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ANTI-DOPING CONVENTION

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EVALUATION REPORT OF THE MONITORING GROUP (T-DO)

Evaluation visit in Riga, Latvia

3 – 5 December 2018

REPORT

ADOPTED BY THE 50th MEETING OF THE MONITORING GROUP OF THE ANTI-DOPING CONVENTION

8 MAY 2019 IN BUCHAREST, ROMANIA

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A. INTRODUCTION

BACKGROUND

The Republic of Latvia ratified the Council of Europe's Anti-Doping Convention and its Additional Protocol in 1996 and 2004 respectively. In January 2018 the Ministry of Education and Science of the Republic of Latvia invited the Monitoring Group of the Anti-Doping Convention to organise an evaluation visit to assess Latvia's compliance with the commitments defined in both international legal instruments. The Secretariat of the Anti-Doping Convention in consultation with the Coordination Group of the Anti-Doping Convention accepted the request of the Latvian authorities and invited experts, including from the World Anti-Doping Agency to join the Evaluation team.

The Evaluation visit was planned and executed in accordance with the Procedural Guidelines for the evaluation process of the sport conventions of the Council of Europe [SPORT (2017)02].

Prior to the Evaluation visit, the Latvian authorities provided the Secretariat of the Anti-Doping Convention at the Council of Europe with a National Report, a copy of which is attached as Annex 1 to this Report (*the National Report*).

The Evaluation visit took place in Riga, on 3-5 December 2018. The program of the Evaluation visit is described at Annex 2.

The full composition of the Evaluation Team and the list of participants from Latvian authorities and institutions are attached at Annex 3.

The Evaluation Team has prepared this Evaluation Report with the aim of providing the Monitoring Group with a summary of its findings and analysis, together with a number of recommendations. A draft version of the Evaluation Report was provided to the Latvian authorities for review, and their comments form chapter C of this Evaluation Report.

SCOPE

The Evaluation Team focussed its evaluation examination on Articles 1-9 of the Convention. Latvia has adopted the Additional Protocol to the Convention, which is considered in conjunction with the Convention but is not evaluated separately.

In addition, given that (a) the Latvian authorities have ratified the International Convention against Doping in Sport of UNESCO (*the UNESCO Convention*); and (b) compliance with both the Convention and the UNESCO Convention in practice require Governments to take steps to give effect to the provisions of the World Anti-Doping Code (*the Code*), the Evaluation Team agreed that a partial examination of how the World Anti-Doping Code has been implemented in Latvian sport fell within the scope of the Evaluation visit.

ACKNOWLEDGEMENTS

The Evaluation Team would like to thank all those who contributed to the preparation of the Evaluation Visit and the Evaluation Visit itself. In particular, the Evaluation Team of the Monitoring Group of the Anti-Doping Convention would like to thank the senior officials of the Ministry of Health (Ms Līga Timša) and Ministry of Education and Science (Mr Edgars Severs) as well as the members of the Parliament of Latvia for their commitment and time dedicated to discuss with the Evaluation Team. Sincere appreciation to Mr Martins Dimants and his colleagues from the Latvian Anti-Doping Bureau for the coordination of the Evaluation Visit and their support and readiness to provide the Evaluation Team with the best information before, during and after the Evaluation Visit.

B. REPORT OF THE EVALUATION TEAM

ARTICLE 1 - AIM OF THE CONVENTION

The Parties, with a view to the reduction and eventual elimination of doping in sport, undertake, within the limits of their respective constitutional provisions, to take the steps necessary to apply the provisions of this Convention.

1. Article One requires State Parties to take measures to reduce and eliminate doping in sport, including legislation, and commit themselves towards this responsibility. The National Report recites details of the steps that the Latvian authorities have taken that are relevant to Article One, which are summarised below. This information is taken from the National Report as confirmed in the course of consultations between the Evaluation Team and the Latvian authorities.

1.1. The Convention was ratified by the Latvian Government on 23 January 1997. The Latvian Government also ratified the Additional Protocol to the Convention on 16 October 2003.

1.2. The Latvian Government has enacted the ‘*Sports Law*’, which first came into effect in November 2002. The Sports Law has been amended on a number of occasions since 2002, with the latest amendments being promulgated on 24 May 2018 and coming into effect on 1 July 2018.

1.3. The Anti-Doping Bureau of Latvia (*the NADO*) was established on 1 July 2018 by way of the Sports Law. It is a public institution. Prior to the establishing of the NADO, equivalent functions were conducted by a Governmental agency known as the ‘*Sports Medicine Centre*’. The Sports Medicine Centre was a Signatory to the World Anti-Doping Code, and as such has reported to the World Anti-Doping Agency (WADA) in relation to the World Anti-Doping Code Compliance Monitoring Program. The compliance issues identified by WADA in relation to the activities undertaken by the Sports Medicine Centre have been recognised in the establishment of the NADO, and the NADO is now the responsible Signatory body in Latvia (replacing the Sports Medicine Centre).

1.4. The National Report contains a helpful description of the facts and matters that preceded the establishing of the NADO. These are not repeated in this Report, but the Evaluation Team appreciated understanding the full context within which the NADO was established. In particular, the Evaluation Team noted that a series of consultations took place as between the Latvian authorities, WADA and other anti-doping partners prior to the establishing of the NADO. This has enabled the NADO to make rapid operational progress.

1.5. The National Report notes, and the Evaluation Team was advised during the Evaluation visit, that certain anti-doping functions required by the World Anti-Doping Code (‘Code’) have been established by the Latvian authorities pursuant to bespoke regulations that complement the Sports Law. The Latvian Government has taken the view that given that it has committed to establish these functions by way of both the Convention and the UNESCO Convention, that the functions should be founded in law. The Latvian authorities have therefore implemented the following instruments –

Instrument and Date	Function	Reference in Sport Law
Cabinet Regulation No. 440, “Procedures for the Establishment of Disciplinary Anti-Doping Commission and Exceptions Commission for Therapeutic Use 24 July 2018	Establishment of (a) Disciplinary Commission (b) TUE Committee	Section 11.3 Section 11.4
Cabinet Order No. 283, “On the Appeal Commission” 27 June 2018	Establishment of appeals body	Section 11.5

1.6. Further, consistent with the Sport Law, the Latvian authorities have undertaken to draft and adopt a further regulation to establish a national standard for anti-doping rules, being the ‘*National Anti-Doping Regulations*’. The drafting process is a collaborative exercise involving the Ministry of Health, Ministry of Education and Science and the NADO. The Sport Law (Section 11.1) provides that the National Anti-Doping Regulations –

shall include the definition of doping, determine infringements of anti-doping regulations, govern the procedures and time periods for proving them, the annulment of the results and sanctions, the procedures and time periods for submitting and examining appeals of the decisions taken by the institutions involved in the field of anti-doping, the procedures and time periods for the recognition of the decisions of the institutions involved in the field of anti-doping, the restricting provisions for the application of sanctions, as well as other provisions in conformity with the anti-doping conventions.

1.7. The National Anti-Doping Regulations were being developed at the time of the Evaluation visit. The Evaluation Team was therefore not in a position to assess how these regulations will sit in terms of Latvia’s Convention commitments, and how they will operate in conjunction with existing regulations.

1.8. The Evaluation Team was advised that the key Governmental stakeholders in respect of the NADO are the Ministry of Health and the Ministry of Education and Science. As noted below, these stakeholders have distinct oversight responsibilities in respect of the NADO.

1.9. The NADO has ten employees, including 4 Doping Control Personnel. The funding is provided from the Latvian central budget, and forms part of the overall health budget. In turn, the NADO is obliged to account to the Ministry of Health for how the money has been spent. This oversight is strategic rather than operational, although the Evaluation Team was advised that the Ministry of Health has imposed broad performance metrics requiring that minimum of 1,000 tests, and 50 education sessions, are conducted in each financial year of the NADO. The budget assigned to the NADO is approximately Euro 700,000. This budget is provided as part of a rolling three-year budgetary cycle and so is stable through to 2020.

1.10. The Ministry of Education and Science has a broad remit in the Sports Law (Section 5) to ‘develop draft laws and regulations; implement purposeful international co-operation and ensure Latvian representation in international sports organisations; and perform other functions and tasks specified in laws and regulations’. It is a key stakeholder in the operational work of the NADO. For example, the Ministry of Education has a broad interest in ensuring that Athletes and other sports persons understand their anti-doping obligations, which fall under the auspices of the Ministry of Education (for example, compulsory continuing education for coaches is required to include education on anti-doping).

CONCLUSION

1.11. The Evaluation Team accepts that the Latvian authorities have complied with the political commitments described in Article 1.

RECOMMENDATIONS

1.12. The NADO and its key Governmental stakeholders should explore how the NADO's strategic planning can best be developed. Operational independence does not require isolation from Governmental partners and stakeholders, and close integration on strategy would be useful, especially as there is no supervisory board to provide this strategic input and oversight. The Evaluation Team believes that strategy is always improved by collaboration and consultation with those stakeholders who are most affected by the NADO's operational work.

1.13. In time (although not as a matter of immediate attention) the Ministry of Health might consider –

1.13.1. whether the NADO would benefit from being governed by way of a 'Supervisory Board', that Board being tasked with key functions such as ensuring the responsible use of public funds, accountability for compliance with key standards, and development of key strategic priorities.

1.13.2. a specific reference to the NADO and its activities in its Departmental strategy and planning process.

ARTICLE 2 - DEFINITION AND SCOPE OF THE CONVENTION

2.1 For the purposes of this Convention:

a “doping in sport” means the administration to sportsmen or sportswomen, or the use by them, of pharmacological classes of doping agents or doping methods;

b “pharmacological classes of doping agents or doping methods” means, subject to paragraph 2 below, those classes of doping agents or doping methods banned by the relevant international sports organisations and appearing in lists that have been approved by the monitoring group under the terms of Article 11.1.b;

c “sportsmen and sportswomen” means those persons who participate regularly in organised sports activities.

2. Article 2 requires that the terms referred to at Article 2.1(a), (b) and (c) are implemented in a manner consistent with the Convention.

2.1. The key terms relevant to anti-doping regulation are defined in (or by reference to) the Sport Law in a manner that is broadly compatible with the Convention, although not completely consistent with the corresponding definitions in the Code. The Evaluation Team anticipates that the National Anti-Doping Regulations will reflect the relevant Code and International Standard requirements.

2.2. The National Anti-Doping Regulations will constitute a unified system of anti-doping regulations that will apply to sports institutions and persons in Latvia (at the least, to ‘recognised’ National Federations). The Evaluation Team understands that the National Anti-Doping Regulations are intended to take effect from 1 July 2019. The Evaluation Team welcomes this development and trusts that the National Anti-Doping Regulations will be adopted and implemented by the anticipated date.

2.3. This is particularly so given that the current position regarding the existence and applicability of Code-compliant anti-doping rules to athletes and sports persons in Latvia is not clear. The NADO’s jurisdictional basis, as well as the black letter anti-doping rules that it will apply, will be contained within the National Anti-Doping Regulations. However, the current position appears to be that there is an absence of any unified national anti-doping rules, which in turn risk complicating results management issues in particular.

2.4. At the time of drafting this Report, the National Anti-Doping Regulations were subject to consultation, with views being sought from key stakeholders including the Ministry of Education and Science, the Latvian Sports Federations Council and the Latvian Olympic Committee. The NADO indicated that a draft will also be made available to the Council of Europe, and WADA.

2.5. The Sport Law simply provides that, pending the implementation of the National Anti-Doping Regulations, that ‘the principles laid down in the World Anti-Doping Code shall be applied, insofar as they are not in contradiction with this Law’ (Sport Law, Transitional Provisions, §12). This is potentially problematic.

2.6. For example, although National Federations have a *de facto* obligation to comply with the Code as a condition of receiving both public funding and publicly funded benefits, there is no standard set of anti-doping rules or standards that they can either adopt or adhere to. Rather, they have a relatively broad ‘requirement’ to comply with the Code. This may not be a serious issue in that most, if not all, sports will default to the anti-doping rules adopted by the relevant International Federation, but the

situation is nevertheless not ideal (for example, there may be jurisdictional issues with regards to the testing of national-level athletes if that jurisdiction is not provided for in International Federation rules).

2.7. It is also not clear how the mechanics of adoption of the Prohibited List are intended to operate. Whilst it is implicit in the Sport Law that the annually updated version of the Prohibited List will be given effect (Sport Law, Section 6) this is an inefficient and loose solution.*

* **Comment by the Latvian authorities: Prohibited list legal force is governed by the Law on Official Publications and Legal Information, by amending the first annex of Law On the International Convention Against Doping in Sport.**

2.8. Given that the solution to this issue is in hand (by way of the National Anti-Doping Regulations), the Report does not address the specifics of this issue in further detail. It does, however, underline the importance of the National Anti-Doping Regulations.

CONCLUSION

2.9. The Evaluation Team does not accept that the Latvian authorities have fully complied with the commitments described in Article 2. The application of coherent anti-doping rules to sports persons in Latvia lacks the necessary level of legal certainty.

RECOMMENDATIONS

2.10. The Evaluation Team recommends that, in respect of the National Anti-Doping Regulations –

2.10.1. A draft set of the National Anti-Doping Regulations be made available to the Monitoring Group for review against Latvia's Convention commitments as soon as possible;

2.10.2. The National Anti-Doping Regulations be implemented as soon as practicable and by no later than the planned adoption date of 1 July 2019.

ARTICLE 3 - DOMESTIC CO-ORDINATION

3.1 The Parties shall co-ordinate the policies and actions of their government departments and other public agencies concerned with combating doping in sport.

3.2 They shall ensure that there is practical application of this Convention, and in particular that the requirements under Article 7 are met, by entrusting, where appropriate, the implementation of some of the provisions of this Convention to a designated governmental or non-governmental sports authority or to a sports organisation.

3. Both the Monitoring Group and the World Anti-Doping Agency believe that the fight against doping in sport, if it is to work well, must involve a number of governmental departments or agencies (including those responsible for areas as diverse as public health, medical care, customs, police, sport and education).

Further, to ensure the practical implementation of the international standards in anti-doping, both the Convention and the Code contemplate the establishing of a National Anti-Doping Organization, which is able to give effect to a Government's commitments under the Convention, and comply with its own commitments as a Signatory to the World Anti-Doping Code.

THE ANTI-DOPING BUREAU OF LATVIA

3.1. The background to the establishment of the NADO is addressed in the context of the remarks concerning Article One of the Convention, above. The National Report provides some helpful further context and comment vis-a-vis its relationship with Governmental stakeholders, which is welcomed by the Evaluation Team but not considered further in this Report.

3.2. The Evaluation Team was completely satisfied that the NADO had been properly established and has a secure legal foundation upon which to base its activities.

COOPERATION WITH THIRD PARTIES

3.3. The Evaluation Team was provided with an opportunity to discuss the working relationship between the NADO and a number of key stakeholder and partner organisations.

3.4. The Evaluation Team particularly appreciated the opportunity to attend and participate in a meeting with representatives from a number of National Federations, all of whom provided interesting, stimulating and thought-provoking comment on anti-doping issues.

LATVIAN SPORTS FEDERATIONS COUNCIL

3.5. The Evaluation Team welcomed the opportunity to meet with officials of the Latvian Sports Federations Council.

3.6. The Latvian Sports Federations Council is a non-profit association*, private body, with specific functions ascribed to it in the Sport Law. Section 10 provides that the activities of 'recognised' National Federations shall be co-ordinated, their shared interests represented and implemented by' the Latvian Sports Federations Council. In relation to anti-doping matters, the Latvian Sports Federations Council

in effect acts as a bridge between the NADO and these 'recognised' National Federations. The Latvian Sports Federations Council has 92 members, including 84 recognised National Federations. Sport Federations are non-profit, private associations of legal persons (clubs, associations, education institutions, companies related to sport).

* Comment by the Latvian authorities: non-governmental organisation, according to the Law on Associations and Foundations, to which the function delegated by the Sports Law to co-ordinate the activities of sports federations recognised in Latvia, as well as the right to represent and implement their common interests, performing the recognition of sports federations

3.7. A 'recognised' National Federation complies with the recognition criteria referred to in the Sports Law (Section 10.1), these criteria being assessed by the Latvian Sports Federations Council.

3.8. The Evaluation Team heard that the Latvian Sports Federations Council has an important role as a consultative and collaboration partner to the NADO. It is empowered to appoint a nominee to the Disciplinary and Appeals Commission.

3.9. The Monitoring Group was concerned to learn that a number of 'unrecognised' National Federations operate in a manner that creates the potential for sports persons to participate in unregulated sports, and in particular in sports that have no effective doping control regulations. There is no obvious solution to this issue, although it appears that one avenue that might be investigated is whether such sports could be denied any sort of public funding, including that provided by local municipalities or state capital companies (capital company in which all capital shares or voting stocks belong to the State).

LATVIAN OLYMPIC COMMITTEE

3.10. The Evaluation Team also welcomed the opportunity to meet with officials of the Latvian Olympic Committee.

3.11. The Evaluation Team was advised that Latvian Olympians are prepared and trained for competition by being part of the 'Latvia Olympic Unit'. Some of the most important training they undertake relates to health and anti-doping. In relation to anti-doping, collaboration with the NADO is and will be important to the success of these education efforts.

3.12. The Latvian Olympic Committee has in the past collaborated with the (then) anti-doping bodies to ensure that a level of pre-Games testing takes place. For future games, it is envisaged that this collaboration will continue with the NADO, although this will be aligned with the NADO's operational independence to test or not test based on its own risk assessment.

3.13. The Latvian Olympic Committee advised the Evaluation Team that it was an active stakeholder in the process whereby the NADO was formed, and appreciated that Latvia risked international exclusion from sport if it did not regularise its anti-doping regulations in a manner that was compatible with the Code. The Evaluation Team was impressed with the commitment voiced by the Latvian Olympic Committee to the NADO and its desire to see the NADO succeed. This creates an encouraging basis for the necessary degree of close cooperation between the NADO and key sporting bodies for the future.

NATIONAL FEDERATIONS

3.14. The Evaluation Team heard from a number of recognised National Federations that they considered the establishment of the NADO to be a very positive step in terms of anti-doping regulation and practice in Latvia. A number of interesting and intelligent issues were raised which the Evaluation Team agrees provide useful considerations for the NADO to address. These issues included –

- Developing sport specific education plans
- The mechanics of the Results Management process and what is expected from National Federations
- Whistle-blowing and intelligence policies

CONCLUSIONS

3.15. The Evaluation Team accepts that the Latvian authorities have complied with the political commitments described in Article 3.

3.16. The Evaluation Team agreed that the Latvian Sports Federations Council has a significant part to play in establishing the presence and credibility of the NADO with the recognised Latvian National Federations, for which it remains a relatively new and untested entity. It also has great potential to be a consultative body for the NADO to discuss policy issues, and act as a collective voice for recognised National Federations to communicate with the NADO.

3.17. The Latvian Sports Federations Council has a helpful and important operational role to play in evangelising the work of the NADO, and providing the NADO with competition schedules and information from recognised National Federations. This information is an important aid to the NADO in its test planning.

3.18. There is a positive engagement between the NADO and the Latvian Olympic Committee that should enhance the effectiveness of anti-doping activities in Latvia.

RECOMMENDATIONS

3.19. A recognised National Federation is required by the Sport Law to follow the requirements of ‘anti-doping conventions’, which is interpreted as encompassing the Code (Section 10.1). There is, however, no established process for assessing how and if a National Federation (recognised or unrecognised) complies with the Code, and the protocols to be followed if it is felt that a National Federation falls short in this respect.

3.20. The Evaluation Team recommends that a process be developed as between the NADO and the Latvian Sports Federations Council, once the National Anti-Doping Regulations are implemented, that establishes a clear means of assessing compliance with Code responsibilities, and the sanctions to be applied in the event of non-compliance. Some detail and guidance should be developed so that both recognised and unrecognised National Federations are clear as what the expectations are on them in terms of their anti-doping commitments: these should be meaningful, but not onerous.

3.21. The Latvian Sports Federations Council has a potential role in the provision of data to the NADO concerning competition schedules, athlete and sportsperson data, and other useful information. This should be formalised in a manner that allows for the effective and lawful sharing of information.

3.22. The NADO and the Latvian Olympic Committee should formalise their information sharing arrangements, so that useful information is shared securely and lawfully to assist in the most effective development of testing and education activities.

3.23. The NADO should engage with the National Federations to address their practical needs through a program of seminars and other information sharing exercises that provides key information on central issues. What that 'key information' is, and what the 'central issues' are, can be identified by consultation with the National Federations through the Latvian Sports Federations Council.

GENERAL RECOMMENDATION ON INFORMATION SHARING

3.24. As a general matter, the Evaluation Team recommends that the NADO and the Latvian authorities jointly consider the Monitoring Group Recommendation on Information Sharing¹. In particular, it would be helpful for a series of seminars involving including judges, prosecutors, police and customs officers, and the NADO, was to be organised in order to train the responsible authorities on doping matters and the utility and practicalities of exchanging information.

¹ Recommendation Rec (2016) 1 of the Monitoring Group on Information Sharing between Public Agencies and Anti-Doping Organisations in the Fight against Doping

ARTICLE 4 - MEASURES TO RESTRICT THE AVAILABILITY AND USE OF BANNED DOPING AGENTS AND METHODS

4.1 The Parties shall adopt where appropriate legislation, regulations or administrative measures to restrict the availability (including provisions to control movement, possession, importation, distribution and sale) as well as the use in sport of banned doping agents and doping methods and in particular anabolic steroids.

4.2 To this end, the Parties or, where appropriate, the relevant non-governmental organisations shall make it a criterion for the grant of public subsidies to sports organisations that they effectively apply anti-doping regulations.

4.3 Furthermore, the Parties shall:

a) assist their sports organisations to finance doping controls and analyses, either by direct subsidies or grants, or by recognising the costs of such controls and analyses when determining the overall subsidies or grants to be awarded to those organisations;

b) take appropriate steps to withhold the grant of subsidies from public funds, for training purposes, to individual sportsmen and sportswomen who have been suspended following a doping offence in sport, during the period of their suspension;

c) encourage and, where appropriate, facilitate the carrying out by their sports organisations of the doping controls required by the competent international sports organisations whether during or outside competitions;

d) encourage and facilitate the negotiation by sports organisations of agreements permitting their members to be tested by duly authorised doping control teams in other countries.

4.4 Parties reserve the right to adopt anti-doping regulations and to organise doping controls on their own initiative and on their own responsibility, provided that they are compatible with the relevant principles of this Convention.

4. Article 4 of the Convention establishes a number of commitments:

Article 4.1: States Parties are required to adopt measures to restrict the availability, including trafficking, of banned substances and methods and, in particular, anabolic steroids.

Article 4.2: it should be a criterion for the grant of public subsidies to sports organisations that they effectively apply anti-doping regulations.

Article 4.3(a): governments may underwrite the entire cost of doping controls and analysis or offer partial grants to the sport organisations, as a form of encouragement to undertake testing on a worthwhile scale.

Article 4.3(b): financial support from public funds, whether directly from the state or indirectly through sport organisations, provided to sportsmen and sportswomen who have been suspended for doping, should be suspended at least for the period of their suspension.

Article 4.3(c): in addition to direct measures, states may offer different forms of encouragement to reduce the use of doping, such as financial encouragement and/or penalisation (Articles 4.2, 4.3.a and 4.3.b). Article 4.3.c of the Convention requires from states more practical forms of encouragement such as in facilitating doping control testing, both in-, and out-of-competition.

Article 4.3(d): athletes should continue to be subject to testing even when they are out of their countries, for training or competition.

Article 4.4: states may adopt legislation by virtue of which, inter alia, public authorities may themselves organise doping controls.

ARTICLE 4.1 (TRAFFICKING)

4.1. The Evaluation Team was advised that Latvia has a number of legislative instruments aimed at restricting the use and availability of prohibited substances and methods, including legislation concerning dealings in pharmaceutical products and substances, and dealings in illicit drugs. These provisions are described in detail in the National Report. The Evaluation Team considers that measures proposed in 2007 by the Working Party regarding the necessary legislation in the area of restricting the circulation of doping substances would enable Latvia to enhance compliance with the Article 4.1.

ARTICLE 4.2, 4.3 (FUNDING)

4.2. The Sport Law provides that if ‘an athlete, sports organisation, or sports employee does not fulfil the obligations laid down in this Law, other laws and regulations governing the field of sports, or in the contract on granting the resources from the State or local government budget, the institution which granted the financial resources shall assess the nature of the infringement and take a decision to discontinue the disbursement of the financial resources granted to the athlete, sports organisation, or sports employee and to apply other sanctions provided for in the contract’ (Section 13.7).

4.3. The Evaluation Team notes that in conjunction with the anticipated National Anti-Doping Regulations that this restriction provides an effective financial incentive on relevant parties to comply with anti-doping standards.

4.4. Funding standards referred to in the National Report were not considered by the Evaluation Team in any great detail, but do not raise any areas of concern vis-à-vis the Convention.

CONCLUSIONS

4.5. **The Evaluation Team did not identify, in the context of its limited review, any matters that suggested that the Latvian authorities have not complied with the commitments described in Article 4.** This conclusion is reached having regard to the anticipated implementation of the National Anti-Doping Regulations referred to elsewhere in this Evaluation Report.

RECOMMENDATIONS

4.6. In order to enhance implementation of the Article 4.1 of the Anti-Doping Convention, the Evaluation Team recommends that the Latvian authorities consider the Council of Europe Committee of Ministers recommendation on combatting the traffic in doping substances (https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=09000016804e2ada) and reactivate the work started in 2007 to strengthen the mechanism for the control of availability of doping substances.

4.7. A proportionate monitoring and assessment methodology whereby compliance with anti-doping requirements of the sport organisations can be measured should be developed. The NADO is well placed to fulfil this role in cooperation with sport stakeholders. The optimum manner for such programs to develop and become embedded is to focus on ‘compliance by design’, where a proportionate and realistic level of compliance is achieved based on resources and practical considerations.

ARTICLE 5 – LABORATORIES

5.1 Each Party undertakes:

a) either to establish or facilitate the establishment on its territory of one or more doping control laboratories suitable for consideration for accreditation under the criteria adopted by the relevant international sports organisations and approved by the monitoring group under the terms of Article 11.1.b or

b) to assist its sports organisations to gain access to such a laboratory on the territory of another Party.

5.2 These laboratories shall be encouraged to:

a) take appropriate action to employ and retain, train and retrain qualified staff;
b) undertake appropriate programmes of research and development into doping agents and methods used, or thought to be used, for the purposes of doping in sport and into analytical biochemistry and pharmacology with a view to obtaining a better understanding of the effects of various substances upon the human body and their consequences for athletic performance;

c) publish and circulate promptly new data from their research.

5. Article 5 of the Convention establishes a number of commitments concerning laboratories. The important role of doping control laboratories in the fight against doping is reflected in the Convention, as well as the World Anti-Doping Code and the UNESCO Convention. Since 2004, anti-doping laboratories have been accredited by WADA, which also monitors and assesses their performance. According to the International Standard for Laboratories ('ISL'), WADA is responsible for accrediting and re-accrediting anti-doping laboratories, thereby ensuring that they maintain the highest quality standards. Whenever a laboratory does not meet ISL requirements, WADA may suspend the laboratory's accreditation.

5.1. There is no laboratory in Latvia that has been accredited by WADA. Rather, the NADO utilizes the services of the WADA-accredited laboratory in Dresden. The NADO indicated that the services are provided in a satisfactory manner and that there is a healthy working relationship between the two parties.

5.2. The Agence Française de Lutte contre le Dopage (AFLD) acts as the Athlete Passport Management Unit (APMU) for the NADO, both for the haematological and steroidal modules.

5.3. This is consistent with the Convention, and the Evaluation Team did not consider this issue in any further detail.

CONCLUSIONS

5.4. The Evaluation Team accepts that the Latvian authorities have complied with the commitments described in Article 5.

6.1 The Parties undertake to devise and implement, where appropriate in co-operation with the sports organisations concerned and the mass media, educational programmes and information campaigns emphasising the dangers to health inherent in doping and its harm to the ethical values of sport. Such programmes and campaigns shall be directed at both young people in schools and sports clubs and their parents and at adult sportsmen and sportswomen, sports officials, coaches and trainers. For those involved in medicine, such educational programmes will emphasise respect for medical ethics.

6.2 The Parties undertake to encourage and promote research, in co-operation with the regional, national and international sports organisations concerned, into ways and means of devising scientifically-based physiological and psychological training programmes that respect the integrity of the human person.

6. Article 6 of the Convention establishes commitments relating to both education and research.

Article 6.1: The provision of education and information for the prevention of doping in sport is an essential feature of any anti-doping program. Educational and informational programmes should be comprehensive and be directed mainly to athletes and their support personnel².

Article 6.2: Research in the field of anti-doping as well as the physiological and psychological training and the legitimate search of improved performance is of great importance.

The importance of both education and research is underscored in both the World Anti-Doping Code and the UNESCO Convention.

ARTICLE 6.1 - EDUCATION

6.1. The Evaluation Team was provided with a significant amount of information regarding the education and prevention efforts undertaken by both the Latvian authorities, and primarily the NADO.

6.2. The National Report describes in some detail the activities undertaken by the NADO in relation to education and prevention: these were discussed in detail during the Evaluation visit.

6.3. The Evaluation Team was advised that there was a good working relationship as between the NADO and National Federations as regards the provision of education and prevention information. The Evaluation Team noted that the Sport Law requires, in effect, for National Federations to encompass education and prevention into their regular activities, or risk having their funding reduced, or removed

² The Monitoring Group adopted a Recommendation Rec (2011) 1 on Model Guidelines for Core Information/Education Programmes to prevent Doping in Sport, as a methodological tool, for the development, implementation, delivery, and evaluation of information and education programmes. The Monitoring Group adopted also the Recommendation Rec (2016) on anti-doping education for Tertiary Education Institutions, aiming to support the development, implementation, delivery and evaluation of effective anti-doping education at the university level. Model Guidelines are annexed to the Recommendation Rec (2016) 2

or recognition being suspended or revoked. This is notwithstanding the fact that typically smaller and not recognised Sport Federations have difficulties in resourcing their own anti-doping education programs (this is a common issue in many States).

6.4. Recognised National Federations, in their discussions with the Evaluation Team, acknowledged that they had a responsibility to provide education to their athletes and support persons. Based on these discussions, it was apparent to the Evaluation Team that it might be optimum for the NADO to develop an education system that provides resources to National Federations, which in turn will enable National Federations to take more responsibility for education delivery. National Federations can then plan what education they are going to deliver to which audiences and when.

6.5. A number of interesting issues were raised at the meeting arranged with a number of recognised National Federations, reference to which is made elsewhere in this Report. The Monitoring Group heard that the National Federations are receptive to an education strategy that involves National Federations being trained to deliver key education to their athletes – this, the Monitoring Group heard, is felt to be less ‘threatening’ for athletes and often easier to facilitate. The NADO will train the National Federations’ educators, who can then reach a large number of athletes. For small National Federations, the NADO will be in a position to deliver education or arrange for delivery via a trainer.

6.6. The Monitoring Group also heard the National Federations raise and discuss issues concerning education, including the challenge of ensuring that education is seen as valuable and not as an irrelevant chore. For young athletes, National Federations expressed the view that education works best at a values based level, centred around notions of respect for ‘the game’, health, rest and recovery. National Federations did, however, also recognise that a number of concrete issues cannot be addressed using values based education – including whereabouts, TUEs and supplements.

6.7. The Evaluation Team noted that –

6.7.1. The NADO is developing a commendably ambitious education plan to reach and educate over 8000 athletes, working in collaboration with National Federations, schools and universities. Some significant work will be required to increase the commitment of universities to embed clean sport education into their relevant undergraduate programmes.

6.7.2. The NADO education plan is founded on ambitions to gain support from National Federations; to take responsibility for clean sport education; provide resources and information to National Federations to help them educate athletes; and to cooperate with higher education institutions to embed education integrate sports values into general education.

6.7.3. Whilst there is some clear progress being made in regard to clean sport education, it is not clear between each ‘actor’ what is being delivered to whom and when. There is a risk therefore that the level of clean sport education may or may not be appropriate for the stage and development of the individual receiving it.

6.7.4. The Ministry of Education is in the process of drafting new Cabinet rules mandating all coaches and athlete support persons to undertake a programme of a minimum of 4-5 hours of education concerning clean sport.

6.7.5. The Latvian Academy of Sports Education provides education primarily about sport medicines, and so will be in a position to cooperate with the NADO.

6.7.6. The University of Latvia is involved in development of coaches and includes in its curriculum an anti-doping component.

CONCLUSION

6.8. The Evaluation Team accepts that the Latvian authorities have partially complied with the commitments described in Article 6. There are a number of recommendations.

RECOMMENDATIONS

6.9. A clear monitoring and evaluation plan needs to be developed in line with the education plan and implemented at the same time as the education programmes. Data should be collated and reviewed to both inform the future direction of the education plan and to ensure that the quality of education being provided is maintained. An annual or bi-annual impact report should be published, and evidence of impact should feature in the NADO annual report to the Ministry of Health.

6.10. The NADO should engage with as wide a range of partners as possible to deliver education on behalf of the NADO. These should be managed by the NADO Education Manager who should also be responsible for the training and accreditation of the Educators. The Educators could be managed on a voluntary basis with expenses paid.

6.11. The current Education plan should be further developed to include a clear identification of all core target audiences, how these will be prioritised over the next 3-4 years, which agencies will be required to support the implementation of the education programmes, and what resources will be required to deliver against the plan. The overarching aim for the NADO should be to create and build a sustainable clean sport education system for athletes and core support roles. Ideally, this would also include opportunities for National Federations to learn more about their anti-doping responsibilities and how to deliver these.

6.12. All agencies delivering clean sport education should commit to sharing with the NADO what they are delivering, in order for the NADO to provide advice/guidance/feedback on its appropriateness. This would be made easier if the NADO develops a clear curriculum of content required to be delivered to core target audiences and how this should progress in depth and breadth as an individual progresses their career in sport. NADO could consider developing a “Train the Trainer” scheme for volunteer Trainers who could help in providing education programs for smaller NFs and sport clubs.

6.13. In a broader vein concerning Article 6, education efforts are ideally supposed to focus on damage to health from doping, as well as harm to ethical values. This could be more interestingly positioned as the ‘benefit to health’ from being ‘clean’, rather than the harm to health arising from doping.

6.14. Were a Supervisory Board of NADO to be established, the Evaluation Team recommends that it should make education planning part of its strategic discussions and planning each year. Information and education initiatives should be planned on the basis of evidence and an assessment of risk.

ARTICLE 7 – CO-OPERATION WITH SPORTS ORGANISATIONS

7.1 The Parties undertake to encourage their sports organisations and through them the international sports organisations to formulate and apply all appropriate measures, falling within their competence, against doping in sport.

7.2 To this end, they shall encourage their sports organisations to clarify and harmonise their respective rights, obligations and duties, in particular by harmonising their:

a) anti-doping regulations on the basis of the regulations agreed by the relevant international sports organisations;

b) lists of banned pharmacological classes of doping agents and banned doping methods on the basis of the lists agreed by the relevant international sports organisations;

c) doping control procedures;

d) disciplinary procedures, applying agreed international principles of natural justice and ensuring respect for the fundamental rights of suspected sportsmen and sportswomen; these principles will include:

i. the reporting and disciplinary bodies to be distinct from one another;

ii. the right of such persons to a fair hearing and to be assisted or represented;

iii. clear and enforceable provisions for appealing against any judgment made;

e) procedures for the imposition of effective penalties for officials, doctors, veterinary doctors, coaches, physiotherapists and other officials or accessories associated with infringements of the anti-doping regulations by sportsmen and sportswomen;

f) procedures for the mutual recognition of suspensions and other penalties imposed by other sports organisations in the same or other countries.

7.3 Moreover, the Parties shall encourage their sports organisations:

a) to introduce, on an effective scale, doping controls not only at, but also without advance warning at any appropriate time outside, competitions, such controls to be conducted in a way which is equitable for all sportsmen and sportswomen and which include testing and retesting of persons selected, where appropriate, on a random basis;

b) to negotiate agreements with sports organisations of other countries permitting a sportsman or sportswoman training in another country to be tested by a duly authorised doping control team of that country;

c) to clarify and harmonise regulations on eligibility to take part in sports events which will include anti-doping criteria;

d) to promote active participation by sportsmen and sportswomen themselves in the anti-doping work of international sports organisations;

e) to make full and efficient use of the facilities available for doping analysis at the laboratories provided for by Article 5, both during and outside sports competitions;

f) to study scientific training methods and to devise guidelines to protect sportsmen and sportswomen of all ages appropriate for each sport.

7. Article 7 establishes a number of commitments on the part of States Parties aimed at ensuring that sports organisations take all appropriate steps to implement effective anti-doping programmes.

Article 7.2(a)-(c): compliance with these commitments is achieved by ensuring that sports organisations adopt and implement the standards mandated by the World Anti-Doping Code.

Article 7.2(d): this requires States Parties to put in place regulations about their disciplinary and appeal procedures that respect the concept of natural justice and due process. In this regard, the Monitoring Group of the Anti-Doping Convention has adopted a key recommendation concerning hearing panels and dispute resolution³ [*full title and reference*].

³ Recommendation on ensuring the independence of hearing panels (bodies) and promoting fair trial in anti-doping cases. T-DO/Rec(2017)01

Article 7.2(e)-(f): these articles are intended to ensure that there is no ‘forum-shopping’ or potential to find doping ‘safe havens’. In this regard, mutual recognition of sanctions is one of the principles of the World Anti-Doping Code.

Article 7.3: this requires State Parties to ensure their sports organisation organise doping control testing, and sets certain elements of the testing programmes: on an effective scale, in-, and out-of-competition, and without advance notice. Testing must be ‘equitable for all sportsmen and sportswomen’. For this to be achieved, it is important for the organisation responsible for testing and those persons involved, to be independent, impartial and free from any conflicts of interest.

Article 7.3(b): this requires State Parties to ensure their sports organisations establish agreements (as necessary) with other organisations for testing their athletes when training in other countries.

Article 7.3(c): this requires State Parties to ensure their sports organisations pay close attention to the fact that out-of-competition testing, and in particular testing in the lead up of major sport events, is one of the most important elements of a comprehensive testing programme. If athletes are aware of the possibility to be tested when they are preparing for competitions, out-of-competition testing has a strong deterrent effect. At the international level, major event organisations (like, for example, the International Olympic Committee) and international federations encourage national anti-doping organisations to test their athletes prior to their participation in international events. Similarly, at the national level, the national anti-doping organisation should test the athletes under its jurisdiction prior to their participation in national events, based on a risk assessment analysis and with the support of the interested national sport organisation.

Article 7.3(d): this requires State Parties to ensure their sports organisations involve clean athletes in their anti-doping programmes, encouraging integrity and fairness for sport and athletes.

Article 7.3(e): this requires State Parties to ensure their sports organisations make full and efficient use of the analytical capacities of the laboratories. The analysis of samples for the purpose of anti-doping testing by the WADA-accredited laboratories is constantly evolving with strengthening of the existing analytical methods, as well as the development and implementation of new and more sophisticated methodologies.

Article 7.3(f): this requires State Parties to ensure their sports organisations furnish athletes with scientifically prepared guidelines to support their training and protect them from unnecessary harm, and also to prevent them from doping.

DOPING CONTROLS

7.1. The Evaluation Team was satisfied that doping controls undertaken by the NADO are planned and conducted in compliance with the Code and the relevant standards.

7.2. The Evaluation Team was advised that the NADO is the sole national-level body in Latvia that is authorised to conduct Code-compliant testing. The NADO plans its testing, and its overall ‘test distribution plan’ (*TDP*) using a risk assessment that WADA has assessed as being in line with the Code and International Standards requirements.

7.3. Test distribution planning takes place annually and starts with a risk assessment process that is largely based on testing statistics from the year before and input from sports federations.

7.4. The Evaluation Team was advised that as regards Doping Control Officers (DCOs), the NADO has conducted a training and development programme for all new DCOs. This has included training days, written exams, scenarios, role play, in-field observations supported by a member of NADO staff.

Upon completion, DCOs are then provided with a 'Letter of Authorization' which gives them the required permission to conduct tests.

7.5. The Evaluation Team noted a small number of operational matters relevant to doping controls, which are referred to in the 'Conclusions and Recommendations' below.

THERAPEUTIC USE EXEMPTIONS

7.6. The NADO is required by the Code to provide a means by which athletes can obtain a 'therapeutic use exemption' ('TUE'). The TUE process is managed with the assistance of three permanent 'TUE Committee' members, and one additional medical specialist.

7.7. The TUE process is managed pursuant to the regulations referred to elsewhere in this Report.

DISCIPLINARY PROCESS

7.8. The Evaluation Team was satisfied that National Federations are subject to a form of anti-doping rules that in effect are compliant with the Code. As referred to elsewhere in this Report, the current situation regarding the application of anti-doping rules through the Sport Law is far from optimum, in that National Federations are in effect subject to an implementation of the Code by way of the Sport Law. This is not a long-term solution, although the Evaluation Team is reassured by the anticipated adoption of the National Anti-Doping Regulations.

7.9. If a dispute arises in respect of the anti-doping rules – for example, an allegation that an anti-doping rule violation has been committed – that dispute must be resolved by the Disciplinary Anti-Doping Commission. The Disciplinary Anti-Doping Commission and Appeals body have been established pursuant to Cabinet Regulations referred to elsewhere in this Report.

CONCLUSIONS

7.10. The Evaluation Team accepts that the Latvian authorities have partially complied with the commitments described in Article 7. There are a number of recommendations.

RECOMMENDATIONS

DISCIPLINARY MATTERS

7.11. The Evaluation Team recommends that the NADO develop a clear protocol for the handling of anti-doping rule violation matters that addresses both the current position and the anticipated position following the implementation of the National Anti-Doping Regulations. This should explain how all of the key stages of Results Management are handled.

7.12. The Evaluation Team was satisfied at the position concerning dispute resolution. The Evaluation Team recommends that the Latvian authorities review and adopt Recommendation (2017) 01 of the Monitoring Group⁴.

⁴ Recommendation on ensuring the independence of hearing panels (bodies) and promoting fair trial in anti-doping cases

7.13. The Evaluation Team recommends that training be provided to the Disciplinary Anti-Doping Commission and Appeals body for Commission on Code and key CAS cases. A process needs to be set out in a process map of some sort so that the NADO and Disciplinary Commission know what needs and should be done when. The position re non-analytical matters is not clear at all.

DOPING CONTROLS

7.14. The risk assessment used as part of the test distribution planning process should be a mechanical and evidenced based process that incorporates; the social/psycho factors of 'typical' sports participants, physical determinants of the sporting activity and the availability of prohibited substances to enable those physical characteristics, status of sport in Latvia, upcoming competitions of significance e.g. Olympics/Paralympics/World Championships including selection years (additional motivations to dope), any known information relating to the supply/ease of access to prohibited substances, prior testing statistics (national and internationally), anti-doping rule violation numbers and wider factors such as government funding increases/decreases, and performance targets set by the National Olympic Committee .

7.15. This process and the factors to be considered should be documented and repeated each year to determine the levels of risk and therefore the associated allocation of tests. National Federations should also be consulted as to where they perceive the risks to be within their sport to inform the process, and the overall risk assessment process tailored according to the information and data that is available to the NADO each year. This will include the priorities given to testing in sports each year.

INTELLIGENCE

7.16. The National Report refers to the use of intelligence handling tools used by the NADO. These are a useful tool, but the Evaluation Team emphasises that judgment and decision making are the key skills when handling and assessing information received concerning doping matters. Like all such organisations, the NADO might avoid 'over engineered' intel solutions; obtaining information is the priority.

ARTICLE 8 - INTERNATIONAL CO-OPERATION

8.1 The Parties shall co-operate closely on the matters covered by this Convention and shall encourage similar co-operation amongst their sports organisations.

8.2 The Parties undertake:

a) to encourage their sports organisations to operate in a manner that promotes application of the provisions of this Convention within all the appropriate international sports organisations to which they are affiliated, including the refusal to ratify claims for world or regional records unless accompanied by an authenticated negative doping control report;

b) to promote co-operation between the staffs of their doping control laboratories established or operating in pursuance of Article 5; and

c) to initiate bilateral and multilateral co-operation between their appropriate agencies, authorities and organisations in order to achieve, at the international level as well, the purposes set out in Article 4.1.

8.3 The Parties with laboratories established or operating in pursuance of Article 5 undertake to assist other Parties to enable them to acquire the experience, skills and techniques necessary to establish their own laboratories.

8. Article 8 emphasises the importance of coordination and cooperation among States Parties to the Convention at the international level. A main channel for such cooperation is the Monitoring Group set up by virtue of Convention Article 10 as well as the Advisory Groups and the ad hoc groups of experts established by virtue of Convention Article 11.2 to support the work of the Monitoring Group. Another important channel of cooperation under the Council of Europe is the Ad hoc European Committee for the World Anti-Doping Agency (CAHAMA), which is responsible for the coordination of the positions of all Parties to the European Cultural Convention, with regard to questions relating to WADA. Outside the structures of the Council of Europe, cooperation in the field of anti-doping can be achieved in many fora, like WADA, UNESCO and the Conference of Parties to the International Convention against Doping in Sport, and the Institute of National Anti-Doping Organisations (iNADO).

8.1. Both the Latvian authorities and the NADO are encouraged to take part in the works of the Council of Europe, including meetings of the Monitoring Group (T-DO) and the European Ad hoc Committee for WADA (CAHAMA), as well as in the works of UNESCO and WADA.

CONCLUSIONS AND RECOMMENDATIONS

8.2. The Evaluation Team accepts that the Latvian authorities have complied with the commitments described in Article 8.

ARTICLE 9 - PROVISION OF INFORMATION

Each Party shall forward to the Secretary General of the Council of Europe, in one of the official languages of the Council of Europe, all relevant information concerning legislative and other measures taken by it for the purpose of complying with the terms of this Convention.

9. The Convention requires States Parties to exchange information and experiences between Parties and observers about issues related to the implementation of the Convention. The meetings of the Monitoring Group of the Convention serve as a suitable occasion for providing and exchanging such information. The Monitoring Group provides an online tool www.antidoping.coe.int which is an interactive platform for the States Parties to share their annual reports on implementation of the Anti-Doping Convention as well as relevant documents, rules and procedures.

CONCLUSIONS AND RECOMMENDATIONS

9.1. Regular participation of the Latvian delegation in the meetings of the Monitoring Group of the Anti-Doping Convention and its Advisory Groups will enable access to the best practice and allow sharing information, and receiving advice.

9.2. In compliance with the requirements of the Article 9, the Latvian authorities submit the annual reports on implementation of the anti-doping policies.

9.3. The Evaluation Team accepts that the Latvian authorities have complied with the commitments described in Article 9.

CONVENTION COMPLIANCE CHART

Convention Article & sub-articles	State of implementation		
	Implemented (✓)	Partly / Not fully implemented (O)	Not implemented (X)
Convention Article 1	✓		
Convention Article 2		O	
Convention Article 3	✓		
Convention Article 4	✓		
Convention Article 5	✓		
Convention Article 6		O	
Convention Article 7		O	
Convention Article 8	✓		
Convention Article 9	✓		

**REPUBLIC OF LATVIA
NATIONAL REPORT:**

**COMPLIANCE WITH COMMITMENTS
OF THE COUNCIL OF EUROPE ANTI-DOPING CONVENTION**

December 2018

Riga

Article 1 - Aim of the Convention

The Parties, with a view to the reduction and eventual elimination of doping in sport, undertake, within the limits of their respective constitutional provisions, to take the steps necessary to apply the provisions of this Convention.

- On 23 January 1997, Latvia ratified the **Anti-Doping Convention No 135 of the Council of Europe**, which was enacted on 1 March 1997.⁵ Additional Protocol No. 135 to the Anti-Doping Convention of the Council of Europe was ratified on 16 October 2003 and enacted on 30 October 2003⁶.
- Since 27 November 2002, the **Sports Law**⁷ requires the **Ministry of Health**⁸ and the **Ministry of Education and Science to implement the measures necessary to enforce the provisions of the Anti-Doping Convention**.
- On 1 July 1999, a **non-profit organisation** the State Limited Liability Company “**Sports Medicine Centre**” with competence in the field of doping control is established on the basis of the National Sports Medicine Centre of the Ministry of Welfare.⁹ While on 1 January 2013, the functions of the National Anti-Doping Organization shall be performed by the **National Sports Medicine Centre**, where the Anti-Doping Division is established. Since 1 July 2018, the national anti-doping organisation in Latvia is represented by the Anti-Doping Bureau (hereinafter referred to as the Anti-Doping Bureau).
- The World Anti-Doping Agency (WADA) on February 2017 launches the **World Anti-Doping Code Compliance Monitoring Program**. On 20 May 2017, the National Sports Medicine Centre has received the WADA e-mail letter on 20 May 2017 following the submission of a questionnaire of the monitoring program, by invitation to start immediately to address **any discrepancies found during the completion of the Code Compliance Questionnaire**.
- The Ministry of Health, in cooperation with the Anti-Doping Division of the National Sports Medicine Centre and the Ministry of Education and Science and the sports organisations, has developed a conceptual report entitled “On the situation in the field of anti-doping in Latvia and the necessary changes”¹⁰, within the framework of which changes were intended to be made to the Latvian anti-doping system in order to strengthen its independence and ensure the prevention of non-conformities identified by WADA, including through creation of the Anti-Doping Bureau as a national anti-doping organization. On 19 September 2017, the Cabinet has examined the said conceptual report and the proposed solution and supported its further implementation¹¹.
- In 2017 and 2018, the Ministry of Health, in cooperation with the Anti-Doping Division of the National Sports Medicine Centre and later with the Anti-Doping Bureau, with the Ministry of Education and Science and with non-governmental organisations, **promoted amendments to the regulatory framework** in order to implement the solution referred to in the conceptual report.
- On 24 May 2018, amendments were adopted¹² to the “Sports Law”, and with entry into force of the same on 1 July 2018, the **Anti-Doping Bureau** commenced its operations **as a national anti-doping organisation**.
- During the preparation process several proposals and questions were made by the parliamentarians, the parliamentarians in the Sports sub-commission and commission, Legal Bureau of the Saeima (Parliament), the Department of Administrative Cases of the Supreme Court and the Ministry of Justice, and professional organizations. During the drafting process as well, the Ministry of Health and the Anti-Doping Bureau have had consultations with WADA to make sure that the draft is in line with the Code.
 - 1) Describing more detailed functions, duties and tasks of each of institutions - Anti-Doping Bureau, Disciplinary, TUE and Appeal committees by taking example of POLADA Anti-Doping rules (received from Micha Rynkowski on 2 March);
 - 2) Strengthening independence of the Anti-Doping Bureau.
 - 3) Determining that the National Code have to be part of national legislation system, because Agreement will not cover all the athletes of the Republic of Latvia, due to the fact that not all of them have any formal agreements with national federations, NOC or Sports Confederation.

⁵https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/135/signatures? p_auth = FfoxsLSA

⁶https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/188/signatures? p_auth = uR0d93Bu

⁷Section 6, Paragraph five of the Sports Law. Entered into force on 24.05.2018. <https://likumi.lv/doc.php?id=68294>

⁸The Ministry of Health has been established on 1 February 2003, separating functions related to the health policy from the Ministry of Welfare. Previously, this was the competence of the Ministry of Welfare.

⁹The Ministry of Health has been established on 1 February 2003, separating functions related to the health policy from the Ministry of Welfare.

¹⁰Conceptual report: <http://tap.mk.gov.lv/lv/mk/tap/?dateFrom=2016-10-11 & dateTo = 2018-10-11 & mk & text = anti-doping + jom %C4% 81 + Latvia %C4% 81 + and + needed %C5% A1amaj %C4% 81 m + izmai %C5% 86 %C4% 81 m & org = 0 & area = 0 & type = 0>

¹¹ 26 September 2017 the Cabinet Order No 539 (i.e.. No 48, § 40). http://tap.mk.gov.lv/doc/2017_10/VMrik_140917_antidop.2024.docx

¹²24.05.2018. Amendments to the Sports Law. Available at: <https://www.vestnesis.lv/op/2018/111.2>

- 4) Determining that the National Code has to be represented by the Cabinet regulation;
 - 5) Determining that the Disciplinary and TUE committees have to be composed by the Anti-Doping Bureau, because the Disciplinary and TUE committee's tasks, by ratification of the UNESCO Convention, are the tasks of public administration, which cannot be delegated to non-governmental organizations without making complicated Government control mechanisms. Such mechanisms would finally affect independence principles of the committees;
 - 6) Determining that the members of the Disciplinary committee shall be nominated by NOC, Sports confederation, Medical Association, Olympic team and the Sports Academy (two members of each institution);
 - 7) Determining that the members of TUE committee shall be nominated by the Medical Association (three members);
 - 8) Determining that the rules of procedures for each committee are regulated by separate Cabinet regulations.
 - 9) The Sports Law determines legal status of both committees by strengthening independence that even the committees legally are part of the Anti-Doping Bureau, they are independent, and the Anti-Doping Bureau cannot affect the decisions made.
- The Cabinet Regulation No. 377, "**By-law of the Latvian Anti-Doping Bureau**",¹³ was approved on 26 June 2018.
 - The Cabinet Order No. 283, "**On the Appeal Commission**",¹⁴ was approved on 27 June 2018.
 - The Cabinet Regulation No. 440, "**Procedures for the Establishment of Disciplinary Anti-Doping Commission and Exceptions Commission for Therapeutic Use**",¹⁵ was approved on 24 July 2018.
 - Until 30 June 2019 draft Cabinet regulations should be prepared in accordance with the Sports Law:
 - 1) **National anti-doping rules**¹⁶, through adopting the WADA Anti-Doping Code in the national legislation. The National Code will constitute part of legislation, the wording from the Code has to be appropriate to legal technical requirements of the national regulations. The Anti-Doping Bureau in collaboration with the Ministry of Health has started to prepare this draft. Meanwhile the Sports Law will contain an article in the transitional provisions: "Until the day when National Anti-Doping Code become effective the principles of World Anti-Doping Code are applicable". The Cabinet regulations regarding the procedures and time limits within which the Anti-Doping Bureau shall refer to the Disciplinary Anti-Doping Commission and the procedures and time limits by which the Disciplinary Anti-Doping Commission shall examine possible violations of anti-doping regulations and take decisions on them.
 - 2) The Cabinet regulations **regarding the procedures and time limits in which an athlete shall submit an application questionnaire for therapeutic use exemption, as well as the procedures and time limits within which the Therapeutic Use Exceptions Commission shall take a decision regarding exceptions to therapeutic use.**¹⁷
 - 3) The Cabinet regulations **regarding the procedures and time limits within which the Anti-Doping Bureau shall refer to the Disciplinary Anti-Doping Commission and the procedures and time limits by which the Disciplinary Anti-Doping Commission shall examine possible violations of anti-doping regulations and take decisions on them.**¹⁸
 - At the same time, in 2017 and 2018, the Anti-Doping Division of the National Sports Medicine Centre has launched and in 2018 continued to make improvements to the internal work organisation system (afterwards also the Latvian Anti-Doping Bureau) in order to eliminate **the discrepancies identified within the framework of the Code Compliance Questionnaire**, providing information with regard to the progress made in the report of corrective operations to remedy non-compliances within the time limits set by the WADA Corrective Operations Report until 14 February and 14 May, and 14 August 2018.

¹³By-law of the Anti-Doping Bureau of Latvia. Available at: <https://likumi.lv/ta/id/299972-latvia-anti-doping-bureau-by-law>

¹⁴In line with the Sports Law. Article 11.⁵ (4). <https://likumi.lv/ta/id/299978-per-passer-commission>

¹⁵In line with the Sports Law. Article 11.³ (5), Article 11.⁴ (5). <https://likumi.lv/ta/id/300575-disciplinarian-anti-doping-commission-and-therapeutic-use-commission-establishment-cartiba>

¹⁶Sports Law. Article 11.¹ (1). Available at: <https://likumi.lv/doc.php?id=68294>

¹⁷Sports Law. Article 11.⁴ (6). Available at: <https://likumi.lv/doc.php?id=68294>

¹⁸Sports Law. Article 11.³ (6). Available at: <https://likumi.lv/doc.php?id=68294>

Article 2 - Definition and scope of the Convention

1. For the purposes of this Convention:

- a. “doping in sport” means the administration to sportsmen or sportswomen, or the use by them, of pharmacological classes of doping agents or doping methods;
- b. “pharmacological classes of doping agents or doping methods” means, subject to paragraph 2 below, those classes of doping agents or doping methods banned by the relevant international sports organisations and appearing in lists that have been approved by the monitoring group under the terms of Article 11.1.b;
- c. “sportsmen and sportswomen” means those persons who participate regularly in organised sports activities.

2. Until such time as a list of banned pharmacological classes of doping agents and doping methods is approved by the monitoring group under the terms of Article 11.1.b, the reference list in the appendix to this Convention shall apply.

In accordance with Clause 12 of the Transitional Provisions of the Sports Law, dated 1 July 2018, until the date of entry into force of the National Anti-Doping Rules, **the definition of doping** is subject to the scope specified by the World Anti-Doping Convention, **doping** means one or several infringements of the anti-doping rules referred to in Article 2(1) to (10) of the Code, and therefore the definition of the World Anti-Doping Code shall be directly applicable when the Anti-Doping Bureau investigates alleged infringements of the provisions of the World Anti-Doping Code.

The pharmacological groups of doping preparations or the doping methods are defined in accordance with the existing Annex 1 “Prohibited List - International Standard”¹⁹ to the International Convention against Doping in Sport²⁰ of the United Nations Educational, Scientific and Cultural Organization.

In accordance with the definitions of the Sports Law²¹, **an athlete** is a natural person who engages in sport and takes part in sports competitions²², which is an event aimed at determining the best athletes or teams which takes place according to the competition regulations approved by the competition organiser. The status of a **“professional athlete”**²³ has also been distinguished from all the athletes as meaning a natural person who on the basis of a contract of employment and for the agreed remuneration prepares himself or herself for sports competitions and participates therein.

¹⁹Sports Law. Available at: <https://likumi.lv/ta/id/296352-on-international-convention-anti-doping-sports-annex-publicesan>

²⁰International Convention against Doping in Sport. Available at: <https://likumi.lv/doc.php?id=129939>

²¹Sports Law. Article 1. 9). Available at: <https://likumi.lv/doc.php?id=68294>

²²Sports Law. Article 1. 6). Available at: <https://likumi.lv/doc.php?id=68294>

²³Sports Law. Article 19. Available at: <https://likumi.lv/doc.php?id=68294>

Article 3 - Domestic co-ordination

1. The Parties shall co-ordinate the policies and actions of their government departments and other public agencies concerned with combating doping in sport.

2. They shall ensure that there is practical application of this Convention, and in particular that the requirements under Article 7 are met, by entrusting, where appropriate, the implementation of some of the provisions of this Convention to a designated governmental or non-governmental sports authority or to a sports organisation.

In accordance with provisions of the Sports Law,²⁴ the **Ministry of Health, in cooperation with the Ministry of Education and Science**, shall implement the measures necessary to enforce the provisions of the International Convention against Doping in Sport of 19 October 2005 and the Anti-Doping Convention No. 135 of the Council of Europe of 16 November 1989. While according to Section 2 of the Law “On the International Convention against Doping in Sport”,²⁵ compliance with the obligations of the International Convention against Doping in Sport shall be coordinated by **the Ministry of Education and Science**.

At the same time, on the basis of the Sports Law,²⁶ **the Anti-Doping Bureau** shall ensure compliance with the rules of anti-doping conventions and the National Anti-Doping Rules in cooperation **with the State and local government authorities, individuals and private legal entities, as well as foreign institutions**.

In accordance with the Sports Law²⁷, the Anti-Doping Bureau shall:

- 1) shall ensure conformity with the provisions of anti-doping conventions and the National Anti-Doping Rules;
- 2) shall prepare and approve the annual plan of doping control analysis and the annual registers of athletes to be tested;
- 3) shall ensure collection of samples obtained from athletes during doping controls at sports competitions and out of competitions and conducting analyses at a laboratory accredited by the World Anti-Doping Agency;
- 4) shall conduct examination and investigation of infringements of the anti-doping regulations;
- 5) shall be entitled to impose a temporary prohibition for the athlete to participate in sports competitions if an infringement of the anti-doping regulations is detected;
- 6) shall address the Disciplinary Anti-Doping Commission if an infringement of the anti-doping rules is detected;
- 7) shall ensure control of execution of the decisions of the Disciplinary Anti-Doping Commission, the Therapeutic Use Exemption Commission, and the Appeals Commission;
- 8) shall implement educational and research measures in the field of anti-doping;
- 9) shall carry out processing of personal data, including health data, in conformity with the regulatory enactments governing personal data protection in order to ensure fulfilment of the provisions of anti-doping conventions and the National Anti-Doping Regulations;
- 10) shall take other measures laid down in the regulatory enactments governing the field of anti-doping.

In view of the delegation included in the Sports Law, close cooperation has been established for its implementation between **the Anti-Doping Bureau, the Ministry of Health and the Ministry of Education and Science**, which is also reflected in the context of advancing the latest amendments to the Sports Law, by harmonizing a common view with regard to the necessary amendments to regulatory enactments.

When identifying the issues in the field of anti-doping, possibilities shall be ensured for the Anti-Doping Bureau to railroad draft regulatory enactments to the Ministry of Health for initiating the same before the Cabinet or the Saeima. When developing the anti-doping education program section, which includes incorporation of anti-doping topics in general and higher education programs, involvement of the Ministry of Education and Science is essential for the implementation of such concept.

In accordance with the principles of administrative law, the Anti-Doping Bureau shall have the right free of charge to request and to receive from the State and local government authorities, as well as from individuals

²⁴Sports Law. Article 6 (5) 3. Available at: <https://likumi.lv/doc.php?id=68294>

²⁵On the International Convention against Doping in Sport. Available at: <https://likumi.lv/doc.php?id=129939>

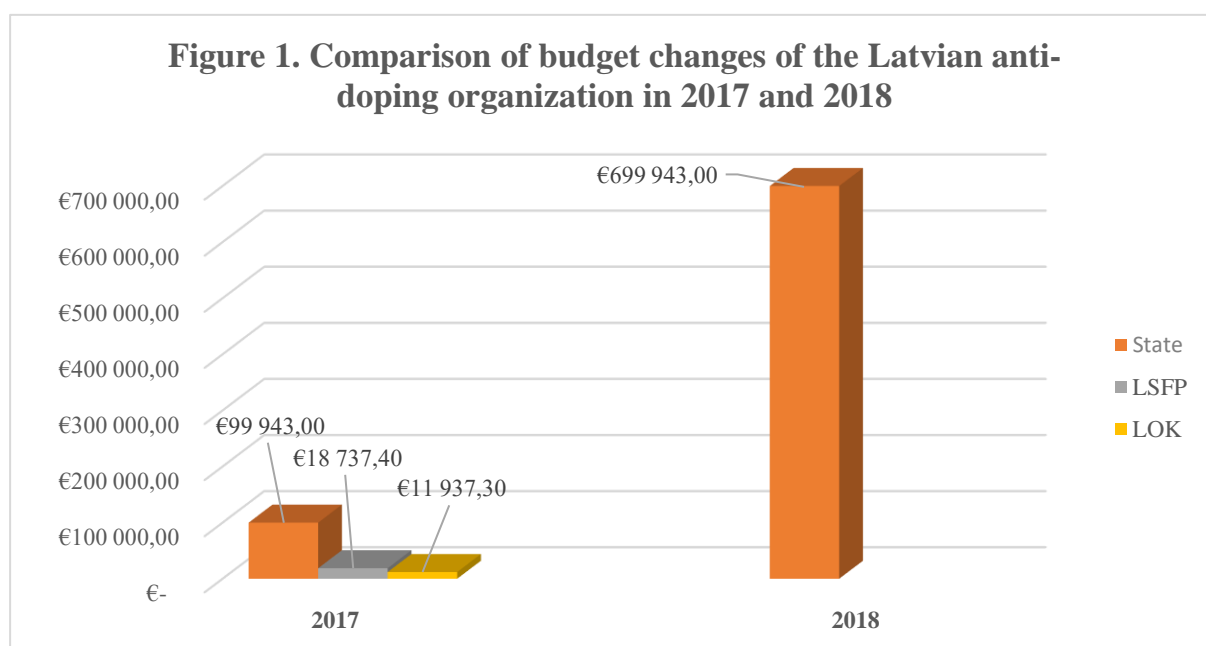
²⁶Sports Law. Article 11.2. Available at: <https://likumi.lv/doc.php?id=68294>

²⁷Sports Law. Article 6 (5) 3. Available at: <https://likumi.lv/doc.php?id=68294>

and private legal persons, the information and documents necessary for the performance of functions and tasks of the Office²⁸. Within the framework of this right, the Anti-Doping Bureau is able to effectively implement the requirement included in the World Anti-Doping Convention to inform athletes regarding potential anti-doping infringements by obtaining the required correspondence data from the Office of Citizenship and Migration Affairs. As a direct public administration authority, the Anti-Doping Bureau shall be entitled to enter **into public co-operation agreements** with other direct public administration authorities. Conclusion of such a contract with **the Office of Citizenship and Migration Affairs** provides the possibility for the Anti-Doping Bureau itself to access the platform data browser of the Population Register. According to the public co-operation agreement concluded with **the State Agency of Medicines**, the National Medicinal Product Register reflects the status of a medicinal product - “allowed” or “prohibited” in sports - thereby ensuring a more informed preparation of a treatment plan for the patients who are athletes.

Within the framework of institutional cooperation, the Ministry of Health, in cooperation with the Anti-Doping Division of the National Sports Medicine Centre and with the Ministry of Education and Science and with the sports organizations, have **produced a conceptual report** “On the situation in the field of anti-doping in Latvia and the necessary changes,²⁹ which reflects also **the substantial budget increase in the amount of EUR 600,000 from 2018 and annually thereafter** (see Figure 1) for implementation of the national anti-doping system, including the following Cabinet decisions:

- The Cabinet **conceptually supported the granting of substantial additional funding for the priority measure “Establishing an Independent and Effective Anti-Doping Bureau ” in the amount of € 224,950 annually** to the Ministry of Health (thus also to the Anti-Doping Bureau).³⁰
- The Cabinet supported **the granting of additional funding for the priority measure “Establishing an Independent and Effective Anti-Doping Bureau ” in the amount of € 375,050 annually** to the Ministry of Health (thus also the Anti-Doping Bureau).³¹



²⁸Cabinet Regulation No. 377 of 26 June 2018, By-law of the Latvian Anti-Doping Office, paragraph 4(1). Available at: <https://likumi.lv/ta/id/299972>

²⁹ Conceptual report on the anti-doping situation in Latvia and the necessary changes. Available at: <http://tap.mk.gov.lv/lv/mk/tap/?dateFrom=2016-10-11 & dateTo = 2018-10-11 & mk & text = anti-doping + jom %C4% 81 + Latvia %C4% 81 + and + needed %C5% A1amaj %C4% 81 m + izmai %5% 86 %C4% 81 m & org = 0 & area = 0 & type = 0>

³⁰Protocol No. 44 of the Extraordinary Meeting of the Cabinet of 8 September 2017, Paragraph 1, in accordance with Annex 1 to the information report entitled “On Fiscal Space Measures and Expenditure on Priority Measures for the State Budget 2018 and Framework 2018-2020”.

³¹Minutes No. 45 of the meeting of the Cabinet of Ministers of 12 September 2017, the decision has conceptually supported the proposals for priority measures submitted by the Working Party of the co-operation partners of the Coalition constituting the Governments.

Until 1 July 2018 - the time of the coming into force of the amendments to the Sports Law,³² in accordance with the Cabinet Regulation No. 974, “Doping Control Regulations”, of 4 December 2004, and subsequently the Cabinet Regulation No. 820, “Doping Control Procedures”, of 19 October 2011,³³ another public authority existed in Latvia, which co-ordinated the doping control measures - **Anti-Doping Committee**, which was an advisory body in the field of doping control. Its area or responsibility included decision-making to initiate doping control, approving a doping control plan, and issuing opinions regarding alleged violations of the anti-doping rule and location reporting (*whereabouts failure*). In line with the current version of the Sports Law, these functions have been transferred solely and exclusively under the responsibility of the Anti-Doping Bureau, thereby ensuring autonomy of the national anti-doping organization as defined in the World Anti-Doping Code,³⁴ by taking decisions and taking measures in relation to its activities.³⁵ Examination of lawfulness of decisions in anti-doping programs only are the rights of WADA according to the Code and the Code Compliance Standard.

³²24.05.2018. Amendments to the Sports Law. Available at: <https://www.vestnesis.lv/op/2018/111.2>

³³Procedures for the control of doping. Available at: <https://likumi.lv/doc.php?id=238395>

³⁴Section 11², Paragraph two of the Sports Law. The Latvian Anti-Doping Bureau shall be a direct administration institution under the supervision of the Minister for Health, which is granted financial resources for the implementation of its operation and has its own personnel. “Supervision means the rights of higher institutions or officials to examine the lawfulness of decisions taken by lower institutions or officials and to revoke unlawful decisions, as well as to issue an order to take a decision in case of unlawful failure to act.”

³⁵Article 20(5.1) of the World Anti-Doping Code.

Article 4 - Measures to restrict the availability and use of banned doping agents and methods

1. *The Parties shall adopt where appropriate legislation, regulations or administrative measures to restrict the availability (including provisions to control movement, possession, importation, distribution and sale) as well as the use in sport of banned doping agents and doping methods and in particular anabolic steroids.*

In the Republic of Latvia no regulatory enactments have been adopted, which would directly restrict the availability and the use of prohibited doping products and doping methods, particularly anabolic steroids, while **a number of regulatory enactments include a regulation that are collaterally regarded as restrictive for the spread of doping substances and are related to the anti-doping and public health area:**

- **The Cabinet Regulation No. 35 of 11 January 2011**, “Procedures by Which Special Authorisations (Licenses) for Veterinary Pharmaceutical Activities are to be Issued, Suspended, Re-registered and Revoked”³⁶ prescribes also, inter alia, the procedures by which a special authorisation shall be issued/suspended/re-registered/revoked for the production, import or distribution of veterinary narcotic and psychotropic medicinal products in wholesale trade. The Regulation prescribes also the activities of pharmacies with narcotic and psychotropic medicinal products. Decisions regarding the issuance of special authorisations and other activities in this case shall be taken by the State Agency of Medicines, evaluating the conformity of the manufacturer, importer or distributor of narcotic and psychotropic veterinary medicinal products with the requirements of the regulatory enactments regulating the circulation of veterinary, narcotic and psychotropic medicinal products.
- **The Cabinet Regulation No. 378 of 17 May 2011** “Procedures for Advertising Medicinal Products and Procedures by Which a Medicinal Product Manufacturer is Entitled to Give Free Samples of Medicinal Products to Physicians”,³⁷ prescribes that it is prohibited to advertise medicinal products, which contain psychotropic and narcotic substances controlled in Latvia, doping substances, medicinal products, which the State Agency of Medicines has recognized as narcotic analgesic agents. The same prohibition rule applies to the distribution of free samples of medicinal products from the medicinal product manufacturers.
- **The Latvian Administrative Violations Code**, as amended on 1 April 2003³⁸, provides for administrative liability for the violation of procedures for the doping control, the evasion of doping control, the failure to provide information related to the use of doping substances or the utilisation of doping methods.
- **Section 46 of the Latvian Administrative Violations Code**³⁹ provides for liability for **illegal activities with narcotic and psychotropic substances**, as well as with substances which may be used for the illegal production of narcotic or psychotropic substances (precursors).

The Anti-Doping Bureau may apply with regard to potential violations of regulatory enactments to:

- **The Health Inspectorate and the Food and Veterinary Service** in the cases where the Anti-Doping Bureau has raised suspicions regarding the activities of a natural or legal person in the Republic of Latvia by distributing **unregistered or unauthorised medicinal products**⁴⁰.
- **The Food and Veterinary Service**, in the cases where the Anti-Doping Bureau has discovered that a natural or legal person distributes food supplements not included in the Register of Food Supplements.⁴¹ The Food and Veterinary Service shall register only food supplements which do not pose a risk to human health. If the Service receives new information or performs re-examination of the existing information on the basis of which it can be concluded that the registered food supplement may pose or poses a risk to human health, the Service shall take a decision regarding temporary restriction or suspension of the marketing or withdrawal from circulation of the food supplement⁴².
- **The Economic Crimes Administration of the State Police** in the cases where the Anti-Doping Bureau has established that misleading advertising is used for the distribution and advertising of the products referred to

³⁶ Available at: <https://likumi.lv/ta/id/225260-cartiba-kada-to-be-suspended-parregisteriam-and-anuleama-specialas-licence-for-veterinary-pharmaceutical-workforce>

³⁷ Procedures for Advertising Medicinal Products and Procedures by Which a Medicinal Product Manufacturer is Entitled to Give Free Samples of Medicinal Products to Physicians. Available at: <https://likumi.lv/doc.php?id=230392>

³⁸ Latvian Administrative Violations Code 201. ⁵⁶⁻⁵⁸ <https://likumi.lv/ta/id/73318-amendments-latvia-administrativo-parkapu-Code>

³⁹ Latvian Administrative Violations Code Section 46. Available at: <https://likumi.lv/doc.php?id=89648>

⁴⁰ Sections 46¹ and 228 of the Latvian Code of Administrative Violations Code. Available at: <https://likumi.lv/doc.php?id=89648>

⁴¹ Cabinet Regulation No. 685 “Requirements for Food Supplements”. Available at: <https://likumi.lv/doc.php?id=278387>

⁴² Cabinet Regulation No. 685 “Requirements for Food Supplements”, paragraph 16. Available at: <https://likumi.lv/doc.php?id=278387>

above and fair commercial practices are infringed by a natural or legal person circumventing the requirements for registration of products⁴³⁴⁴.

- **The Consumer Protection Centre** in the cases where the Anti-Doping Bureau has established that a natural or legal person distributes an unregistered product which may pose or poses a threat to human health, thereby creating an infringement of the collective interests of consumers⁴⁵.

In order to prepare the proposals **regarding the necessary legislation in the area of restricting the circulation of doping substances** or regarding amendments to the relevant legislation in the execution of assignments at the meeting of the Cabinet of Ministers of 18 September 2007 (Protocol No. 52 §28 TA-2021), **a working Party was set⁴⁶ up in 2007 under the leadership of the Ministry of Education and Science**, with participation of the representatives of the Ministry of Education and Science, the Ministry of the Interior, the Ministry of Health, the Ministry of Finance, the Ministry of Agriculture, the State Police, the State Agency of Sports Medicine, the Association “Latvian Olympic Committee”, LLC “Latvian Olympic Unit” and the Association “Latvian Sports Federations Council”. The Working Party meetings also invited experts from the Main *Customs Board* of the *State Revenue Service*. The Working Party has assessed the regulatory framework in terms of **restricting circulation of doping substances**, as well as in terms of natural and legal persons being subject to administrative and criminal liability for the offences related to the import, export, transit, production, production, distribution, exploration and development of illegal doping substances in the territory of Latvia, as well as has suggested proposals with regard to the need to make amendments in a number of regulatory enactments and new legislative initiatives in order to limit the circulation of doping substances in Latvia. In view of the financial and economic situation of Latvia and the limited financial and human resources capacities of the State budget institutions in 2009, conceptual objections were received during the inter-ministerial coordination of the information report regarding its further progress. At the same time, all the authorities involved in the harmonisation did not deny the need to reinforce the mechanism for the control of doping substances in general. However, in view of the fact that the developed proposals regarding the necessary legislation provide for imposition of new additional functions on the public authorities and, consequently, planning and allocation of additional public funds, the proposals contained in the information report, according to their content and nature, have been assessed as a new policy initiative. However, in 2015, 2016 and 2017, when assessing the new policy initiatives, additional funding was not granted for additional analyses of doping control.

The said Working Party, in its research regarding the necessary legislation in the field of restrictions for the circulation of doping substances or regarding amendments to the relevant legislation, has prepared a series of proposals which the Anti-Doping Bureau intends to take into account when continuing its work on these issues.

In parallel with the improvement of regulatory framework for the field of anti-doping in Latvia, regulatory enactments are also improved in other areas: amendments to the Criminal Law and the Latvian Administrative Violations Code are being developed. The Ministry of Justice intends to de-codify the regulation of administrative liability by imposing administrative sanctions in several rather than in one act⁴⁷, including in the field of sports, most likely, by linking it to subsequent amendments to be made to the Sports Law, by providing for the types of infringements and for the authorities responsible for monitoring of the infringement.

2. To this end, the Parties or, where appropriate, the relevant non-governmental organisations shall make it a criterion for the grant of public subsidies to sports organisations that they effectively apply anti-doping regulations.

Only the **sports federations** recognised in accordance with the procedures specified in the Sports Law shall have the right to receive financial resources from the State budget. Compliance with anti-doping rules is among preconditions and criteria for the recognition of sports federations, in accordance with the Sports Law⁴⁸ and the rules for the procedure of recognition of Sports Federations and the control of recognized sports federations.⁴⁹ Therefore, only the sports federations that comply with anti-doping rules can be recognised and receive the State budget funding accordingly.

⁴³Section 211 of the Criminal Law. Available at: <https://likumi.lv/doc.php?id=88966>

⁴⁴Section 369 of the Criminal Procedure Law. Available at: <https://likumi.lv/doc.php?id=107820>

⁴⁵ Section 25, Paragraph four, Clause 4¹ of the Consumer Rights Protection Law. Available at: <https://likumi.lv/doc.php?id=23309>

⁴⁶Order No 595 of the Prime Minister of 26 November 2007 “On the Working Party”

⁴⁷The concept of the draft law on administrative sanctions. Available at: <http://polsis.mk.gov.lv/LoadAtt/file44189.doc>

⁴⁸Sports Law. Section 10¹. Available at: <https://likumi.lv/doc.php?id=68294>

⁴⁹Procedures for Recognition of Sports Federations and Control of Recognised Sports Federations. Available at: Procedures for Recognition of Sports Federations and Control of Recognised Sports Federations

If the recognized sports federation does not comply with one of the criteria for recognition of the sports federation specified in the Sports Law, it has not complied with regulatory enactments in the field of sports or the operation thereof does not conform to the articles of association of the recognized sports federation, the sports federation may be deprived of its status of the recognized sports federation and it shall lose the right to receive the State budget funding.

The recognized sports federations **shall enter into cooperation agreements with the National Anti-Doping Organization** (formerly the Anti-Doping Division of the National Sports Medicine Centre, from 1 July 2018 with the Anti-Doping Bureau) regarding cooperation in the implementation of anti-doping measures, including the organization of educational measures. The performance of obligations of the sports federations defined in the said agreements may be taken into account when assessing the question of compliance of the sports federation with requirements of the anti-doping conventions.

For the sports federations recognized in Latvia, the State budget resources intended for provision of their operations and the organization of events in accordance with the criteria harmonized by the State (Ministry of Education and Science) shall be allocated by **the Sports Federation Council of Latvia**. The agreements regarding allocation of the State budget funds entered into with the recognized sports federations by the Sports Federation Council of Latvia specify also the obligations of sports federations in the field of anti-doping, i.e. the obligation to ensure that the members of the sports federation, sports personnel and athletes are informed and educated about their liability where the WADA Code and Latvian legislation regulating the field of anti-doping has not been complied with.

By amending Section 13, Paragraph seven of the Sports Law, a **sports organization that does not** comply with the obligations specified in provisions of this Law, other regulatory enactments regulating the field of sports or the contract regarding the granting of State or local government budget resources, an authority which has granted financial resources shall evaluate the nature of the violation and take a decision regarding cessation of the payment of funds allocated to the relevant athlete, sports organization or sports employee and the application of other sanctions provided for in the contract.

3. Furthermore, the Parties shall:

a. assist their sports organisations to finance doping controls and analyses, either by direct subsidies or grants, or by recognising the costs of such controls and analyses when determining the overall subsidies or grants to be awarded to those organisations;

Within the framework of the basic budget program 09.00.00 "Sports" in the course of annual distribution of the State budget resources, **a grant is awarded to the Latvian Olympic Committee, the Council of Sports Federations and the recognized sports federations in order to implement the measures specified by the anti-doping conventions**. Financial resources shall be allocated according to the purpose from the following sub-programs of the State budget program "Sport":

- 09.09.00 "Sports federations and events";
- 09.16.00 "Grant for the organization of international sporting events of national importance in Latvia";
- 09.17.00 "Grant for the team provisions of team sports games";
- 09.21.00 "High-quality achievement sport";
- 09.25.00 "Grant to the Association 'Latvian Paralympic Committee' for the development of adapted sport".

The funding from the State budget to carry out doping controls for Latvian athletes is separately highlighted also in **the cooperation agreement of the Ministry of Education and Science with the Latvian Sports Federations Council**. Prior to Rio de Janeiro Summer Olympics in 2016, by a separate governmental decision, the National Sports Medicine Centre was granted additional State budget resources for carrying out additional doping controls for athletes of the Latvian national team.

In order to help sports organizations to finance doping control, a part of the State budget resources allocated to sports federations in order to organize international sporting events in Latvia **shall be channelled to doping controls**. These procedures for doping controls shall be governed by the conditions of the international sports federation.

b. take appropriate steps to withhold the grant of subsidies from public funds, for training purposes, to individual sportsmen and sportswomen who have been suspended following a doping offence in sport, during the period of their suspension;

In conformity with Section 13, Paragraph seven of the Sports Law, if **an athlete, sports organization or sports employee fails** to comply with the obligations specified in this Law, other regulatory enactments regulating the field of sport or the agreement regarding the granting of State or local government budget resources, the institution which has granted financial resources shall evaluate the nature of the violation and take a decision regarding **the cessation of payment of the financial resources allocated to** the relevant athlete, sports organization or the sports employee **and the application of other sanctions provided for in the contract.**

Sanctions (including with regard to the cessation of funding) **are also specified in the agreements concluded by the sports organisations** (e.g. the Latvian Olympic Unit) **with the athletes concerned.**

c. encourage and, where appropriate, facilitate the carrying out by their sports organisations of the doping controls required by the competent international sports organisations whether during or outside competitions; and

The Anti-Doping Bureau shall ensure **that doping controls are carried out in or outside competitions, even at the request of international sports organizations.**⁵⁰ As it has been mentioned already, in order to help sports organizations in funding doping control, a part of the State budget resources allocated to the sports federations in order to organize international sports events in Latvia is directed to doping controls. These procedures for doping control shall be governed by the conditions of the international sports federation.

d. encourage and facilitate the negotiation by sports organisations of agreements permitting their members to be tested by duly authorised doping control teams in other countries.

In accordance with the principles of the World Anti-Doping Code,⁵¹ doping control of an athlete who is in another country may be carried out by the national anti-doping organization concerned. According to the above principle, athletes of the Republic of Latvia have been tested, for example in Canada and Italy, by the Anti-Doping Bureau concluding contracts with the *Canadian Centre for Ethics in Sport* (CCES) and the *Italian Federation of Sports Medicine* (FMSI).

4. Parties reserve the right to adopt anti-doping regulations and to organise doping controls on their own initiative and on their own responsibility, provided that they are compatible with the relevant principles of this Convention.

The Anti-Doping Bureau shall organize doping tests in accordance with the principles of the World Anti-Doping Code and with the requirements of the International Standard for Tests and Examinations, in accordance with the doping control plan, the risk assessment and technical document regarding specific analyses in sport and shall carry out the target tests on the basis of the information obtained from the investigation.

⁵⁰Article 5.2(6) of the World Anti-Doping Code

⁵¹Article 5.2 of the World Anti-Doping Code.

Article 5 — Laboratories

1. Each Party undertakes:

a. either to establish or facilitate the establishment on its territory of one or more doping control laboratories suitable for consideration for accreditation under the criteria adopted by the relevant international sports organisations and approved by the monitoring group under the terms of Article 11.1.b; or

b. to assist its sports organisations to gain access to such a laboratory on the territory of another Party.

2. These laboratories shall be encouraged to:

a. take appropriate action to employ and retain, train and retrain qualified staff;

b. undertake appropriate programs of research and development into doping agents and methods used, or thought to be used, for the purposes of doping in sport and into analytical biochemistry and pharmacology with a view to obtaining a better understanding of the effects of various substances upon the human body and their consequences for athletic performance;

c. publish and circulate promptly new data from their research.

The National Sports Medicine Centre (formerly the National Sports Medicine Agency) has cooperated with WADA accredited laboratories *Helsinki Doping Control Laboratory United Medix Laboratories Ltd* and *Institute of Doping Analysis and Sports Biochemistry (IDAS) - Dresden* during the period from 1 July 1999 to 31 June 2018 with regard to analyses of the samples obtained during the doping controls. Upon the previous public service agreements coming to an end, on 21 April 2017, the National Sports Medical Centre has carried out a price analysis of the services of laboratories accredited by WADA on the basis of the pricing of services available in the WADA's Anti-Doping Administration and Management System. As a result of this price analysis, two laboratories were proposed to be invited to participate in a feasibility study on the expected price of a public service agreement and to propose a financial tender for analysis services of the samples obtained during doping controls:

- 1) *Institute of Biochemistry - German Sport University Cologne* and
- 2) *Institute of Doping Analysis and Sports Biochemistry (IDAS)-Dresden*.

The reply was sent by the *Institute of Doping Analysis and Sports Biochemistry (IDAS)-Dresden* on 28 April 2017. On the basis of the indicated reduced fee option, an agreement **was re-concluded with the *Institute of Doping Analysis and Sports Biochemistry (IDAS) - Dresden***, pursuant to Section 10, Paragraph two of the Public Procurement Law, **for the time period of three years or reaching the expected contract price**.

Article 6 - Education

The Parties undertake to devise and implement, where appropriate in co-operation with the sports organisations concerned and the mass media, educational programs and information campaigns emphasising the dangers to health inherent in doping and its harm to the ethical values of sport. Such programs and campaigns shall be directed at both young people in schools and sports clubs and their parents and at adult sportsmen and sportswomen, sports officials, coaches and trainers. For those involved in medicine, such educational programs will emphasise respect for medical ethics.

Since 2011 the National Sports Medicine Centre (formerly the State Sports Medicine Agency) has continuously implemented **educational activities in the recognized sports federations and in the higher education institutions**, reaching a record number of lectures in 2015. However, the high number of lectures has not provided full awareness among those involved in sports, athletes and the public on anti-doping matters, allowing it to be concluded that in the long term the education program can deliver the best results only in the form of systematization. As the digitalization of information is progressing, informational handouts are playing less and less of a role, being replaced by interactive mobile applications and e-training programs, therefore in 2018 the Anti-Doping Bureau, in cooperation with the Association “Latvian Olympic Committee”, has supplemented **the content of the “Olympic ABC” mobile application** at the development stage with up-to-date anti-doping information.

Noting a decrease in the number of anti-doping educational measures and the need to ensure systematic and sustainable target audience training in the field of anti-doping, on 14 August 2018 the Anti-Doping Bureau submitted to WADA **the Anti-Doping Education Program**, which provides an overview of what measures should be taken in order to educate athletes, their auxiliary staff and any member of the public on anti-doping issues. The education program aims to promote the athletic spirit in order to create such a public environment, which contributes specifically to sports without doping, as well as to have a positive and lasting impact on the choice of athletes and others in favour of healthy lifestyles. The objective of the anti-doping education program shall be to open and to extend the borders for cross-sectoral cooperation in the field of education in order to raise an appropriate generation, which will contribute to Latvia's development and prosperity. The Anti-Doping Bureau has developed a pyramid-based training strategy (see Figure 3) for implementation of systematic and sustainable target audience training in order to reach all the eventual targeting groups (see Figure 4).

Figure 3. Education Pyramid the Anti-Doping Bureau of Latvia

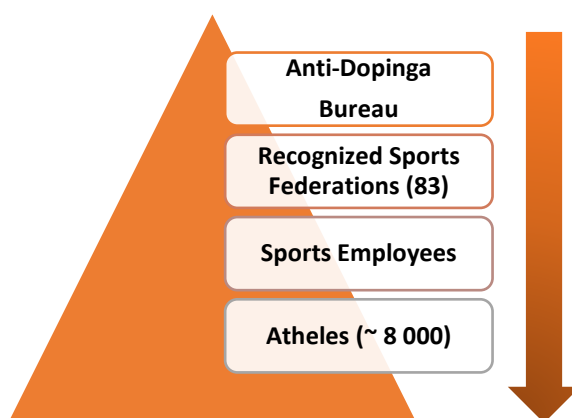
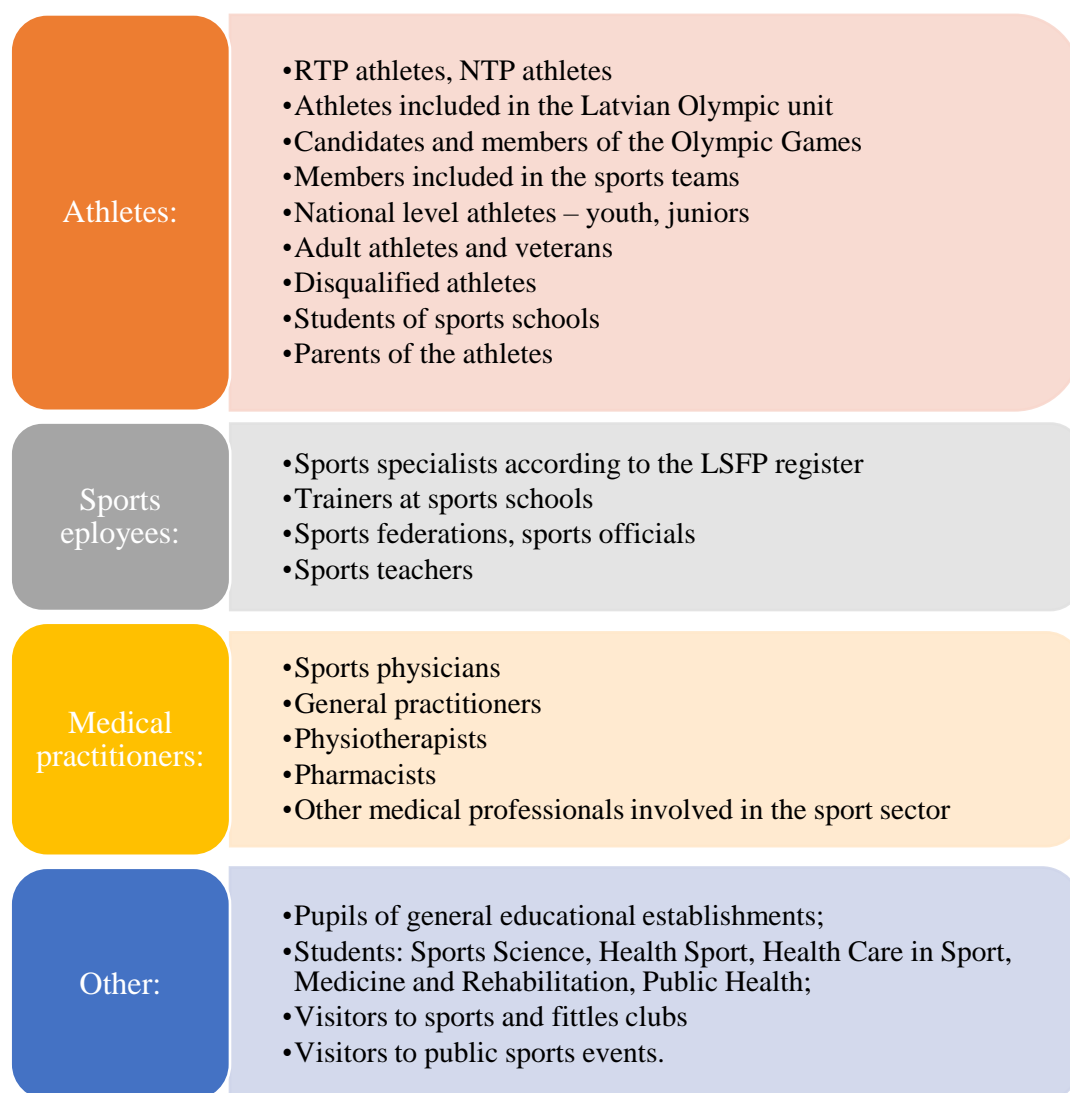


Figure 4. Target audience groups of the educational activities



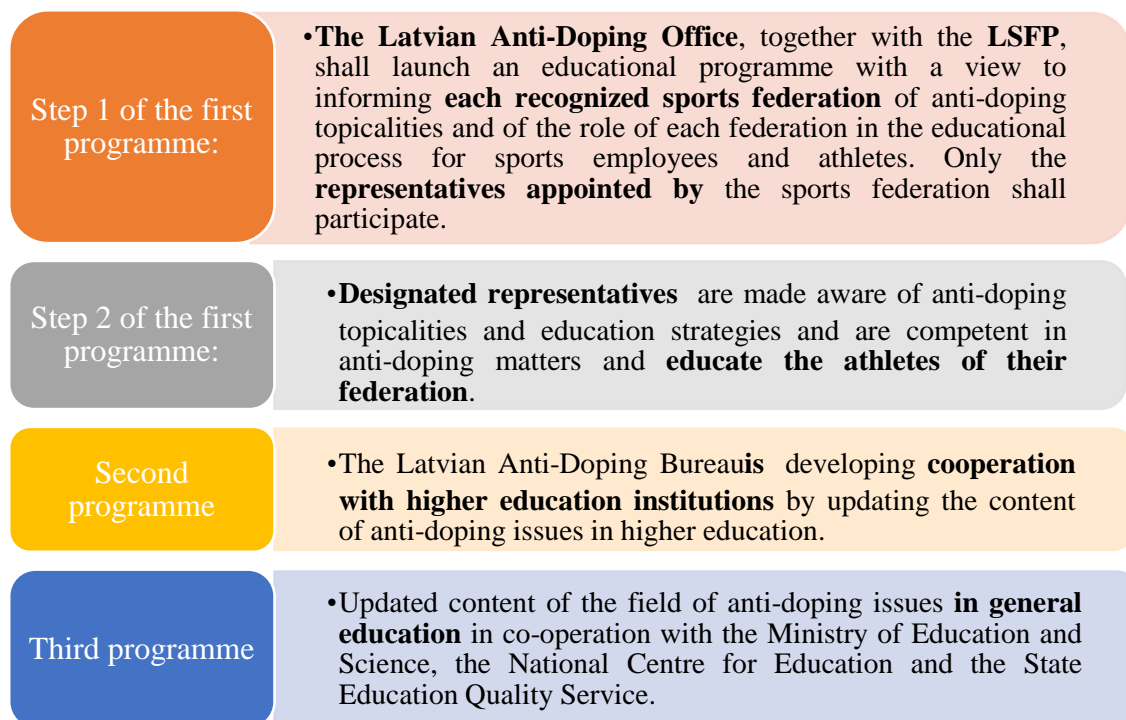
According to the Anti-Doping Bureau work plan, the first phase of training is launched in November and December 2018 and continued in 2019. The requirements defined by the Anti-Doping Education Program shall be implemented by the Anti-Doping Bureau **in cooperation with the recognized sports federations**. Each federation will nominate **the person responsible for the field of anti-doping**, participation of whom in the educational activities organised by the Anti-Doping Bureau will be mandatory⁵² and who, in cooperation with the Anti-Doping Bureau, **will carry out specialist training of trainers**, ensuring **the acquisition of certification points** approved by the Latvian Sports Federations Council (Figure 5). As trainers are getting mandatory anti-doping training, the acquired knowledge will be transferred further to **approximately 8000 active athletes in Latvia**, by advising and educating in the field of anti-doping. The Anti-Doping Bureau will continuously provide updated educational content, which will serve in the continuing process of training athletes.

A total of 10 lectures and seminars have been conducted in 2018, participating by the Latvian Olympic Team athletes of winter sports and summer sports, professional athletes and trainers at different levels, with a total number of 340 visitors. With the introduction of systematic and sustainable training strategy, the increased activity of the recognized federations has been identified, leading to the launch of the **first step of the first program of the strategic education concept and the second program**, by the end of 2018, the Anti-Doping Bureau will

⁵²The clause of the cooperation agreement between the Council of Sports Federations of Latvia and the recognised Sports Federation has been incorporated with 1 January 2019.

further educate at least 200 participants from 83 recognised sports federations and 12 responsible authorities of the fields of sports.⁵³

Figure 5. Educational programs implemented by the Latvian Anti-Doping Bureau



In parallel to the systematic training of sports organisations, **training for sports medical staff** will be launched in November 2018, on a continuous basis providing up-to-date educational content suitable to the sports medical staff, when working with athletes. In addition to systematic and sustainable target audience training strategy, the Anti-Doping Bureau will train **athletes from the Latvian Olympic Unit** each year during the four-contact lectures cycle, as well as the **athletes included in the register of athletes to be tested**.

The Anti-Doping Bureau is currently developing **an educational campaign called “True Sport”**, which will include a wider approach to the audience (primary school age) and will go beyond the information included in the traditional, implemented to date content of the Anti-Doping Education Program with regard to the doping substances and their harmful effects on health. The aim of the campaign shall be to promote a positive attitude of society towards clean sport and fair play, thereby athletes will develop under the impact of the campaign who choose to be “clean” as there is certainty about the role of ethical and human values in sport.

In line with the demand of organisers of the sports and various other cultural events at a national level, the Anti-Doping Bureau continues to implement **outreach activities** of the WADA **Outreach program** in the sport and cultural activities, thereby educating the public regarding issues of the field of anti-doping.

The Parties undertake to encourage and promote research, in co-operation with the regional, national and international sports organisations concerned, into ways and means of devising scientifically-based physiological and psychological training programs that respect the integrity of the human person.

Since 1 July 1999, the National Anti-Doping Organization (National Sports Medicine Centre, formerly the State Sports Medicine Agency) has implemented a number of projects aimed at raising awareness of the field of anti-doping in different groups of society, developing a psychological training program and modernising the national anti-doping system:

⁵³The Sports Education Agency, the Latvian Coach Further Education Centre, the State-founded universities and their medical, pharmaceutical, rehabilitation, public health and epidemiology faculty, the Board of Directors of Sport Schools, the Latvian People's Sports Association.

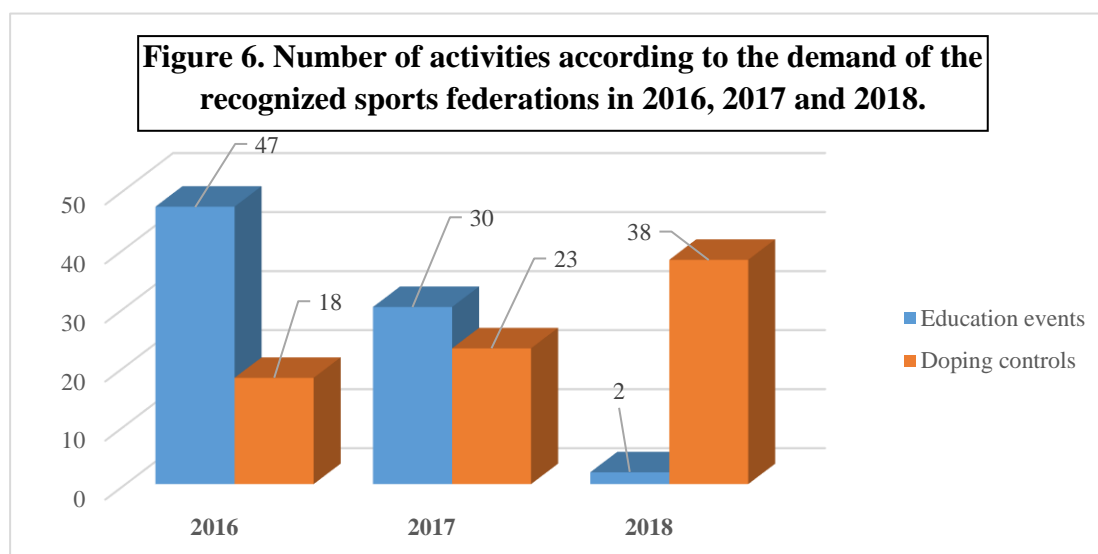
- The **project** of 2015 funded by the European Commission's Strategic Partnership **“Doping prevention through peer learning among youth” - “PrePlay”**. The Anti-Doping Bureau has acquired **new professional ambassadors** in the field of fight against doping. With the help of these ambassadors the Anti-Doping Bureau has spread knowledge and awareness on clean sports among athletes, students, athlete support-personnel and the society by delivering numerous lectures and having many outreach events. The Anti-Doping Bureau staff have developed their skills in the field of training while educating our ambassadors and these ambassadors are interested in continuing to raise awareness and they continue to cooperate with the Anti-Doping Bureau, participating in doping controls and education Outreach activities.
- In 2016, the United Nations Educational, Scientific and Cultural Organisation funded the project **“Modernizing the Latvian Anti-Doping Program” and the development of the medium-term anti-doping program for 2017-2021**, thereby ensuring the establishment of a stable and successful national anti-doping system in line with the World Anti-Doping Requirements. The Ministry of Health, the National Sports Medicine Centre and the Ministry of Education and Science, in advancing a common position and **drawing up a conceptual report** entitled “On the situation in the field of anti-doping in Latvia and the necessary changes”⁵⁴, used the results of the developed program (see comments and Figure 1 for the implementation of Article 1).
- The European Commission's Strategic Partnership has funded 2017 **“E.D.GE — European Anti-Doping Generation”** project, which includes the National Sports Medical Centre involving 19 sports employees-trainers and 20 athletes:
 - 1) **The young athletes** were educated on the importance of **psychological training** both in regular trainings and competitions, rising awareness on pre-competition states, competition states, stress, anxiety and different emotions, they learnt different coping and regulation methods, e.g., breathing exercises. Various psychological aspects of eating disorders, as well psychological reasoning for sports injuries and rehabilitation were discussed., analysing problem situations in sport (e.g., acute sports injury, elevated anger level when facing the inadequate decision of the referee, a misunderstanding between the athlete and his coach and ethical decision regarding prohibited substance use).
 - 2) **The sport instructors** learned the methods and techniques for relaxation and mobilization to be able to teach them to their athletes later on. The group also worked on the most problem situations often faced by young athletes, their solutions and role of the coaches in tackling these problems. They had a task to make the mental preparation plan.

⁵⁴Conceptual report: [http://tap.mk.gov.lv/lv/mk/tap/?dateFrom=2016-10-11 & dateTo = 2018-10-11 & mk & text = anti-doping + jom %C4% 81 + Latvia %C4% 81 + and + needed %C5% A1amaj %C4% 81 m + izmai %C5% 86 %C4% 81 m & org = 0 & area = 0 & type = 0](http://tap.mk.gov.lv/lv/mk/tap/?dateFrom=2016-10-11&dateTo=2018-10-11&mk&text=anti-doping+jom%C4%81+Latvia%C4%81+and+needed%C5%A1amaj%C4%81m+izmai%C5%86%C4%81m&org=0&area=0&type=0)

Article 7 - Co-operation with sports organisations on measures to be taken by them

1. The Parties undertake to encourage their sports organisations and through them the international sports organisations to formulate and apply all appropriate measures, falling within their competence, against doping in sport.

Section 10¹, Paragraph one, Clause 7 of the Sports Law provides that a sports federation shall be recognised if it in its activities follows the requirements of the anti-doping conventions. The sports federations recognised in Latvia shall cooperate with the National Sports Medicine Centre (now the Anti-Doping Bureau) when organizing doping controls in national and international sports competitions, as well as organising educational events within the framework of the recognised sports federation (see Figure 6). Organised doping controls and educational sports activities shall be carried out by employees of the Anti-Doping Bureau.



2. To this end, they shall encourage their sports organisations to clarify and harmonise their respective rights, obligations and duties, in particular by harmonising their:

a. anti-doping regulations on the basis of the regulations agreed by the relevant international sports organisations;

The requirements for compliance with the World Anti-Doping Code shall be included by the recognised sports federations in the organisation's **articles of association** and in **the code of ethics**, which shall constitute one of the legal means in the context of compliance with anti-doping requirements. At the same time, the recognised sports federations must comply with the provisions of the World Anti-Doping Code as they are **members of the relevant international sports federation**, which is in turn a signatory to the World Anti-Doping Code.

b. lists of banned pharmacological classes of doping agents and banned doping methods on the basis of the lists agreed by the relevant international sports organisations;

c. doping control procedures;

The Anti-Doping Bureau shall organise doping tests in accordance with the principles of the World Anti-Doping Code and with the requirements of the International Standard for Tests and Examinations, in accordance with **the doping control plan, the risk assessment and the technical document on specific analyses in sport**, and shall carry out the target tests on the basis of the information obtained from the investigation. The above actions are based on the principles of the International Standard for Tests and Examinations.

d. disciplinary procedures, applying agreed international principles of natural justice and ensuring respect for the fundamental rights of suspected sportsmen and sportswomen;

Disciplinary sanctions for infringements of the World Anti-Doping Code shall be applied in accordance with **the principles of Article 8 of the World Anti-Doping Code, WADA guidelines and the best practices**, as well as **the case law of the Court of Arbitration for Sport**. With the entry into force of the amendment to the Sports Law⁵⁵ on 1 July 2018, a system for examining and appealing infringements of anti-doping rules is established in Latvia. The components of these systems are **the Disciplinary Commission and the Appeal Commission**, in which the procedures for examining cases, in accordance with the above principles, are enshrined in by-laws of these commissions. In developing the National Anti-Doping Rules, significant emphasis is placed on the inclusion and presentation of procedural arrangements in a way that is comprehensible to the public.

These principles will include:

i. the reporting and disciplinary bodies to be distinct from one another;

- Before 30 June 2018, the **National Sports Medicine Centre** informed regarding the violation, the sports federation recognized in Latvia applied to the athlete a sanction for the doping violation in accordance with the rules of the relevant international sports federation.
- After 1 July 2018, the **Anti-Doping Bureau** informs regarding the violation, but a sanction for the doping violation is determined by **the Disciplinary Anti-Doping Commission**, the composition of which, pursuant to the Sports Law⁵⁶, consists of at least five persons (including a lawyer, a physician, a sports employee and an athlete) who are able to handle cases fairly, objectively and independently and who are nominated by the Latvian Medical Association, the Association “Latvian Olympic Committee”, the Association “Latvian Sports Federations Council”, the specialised sports organisation - Limited Liability Company “Latvian Olympic Unit” - and the Latvian Academy of Sport Education. In accordance with the Cabinet regulations,⁵⁷ the term of office of a member of one commission shall be four years, not exceeding two consecutive terms in office.

ii. the right of such persons to a fair hearing and to be assisted or represented;

With the commencement of operations of the **Disciplinary Anti-Doping Commission**,⁵⁸ an athlete or a sports employee accused of violating the provisions of the World Anti-Doping Code shall be entitled to be heard and to provide an explanation of the infringement committed by involving a representative or maintaining his or her position of defence independently. The proceedings shall be conducted in a fair, impartial and independent manner. Justice shall be ensured by the implementation of legal actions by the Disciplinary Commission fixed by the regulatory enactments, the procedural arrangements of which are enshrined in the Commission's by-laws and in the National Anti-Doping Rules. The notion of objectivity, or presence of the conflict of interest, is interpreted according to the **WADA Results Management, Hearings and Decisions Guidelines**, where objectivity is described as the balance in composition of members of the Disciplinary Anti-Doping Commission between the individuals directly representing the sports organizations and the individuals experienced in sport, but representing certain specialties, such as lawyers and doctors. The members of commissions who have experience in specific sports have even a priority in commissions, due to the ability of such participants to examine cases from the perspective of professional, specific sports. Independence shall be expressed in the legal capacity of the Disciplinary Commission itself, in which its operation cannot be affected when taking decisions.

iii. clear and enforceable provisions for appealing against any judgment made;

⁵⁵24.05.2018. Amendments to the Sports Law. Available at: <https://www.vestnesis.lv/op/2018/111.2>

⁵⁶Sport Law, Section 11³(5). Available at: <https://likumi.lv/doc.php?id=68294>

⁵⁷Cabinet Regulation No. 440 Procedures for Establishment of Disciplinary Anti-Doping Commission and Therapeutic Use Exceptions Commission. Available at: <https://likumi.lv/ta/id/300575-disciplinaras-antidopinga-komisijas-un-terapeitiskas-lietosanas-iznemumu-komisijas-izveidosanas-kartiba>

⁵⁸Sport Law, Section 11³ (5). Available at: <https://likumi.lv/doc.php?id=68294>

- Until 30 June 2018, the only organisation to which an athlete or sports employee could apply in the event of disqualification was the **Dispute Review (Appeal) Commission of the Latvian Sports Federations Council**, which, in line with the methodological instructions of the Anti-Doping Measures, has performed the functions of an appeal body in relation to the national-level athletes.
- After 1 July 2018, in accordance with the Sports Law, **the Appeal Commission**⁵⁹ shall, in accordance with the provisions of the anti-doping conventions and the National Anti-Doping Rules, review complaints of athletes regarding decisions of the Anti-Doping Bureau regarding their temporary prohibition of participation in sports competitions; complaints of athletes regarding decisions of the Therapeutic Use Exceptions Commission; complaints of the Anti-Doping Bureau, athletes or sports employees concerning personnel decisions of the Disciplinary Anti-Doping Commission.

e. procedures for the imposition of effective penalties for officials, doctors, veterinary doctors, coaches, physiotherapists and other officials or accessories associated with infringements of the anti-doping regulations by sportsmen and sportswomen;

By amendments to Section 13, Paragraph seven of the Sports Law,⁶⁰ the sports employees who do not fulfil the obligations specified in this Law, other regulatory enactments regulating the field of sports or in the agreement with regard to granting of the State or local government budget resources, the institution which has granted financial resources shall evaluate the nature of violation and take a decision regarding cessation of the payment of funds allocated to the relevant sports employee; and imposition of any other sanctions provided for in the agreement. A sports employee shall mean a natural person who performs his or her activities in the field of sport by carrying out educational, referee, methodological, organisational or other types of work or providing services for athletes or sporting events; a sports employee shall comply with the rules of international and recognized Latvian sports federations, principles of sports ethics and fair play, rules of anti-doping conventions, as well as regulatory enactments.

In accordance with provisions the Sports Law, **the scope of definition of a sports employee** includes also a sports specialist, which means a sports employee who manages sports training (classes) or is otherwise directly involved in providing sports training (classes). The procedures for certification of sports specialists and the requirements to be complied with by a sports specialist in order to acquire the right to work in the field of sport shall be determined by the Cabinet regulations.⁶¹ A certificate may be revoked if a sports specialist has violated regulatory enactments governing the sports sector or the norms of sports ethics. Thus, in cases where a sports specialist (including a trainer) fails to comply with the obligations specified in the Sports Law and other regulatory enactments in the field of anti-doping, his or her sports specialist's certificate may be revoked, which results in the person concerned being deprived of the right to continue his or her work as a sports specialist.

The liability of servants (officials) who are employed in the sports sector in the cases where, together with athletes, they are guilty of violations of anti-doping regulations shall be governed by the Law on Disciplinary Liability of State Civil Servants.⁶²

f. procedures for the mutual recognition of suspensions and other penalties imposed by other sports organisations in the same or other countries.

The Anti-Doping Bureau shall recognize disqualifications for violations of anti-doping rules laid down in Article 2 of the World Anti-Doping Code, which are published pursuant to Article 14 of the World Anti-Doping Code. The Anti-Doping Bureau shall recognise the penalties of other sports organisations if they comply with the principles of the International sports organisations and do not violate the principles enshrined in the conventions on Human Rights and Fundamental Freedoms.

3. Moreover, the Parties shall encourage their sports organisations:

⁵⁹Sport Law, Section 11⁵. Available at: <https://likumi.lv/doc.php?id=68294>

⁶⁰24.05.2018. Amendments to the Sports Law. Available at: <https://www.vestnesis.lv/op/2018/111.2>

⁶¹ <https://likumi.lv/ta/en/en/id/204329-regulations-regaring-the-procedures-for-the-certification-of-sport-specialist-and-the-requirements-specified-for-a-sport-specialist>

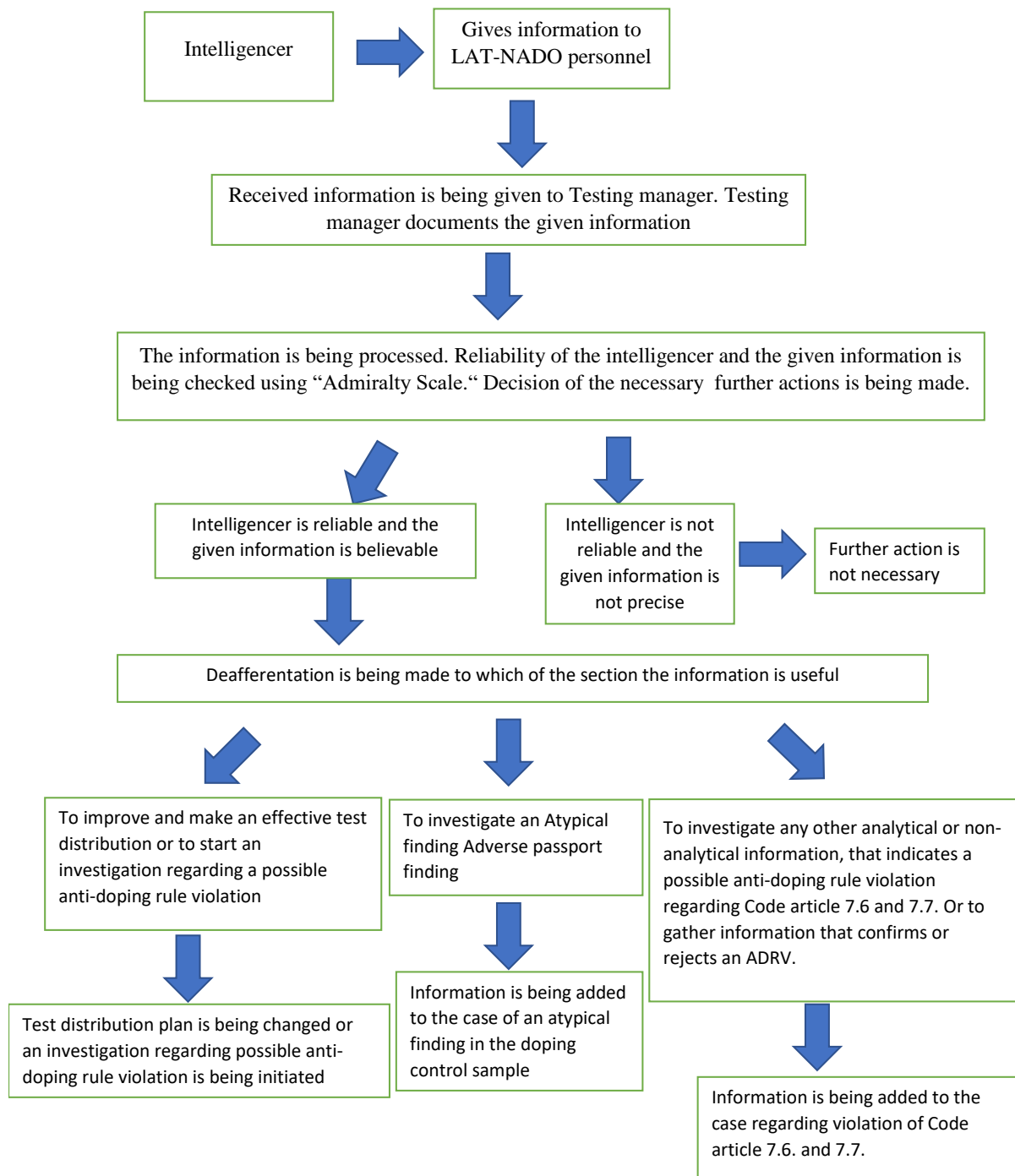
⁶²<https://likumi.lv/ta/en/en/id/136110-law-on-disciplinary-liability-of-state-civil-servants>

a. to introduce, on an effective scale, doping controls not only at, but also without advance warning at any appropriate time outside, competitions, such controls to be conducted in a way which is equitable for all sportsmen and sportswomen and which include testing and retesting of persons selected, where appropriate, on a random basis;

The Anti-Doping Bureau shall organise doping tests in accordance with the principles of the World Anti-Doping Code and the requirements of the International Standard for Tests and Examinations, **in accordance with the doping control plan, the risk assessment and the technical document on specific analyses in sport**, and shall carry out target tests on the basis of the information obtained from the investigation (see Figure 7).

The given information is only used for anti-doping purposes without revealing the identity of the intelligencer. The given information is available only to Testing manager, director of the Anti-Doping Bureau and personnel that first received the information. The received information, if necessary, is given to law enforcement without revealing the identity of the intelligencer.

Figure 7. Intelligence gathering carried out by the Latvian Anti-Doping Bureau



LAT-NADO - Latvian Anti-Doping Bureau

b. to negotiate agreements with sports organisations of other countries permitting a sportsman or sportswoman training in another country to be tested by a duly authorised doping control team of that country;

The Anti-Doping Bureau has concluded an agreement with a number of Anti-Doping Organisations and International federations, such as the Canadian Centre for Ethics in Sport (CCES), Italian Federation of Sports Medicine (FMSI), International Luge federation, International Canoe Federation and the independent doping control provider International Doping Tests & Management, on the possibility of requesting control of athletes

being nationals of the State of the Anti-Doping Bureau, if they are in the territory of a given anti-doping organisation or international federation.

Since 2017 the Anti-Doping Bureau of Latvia has started to coordinate tests with several international federations. Continuing to spread this kind of collaboration with other IF's in which Latvia have high level athletes and could be in interest for IF's to test. Regarding testing for international events, the Latvian Anti-Doping Bureau is coordinating in competition test with the ruling body of event according to the ISTI standard Article 4.9 and the Code article 5.3. If a major competition is going to be in our jurisdiction we are contacting the international body with question are they willing to hire us as the sample collection authority, so that we can start to organize everything in a timely manner.

c. to clarify and harmonise regulations on eligibility to take part in sports events which will include anti-doping criteria;

The sports federations, being recognized in the Republic of Latvia, members of international federations that are signatories to the World Anti-Doping Code, have a mandatory requirement to determine that the existence of clean sport is one of the primary objectives to be achieved during competitions. In the sporting events organised by several federations, prior to participation in a sporting event, athletes are alerted regarding consequences of non-compliance with anti-doping rules by providing these rules in the competition regulations. For example, the **Latvian Powerlifting Federation** requires the athlete to enter into an agreement before participating in the competition, which includes an obligation to be subject to doping control and applicable sanctions in the event of unfavourable result of analyses.

d. to promote active participation by sportsmen and sportswomen themselves in the anti-doping work of international sports organisations;

Sports federations recognised in Latvia shall participate in the anti-doping programs of international sports organisations, such as:

- cooperation of the Latvian Athletics Association with the European Athletic Association, ensuring the availability of the Latvian version of 'I Run Clean' program;⁶³
- cooperation of the Latvia Basketball Association with the International Basketball Federation (FIBA) through the deployment of the FIBA campaign *Clean Game* logo in the venues of the FIBA tournaments organised in Latvia.

e. to make full and efficient use of the facilities available for doping analysis at the laboratories provided for by Article 5, both during and outside sports competitions;

Equipment necessary for the control of doping for employees of the Anti-Doping Bureau- doping controllers shall be provided by the Anti-Doping Bureau, which shall, within the framework of its budget, organise procurement for the purchase of equipment appropriate for the control of doping which complies with the requirements referred to in paragraph 6.3.4 of the WADA **International Standard for Testing and Investigations**. The equipment necessary for the collection of samples must meet the following requirements:

- includes a unique numbering system for all the bottles, containers, test-tubes or other items used to seal samples;
- includes a sealing system which reveals attempts to manipulate the sample;
- ensure that the identity of the athlete cannot be ascertained by looking at the equipment;
- ensure that the equipment is clean and sealed before being used by the athlete.

The Anti-Doping Bureau, in doping controls, uses the equipment purchased from the manufacturer *Berlinger & Co. AG*.

⁶³Interactive Training Program "I Run Clean™" Available at: <https://www.irunclean.org/>

f. to study scientific training methods and to devise guidelines to protect sportsmen and sportswomen of all ages appropriate for each sport.

Training methods, their selection and application, as well as the development of a training program shall fall within the scope of **responsibility of sports federations or their members**, in accordance with the knowledge gained in the framework of the higher vocational and academic education and the most up-to-date studies in the training theory. For the purpose of efficient planning of doping controls and arrangement of targeted check the Anti-Doping Bureau shall have the right to collect information on specific athlete training regimes and competition schedules in order to carry out doping controls following athletic achievements. The information at disposal of the Anti-Doping Bureau regarding training regimes of the athletes shall be assessed objectively by employees with an appropriate higher education in the field of sport pedagogy and health sport, providing recommendations to the Director and Deputy of the Latvian Anti-Doping Bureau in the development of a register of athletes to be examined and a plan for doping controls.

Article 8 - International co-operation

1. The Parties shall co-operate closely on the matters covered by this Convention and shall encourage similar co-operation amongst their sports organisations.

Cooperation between the Anti-Doping Bureau and the International Federations is promoted within the framework of the World Anti-Doping Code, as well as by concluding agreements in order to ensure that doping control is carried out outside the territory of Latvia. The Anti-Doping Bureau is a member of the Institute of National Anti-Doping Organizations.

2. The Parties undertake:

a. to encourage their sports organisations to operate in a manner that promotes application of the provisions of this Convention within all the appropriate international sports organisations to which they are affiliated, including the refusal to ratify claims for world or regional records unless accompanied by an authenticated negative doping control report;

National recognised sports federations shall, when arranging international sports events in the territory of Latvia, ensure the performance of doping controls in conformity with the requirements of the International Sports Federation of the specific type of sports. Thus, the winners of award-winning places of the sports competitions are subject to doping control.

b. to promote co-operation between the staffs of their doping control laboratories established or operating in pursuance of Article 5; and

The Institute of Doping Analysis and Sports Biochemistry (IDAS)-Dresden co-operates with the Institute of Biochemistry - German Sport University Cologne in order to carry out checks on the threshold of suspected chorionic gonadotropin (hCG) if necessary⁶⁴.

c. to initiate bilateral and multilateral co-operation between their appropriate agencies, authorities and organisations in order to achieve, at the international level as well, the purposes set out in Article 4.1.

Until now, bilateral or multilateral cooperation has not been launched in the Republic of Latvia at international level, which would limit the availability and the use of banned doping products and doping methods, especially anabolic steroids, in sports. Such cooperation should be implemented by entering into or supplementing the legal cooperation agreements with the bordering states of the Republic of Latvia regarding information with respect to the detected violations of circulation of doping substances, initiation of the possible administrative proceedings.

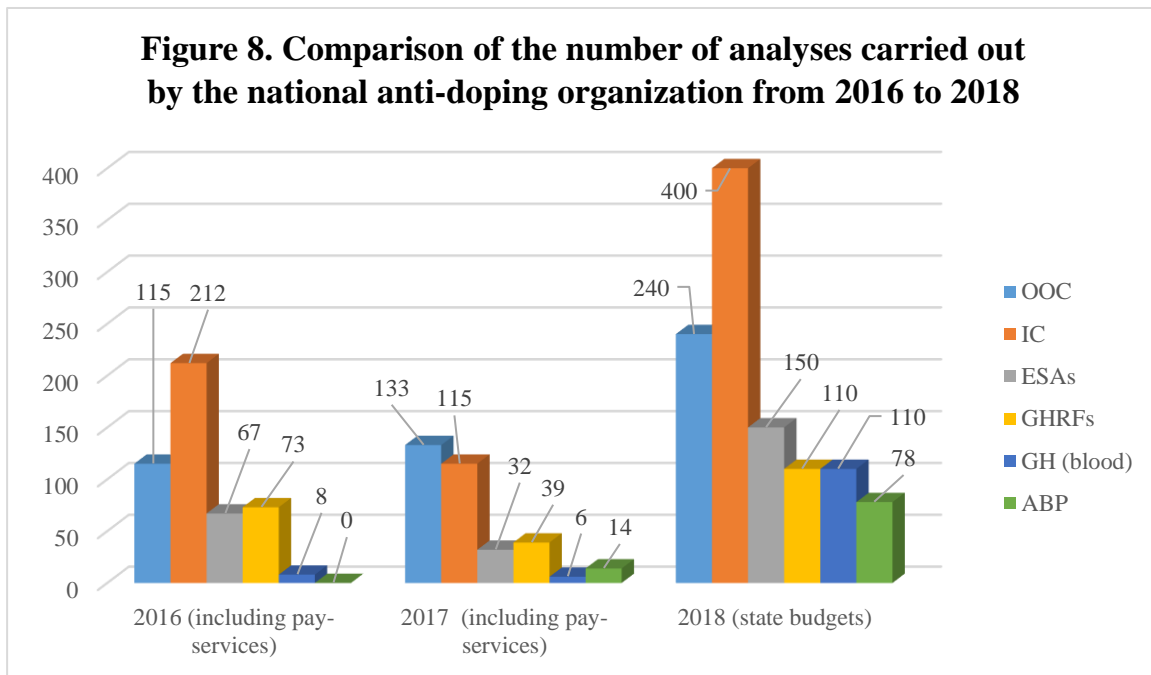
3. The Parties with laboratories established or operating in pursuance of Article 5 undertake to assist other Parties to enable them to acquire the experience, skills and techniques necessary to establish their own laboratories.

Taking into account the limited number of Latvian athletes to be tested, the number of doping tests carried out by the Anti-Doping Bureau does not reach 3000 or the minimum number of samples required for setting up a laboratory⁶⁵. At the same time, it should be emphasized that there are laboratories already operating in

⁶⁴Technical document (TD) for the reporting and management of urinary human chorionic gonadotrophin (hCG) and luteinizing hormone (LH) findings in male athletes. Available at: https://www.wada-ama.org/sites/default/files/resources/files/td2018cglh_v1_en.pdf.

⁶⁵The World Anti-Doping Code International Standard for Laboratories Article 4.4.9 Available at: https://www.wada-ama.org/sites/default/files/resources/files/isl_june_2016.pdf

neighbouring countries that can offer competitive pricing of analyses (the laboratories in Poland, Finland, Germany and Norway). Thus, **creation of a national laboratory in Latvia is not financially feasible**, despite the fact that the number of doping tests carried out has increased significantly in 2018 (see Figure 8).



ANNEX TWO – PROGRAM OF THE EVALUATION VISIT

MONDAY, DECEMBER 3		
Time	Involved parties	Venue
<i>Achieving the goals set out in the Anti-Doping Convention – fight against doping in sport; Coordination of states institutions' actions in the fight against doping in sport</i>		
9.30 -11.00	Meeting with the Latvian anti-doping policy makers and experts: <ul style="list-style-type: none"> - Latvian Antidoping Bureau - Representatives of the Ministry of Health - Representatives of the Ministry of Education and Science, Expert of the Department of Sports 	Klijānu iela 7, Riga
<i>Co-operation with sports organizations</i>		
11.30 -12.30	Latvian Sports Federations Council <ul style="list-style-type: none"> - Mr. Einars Fogelis, Chairman of the Board - Mr. Artūrs Balodis-Rozītis, Secretary General, 	Grostonas iela 6b, Riga
13.00 - 14.00	Latvian Olympic Committee <ul style="list-style-type: none"> - Mr. Aldons Vrubļevskis, President 	Elizabetes iela 49, Riga
<i>Lunch break</i>		
<i>Right to a fair examination and appeal of the case</i>		
15.00 - 15.50	Latvian Antidoping Bureau and the representatives of the Commissions: <ul style="list-style-type: none"> - Disciplinary Anti-Doping Commission, - Appeals Commission - Therapeutic Use Exemptions Commission 	Klijānu iela 7, Riga
<i>Coffee break</i>		
<i>Co-operation with the responsible educational institutions in the field of coaches and sports employees training</i>		
16.05 - 17.00	Institutions responsible for the education of coaches and support staff: <ul style="list-style-type: none"> - Latvian Academy of Sport Education - Rīga Stradiņš University - Center for continuing education of trainers/coaches - Faculty of Medicine of the University of Latvia - Sports Education Agency - Murjāņu Sports Gymnasium 	Klijānu iela 7, Riga
19.00	Dinner at the restaurant <i>3 pavāru restorāns</i>	Jacob's Barracks, Torņa iela 4, Riga

TUESDAY, DECEMBER 4		
Time	Involved parties	Venue
<i>Sports federations of Latvia</i>		
10.00 - 12.00	Sports federations: <ul style="list-style-type: none"> - Latvian Basketball Association - Latvian Football Federation - Latvian Ice Hockey Federation - Latvian Athletics Association - Latvian Bobsleigh and Skeleton Federation - Latvian Powerlifting Federation - Latvian Cycling Federation - Latvian Paralympic Committee 	Grostonas iela 6b, Riga
12.00 - 13.00	Latvian Antidoping Bureau <ul style="list-style-type: none"> - Discussion on Art 7 of the Convention about cooperation with sport organisations 	Grostonas iela 6b, Riga
<i>Transfer to the Ministry and lunch</i>		
<i>Coordination of states institutions' actions in the fight against doping in sport</i>		
14.30 - 15.30	Implementation of the Council of Europe Nr.135 Anti-Doping Convention: <ul style="list-style-type: none"> - Representatives of the Ministry of Education and Science - Representatives of Ministry of Health - Sports Subcommittee of the Education, Culture and Science Committee of the Parliament (<i>Saeima</i>) 	Vaļņu iela 2, Riga
<i>Coffee break</i>		
15.50 - 16.30	Implementation of the Council of Europe Nr.135 Anti-Doping Convention: <ul style="list-style-type: none"> - Representatives of the Ministry of Education and Science - Representatives of Ministry of Health - Sports Subcommittee of the Education, Culture and Science Committee of the Parliament (<i>Saeima</i>) 	Vaļņu iela 2, Riga
17:00 – 18:00	Evaluation team internal meeting	Astor Hotel Riga
18:00 – 21:00	Sightseeing and dinner	Old Town

WEDNESDAY, DECEMBER 5		
Time	Involved parties	Venue
<i>Ministry of Health, the National Anti-Doping Regulations review</i>		
09.30 - 11.30	- Latvian Antidoping Bureau - Representatives of the Ministry of Health - Representatives of the Ministry of Education and Science	Klijānu iela 7, Riga
11.30 - 13.00	Conclusions and summary - Latvian Antidoping Bureau - Representatives of the Ministry of Health - Representatives of the Ministry of Education and Science	Klijānu iela 7, Riga
<i>Departure of the experts</i>		

ANNEX THREE - LIST OF PARTICIPANTS OF THE EVALUATION VISIT

Evaluation team

- Mr Michael ASK, Director/CEO, Antidoping Denmark
- Ms Amanda HUDSON, Head of Education and Athlete Support, UK Anti-Doping, United Kingdom
- Ms Florence LEFEBVRE RANGEON, Manager, Government and NADO Relations, European Regional Office of the World Anti-Doping Agency
- Ms Liene KOZLOVSKA, Senior Project Manager Anti-Doping Convention, Sport Conventions Division, Council of Europe
- Mr Graham ARTHUR, lawyer and rapporteur of the Evaluation Team, UNITED KINGDOM

Latvian authorities

Parliament of Latvia, Sports Subcommittee of the Education, Culture and Science Committee:

- Mr Ivans Klementjevs
- Ms Iveta Benhena Bekena
- Mr Edgars Kucins

Ministry of Health

- Ms Liga Timsa – Director of the Department of European and International Cooperation
- Ms Santa Livina – Director of the Public Health Department
- Ms Inga Birzniece – Head of Health Promotion and Addiction Prevention Division

- Anti-Doping Bureau
 - Mr Martins Dimants - Director
 - Mr Alekss Upis – Deputy Director
 - Mr Ivans Saposnikovs - Expert
 - Mr Janis Hahelis - Expert
 - Mr Jekabs Balodis – Expert
 - Mr Roberts Lauris – Expert

Ministry of Education and Science

- Mr Edgars Severs, Deputy State Secretary – Director of the Department of Sports
- Mr Kaspars Randohs - Expert of the Department of Sports

Sports organisations

- Sport Federation Council of Latvia
 - Mr. Artūrs Balodis-Rozītis, Secretary General
 - Mr Maris Liepins
- Latvian Olympic Committee
 - Mr. Aldons Vrubļevskis, President

C. COMMENTS BY THE LATVIAN AUTHORITIES TO THE EVALUATION REPORT

Recommendation (extract from the Evaluation Report)	Comments by the Latvian authorities
Article 1 Aim of the Convention	
1.12 The NADO and its key Governmental stakeholders should explore how the NADO's strategic planning can best be developed. Operational independence does not require isolation from Governmental partners and stakeholders, and close integration on strategy would be useful, especially as there is no supervisory board to provide this strategic input and oversight. The Evaluation Team believes that strategy is always improved by collaboration and consultation with those stakeholders who are most affected by the NADO's operational work.	Strategic planning can be ensured by involving Stakeholders representatives or experts in advisory commission or council. Strategic plans, operational plans and work plans should be established for three-year period, according to the Development Planning System Law. Director of Anti-doping Bureau of Latvia (hereinafter – Bureau) should ensure that Stakeholder proposals and recommendations are part of Strategic plan.
1.13 In time (although not as a matter of immediate attention) the Ministry of Health might consider –	
1.13.1 whether the NADO would benefit from being governed by way of a 'Supervisory Board', that Board being tasked with key functions such as ensuring the responsible use of public funds, accountability for compliance with key standards, and development of key strategic priorities.	According to the principles of State administration Structure Law Director of Bureau may issue internal regulatory enactment for establishing collegial authorities (commissions, councils, etc.). By establishing Advisory council, strategic planning would be ensured effectively. Bureau will invite representatives of National Olympic committee, Latvian Sport federation council, Ministry of Health, Ministry of Education and Science and Olympic Team to take a part in Advisory council. Head of an institution shall manage the financial resources of the institution. (<i>State administration Structure Law Section 17, Paragraph two</i>), therefore 'Supervisory Board' could not be tasked with ensuring responsible use of public funds.
1.13.2 a specific reference to the NADO and its activities in its Departmental strategy and planning process.	Head of an institution shall ensure the development of the annual operational plan (<i>State administration Structure Law Section 17, Paragraph two</i>), therefore reference to NADO and its activities in Ministry of Health's planning process should not be made.
Article 2 - Definition and scope of the Convention	
2.10 The Evaluation Team recommends that, in respect of the National Anti-Doping Regulations –	
2.10.1 A draft set of the National Anti-Doping Regulations be made available to the Monitoring Group for review against Latvia's Convention commitments as soon as possible;	Draft of National Anti-doping rules for harmonization purposes was sent to the WADA Code Compliance department on April 25 and to the Monitoring group on April 26. According to the Cabinet rules "Procedures for the Public Participation in the Development Planning Process" the draft of the national anti-doping rules will be discussed in public discussion procedures. National Olympic Committee, Latvian Sport federation council, Ministry of Health, Ministry of Education and Science and Olympic Team representatives are invited to make proposals.

<p>2.10.2 The National Anti-Doping Regulations be implemented as soon as practicable and by no later than the planned adoption date of 1 July 2019.</p>	<p>According to the Sports Law transitional provisions National Anti-doping rules shall come into force not later than by 30 June 2019. "12. The Cabinet shall issue the regulations referred to in Section 11.¹, Section 11.³, Paragraph six and Section 11.⁴, Paragraph six of this Law not later than by 30 June 2019. Until coming into force of such regulations the principles laid down in the World Anti-Doping Code shall be applied, insofar as they are not in contradiction with this Law."</p>
<p>Article 3 - Domestic co-ordination</p>	
<p>3.19 A recognised National Federation is required by the Sport Law to follow the requirements of 'anti-doping conventions', which is interpreted as encompassing the Code (Section 10.1). There is, however, no established process for assessing how and if a National Federation (recognised or unrecognised) complies with the Code, and the protocols to be followed if it is felt that a National Federation falls short in this respect.</p> <p>3.20 The Evaluation Team recommends that a process be developed as between the NADO and the Latvian Sports Federations Council, once the National Anti-Doping Regulations are implemented, that establishes a clear means of assessing compliance with Code responsibilities, and the sanctions to be applied in the event of non-compliance. Some detail and guidance should be developed so that both recognised and unrecognised National Federations are clear as what the expectations are on them in terms of their anti-doping commitments: these should be meaningful, but not onerous.</p>	<p>To ensure sport organizations compliance monitoring and assessment Bureau will strengthen collaboration with Latvian Sport federations council to develop and implement methodology. Bureau already can identify non-conformities of sports organizations and shift recommendations to Latvian Sport federations council, who is responsible for recognition of a sports federation, refusal to recognise it or the decision on the withdrawal of the status of a sports federation.</p>
<p>3.21 The Latvian Sports Federations Council has a potential role in the provision of data to the NADO concerning competition schedules, athlete and sportsperson data, and other useful information. This should be formalised in a manner that allows for the effective and lawful sharing of information.</p> <p>3.22 The NADO and the Latvian Olympic Committee should formalise their information sharing arrangements, so that useful information is shared securely and lawfully to assist in the most effective development of testing and education activities.</p>	<p>Bureau considers continuing negotiations with Latvian Sports Federations Council and Latvian Olympic Committee for best collaboration forms, by signing collaboration Agreements and developing effective methodology for information sharing.</p>
<p>3.23 The NADO should engage with the National Federations to address their practical needs through a program of seminars and other information sharing exercises that provides key information on central issues. What that 'key information' is, and what the 'central issues' are, can be identified by consultation</p>	<p>Bureau considers collecting more detailed information from National Sport Federations, resulting in adapted education program. Bureau is already performing data analysis received from National Sport Federations during the training sessions at the end of 2018.</p>

with the National Federations through the Latvian Sports Federations Council.	
General Recommendation on Information Sharing	
3.24 As a general matter, the Evaluation Team recommends that the NADO and the Latvian authorities jointly consider the Monitoring Group Recommendation on Information Sharing ⁶⁶ . In particular, it would be helpful for a series of seminars involving including judges, prosecutors, police and customs officers, and the NADO, was to be organised in order to train the responsible authorities on doping matters and the utility and practicalities of exchanging information.	In scope of Annex C, Article 4.6., Recommendation Rec(2000)16 and other doping matters shall be part of such presentations. Bureau considers extending target groups by including topics for State authorities.
Article 4 - Measures to restrict the availability and use of banned doping agents and methods	
4.6 In order to enhance implementation of the Article 4.1 of the Anti-Doping Convention, the Evaluation Team recommends that the Latvian authorities consider the Council of Europe Committee of Ministers recommendation on combatting the traffic in doping substances (https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=09000016804e2ada) and reactivate the work started in 2007 to strengthen the mechanism for the control of availability of doping substances.	Bureau in collaboration with Ministry of Health will take initiative to present key principles of Recommendation Rec(2000)16 to the responsible parties to reactivate work with regulatory enactment drafts and conceptual frame of system for combating the traffic in doping agents.
4.7 A proportionate monitoring and assessment methodology whereby compliance with anti-doping requirements of the sport organisations can be measured should be developed. The NADO is well placed to fulfil this role in cooperation with sport stakeholders. The optimum manner for such programs to develop and become embedded is to focus on 'compliance by design', where a proportionate and realistic level of compliance is achieved based on resources and practical considerations.	To ensure sport organizations compliance monitoring and assessment Bureau will strengthen collaboration with Latvian Sport federations council to develop and implement methodology. Bureau already can identify non-conformities of sports organizations and shift recommendations to Latvian Sport federations council, who is responsible for recognition of a sports federation, refusal to recognise it or the decision on the withdrawal of the status of a sports federation.
Article 6 – Education	
6.9 A clear monitoring and evaluation plan needs to be developed in line with the education plan and implemented at the same time as the education programmes. Data should be collated and reviewed to both inform the future direction of the education plan and to ensure that the quality of education being provided is maintained. An annual or bi-annual impact report should be published, and evidence of impact should feature in the NADO annual report to the Ministry of Health.	According to the comments of the Monitoring group and the Education Program submitted to WADA in August 2018, it is planned to further improve the program in line with WADA Information/Education Guidelines to prevent Doping in sport, including by pooling the views of federations on the understanding of the Education Program. Quality control of the Education Program will be done according to the WADA International Standard for Education (currently being developed).

⁶⁶ Recommendation Rec (2016) 1 of the Monitoring Group on Information Sharing between Public Agencies and Anti-Doping Organisations in the Fight against Doping

	<p>The first stage evaluation took place January, following a cycle of lectures to the sports federations (Values of sport and awareness of anti-doping issues). Additional lectures are provided to sports federations where Anti-doping rule violations are found, and federations and their responsible persons are invited to pay increased attention to their sport and to the implementation of preventive measures.</p> <p>It is planned to ask sports federations to assess risks in their own sport and to comment on the organization of education process to cover the largest possible audience (trainers, parents, children of all age groups, federation support staff, etc.).</p>
<p>6.10 The NADO should engage with as wide a range of partners as possible to deliver education on behalf of the NADO. These should be managed by the NADO Education Manager who should also be responsible for the training and accreditation of the Educators. The Educators could be managed on a voluntary basis with expenses paid.</p>	<p>Based on the proposed plans, in May 2019 it is planned to educate Doping Control Officers – offer content and skills required to give lectures and seminars to sports federations.</p> <p>For each of the risk federation, staff of the federation shall be responsible for education amongst the federation’s members.</p>
<p>6.11 The current Education plan should be further developed to include a clear identification of all core target audiences, how these will be prioritised over the next 3-4 years, which agencies will be required to support the implementation of the education programmes, and what resources will be required to deliver against the plan. The overarching aim for the NADO should be to create and build a sustainable clean sport education system for athletes and core support roles. Ideally, this would also include opportunities for National Federations to learn more about their anti-doping responsibilities and how to deliver these.</p>	<p>A procurement procedure will be initiated for the health promotion campaign „True Sport”.</p> <p>We hope that it will be the honour for the sport federations to integrate and support the True Sport campaign which will contain science-based content with practical tips for coaches, parents and athletes themselves.</p> <p>Information will be placed on our webpage antidopings.gov.lv with multiple presentations for multi-level audiences.</p>
<p>6.12 All agencies delivering clean sport education should commit to sharing with the NADO what they are delivering, in order for the NADO to provide advice/guidance/feedback on its appropriateness. This would be made easier if the NADO develops a clear curriculum of content required to be delivered to core target audiences and how this should progress in depth and breadth as an individual progresses their career in sport. NADO could consider developing a “Train the Trainer” scheme for volunteer Trainers who could help in providing education programs for smaller NFs and sport clubs.</p>	<p>It is planned to create a campaign and train volunteer trainers, athletes-True Sport messengers and supporters of the idea (prePlay idea). It is intended that applications will be submitted through webpage and a informational support from mass media will follow as well as articles about the idea of True Sport. In order to cover the information and level of interest intended for each audience of specialists, it is planned to develop materials together with the Latvian Sports Medicine Association , Latvian Medical Association, fitness coaches, nutrition specialists, etc.</p> <p>True Sport education content is going to be nuanced for each audience: trainers, parents, children. It will be distributed accordingly, based on the content of lectures and seminars for each audience.</p>
<p>6.13 In a broader vein concerning Article 6, education efforts are ideally supposed to focus on damage to health from doping, as well as harm to ethical values. This could be more interestingly positioned as the ‘benefit to health’ from being ‘clean’, rather than the harm to health arising from doping.</p>	<p>Currently at the development phase is a presentation that focuses on the consequences to the health from use of doping agents. Ethical and health values are being delivered through the idea of True Sport, i.e. proper training, nutrition, rest, psychological training, etc.</p>

<p>6.14 Were a Supervisory Board of NADO to be established, the Evaluation Team recommends that it should make education planning part of its strategic discussions and planning each year. Information and education initiatives should be planned on the basis of evidence and an assessment of risk.</p>	<p>Information and education initiatives are being developed on the results from two studies:</p> <ul style="list-style-type: none"> - Sociological study (integration into sport guidelines) promoting awareness of public views and opinions on the anti-doping system as well as values promoted by sport. - Athletes study (promotion of True Sport) promoting awareness of athlete's views and opinions on belief on the national and international anti-doping system, and prevalence of prohibited substances (<i>Study validated according to the international summary Dutch elite athlete and the anti-doping policy 2014-2015</i>).
<p>Article 7 – Co-operation with sports organisations</p>	
<p>Disciplinary Matters</p>	
<p>7.11 The Evaluation Team recommends that the NADO develop a clear protocol for the handling of anti-doping rule violation matters that addresses both the current position and the anticipated position following the implementation of the National Anti-Doping Regulations. This should explain how all of the key stages of Results Management are handled.</p>	<p>On March 28, 2019 Bureau has started development and implementation of the control management system according to the international standards of ISO 9001:2015. Result management stages will be part of control management system.</p>
<p>7.12 The Evaluation Team was satisfied at the position concerning dispute resolution. The Evaluation Team recommends that the Latvian authorities review and adopt Recommendation (2017) 01 of the Monitoring Group⁶⁷.</p>	<p>Draft of National antidoping rules contain principles and recommendations set out in Recommendation (2017) 01 of the Monitoring Group. To reduce administrative burdens of Commission and reduce influence on the State budget, the Bureau is performing secretariat functions, for example, Office manager of Bureau is preparing meeting protocols. Commission decisions are made without interference of Government, National Olympic Committee, Latvian Sport federation council or National federations.</p>
<p>7.13 The Evaluation Team recommends that training be provided to the Disciplinary Anti-Doping Commission and Appeals body for Commission on Code and key CAS cases. A process needs to be set out in a process map of some sort so that the NADO and Disciplinary Commission know what needs and should be done when. The position re non-analytical matters is not clear at all.</p>	<p>Bureau is considering possibilities to organise training sessions for Commissions' members and experts involved in procedures. In training sessions international level sports law experts shall be involved. Sport Information sources such as International Sports Law Journal articles, TAS-CAS decisions, consultation platforms etc. are provided to Commissions' members.</p>
<p>Doping Controls</p>	
<p>7.14 The risk assessment used as part of the test distribution planning process should be a mechanical and evidenced based process that incorporates; the social/psycho factors of 'typical' sports participants, physical determinants of the sporting activity and the availability of prohibited substances to enable those physical characteristics, status of sport in Latvia, upcoming competitions of significance e.g. Olympics/Paralympics/World Championships including</p>	<p>Following the recommendations of the Monitoring group, Bureau will expand the factors that are taken into account in developing risk assessments. The following risk factors, that have not been used so far, will be taken into account: performance targets set by the National Olympic committee, the availability of prohibited substances that improve athletic performance in particular sport and the factor that</p>

⁶⁷ Recommendation on ensuring the independence of hearing panels (bodies) and promoting fair trial in anti-doping cases

<p>selection years (additional motivations to dope), any known information relating to the supply/ease of access to prohibited substances, prior testing statistics (national and internationally), anti-doping rule violation numbers and wider factors such as government funding increases/decreases, and performance targets set by the National Olympic Committee .</p>	<p>high-level competitions are expected, including years of qualification.</p>
<p>7.15 This process and the factors to be considered should be documented and repeated each year to determine the levels of risk and therefore the associated allocation of tests. National Federations should also be consulted as to where they perceive the risks to be within their sport to inform the process, and the overall risk assessment process tailored according to the information and data that is available to the NADO each year. This will include the priorities given to testing in sports each year.</p>	<p>The risk assesment, using the latest information obtained and the role of the type of sport in Latvian sport, will be reviewed and updated annually. In order to ensure that all risk factors are identified as accurately as possible and based on the specific nature and actual state of the sport in Latvia, representatives of the national federations will be consulted during the risk assesment.</p>
<p>Intelligence</p>	
<p>7.16 The National Report refers to the use of intelligence handling tools used by the NADO. These are a useful tool, but the Evaluation Team emphasises that judgment and decision making are the key skills when handling and assessing information received concerning doping matters. Like all such organisations, the NADO might avoid 'over engineered' intel solutions; obtaining information is the priority.</p>	<p>The Bureu will look for opportunities to find new ways to obtain useful information about threats in a particular sport.</p>