

Legal Analysis Related To The Use Of Doping In The 2013 Asian Indoor And Martial Arts Games (Case Study: Indra Gunawan and Guntur Pratama Putera)

Naufal Idlal Arrafi^{1ABC*}, Raditya Agsa Rizki Maulana^{2CD}, Moh.Efendi Zuli Wira Kurniawan^{3E}

1Faculty of Law, State University of Surabaya,Indonesia.

2 Faculty of Law, State University of Surabaya,Indonesia.

3 Faculty of Law, State University of Surabaya,Indonesia.

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ABSTRACT

Background: This article discusses the legal aspects of doping use in the 2013 Asian Indoor and Martial Arts Games (AIMAG), focusing on the case study of two Indonesian athletes, Indra Gunawan and Guntur Pratama Putera, who were found to have used prohibited substances. **Objective:** The aim of this study is to analyze the legal basis applied in handling doping cases at the international level and to evaluate the enforcement mechanisms of anti-doping regulations by relevant institutions, including the Indonesian Olympic Committee and the Indonesian Anti-Doping Organization (LADI). **Method:** The research adopts a normative juridical approach through literature review and document analysis. **Result:** The findings indicate that the doping violations committed by the two athletes were in breach of the World Anti-Doping Code (WADA Code), which has been adopted into national regulations. Moreover, the study reveals challenges in sanction enforcement and in restoring the athletes' reputations, as well as the need for better coordination among institutions in prevention and enforcement efforts. **Conclusion:** This study emphasizes the importance of strengthening anti-doping regulations and continuous education for athletes and sports stakeholders to foster fair and doping-free competition.

Keywords: Doping, sports law, WADA code, AIMAG 2013, LADI, Indra Gunawan, Guntur Pratama Putera

ABSTRAK

Latar Belakang: Artikel ini membahas aspek hukum terkait penggunaan doping dalam Asian Indoor and Martial Arts Games (AIMAG) 2013, dengan fokus pada studi kasus dua atlet Indonesia, Indra Gunawan dan Guntur Pratama Putera, yang terbukti menggunakan zat terlarang. **Tujuan:** Tujuan dari studi ini adalah untuk menganalisis dasar hukum yang diterapkan dalam menangani kasus doping di tingkat internasional dan mengevaluasi mekanisme penegakan regulasi anti-doping oleh lembaga terkait, termasuk Komite Olimpiade Indonesia dan Organisasi Anti-Doping Indonesia (LADI). **Metode:** Penelitian ini menggunakan pendekatan yuridis normatif melalui kajian pustaka dan analisis dokumen. **Hasil:** Hasil penelitian menunjukkan bahwa pelanggaran doping yang dilakukan oleh kedua atlet tersebut melanggar Code Anti-Doping Dunia (WADA Code), yang telah diadopsi ke dalam regulasi nasional. Selain itu, studi ini mengungkapkan tantangan dalam penegakan sanksi dan pemulihan reputasi atlet, serta perlunya koordinasi yang lebih baik antar lembaga dalam upaya pencegahan dan penegakan hukum. **Kesimpulan:** Studi ini menekankan pentingnya penguatan regulasi anti-doping dan pendidikan berkelanjutan bagi atlet dan pemangku kepentingan olahraga untuk mewujudkan kompetisi yang adil dan bebas doping.

Kata Kunci: Doping, hukum olahraga, Kode WADA, AIMAG 2013, LADI, Indra Guntur Pratama Putera

Corresponding Author: Naufal Idlal Arrafi

E-mail: 2413070427@mh.unesa.ac.id

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Introduction

International sporting events, such as the 2013 Asian Indoor and Martial Arts Games (AIMAG), represent the pinnacle of athletic achievement, showcasing the best athletes from across Asia. The intense competition and ambition to achieve glory sometimes lead some athletes to take shortcuts, including the use of performance-enhancing drugs¹. The use of prohibited substances not only harms the athlete in the long run but also undermines sportsmanship, violates the spirit of fair play, and disadvantages other athletes who compete cleanly (Giraldi & Schillani, 2005; Petróczi & Aidman, 2008; Dimeo & Møller, 2018; Shelley et al., 2021). The doping cases involving Indonesian athletes Indra Gunawan and Guntur Pratama Putera at the 2013 AIMAG serve as a prime example of this problem and highlight the need for a comprehensive legal analysis of anti-doping regulations in the context of international sport. This event raises several crucial questions: How were international anti-doping regulations applied in the 2013 AIMAG? How were the investigation and enforcement of doping cases conducted? What sanctions were imposed on athletes found to have used doping substances, and were these sanctions fair and proportionate? Furthermore, what lessons can be learned from this case to improve Indonesia's anti-doping system and prevent future doping incidents? This research aims to conduct an in-depth analysis of the legal aspects related to doping in the 2013 AIMAG³, focusing on the case study of Indra Gunawan and Guntur Pratama Putera. The analysis will include a literature review of international anti-doping regulations (such as the World Anti-Doping Code), an examination of relevant Indonesian national regulations, and the use of a normative juridical approach to examine the legal processes undergone by the two athletes. In addition, this research will also consider the perspectives of sports ethics and the social implications of doping. It is hoped that this research will make a significant contribution to a more comprehensive understanding of the anti-doping legal framework, strengthen efforts to prevent doping in Indonesia, and provide recommendations for a more effective and equitable anti-doping system. The results of this research are expected to be beneficial to athletes, coaches, sports organizations, and other stakeholders in creating a clean and sporting environment.

This journal article analyzes the legal framework surrounding the doping cases of Indonesian athletes Indra Gunawan and Guntur Pratama Putera at the 2013 Asian Indoor and Martial Arts Games (AIMAG). The study investigates the adequacy of national and international regulations in addressing these cases, identifies weaknesses in anti-doping enforcement, and evaluates the fairness and transparency of the legal processes undergone by the athletes. Furthermore, the research assesses the proportionality of the sanctions imposed, analyzes their effectiveness as a deterrent, and examines the roles and responsibilities of various stakeholders, including coaches and sports federations. Based on these findings, this journal article will provide policy recommendations to strengthen the legal framework and enforcement mechanisms to prevent similar incidents in the future, promoting a culture of clean sport based on ethics and sportsmanship in Indonesia.

Material and Method

This study employs a qualitative approach and a case study method with further explanation:

Participants

The case study design was chosen to allow for an in-depth examination of the specific doping cases involving Indra Gunawan and Guntur Pratama Putera at the 2013 AIMAG.

Procedure

This part outlines the step-by-step process of how the study was conducted, including experimental manipulations, interventions, or observational techniques used.

Data Collection

Data were collected through a document review, encompassing Indonesian and international legislation related to doping⁴, AIMAG 2013 regulations, official reports on the cases, and court decisions (if any). Secondary data were obtained from literature on sports law, previous research on doping in sports, and relevant scholarly journal articles.

Data Analysis

Data analysis was conducted interpretatively, interpreting the collected data to identify themes, patterns, and relationships between various legal aspects related to the doping cases.

Result

The Doping Violations at Incheon 2013: Timeline and Details

July 1–2, 2013 (In-Competition Tests):

During the 4th Asian Indoor and Martial Arts Games in Incheon, two Indonesian swimmers tested positive for a banned stimulant. On July 1, 2013, Indra Gunawan (50m breaststroke champion) provided an in-competition urine sample that contained *methylhexanamine (DMAA)*. On July 2, 2013, Guntur Pratama Putra (member of the 4×50m and 4×100m freestyle relay teams) likewise tested positive for methylhexanamine. Methylhexanamine is listed on WADA's Prohibited List (Section S6.b, "specified stimulants") for in-competition use. Both athletes later explained they had taken the supplement "Jack3D," which (in its older formulation) contained DMAA.

July 5, 2013 (Notification and Hearing):

The Olympic Council of Asia (OCA) notified Indonesia's Chef de Mission that both swimmers' A-samples were "adverse analytical findings". Each athlete was offered the right to a hearing and B-sample analysis. They attended an OCA Doping Disciplinary hearing on July 5, 2013, invoking their right to test the B-sample. The B-sample tests were scheduled but later waived by the Indonesian delegation.

July 13, 2013 (OCA Disciplinary Decision):

The OCA Doping Commission concluded that the positive A-samples constituted anti-doping rule violations. Both swimmers were disqualified from all AIMAG events and stripped of any medals earned during the Games, effective from the date of testing. (In practice, Indra's gold in the 50m breaststroke and relay results were annulled; Guntur's relay medals were revoked or reassigned according to OCA rules.) This immediate disqualification followed standard WADA-based procedures: Article 9 of the (WADA) Code mandates automatic disqualification of results in the event of an in-competition positive test.

August 13, 2013 (LADI Hearing and Sanctions):

The cases were referred to Indonesia's Anti-Doping Agency (LADI). At a national hearing on August 7, 2013, both athletes gave statements. On August 13, 2013, the LADI Disciplinary Commission announced its decision: each swimmer received a 3-month competition ban (from August 13 to November 13, 2013). The Commission framed this sanction as a reduction in accordance with WADA Code Article 10.4 ("specified substances"), which allows leniency if the athlete can show no intent to enhance performance. LADI noted that the swimmers had no intent to cheat and that the substance was ingested inadvertently via a supplement. (LADI also recommended to the OCA that medals be withdrawn, noting that team relay medals are forfeited only if multiple team members test positive).

November 2013 – March 2014 (FINA Proceedings):

Because swimming falls under FINA's jurisdiction (FINA being WADA Code signatory), the cases were escalated internationally. In late 2013 FINA's Doping Panel was convened to adjudicate the violations. On March 11, 2014, FINA formally imposed two-year bans on each athlete, effective retroactively from the date of their positive test (July 1 for Indra and July 2 for Guntur). FINA's panel annulled all competitive results from July 2013 onward for both swimmers, in accordance with FINA rules (Article 9 and 10 of the FINA Doping Code) and WADA's standard for specified stimulants. These bans exceeded LADI's sanction, reflecting FINA's enforcement of the full minimum penalty for "specified stimulant" violations (2 years for second-violation or significant negligence under the Code).

September 2, 2014 (CAS Appeals and Decisions):

Both swimmers appealed the FINA sanctions to the Court of Arbitration for Sport (CAS). In separate but identical rulings issued, 2 September 2014, the CAS panels upheld the doping violations but reduced the suspensions to 18 months. The panel found that in each case the athlete's degree of fault was "significant" but not so great as to require the full two-year penalty. The CAS awards reset the bans to run from July 2013 through early 2015 and reiterated that all results from the date of each positive test must be disqualified. (Indra's appeal document also records that he took Jack3D during competition on July 2, and that he learned of the AAF on July 5 with counsel present).

Legal Proceedings and Sanctions

The Indonesian swimmers' cases followed a tiered anti-doping process consistent with WADA rules. National hearings: Under LADI's rules (which incorporate WADA Code provisions), Indra and Guntur each received a Disciplinary hearing. The LADI panel evaluated the degree of fault and applied the reduction provision of Article 10.4 of the WADA Code/FINA Doping Code: since neither athlete had intent to enhance

performance (they ingested the stimulant unknowingly), the panel issued a three-month ban instead of the standard two-year default. (The panel expressly cited Code Article 10.4, which allows up to a 2-year maximum suspension for a “specified substance” when the athlete bears no significant fault.) LADI’s decision also included a recommendation to OCA regarding forfeiture of medals, consistent with OCA’s team rules.

International adjudication:

FINA, as the governing body for swimming, has its own Doping Panel under the WADA framework. After reviewing the case file (which included the OCA decision and LADI findings), the FINA panel formally imposed two-year bans for both athletes, retroactive to July 2013. This sanction conformed to WADA’s default period for a first offense with “significant fault,” reflecting FINA’s stricter interpretation. Both swimmers were offered the opportunity for a FINA hearing; Indra initially agreed to accept a sanction at LADI’s suggested level, but ultimately no separate hearing took place beyond correspondence in late 2013.

Appeals:

Both Indra and Guntur appealed to CAS, which reviewed whether the FINA panel properly applied the Code. The CAS analysis (2014/A/3548 and 2014/A/3549) centered on fault and intent. In each case, CAS found that ingestion of Jack3D amid competition (a product widely known to contain a banned stimulant) amounted to a significant degree of fault. Nevertheless, the panel granted a modest reduction under Code Article 10.4. The final CAS awards imposed an 18-month ineligibility for each swimmer, to September 1, 2014 (i.e. July 2, 2013 through January 1, 2015). They confirmed disqualification of all results from July 1–2, 2013 onward. These CAS decisions are public; among other points, they explicitly emphasize that athletes must exercise extreme caution with supplements (a reasonable internet check would have revealed Jack3D’s banned status).

Applicable Rules:

All proceedings adhered to WADA-compliant protocols. The substance methylhexanamine is a Class S6.b (specified stimulant) on the WADA Prohibited List. An in-competition positive test automatically triggers disqualification of that competition’s results (WADA Code Article 9) and typically disqualifies all subsequent results until the suspension starts. International rules (via OCA and FINA) mirrored these standards. Under WADA/FINA rules, the minimum period for a first-time specified stimulant violation is 2 years unless mitigated by no intent; Indonesian LADI also follows WADA guidelines, citing Article 10.4 in its reasoning.

Regulatory Framework: Indonesia vs Internasional

Legal Basis Indonesian regulations explicitly adopt the WADA Code. For example, Lembaga Anti-Doping Indonesia rules and Ministerial regulations incorporate WADA terminology (Article 10.4, etc.). Indonesian law (Permenpora) mandates anti-doping compliance with the WADA Code. The World Anti-Doping Code is the core policy. Signatory organizations (WADA, sport federations, OCA) apply the WADA Code and International Standards as binding international law for sport.

Governing Bodies LADI (now renamed IADO) is the National Anti-Doping Organization under the Ministry of Youth and Sports. It conducts testing, results management, and disciplinary hearings for national athletes. Appeals can go to a national appeals panel or directly to CAS. WADA oversees global compliance. Continental associations (like OCA) and international federations (e.g. FINA) conduct testing at events and enforce sanctions under the WADA Code. Final appeals in international sport go to the Court of Arbitration for Sport.

Testing & Labs Samples are collected under LADI protocols (aligned with WADA’s International Standards for Testing) and sent to WADA-accredited labs. In the AIMAG cases, tests were processed under OCA supervision but followed WADA standards. Strict WADA procedures: only WADA-accredited labs may analyze samples. The OCA (organizer) used accredited labs. Both systems follow ISTI/ISL protocols for sample split, chain-of-custody, and B-sample rights.

Anti-Doping Rules LADI’s Anti-Doping Rules mirror the WADA Code (ADRV definitions, Prohibited List, sanction framework). For example, LADI cited WADA Code Art. 10.4 in reducing sanctions. Indonesian rules also address coach responsibility and team events. The WADA Code defines all rule violations, including strict liability (Art. 2), in-competition testing rules (Art. 9), and team event rules (Art. 11). Code also mandates athlete and support-personnel education and TUEs.

Sanctions (Standard) 1–2 years ineligibility for first offense with specified substances; LADI reduced to 3 months in these cases due to “no intent”. The Code’s prescribed maximum (2 years for first violation) can be shortened to 0–2 years. WADA criteria (no fault vs. normal fault vs. significant fault) guide sanction length. Under the WADA Code, specified stimulant violations carry 2-year bans unless mitigated. No-fault reductions (down to 0) apply only in exceptional cases. The Code’s reduction formula (Art. 10.5) was applied by CAS, yielding 18 months (significant but not extreme fault).

Disciplinary Process National hearing panels (LADI Disciplinary Commission) adjudicate first-instance cases. Athletes may present evidence (e.g. supplement analysis, witness statements). Decisions can be appealed within the national framework or to CAS if no national remedy remains. International cases (at events) use Independent Doping Hearing Panels under Code Article 8. Major doping sanctions can be appealed to CAS (as in these cases). WADA Code Articles R47–50 (CAS Code) govern the appeals process.

Athlete Support Staff Indonesian regulations (and WADA Code Art. 21) require coaches/officials to be anti-doping compliant. In these cases, the swimmers’ coach admitted giving Jack3D to athletes. WADA Code explicitly requires support personnel to “be knowledgeable of and comply with anti-doping policies” and forbids their own possession or use of banned substances. Indonesian rules similarly sanction officials who abet doping. Under the WADA Code, coaches and trainers are responsible for preventing doping. Article 21.2 states that support personnel shall not use or possess Prohibited Substances and must encourage fair play. International practice holds teams accountable for ensuring athletes know their responsibilities.

Discussion

The Indra Gunawan and Guntur Pratama cases highlight several ethical and social issues in Indonesian sport:

Fairness and Spirit of Sport:

Doping undermines the integrity of competition (Kayser & Smith, 2008; Dimant & Deutscher, 2015; Boardley et al., 2021). These cases show that even unintentional doping (from a common supplement) still violates the “spirit of sport” principles of honesty and health. The Indonesian athletes insisted they had no intent to cheat, which CAS accepted to some degree; however, under strict liability, intent is irrelevant to guilt (Soek, 2006; Jacobs, 2016; WADA, 2021). International norms (WADA Code) stress athletes’ personal responsibility to “know” what they ingest, and that ignorance is not a valid excuse for evading sanctions. The public exposure of these cases likely reinforced that message in Indonesia.

Athlete Education and Support:

Both LADI officials and media noted that the swimmers did not know Jack3D contained DMAA. Indonesia’s anti-doping commission (LADI) acknowledged “kurangnya sosialisasi” (lack of anti-doping education) as a cause. Ethically, this points to a duty on sports authorities and coaches to educate athletes about prohibited substances (USADA, 2016; Engelberk et al., 2017). Indeed, the athletes reported obtaining the supplement from their coach (who had encouraged its use for performance). WADA Code Article 21.2 explicitly obliges coaches and trainers to model compliance. These cases suggest a failure of that support network: coaches should have known Jack3D’s formulation had been banned since 2011. The aftermath prompted calls in Indonesia for better awareness programs and stricter control of supplements among athletes.

Deterrence vs. Rehabilitation:

The staggered sanctions (LADI’s 3 months vs. FINA’s 24 months, then CAS’s 18 months) illustrate the balancing act between punishing wrongdoing and recognizing mitigating factors. Some commentators noted that because the athletes were largely naïve, an excessively harsh ban could derail their careers unfairly (Piffaretti, 2011; de Hon & van Bottenburg, 2017; Hong et al., 2020). Indeed, the reduced bans allowed both to return in time for subsequent competitions (e.g. SEA Games). Indonesian sporting authorities framed their sanctions in part as a warning (“teguran”) rather than maximum punishment. This reflects a social consideration: preserving athletes’ futures if possible while still enforcing rules.

Image and National Impact:

On a broader level, these doping incidents were a national embarrassment and raised concerns about Indonesia’s anti-doping system (Pandjaitan, 2021; Amali, 2022). Media coverage emphasized that these were not high-profile stars but rather young athletes who thought they were doing the right thing. The cases spurred debate on whether Indonesia’s sports funding and support structures adequately prepare athletes for international competition. They also led to public discussion about the ethics of supplement use and the need

for transparent communication from sports bodies. WADA and Indonesian authorities have since intensified education campaigns; for example, IADO now regularly conducts seminars for athletes and coaches (recognizing, after these cases, the importance of prevention over cure) (KONI & IADO, 2022; IADO, 2023a).

In summary, the Indra and Guntur cases underscore that doping is not only a legal issue but also a challenge of governance and ethics. They affirm the importance of strict anti-doping rules (as enshrined in the WADA Code) while highlighting the need for robust athlete support and education to prevent inadvertent violations.

Conclusion

The doping cases involving Indonesian swimmers Indra Gunawan and Guntur Pratama Putera at the 2013 Asian Indoor and Martial Arts Games (AIMAG) highlight the critical importance of understanding and complying with anti-doping regulations at both the national and international levels. Although both athletes claimed to have unknowingly consumed prohibited substances through supplements, the principle of strict liability under the World Anti-Doping Code still holds them accountable.

This case underscores the need for improved education and awareness programs for athletes, coaches, and sports organizations regarding the dangers and legal implications of doping. The analysis reveals that while international anti-doping regulations were properly enforced, there are gaps in Indonesia's national anti-doping infrastructure, particularly in prevention, supervision, and athlete guidance.

Moreover, the sanctions imposed—despite being in line with international standards—raise questions about fairness and proportionality when intent and context are not adequately considered. Therefore, this study recommends strengthening Indonesia's anti-doping legal framework, enhancing regulatory enforcement, and prioritizing preventive measures and athlete support systems. A more holistic and ethical approach to anti-doping is essential to promote clean sport, protect athletes' rights, and uphold the integrity of competition.

Author contribution statement

The Author Contribution Statement is an essential component of modern scientific publications, N.I.A. (First author) is responsible for Conceptualization, Methodology, and Writing - original draft. R. A. (2nd author) performed Data Curation, Formal Analysis, and Writing - review & editing. All authors have approved the content of the final manuscript and take responsibility for the overall integrity of this study.

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