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# Evidence in Anti-Doping at the Intersection of Science and Law



Marjolaine Viret



Springer

# Evidence Anti Doping Intersection Science International

**Jason Mazanov**



## **Evidence Anti Doping Intersection Science International:**

**Evidence in Anti-Doping at the Intersection of Science & Law** Marjolaine Viret, 2015-10-31 This book is a comprehensive practice oriented guide to the evidentiary regime under the 2015 World Anti Doping Code WADC including the functioning of the Athlete Biological Passport It is the first to show how the interplay between science and law affects the collection and evaluation of evidence in anti doping and how paradigm shifts in anti doping strategies may modify evidentiary assumptions implicit to the WADC regime Unique in its dealing with the subtleties of anti doping science and legal implications the book gives lawyers involved in anti doping the keys to a better understanding of the science underlying the WADC regime while providing anti doping scientists with the first reference material to understand the legal framework in which their activities are embedded The emphasis of the book is on international doping cases and it relies predominantly on CAS awards published up to Spring 2015 Written by an experienced Swiss lawyer it provides an insight into the Swiss legal system and its importance for the legal practice in doping matters Marjolaine Viret is an attorney at law in Geneva Switzerland specialising in sports and health law She has gained significant experience in sports arbitration as a senior associate in one of Switzerland's leading law firms She also holds positions within committees in sport in particular as a member of the UCI Anti Doping Commission Ms Viret had her doctorate on anti doping approved summa cum laude in 2015 She participates as a researcher in a project for a commentary of the 2015 WADC funded by the National Science Foundation and is regularly invited to lecture or speak in various fields of sports law The book appears in the ASSER International Sports Law Series under the editorship of Dr Dave McArdle Prof Dr Ben Van Rompuy and Marco A van der Harst LL M **Athletes' Human Rights and the Fight Against Doping: A Study of the European Legal Framework** Bart van der Sloot, Mara Paun, Ronald Leenes, 2020-01-23 This book addresses the tension between on the one hand anti doping practices and measures and on the other hand the fundamental rights of athletes New techniques for testing and re testing samples taken several years ago have caused a push by the World Anti Doping Agency and affiliated organizations for stricter rules more doping tests and higher sanctions Meanwhile many States are adopting new laws and regulations to facilitate this push At the same time privacy and data protection have gained new momentum especially in the European Union where the General Data Protection Regulation came into effect in May 2018 It contains new obligations for data controllers and processors rights for data subjects and sanctions for those violating the data protection rules It is clear that gathering whereabouts information on athletes collecting urine and blood samples analyzing the samples and using the data distilled there from falls within the scope of the data protection framework In addition European athletes can invoke their rights to privacy fair trial and freedom from discrimination as guaranteed by the European Convention on Human Rights The book is aimed at professionals and organizations involved in sports and anti doping and provides them with an opportunity to delve into and understand the rights guaranteed to athletes within the European context Furthermore it is equally relevant for privacy and

data protection lawyers and human rights scholars wishing to familiarize themselves with the difficult questions relating to human rights protection in the world of sport and anti doping Written in accessible language it should also prove useful to athletes and laymen wanting to learn about the rules applicable to almost everyone who practices sport even at a local amateur level Bart van der Sloot is senior researcher at Tilburg University Tilburg The Netherlands Mara Paun is PhD researcher at Tilburg University Tilburg The Netherlands Ronald Leenes is professor at Tilburg University Tilburg The Netherlands

Sports Investigations Law and the ECHR Björn Hessert,2023-03-23 This book focuses on the analysis of coercive measures that sports organisations are permitted to use as part of their internal sports investigation proceedings to investigate sports rule violations The legality of such coercive measures is measured against the legal regime of the European Convention on Human Rights ECHR The book examines the important issue of the applicability of the ECHR to private sports organisations which is currently widely debated in the field of sports law The ECHR is hereby used as the analytical framework which should also be a source of inspiration for jurisdictions outside the scope of application of the ECHR The book further explores if and to what extent sports organisations and law enforcement agencies may exchange intelligence in support of both internal sports investigation proceedings and criminal investigations At all stages the work seeks to strike a balance between the interest of sports organisations to investigate sports rule violations and the rights of athletes and other sportspersons The work will be an invaluable resource for students academics and policy makers working in the area of Sports Law and Human Rights Law

**EBOOK Brukner & Khan's Clinical Sports Medicine** Peter Brukner,Karim Khan,2019-05-01 The 1 text in Sports Medicine This cornerstone textbook has been updated with the latest research and developments Brukner Khan s world leading title provides an authoritative foundation for clinicians and students This complete practical guide to physiotherapy and musculoskeletal medicine covers all aspects of diagnosis and contemporary management of sports related injuries The fifth edition has been expanded to accommodate a much higher level of evidence based content and reflects the huge amount of new research and significant changes in thinking since the previous edition was published The contributing editors are an international compilation of globally recognised experts within their fields This is essential reading for sports medicine physicians physical therapists and physical therapy students Topics in Volume Two Include Exercise and health Exercise and disease Environment Harassment and abuse Special groups Maximising athletic performance Nutrition for performance

Managing Drugs in Sport Jason Mazanov,2016-10-04 As ongoing high profile drug scandals have demonstrated sports organisations rarely have a coherent strategy to manage the role and relationship their sport has with different types of drugs from alcohol to supplements to prescription drugs to doping This important and timely book argues that drug control led integrity management of sport is more than an ideological battle around doping The relationship sport has with the drugs industry has become a much broader management problem The breadth of the problem compels stakeholders in sport including athletes coaches fans public servants and sports managers to

understand better the issues in pursuit of effective strategies and responses Drawing on cutting edge management theory this book explores the dilemma of drugs in sport It introduces the policy and business contexts that have shaped responses to this issue and examines its significance to sport and integrity management including human resource management marketing and risk management It discusses practical management concerns such as working with scientists and anti doping organisations and offers clear recommendations for the future management of sports integrity The first book to offer a complete framework for a drugs management strategy for sport Managing Drugs in Sport is essential reading for all advanced students researchers and practitioners working in sport management sport business sport policy sport governance and business ethics     Current Law Index ,2007     **Dissertation Abstracts International** ,2000     **International Aerospace Abstracts** ,1966-03     *Sociological Abstracts* Leo P. Chall,2003 CSA Sociological Abstracts abstracts and indexes the international literature in sociology and related disciplines in the social and behavioral sciences The database provides abstracts of journal articles and citations to book reviews drawn from over 1 800 serials publications and also provides abstracts of books book chapters dissertations and conference papers     **Physics Briefs** ,1981     *Choice* ,2007     Encyclopedia of World Crime: K-R Jay Robert Nash,1989     **Conference Papers Index** ,1988 Monthly Papers presented at recent meeting held all over the world by scientific technical engineering and medical groups Sources are meeting programs and abstract publications as well as questionnaires Arranged under 17 subject sections 7 of direct interest to the life scientist Full programs of meetings listed under sections Entry gives citation number paper title name mailing address and any ordering number assigned Quarterly and annual indexes to subjects authors and programs not available in monthly issues     Testing for Athlete Citizenship Kathryn E. Henne,2015-04-17 Incidents of doping in sports are common in news headlines despite regulatory efforts How did doping become a crisis What does a doping violation actually entail Who gets punished for breaking the rules of fair play In Testing for Athlete Citizenship Kathryn E Henne a former competitive athlete and an expert in the law and science of anti doping regulations examines the development of rules aimed at controlling performance enhancement in international sports As international and celebrated figures athletes are powerful symbols yet few spectators realize that a global regulatory network is in place in an attempt to ensure ideals of fair play The athletes caught and punished for doping are not always the ones using performance enhancing drugs to cheat In the case of female athletes violations of fair play can stem from their inherent biological traits Combining historical and ethnographic approaches Testing for Athlete Citizenship offers a compelling account of the origins and expansion of anti doping regulation and gender verification rules Drawing on research conducted in Australasia Europe and North America Henne provides a detailed account of how race gender class and postcolonial formations of power shape these ideas and regulatory practices Testing for Athlete Citizenship makes a convincing case to rethink the power of regulation in sports and how it separates athletes as a distinct class of citizens subject to a unique set of rules because of their physical attributes and abilities     The

World Anti-Doping Code Lovely Dasgupta, 2019-04-26 Following the recent doping scandals that have brought the highest echelons of international sport into disrepute this book examines the elitism at the core of the World Anti Doping Agency and considers how the current World Anti Doping Code might be restructured Analyzing the correlation between the commodification of sports and doping and the role WADA plays in this context it takes into consideration the perspectives of non elite athletes as well as athletes from developing countries which have previously been excluded from the anti doping discourse It offers recommendations for improving the coordination and implementation of the World Anti Doping Code and argues for the creation of a more inclusive anti doping regime This is an important resource for students of sports law sports management and sports ethics as well as vital reading for sports administrators sports sociologists sports policy makers sports lawyers and arbitrators as well as athletes themselves

*Doping in Sport and the Law* Ulrich Haas, Deborah Healey, 2016-09-22 This unique international legal and cross disciplinary edited volume contains analysis of the legal impact of doping regulation by eminent and well known experts in the legal fields of sports doping regulation and diverse legal fields which are intrinsically important areas for consideration in the sports doping landscape These are thoughtful extended reflections by experts on theory and policy and how they interact with law in the context of doping in sport It is the first book to examine the topical and contentious area of sports doping from a variety of different but very relevant legal perspectives which impact the stakeholders in sport at both professional and grass roots levels The World Anti Doping Code contains an unusual mix of public and private regulation which is of more general interest and fully explored in this work Each of the 14 chapters addresses doping regulation from a legal perspective such as tort corporate governance employment law human rights law or a scientific area Legal areas are generally considered from an international and not national perspective Issues including fairness logic and the likelihood of compliance are explored It is vital reading for anyone interested in the law regulation and governance of sport

**Scientific Integrity and Anti-doping Regulation** Roger Pielke Jr, 2019 The paper addresses a fundamental challenge facing anti doping regulation in sport securing scientific integrity The importance of evidence in anti doping is similar to that found across many fields where science and expertise meet policy ethics and regulation The authors argue that a growing body of evidence indicates that anti doping regulation under the World Anti Doping Agency is sometimes arbitrary and too often not grounded in a solid foundation of evidence They document shortfalls in standards of scientific integrity in four contexts 1 the prevalence of doping 2 performance benefits and health risks 3 errors and inconsistencies in accusation and 4 the evaluation of anti doping policies They give several suggestions to enhance scientific integrity in anti doping regulation and argue that greater transparency will help to reduce inconsistencies and errors

*A Global History of Doping in Sport* John Gleaves, Thomas Hunt, 2016-03-22 From turn of the century horseracing to the monolithic anti doping attitudes now supported by sporting organizations the development of anti doping ideology has spread throughout modern sport Yet heretofore few historians have explored the many ways that international sport has

responded to doping This book seeks to fill that gap by examining different aspects of sport s global efforts to respond to athletes doping By incorporating cultural political and feminist histories that examine international responses to doping this special issue aims to better articulate the narrative of doping The work starts with the first mention of doping in any sport It examines not only the first efforts to ban doping but also the athletes who sought performance enhancers Focusing on specific framing events authors in this issue examine how history of doping and how it has indelibly marked the sporting landscape The result is a work with both breadth and focus From stories of Japanese swimmers to Italian runners to American jockeys the work spans the range of doping history At the same time the authors remain focused around one single issue the history of doping in sport This book was published as a special issue of the International Journal of the History of Sport

**Emerging Drugs in Sport** Olivier Rabin, Ornella Corazza, 2021-11-16 Athletes are always aiming to be faster better stronger New techniques to enhance their sporting performance have increasingly been linked to use of novel psychoactive substances NPS and other hard to detect substances like performance enhancing drugs This book offers a timely analysis of the new challenges posed by this phenomenon in the anti doping community The authors present the first comprehensive perspective on the rapidly shifting doping scenario and reflect on use regulation policy and market structure of NPS used in sports They highlight the challenges with the list of prohibited substances and methods in and out of competition They also evaluate how methods to detect new drugs present an ongoing battle for doping control as they have to be adapted constantly Topics covered within the chapters include Contamination of Sports Supplements with Novel Psychoactive Substances Untested Supplement Use Among Athletes An Overlooked Phenomenon International Drug Control Protecting the Health of the Athlete Analysis of New Chemical Entities in a Sport Context Emerging Drugs in Sport establishes a clear benchmark on the policy discussion drawing from available evidence and sources including athletes personal experiences to generate a fact based resource that informs a research as well as wider audience The book is essential reading for those working in anti doping substance misuse sports ethics and human enhancement It also is useful for policy makers legislative personnel and other professionals with an interest in protecting clean sport Doping is one of the greatest threats to the integrity of sport We must never be tempted to turn our back on the problem and hope it will disappear The benefits and values of clean sport have never been more important to the world That is why this book with its wide ranging approach is so valuable Thomas Bach President International Olympic Committee Physical activity is vital to a healthy living which is why doping is not just an assault on fair competition but also on health I strongly commend this book for compiling advanced knowledge on performance enhancing drugs and promoting health through sport Tedros Adhanom Ghebreyesus Director General World Health Organization

**Doping and Anti-Doping Policy in Sport** Mike McNamee, Verner Møller, 2011-03-28 The issue of doping has been the most widely discussed problem in sports ethics and is one of the most prominent issues across sports studies the sports sciences and their constituent disciplines This book adds

uniquely to that catalogue of discourses by focusing on extant anti doping policy and doping practices from a range of multi disciplinary perspectives specifically ethical legal and social scientific With contributions from a world class team of scholars and legal practitioners from the UK Europe and North America the book explores key contemporary issues such as sports medicine international doping policy the whereabouts system the criminalization of doping privacy rights gene doping and ethics imperfection in doping test procedures steroid use in the general population Doping and Anti Doping Policy in Sport offers an important critique of contemporary anti doping policy and is essential reading for any advanced student researcher or policy maker with an interest in this vital issue



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