

# “Sports Law and Anti-Doping: The Legal Framework for Sports Governance, Athlete Rights, and Anti-Doping Measures in Sierra Leone.”

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## Introduction

Sports have long been an essential part of human culture and society, serving not only as a form of recreation but also as a significant contributor to national unity, identity, and international recognition. In Sierra Leone, sports play a vital role in both community cohesion and national development. However, the governance of sports in any country requires a robust legal and regulatory framework to ensure fair competition, uphold athlete rights, and maintain the integrity of sports. This is where sports law emerges as a critical component of national governance structures.

Sports law is a broad and evolving field that encompasses regulations and legal principles governing the organization and conduct of sports. It covers a wide array of issues, including contracts, torts, constitutional rights, labor relations, intellectual property, and, most notably, anti-doping regulations<sup>1</sup>. Sports law aims to protect the rights of athletes, ensure fair play, regulate the governance of sports organizations, and safeguard the public interest in the integrity of sports<sup>2</sup>. In Sierra Leone, although sports law is still developing, there is a growing recognition of its importance in ensuring both the governance and the legal rights of athletes are respected.

One of the most prominent challenges facing modern sports is the issue of doping—the use of prohibited substances or methods to enhance athletic performance<sup>3</sup>. Globally, doping has posed significant threats to the credibility and integrity of sports, undermining fair competition and placing athletes' health at risk<sup>4</sup>. The establishment of the World Anti-Doping Agency (WADA) in 1999 and the adoption of the World Anti-Doping Code (WADC) in 2004 represent milestones in the global effort to combat doping in sports. The WADC sets out the framework for anti-doping

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<sup>1</sup> Nafziger, J. A. R., *International Sports Law* (2nd edn, Edward Elgar Publishing 2013).

<sup>2</sup> Ibid

<sup>3</sup> Ljungqvist A. Brief History of Anti-Doping. *Med Sport Sci.* 2017;62:1–10. doi: 10.1159/000460680. [[PubMed](#)] [[CrossRef](#)] [[Google Scholar](#)]

<sup>4</sup> Ibid

policies, rules, and regulations, which are implemented by national governments and sports organizations across the world<sup>5</sup>.

Sierra Leone, as a member of the global sporting community, has had to align itself with international standards concerning anti-doping and sports governance. However, the country's efforts in this regard have been impeded by several factors, including limited resources, inadequate infrastructure, and insufficient awareness of the importance of anti-doping measures<sup>6</sup>. Furthermore, while Sierra Leone has shown commitment to participating in international competitions and adhering to international norms, the domestic legal framework governing sports governance and anti-doping measures remains underdeveloped.

At the heart of this discussion is the tension between promoting athlete rights and ensuring the enforcement of anti-doping rules. Athletes are entitled to fair treatment and protection from exploitation or harm, yet they must also be held accountable to the strict regulations that ensure a level playing field<sup>7</sup>. This delicate balance raises important legal questions regarding the appropriate standards of governance and regulatory oversight in sports, especially in a developing country like Sierra Leone.

This article seeks to provide a critical analysis of the legal and institutional frameworks governing sports law and anti-doping in Sierra Leone. It examines the country's adherence to international standards, explores the rights of athletes within this legal framework, and assesses the challenges Sierra Leone faces in effectively implementing anti-doping measures. Through this lens, the article aims to highlight the gaps in Sierra Leone's sports law and propose recommendations for strengthening the national legal framework to ensure fair and equitable governance of sports.

The analysis will draw upon legal statutes, international treaties, and the World Anti-Doping Code (WADA, 2021), alongside examples from Sierra Leone to provide a comprehensive understanding of the issues at stake. As global trends in sports law continue to evolve, particularly with regard to athlete rights and anti-doping, it is crucial for Sierra Leone to adapt and strengthen its legal framework to align with international best practices and protect the integrity of its sporting landscape.

## **The Legal Framework for Sports Governance in Sierra Leone**

The legal framework governing sports in Sierra Leone is still evolving and can be characterized as being in its formative stages. This is largely due to the country's ongoing efforts to develop and codify laws and regulations that effectively address the growing complexity of sports governance. Unlike countries with more mature sports law regimes, where comprehensive legal statutes, specialized sports tribunals, and well-established regulatory frameworks exist, Sierra Leone is still

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<sup>5</sup> Siekmann, R. C. R., and Soek, J., *The Council of Europe and Sport: Basic Documents* (2nd edn, TMC Asser Press 2007).

<sup>6</sup> Lewis, A., and Taylor, J., *Sport: Law and Practice* (3rd edn, Bloomsbury Professional 2014).

<sup>7</sup> *Id.* at 1

working to establish a structured and enforceable system for the governance of sports. This developmental phase is marked by the interplay of national legislation, policy initiatives, and international regulatory influences.

At the national level, sports governance in Sierra Leone is primarily driven by institutions such as the Ministry of Sports and the National Sports Authority (NSA), both of which play pivotal roles in formulating policies and overseeing sports activities. However, the country lacks comprehensive, specialized sports legislation akin to those in countries with established legal frameworks, such as the Sports Act in South Africa or the Sports Code in India. The absence of a dedicated sports law leaves gaps in areas such as athlete welfare, dispute resolution, anti-doping enforcement, and intellectual property issues related to sports. Current legal provisions often rely on broader legislative instruments, such as the Anti-Corruption Act and the Child Rights Act, which, while relevant, are not sports-specific and may not address the unique legal challenges posed by modern sports governance.

One notable attempt to fill this gap is the National Sports Policy of 2017, which sets forth the government's strategic vision for sports development in the country. However, policies alone lack the binding authority of law and are often limited in their enforcement power. The policy provides a roadmap for collaboration between the government and various sports bodies, but without concrete legal instruments to support these policy directives, implementation remains inconsistent. As a result, the country's sports governance mechanisms are, at present, largely reliant on institutional oversight rather than legally enforceable norms.

In the international context, Sierra Leone's participation in global sports is governed by its compliance with the rules of international sports organizations, such as the International Olympic Committee (IOC), the Fédération Internationale de Football Association (FIFA), and the World Anti-Doping Agency (WADA). These organizations set strict standards for member countries, including Sierra Leone, particularly in the areas of governance, ethics, and anti-doping. For instance, adherence to the World Anti-Doping Code is mandatory for all countries participating in international competitions, and national sports bodies must ensure that athletes comply with these standards.

The influence of these international bodies underscores the necessity for Sierra Leone to align its legal frameworks with global best practices. However, challenges such as limited financial resources, inadequate infrastructure, and a lack of legal expertise in sports law hinder the country's ability to fully implement and enforce these international regulations domestically. Furthermore, the absence of a national anti-doping agency, despite Sierra Leone's commitment to WADA, points to the need for institutional reforms and capacity building in this area.

In light of these challenges, the development of robust legal frameworks and institutions remains a national priority. There is a growing recognition within the legal and sports communities that for Sierra Leone to fully participate in and benefit from international sports, it must develop a more coherent and enforceable sports law regime. This would include enacting legislation that addresses athlete rights, competition integrity, governance of sports bodies, and the resolution of sports-related disputes. Moreover, collaboration with international bodies to implement antidoping

measures and safeguard athlete welfare is crucial for the country to maintain compliance with international standards and protect the integrity of its sports programs.

## **National Institutions Governing Sports in Sierra Leone**

### ***The Ministry of Sports***

The Ministry of Sports (MOS) in Sierra Leone plays a pivotal role in the governance and development of sports within the country. As the primary governmental institution responsible for overseeing sports activities, the MOS is tasked with a broad mandate that encompasses the formulation of national sports policies, regulation of sports bodies, and the promotion of infrastructure development. Its role is integral to advancing the country's sports sector, which has long been viewed as a crucial element in achieving broader national objectives such as youth empowerment, social cohesion, and international representation.

One of the key functions of the Ministry is the formulation of national sports policies. These policies are designed to provide a strategic framework for the development and regulation of sports in Sierra Leone. For example, the National Sports Policy of 2017 outlines a vision that positions sports as a tool for national development, recognizing the significant role that sports can play in promoting physical health, social inclusion, and economic growth<sup>8</sup>. The policy emphasizes the need for increased investment in sports infrastructure, human resource development, and capacity building within national sports organizations. Additionally, the policy promotes gender equality, the inclusion of marginalized groups, and the empowerment of youth through sports.

### ***National Sports Authority (NSA)***

The National Sports Authority Act of 2017 was a significant legislative development in Sierra Leone's efforts to improve the governance and regulation of sports activities within the country. The Act established the National Sports Authority (NSA) as the central body tasked with overseeing all sports governance and administration, placing it at the heart of sports development across various sectors. Its mandate includes coordinating the activities of national sports associations, ensuring compliance with government policies, and regulating the ethical and legal aspects of sports governance<sup>9</sup>. The creation of the NSA is a recognition of the need for a dedicated and organized framework to address the growing complexity of sports management in Sierra Leone.

The NSA is responsible for coordinating national sports associations. These associations, such as the Sierra Leone Football Association (SLFA) and the Sierra Leone Athletics Association (SLAA), operate as independent entities responsible for the development and regulation of specific sports disciplines. However, the NSA serves as the umbrella body that brings these associations under a centralized governance framework. It provides regulatory oversight to ensure that these associations are functioning in alignment with both national and international standards. This

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<sup>8</sup> Republic of Sierra Leone. National Sports Policy, 2017.

<sup>9</sup> s.13. National Sports Authority Act, 2017.

coordination is essential for streamlining the operations of sports associations and ensuring a coherent approach to sports governance throughout the country (National Sports Authority Act, 2017).

### ***National Sports Associations***

Under the supervision of the National Sports Authority (NSA), national sports associations in Sierra Leone are entrusted with the governance and administration of specific sports disciplines. These associations, while operating under the overarching framework established by the NSA, function as autonomous bodies with the responsibility of organizing domestic competitions, training athletes, and representing Sierra Leone in international sports arenas. The autonomy granted to these associations is essential, as it enables them to align with international governance standards set by global regulatory bodies, while also adhering to the national legal framework, such as the National Sports Authority Act of 2017.

This dual-level governance structure ensures that Sierra Leone's sports associations are positioned to compete and collaborate on both the domestic and international stages. One prominent example is the Sierra Leone Football Association (SLFA), which has been central to the governance of football in Sierra Leone since its establishment in 1960. The SLFA operates as the governing body for football, responsible for organizing national football leagues, training players, managing national teams, and overseeing the sport's development at all levels.

### ***The National Olympic Committee of Sierra Leone***

The National Olympic Committee (NOC) of Sierra Leone is a key institution in the country's sports governance framework, charged with representing Sierra Leone at the Olympic Games and other major international sporting events. Established in accordance with the principles of the International Olympic Committee (IOC), the NOC operates under the provisions of the Olympic Charter, which outlines its responsibilities and governance structure. The NOC plays a vital role in promoting the values of Olympism—such as respect, excellence, and friendship—while also ensuring that Sierra Leonean athletes and sports organizations adhere to international sports governance standards.

## **Athlete Rights under Sierra Leone's Legal Framework**

Athletes' rights in Sierra Leone are embedded in various legal instruments aimed at ensuring fair competition, promoting participation, and safeguarding their well-being. These rights are protected through both general constitutional provisions and sports-specific regulations that address equality, health, safety, and non-discrimination. However, these laws remain at an evolving stage, reflecting the broader development of sports governance in the country.

### ***Right to Fair Competition and Participation***

The right to fair competition and participation for athletes in Sierra Leone finds its foundation in the Constitution of Sierra Leone (1991), which guarantees fundamental rights to all citizens.

Section 15 of the Constitution establishes the fundamental rights and freedoms of individuals, including the right to freedom of association, extending this to the realm of sports. Article 27 further prohibits discrimination based on factors such as gender, race, or ethnicity in the provision of public services, explicitly ensuring that no individual is excluded from participating in sports on discriminatory grounds<sup>10</sup>.

The National Sports Authority Act 2017 provides the primary legal framework for sports governance in Sierra Leone. Section 13 of the Act charges the National Sports Authority (NSA) with the responsibility of promoting sports and physical education across the country, ensuring that every individual has the right to participate in sports regardless of their socio-economic status. This is particularly significant in light of the socio-economic barriers that often limit access to sports in Sierra Leone. Moreover, the Act mandates the provision of sporting facilities and resources to encourage broad participation, especially for youth and marginalized communities.

Sports-specific bodies such as the Sierra Leone Athletics Association (SLAA) also play a pivotal role in ensuring the integrity of competition. The SLAA, in alignment with the International Association of Athletics Federations (IAAF), is responsible for enforcing rules that guarantee fairness and transparency in competitions. These rules are designed to protect athletes' rights to compete on a level playing field and to participate based on merit.

### ***Legal Safeguards for Athlete Well-being***

Athlete well-being is a core principle in Sierra Leone's sports law framework, and the National Sports Authority Act 2017 outlines several legal provisions to protect athletes' physical and mental health. Section 30(1) of the Act establishes a department within the NSA which is known as the Corporate Operations Division that is primarily responsible for matters such as the development of sport facilities and services in Sierra Leone. This is complemented by the mandate that sports organizations provide medical care and insurance to athletes, particularly those involved in high-risk sports.

The health and safety of athletes are further supported by the country's broader legal health framework. For example, the National Health Policy prioritizes the health of all citizens, including athletes, by ensuring access to medical care during training and competition. In practice, however, the enforcement of these rights has been uneven, with many athletes lacking access to adequate healthcare services, especially in rural areas<sup>11</sup>.

Additionally, Sierra Leone's legal framework is influenced by its international obligations under various human rights treaties. As a signatory to the International Covenant on Economic, Social and Cultural Rights (ICESCR), Sierra Leone is bound to uphold Article 12, which recognizes the right to the highest attainable standard of physical and mental health. This provision encompasses the protection of athletes from harm and ensures they receive adequate support to maintain their physical well-being<sup>12</sup>. The intersection between international human rights law and sports law

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<sup>10</sup> Constitution of Sierra Leone, 1991, Section. 27

<sup>11</sup> National Sports Authority Act 2017

<sup>12</sup> International Covenant on Economic, Social and Cultural Rights (ICESCR), 1966

reinforces the state's responsibility to safeguard athlete welfare through proactive policies and regulatory measures.

### Anti-Doping Measures and Athlete Rights

An important dimension of athlete rights under Sierra Leone's legal framework relates to the protection of athletes from unfair practices such as doping. While Sierra Leone does not have comprehensive anti-doping legislation, the country adheres to international doping regulations established by the World Anti-Doping Agency (WADA). As a signatory to WADA's Code of Conduct, Sierra Leone is obligated to ensure that athletes competing at the national and international levels are tested for the use of performance-enhancing drugs, and violators are penalized accordingly<sup>13</sup>.

The National Sports Authority Act incorporates anti-doping policies, though primarily through the enforcement of international standards. Sierra Leone's adherence to international anti-doping regulations ensures that its athletes are subject to rigorous testing, thereby promoting fairness in competition. The Sierra Leone National Olympic Committee (NOC) plays a crucial role in this aspect, ensuring that all athletes representing Sierra Leone in international competitions comply with WADA regulations and are provided with education on the dangers of doping.

Section 22 of the Sierra Leone National Sports Authority Act establishes a **Sierra Leone Anti-Doping Authority** that is responsible for monitoring anti-doping activities within the country and ensuring that there is proper implementation and compliance with national anti-doping codes. The Authority is responsible for overseeing all anti-doping activities in Sierra Leone. This includes the implementation of testing protocols, ensuring that athletes are subject to regular and random drug tests to deter the use of performance-enhancing substances.

### Conclusion

The governance of sports and the enforcement of anti-doping regulations in Sierra Leone are integral to safeguarding the integrity of sports and protecting the rights of athletes. While the country has made considerable strides by aligning itself with international standards, such as those set by the World Anti-Doping Agency, the legal and institutional frameworks remain underdeveloped. The lack of a comprehensive national sports law, coupled with limited resources and infrastructure, presents challenges to the full realization of a fair, transparent, and inclusive sports environment. Nevertheless, Sierra Leone has demonstrated a commitment to addressing these challenges through its National Sports Authority and ongoing policy reforms. To fully capitalize on the potential of sports as a vehicle for national unity, development, and international recognition, there must be a concerted effort to strengthen the legal framework. This includes

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<sup>13</sup> World Anti-Doping Agency (WADA) Code of Conduct, Art. 2.1

enacting specialized sports legislation, establishing a national anti-doping agency, and enhancing the capacity of national sports bodies to implement and enforce regulations.

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