

# Ethical Aspects of the Anti-Doping System Management in Poland and in Global Framework

Malgorzata Kurlito

**Abstract**—This study is trying to analyse the organization of the anti-doping system globally (particularly in Poland). The analysis is going to show the concept of doping, indicating the types of doping, and list of banned substances and methods. The paper discusses ethical aspects of the global anti-doping system. The analysis is focusing on organization of global Anti-Doping Agency. The paper will try to describe the basic assumptions of regulations adopted by WADA, called "standards" as well organization and functioning of the Polish Anti-Doping Agency (including the legal basis: POLADA). The base for this discuss will be the Polish 2018 annual report, which shows the most important assumptions, implementation and the number of anti-doping proceedings conducted in Poland. The aim of this paper is to show ethical arguments on anti-doping management strategies.

**Keyword**—Anti-doping, ethical dilemmas, sports doping, WADA, POLADA

## I. INTRODUCTION

THE topic of doping and doping controls is one of the most serious problems of modern sport. The most important sports organizations have created a global anti-doping system. The whole "main armed" organization is created by foundation WADA and its Code [21]. POLADA was established in Poland to prosecute all potential violations of regulations and to promote anti-doping tests. [17]. In terms of compliance, POLADA is able to cooperate with the World Code [22]. This study focused mainly on sources from anti-doping organization websites and legal acts issued by these organizations. A number of regulations and documents have been analysed. The main purpose of analyse is to show cooperation between the national and global systems and discuss ethical aspects of the negative impact of doping scams in the sports and non-sporting environment of the World. The research material was interpreted employing methods used in historical sciences: deductive, comparative and literature analysis.

The ethical problems of anti-doping practices and policies take on an aspect of sporting competitiveness. The aim of this study is to discuss ethical arguments on anti-doping practices and policies and analyse of current anti-doping practices in the context of medical ethics.

## II. DEFINITION, TYPES OF DOPING AND EXAMPLES OF DOPING SYSTEMS: LIST OF BANNED SUBSTANCES

Doping in sport is an artificial increase in the physical and mental performance of a player by methods that go beyond

normal training. Generally, doping is considered to be medical methods that are potentially harmful to health and have been officially banned. The World Anti-Doping Commission deals with doping worldwide. Doping is a technology in many cases created, even if not intentionally, by the pharmaceutical industry [15].

The Regulation of Doping in Sports at Present WADA was created in 1999 by the International Olympic Committee (IOC) [22]. WADA's mission is to conduct a worldwide movement for the sport without doping [15]. Its main activities include scientific investigation, education, growth of anti-doping capacities, and monitoring of the World Anti-Doping Code. Doping refers to the use of prohibited drugs/methods by an athlete to improve sporting performance. The results from research and reports shows that the use of these drugs and methods serves to undermine the principles of fair play, and may act to weaken the community's enduring faith and belief in sport [8]. Anti-doping authorities state that spirit of sport is a standard of justice as it aims to ensure that athletes do not use performance-enhancing drugs [3].

Medical methods that are potentially harmful to health and have been officially banned are treated as doping [10]. Competitors artificially increase physical and sometimes mental performance. It is worth noting that the methods used must exceed the standards of support around training, because not everything that is artificial is prohibited [12]. To analyse this phenomenon, one must first identify the types of doping. The first division is based on the diversity of methods used: [21] Pharmacological doping - biologically active chemical compounds are administered to the athlete. (Of course, not everything is possible to consider because doping is punished in only those situations in which the application is not justified by the state of health of the player and to the treatment.) Physiological doping - it consists of such procedures as: exchange of body fluids, blood transfusions, muscle and tendon transplantation, surgical fat removal. Genetic doping - modification of a player's genetic material, which may involve the use of genetic vectors. This type of doping is the most expensive and rarely used method.

Among the most popular methods of doping at the time, there are: testosterone - most often used in strength sports; meldonium - accelerating regeneration after training, protects against stress and increasing efficiency, used mainly by cyclists and skaters; Tetrahydrocannabinol (THC) - reducing anxiety and stress; own blood transfusions - stimulating the production of erythrocytes and haemoglobin; • erythropoietin - to increase aerobic power; amphetamine - giving confidence and concentration; inhalation of noble gases - resulting in

Malgorzata Kurlito is with the Jagiellonian University, Poland (e-mail: m.kurlito@uj.edu.pl).

increased efficiency, gene therapy - by administering specific viruses [4].

In order for the system to work even better, trainers were even sent to specialized psychological trainings, creating very close relationships with players, often made them dependent on themselves and manipulated their feelings.

In 2004 new law came into force on the World Anti-Doping Code [22]. It is the basic document harmonizing policies, laws and regulations, anti-doping in sport organizations and among public authorities throughout the world. It works in conjunction with six international standards: 1) a list of banned substances and methods, 2) testing and laboratories, 3) exemptions for therapeutic purposes (TEU), 4) protection of privacy and personal data, 5) compliance with the Code by signatories [24].

General calculation of the most important subgroups of doping substances is following 1) prohibited substances at all times: substances in the preclinical process, anabolic agents, peptide hormones, growth factors, related substances and mimetics, beta-2 agonists, metabolic hormones and modulators, diuretics, masking agents. 2) Substances prohibited only during the competition: stimulants, drugs (including e.g. amphetamine, cocaine, methamphetamine), cannabinoids, glucocorticoids. 3) Prohibited substances in several sports such as golf, billiards, shooting, snowboarding, darts, shooting and underwater sports. This group includes all the beta-blockers, or substances used in the treatment of heart disease, they cause the release action [24].

List of WADA banned substances and methods shows that the most popular substances are all anabolic and stimulants. These substances are followed by diuretics and corticosteroids and all their variations. It should be noted as a great range of possibilities to people who want to artificially increase their athletic performance [24].

### III. GLOBAL ANTI-DOPING SYSTEM AND STRATEGY

The World Anti-Doping Agency (WADA) was established in November 1999 as an independent foundation chaired by the IOC. Its purpose is to fight against unauthorized support in sport, including by developing and establishing anti-doping rules and procedures. WADA has published an annual List of Prohibited Substances and Methods (List), which identifies the substances and methods prohibited in- and out-of-competition, and in particular sports. Global fight and prevention of doping depend on Code and International Standards.

International standards are needed to maintain consistency between anti-doping organizations in various technical areas, such as: sampling for testing, sample analysis by accredited or approved laboratories, gathering intelligence and investigating possible anti-doping rule violations, identifying substances and methods prohibited while playing sports, granting sportsmen exemptions to obtain legal treatment including prohibited substances while playing sports [23].

The Russian doping crisis that emerged in December 2014 was very disruptive for the global anti-doping system [1]. Information from independent WADA investigations in the Pound and McLaren case, as well as actions taken by the

Agency and other entities, necessitated consideration of changes in the fight against doping. Currently (December 2019), the decision of the WADA Russia has been excluded from the Winter and Summer Olympic Games. The crisis also led to stakeholders mobilizing or making such changes in WADA - that would make it more effective in accomplishing its missions related to being a leader in the fight against doping.

The understanding of ethics has been largely updated, taking into account new doping technologies and also with reference to the possibilities along with the evolving challenges faced by WADA and its partners. [13]. During the last quarter of 2019, WADA is going to realise a 2020-2024 strategic plan which considers the developments, challenges, opportunities and evolving views that have characterized the global anti-doping management strategy [24].

Further strengthening of WADA's work efficiency in the field of intelligence and investigations is possible by: increasing anti-doping research, modifications in the strategy of building clean sport for the future and development of scientific knowledge in all anti-doping areas, including the athlete's biological passport program [14].

The WADA ethical panel also takes into account the possibility of using geolocation of athletes [4]. Some prohibited substances used in doping are detectable only for a limited time in the athlete's body (while maintaining the effect of improving performance). Anti-doping out-of-competition controls increase the effectiveness of anti-doping: 'whereabouts system'. This system was established as a mechanism to enable out-of-competition testing. Indeed, the only way to conduct such tests is to have information on the stay of athletes at a given moment [4]. The effectiveness of the system depends on the ability to test athletes at times when fraudsters most often use prohibited substances and methods. Athletes may not be aware of when and where such tests will occur.

#### *The Organization of the Anti-Doping System in Poland*

The involvement of Polish people in "clean sport" is linked to the values promoted by WADA [19]. In Poland, similar like in other democratic European countries, results of sporting competitions should be based only on natural ability, determination and fair play [20].

Doping undermines the intrinsic value of sport. Rigorous and targeted anti-doping arrangements in Poland assist to: educate people referring dangers of doping, provide people with information about their rights and responsibilities with respect to anti-doping strategy referring to people involved in sport from using performance enhancing prohibited substances and methods as well implementing education or training programs [20]. The National Anti-Doping Framework aims to align domestic anti-doping efforts in Poland through a set of agreed principles, alongside clearly identified areas for cooperation between the WADA. The report for 2018 shows that Polish Anti-Doping Agency carried out a total of 3742 doping tests and 539 national control actions [2]. In 2019 the Polish Anti-Doping Agency conducted 4,200 anti-doping

controls as part of the national control program, implementing the control program in accordance with the current World Anti-Doping Code and recruiting anti-doping officers. The increase in the detected substances is primarily evidence of developing now science and technology. The newest methods introduced in 2019 allow for more detection of illegal substances which before in 2018 was much less likely. POLADA attaches great importance to educational campaigns and focuses primarily on actions among junior and youth groups to make young sports adepts aware of the dangers of taking doping. The number of people covered by direct education in 2018 was over 6,000 [2]. The most educational meetings were held with players training weightlifting, followed by athletics, followed by canoeing, handball and cycling. It is worth to emphasise that doping controls in Poland are based on the WADA International Standard. According to data from POLADA most doping controls were carried out among weightlifters [17]. The second in turn is athletics; this is due to the fact that the term covers many disciplines, e.g. running, long jumps, hammer throw, shot put. One can notice a considerable disproportion between these disciplines and the rest, because subsequent items have in the list more than twice less tests performed than the mentioned weight lifting. In turn, the least controls, limiting them to one or two, were carried out in: billiards, bobsleighs, dancing, sport climbing, sailing, sledging, archery and karate. Looking at the difference, one may wonder if it is fairly resolved that some disciplines are checked much more often than others. However, this is due to the practice and experience of previous years and the recommendations of the WADA. It is clear that with the specificity of some disciplines, the phenomenon of doping simply does not occur. Unfortunately, the 2018 report [2] showed that the amount of detected substances increased compared to the previous year. This is a "merit" above all for athletes training in bodybuilding and fitness. The alarming fact is that out of 86 samples that were taken from these competitors in total, as many as 45 contained prohibited substances, which gives us over 50% of athletes on doping.

Under its enabling legislation of the anti-doping law officers of Polish Anti-Doping Agency may collect samples in Poland from athletes who compete in a sport with an anti-doping policy as well may also be contracted by third parties to undertake testing on their behalf [20]. Penalties for these violations are: forbidden to play sports for a specified period of time, disqualification of results and loss of medals or awards.

In Poland anti-doping strategy provides a comprehensive anti-doping programme for sports community, encompassing engagement, deterrence, detection and enforcement activities. This strategy applies to athletes, support personnel, government agencies and law enforcement bodies particularly in: [2] designing and delivering education programmes, detecting and managing anti-doping rule violations, testing to managing and presenting cases at hearings, dealing with investigations of possible anti-doping rule violations, monitoring and reporting on the compliance of sport with anti-doping policies, and ensuring that athletes comply with their

anti-doping obligations.

#### IV. ETHICAL ASPECTS OF NEGATIVE IMPACT OF DOPING SCAMS IN THE SPORTS AND NON-SPORTING ENVIRONMENT OF THE WORLD

The historical foundations of the philosophy of sport reach back to the ancient Greek philosopher Plato, who lived in a period when sport was considered an inseparable sign of human culture [18]. Today, the sports community now defines the ethical value of professional sport, claiming that sport for money, victory or glory can only be worthy of people if it is conducted in accordance with the principles of ethics that distinguish between good and evil and that give the opportunity to realize fair play rules [7]. The code emphasizes that sport has a specific value, which is expressing the joy of integrating the human spirit, body and mind, including: ethics, fair play and honesty, health excellence in performance and others [7].

Ethics derived from the Latin "ethos" can provide a theoretical basis for assessing what is good or bad [16]. Considering ethics in connection with doping is like dialogue between ethics and life, who these interdisciplinary character takes a given that this science finds common fields of activity in various disciplines, from medical to humanistic, economic, philosophical, political and legal [9]. Ethics in sport requires four key virtues: honesty, honesty, responsibility and respect [11]. The sports model is based on the assumption that sport both demonstrates and promotes human development, which then affects the moral image of the wider community [11].

An ethical approach to sport rejects bracketed morality in the sport and fair game. It also means understanding the rules of the game and encourages respect for the opponent. Ethical arguments against doping are demonstrating that doping is a fraud and causes injustice. Doping also causes damage to the health of athletes, and also harms society, especially children and young adults, who treat athletes as a role model. So it can be said that doping is both unnatural and "dehumanizing"[7].

The discussion on medical ethics is not easy due to the need to link the role of lawyers and doctors in the development of anti-doping policy and its implementation [7]. This role of a doctor allows you to ask questions about how doping or anti-doping practices are located in the ethical context of the doctor-patient relationship [6].

The anti-doping code proves that the process of providing samples may be the most effective element in the organization's strategy to fight global, for pure sport [7]. However it is very problematic from a medical ethics point of view to justify the infringement of privacy and confidentiality of athlete-patients for the sake of clean sport [5].

In practice, athletes suggest that the use of GP striking in athletes' phones and even implantable devices can be used to provide the necessary information about their location [4]. In this way, some probability of skipping the out-of-competition test may be reduced. It should be noted that you need to reduce the administrative burden associated with updating athletes' whereabouts. In addition, it is possible to provide doping officials with an additional tool to locate athletes and

conduct out-of-competition checks. Geolocation data could also help better interpret the data integrated with the Athlete's Biological Passport (ABP) [20]. Such a passport was introduced to monitor the analyzed variables, which (in contrast to traditional direct detection used by analytical doping controls) allow to increase the disclosure of a wider range of doping agents. In practice, athletes suggest that the use of GPS tracking in athletes' phones and even implantable devices can be used to provide the necessary information about their location [4]. In this way, some probability of skipping the out-of-competition test may be reduced. Geolocation data could also help better interpret the data integrated with the ABP [4]. Such a passport was introduced to monitor the analysed variables, which allow increasing the disclosure of a wider range of doping agents.

### V. CONCLUSION

Current anti-doping policies rely on as a "sports spirit" or "equal opportunity". Counterarguments that may be raised against these principles would require reconsideration of these ethical principles, especially from the point of view of so-called medical ethics. This ethics should be particularly important and comprehensive when considering anti-doping strategies. Considering the counter-arguments against anti-doping policies in ethics literature, it seems to be good idea to encourage wider discussions to overcome ethical medicine dilemmas in this context. The growing problem of public health in society and the doubts that arise in the field of doping sensitivity and testing may or may not undermine the legitimacy of ethically justifying the allocation of huge amounts of money to combat doping in professional athletes. Such counterarguments appearing in various countries around the world are focused on considering the amounts of anti-doping budgets including Poland. These anti-doping programs realise research programme WADA (as well POLADA in Poland) which include several project proposals aiming at developing smartphone applications that would facilitate the delocalisation of athletes.

The analysis showed that anti-doping organization of the world and then the national system (as well as cooperation between) made enormous progress in recent years. The world system introduced by WADA works really well. A great addition to the national arena is the Polish Agency POLADA, which not only conducts anti-doping controls and condemns dishonest athletes, but also has a greater emphasis on the teaching values of young athletes, which reinforces their ethical decision-making ability throughout their sporting careers. Then not only team members or competitors feel cheated in cases on using doping, but also people who watched these unjust achievements with bated breath, cheered and enjoyed the next medals. In the practice of sports, it is clear that to achieve success, it is necessary to follow ethical principles that signify the appropriate behaviour of the sportsperson. Ignoring the principles on which ethical codes are based is undoubtedly against the spirit of sport. It should be emphasised that the mission of the entire sports community, anti-doping organizations and all interested

parties can be concluded in the statement that life and health are of the highest value, and not necessarily a win at all cost.

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