

# Coronavirus: Anti-Doping during the pandemic

Correct as of 20th April 2020

Whilst currently there is no sport taking place due to the coronavirus crisis and major events scheduled for later in the year, like EURO 2020 and the Tokyo Olympic and Paralympics, have been cancelled. The world of sport hasn't stopped entirely though, many athletes continue to train in isolation and Anti-Doping Organisations (ADOs) continue to test athletes. This is of particular importance to ensure once sport resumes athletes and fans can be sure that competition is clean and fair.

The World Anti-Doping Agency (WADA) stated there are no plans to change existing requirements under the World Anti-Doping Program, WADA fully acknowledge the complexities of this unprecedented situation and will work to ensure its compliance monitoring program provide a level of flexibility and understanding based on the circumstances. Deadlines for reporting, meeting ongoing requirements or completing corrective actions may be affected. WADA has emphasized that it is important that ADOs keep WADA updated if and when the status of their doping control programs change during this situation.

## Testing during the pandemic

WADA has stated that testing will continue where no mobility or physical contact restrictions have been put in place by local authorities, thus testing may still occur anytime and anywhere. If testing can continue, ADOs need to put enhanced measures in place, consistent with the recommendations from health care authorities, to protect the health of athletes and that of sample collection personnel. ADOs have been advised to conduct only the most critical doping controls. For example if testing can continue, but the situation in the country is not fully stable, then ADOs will consider focusing their testing program on targeted athletes from high risk sports and disciplines, including those in their Registered Testing Pool (RTP), and prioritizing urgent missions.

When conducting these tests, sample collection personnel

must wash their hands regularly, and sanitize their hands or put on new gloves upon arriving at the testing location. Athletes and sample collection personnel must also, as far as possible, maintain the recommended social distance (two metres).

WADA has said that athletes cannot refuse to complete a test unless there is a mandatory isolation or lockdown in place. Athletes are advised by WADA to comply with testing while following the preventative measures put in place by their ADO. If athletes refuse to be tested or if they do not complete the sample collection process after notification, or if they are not able (or willing) to provide a sample due to a lack of protective measures, their refusal will follow the normal results management process which affords them due process and the opportunity to justify their actions. Additional documentation/proof may be required by the ADO.

If athletes are concerned that they may have contracted the virus, athletes should prioritize their health and the health of those around them. In an anti-doping context, they should advise the relevant ADO of their situation with their whereabouts submission or when doping control personnel notify them for testing so that they can adjust their plans accordingly.

## TUEs, whereabouts and other anti-doping activities

As long as athletes remain subject to testing, they remain responsible for ensuring they have a valid TUE. If they have difficulty accessing a doctor during the COVID-19 pandemic in order to access the necessary documentation to support their TUE application, they should document all actions and impediments to comply with the relevant requirements, and this will be considered on a case-by-case basis. There is the ability to request a retroactive TUE in exceptional circumstances, as described in the International Standard for Therapeutic Use Exemptions.

Unless the ADO tells athletes otherwise, they should continue to provide whereabouts information as they remain subject to testing. If they wish to share information about their health, self-isolation, mobility restrictions, etc. which may impact doping controls, they are encouraged to share this information with their whereabouts submission.

ADOs are being allowed an element of discretion to determine how their other activities will be impacted. This may include investigations, results management, etc. ADOs may look at additional ways of continuing certain activities. For example, hearings may be conducted via video conferencing, etc. ADOs can continue to collect and assess any information and intelligence received which may result in an investigation or target testing.

### Post-COVID

WADA is closely monitoring where levels of testing have been reduced or cancelled altogether. When the sporting landscape returns to normal, these 'gaps' in testing may be addressed through additional targeted testing.

WADA acknowledges that placing public health above the needs of the anti-doping system means that there will be impacts on the fight against doping in sport. However, there is significantly less training being carried out and significantly fewer competitions taking place. It is also important for athletes to remember that doping control samples continue to be stored for future analysis and that with the Athlete Biological Passport, some samples collected post-COVID-19 may reveal indications of doping that occurred during the period.

The Athlete Biological Passport (ABP) program will assist ADOs in monitoring its testing programs over time. Some doping manipulations or substance intakes have long lasting effects or remain detectable in the body long enough that they can be revealed by an efficient ABP program or specific types of analysis. ADOs should plan the collection of ABP blood samples on sports that are part of an existing ABP program as soon as the situation returns to normal.

## Get in touch

SGBs can access the **sportscotland** legal expert resource helpline by email at [sportscotlandinfo@harpermacleod.co.uk](mailto:sportscotlandinfo@harpermacleod.co.uk) or by calling **0141 227 9333**.