

The International Responsibility of States for Systematic Doping: A Case Study of the Russian Federation (Original Research)

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Persian Text pp. 9-36

(DOI) : 10.22066/cilamag.2025.2053901.2695

Date Received : 25 Feb. 2025

Date Accepted : 6 May. 2025

Extended Abstract

1. Introduction

Maintaining competitive fairness in sports and combating doping are fundamental principles in international sports law. States are obligated to ensure transparency and fairness in sports by adhering to international commitments. This study explores the international responsibility of States for systematic doping, focusing on the case of the Russian Federation. After the revelation of State-sponsored doping during the 2014 Sochi Winter Olympics, significant weaknesses in the global anti-doping system were exposed.

2. Research Gap and Objective

Previous studies have primarily focused on individual athletes' responsibility or the role of sports organizations, but the role of States in systematically violating anti-doping regulations has been less explored in Persian literature. This paper addresses the gap by analyzing the international obligations of States and their potential liability for systematic doping. The central question this research seeks to answer is whether States bear international responsibility for organized doping. While this issue has been examined in English and French academic literature—particularly by scholars such as Faraz Shahlai and David Pavot—there remains a need for further exploration in Persian-

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language legal discourse.

3. Methodology

This research employs a descriptive-analytical method, utilizing international documents such as the 2005 UNESCO Convention, the 1989 Council of Europe Convention, WADA reports, and the 2001 Draft Articles on State Responsibility. These sources are analyzed to examine Russia's obligations under international law and the violations it committed. The research also explores the legal frameworks surrounding State responsibility for doping and how they apply to the Russian case.

4. Key Findings

Russia violated its international obligations by manipulating doping samples and supporting athletes in evading anti-doping controls. The Russian Ministry of Sport and the Moscow Laboratory's involvement in these actions makes the State accountable for these violations under the UNESCO and Council of Europe conventions. According to Article 4 of the Draft Articles on State Responsibility, actions of State organs are attributable to the State, regardless of whether they are performed by different entities. The "Unity of State" principle underscores that violations by various bodies within the State do not diminish its responsibility.

Russia's actions reflect a broader pattern of State-sponsored doping that undermines international sports integrity. The existing international anti-doping framework lacks effective enforcement mechanisms to address such State violations, which this study highlights. While WADA has made strides in individual and organizational anti-doping efforts, there remains a gap in addressing State-sponsored doping.

5. Contribution to the Field

This article offers a significant contribution to the field of international law by clarifying the scope of State responsibility for systematic doping violations. It provides a legal analysis of how international law holds States accountable and offers a legal framework for State liability in doping cases. This research proposes legal reforms, such as the inclusion of a dispute resolution mechanism in the UNESCO Convention, to improve the accountability of States. Additionally, the paper highlights the importance of a cohesive, cooperative approach to combating doping across national and international legal frameworks.

6. Implications and Applications

The findings of this research carry important implications for international sports law and global anti-doping efforts. First, the study emphasizes the need for reform in the legal framework governing anti-doping at the

international level. It suggests that the UNESCO and Council of Europe conventions should incorporate formal dispute resolution mechanisms to address State violations of anti-doping obligations. These mechanisms would ensure that States are held accountable for their role in facilitating doping.

The research also stresses the need for multilateral cooperation in anti-doping efforts. While unilateral measures, such as the U.S. Rodchenkov Act, address some doping violations, they risk undermining international cooperation and fragmenting the global anti-doping system. The study advocates for stronger international cooperation and enhanced transparency to combat State-sponsored doping effectively.

Furthermore, the research has practical implications for policy-making within international organizations such as WADA. It calls for exploring legal reforms that could strengthen enforcement mechanisms and hold States accountable for their actions. The research also emphasizes the importance of information sharing and increased oversight to combat doping at the State level.

7. Conclusion

The Russian Federation is internationally responsible for its role in facilitating systematic doping. The involvement of State institutions, including the Ministry of Sport and the Moscow Laboratory, in manipulating doping tests and supporting athletes violates Russia's international obligations under the UNESCO and Council of Europe conventions. The current international anti-doping framework, while robust in some respects, lacks sufficient enforcement mechanisms to hold States accountable for such violations.

This study proposes strengthening the existing legal framework by incorporating a dispute resolution mechanism within the UNESCO Convention or requesting an advisory opinion from the International Court of Justice (ICJ) regarding State responsibility for doping violations. These steps would provide legal clarity on State obligations and help prevent unilateral actions like the Rodchenkov Act, which undermine international cooperation. Ultimately, the most effective way to combat doping is through multilateral cooperation, ensuring that States are held accountable and maintaining the integrity of international sports.

Keywords

Organized Doping, International Responsibility of States, UNESCO Convention, Russian Federation, International Sports Law, Rodchenkov Act, International Cooperation.

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