

The ISSF IPOD 3d on-line edition.

Roles, Responsibilities and Duties of all ISSF Athletes

The fight against doping in sport imparts many universal obligations on athletes. Just as all athletes must be treated the same way when it comes to violations and sanctions imposed as a result of anti-doping rule violations, all athletes must also be held to similar standards of care when it comes to avoiding anti-doping rule violations.

The ISSF Anti-Doping Rules (ISSF ADR) govern anti-doping issues within the ISSF. https://www.issf-sports.org/theissf/rules/english_rulebook.ashx

The ISSF ADR are based on and are compliant with the World Anti-Doping Agency's (WADA) World Anti-Doping Code and all International Standards. <https://www.wada-ama.org/en/>

According to the Scope section of the ISSF ADR, the rules apply to a very wide range of persons and a very wide range of athletes who compete in shooting sport including:

- All Athletes and Athlete Support Personnel who are members of ISSF, or of any National Federation, or of any member or affiliate organization of any National Federation (including any clubs, teams, associations or leagues);
- ISSF National Federations, their Athletes and all individuals competing, participating or implicated in any international, continental, regional, or national shooting Events or Competitions organized, convened, authorized, recognized or regulated by the ISSF Constitution;
- Any other Athlete or Athlete Support Personnel or other Person who, by virtue of an accreditation, a license or other contractual arrangement, or otherwise, is subject to the jurisdiction of the ISSF or of any National Federation, or of any member or affiliate organization of any National Federation (including any clubs, teams, associations or leagues), for purposes of anti-doping

Specifically, any athlete who holds an ISSF ID (which is mandatory to compete in any ISSF event) is considered an international level athlete and is bound by the ITU ADR.

In addition to the general principles outlined in the ISSF Athlete Declaration which you, as an athlete, signed when applying for your ISSF ID, the ISSF ADR at article 23 outline YOUR responsibilities in relation to anti-doping as follows:

Roles and Responsibilities of Athletes

- To be knowledgeable of and comply with the ISSF Anti-Doping Rules.
- To be available for sample collection at all times.
- To take responsibility, in the context of anti-doping, for what you ingest and use.
- To inform medical personnel of your obligation not to use Prohibited Substances and Prohibited Methods and to take responsibility to make sure that any medical treatment received does not violate the ISSF Anti-Doping Rules.
- To disclose to your National Anti-Doping Organization and to the ISSF any decision by a non-Signatory finding that the Athlete committed an anti-doping rule violation within the previous ten years.
- To cooperate with Anti-Doping Organizations investigating anti-doping rule violations.
- Failure by any Athlete to cooperate in full with Anti-Doping Organizations investigating anti-doping rule violations may result in disciplinary action being taken by the ISSF Executive Committee in accordance with the ISSF Rules and Regulations.

Your duty of care

A specific standard of behaviour is expected from all athletes, notably each international level athlete bound by the ISSF ADR.

The World Anti-Doping Code, the ISSF ADR and past legal decisions in a variety of sports, including shooting, have clearly established that athletes have an important duty of care when it comes to avoiding the use of prohibited substance or methods and that if an anti-doping rule violation occurs and the evidence shows that the athlete has departed from this standard of care, his or her degree of fault will be assessed in relation to the same and a commensurate sanction will then be imposed.

And, even if the violation was unintentional or inadvertent, the athlete would still be sanctioned and suspended if he or she did not take all the necessary precautions, acknowledge all the risks, and respect the duty of utmost caution he or she must respect at all times in avoiding using prohibited substance or methods.

The following passage of *(CAS) advisory opinion FIFA and WADA (CAS 2005/C/976 & 986, 21 April 2006*, which has been often cited in doping cases aptly describes and refers to the “*duty of utmost caution*” that is imposed on all athletes, at par. 73:

The WADC imposes on the athlete a duty of utmost caution to avoid that a prohibited substance enters his or her body.

Case law of CAS and of other sanctioning bodies has confirmed these duties, and identified a number of obligations which an athlete has to observe, e.g., to be aware of the actual list of prohibited substances, to closely follow the guidelines and instructions with respect to health care and nutrition of the national and international sports federations, the NOC's and the national anti-doping organisation, not to take any drugs, not to take any medication or nutritional supplements without consulting with a competent medical professional, not

*to accept any medication or even food from unreliable sources (including on-line orders by internet), to go to places where this is an increased risk of contamination (even unintentional) with prohibited substances. **The Panel underlines that this standard is rigorous, and must be rigorous, especially in the interest of all other competitors in a fair competition.***

Keeping in mind the rigorous standard that is imposed, some precautions and behaviour expected from **ALL** athletes, like YOU, include **but are not limited to**:

- Checking everything you drink, eat, smoke, administer to make sure nothing is prohibited in sport;
- Avoiding the risky use of all supplements; See <https://www.issf-sports.org/athletes/news.ashx?newsid=3314>
- Checking the label and ingredients of everything you ingest. If the name is scientific or Latin, you should look up its alternate names online (this is especially so for natural products that seem harmless);
- Cross referring everything you ingest with the Prohibited List; See <https://www.wada-ama.org/en/what-we-do/the-prohibited-list>
- Making on-line searches to find out more about any product or medicine you intend to use;
- Conducting Global DRO searches to determine if a product is prohibited; See <https://globaldro.com/Home>
- Contacting the product manufacturer directly;
- Telling your medical personnel and treating physician that you are subject to anti-doping rules and cannot ingest prohibited substances;
- Applying for a TUE when necessary and before taking any medication (save in emergency situations); See <https://www.issf-sports.org/athletes/news.ashx?newsid=3322>
- Keeping prohibited medications that may be kept in your house or medicine cabinet apart from your own to avoid an accidental ingestion;
- Not accepting drinks, food, supplements or other from unknown sources or even known sources before asking questions on their provenance;
- Educating yourselves and being aware of the Rules; See <https://www.issf-sports.org/getfile.aspx?inst=26&pane=1&mod=docf&iist=15&file=Education%20and%20Awareness.pdf>

- Declaring any products you take or have taken on your doping control form at the time of sample collection;
- Liaising with your national federation or National Anti-Doping Organisation to find out more about the product or medicine; See <https://www.issf-sports.org/getfile.aspx?inst=26&pane=1&mod=docf&iist=15&file=Education%20and%20Awareness.pdf>
- Taking all precautions that a responsible person would take in the same situation.

You should all keep in mind that when a prohibited substance or method is detected in an athlete's sample, the applicable sanction is determined based on the athlete's degree of fault in relation to that anti-doping rule violation. *Fault is any breach of duty or any lack of care appropriate to a particular situation.*

An athlete will be found to have "No Fault or Negligence" by establishing that he or she did not know or suspect, and could not reasonably have known or suspected even with the **exercise of utmost caution**, that he or she had used or been administered the Prohibited Substance or Prohibited Method or otherwise violated an anti-doping rule. In such a circumstance, the athlete will have fully complied with his or her duty of care. Although an anti-doping rule violation will still be recorded, such a finding will not lead to a sanction other than disqualification.

An athlete will be found to have "No Significant Fault or Negligence" by establishing that although he or she has not fully complied with his or her standard of care (e.g. of utmost caution), he or she has established how the substance entered his or her system and brought forward compelling evidence that - in relation to the anti-doping rule violation - his or her actions warrant a reduced sanction.

Remember...

Never forget that according to the principle of strict liability, *athletes are responsible and accountable for any prohibited substance that is found in their system.* See <https://www.wada-ama.org/en/questions-answers/strict-liability-in-anti-doping>

Therefore, ISSF reminds all athletes to take note of the roles, responsibilities and duties outlined above.

- ✓ Educate yourselves on anti-doping,
- ✓ Be aware of the ITU ADR and all the risks involved with taking prohibited substances and
- ✓ Fulfill your standard of care at all times.

This will help avoid the occurrence of an anti-doping rule violation.

IF any of you do commit an unintentional anti-doping rule violation, you might be successful in establishing that you had no fault or no significant fault for the same, and possibly benefit from a reduced sanction, if you can prove that you respected your role, responsibilities and duties as an athlete.

Remember.... ignorance is never a valid defence.

For past IPOD editions See: https://www.issf-sports.org/theissf/antidoping/issf_ipod_article.ashx