

Strasbourg, 14 June 2004

T-DO (2004) 20

Anti-Doping Convention (T-DO)

19th meeting of the Monitoring Group Strasbourg, 17-18 June 2004

Follow up report

*Advisory Visit (Consultative seminar) for Estonia, Latvia and Lithuania
on the implementation of the Anti-Doping Convention, Tallinn 11- 13 June 2003*

1. Introduction

The consultative seminar was organized at the request of the authorities of Estonia, Latvia and Lithuania. Several initiatives have already been taken by the three Baltic countries for the implementation of the Anti-Doping Convention. However, these initiatives have shown their limits and the three countries have therefore recently changed, or are in the process of changing, their anti-doping structures and programs. In this respect, the advisory visit was very timely and gave a good opportunity to the authorities of the three countries to discuss with experts the changes in course or envisaged.

The team of the consultative seminar was composed of Mr Mesut ÖZYAVUZ (Council of Europe, Sport Department), Dr Anix SAX (Médecin-Chef de division au Ministère de l'Éducation nationale, de la Formation professionnelle et des Sports), Mr Juha VIERTOLA (Secretary General, Finnish Anti-doping Agency), Ms Penelope di LELLA (Policy Officer elite sports, Netherlands Centre for Doping Affairs).

2. Background

Estonia

Estonian Antidoping Commission was formed by a group of specialists in the field of medicine, when the initiative came from the Estonian Olympic Committee, in 1989. During 1996 –1997 a great amount of work was done to establish an independent institution which

could deal with all the antidoping activities, including doping controls. In this matter several meetings with NeCeDo and Finnish Antidoping Committee officials took place during these years. To the result Estonian Center for Doping Affairs was established in August 1997.

Latvia

The Parliament of Republic of Latvia in December 17, 1996 has adopted “Law on Council of Europe’s Anti-Doping Convention No. 135” (henceforth — the Convention). The adoption of this law provided base for establishing of institutional and legal system, in order to fight the use of doping in the country.

In September 4, 2002 the Government accepted “Strategy on implementation of the Convention”, in order to ensure implementation of all Articles of the Convention, including increase in financial and human resources. Following the Governmental Strategy the Sports Law was accepted and became in force November 27, 2002, and among other, defined the responsibilities of Ministry of Education and Science and Ministry of Welfare in the fight against doping. It clearly defined the responsibility on carrying out doping controls within the Ministry of Welfare in accordance with the rules accepted by the government, which came into force in February, 2003 and assignment of State budget for antidoping program to be implemented by Sports Medicine Centre.

Lithuania

In 1993, by signing European Cultural Convention, Lithuania joined the Council of Europe and started taking part in the activities of the CDDS. The year of 1993 was the year of the utmost importance since Lithuania became a signatory party of Anti - doping Convention, which was ratified by the Parliament of the Republic of Lithuania in 1995. The Decree Nr.558p of the Government of the Republic of Lithuania established Lithuanian Antidoping Commission (LADC) in order to implement the Anti doping Convention in practice.

The new strategy of development of anti-doping work in Lithuania was prepared by Lithuanian State Department of PE and sports and new Anti doping Agency (LADA) with higher potential including high skilled staff and better financial support is going start to work from the new finances year of 2004.

3. Improvement of institutional network and legislation

3.1. Recommendation

In the three countries, a national anti-doping body is now established, but their role is rather limited to doping testing activities. It is recommended to set up a co-coordinating mechanism at national level not only for doping testing but also for the co-ordination of all anti-doping initiatives and of the national program in particular the co-ordination of the efforts of different ministries in the fight against the trafficking of doping substances; and that the national anti-doping body should have full authority for planning, co-coordinating and monitoring the whole anti-doping program.

Estonia

- A working group which deals with different problems in the field of doping, including the fight against trafficking of doping substances, has been set up in the Ministry of Culture, Sports Department. Representatives at high level from Ministry of Culture,

Estonian Centre for Doping Affairs, National Sport Organizations are in charge of this working group. Close relations are with the Ministry of Internal Affairs.

For the year 2005 additional budget has been planned to improve the organizational and educational side and co-work with customs and police in the fight against doping.

Latvia

- According to the Government decision since December 2003 a working group on trafficking of doping substances is set up. In charge for the working group is the Ministry of Health and Ministry of Interior, Ministry of Education and Science, Ministry of Justice, Prosecutor General Office, Parliament Legal Commission. Aim of the working group is to prepare suggestions on improvement of legislation and procedures to limit and eradicate illegal turnover of certain substances.
- Since August 2003 anti-doping program have substantial increase (ten times more) of finances from State budget and this provides even stronger authority for the national anti-doping body – Anti-doping Department of Sports Medicine Centre.

Lithuania

- In 2004 Lithuanian Anti-Doping Agency (LADA) has been established as a department in Lithuanian Olympic Sports Centre due to financial considerations. But the aim is to establish an independent legal body with financing from Olympic Committee and State Budget via State Sports Department.
- In order to improve intersectional co-operation in the field of antidoping, Council of Anti-Doping of Lithuania will be established by the Government. In the proposal to the Government the following organization representatives are planned to be included in the Council – Ministries of Health, Justice, Foreign affairs and Internal affairs, Customs Department, State Sports Department, Olympic Committee, Sports Federation Council, Paralympic Committee, Association of Sports journalists.

3.2. Recommendation

To adopt appropriate legislative and administrative measures to restrict the availability of doping substances (in particular in Latvia and Lithuania). There is a law in each country on the regulation of the pharmaceutical products, but it is not clear if these laws cover substances such anabolic steroids, EPO, Growth hormone and other peptide hormones, for example. The relevant legislation and administrative measures need to be reviewed in the light of Recommendation (2000) 16 of the Committee of Ministers of the Council of Europe on common core principles to be introduced into national legislation to combat the traffic in doping agents.

Estonia

- A revised Sports Act (original Sports Act passed on 15th June 1998) will be soon sent to the Parliament for the first reading. The revised Sports Act includes a separate, detailed chapter on doping, which hopefully will improve the legislation and procedures to limit the availability, use and trade of doping substances. In the process of preparing the revised Sports Act, Estonian Centre for Doping Affairs was also involved.

Latvia

- As stated in previous (3.1.) paragraph the activities in order to prepare suggestions on improvement of legislation and procedures to limit and eradicate illegal turnover of certain substances have just started. The first vision is to create a law on turnover of certain doping substances, followed by amendments to Criminal Law to punish offences. At the same time there will be recommendations issued and education given for the custom, police and others involved in implementation of these legal norms.

Lithuania

- Presently custom officers always inform Customs Department under Ministry of Finance of the Republic of Lithuania, if they are finding pharmacology substances. This information will be compiled, in order to evaluate the situation in illegal trade of doping substances
- After establishment of Council of Anti-Doping one of the first tasks will be elaborations of amendments to the legislation in order to restrict the availability of doping substances. This also will include amendments to the Criminal Law to consider trade of doping as fraud.

3.3. Recommendation

To ensure a better involvement of the sports organizations in the implementation of the anti-doping program.

Estonia

- Estonian Olympic Committee has adopted and ratified the World Antidoping Code in the end of the year 2003 and signed a document with 66 National Sport Federations which states the acceptance of the World Antidoping Code . Importantly this has increased the interest of different Sports Federations in the fight with doping in sports , particularly some federations previously less interested in antidoping activities like Estonian Weightlifting Federation and Estonian Bodybuilding and Fitness Federation have found finances to set up their own testing program and are willingly doing co-work with Estonian Center for Doping Affairs.

Latvia

- Latvian Olympic Committee in March 2004 has adopted amendments to its Constitution and thus adopts World Anti-Doping Code and invited its members – sports federations – to actively promote the fight against doping. Comparing to 2003 there is a significant increase in interest in anti-doping work, but sports federations do not have their anti-doping programs. Practical co-operation between NADO and sports federations has just started and only results until now are requests for the doping controls to be carried out at national and international competitions.

Lithuania

- With initiative of Lithuanian National Olympic Committee and Department of Physical Education and Sports under the Government of the Republic of Lithuania, sports federations are encouraged to create anti-doping programs for their sports, which include testing of junior, youth and adult athletes in national and international competitions and out of competition. Relations are extended with sport federations. Doping control is performed in most of national and international competition with the initiative of sport federations.

4. Improvement of doping control program

4.1. Recommendation

To increase the number of doping controls, in particular out of competition and unannounced controls. It is suggested that at least 2/3 of the tests be out of competition and without notice.

Estonia

- The last couple of years annual budget has not increased and the overall number of doping tests has been around 100 from what a little over half have been out of competition. In 2004 Estonian Olympic Committee supported financially to perform additional 30 out of competition tests for the athletes in Estonian Olympic Team. For 2005 a 30% increase in the budget for the fight against doping has been planned what also means increase of competition tests in numbers.

Latvia

- Taking in to account above mentioned increase in finances, accordingly the number of controls has increased. In 2002 – 44 controls, in 2003 – 126. In 2003 about 65 % of controls were out-of-competition controls. Plan for 2004 is 300 controls and 80 % of them – out-of-competition.

Lithuania

- According to this recommendation, in 2004 LADA will make 60% out-of-competition and 40 % competition tests in Lithuania.

4.2. Recommendation

To ensure that the sampling be carried out by independent doping control officers (DCOs): in particular separate the function of the team's or athlete's medical doctor and DCO.

Estonia

- Currently 9 DCOs are active in Estonia, medical education is required. From these 9 persons 5 have M.D. degree. None of the DCOs are acting as a team physician and might considered to be totally independent in their work as DCO. To get a certification as a DCO in Estonia, one should have a medical education as already mentioned, pass the Estonian Center for Doping Affairs and Finnish ADC schooling days, and be active as an assistant DCO during 6 month period.

Latvia

- In October 2003 Sports Medicine Centre has approved “Education Program of Doping Control Officers and Assistants” – 2 days theoretical course and 3 practical tests under supervision, which is approved by final exam. In November 2003 there was the first course for 7 new DCO's and assistants, and they received a certificate. None of the DCO or assistant is functioning as teams or athletes medical doctor.

Lithuania

- In this year, within the frames of “Anti-Doping Program”, a seminar “Education of Doping Control Officers” was carried out. In the seminar, which consisted of two parts: theoretical and practical, 20 Doping Control Officers were educated, and they

are: 60% independent of the sport world or athlete's medicine; 20% - medics; 20% - athlete's medics.

5. Improvement of disciplinary procedures and sanction system

5.1. Recommendation

To clarify the disciplinary procedures in particular concerning the possibility of appeal both for athletes and for the national anti-doping body.

Estonia

- There are three steps of disciplinary bodies for athletes in Estonia, what has worked out quite well already for a while. The first step is always National Federation, second step Estonian Olympic Committees Executive Committee, third step Sports Arbitrage Court in Lausanne. For anti-doping bodies, the procedure is the same as for athletes except the first step.

Latvia

- Meantime accordingly to Doping Control Rules, Anti-Doping Committee initiates doping controls. In a light of Administrative Code, if the athlete refuses to do the doping control, administrative fine should be imposed by the State Education Inspection. In cases arising from providing untruthful information or in cases if the information is not provided at all, the decision to impose the administrative fine shall be made in accordance with Administrative Code.

Lithuania

- To ensure their rights, athletes have possibility to, first – appeal to sports federation, second - to “Court of Honor” under Lithuanian National Olympic Committee, or to Lithuanian Civil Court in general order.

5.2. Recommendation

To ensure the independence of disciplinary bodies, they should be composed by independent experts with legal, medical and technical knowledge in anti-doping questions (e.g. the composition of the appeal body in Lithuania is to be reviewed).

Estonia

- The Executive Committee of Estonian Olympic Committee as a disciplinary body consists of high ranking experts from different disciplines and is familiar with legal-, medical- and technical aspects in anti-doping questions.

Latvia

- As to this section, there has been a wide range of consultations within several institutions for the creation of appealing body model composed by independent and qualified experts.

Lithuania

- The questions of disciplinary punishment will be judged by Anti-Doping Council of Lithuania as in highest independent body, and it will recommend sanctions to the federation. As mentioned earlier, Council consists of legal, medical, pharmacological and sports specialists.

5.3. Recommendation

To establish clear rules to sanction the entourage of athletes and provide special protection in the case of doping of minors.

Estonia

- These rules are brought out in a Revised Sports Act, under the chapter on doping and will hopefully be in the Parliament for the first reading in the end of summer 2004.

Latvia

- In analyzing the problem the first task is to acquire countries' models and various experiences in developing clear rules providing special protection for minors. The effectiveness of the action should be measured by the time needed to drafting of rules.

Lithuania

- Each case is reviewed by Anti-Doping Council of Lithuania and recommended sanctions are consistent with WADA Code, also to athletes' entourage.

6. Improvement of anti-doping education and research programs

6.1. Recommendation

To include in the anti-doping policy the social use of doping substances in general in society, in particular amongst young people, gym regulars, etc.

Estonia

- Estonian Center for Doping Affairs has prepared introductory lecture course on doping for the age group in secondary school (16-18 yrs)
- Recently a closer co-work with Estonian Weightlifting Federation and Estonian Bodybuilding and Fitness Federation has increased the number of doping tests performed to the athletes in these federations and has helped to understand what is going on in our gyms. Currently the most famous bodybuilder in Estonia is promoting a doping free sport and introducing alternatives to doping. That kind of actions also give a positive effect - to give up the use of doping substances - on youngsters who want to look bigger and stronger.

Latvia

- NADO in co-operation with Ministry of Education and Science has prepared draft education program for school children (age 16-18) and will present it to School Boards in August 2004. Other education and propaganda activities in society are planned, but not yet fulfilled due to time limits, only several articles in newspapers and magazines.

Lithuania

- In secondary schools of Lithuanian according to trans-institutional contract is implemented project "Children and Youth Olympic Education" since 2002 till 2005 year. Since 2004 year the anti-doping education has been involved in this program. Doping damage is explained in biology lessons

6.2. Recommendation

The usual materials for education have been published in three countries. For further steps, it is suggested to develop a comprehensive educational strategy including an evaluation of its effects. Also the educational program needs to be adjusted in its objectives and target groups, it should not be limited to high-level sport but should include the social use of doping substances, in particular in gym centers. It was also suggested that there should be a special course on doping for medical students.

Estonia

- In Tartu University, the Medical Faculty and the Faculty of Exercise and Sport Sciences, have already included to their educational program a separate chapter on doping. From the year 2004, Tallinn Pedagogical University also added a separate chapter on doping to their educational programs.
- Also medical nurses while training in medical schools have a course on sports medicine where doping issues are discussed. Estonian Center for Doping Affairs has been involved in providing some specific materials on doping for these institutions.

Latvia

- NADO is currently studying best examples from other countries concerning education strategy and will work out own three year strategy until September, 2004. It must be stated that anti-doping issues are taught for medical students since 1996. Also general practitioners and nurses have compulsory course in sports medicine during their in-service-training every 5 years. This course includes overview on anti-doping issues.

Lithuania

- Lithuanian Anti-Doping Agency (LADA) gives the most attention to young athletes, their anti-doping education. LADA organizes seminars for athletes: "Doping damage to body", "Doping Control Rules", "Anti-doping rules"; and published "Doping effect to body", "Doping Control Rules", "Prohibited List".

6.3. Recommendation

Concerning research, it is suggested that the research projects and means focus on the side effects and health consequences of the use of doping agents in the Baltic countries and on the social use of doping substances (amongst young people, gym users, etc). It would be worthwhile to launch common research projects in the three Baltic countries in these fields.

Estonia

- Currently University Of Tartu in collaboration with Estonian Center for Doping Affairs have started a research project – Endogenous Production Of 19-Norandrosterone in Female Athletes. An Application Form for Research Grant has been sent by Tartu University – Institute of Exercise Biology and Physiotherapy – to WADAs Health, Medical, and Research Committee.
- Also research co-work projects have been discussed between three Baltic Countries, but not yet further steps have been taken.

Latvia

- During the meeting of Baltic Anti-doping Committee the issue of common research project has been discussed, but no concrete actions have been taken yet.

Lithuania

- LADA is not capable to do any research alone. Therefore the intention is to try to cooperate with Vilnius University by using their possibilities and facilities. Also cooperation between three Baltic States in the field of research has been planned for future.

7. Evaluation visit

It is suggested that the three Baltic countries envisage an individual evaluation visit in the medium term (for example in 3-5 years).

Estonia

- Estonia would plan the evaluation visit for the year 2007

Latvia

- Latvia will apply for evaluation visit for year 2007

Lithuania

- Lithuania will apply for evaluation visit for year 2007 – 2008.

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