second most ratified of all UNESCO treaties which is available.

This international convention aims to prevent and eliminate doping in sports. The convention has 43 articles, 2 annexures, and 3 appendices, and the World Anti-Doping Code is also one of the appendices of this convention. India signed the convention in 2007 and is currently a member of the Conference of Parties 9 Bureau, and India is also chair of the fund approval committee of the convention which mobilizes monetary resources to support the functioning of the convention, especially in the Asia Oceania region. Now, what are the objectives of the convention? The objective of the international convention against doping in sports is to harmonize the anti-doping legislation, guidelines, regulations, and rules internationally in order to provide a fair and equitable playing field environment for all the athletes and support personnel. There are some commitments, there are some responsibilities of the governments who are the state parties to this convention, and they have a commitment to encourage international cooperation to protect athletes and the ethics of sports.

Limit the availability of the prohibited substances and methods by combating trafficking, imposing some sanctions, imposing regulations, facilitate doping control, and support the national testing program. To encourage producers and distributors of nutrition supplements to establish best practices in the labeling, marketing, and distribution of the products which might contain the prohibited substances and to support the implementation of the anti-doping education program all across the country and to promote anti-doping research and development. And there is a convention, there is an objective, there is a commitment of the government and the state parties. So, obviously there should be a monitoring mechanism to this convention whether the state parties are complying with these measures of the convention or to some extent or not. Then there is a monitoring system in place to have the implementation of this convention.

Article 31 of the international convention against doping in sports clearly depicts that every two years state parties have to submit a national report on compliance to the Conference of Parties, those who can evaluate, those who can oversee the development of international best practices. The monitoring tool of the anti-doping convention is outlined, the online self-assessment anti-doping logic questionnaire which is available after every period of two years for the state parties to submit their compliance report. Compliance with the convention is measured through 21 principal questions of the AD logic questionnaire covering the four thematic areas of the convention which are as below. The state parties have to prepare and compile the reports of the particular two-year period covering the four thematic areas, national activities to strengthen the anti-doping practices, international cooperation, education and training, and research. All these four areas and key thematic fields have to be documented by the state parties so that compliance can be evaluated by the COP of the international convention.

The national report is generated automatically by the ideological systems questionnaire based on the responses provided by the state parties. Now, this is the convention which is the commitment of the government and the signatories, state parties to the anti-doping best practices in their respective countries. What is the relationship between the convention and the WADA code? In the fight against doping in sports, state parties commit themselves to the principle of the codes as the basis for the measures provided for in Article 5 of this convention. What is Article 5 of the convention? It clearly defines that measures to achieve the objective of the convention in abiding by the obligations contained in this convention. Each state party undertakes to adopt appropriate measures.

Such measures may include legislation, regulations, rules, policies, or administrative practices. It is as per the law of the land of that particular country or particular region how they can implement these anti-doping best practices into their domestic system. The World Anti-Doping Agency, which was established in 1999, the WADA's funding is

sourced equally from the Olympic movement and the government of the world. The World Anti-Doping Code is the core document that harmonizes the anti-doping practices, rules, and regulations within the sports organizations and among the public authorities all across the world. The unique feature of the World Anti-Doping Agency is that it is a body, it is an international entity which promotes best practices amongst the anti-doping organizations.

And the anti-doping organization comprises the national anti-doping organization, regional anti-doping organizations, and the international federations, and the major event organizers like Olympic Games, Commonwealth Games, and the Asian Games and other World Games Championships. The World Anti-Doping Code is a fundamental and universal document upon which the World Anti-Doping Program in sports is based. The code is to advance the anti-doping effort through universal harmonization of core anti-doping elements, which are education, detection, deterrence, and enforcement into their respective domestic regions. The WADA code is revised from time to time, and the next code is under the process of stakeholder consultation which is scheduled to be revised with effect from 1st January 2027. As of now, we have a 2021 code in place which is being implemented by the respective anti-doping organizations.

What is the purpose of the code? The purpose of the code is basically to protect the athlete's fundamental rights to participate in doping-free sports and thus promote health, fairness, and equality for all athletes worldwide. To ensure harmonized, coordinated, and effective anti-doping programs at the international as well as national levels with regard to the prevention of doping including education and awareness. The code is in conjunction with the eight international standards which aim to foster consistency among anti-doping organizations in various areas. As I said, the 2021 version of the World Anti-Doping Code and international standards are in place, which is applicable all across the anti-doping organizations to implement in their domestic region. There are a total of eight international standards if I talk about.

Associated with the technical guidelines and documents. The first standard says that the code compliance has to be in compliance with the anti-doping code and policies, which is the international standard for code compliance by the signatories, ISCCS. And we at the National Anti-Doping Organization, signatory to the WADA code, are bound to comply with these compliances as a signatory. International standard for testing and investigation which is a vital document, which starts the sample collection processes, defines the integrity, and identity of the sample is to be maintained as per this ISTI guideline.

International standard for therapeutic use exemption which is also one of the important standards to have benefit to the athlete on the legitimate medical conditions to have a use of the prohibited substances for the purpose of the therapeutic. Next is the international standard for the protection of privacy and personal information. Then after international

standard for laboratories, the prohibited list, education, and the result management. These are the core eight international standards and associated guidelines which enable anti-doping organizations to adopt the best practices in their system and to have implementation of the full anti-doping program. Like I said, every anti-doping organization is bound to comply with these standards, whether it is code compliance or testing and investigation, international standard for the therapeutic use exemption, ISPPAI, international standard for laboratory.

This is the standard which is applicable directly to the WADA-accredited laboratories and approved laboratories by the WADA, those who are involved in the analysis of the doping samples collected by the anti-doping organization. They have to ensure, they have to make sure that the analysis systems and procedures within the laboratories are in full compliance with the World Anti-Doping Guidelines and this ISL. Next one is the international standards for the prohibited list. This is also a very unique standard which is annually updated by the WADA.

And 1st January of every year, we have a new version of the prohibited list which comprises the substances and methods which are prohibited in sports, whether it is in competition, out of competition, or all times, or in particular sports. These substances and methods are classified in the list by different categories like steroids, stimulants, anabolic agents, diuretics, etc. Next is the international standard for education, which is also a new standard with regard to the 2021 code, alongside the international standard for the result management which clearly demonstrates the steps and the procedures, stages involved in anti-doping organizations' result management processes, that the athlete has to be notified properly with regard to the adverse analytical findings, or any anti-doping rule violation which has occurred as per the procedure and the policies. Every athlete has to be given a fair chance and impartial hearing so that the athlete can present their case in a proper manner.

So, as to avoid any consequences, but the rule is very simple and clear that if any athlete has committed an anti-doping rule violation, the hearing processes have to be held as consequences and further sanctions on the athletes who committed the Anti-Doping rule violation.

Anti Doping Program in India: Coming to our country's systems, we are one of the anti-doping organizations as per the defined policies of the WADA world anti doping code. Anti doping program in India primarily comprises the two nodal agencies. One is the National Anti Doping Agency and the other is the National Dope Testing Laboratory. There are clear cut functions defined for both the anti-doping entities in our country. Like, NADA is involved in test planning, sample collection, result management, education and gathering some intelligence also. On the other hand, the NDTL, which is the only accredited laboratory by the world anti doping body in India, they are involved

in sample analysis, producing the results of the analysis, whether there is an adverse analytical finding or any adverse analytical finding in the sample. In addition to the sample analysis, they are also involved in some research and educational activities. As far as NADA is concerned, we established in 2009, as an autonomous body under the Ministry of Youth affairs and Sports, Government of India. Primary functions of NADA is to implement anti-doping program in the country, which primarily comprises the sample collection for the doping control process, anti doping education, result management, legal management adjudication, and some intelligence gathering and investigation. For the past 15 years, NADA is trying to educate the athletes in the sporting ecosystem and to have some deterrence mechanism also, so that every anti doping rule violation has to be concluded in a systematic manner as per the applicable rules. National Anti Doping rule, WADA code rules: These rules are the formation from the World anti doping code basically, and we as the national anti doping agency is a signatory to the WADA code, and accepted the code whenever it has been revised (2009, 2015, 2021) or anywhere in the future, in 2027, it is going to be revised by WADA. We have some modifications as per the requirements of the country and the law of the land, the rules are revised in compliance to the world anti doping code. Anti doping rules are adopted and implemented in accordance with the NADA responsibilities under the code, and in furtherance of Government's continuing efforts to eradicate doping in sport in India. Anti-doping rules are applicable to all stakeholders of sport in our country, and all have to abide by the same with regards to the implementation.

There are some references that I have gathered, some information on the subject from the UNESCO Convention against doping in sports, World anti doping code, which you can see. For further information and knowledge, you can refer to these.

With this, I conclude my presentation. Thank you everyone.