

Chapter 33

Problems of the Fight Against Doping in Professional Sports: On the Example of Russian and World Experience

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ABSTRACT

Doping became, as many experts note, not only more diverse, highly specialized, and efficient, but also dangerous for the health of athletes. One of the main factors that allows athletes to escape responsibility is corruption. The author pays particular attention to research and new technologies in the field of sports medicine, including generating new kinds of doping. The chapter also examines the practice of international standard on granting exceptions on therapeutic use of drugs. The author suggests reconstructing the existing system of criminal and administrative law to develop new enforcement mechanisms in the fight against doping to impose a ban on the testing of new drugs on professional athletes.

INTRODUCTION

Doping is not only a result of fraudulent actions of athletes, their desire to win at any cost and break the rules of fair play in order to get cash bonuses and undeserved rewards. Doping is also the result of the actions of politicians who want to win political opponents, to show the world the superiority of their countries and nations through the victories of their athletes. Doping is also a consequence of competition doping and Anti-Doping technologies that producing in the laboratories of the most developed and advanced countries. We have only one way to solve the problem of doping. It is necessary to unite all international community against this evil. All countries should strengthen administrative and criminal liability for violations of Anti-Doping laws, to join efforts to combat international organized crime, illegally distributing prohibited substances. It is necessary to introduce access on an equal basis to athletes of all countries to modern technologies of sports medicine, to ban testing on athletes for new pharmacological

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agents. Drug manufacturers should be required to indicate in the specifications possibility to use medical drugs in professional sports. The main purpose of this chapter to familiarize a reader with doping practices, causes and conditions of its distribution, to identify ways to combat this negative phenomenon.

BACKGROUND

Recently the doping scandals shuddered professional sports. In December 2014 ARD - the German TV channel - broadcast Hajo Seppelt's documentary film *The Doping Secret: How Russia Creates Champions* where Russia was accused of athletes' doping support at the country level (Kabanov, 2014).

According to the film, it is easy in Russia to buy doping on the Internet and the Russian athletes tried to eliminate revealed positive doping tests for bribes, and there a large-scale falsification of doping tests took place in the Russian Anti-Doping laboratory. Sports doctors quasi helped athletes to use the new prohibited performance enhancing drugs and to remove them from athletes' body in due time. Therefore, the concrete facts and surnames of officials were specified in this film.

Following the broadcast film there was a big scandal in the sports world, WADA initiated investigation of the facts mentioned in the film, and in November 2015, it published a report following the results of this investigation. *WADA's Independent Commission confirmed these facts and declared that Grigoriy Rodchenkov, the head of the Moscow Anti-Doping laboratory, in spite of requirements of the World Anti-Doping Code had destroyed 1417 doping tests in his laboratory. Valentin Balakhnichenov, the former head of the Russian Athletics Federation, as well as Grigoriy Rodchenkov was also accused for falsification of doping tests and bribery (WADA: Two Moscow Laboratories Eliminated Doping Tests).*

Rodchenkov's illegal actions caused the situation when achievements of our many athletes at the previous Olympic Games and International Championship raised doubts about it. Following the results of investigation WADA came to the following conclusion: *The culture of cheating has taken roots deeply in Russia. According to the investigation the consent with cheating at all levels is widespread and it exists for a long time.* Then WADA recommended to disqualify all Russian athletes from any international competitions and to disqualify five coaches and five athletes for life. International Association of Athletics Federations (IAAF) supported these recommendations and suspended Russia's membership in this organization for an indefinite period. *(Russia May be Disqualified from Athletics Competitions).*

So how did Russia react to this scandal? There were many emotions, talks on slander and lie, double standards, that there was no such problems in the Russian sport and that it is gross lie of the West, etc. The official reaction was different. The Ministry of Sport made an official statement on November 10, 2015 that it respected WADA's independent investigation and it would fight doping rigidly in association with international sports organizations (Ministry of Sport of Russia Made Statement to WADA's Accusations, 2015).

The Russian President Vladimir Putin also responded to these events. He demanded to perform the domestic investigation in coordination with the international organizations and to protect health of our athletes (*Putin Against Doping Scandal has Invoked to Protect Athletes from Administration of the Forbidden Drugs*, 2015). The work of the Moscow Anti-Doping laboratory was suspended. Mr. Rodchenkov, director of this laboratory, was dismissed. The Administration of RUSADA gave up its power; the business of this organization was suspended. After these tragic events in February 2016, the chairman of executive council and the executive director of RUSADA died due to illness (Petrov, 2016).

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