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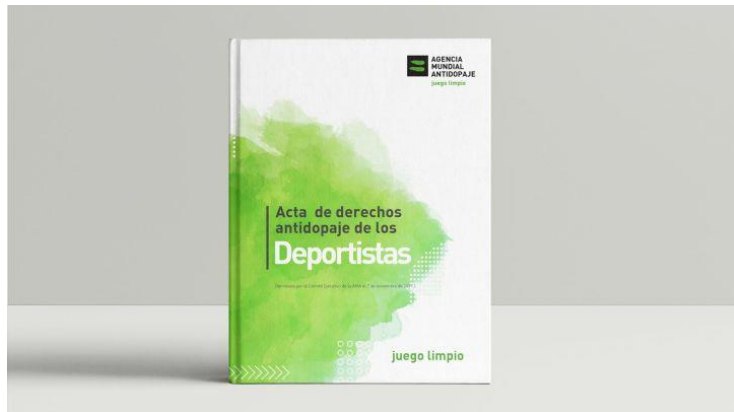
AS

10/12/2020

## La AMA ve "improbable" que las vacunas violen sus normas

**El organismo está estudiando si las vacunas contra el coronavirus pueden romper sus reglas, y lo considera "extremadamente improbable".**

[EP](#)



AMA

El jefe de Ciencia y Medicina de la Agencia Británica Antidopaje (UKAD), Nick Wojek, ha asegurado que la Agencia Mundial Antidopaje (AMA) está estudiando si las vacunas contra el COVID pueden violar alguna normativa de dopaje y que ahora mismo ve esa posibilidad como "extremadamente improbable".

"La AMA está actualmente con las compañías farmacéuticas y la Federación Internacional de Fabricantes y Asociaciones de Productos Farmacéuticos (IFPMA) para determinar si los componentes de las vacunas en desarrollo están prohibidos en el deporte y si las tecnologías que se utilizan plantearán alguna complicación para la detección del dopaje", explicó Wojek en un comunicado.

Pese a que "todavía es demasiado pronto para hacer una declaración definitiva sobre una vacuna en particular", el representante del organismo antidopaje británico avanzó que "la AMA ya ha confirmado que es extremadamente improbable que las secuencias de ARN o ADN utilizadas para tales vacunas infrinjan las regulaciones antidopaje".

"Asimismo, se prevé que el riesgo de que los excipientes utilizados para tales vacunas planteen problemas para el deporte limpio y las regulaciones antidopaje sea pequeño. Esperamos más actualizaciones de la AMA sobre el asunto antes de poder asesorar a los atletas sobre el estatus antidopaje de cualquier vacuna específica", agregó.

[https://as.com/masdeporte/2020/12/10/polideportivo/1607616566\\_965524.html](https://as.com/masdeporte/2020/12/10/polideportivo/1607616566_965524.html)

**INSIDE THE GAMES**

09/12/2020

TA to begin further reanalysis of samples from Sochi 2014 Winter Olympics

- By [Michael Pavitt](#)



**The International Testing Agency (ITA) has announced it will conduct further reanalysis of samples from the Sochi 2014 Winter Olympics, with all nationalities targeted and an aim of completing the process before Beijing 2022.**

Sochi 2014 has been overshadowed by the revelations regarding hosts Russia's state sponsored doping programme.

This included the swapping of contaminated samples for clean ones, a practice confirmed by whistleblower Grigory Rodchenkov, the former head of the Moscow Anti-Doping Laboratory.

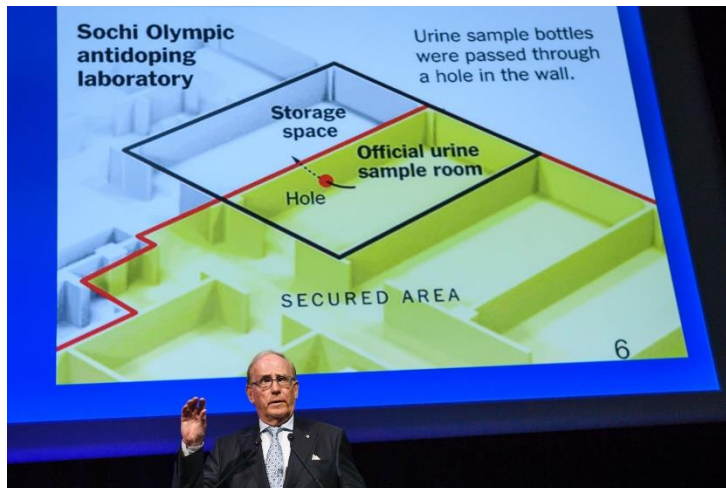
The scandal led to the re-examination of samples from participating Russian athletes at the Games in 2016.

The ITA says it will now extend the reanalysis to all nationalities and sports that took part in the event, and re-test more than half of the total samples collected as a first step.

The selection of the samples will be based on a comprehensive risk assessment process, the ITA said.

This will reportedly include the consideration of doping-related intelligence which has been gathered across countries and disciplines since Sochi 2014 took place.

Selected samples will be retested until mid-2021.



Samples from Russian athletes

have already been reanalysed following the Sochi 2014 doping scandal ©Getty Images

"The ITA is confident that this consolidation and centralisation of anti-doping intelligence across various sports, coupled with the increased sensitivity of analytical techniques in doping detection that have emerged over the last few years, especially regarding the tracing of steroids and hormones, will enable it to identify undetected analytical ADRVs that may have occurred at Sochi 2014," the ITA said.

"In collaboration with the World Anti-Doping Agency-accredited laboratory in Lausanne, Switzerland, the selected samples are to be examined until mid 2021.

"Any resulting ADRVs will be investigated and prosecuted by the ITA.

"Reanalysis programmes are enabled by the consequent long-term storage of the collected samples that emerged as one of the most impactful strategies to protect clean athletes and deter doping over the past decade.

"Today, under the World Anti-Doping Code, samples can now be stored for up to 10 years after their initial analysis and still retain the same legal impact if re-tested and prosecuted."

The Sochi 2014 retests follows the finalisation of the London 2012 reanalysis programme.

The IOC delegated the London 2012 programme to the ITA in 2018, along with oversight of future retesting from the Olympic Games.

Reanalysis of samples collected during Beijing 2008 and London 2012 has so far produced more than 130 anti-doping rule violations.

<https://www.insidethegames.biz/articles/1101780/ita-sochi-2014-re-analysis-programme>

## LEXOLOGY

09/12/2020

# 2021 World Anti-Doping Code: Key changes and impact from an athlete's perspective

## [Holding Redlich](#)

### [Australia](#)

Doping (i.e. using banned substances in order to enhance sporting performance) has plagued professional sport since, well, forever. Athletes competing in the Ancient Olympic Games are reported to have taken things such as figs, brandy, 'magic' mushrooms and sesame seeds as performance enhancers. It sounds horrifying now, but it wasn't all that long ago that substances such as strychnine, heroin, cocaine and caffeine were widely used as performance enhancers. While this wasn't illegal at the time (cheating was illegal, but enhancing performance by ingesting these substances was not), it shows that athletes have, since sports became a way of competing, sought ways to enhance their performance to gain that little bit extra, be it in height, endurance, speed, recovery, etc.

Since these early times, doping practices (and with the prohibition on doping, the masking of doping practices) have become much more sophisticated. It also became rampant in professional sports and, while some sports (such as cycling and bodybuilding) appear to be plagued more than others, it seems no sport has been immune.

Some of the more modern and high-profile doping scandals include:

- Lance Armstrong being stripped of his Tour de France titles in 2012 because of his use of EPO
- Ben Johnson being stripped of his 1988 Olympic gold medal (and the controversy surrounding Carl Lewis in the same race)
- the entire Russian track and field team were banned from the 2016 Rio de Janeiro Olympic Games after Russia sponsored doping programs for its athletes
- Marion Jones tested positive to steroids and was stripped of three gold medals at the 2000 Olympic Games
- most recently in Australia, swimmer Shayna Jack initially received a four-year ban from all competitions for testing positive to a banned substance, Ligandrol (a muscle builder), but on appeal, the Court of Arbitration for Sport (**CAS**) reduced the ban to two years<sup>[1]</sup> on the basis that she did not intentionally ingest Ligandrol.<sup>[2]</sup>

In an attempt to tackle the worldwide and growing problem of drug use in sport, the World Anti-Doping Agency (**WADA**) was established in 1999. WADA's mission is "to lead a collaborative worldwide movement for doping-free sport".<sup>[3]</sup> The World Anti-Doping Code (**Code**), which establishes a standardised, consistent set of anti-doping rules to be applied worldwide, was first introduced in 2004. The Code was revised in 2009 and in 2015. A further revised version of the Code comes into effect on 1 January 2021.

In this article, we examine the changes in the revised Code and share our discussion with Bronwen Knox, triple Australia Olympic water polo player, on what she sees as the impact of some of the changes.

### **How the Code is applied**

Australia is a signatory to the United Nations International Convention against Doping in Sport and as such, is required to implement anti-doping arrangements in accordance with the principles of the Code.

Australia has adopted the Code into national law in the form of the Australian Sports Anti-Doping Authority Act 2006, the Australian Sports Anti-Doping Authority Regulations 2006 and the National Anti-Doping Policy. Changes to the Code are reflected in changes to the National Anti-Doping Policy, which can be accessed [here](#).

### **Upcoming changes to the Code**

In June 2020, WADA announced that a number of changes would be made to the Code effective 1 January 2021.

The changes to the Code follow a two-year consultation process that began in 2017 and resulted from issues raised by stakeholders to remove inconsistencies. The key changes are detailed by Sport Integrity Australia [here](#). We summarise the key changes below.

#### **1. Categories of athletes**

Athletes will be categorised under the amended Code based on their level of competition:

- international level – athletes who compete on the international stage
- national level – athletes who are competing in a Declared Sporting Event. These are listed on the Sport Integrity website or who is on any Sport Integrity Australia testing pool
- lower or recreational level – athletes who are less likely to have the support and education that higher level athletes have. Sanctions are lower for these athletes
- protected persons – underage athletes (such as children) or athletes who, for other reasons, lack legal capacity have been afforded greater protection and are now classified as protected athletes. Although they are still liable to violations, penalties are less severe compared to athletes of other categories and the identities of protected athletes will not be made public. Penalties range from a warning to a maximum ban of two years.

Retired athletes returning to a high level (national or international) competition will be required to give six months written notice to Sport Integrity Australia of their intention to do so. During the six months, they must make themselves available for anti-doping testing before any international or national events.

#### **2. Non-participants**

Non-participants in a sport (including board members, executives and high-performance staff) are not subject to testing for banned substances but will be subject to, and liable for, rule violations for tampering, trafficking, administration and complicity.

### 3. Testing changes

Not all substances (or methods of use) are banned at all times. Some substances are only banned “in competition” (that is, commencing at 11:59 pm the night before an athlete is competing and concluding at the end of the sample collection period for that competition). For example, some recreational drugs or “substances of abuse” such as cocaine, heroin and marijuana are only banned from in-competition use.

Whereabouts information is an important tool in anti-doping testing. Athletes must advise authorities of their whereabouts (sometimes months in advance) to enable unannounced testing to occur. The extent to which an athlete must provide information depends on their level of competition. Under the changes, Sport Integrity Australia will establish a new testing pool (**National Testing Pool**) to collect whereabouts data of an athlete.

Athletes will now be classified in either the:

- Registered Testing Pool – athletes in the Registered Testing Pool have the most stringent requirements for notifying of their whereabouts, including providing 60-minute testing windows
- National Testing Pool – the requirements for this new testing pool are not as stringent as those in the Registered Testing Pool
- Domestic Testing Pool.

### 4. Rule violations and whistleblower protection

Whistleblower protection has been introduced into the Code. It is now an offence to discourage or retaliate against someone for reporting information relevant to potential doping activities.

This could have benefitted (and was likely included as a result of) Grigory Rodchenkov, who headed Russia’s anti-doping agency and was prominent in the Netflix documentary, *Icarus*. After whistleblowing the state-sponsored program, Rodchenkov fled to the United States in fear of the ramifications of his actions.

The current violation for tampering with substances has also been amended to include tampering during the results management process. For example, giving false recounts of events or falsified documents as evidence.

### 5. Prompt resolution of cases

The changes affect how hearings will be conducted to bring uniformity between cases. Additional requirements have been introduced, restricting who can hear a matter. Although it seems obvious, people with industry experience and legal qualifications are now required.

In addition, the Code now mandates that the same individual is no longer able to sit on hearings that decide to charge an athlete and also hear whether a violation has been committed. Like the previous paragraph, this seems obvious and generally occurred in countries such as Australia. Initial hearings for all athletes are through the National Sports Tribunal or the particular sport’s internal tribunal. Appeals must be heard independent from the original decision-maker unless informed consent is given by an athlete in particular circumstances.

## 6. Education

Ignorance is no excuse and education is key to enable athletes to understand their responsibilities. The updated Code introduces an international standard for education into the Code. Sporting bodies will be required to establish an education pool and an approved education plan which targets athletes and support personnel who require mandatory education, including those who have had previous violations of the Code.

A complete copy of the 2021 WADC can be found [here](#).

### **An athlete's perspective**

Holding Redlich caught up with Bronwen Knox, a member of the Australian Women's Water polo team for the 2021 Tokyo Olympics. Bronwen won bronze medals at the 2008 Beijing Olympic Games and the 2012 London Olympic Games. The 2021 Tokyo Olympics will be Bronwen's third Olympics.

Bronwen has degrees in science, health and law and plans to use her degrees to focus on integrity and equality in sport. With Bronwen's unique background and insight into WADA and how the Code has operated to date, we asked Bronwen to share her thoughts.

#### *Bronwen's thoughts*

Anti-Doping regulations are, unfortunately, a necessary evil in sport. History has proven that the pressure to perform and win can see athletes disregard their health and make questionable decisions when it comes to performance-enhancing substances. Every single anti-doping requirement, whether it be being accompanied by a chaperone until you have finished providing and packaging your sample or providing comprehensive details about your movements, have been incorporated because athletes have been caught out doing the wrong thing.

These past two years, I have been working in the education field of anti-doping. I was shocked to hear how many athletes test positive to a banned substance due to incidental ingestion through a contaminated product. More often than not, supplements are found to be the culprit. Last I heard it was twelve per year. That is, one athlete per month is caught out due to not carefully checking everything they put into their body or being appropriately educated on their rights and responsibilities. On a side note, I am hopeful that efforts to reduce this number will be helped by recent changes to the Therapeutic Goods Act 1989 (Cth). These changes seek to better regulate supplements. Changes, in effect from 30 November 2020, include certain sports supplements, such as higher-risk ingredients or are in the form of a tablet, pill or capsule, to be therapeutic goods ensuring they are appropriately regulated like medicines.<sup>[4]</sup>

There are times when anti-doping requirements can feel like an invasion of privacy. Having a tester turn up to your house on any given day to perform a test or having to provide your overnight location three months in advance. It can be especially frustrating when you are asked to provide information you don't have, such as where the national team is planning on staying while on tour and competing overseas. Often this information is provided a week before flying out, and it can be easy to forget to change your WADA Whereabouts information you submitted over three months ago.

The 2021 WADA changes seem like they will provide greater flexibility in how the rules will be applied. Previously, all ten Anti-Doping Rule Violations (**ADRV**) had strict liability – meaning



that no matter what level of athlete, no matter how much education you received, you were facing up to a four-year ban. Flexibility has now been applied to some of the ADRVs relating to individuals classified as Lower Level Athletes (defined as being neither national nor international level athletes). This flexibility does not extend to include an ADRV associated with the presence of a prohibited substance or interfering with the integrity of the testing procedures.

Discretion, or flexibility, has always been a “scary” concept in sport. Especially when it is used within selection policies and invoked in a decision on who will be selected in an Olympic Team and who will miss out. Having said that, the addition of this flexibility seems like it will better protect athletes who participate at lower levels or socially and do not receive the same amount of education or resources as international or national athletes.

Leer artículo completo en: <https://www.lexology.com/library/detail.aspx?g=741267e6-494a-4316-8da5-1f2fb4aa0f0d>



