

Preface

Writing this book has been a challenging but enriching enterprise which led me to explore the frontiers between science and law in the field of anti-doping. The goal was to address evidentiary issues under the 2015 World Anti-Doping Code in a manner that would be useful to legal practitioners and scientists in anti-doping alike, so as to make both communities aware of the needs for interaction and promote the dialogue between them. An enterprise of this kind requires by nature to confront different perspectives, and a number of people in various disciplines contributed to the accomplishment of this goal. I hereby wish to express my gratitude to them.

My thanks, first of all, to those who offered the academic environment to breed and complete a project of this scope. Professor Franz Werro, at the University of Fribourg and Georgetown University, for introducing me—as a student and later as a doctoral researcher—to the intricacies of comparative legal approaches, and for his in-depth knowledge of both civil and common law cultures. Professor Antonio Rigozzi, at the University of Neuchâtel, fuelled my thoughts with both his experience in sports arbitration and his exceptional practitioner skills.

This book draws to a significant extent from my attorney activities, especially as counsel in doping disputes before the Court of Arbitration for Sport. The law firm Lenz & Staehelin, Geneva, encouraged and sheltered my work during a significant part of the preparation for this book. My special thanks to attorney-at-law Benoît Chappuis, my *maître de stage* in litigation, as well as attorney-at-law Xavier Favre-Bulle, to whom I owe my experience as a practitioner in sports arbitration. Attorney-at-law Eugène Ibig helped me benefit from his experience in international arbitration and his legal thoroughness. My thanks also to attorney-at-law Dominique Leroux for her enlightened and practical views on the aspects of my work dealing with innovative tools in anti-doping.

My gratitude also to the scientific anti-doping community, to whom much of this work is devoted. Most importantly, to the Lausanne Laboratory for Doping Analyses (LAD) and its director, Professor Martial Saugy, for giving me access to their expertise and knowledge. Particular tribute must also be paid to

Dr. Sylvain Giraud, Quality Manager at the LAD, for his essential help in securing the scientific solidity of my work, nurtured by hours of demanding but fruitful exchanges in trying to build bridges between scientific and legal perspectives.

Warm thanks to Dr. David McArdle, Stirling University, chief scientific editor of the International Sports Law Series at T.M.C. Asser Instituut in The Hague, who reviewed the final manuscript with exceptional care, as well as Nettie Dekker for her efficient formal editing work. Furthermore, this work could never have been completed without Christopher Coulson, who cast both the sharp mind of an editor and the critical eye of an English native on my “sports law” prose.

Finally, to my parents. The scientists, the roots of it all. For teaching me from an early age not to be afraid of a test tube. For bringing to me the value of knowledge, the importance of integrity and the virtues of questioning.

It is sadly not possible to thank all those to whom I owe a debt, but those who remain unnamed will know how they assisted in laying the foundations for this work or otherwise helped shape my life during this period. Many thanks, all of you.

To the Schrödinger cat, for making nothing final and everything possible.

Geneva, June 2015

Marjolaine Viret

Evidence in Anti-Doping at the Intersection of Science
& Law

Viret, M.

2016, XXVI, 821 p., Hardcover

ISBN: 978-94-6265-083-1

A product of T.M.C. Asser Press