

Anti-Doping-Law

Criminalisation of Doping in Germany

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Anti-Doping-Law – Essential Changes

1. **Bundling of the legal provisions in a consistent law**

Transfer and expansion of the provisions from the **AMG**.

2. **Doping substances** and **doping methods** are recorded.

3. **Prohibition of self-doping subject to punishment** in

a. top athletes who are recorded in a **test pool** of (NADA) or

b. athletes achieving **considerable income** with the sport.

4. **Punishable possession "from the first gram"**.

5. Authorisation of state governments to **focus** the **anti-doping criminal proceedings** in certain courts by legal regulation.

Anti-Doping-Law – Effects on the Work of NADA

1. Authorisation basis for the **data transmission** of courts and public prosecutions to **NADA**.
2. NADA may collect **personal data**, process and use them.
3. Clarification of the **admissibility of arbitration agreements** in the contracts between associations and athletes.

Top-Athletes Criticise Anti-Doping-Law

Robert Harting
German Discus -Thrower

„I am afraid! ... But I ask myself, if there is a ready-to-use drug in my bag, do I still have to provide evidence for intent?“

„The law should protect athletes but this draft makes them vulnerable.“

Betty Heidler
German Hammer-Thrower

Top-Athletes Praise Anti-Doping-Law

Christina Obergföll
German Javelin Thrower

„If we expect other countries to do more, we are the ones who have to start and set an example.“

„A two-year ban is scaring. But taking doping athletes to court gives the criminal energy a whole new dimension.“

Marcel Kittel
German Cyclist

Heinrich Popow
German Runner, Disabled Sport

„Severe penalties make doping senseless. Our model role is strengthened.“

Anti-Doping-Law – Result

- **Sports law** generally is an **effective tool** to punish doping offenders.
- **Constructive coexistence** of sport and criminal persecution of doping.
- The athletic values that are protected – fairness and equal opportunities – cannot be protected by criminal law. Therefore, **joint action of sport and criminal law** is of enormous importance. Particularly backers, such as doctors who administrate doping agents, must be persecuted by the state with the means of criminal law.
- For NADA, it is a priority that the **cooperation with the investigative authorities** be improved and that it receives all important information to use them for target controls or further research.

Thank You!

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