

# DOPING IN SPORTS-GOING THE DIGITAL WAY

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## Abstract

*Doping in sports is an accepted fact. The effect of doping is that it tarnishes the image of sports and makes it commercially unviable. Hence, there is a concerted effort by the sports governing bodies to eliminate the menace of doping. Unfortunately, like cheating, doping is here to stay. Thus, the only way sports governing bodies can regulate and prohibit doping is through the imposition of stringent penalties/sanctions. The World Anti-Doping Agency (WADA) is leading the fight against doping in sports. It is supported by the International Olympic Committee (IOC). IOC has made it mandatory for all sports to be WADA compliant. WADA compliance is one of the pre-conditions for getting recognition as a legitimate sporting activity. E-sports, as it is called, is no exception to the rule and hence has to be WADA compliant. This article explores the issue of digital doping in E-sports. The first part of the article maps out the existing anti-doping structures that oversee enforcement of anti-doping measures amongst different sports. The next part details out the compliance requirements laid down by IOC for granting recognition to an activity as a legitimate sport. The third part explains the concept of E-sports and the doping issues concerning it. This part also looks into the anti-doping measures laid down by independent bodies like ESIC and IESF. The final part of the article concludes with the argument that digital doping throws up challenges similar to that in other sports. Hence, the WADA Code needs to be expanded to include E-sports and the Code should be strictly complied with thereafter. This inclusion would secure legitimacy of E-sports.*

## I. ANTI-DOPING REGULATION OF SPORTS-THE WADA CODE

The anti-doping regulation within the field of sports is being led by the World Anti-Doping Agency (“WADA”).<sup>1</sup> The primary text which lays down the rules and sanctions for doping offences is the World Anti-

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<sup>1</sup> ‘World Anti-Doping Agency’ (WADA) <<https://www.wada-ama.org/en>> accessed 19 December 2021

Doping Code (“**WADA Code**”).<sup>2</sup>The WADA Code has undergone several revisions and the 2021 version is the one currently in force.<sup>3</sup> The WADA Code is a complete manual as to what all things are not allowed within sports. The structures that implement the WADA Code are the different International Sports Federations, the IOC and the National Anti-Doping Agencies.<sup>4</sup> WADA and its Code is also recognised by the National Governments across the world. Consequently, there is a consensus as to the fact that WADA is the supreme authority in regulating enforcement of anti-doping measures within sports. The WADA Code, as in force, spells out the rationale for prohibiting doping within sports. Thus as per the WADA Code

“Anti-doping programs are founded on the intrinsic value of sport. This intrinsic value is often referred to as “the spirit of sport”: the ethical pursuit of human excellence through the dedicated perfection of each Athlete’s natural talents. Anti-doping programs seek to protect the health of Athletes and to provide the opportunity for Athletes to pursue human excellence without the Use of Prohibited Substances and Prohibited Methods. Anti-doping programs seek to maintain the integrity of sport in terms of respect for rules, other competitors, fair competition, a level playing field, and the value of clean sport to the world...”<sup>5</sup>

There is hardly any scope of compromise on doping in sport. This is evident from the definition of doping within the WADA Code. Articles 2.1 to 2.11 list out the various instances that will be treated as doping within sports. As per Article 1:

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<sup>2</sup> ‘WADA Code’, (*WADA*, 1January 2004)  
<[https://www.wada-ama.org/sites/default/files/resources/files/2021\\_wada\\_code.pdf](https://www.wada-ama.org/sites/default/files/resources/files/2021_wada_code.pdf)> accessed 19 December 2021

<sup>3</sup> *ibid*

<sup>4</sup> ‘The World Anti-Doping Code’ (*WADA*, 24 January 2005)  
<<https://www.wada-ama.org/en/what-we-do/world-anti-doping-code>> accessed 19 December 2021

<sup>5</sup> ‘WADA Code’, (*WADA*, 1January 2004)  
<[https://www.wada-ama.org/sites/default/files/resources/files/2021\\_wada\\_code.pdf](https://www.wada-ama.org/sites/default/files/resources/files/2021_wada_code.pdf)> accessed 19 December 2021

*“Doping is defined as the occurrence of one or more of the anti-doping rule violations set forth in Article 2.1 through Article 2.11 of the Code.”<sup>6</sup>*

The WADA Code adopts the principle of strict liability and imposes the burden on the athletes to avoid doping infractions. As per Article 2.1.1:

“It is the Athletes’ personal duty to ensure that no Prohibited Substance enters their bodies. Athletes are responsible for any Prohibited Substance or its Metabolites or Markers found to be present in their Samples. Accordingly, it is not necessary that intent, Fault, Negligence or knowing Use on the Athlete’s part be demonstrated in order to establish an anti-doping rule violation under Article 2.1.”<sup>7</sup>

Accordingly, the presence of any prohibited substance in the sample of an athlete is enough to prove doping. In addition, the WADA Code also includes other evidence that establish doping by an athlete. The following instances have been laid down as anti-doping rules violations by the WADA Code:

- “1. Use or Attempted Use by an Athlete of a Prohibited Substance or a Prohibited Method” amounts to proof of doping;
2. “Evading, Refusing or Failing to Submit to Sample Collection by an Athlete” amounts to doping;
3. Evading, Refusing or Failing to Submit to Sample Collection by an Athlete;
4. Whereabouts Failures by an Athlete;
5. Tampering or Attempted Tampering with any Part of Doping Control by an Athlete or Other Person;
6. Possession of a Prohibited Substance or a Prohibited Method by an Athlete or Athlete Support Person;
7. Trafficking or Attempted Trafficking in any Prohibited Substance or Prohibited Method by an Athlete or Other Person;
8. Administration or Attempted Administration by an Athlete or Other Person to any Athlete In-Competition of any Prohibited Substance or Prohibited Method, or Administration or Attempted Administration to any Athlete Out-of-Competition of any Prohibited Substance or any Prohibited Method that is Prohibited Out-of-Competition;
9. Complicity or Attempted Complicity by an Athlete or Other Person;

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<sup>6</sup> WADA Code, Art. 1

<sup>7</sup> WADA Code, Art. 2.1.1

10. Prohibited Association by an Athlete or Other Person;
11. Acts by an Athlete or Other Person to Discourage or Retaliate Against Reporting to Authorities.<sup>8</sup>

The WADA Code thus provides widest possible net to cover all kinds of infraction that will be treated as anti-doping violations. This means that the anti-doping organizations are free to use both analytical as well as non-analytical methods to establish an anti-doping rule violation. The WADA Code places the burden on the anti-doping organizations to establish such a violation. The burden of proof that they have to discharge is to the comfortable satisfaction of the hearing panel.<sup>9</sup> Once the organization has established an anti-doping rule violation, the burden shifts on the athlete to counter this. The burden of proof that the WADA Code has placed on the athletes is balance of probability. Further once the anti-doping rule violation is established, the athletes are given a chance to reduce the period of ineligibility.<sup>10</sup> Hence the WADA Code has provided for reduction or elimination of the period of ineligibility. As per Article 10.5:

*“Elimination of the Period of Ineligibility where there is No Fault or Negligence: If an Athlete or other Person establishes in an individual case that he or she bears No Fault or Negligence, then the otherwise applicable period of Ineligibility shall be eliminated.”<sup>11</sup>*

And as per Article 10.6:

*“Reduction of the Period of Ineligibility based on No Significant Fault or Negligence”<sup>12</sup>*

Further as per Article 10.6.2:

“Application of No Significant Fault or Negligence beyond the Application of Article 10.6.1: If an Athlete or other Person establishes in an individual case where Article 10.6.1 is not applicable, that he or she bears No Significant Fault or Negligence, then, subject to further reduction or elimination as provided in Article 10.7, the otherwise applicable period of

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<sup>8</sup> WADA Code, Art. 2.2 – 2.11

<sup>9</sup> WADA Code, Art. 3.1

<sup>10</sup> Lovely Dasgupta, *The World Anti-Doping Code- Fit for Purpose?* (Routledge 2019)

<sup>11</sup> WADA Code, Art. 10.5

<sup>12</sup> WADA Code, Art. 10.6

Ineligibility may be reduced based on the Athlete or other Person's degree of Fault, but the reduced period of Ineligibility may not be less than one-half of the period of Ineligibility otherwise applicable. If the otherwise applicable period of Ineligibility is a lifetime, the reduced period under this Article may be no less than eight (8) years."<sup>13</sup>

In addition, the WADA Code provides other grounds which give further choices to athletes to get their sanction reduced. Thus Article 10.7

*"Elimination, Reduction, or Suspension of Period of Ineligibility or Other Consequences for Reasons Other than Fault."*<sup>14</sup>

Further Article 10.8.1 provides for

*"One-Year Reduction for Certain Anti-Doping Rule Violations Based on Early Admission and Acceptance of Sanction."*<sup>15</sup>

To further dissuade the athletes from indulging in doping the WADA Code provides for sanction for multiple violations of anti-doping rules. For instance, as per Article 10.9

"Multiple Violations

10.9.1 Second or Third Anti-Doping Rule Violation

10.9.1.1 For an Athlete or other Person's second anti-doping rule violation, the period of Ineligibility shall be the greater of: (a) A six-month period of Ineligibility; or (b) A period of Ineligibility in the range between: (i) the sum of the period of Ineligibility imposed for the first anti-doping rule violation plus the period of Ineligibility otherwise applicable to the second anti doping rule violation treated as if it were a first violation, and (ii) twice the period of Ineligibility otherwise applicable to the second antidoping rule violation treated as if it were a first violation. The period of Ineligibility within this range shall be determined based on the entirety of the circumstances and the Athlete or other Person's degree of Fault with respect to the second violation.

10.9.1.2 A third anti-doping rule violation will always result in a lifetime period of Ineligibility, except if the third violation fulfills the condition for elimination or reduction of the period of Ineligibility under Article 10.5 or 10.6, or involves a violation of Article 2.4. In these particular cases, the period of Ineligibility shall be from eight (8) years to lifetime Ineligibility.

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<sup>13</sup> WADA Code, Art. 10.6.2

<sup>14</sup> WADA Code, Art. 10.7

<sup>15</sup> WADA Code, Art. 10.8.1

10.9.1.3 The period of Ineligibility established in Articles 10.9.1.1 and 10.9.1.2 may then be further reduced by the application of Article 10.7.”<sup>16</sup>

The other consequences that the athlete has to face for anti-doping rule violation are:

“1) *Article 10.10 Disqualification of Results in Competitions Subsequent to Sample Collection or Commission of an Anti-Doping Rule Violation*

2) *Article 10.11 Forfeited Prize Money*

3) *Article 10.12 Financial Consequences*”<sup>17</sup>

Thus, the consequences of anti-doping rule violations are stringent.

## II. IOC AND WADA CODE- PRE-REQUISITE FOR RECOGNITION

The principles that a sport needs to follow in order to get legitimacy are laid down in the International Olympic Committee Charter (“**IOC Charter**”). The IOC Charter forms the core of the governance structure of sports and is by default binding on all sports. To begin with the principles that a sport needs to aspire for are formulated in the credo of Olympism.<sup>18</sup> The Charter lays down the principles of Olympism which states, amongst others, that

*“Belonging to the Olympic Movement requires compliance with the Olympic Charter and recognition by the IOC.”*<sup>19</sup>

To be part of Olympics is the ultimate goal of sports and sports persons. Hence without the recognition of IOC an activity cannot gain legitimacy. Further recognition by IOC *per se* does not ensure that the sports can participate in the Olympic Games. However, recognition by the IOC

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<sup>16</sup> WADA Code, Art. 10.9

<sup>17</sup> WADA Code, Art. 10.10 – 10.12

<sup>18</sup> Lovely Dasgupta, *Doping in Non-Olympic Sports- Challenging the Legitimacy of WADA?* (Routledge 2022)

<sup>19</sup> ‘International Olympic Charter’ (*International Olympic Committee*, 23 June 1894) <[https://stillmed.olympics.com/media/Document%20Library/OlympicOrg/General/EN-Olympic-Charter.pdf?\\_ga=2.66794605.2115662959.1643801350-amp-INq-Lj6JMtMWULsPw4wF7Q](https://stillmed.olympics.com/media/Document%20Library/OlympicOrg/General/EN-Olympic-Charter.pdf?_ga=2.66794605.2115662959.1643801350-amp-INq-Lj6JMtMWULsPw4wF7Q)> accessed 19 December 2021

gives them the chance to vie for participation in the Olympic Games.<sup>20</sup> As per Rule 40 of the IOC Charter:

“Participation in the Olympic Games: To participate in the Olympic Games, a competitor, team official or other team personnel must respect and comply with the Olympic Charter, the World Anti-Doping Code and the Olympic Movement Code on the Prevention of the Manipulation of Competitions, including the conditions of participation established by the IOC, as well as with the rules of the relevant IF as approved by the IOC, and the competitor, team official or other team personnel must be entered by his NOC.”<sup>21</sup>

Thus, WADA Code is integral to any process of recognition and eventual participation in the Olympic Games. This is further reiterated in Rule 43:

*“World Anti-Doping Code and the Olympic Movement Code on the Prevention of Manipulation of Competitions Compliance with the World Anti-Doping Code and the Olympic Movement Code on the Prevention of Manipulation of Competitions is mandatory for the whole Olympic Movement.”*<sup>22</sup>

Similarly Rule 45 states that:

*“Programme of the Olympic Games...*

*....Only sports which comply with the Olympic Charter, the World Anti-Doping Code and the Olympic Movement Code on the Prevention of the Manipulation of Competition are eligible to be in the programme.”*<sup>23</sup>

Thus, in each and every aspect of recognition it is the compliance with WADA Code that plays a key role. As will be seen hereunder the governance of E-Sports and its rules and regulation will determine the scope of it being recognized. Importantly the anti-doping rule compliances are to be monitored for E-sports to be regarded as legitimate sports. Hence, for E-sports to be regarded as legitimate sports, compliance with WADA Code is a *sine qua non*.

### III. E-SPORTS AND DOPING-IDENTIFYING THE ISSUES

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<sup>20</sup> *ibid*

<sup>21</sup> IOC Charter, Rule 40

<sup>22</sup> IOC Charter, Rule 43

<sup>23</sup> IOC Charter, Rule 45

E-sports has gained tremendous recognition and fan following across the globe. As per the International E-sports Federation (“**IESF**”), E-sports is the fastest growing sports in the world.<sup>24</sup> IESF claims that revenue generation capacity of E-sports has jumped by leaps and bounds.<sup>25</sup> Against this back ground the issue of doping becomes a real concern within the virtual world.<sup>26</sup> The reasons for doping within E-sports are no different from the other sports. Essentially doping is indulged in to gain an unfair advantage. With increasing competition, it is not a surprise that E-sports is affected by doping. However, there is a greater challenge when it comes to regulating doping in E-sports. The nature of E-sports enables the participants to indulge in the most innovative form of doping.<sup>27</sup> As per the definition given by IESF:

*“While E-sports is not an “obvious” physical activity like many traditional sports, it fits into all of the sporting criteria set by international standards. Anyone can participate in Esports, but those truly gifted with incredible talent and commitment to hard work are the ones who excel.”*<sup>28</sup>

On the other hand, Global E-sports Federation (“**GEF**”), does not provide any definition.<sup>29</sup> Hence there exists a lack of clarity as to what can and cannot be regarded as E-sports. In all this the IOC has not yet made its stand clear as to the recognition of E-sports as distinct sports.<sup>30</sup> The most it has done is that it had launched the Olympic Virtual Series, as a precursor to the Tokyo Olympics 2021.<sup>31</sup> The IOC enabled the

<sup>24</sup> ‘International Esports Federation’ (*IESF*) <<https://iesf.org/>>accessed 19 December 2021

<sup>25</sup> *ibid*

<sup>26</sup> Michal Jasny, ‘Doping in e-sports. An empirical exploration and search for sociological interpretations’ (2020) *Acta Universitatis Lodzianis, Folia Sociologica* 75 <[https://www.researchgate.net/publication/350335928\\_Doping\\_in\\_e-sports\\_An\\_empirical\\_exploration\\_and\\_search\\_for\\_sociological\\_interpretations](https://www.researchgate.net/publication/350335928_Doping_in_e-sports_An_empirical_exploration_and_search_for_sociological_interpretations)>accessed 19 December 2021

<sup>27</sup> Surbhit Shrivastava, ‘Doping in E-Sports’ (*The IP Press*, 29 August 2021) <<https://www.theippress.com/2021/08/29/doping-in-e-sports/>>accessed 19 December 2021

<sup>28</sup> ‘Esports - True Sports?’ (*IESF*) <<https://iesf.org/esports>>accessed 19 December 2021

<sup>29</sup> ‘Global Esports Federation’ (*Global Esports*) <<https://www.globalesports.org/>>accessed 19 December 2021

<sup>30</sup> Kevin Hitt, ‘IOC Delivers Blow to Esports’ Quest for International Legitimacy’ (*The Esports Observer*, 4 November 2020) <<https://archive.esportsobserver.com/ioc-no-to-esports-governing-body/>>accessed 19 December 2021

<sup>31</sup> ‘IOC makes landmark move into virtual sports by announcing first-ever Olympic Virtual Series’ (*International Olympic Committee*, 22 April 2021)



enthusiasts to participate in the virtual version of five sports viz. baseball; cycling; rowing; sailing and motor sport. In this process IOC partnered with the respective International Federations (“IFs”) of these sports. These five IFs in turn tied up with the creators of virtual game content to create the virtual version of their sports.<sup>32</sup> This however has not translated in to the recognition of E-sports.<sup>33</sup> One of the biggest hurdles that exists to grant recognition to E-sports, is the lack of an International Federation. This means that for the IOC it will not be possible to identify one single organization that will regulate the sports. Further the content of E-sports itself is fluid. Currently genres like tactical shooters; MOBA; Sports SIM and fighting are popular, with each of these genres having their own popular games. medium, with developments in technology there is a huge likeliness of new games and genres replacing the old ones. In contrast are physical sports like football or cycling, where the essential rules remain the same. Rules for these sports may be modified at certain times, however, the essence of the game continues to remain the same.<sup>34</sup>

Another hurdle in recognizing E-sports, is the prospect of negotiating through the several license agreements and IPR issues vis-a-vis the game developers. In contrast to the physical sports, E-sports definitely do not present an easy narrative. There are n-number of game developers and their IPRs that have to be protected. Further the challenge is to decide which genre and which game of the particular genre ought to be included. As noted above there is no specific definition of E-sports, and the only common attribute is the use of a virtual medium to compete. Further the IOC might also have to take a call on the content of the game that will be

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<<https://olympics.com/ioc/news/international-olympic-committee-makeslandmark-move-into-virtual-sports-by-announcing-first-ever-olympic-virtual-series>>accessed 19 December 2021

<sup>32</sup> Sanjeev Palar, ‘The Olympic Virtual Series’ (*International Olympic Committee*, 22 June 2021)<<https://olympics.com/en/featured-news/olympic-virtual-series-everything-you-need-to-know>>accessed 19 December 2021

<sup>33</sup> Ellen M. Zavian, ‘Who Is Snubbing Who? Esports, The IOC And International Federations Need To Listen To One Another Closely’ (*Forbes*, 11 May 2021)<<https://www.forbes.com/sites/ellenzavian/2021/05/11/whos-is-snubbing-who-esports-the-ioc-and-international-federations-need-to-listen-to-each-other-closely/?sh=17dbf29788b4>>accessed 19 December 2021

<sup>34</sup> Anand Krishnaswamy, ‘IOC's refusal to recognise Gobar Esports Federation may actually be in industry's best interests’ (*Firstpost*, 4 November 2020)<<https://www.firstpost.com/sports/iocs-refusal-to-recognise-gobar-esports-federation-may-actually-be-in-industrys-best-interests-8981411.html>>accessed 19 December 2021

showcased as part of the E-sports. For if the content is too violent or too sexual it might offend sentiments as well as violate the IOC Charter. That E-sport is a technology driven activity is accepted but to recognize a technology driven activity as a sport is challenging. Importantly the varied use of technologies like Artificial Intelligence, Virtual Reality, Augmented Reality Mixed Reality, Internet of Things & 5G means that there cannot be one single understanding of E-sports. Against such a background it will be difficult to regulate doping within E-sports.<sup>35</sup>

For the range of doping is likely to vary from the traditional to the non-traditional sports. E-sports represents a counter-culture where as sports represent culture of a society. Hence it needs to be reflected upon whether doping in E-sports can be made amenable to the WADA Code. To begin with, the participants, being humans, are as susceptible to the use of performance enhancing drugs as in any other sports. Consequently, the doping issues within the fluid field of E-sports, have been largely the same.<sup>36</sup> Hence the solutions that have been thought of to deal with doping are thus structured around the familiar lines. To be specific the E-sports Integrity Commission (“ESIC”) has framed the anti-doping code on lines similar to the WADA Code.<sup>37</sup> Accordingly the acts amounting to anti-doping rule violations are:

- “1. The presence of a Prohibited Substance or its Metabolites or Markers in a Player’s sample.
2. It is each Player’s personal duty to ensure that no Prohibited Substance enters his body.
3. [T]he presence of any quantity of a Prohibited Substance or its Metabolites or Markers in a player’s sample shall constitute an Anti-Doping Rule Violation.
4. Use or Attempted Use by a Player of a Prohibited Substance.

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<sup>35</sup> Reuters Staff, ‘Talk of esports in Olympic Games is premature: IOC’ (*Reuters*, 8 December 2018) <<https://www.reuters.com/article/us-olympics-esports-idUSKBN1O70NK>>accessed 19 December 2021

<sup>36</sup> Justin W. Bogle, ‘Trying to Think Faster: Doping in Esports’ (*The Jeffrey S. Moorad Center for the Study of Sports Law*, 6 October 2020) <[https://www1.villanova.edu/villanova/law/academics/sportslaw/commentary/mslj\\_blog/2020/TryingtoThinkFasterDopinginEsports.html](https://www1.villanova.edu/villanova/law/academics/sportslaw/commentary/mslj_blog/2020/TryingtoThinkFasterDopinginEsports.html)>accessed 19 December 2021

<sup>37</sup> ‘Anti-Doping Code’ (*ESIC*) <<https://esic.gg/codes/anti-doping-code/>>accessed 19 December 2021

5. Refusing or failing without compelling justification to submit to sample collection after notification or otherwise evading sample collection or to cooperate with any investigation...
6. Tampering, or Attempting to Tamper with any part of Doping Control or investigation.
7. Possession by a Participant of any Prohibited Substance
8. Trafficking in any Prohibited Substance
9. Administration or Attempted administration to any Player of any Prohibited Substance or assisting, encouraging, aiding, abetting, covering up or any other type of complicity involving an Anti-Doping rule violation or any Attempted Anti-Doping Rule Violation.
10. Prohibited Association<sup>38</sup>

The above list, thus, is a reflection of the same concerns that are incorporated in the WADA Code. Though the ESIC anti-doping code is an independent document, there is no doubt that it is inspired by WADA Code. ESIC is the autonomous body constituted by the stakeholders practicing E-sports, to ensure observation of best practice within E-sports. This body depends on the cooperation of its members for its success. The absence of data on anti-doping rule violations does not mean that there are no incidences of doping. In 2015, a counter strike player admitted to be under the influence of Adderall during the finals of the 2015 Intel Extreme Masters, which is an international E-Sports series. Similarly in 2018, the Esports Integrity Commission published reports indicating the use of the same drug by one player during the Electronic Sports League (“**ESL**”) 2018 Tournament.<sup>39</sup> The biggest problem is the lack of a single federation regulating the sports. Hence while other incidences of corruption might be reported, doping within E-sports continues to be an open secret, which no one seems to acknowledge. The adoption/formulation of anti-doping code however is a reflection of the problem being there.<sup>40</sup> The IESF has gone ahead and adopted the

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<sup>38</sup> WADA Code, Art. 2

<sup>39</sup> Michal Jasny, ‘Doping in e-sports. An empirical exploration and search for sociological interpretations’ (2020) *Acta Universitatis Lodzianae, Folia Sociologica* 75 <[https://www.researchgate.net/publication/350335928\\_Doping\\_in\\_e-sports\\_An\\_empirical\\_exploration\\_and\\_search\\_for\\_sociological\\_interpretations](https://www.researchgate.net/publication/350335928_Doping_in_e-sports_An_empirical_exploration_and_search_for_sociological_interpretations)> accessed 19 December 2021

<sup>40</sup> Zachary Kandell, ‘ESports Has Its Own Doping Problem’ (*CBR*, 28 February 2020) <<https://www.cbr.com/esports-doping-problem/>> accessed 19 December 2021

WADA Code verbatim.<sup>41</sup> This is understandable for the IESF is trying to be recognised as the legitimate IF for E-sport. In contrast the GESF has no specific document dealing with anti-doping rules.<sup>42</sup> Overall the essence of doping remains the same within E-sports, which is to use substances that help the competitors to act fast and think faster.<sup>43</sup> As and when issues are decided by a legitimate E-sports adjudicating body, the direction of anti-doping regulation will become clearer.

#### IV. CONCLUSION

Doping in E-sports is an established fact, though there is yet to be full fledged adjudication on the issue. There is an absence of legal opinions on this issue. One is left with a clear sense of *déjà vu* for though it's sports in virtual world, the participants are human. Hence the anti-doping rule violations are similar to that in other sports. Given the dearth of reported cases and proper adjudication, the seriousness of anti-doping measures in E-sports is not clear. However, for E-sports to have a shot at IOC recognition, WADA Code compliance is a must. There cannot be an argument that E-sports need separate doping intervention as argued above, the doping methods are similar to ones used in physical sports, the WADA Code will suffice. Further the IFs of E-sports, can build upon the WADA Code and widen the net to take into account all innovative methods of doping. However, compliance with WADA Code shall act as the first step in regulating doping issues in E-sports. Without WADA Code compliance all discussions on doping in the digital world will be futile and E-sports will be treated, not as a legitimate sport, but as a mere spectacle without any value for merits or skill.

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<sup>41</sup> 'Anti-Doping Regulations' (IESF) <<https://iesf.org/governance/anti-doping>>accessed 19 December 2021

<sup>42</sup> 'The Global Esports Federation' (GlobalEsports) <<https://www.globalesports.org/about>>accessed 19 December 2021

<sup>43</sup> Coleman Hamstead, 'Nobody talks about it because everyone is on it': Adderall presents esports with an enigma' (*Washington Post*, 13 February 2020) <<https://www.washingtonpost.com/video-games/esports/2020/02/13/esports-adderall-drugs/>>accessed 19 December 2021