

MONITORING GROUP (T-DO)

ANTI-DOPING CONVENTION

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**EVALUATION REPORT OF THE MONITORING
GROUP
(T-DO)**

**EVALUATION VISIT TO PORTUGAL
22 – 24 NOVEMBER 2022**

The Monitoring Group oversees the implementation and application of the Anti-Doping Convention. The Additional Protocol to the Anti-Doping Convention supplements the responsibilities of the Monitoring Group by requiring the Monitoring Group to ‘*supervise the application and implementation of the Convention*’ by the Parties to the Convention.

This supervision is achieved through an integrated compliance approach. A significant component of this is the evaluation process, whereby a team of experts appointed by the Monitoring Group (**Evaluation Team**) examines the implementation of the Convention by a Party and provides a report (**Evaluation Report**) to the Monitoring Group. The Evaluation Team will typically undertake this examination by way of a visit to the Party being evaluated, this visit being referred to as an **Evaluation Visit**.

In April 2022, the Portuguese authorities agreed that the Monitoring Group of the Anti-Doping Convention of the Council of Europe (T-DO) conducted an Evaluation Visit, for the purpose of evaluating the measures taken by the Government of Portugal to comply with its commitments pursuant to the Anti-Doping Convention.

Prior to the Visit, the National Anti-Doping Organisation of Portugal (“ADoP”) provided the Secretariat with a National Report. The National Report and the programme of the visit, including the participants, are included as Annexes to this Evaluation Report.

This Evaluation Report is divided into two Sections:

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| Section One | A summary of the conclusions reached by the Evaluation Team, identification of best practices that may be of use and benefit to other Parties, and recommendations made to the Portuguese authorities. |
| Section Two | A detailed set of observations and conclusions of the Evaluation Team. |

SECTION ONE

This Section constitutes of–

- A. Executive Summary**
- B. Best Practices**
- C. Recommendations**

A. Executive Summary

1. The Government of Portugal has signed the Anti-Doping Convention on 14 June 1990 and has ratified it on 17 March 1994. The Anti-Doping Legislation currently in force complies with the requirements of the Convention and of the 2021 version of the World Anti-Doping Code.
2. The Anti-Doping Legislation grants the National Anti-Doping Organisation of Portugal (ADoP) the power to undertake doping controls on all sports practitioners, meaning those athletes competing under the umbrella of a National Federation granted by the State with the status of sports public utility (SPU/UPD). When a sport is practiced outside a National Federation, or when the latter loses its status, ADoP does not have jurisdiction to test athletes. ADoP does not have testing jurisdiction either in gyms or fitness centres, regularly visited by approximately 600 000 users.
3. ADoP is a public authority, endowed with scientific, technical, and administrative autonomy, under the supervision of the Government member responsible for sport. It is governed by a President, an Executive Director and an Advisory Board, and divided into two operational divisions: the Support Structure for Anti-Doping Programme (ESPAD) and the Legal Division (DJ).
4. The President and Executive Director are appointed through a public tender for, respectively, a five-years and a three-years terms. The Advisory Board is responsible for issuing non-binding opinions whenever requested by ADoP and is composed of representatives from all bodies involved or interested in anti-doping matters. It meets at least twice a year.
5. ADoP mainly receives funding allocated by the State budget. If financial difficulties have been encountered for the year 2022, the budget is secured and has been increased for the year 2023. In terms of staff, ADoP has to maintain the number of its employees within the authorised limits and has to recruit mostly civil servants, including for doping control officers.
6. Apart from ADoP, several public authorities are also involved in anti-doping in Portugal. The Secretariat of State for Youth and Sports is the main public actor, as the governmental body responsible for the legislative, regulatory, and administrative matters related to sports. It plays a central role in coordinating consultations between different governmental bodies about the fight against doping in sport. It also has the legal authority to grant the status of sports public utility (SPU/UPD) to National Federations, which is crucial for ADoP's testing jurisdiction.

7. The Portuguese Institute of Sports and Youth (IPDJ), responsible for granting funding to National Federations, has developed a National Plan for Ethics obliging federations to document their strategy related to anti-doping and other integrity issues and ethics principals to be able to get access to public money. Health authorities, Ministry of Education and Law enforcement authorities also work in close cooperation with ADoP.
8. Sports organisations are also playing an important role in the anti-doping efforts of the country. National Olympic and Paralympic Committees grant funding to their promising athletes on the condition that they comply with the anti-doping rules, and can cut these funding in case of anti-doping rules violations. They also develop education programs in cooperation with ADoP. National Federations, as well as other sports organisations (Foundation for Sport, Portuguese Sports Confederation, Portuguese Confederation of Coaches) are also active in the promotion of sports ethic's values.
9. All those entities work closely with ADoP, on their field of activities, thanks to good personal relationships with ADoP representatives.
10. The Anti-Doping Legislation envisages the adoption of a list of prohibited substances, which is implemented through a decree publishing the list adopted by WADA, and also lists the behaviours that fall under the scope of criminal offenses: trafficking of prohibited methods and substances; administration of prohibited substances and methods, and criminal association.
11. The Judicial Police, responsible for criminal investigation and the fight against organised crime, has a strong connection with ADoP and seats in its Advisory Board. It has established specific squads that deal with sports integrity issues (manipulation of sport competitions and doping), based in Lisbon and Porto.
12. ADoP has established a platform on its website to collect information from whistleblowers and informants. If an information might fall under the scope of criminal offenses, it is immediately transmitted to the Police. If ADoP is invited to share with the Police all available information, the opposite might not be true due to the secrecy of investigations.
13. Customs authorities also play a crucial role in restricting the availability of doping substances and methods, as frontline officers in the borders. The information collected can be shared with ADoP if authorised by the Police, and in conformity with data protection regulations.
14. ADoP is the only authority responsible for doping controls in Portugal. It exercises its powers within the national territory - including the Portuguese Atlantic Ocean islands (Autonomous Regions of Madeira and Azores) - and, whenever requested by WADA or an International Federation, abroad. The testing programme is implemented following a risk assessment performed every year.
15. Samples are systematically analysed by a WADA-accredited laboratory. The *Laboratório de Análises de Dopagem* (LAD), located in Lisbon, has been accredited by WADA in September 2022 after years of difficulties due to non-compliance issues. During that period, ADoP, following an international public tender, was sending urine samples to *DoCoLab* (Gent, Belgium) and blood samples to Catalanian Antidoping Laboratory, *Fundació Institut Hospital del Mar d'Investigacions Mèdiques* (Barcelona, Spain). ADoP will continue

sending samples to these laboratories in parallel with LAD until LAD develops its full capacity.

16. The Government of Portugal and ADoP understand the importance of anti-doping education and its role for the prevention of doping in sport. ADoP has made education as one of its priorities and has placed the entire Education process within its Quality Management System. This process is ISO-certified.
17. From January 2021 until the Evaluation Visit, ADoP organised over 74 educational sessions (of more than 150 hours duration, in total) and has reached up to 20,000 participants from ADoP's targets groups (sports practitioners, athletes' support personnel, medical doctors, doping control officers, media professionals). A considerable importance is placed on the education of coaches. In addition, ADoP has recently started an educational programme for personal trainers and directors of gyms.
18. ADoP has been given by the Anti-Doping Legislation full jurisdiction to manage all disciplinary cases. The disciplinary procedure is in line with the last version of the World Anti-Doping Code and WADA's International Standards. When a case occurs, it is handled by ADoP's Legal Division and then brought, in first instance, before the Anti-Doping Disciplinary College, an independent commission composed of 7 members who must have proven knowledge in anti-doping matters. Members of this commission are obliged by law to perform their duties independently and impartially.
19. Appeals can be brought before the Portuguese Court of Arbitration for Sport and the Court of Arbitration for Sport based in Lausanne. For cases involving international-level athletes or international-level events, appeals have to go to CAS.
20. Sanctions may be imposed on athletes, but also on any other person such as the coach, manager, team member, health professional, paramedic, parent, or any person working with or assisting in athlete taking part in, or preparing, a competition. Any decision rendered by an Anti-Doping Organisation, by appeal Courts or by the Court of Arbitration for Sport is automatically binding on ADoP and on all National Federations. The legislation also offers a mechanism that allows for the control of participation of suspended persons in competitions organised by private entities outside the scope of National Federations.
21. Representatives of ADoP regularly attend meetings of the Council of Europe and participates and collaborate with UNESCO, WADA and the Institute of National Anti-Doping Organisations (iNADO).
22. ADoP is a founding member of two other networks of NADOs: the Ibero-American Anti-Doping Network (RILD) and the Portuguese-speaking Anti-Doping Network (RELAD). The main objectives of these two networks are to exchange experience and transfer knowledge between its member organisations (including support for the establishment of a NADO for those countries where the National Olympic Committee is still acting as the NADO), to promote initiatives for adequate communication and collaboration among NADOs, to establish links with other stakeholders, and to execute projects of mutual interest. ADoP is taking a leading role in both networks.

23. Additionally, ADoP has signed cooperation protocol with several other Anti-Doping Organisation, mainly for testing, education and development of anti-doping programmes in general.

B. Best Practices

1. The composition of the Advisory Board of ADoP, which offers an opportunity for every actor involved in anti-doping to meet at least twice a year, is a good practice that could be share with other State Parties to the Convention as knowing each other is a crucial way to better work together.
2. The mentorship programme of the Athletes' Commission of the National Olympic Committee is considered as a good practice and the Government of Portugal is invited to share the results of this programme with the Monitoring Group.
3. The approach of certification of ADoP's education program is considered as a good practice.
4. The efforts developed by ADoP to create a network of Portuguese-speaking countries and to assist these countries with all possible means.

C. Recommendations

1. It is recommended to the Portuguese authorities to continuously assess the Anti-Doping Legislation in order to identify rooms for improvements. In particular, the Portuguese authorities should ensure that all sportsmen and sportswomen can be subject to doping controls, regardless their affiliation to a sport federation.
2. The efficiency and the necessity of the obligation made upon National Federations to adopt their own anti-doping rules should be assessed.
3. The Portuguese authorities are invited to consider whether the repartition of anti-doping regulations could be more flexible between the Anti-Doping Legislation, Decrees and International Regulations of ADoP, with the aim of facilitating the amendments that have to be implemented.
4. It is recommended that the Government of Portugal provides sufficient resources to ADoP, both in terms of funding and staff, to implement an effective anti-doping programme but also for capacity building.
5. It is recommended to assess the need for improvement of the sanctioning system for medical doctors involved in doping scheme, in order to further strengthen the celerity of disciplinary procedures and their deterrence effect.
6. It is recommended to assess the need to formalise the cooperation of all actors involved in anti-doping with ADoP, in particular in terms of information sharing, in addition to the regular meetings of ADoP's Advisory Board.
7. It is recommended to institutionalise the relations between ADoP and other stakeholders involved in anti-doping.
8. It is recommended to the Portuguese authorities to follow the initiatives taken by some National Federations to increase the responsibilities of athletes' support personnel and to assess the necessity of developing code of conducts for health professionals working with sports practitioners.
9. It is recommended to the Portuguese authorities to assess the need to formalise the cooperation between all authorities involved in anti-doping with regards to information sharing.
10. It is recommended to ADoP to evaluate its policy regarding information collected on its whistleblowing platform and shared with law enforcement authorities.

11. It is recommended to the Portuguese authorities to continue working closely with ADoP in order to secure adequate funding to test as many sports and sportsmen and sportswomen as required to ensure the consistency of ADoP's testing programme. This includes the recruitment of a sufficient number of DCOs.
12. It is recommended to ADoP to ensure that Portuguese athletes are appropriately tested when they are not in the Portuguese territory.
13. The *Laboratório de Análises de Dopagem* is invited to increase the number of its customers in order to ensure its technical, scientific and financial stability.
14. ADoP is invited to consider developing an e-Learning training programme for Athletes and Athletes' Support Personnel (that can be combined with in-person education) as well as developing a programme of anti-doping educators to further increase the effectiveness of ADoP's education programme and achieve a wider reach.
15. The Portuguese authorities are invited to encourage and fund research studies related to anti-doping by academic and other interested institutions in the country; and publish the results of their research in peer-reviewed and indexed scientific journals. ADoP could play a role in coordinating the research activities.
16. It is recommended to assess, in a future amendment of the Anti-Doping Legislation, the need to better clarify the repartition of responsibilities, within the reporting body, between ESPAD and the Legal Division. The delays imposed on the CDA to render a first instance decision might also be assessed and reviewed.
17. The Portuguese Government is invited to envisage to cover the costs of an interpreter when needed by an athlete, in order to further protect his/her rights to an effective defence.
18. It is recommended to assess whether sanctions apply to all sporting activities in Portugal, including those organised by entities or federations that fall outside the scope of jurisdiction of ADoP.

SECTION TWO

Prior to the Evaluation Visit, Portuguese authorities provided a National Report (Annex 2) detailing the various measures taken to implement the Convention.

This Section of the Evaluation Report has been prepared by the Evaluation Team and constitutes a detailed description of its findings by reference to the relevant sections of the National Report and the matters identified during the course of the Evaluation Visit (Annex 1).

1. Legislation, Regulations and Administrative Provisions

The Government of Portugal has signed the Convention on 14 June 1990 and has ratified it on 17 March 1994. The Government of Portugal has also signed and ratified the UNESCO Convention.

Anti-Doping Legislation

- 1.1. On 19 June 2009, a first anti-doping legislation has been published in the Official Journal of Portugal. This legislation aimed to establish a legal framework to fight against doping in sport. This legislation has been continuously reviewed to reflect the changes implemented in the World Anti-Doping Code adopted by the World Anti-Doping Agency (WADA).
- 1.2. The Law of 19 June 2009 established a National Anti-Doping Organisation (ADoP), under the tutelage of the Portuguese Institute of Sport and Youth. ADoP was not, at that time, independent from this body. In 2019, recognising this importance of the fight against doping, the Government modified the status of ADoP, which became an independent body.
- 1.3. The legislation currently in force has been published on 30 November 2021 (hereafter referred as the “Anti-Doping Legislation”). It complies with the provisions of the 2021 version of the World Anti-Doping Code and confirms the status of ADoP as the National Anti-Doping Organisation (NADO).
- 1.4. In addition to this legislation, the Government of Portugal has also adopted an Ordinance in April 2022, aiming to complete the legal framework by regulating, among other matters, the procedures for doping controls.

Definitions and List of Prohibited Substances and Methods

- 1.5. The Anti-Doping Legislation of Portugal defines doping in its Article 5, which lists all behaviour prohibited by the World Anti-Doping Code, including the administration of doping substances or methods to athletes, as well as the use of those substances or methods by athletes.

- 1.6. Article 2 of the Law defines sportsmen and sportswomen as those athletes competing in a sport at international level, as defined by the respective international sport federations, or at national level, meaning in a sport organised by a registered national sport federation.
- 1.7. Article 3 of the Law specifies that this legislation applies to all sport practitioners, as defined in Article 2, including protected persons and recreational athletes, as defined in the World Anti-Doping Code.
- 1.8. National Federations are governing a single sport, or several sports. They are private entities that can be granted a status of sports public utility (SPU/UPD). This status confers them the competence to exercise regulatory, disciplinary and other powers of public nature. National Federations with the status of sports public utility (SPU/UPD) also owns specific rights and duties provided by law. Only those with the status of sports public utility (SPU/UPD) are eligible to receive public funding for their activities.
- 1.9. When a National Federation does not comply with its requirements, it can lose funding or, when the issue is a severe one, see its status of sports public utility (SPU/UPD) withdrawn. This sanction may have major consequences for the anti-doping programme in the country as the scope of ADoP in terms of testing jurisdiction is limited, for national-level athletes, to those competing in a sport organised by a registered National Federation. Even when a National Federation loses its sports public utility (SPU/UPD) status as a consequence for wrong-doings disconnected with anti-doping (financial issues; harassment or violence scandals, etc.), ADoP may not be able to continue testing the athletes practicing this sport.
- 1.10. The Evaluation Team has been informed during the visit that when a federation loses its sports public utility (SPU/UPD) status, the member of Government responsible for sport can, on a case-by-case basis, give jurisdiction to the National Olympic Committee to regulate this sport until the reinstatement of the federation or the emergence of a new federation. The National Olympic Committee also explained that for Olympic sports, some athletes might be included into a specific Olympic preparation programme and stay, by this way, under the scope of anti-doping, regardless the status of their federation.
- 1.11. Article 10 of the Law states that the List of Prohibited Substances and Methods shall be approved every year by a Decree of the member of Government responsible for Sport and published in the Official Journal of Portugal. The Decree in force for the year 2021 specifies that the List is the one adopted by WADA, which is identical to the one reproduced as an Appendix to the Convention.

Measures taken by the sports organisations

- 1.12. Article 7 of the Convention establishes a number of commitments for State Parties to ensure that their sports organisations take all appropriate steps to implement effective anti-doping programmes. It is in particular requested that the sports organisations harmonize their anti-doping regulations and lists of prohibited substances and methods based on those adopted by the international sports organisations.

- 1.13. The Anti-Doping Legislation of Portugal prescribes several measures for sports federations.
- 1.14. In its article 6, it provides that the license required to organise a sport event may only be granted when the federation requires the implementation of doping controls, as defined by ADoP. Article 10 requires the federations to adopt and disclose, within their respective modalities, the list of prohibited substances and methods disclosed to them by ADoP.
- 1.15. Most importantly, Article 14 of the law states that the sports federations must adapt their anti-doping regulations to make sure they comply with the requirements of the legislation, the rules established in the framework of international conventions that Portugal is or may become a Party, and the rules and regulations of WADA. Article 15 lists the mandatory content of the federations' regulations, e.g. the definition of competitions and the circumstances in which testing can take place out of competition; the criteria to select athletes for testing; the definition of sanctions for those responsible for anti-doping rules violations, etc.
- 1.16. Before 2019, sports federations were responsible for the results management of cases implying their members. Therefore, they needed to have their own anti-doping regulations. These requirements have been maintained in the revised Anti-Doping Legislation, despite the fact that, on one hand, the law has a direct and binding effect on athletes and, on the other hand, ADoP and the Anti-Doping Disciplinary College (see Part 8 below) have a legal and compulsory disciplinary jurisdiction for all anti-doping rules violations. Federations are also obliged by law to adopt and disclose the Prohibited List.
- 1.17. National Federations adopt regulations that allow them to act in compliance with the World Anti-Doping Code in case their international federation delegates to them a part of their own anti-doping programme. National federations also adopt their own disciplinary rules for matters not related to doping (disciplinary offenses; breaches of confidentiality obligations, etc.).
- 1.18. The National Federations' anti-doping regulations are registered with ADoP, which first provides them a draft model of regulations and then assess the federations' rules compliance with the Anti-Doping Legislation.

Gyms and Fitness Centres

- 1.19. Gyms and fitness centres fall outside the scope of jurisdiction of ADoP. These structures are regulated by the Law n° 39/2012, adopted on 28 August 2012, which provides in its Article 18 that it is prohibited to recommend or commercialize in gyms and fitness centres any substances or methods that are mentioned in the Prohibited List. These structures are in particular controlled by the Portuguese Authority responsible for food and economic safety (ASAE). ADoP participates in the training of Portugal ASAE's inspectors.

- 1.20. ADoP does not have any jurisdiction to organise doping controls in gyms, but organises education sessions for the persons that might influence sportsmen and sportswomen, in particular with regards to the consumption of food supplements (personal trainers, gyms' managers, etc.).
- 1.21. Gyms and fitness centres are indeed of utmost importance in terms of public health, considering that approximately 600 000 persons are users of gyms and fitness centres in Portugal. In this regard, the Intervention Service in Addictive Behaviours and Dependencies (SICAD), whose mission is to promote the reduction of consumption of psychoactive substances, the prevention of addictive behaviours and the reduction of addictions, plays a crucial role. This organisation intervenes on the basis of recommendations coming from services of the Ministry of Health, and aims to bring users of illicit substances, identified by law enforcement authorities and jurisdictions, closer to health services. It is worth noting that SICAD is a member of ADoP's Advisory Board. Following a recent legislative modification, those structures can now be subject to police investigations in doping-related matters.
- 1.22. Portugal has a long history with regards to fighting against doping and established a strong legislative framework in that regard. National Federations have had important powers in this matter long before the recent changes in the Anti-Doping Legislation.

Recommendations

- 1.23. It is recommended to the Portuguese authorities to continuously assess the Anti-Doping Legislation in order to identify rooms for improvements. In particular, the Portuguese authorities should ensure that all sportsmen and sportswomen can be subject to doping controls, regardless their affiliation to a sport federation. To that aim, the Portuguese authorities should assess the definition of sport practitioners and the consequences of the loss of status of sports public utility (SPU/UPD) for National Federations. A reflexion could also be conducted on the opportunity of granting ADoP with testing and sanctioning jurisdiction on people practicing sport outside National Federations, in particular in gyms and fitness centres.
- 1.24. The efficiency and the necessity of the obligation made upon National Federations to adopt their own anti-doping rules should also be assessed except for specific rules aiming to comply with the requirements of International Federations.
- 1.25. More generally, the Portuguese authorities are invited to consider whether the repartition of anti-doping regulations could be more flexible between the Anti-Doping Legislation, Decrees and Internal Regulations of ADoP, with the aim of facilitating the amendments that have to be implemented, especially when the World Anti-Doping Code is reviewed by WADA.

2. National Anti-Doping Organisation

- 2.1. The Convention encourages States Parties to establish a national body responsible for the ruling of the national anti-doping programme of the country.

- 2.2. The World Anti-Doping Code, likewise, defines the NADO as “*The entity(ies) designated by each country as possessing the primary authority and responsibility to adopt and implement anti-doping rules, direct the collection of samples, manage test results and conduct results management at the national level*”.
- 2.3. To achieve the aim of running efficient anti-doping programmes, States Parties are required to provide sufficient resources to their NADO to finance doping controls and analyses; and to ensure that they are able, especially in terms of jurisdiction, to implement a consistent testing programme.

National Anti-Doping Organisation of Portugal

- 2.4. With its long history in the fight against doping in sport, Portugal has established an authority in charge of anti-doping matters since 1970.
- 2.5. The current body in charge of anti-doping matters, ADoP, has been established as the National Anti-Doping Organisation of Portugal by the Law of 19 June 2009. Initially under the tutelage of the Portuguese Institute of Sport and Youth, ADoP became an independent body in 2019. The Anti-Doping Legislation currently in force, published on 30 November 2021, confirms the status of ADoP as the NADO.
- 2.6. ADoP is a public authority, endowed with scientific, technical and administrative autonomy, under the supervision of the Government member responsible for the area of sport. ADoP is governed by a President, an Executive Director and an Advisory Board, and divided into two divisions: the Support Structure for Anti-Doping Programme (ESPAD) and the Legal Division.
- 2.7. The President is appointed through a public tender for a five-year term. He represents ADoP before the national and international institutions and approves upon decisions of the Executive Director, recommendations and notices that bind the organisation. The Executive Director is also appointed through a public tender, for a period of three years.
- 2.8. The Advisory Board is responsible for issuing non-binding opinions whenever requested by ADoP. It is composed of ADoP’s President and Executive Director, and representatives from all bodies involved or interested in anti-doping matters: the Portuguese Institute of Sport and Youth; the National Olympic Committee; the National Paralympic Committee; the Portuguese Sports Confederation; the Directorate General for Health; the National Authority for Medicine and Health Products; the Nurse’s, Pharmacist’s and Doctor’s Orders; the Intervention Service in Addictive Behaviours and Dependencies; the Judicial Police; the Commissions of Olympic and Paralympic Athletes; the self-government bodies of each autonomous region of Portugal; and the Food and Economic Security Authority.
- 2.9. The Advisory Board meets twice a year and may meet extraordinarily, whenever it is convened by its chair, on its own initiative or at the request of a third of its members.

- 2.10. The ESPAD is responsible for the implementation of the testing programme; the administrative part of the results management; the management of athletes' whereabouts; the administrative management of therapeutic use exemptions and the education programme.
- 2.11. The Legal Division, whose Head is appointed through a public tender for a three-years term, is mainly in charge of providing legal advices to other ADoP bodies; assessing compliance of National Federations' anti-doping regulations; instructing disciplinary procedures and ensuring ADoP's judicial representation.
- 2.12. The missions of ADoP are specified in the legislation: it is the entity responsible for all anti-doping matters and it has the duty to guarantee, in collaboration with national and international bodies in charge of anti-doping, the effectiveness of all anti-doping activities.
- 2.13. More details on ADoP missions can be found in Part 6 (Testing), Part 7 (Education and Research) and Part 8 (Disciplinary measures).

Funding

- 2.14. The budgetary structure of ADoP is defined in Article 32 of the Anti-Doping Legislation. Mainly, ADoP receives funding allocated by the State Budget; from fees and incomes collected for the provision of services and from fines.
- 2.15. ADoP's budget is proposed by the State Secretary responsible for Youth and Sport, and voted by the Parliament as part of the adoption of the State Budget. Due to the political situation in Portugal in 2022, the Evaluation Team has been made aware of the difficulties faced by ADoP regarding its budget for that year. Funding has only been provided in July, and ADoP has therefore not been able to properly implement its testing distribution plan, due to a lack of money to conduct testing, but also to hire doping control officers.
- 2.16. The State Secretary is well aware of this situation and has worked together with ADoP to secure its budget for the years to come. A 15% increase of budget is expected for the year 2023. This will secure the testing programme of ADoP in a particularly important year, with the Olympic and Paralympic Games taking place in 2024 in Paris. The representative of State Secretary informed the Evaluation Team that it is also supportive of the education programme of ADoP and works closely with ADoP to secure its budget for the entirety of its mission.
- 2.17. The Evaluation Team has also been informed that, if the increase of budget for ADoP is limited by the general legislation regulating funding for public authorities, it is also very difficult, according to the same regulations, to cut the funding of a public authority. Therefore, apart from the difficulties encountered due to the political situation in 2022, that delayed the distribution of money to public authorities, ADoP's budget is secured enough to not be too dependent from political will.

- 2.18. Over the last decade, the Government reinforced its control on the use of public funds and this affects the number and process of recruitment of civil servants. ADoP has to maintain the number of its staff members within the authorised limit and is invited, as any other public authority, to hire its staff members among persons who already have the status of civil servants. While there are always possibilities to hire a person outside the scope of the public administration, especially when a specific area of expertise is required, the process of recruitment may be longer and more difficult.
- 2.19. Doping control officers, in particular, are recruited in Portugal through public tenders. They work part-time for ADoP, as service providers. ADoP had the budget to recruit 64 doping control officers but, due to administrative questions linked to the political situation in 2022, it has only been able to contract with 35 doping control officers in 2022.
- 2.20. Portugal established a NADO recognised by all sporting bodies and other bodies involved in anti-doping matters as the authority responsible for the anti-doping programme of the country.

Good practices and recommendations

- 2.21. The composition of the Advisory Board of ADoP, which offers an opportunity for every actor involved in anti-doping to meet at least twice a year, is a good practice that could be shared with other State Parties to the Convention as knowing each other is a crucial way to better work together.
- 2.22. It is recommended that the Government of Portugal provides sufficient resources to ADoP, both in terms of funding and staff, to implement an effective anti-doping programme but also for capacity building. To this end, the Government is invited to assess, considering the *Recommendation on the Operational Independence of NADOs* adopted by the Monitoring Group in 2018, the process that has to be followed by ADoP to hire staff, in order to make sure that ADoP is able to fulfil the entirety of the very specific missions that are expected from a NADO. In particular, the Portuguese authorities should consider possible ways of allowing some flexibility in the recruitment of persons who are not civil servants.

3. Public Authorities and Other Organisations

- 3.1. The Convention envisages that State Parties shall coordinate policies and actions of all actors involved in anti-doping matters to ensure consistent and efficient measures to fight against doping in sport. It is explained in the explanatory report to the Convention that there are likely to be several governmental departments which are involved in the anti-doping campaign. Hence, they must work together constructively to achieve the best results.
- 3.2. It should be noted that the explanatory report to the Convention explains that the Convention does not require State Parties to establish a single operative method or assume the roles which have been traditionally exercised by sporting organisations. Moreover, it is explained that in addition to direct measures, State Parties may offer various encouragement, such as financial support and penalisation.

- 3.3. In this regard, a subsidy that is granted to individual sports organisations should be in such a way as to ensure proper implementation of anti-doping regulations across all sports. At the same time, it is expected that imposing the exact same requirements for recreational and widespread sports would be unrealistic.

Domestic co-ordination

- 3.4. Apart from the NADO (see Part 2), several public authorities play an important role in the fight against doping in Portugal.

The Secretariat of State for Youth and Sport

- 3.5. The Secretariat of State is the governmental body responsible for the legislative, regulatory, and administrative matters related to sports. ADoP receives its funding from the State budget allocated by the Secretariat of State. It plays a central role in coordinating consultations between different governmental bodies about the fight against doping in sport.
- 3.6. The Secretariat of State also has the legal authority to grant the status of sports public utility (SPU/UPD) to National Federations. Within the context of anti-doping, this role is crucial, as explained Part 1 above, as the sports public utility (SPU/UPD) status of National Federations is a condition for ADoP to have jurisdiction over the athletes from that federation.

Portuguese Institute of Sports and Youth (IPDJ)

- 3.7. The Portuguese Institute of Sports and Youth conducts follow-ups, grants funding and supervises National Federations. The mission of the IPDJ is to implement an integrated and decentralized policy for the areas of sport and youth, in close collaboration with public and private entities, namely with sports bodies, youth and student associations and local authorities.
- 3.8. The IPDJ implements and evaluates the public policy for sport, promotes the generalization of sport, as well as supports regular and high-performance sport, through the provision of technical, human and financial means.
- 3.9. Moreover, the IPDJ coordinates and works closely with sports organisations to implement public policy and preservation of ethics in sports. In this regard, the IPDJ developed a National Plan for Ethics. For all sports organisations, it becomes mandatory to present their strategy related to anti-doping, match-fixing, gender balance and other integrity and ethical principles to be able to get access to public money.

Health Authorities

- 3.10. The Evaluation Team has been informed that Portugal is one of the European countries where sports medicine is a recognised specialisation for doctors. Anti-doping is part of the curricula of sports doctors, with both pre-graduated and post-graduated courses. However, these programs are not centralised and may vary between different universities.
- 3.11. The Medical Doctors' Order is composed of colleges from several disciplines, the most important being the Sports Medicine College. If a doctor is involved in a doping scheme, the Medical Doctors' Order has jurisdiction to sanction the professional involved if seized following a complaint filed by an athlete. Procedures engaged by the Order often take time.

Other public authorities

- 3.12. Other public authorities are involved in the fight against doping. The Ministry of Education, for example, works in close cooperation with ADoP in the elaboration of the anti-doping modules of national education programmes. Law enforcement authorities, especially the Judicial Police and Customs authorities, also play an important role (see in particular Part 5 below).
- 3.13. Additionally, it was noted during the visit that grassroots sports are supported by Portugal's municipalities, which have a significant role in working with them.
- 3.14. Portugal has a strong anti-doping framework established with a central National Anti-Doping Organisation, and governmental bodies as well as sporting organisations contributing to the overall fight against doping in sport.

Recommendations

- 3.15. It is recommended to assess the need for improvement of the sanctioning system for medical doctors involved in doping scheme, in order to further strengthen the celerity of disciplinary procedures and their deterrence effect.
- 3.16. It is recommended to assess the need to formalise the cooperation of all actors involved in anti-doping with ADoP, in particular in terms of information sharing, in addition to the regular meetings of ADoP's Advisory Board.

4. Sport Organisations

- 4.1. The Anti-Doping Convention requires State Parties to ensure the co-ordination of the actions and policies of their government departments and other public agencies concerned with combating doping in sport. Considering their key role in this matter, sports organisations also have to be considered when elaborating a global anti-doping policy in a country.

- 4.2. These sports organisations must ensure, in particular, when they have jurisdiction to do so, that subsidies coming from public funds are withheld during the period of suspension of individuals who have committed anti-doping rules violations.
- 4.3. Apart from the NADO (see Part 2), several sports organisations play an important role in the fight against doping in Portugal.

National Olympic Committee of Portugal (COP)

- 4.4. COP is the governing body for the sporting system in Portugal and the point of contact for sport integrity issues. It works closely with sports organisations and athletes and supports ADoP with education programs.
- 4.5. At the time of the visit, COP was composed of 59 sports' organisations, governing both Olympic and non-Olympic sports.
- 4.6. COP is consulted and gives an opinion to the IPDJ when a National Federation requests the status of sports public utility (SPU/UPD). COP also supports and facilitates the reinstatement or reaccreditation of those National Federations whose status was revoked.
- 4.7. Other sports organisations which have not been granted the status of sports public utility (SPU/UPD) fall out of the umbrella of the State sporting system. At the time of the Evaluation Visit, several sports were outside the official sports system and, hence, ADoP's anti-doping activities (notably weightlifting, boxing, powerlifting and bodybuilding). However, COP continues to provide them with education programs relating to integrity issues such as doping and manipulation of sport competitions.
- 4.8. COP runs a programme dedicated to 150 promising young athletes, which is called "Olympic Hopes". These athletes receive scholarships, with a view of helping them in preparing for the upcoming Olympic Games.
- 4.9. The Evaluation Team was informed that COP signs contracts with Olympic Hopes and National Federations, which include requirements to comply with the anti-doping regulations. These contracts comprise a clause specifically related to financial matters, indicating that funding can be withdrawn in case of anti-doping violations.
- 4.10. COP has established an Athletes' Commission, composed of 9 Olympic athletes. The chair of this commission is a member of COP's Executive Committee.
- 4.11. ADoP keeps a permanent communication link with the Athletes' Commission of COP for issues that can occur during each Olympic Games related to the athletes and athletes' support personnel.
- 4.12. The Evaluation Team was informed that starting early-2023, a promising mentorship program will be launched by the Athletes' Commission. It aims to provide a framework for educating Olympic Hopes by former Olympians on all aspects of sports careers, including anti-doping. For the latter, mentors will be accompanied and trained with the support of ADoP.

Paralympic Committee of Portugal (CPP)

- 4.13. The Paralympic Committee of Portugal is responsible for managing Paralympic sports and supervising preparation for Paralympic and Deaflympic Games. It is composed of 34 sport federations in total, from which CPP governs ten sports in light of participation at the Paralympic Games. All federations for para-sports fall under the jurisdiction of the Paralympic Committee.
- 4.14. The Paralympic Committee manages two integrity issues: anti-doping and classification. There is a Memorandum of Understanding between the CPP and ADoP about testing and education of athletes and athlete support personnel, mainly coaches and medical staff.
- 4.15. Within CPP, there is a pool of 60 Paralympic Hopes Athletes who receive a scholarship for preparation for the 2024 Paralympic Games.
- 4.16. Contracts signed by the CPP with the athletes include anti-doping-related provisions. Therefore, the athletes signing the contract are obliged with the anti-doping rules and may be asked to return money and prizes in case of any violation of an anti-doping rule.
- 4.17. The Evaluation Team was advised that the CPP has a new team with their medical doctors and physiotherapists and intends to start working on anti-doping issues (mostly on therapeutic use exemptions, prohibited lists, and medication). Education has also a central role in the activities of the CPP, which helps athletes to comply with the anti-doping rules and ensures everyone has access to anti-doping information. Before Major Events, education is conducted with the help of ADoP.
- 4.18. Additionally, the CPP has its own Paralympic Athlete Committee, which assists with education and acts as a contact point with ADoP.

National Federations

- 4.19. As explained in Part 1, National Federations have their own anti-doping rules, which comply with the requirements of the Anti-Doping Legislation subject to minor adaptations. ADoP monitors compliance with those anti-doping rules.
- 4.20. The Evaluation Team has been informed that National Federations may sign contracts with athletes, aiming to provide financial support and subject to termination in case of an anti-doping rules violation.
- 4.21. The Evaluation Team was advised that some National Federations (ex., cycling) intend to impose sanctions that may be applied independently from the anti-doping rules, through the development of medical regulations applicable to doctors, physiotherapists, and other medical personnel, that could lead to the imposition of fines. The intent is to increase their responsibility related to anti-doping.

Other sports organisations

- 4.22. Other organisations are also involved in anti-doping matters in Portugal.
- 4.23. The Portuguese Sports Confederation (CDP) is a private law association, which brings together the National Federations. The CDP is an instrument of cooperation, consultation and representation of its members in their relations with the State (namely, the Parliament, the Government, the Regions and the Local Authorities), as well as with European Union, International Confederations and other national and international institutions. The CDP promotes the interests of its members and support them in the scope of their respective activities. It also promotes the values of sports ethics, including anti-doping.
- 4.24. The Foundation for Sport supports the promotion and development of Portuguese sport, particularly in the field of high performance. It sponsors athletes as well as national and international events. For that, it aims to obtain financing from the private companies and concludes bilateral agreements with several countries such as Sweden, Spain, France, Australia, Mozambique and, recently, South Africa.
- 4.25. The Foundation for Sport coordinates the management of the National Network of High-Performance Centres and assumes the international promotion of Portuguese sports so that national and international high-performance sports teams and athletes come prepare for major events in these infrastructures.
- 4.26. The Portuguese Confederation of Coaches is a private law association, which aims to represent and defend the interests of coaches and sports technicians with public and private bodies, both national and international, in the promotion and dissemination, coordination and global participation in the training process of sports technicians, and also in the participation, assignment and certification of training levels of sports technicians. It operates as a Coaches' Order in Portugal.
- 4.27. Active Portugal (AGAP) exists since 1999 and aims to promote and protect the fitness and health sector in Portugal, with the objective of making Portugal a more active and healthy country. This entity serves as a privileged interlocutor with the State in the drafting of legislation for the sector and collaborates with the State and Local Authorities in the dissemination of projects and campaigns that promote physical exercise and health among the population.
- 4.28. These organisations cooperate with and support the role of ADoP with respect to the its anti-doping activities. The Evaluation Team was informed that over the last few years, there have been several awareness and information campaigns with members of those organisations, both within the scope of federated sport and of recreational sport, carried out in gyms and fitness centres.
- 4.29. Sports organisations of Portugal are aware the importance of anti-doping matters and are willing to cooperate with ADoP, which is recognised as the main anti-doping authority.

4.30. The organisations that provide financial support to athletes have established contractual clauses allowing to withhold funding in case of anti-doping rules violations.

Recommendations

4.31. While commending the involvement of every actor and their good collaboration with ADoP, it is recommended to institutionalise those relations, by the signing of memorandums of cooperation, in order to ensure the strength and stability of the anti-doping system regardless the personal links built between the actors.

4.32. It is recommended to the Portuguese authorities to follow the initiatives taken by some National Federations to increase the responsibilities of athletes' support personnel and to assess the necessity of developing code of conducts for health professionals working with sports practitioners.

4.33. The mentorship programme of the Athletes' Commission of the National Olympic Committee is considered as a good practice and the Government of Portugal is invited to share the results of this programme with the Monitoring Group.

5. Restricting the availability of doping substances

5.1. The Convention requires States Parties to adopt measures to restrict the availability of banned substances, in particular anabolic steroids, as well as the use of such substances in sport. States Parties also must adopt measures against trafficking of doping substances.

5.2. The Anti-Doping Legislation gives ADoP powers to fight against doping and to sanction the use of banned substances and methods by sportsmen and sportswomen. This legislation also envisages the adoption of a list of prohibited substances, which is implemented through a decree publishing the list adopted by WADA.

General Criminal measures

5.3. Article 22 of the Anti-Doping Legislation provides that ADoP and other services, bodies and entities with functions of prevention and repression of crime or offenses shall cooperate in the exercise of their respective powers, using the legally adequate mechanisms. This Articles adds that public bodies, especially the Public Security Police and the National Republican Guard, shall cooperate with ADoP at its request, namely in the technical and forensic purposes and in the carrying out of summonses and hearings.

5.4. Articles 57 to 59 of the Anti-Doping Legislation lists the behaviours that fall under the scope of criminal offenses: trafficking of prohibited methods and substances; administration of prohibited substances and methods, and criminal association. The penalties are up to a sentence of six years of imprisonment.

- 5.5. The Evaluation Team has been informed by representatives of the Judicial Police that they have a strong connection with ADoP in the fight against doping. This authority, which has a seat in ADoP's Advisory Board, is responsible for criminal investigation and the fight against organised crime.
- 5.6. The Judicial Police has established specific squads that deal with sports integrity issues (manipulation of sport competitions and doping). Six police officers work specifically on these topics in Lisbon, and an additional team of five officers is based in Porto.

Sharing of information between ADoP and Law Enforcement Authorities

- 5.7. Representatives of the Judicial Police pointed out that investigative powers are only given, by law, to the Police.
- 5.8. Representatives of ADoP considered that they do not need in-house investigators, thanks to a really good cooperation with the Police. To ensure the efficiency of police work regarding anti-doping, police inspectors and investigators receive training sessions by ADoP, both on-site and online.
- 5.9. ADoP highlighted that the vast doping scheme revealed in Portuguese cycling in 2022 was the result of an operation jointly prepared, for a year, by the Police and ADoP.
- 5.10. ADoP has established a platform on its website to collect information from whistleblowers and informants. When ADoP identifies an information received as directly linked to an anti-doping rules violation falling under its jurisdiction, ADoP's staff members process it by themselves. If an information might fall under the scope of criminal offenses, it is immediately transmitted to the Police, which informs the Public Prosecutor. Investigations are then led, under the secrecy of investigations, by the police investigators.
- 5.11. If ADoP is invited to share with the Police all available information, the opposite might not be true. When an investigation is opened following an information given by ADoP, the Police discuss with ADoP the best ways to cooperate, notably to avoid that persons under investigation are made aware of it. Police might also receive information about doping offenses that do not have a criminal nature. When this is the case, the information is shared with ADoP.
- 5.12. Customs authorities also play a crucial role in restricting the availability of doping substances and methods, as frontline officers in the borders. In Portugal, when an inappropriate substance is found at the border by the customs, they immediately report it to the Police and enter it into the Customs Risk Management System, a risk engine shared by all European Union member States. The information collected can be shared with ADoP if authorised by the Police, and in conformity with data protection regulations.
- 5.13. Portuguese public prosecutors indicated their intention to join the Network of Magistrates/Prosecutors Responsible for Sports (MARS) set up by the Council of Europe in 2022.

- 5.14. Portuguese normative framework provides with appropriate provisions to restrict the availability of doping substances and methods.
- 5.15. The good inter-personal relationships between ADoP and law enforcement authorities led to important successes for the fight against doping, such as the dismantling of an important doping scheme in Portuguese cycling in 2022.

Recommendations

- 5.16. It is recommended to the Portuguese authorities to assess the need to formalise the cooperation between all authorities involved in anti-doping, especially with regards to information sharing with ADoP, in order to ensure that information sharing does not only rely on the good will of all the actors involved. The *Recommendation Rec (2016) I of the Monitoring Group on Information Sharing between Public Agencies and Anti-Doping Organisations in the Fight against Doping* may be of assistance in relation to this review.
- 5.17. It is also recommended to ADoP to evaluate its policy regarding information collected on its whistleblowing platform and shared with law enforcement authorities in the light of the *Recommendation on the Protection of Whistleblowers in the Context of the Fight against Doping in Sport* adopted by the Monitoring Group of the Anti-Doping Convention in 2021.

6. Testing and the Analysis of Biological Samples

Testing

- 6.1. The Convention requires Governments to ensure that sports organisations receive sufficient funding to undertake testing on an effective scale. To ensure the full efficiency of the global anti-doping programme, the Convention also aims to ensure that their sportsmen and sportswomen can be tested by their International Federation, whether during or outside competitions, on their national territory, and can also be tested when leaving or training abroad, by any authorised sport organization.
- 6.2. The Convention also stresses the need for testing programmes to be equitably conducted for all sportsmen and sportswomen. To that aim, it is in particular required to implement a testing plan which comprises doping controls without advance warning, both in- and outside competitions across all sports in the country.
- 6.3. ADoP is the only authority responsible for testing in Portugal. According to the Anti-Doping Legislation, ADoP exercises its powers within the national territory and, whenever requested by WADA or an International Federation, abroad. The territorial competence includes the Portuguese Atlantic Ocean territories (Autonomous Regions of Madeira and Azores).
- 6.4. ADoP has jurisdiction to test any sportsmen or sportswomen of any age, if this person is affiliated in a federation granted with the status of sports public utility (SPU/UPD) (see Part 1).

- 6.5. The testing programme is implemented following a risk assessment performed every year. In accordance with WADA requirements, this risk assessment is based on the physical requirements of a particular sport; the possible effects on performance enhancement that doping may cause in that sport; the rewards and potential incentives at the different levels of that sport; the history of anti-doping rules violations; the available resources; information and intelligence collected and the results of the previous test distribution plans.
- 6.6. In 2021, despite the disruption caused by the COVID-19 pandemic, ADoP collected approximately 2200 samples, mostly in competition (77%), across 34 different sports. Among those samples, more than 25% were collected from non-Portuguese athletes. In 2022, until the time of the Evaluation Visit, ADoP collected only 929 samples (73,5% in competition), mainly due to budgetary difficulties detailed above (see Part 2). The Evaluation Team notes that testing was conducted in only 15 different sports which is a very small percentage of the National Federations granted with the status of sports public utility (SPU/UPD) in the country. The Evaluation Team understood that the selected sports reflect the priorities of ADoP following its risk assessment.
- 6.7. ADoP testing plan is elaborated in a way that ensures compliance with the requirements of WADA's Technical Document on Sport Specific Analysis. Although the requirements imposed by this Technical Document have led to an important increase of testing's costs, ADoP has been able to fulfill the requirements for 2022 by improving the management of doping controls and applying a smarter testing plan.
- 6.8. Regarding Portuguese athletes training or living abroad, ADoP has only requested one test (to the Spanish Anti-Doping Organisation) in the recent years. Portuguese athletes abroad may be tested by their International Federation or by the Anti-Doping Organisation of their country of residence, as part of the testing plan of these organisations, not of the one of ADoP.
- 6.9. As Portugal is a country where many athletes and national teams go for training camps, ADoP conducts doping controls on an important number of foreign athletes, as part of its own testing plan, or at the request of other NADOs, International Federations or the International Testing Agency.
- 6.10. ADoP also intervenes in International Events, whether only as Testing and Sample Collection Authority, or also as Results Management Authority when the International Federation authorizes it. It is the case, for example, for the *Volta ao Algarve*, the biggest international cycling competition held in Portugal. ADoP also collaborated with FIFA ahead of the World Cup Qatar 2022, to maximize testing of the players qualified for this competition.
- 6.11. There is a practice of carrying out a doping control whenever a national record is broken. The National Federations, and in particular those granted with the status of sports public utility (SPU/UPD), only homologate a performance as a "national record" when the athlete is subject to a negative doping control.

- 6.12. The implementation of this requirement may place an important burden on ADoP, especially for records achieved in events where no doping control has been planned, including events taking place out of the country, as doping controls in such cases have to be performed within 24 hours after the performance has been set.
- 6.13. To implement its testing plan, ADoP needs to work with Doping Control Officers (DCO). Until 2014, ADoP had a team of 30 medical doctors. The need to recruit only medical doctors jeopardized the testing plan as those doctors were not sufficiently available to conduct doping controls. In 2014, the legislation has been amended to allow not only medical doctors but also nurses and clinical analysts to be hired as DCO.
- 6.14. Following the adoption of this new legislation, ADoP has launched a public tender to recruit 65 DCOs, to cover all regions of Portugal and its Island territories. However, as reflected in Part 2 above, budgetary difficulties have prevented ADoP from paying the required number of DCOs for the year 2022. This situation might put ADoP testing plan at risk. The Evaluation Team has been reassured that the budget is secured for the next two years, allowing ADoP to perform an efficient programme ahead of the next Olympic and Paralympic Games.

Analysis of Samples

- 6.15. 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 International Convention against Doping in Sport of UNESCO.
- 6.16. The Article 5 of the Convention requires States Parties to create accredited doping control laboratories or, to facilitate the access to an accredited laboratory in another State. Moreover, State Parties should only use accredited laboratories to ensure a coherent anti-doping strategy and equal treatment for all athletes internationally.
- 6.17. The *Laboratório de Análises de Dopagem* (LAD), located in Lisbon, is a WADA-accredited laboratory following the decision taken by WADA Executive Committee (EXCO) in September 2022. Before, LAD was suspended by WADA in April 2016, and had its WADA-accreditation revoked in October 2018 due to non-compliance issues. In November 2018, it had been granted entry into the Probationary phase of accreditation after having successfully completed all the relevant requirements.
- 6.18. Administratively, LAD was previously within the Portuguese Institute for Sports and Youth. However, in order to ensure compliance with the International Standard for Laboratories, in May 2022, the Portuguese Authorities adopted a legislation to integrate LAD into the *Instituto Nacional de Saúde Doutor Ricardo Jorge* (INSA), which is a public institute under the supervision of the Ministry of Health. This ensures that there is no link between LAD and the Portuguese Institute for Sports and Youth or any other governmental body responsible for sport performance.
- 6.19. LAD is also accredited by the Portuguese Institute for Accreditation with the ISO/IEC 17025 Certificate and can analyse both urine and blood samples.

- 6.20. LAD started receiving samples since 24 October 2022, and, until the time of the Evaluation Visit, has already received samples from ADoP and other anti-doping organisations (e.g., CISM, AIU).
- 6.21. During the period that the LAD was suspended or had its WADA-accreditation revoked, ADoP, following an international public tender, was sending urine samples to *DoCoLab* (Gent, Belgium) and blood samples to Catalanian Antidoping Laboratory, *Fundació Institut Hospital del Mar d'Investigacions Mèdiques* (Barcelona, Spain). ADoP will continue sending samples to these laboratories in parallel with LAD until LAD develops its full capacity.
- 6.22. The Evaluation Team discussed with the Director of LAD about the laboratory's further development, including its dedicated budget from the *Instituto Nacional de Saúde Doutor Ricardo Jorge* as from January 2023, the plans for increasing the number of staff and ensuring their continuous training, and plans for research projects with other departments of the INSA as well as other WADA-accredited laboratories.

Recommendations

- 6.23. It is recommended to the Portuguese authorities to continue working closely with ADoP to secure adequate funding to test as many sports and sportsmen and sportswomen as required to ensure the consistency of ADoP's testing programme. This includes the recruitment of a sufficient number of DCOs.
- 6.24. It is recommended to ADoP to ensure that Portuguese athletes are appropriately tested when they are not in the Portuguese territory.
- 6.25. The *Laboratório de Análises de Dopagem* is invited to increase the number of its customers in order to ensure its technical, scientific and financial stability.

7. Education and Research

Education

- 7.1. The Convention acknowledges the importance of education and anticipates State Parties and Sport Organisations cooperating in that respect. It is generally agreed that educational and informational programmes should be comprehensive and be directed to Athletes and their Support Personnel. Apart from the Convention, the importance of education for the fight against doping in sport is reflected in the UNESCO Convention, the World Anti-Doping Code, and the International Standard for Education elaborated by WADA.
- 7.2. The Monitoring Group has developed Model Guidelines for Core Information/Education Programmes to prevent Doping in Sport, annexed to the Recommendation Rec (2011) 1 of the Monitoring Group. The Monitoring Group has also developed the Guidelines for 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. These Model Guidelines are annexed to the Recommendation Rec (2016) 2 of the Monitoring Group.

- 7.3. The Government of Portugal and ADoP understand the importance of anti-doping education and its role for the prevention of doping in sport and made specific provisions for this in the Anti-Doping Legislation. In particular, this legislation emphasizes the importance of a values-based education and provides that pedagogical programmes for the educational, sports and health systems shall provide up-to-date information on anti-doping (e.g. therapeutic use exemptions, consequences of doping, roles and responsibilities, doping control procedures, prohibited substances and methods, as well as nutritional supplements).
- 7.4. ADoP has made education as one of its priorities. It is worth pointing out that ADoP has placed the entire Education process within its Quality Management System, and that this area is certified according to ISO 9001:2015. Thus, the strategy for education is well defined within a certified process.
- 7.5. Based on the information provided, despite the COVID-19 pandemic and the disruption caused, ADoP remained particularly active implementing its educational programmes for Athletes and Athletes' Support Personnel. From January 2021 until the Evaluation Visit, ADoP organised over 74 educational sessions (of more than 150 hours duration, in total) and has reached up to 20,000 participants from ADoP's target groups (as detailed below).
- 7.6. ADoP has defined its target groups for education, that include Athletes, Athletes' Support Personnel and wider target groups. These include:
- Sports practitioners (high-performance, national-level, etc.);
 - Athlete Support Personnel;
 - Doping Control Officers;
 - Medical doctors (specialised in sports medicine and health centres' doctors);
 - Media professionals;
 - Students.
- 7.7. In addition to the above, ADoP has recently started an educational programme for personal trainers and directors of gyms. This programme is currently delivered at a regional level and aims to provide information mainly in relation to the prohibited substances.
- 7.8. The Portuguese Authorities place considerable importance on anti-doping education for coaches. All coaches of National Federations in Portugal receive mandatory anti-doping education as part of their initial training for coaching license or for its renewal. ADoP developed curricula for the coaches of the different sports and delivers anti-doping education across all sports. The implementation of this training is overseen by the National Institute for Sports and Youth.
- 7.9. ADoP's information and educational programmes in the field of doping in sport are sport-specific, based on the characteristics of each sport and the risk evaluation and categorisation. For example, following a scandal in the sport of cycling in Portugal, ADoP has developed a special education rehabilitation programme that is delivered to athletes and coaches of the Portuguese Cycling Federation.

- 7.10. It is worth pointing out that ADoP's educational programmes are delivered through face-to-face sessions (e.g., event-based education, workshops, etc.) and implemented exclusively by ADoP's staff. Nevertheless, other experts may assist ADoP with the delivery of education on specific topics.
- 7.11. In addition, ADoP has developed materials to assist its educational programmes (such as brochures, leaflets, etc.) that are available on its website. ADoP provides also on its website the WADA's Prohibited List in force, translated into Portuguese, a link to WADA's Play-True Quiz and other informational/educational material, and, in general, it acts as a valuable source of information for athletes and all other interested persons.
- 7.12. ADoP and the University of Lisbon have designed a post-graduate training course on Doping Prevention. The course is scheduled for 2023 and is available for professionals in the fields of medicine, nursing, physiotherapy, pharmacy, clinical chemistry, psychology, physical education and sports science, nutrition and forensic sciences. Those who will successfully complete the course will be awarded 20 ECTS. The programme is funded by the European Union.
- 7.13. ADoP is also partner to an Erasmus+ project, co-funded by the European Union, that aims to develop, implement, and evaluate the European Week of Clean Sport (Project EWCS). This is a large-scale anti-doping communication/social marketing campaign that will be tested and trialled in four European countries and implemented by key strategic partners with a remit to protect and promote clean sport, across levels of sport, and across age and minority groups. Project EWCS is coordinated by the NADO of Cyprus with the participation of ADoP, the NADOs of Bulgaria and Poland and EuropeActive.

Research

- 7.14. 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. This is reflected not only by the provisions of the Convention but also the World Anti-Doping Code, and the UNESCO Convention.
- 7.15. The Portuguese Government and ADoP understand the importance of research for the support of anti-doping education and its role for the prevention of doping in sport. The Anti-Doping Legislation, and particularly in sub-article 1.j of Article 20 (Powers) requires ADoP *"to propose the financing of research programmes in the fight against doping, namely sociological, behavioural, legal and ethical studies, besides research in the medical, analytical and physiological areas"*.
- 7.16. The Evaluation Team was advised by ADoP of their intention to conduct research projects in the field of anti-doping. As a first study, ADoP aims to evaluate, from the scientific perspective, the data to be collected in the course of ADoP's Athlete Biological Passport programme in cycling.

- 7.17. Additionally, in Portugal there are many well-established academic institutions, including universities that offer courses on sport science, and it is beyond doubts that these institutions are active in research in the field of sport.
- 7.18. The Portuguese authorities developed its anti-doping activities in terms of Education and Research and ADoP's investment in education is particularly commended.

Good practices and Recommendations

- 7.19. The approach of certification of ADoP's education program is considered as a good practice.
- 7.20. Although face-to-face sessions are effective and are arguably the best opportunity to develop understanding of anti-doping education topics and address values-based education, ADoP is invited to consider developing an e-Learning training programme for Athletes and Athletes' Support Personnel (that can be combined with in-person education) as well as developing a programme of anti-doping educators to further increase the effectiveness of ADoP's education programme, and achieve a wider reach.
- 7.21. The Portuguese authorities are invited to encourage and fund research studies related to anti-doping by academic and other interested institutions in the country; and publish the results of their research in peer-reviewed and indexed scientific journals. ADoP could play a role in coordinating the research activities.

8. Disciplinary measures

- 8.1. States Parties are required to put in place disciplinary and appeal procedures that respect the fundamental rights of sportsmen and sportswomen. Governments shall also ensure that appropriate sanctions are implemented towards Athletes Support Personnel.
- 8.2. All sanctions, whether applied by the State Party's anti-doping authorities or by International Federations or other national anti-doping bodies, are to be mutually recognised. This is a key requirement to ensure the consistency of anti-doping between sports and between nations, and one of the principles of the World Anti-Doping Code.

Disciplinary procedure

- 8.3. As recalled in Part 1 of this report, National Federations had disciplinary competences on their respective athletes until 2019 which raised challenges in terms of fairness of sanctions, as they varied wildly from one federation to another for similar doping violation. Since 2019, the law was amended to give ADoP full jurisdiction to manage all disciplinary cases.
- 8.4. In 2021, the disciplinary procedure has been refined, in line with the last version of the World Anti-Doping Code and WADA's International Standards.

- 8.5. The disciplinary procedure followed by ADoP is provided in the Anti-Doping Legislation and processed into the Quality Management System of the organisation. It is divided between ADoP's ESPAD and Legal Division, and the Anti-Doping Disciplinary College (CDA) for first instance decisions.
- 8.6. Once an anti-doping rule violation is alleged, ADoP conducts a preliminary review (existence of a therapeutic use exemption, etc.) and then notifies the athlete. This notification offers to the athlete the right to request the analysis of the B Sample. When the athlete is a minor, the notification is sent to his/her legal representatives.
- 8.7. If the athlete waives his/her right to the B Sample analysis, or if this analysis confirms the Adverse Analytical Finding, the case is handled by the Legal Division of ADoP which initiate the disciplinary proceedings. Once this procedure is completed, the case is brought before the CDA.
- 8.8. The CDA is defined in Articles 37 to 39 of the Anti-Doping Legislation. It is an independent commission composed of seven members who must have proven knowledge in anti-doping matters. Five of which, including the Chair, shall have a legal degree, while the two others shall have a university degree in other areas relevant to the field of doping. For each case, the CDA is organised in sub-committees of three members, appointed by the Chair of the CDA, who does not participate in the decisions.
- 8.9. Members of the CDA are obliged, by law, to perform their duties independently and impartially. Provisions are also prescribed to avoid any conflict of interests.
- 8.10. The Anti-Doping Legislation also provides for deadlines to render a decision. Once seized of a case, the CDA shall issue a decision within 30 days.
- 8.11. The CDA always organises hearings, that may be public at the request of the athlete or of ADoP (in this last case, the athlete must give his/her written consent). The panel's chair may refuse public hearing for reasons of public order, protection of the interests of a minor, or protection of the private life of a person involved in the proceedings. When needed, hearings can be held by means of videoconference.
- 8.12. Athletes can challenge the independence of a member of the panel. Decision on the replacement of this member is taken by the CDA Chair. Athletes can be assisted by a lawyer, and can request the assistance of an interpreter, at their own costs. The Evaluation Team has been informed that athletes can benefit from a mechanism of legal aid to obtain the assistance of a free-of-charge lawyer.
- 8.13. ADoP is not part of the hearing. It provides a written report to the CDA, with a proposal of sanction. If additional questions are raised during the hearing, the panel comes back to ADoP to get the answers, and the decision is delayed. The National Federations are not part of the hearing either.

- 8.14. Since its creation, the CDA has received 55 cases, 13 of which are still pending. In 31 cases, the CDA found an anti-doping rule violation. Two decisions were appealed to the Portuguese Court of Arbitration for Sport and, in one case, WADA appealed to the Court of Arbitration for Sport in Lausanne.
- 8.15. Apart from the hearing procedure, it is worth noting that, as provided for in the World Anti-Doping Code, athletes may waive their right to a hearing and accept sanctions proposed by ADoP. The athlete is informed about this process in the first notification letter, and has then to request it if he/she wants to benefit from it. ADoP does not formalize a proposal that would be sent to the athlete if it does not receive a request from the athlete. ADoP representatives explained this process by the fact that settling is not part of the legal culture of Portugal.

Appeals

- 8.16. The Anti-Doping Legislation provides that appeals can be brought before the Portuguese Court of Arbitration for Sport (TDA) or the Court of Arbitration for Sport in Lausanne (CAS). For cases involving international-level athletes or international-level events, appeals have to go to CAS.
- 8.17. The TAD has been created in 2015. It is composed of forty arbitrators, proposed by sports organisations (80%) or chosen via an open application (20%), opened to foreigners. For each hearing, a panel of three members is set up. One member is chosen by the athlete, one by the other entity (ADoP, the National Federation, the International Federation, etc.), and these two select the Chair of the panel. The appeal before TAD is suspensive.
- 8.18. Since its creation, the TAD has received 12 cases related to doping, among 632 cases in total.
- 8.19. The disciplinary sanctions provided for and applied by the CDA and TDA are those of the World Anti-Doping Code. Sanctions are published on ADoP website, regardless of the level of the athlete, and transmitted to the relevant National Federation.

Imposition of penalties to Athletes Support Personnel

- 8.20. According to its Article 3, the Anti-Doping Legislation applies to “any other person as defined in the law”, in addition to sportsmen and sportswomen and to any person participating in a competition or being subject to the authority of another anti-doping organisation. The “other persons” are defined as the support staff of an athlete, such as the coach, manager, team member, health professional, paramedic, parent, or any person working with or assisting in athlete taking part in, or preparing, a competition.
- 8.21. Article 80 of the Anti-Doping Legislation lists the applicable sanctions.

Mutual recognition of sanctions

- 8.22. Disciplinary decisions rendered by the CDA, the TDA or CAS in Portuguese cases are notified by ADoP to sports federations. In addition, at the beginning of the sporting season, ADoP communicate to all federations the list of practitioners who are serving a period of suspension.
- 8.23. To give disciplinary decisions their full effect, Portuguese legislation also provides that private entities which want to organise sports events outside of the scope of a National Federation must request the permission to do so to the relevant federation. When the event promoter requests this authorisation, it has to disclose to the federation the list of participants to its event. With the provision, federations can compare the lists of participants and of suspended persons and prevent those suspended persons from taking part into the event.
- 8.24. In accordance with the Convention and of the World Anti-Doping Code, Article 95 of the Anti-Doping Legislation provides that a decision rendered by a NADO, by appeals Courts or by CAS are automatically binding on ADoP and on the National Federations.
- 8.25. The disciplinary procedure implemented in Portugal ensures an institutional and operational independence between the reporting and the sanctioning bodies. The procedure protects the rights to a fair hearing, and first instance decisions can be appealed before independent and impartial bodies.

Recommendations

- 8.26. It is recommended to assess, in a future amendment of the Anti-Doping Legislation, the need to better clarify the repartition of responsibilities, within the reporting body, between ESPAD and the Legal Division. The delays imposed on the CDA to render a first instance decision might also be assessed and reviewed.
- 8.27. The Portuguese Government is invited to envisage to cover the costs of an interpreter when needed by an athlete, in order to further protect his/her rights to an effective defence as highlighted in the Recommendation *CM/Rec(2022)14 of the Committee of Ministers of the Council of Europe to member States on general principles of fair procedure applicable to anti-doping proceedings in sport*.
- 8.28. It is also recommended to assess whether sanctions apply to all sporting activities in Portugal, including those organised by entities or federations that fall outside the scope of jurisdiction of ADoP.

9. International Co-operation and Provision of Information

International co-operation

- 9.1. Articles 8.1 and 8.2.c of the Convention emphasise 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 of the Anti-Doping Convention set up by virtue of Article 10 of the Convention as well as the Advisory Groups and the Ad Hoc Groups of experts established by virtue of Article 11.2 of the Convention.
- 9.2. Another important channel of cooperation under the Council of Europe is the Ad hoc European Committee for the World Anti-Doping Agency (CAHAMA), responsible for the coordination of the positions of European States, with regard to WADA.
- 9.3. Representatives of ADoP regularly attend the meetings of the T-DO and CAHAMA. Likewise, on several occasions, representatives of the State Secretary for Youth and Sport also participate at T-DO and CAHAMA meetings.
- 9.4. Outside the structures of the Council of Europe, the cooperation of ADoP and other Portuguese authorities in the field of anti-doping includes collaboration with UNESCO and the Conference of Parties to the International Convention against Doping in Sport, WADA and the Institute of National Anti-Doping Organisations (iNADO).
- 9.5. ADoP is a founding member of two other networks of NADOs: the Ibero-American Anti-Doping Network (RILD) and the Portuguese-speaking Anti-Doping Network (RELAD). The main objectives of these two networks are to exchange experience and transfer knowledge between its member organisations (including support for the establishment of a NADO for those countries where the National Olympic Committee is still acting as the NADO), to promote initiatives for adequate communication and collaboration among NADOs, to establish links with other stakeholders, and to execute projects of mutual interest. ADoP is taking a leading role in both networks.
- 9.6. Additionally, ADoP has signed cooperation protocol with the NADO of Brazil (ABCD) and Cape Verde (ONAD-CV) and agreed to sign similar cooperation protocols with the NADOs of France (AFLD) and Bulgaria (Bulgaria ADC) mainly for testing, education and development of anti-doping programmes in general.

Provision of information

- 9.7. ADoP regularly replies to the annual questionnaire that is set up by the Monitoring Group providing information about the implementation of the Convention as well as to the UNESCO questionnaire (Anti-Doping Logic) measuring the implementation of the International Convention against Doping in Sport.
- 9.8. Likewise, ADoP replies to the WADA Code Compliance Questionnaire (CCQ) measuring the implementation of the Code and International Standards. ADoP responded to the CCQ in 2022 and agreed to share its responses with the Monitoring Group.

9.9. ADoP prepares and publishes an annual report on its doping control and other activities, as required by the Government of Portugal and Article 14.4 of the World Anti-Doping Code.

Good practices

9.10. The efforts developed by ADoP to create a network of Portuguese-speaking countries and to assist these countries with all possible means shall be considered as a good practice.

Annex 1 – Evaluation visit programme and participants



Day 1 Tuesday, 22 November 2022

- 09:30-12:30 NADO Portugal (ADoP)
- 12:30-13:00 Antidoping laboratory – *in ADoP premises*
- 13:00-14:30 Lunch (restaurant Colina)
- 14:30-16:00 Anti-doping disciplinary college (CDA) and Portuguese court of arbitration for sport (TAD) – *in ADoP premises*
- 16:30-18:00 Judicial police (PJ) and Customs authority (AT) – *in Judicial police premises*

Day 2 Wednesday, 23 November 2022

- 09:30-10:30 Olympic Committee of Portugal (COP) and Commission of Olympic Athletes (CAO) – *in COP premises*
- 10:30-12:30 3 Sports federations (cycling, athletics and handball / tbc) – *in COP premises*
- 13:00-14:30 Lunch (restaurant Versailles)
- 14:30-15:30 health services – *in ADoP premises*
- 16:00-17:00 Paralympic Committee OF Portugal (CPP) – *in CPP premises*
- 18:00-19:00 State Secretary for Youth and Sport (SEJD) – *in SEJD premises*

Day 4 Thursday, 24 November 2022

- 9:30-12:30 NADO Portugal (ADoP)

Evaluation Team

Mr Michael Petrou Head of Evaluation Team	Chair of the Monitoring Group of the Anti-Doping Convention (T-DO) Cyprus
Ms Floriane Cavet Rapporteur	Deputy Legal Director AFLD – NADO of France France
Ms Shafag Huseynli	CAHAMA Gender Equality Rapporteur Chief Executive Officer AMADA - NADO of Azerbaijan Azerbaijan

Mr Hubert Dziudzik	Deputy Director POLADA - NADO of Poland Poland
Mr Julien Magotteaux	Lawyer NADO French Community Belgium
Observer	
Mr Raphael Rezende	Manager, NADO Relations WADA
Secretariat	
Mr Julien Attuil-Kayser	Head of the Anti-Doping Unit Council of Europe

Evaluation visit to Portugal – Portuguese stakeholders

Name	Position Organisation
Manuel Brito	ADoP President
António Júlio Nunes	ADoP Executive Director
Rui Alves	ADoP Legal Division Director
Carlos Santos	ADoP Education & Information Responsible
João Ruivo	Antidoping Lab Director
Luis Bonina	Antidoping Disciplinary College President
José Manuel Costa	Portuguese Court of Arbitration for Sport General Secretary
Luís Ribeiro	Judicial Police Head of Investigation for Corruption
Paulo Bicas	Customs Authority Head of Information and Intelligence
José Manuel Araújo	Portuguese Olympic Committee Secretary-General
João Paulo Almeida	Portuguese Olympic Committee Director-General
Diana Gomes	Olympic Athletes Commission President
Jorge Vieira	Portuguese Athletics Federation President
Miguel Fernandes	Portuguese Handball Federation Executive Director
Delmino Pereira	Portuguese Cycling Federation President
José Soares	Portuguese Cycling Federation Vice-President
Maria João Cascais	Order of Medical Doctors Representative
Vasco Bettencourt	National Authority for Medicines and Health Products Director
José Manuel Lourenço	Portuguese Paralympic Committee President
Leila Marques Mota	Portuguese Paralympic Committee Vice President
Luís Costa	Paralympic Athletes Commission President
José António Borges	State Secretary for Youth and Sport Chief of Cabinet
Diana Santos	State Secretary for Youth and Sport Advisor

Annex 2 – National report



NATIONAL REPORT

COUNCIL OF EUROPE ANTIDOPING CONVENTION

T-DO EVALUATION VISIT TO PORTUGAL

NOVEMBER 22-24, 2022

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1. PART ONE - Legislation, Regulations and Administrative Provisions

- 1.1. **The legislative, regulatory and/or political and policy measures undertaken by the *Host Party* to implement the Convention, either directly or indirectly;**
- 1.2. **Any specific legislative, regulatory and/or political and policy measures in relation to antidoping;**

Regarding these two questions, for Portugal, the fight against doping has always been one of the main priorities in the field of sports ethics, being one of the basic pillars of a clean sport, without cheating.

In this sense, on March 20, 2007, Decree No. 4-A/2007 was published in the *Diário da República*, under which Portugal was linked to the "International Convention against Doping in Sport", approved by UNESCO.

https://www.adop.pt/media/1713/Convenção_UNESCO.pdf

With the publication of the Convention in the Official Journal Portuguese, it became necessary to adapt national legislation to both the content of the Convention and the World Antidoping Code, approved by WADA, which is also published in Decree No. 4-A/2007 of 20 March.

Thus, in 2009 law no. 27/2009 of 19 June was published, which established the legal regime against doping in sport. In view of the changes in the World Antidoping Code, as well as the dynamics of doping, in 2012 a new Law, Law No. 38/2012, of August 28, was published, which was intended to pass the antidoping law in sport, adopting in the internal legal order the rules established in the World Antidoping Code.

In view of the various changes made to the World Antidoping Code, and in order to align this Law with the Code, Also Law No. 38/2012 of August 28 underwent changes during the period of its validity.

Finally, on November 30, 2021, the Law No. 81/2021 of November 30, was published, which approves the antidoping law in sport, adopting in the domestic legal order the rules established in version 2021 of the World Antidoping Code, which is currently in force.

Thus, over the years, the Government has been promoting the adequacy of national legislation, both the UNESCO Convention and the World Antidoping Code.

[https://www.adop.pt/media/26207/Lei n.º 81-2021 de 30 de novembro.pdf](https://www.adop.pt/media/26207/Lei_n.º_81-2021_de_30_de_novembro.pdf)

It should be noted that, in Portugal it is also in Force the Ordinance No. 436/2021, of April 1, which establishes the rules of regulatory implementation provided for in Law No. 81/2021 of November 30, adopting in the internal legal order the rules established in the World Antidoping Code, which, among other matters, regulates the procedures for doping control.

[https://www.adop.pt/media/27129/Portaria 463-2022 de 1 de abril.pdf](https://www.adop.pt/media/27129/Portaria_463-2022_de_1_de_abril.pdf)

1.3. The relevant measures taken to establish the National Antidoping Organisation;

With regard to the Antidoping Authority of Portugal (ADoP), it was established pursuant to Article 16 of Law No. 27/2007 of June 19.

[Lei n.º 27/2009, de 19 de Junho \(pgdlisboa.pt\)](https://www.pgdlisboa.pt/leis/leis_2009/lei_27_2009_19_06_2009.html)

According to this article, ADoP operated with the Portuguese Institute of Sport and Youth, I.P., and this Institute is the public body that protects sport in Portugal, so ADoP had no autonomy vis-à-vis this body.

However, because the Government understands that combating doping in sport was of great importance, in 2019 ADoP became an autonomous body with its own budget, managing its budget independently, and it is independent from any institution.

Nowadays, according to n.º 1 of article 18º of Law n.º 81/2021, November 30th, ADoP is the national antidoping organisation with functions in the control and fight against doping in sport, as the entity responsible for the doping control procedure, ensuring the pursuit of the public best public interest in the protection of sports integrity and the health of sports practitioners.

1.4. How the Prohibited List is given effect each year within the territory of the *Host Party*.

Regarding the List of Prohibited Substances and Methods approved by WADA, it is published in the Diário da República, through Ordinance. Every year a new Ordinance is published, with the List of Prohibited Substances and Methods, according to the List approved by WADA.

Currently, Ordinance No. 312/2021 of December 21, which advertises the prohibited substances and methods for the year 2022 is in force.

[https://www.adop.pt/media/26480/Portaria n.º 312-2021 de 21 de dezembro.pdf](https://www.adop.pt/media/26480/Portaria_n.º_312-2021_de_21_de_dezembro.pdf)

2. PART TWO - National Antidoping Organisation (NADO) – Structure and Governance

2.1. How the NADO is constituted and its legal status;

Portugal has a long history in the fight against doping in sport.

From very early on, our country became aware of the fundamental importance of having an effective system to combat doping in sport, to preserve the health of athletes and sporting truth.

Thus, in the late 1960s and throughout the 1970s, the doping controls were mostly carried out, in the cycling and in accordance with Union Cycliste Internationale regulations.

In 1970, Portugal publishes the first legal diploma where the issue of doping is addressed: Decree-Law n° 420/70.

The Portuguese authorities, concerned with the situation, decided to create, in 1970, the Commission for the Regulation of Antidoping Controls, coordinate by Dr. Orlando Azinhais, who represented the pioneering structure of what would become the first National Antidoping Organization in our country: National Antidoping Council (CNAD).

In September 1979, the first Antidoping Control Legislation was published, Decree-Law n° 374/79, which was regulated in the beginning of 1980 by the Ordinance n° 373/80, with both diplomas having been debated prior to their adoption by the Higher Council of Physical Education and Sport.

In the late 1970s, the Doping Analysis Laboratory began to be installed at the premises of the Lisbon Sports Medicine Centre. However, the laboratory would only be officially created in 1985, through the publication of Order n° 29/85, of August 12, being nominated of Doping and Biochemical Analysis Laboratory, since it had a distinct department for each area.

In 1987, the Doping Analysis Laboratory was accredited by the IOC, becoming part of a very restricted group of accredited laboratories worldwide.

Although the number of controlled sports has been increasing progressively, it was not until 1980 that the National Antidoping Council (CNAD) began to design a true National Antidoping Program (PNA) in close cooperation with Sports Federations with public utility in sport.

On November 16, 1989, the Council of Europe's Convention against Doping was approved in Strasbourg, signed by our country in 1990 and ratified in 1994 with the publication of Decree-Law nº 2/94, from January 20.

As a result of the approval of the Council of Europe's Convention against Doping and the work of IOC's sub-commission on Doping and Biochemistry, a new definition of doping emerged which inspired the updating of Portuguese Legislation, being published in 1990 the Decree-Law nº 105/90, from March 23, regulated by the Ordinance nº 130/91.

With this Decree-Law, the National Antidoping Council (CNAD) is created, which then assumes the definition of the antidoping policy in Portugal.

Since the signing of the Convention Against Doping, of the Council of Europe, in 1990, Portugal has actively participated in the activities of the Monitoring Group and Working Groups (Education, Science and Legal).

Concerned with the scale reached using doping substances, in early 1999 IOC organises the first World Antidoping Conference, where several organizations from the Sports Movement and countries around the world decide to create the World Antidoping Agency (WADA). Portugal actively participated in that Conference and in the working group created at the IOC to prepare the first statutes of that entity.

At the end of 1999, the World Antidoping Agency was officially created, a foundation under private law, financed by Sports Movement and public authorities from around the world, with the Secretary of State for Sport, Dr. Vasco Lynce de Faria, been appointed to its Founders' Council.

Portugal actively participated in the elaboration of the World Antidoping Code and the International Standards issued by WADA. In March 2005, WADA organizes the second World Antidoping Conference held in Copenhagen, where the World Antidoping Code was approved. At that Conference, Portugal,

through the Secretary of State for Youth and Sport, Dr. Hermínio Loureiro signed the Copenhagen Declaration.

In this Declaration, countries recognized the fundamental role of WADA and committed to collaborate in its funding.

It should be noted that Portugal actively participated in the elaboration of the UNESCO International Antidoping Convention, a fundamental document for countries around the world could recognize WADA, the World Antidoping Code, the International Standards and establish common principles in the context of the fight against doping. This Convention was approved by the General Conference of UNESCO in October 2005.

In 2007, Portugal ratifies the UNESCO International Convention against Doping in Sport, which represents a fundamental instrument for all countries in the world to recognise the World Antidoping Code and WADA's International Standards in order to incorporate them into their legal system.

In 2009, a new legal regime of the fight against doping in our country was published, with the approval of Law n^o 27/2009, from June 19, and Ordinance n^o1123/2009, from October 1, aimed at adapting of that regime to the principles set out in the World Antidoping Code. With this new legal regime, the Portuguese Antidoping Authority (ADoP appears), a national antidoping organization with functions in the control and fight against doping in sport, namely as the entity responsible for adopting of rules with a view to triggering, implementing, or applying any phase of the doping control procedure. This Authority began to exercise the functions assigned to in early 2010.

In order to ensure the full compliance of the applicable national legislation with the current World Antidoping Code 2021, it was necessary to amend the National Antidoping legislation in force, so Law n^o 81/2021, from November 30 came into force.

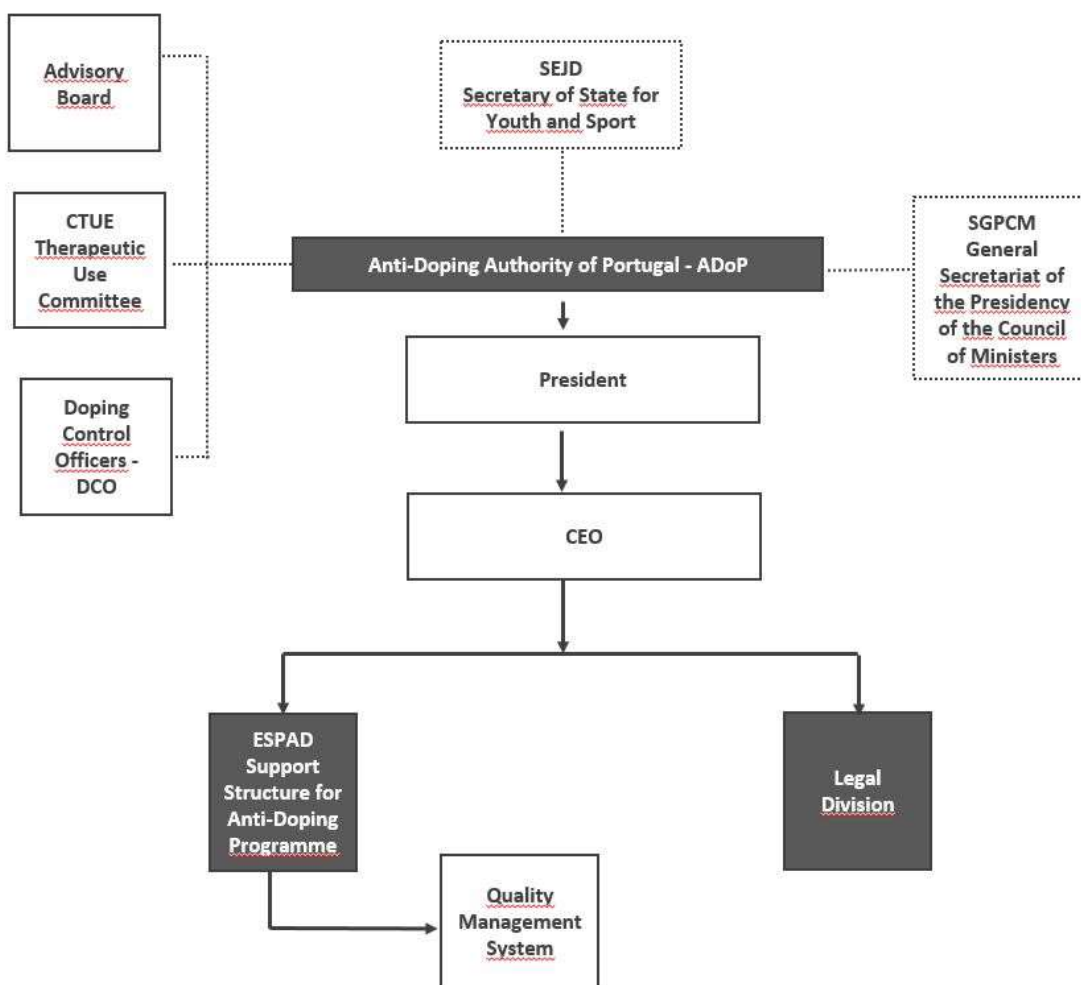
Law n^o 81/2021, from November 30, places Portugal into full compliance with the International Standards issued by the World Antidoping Agency, establishing the Portuguese Antidoping Authority – ADoP, as the only national antidoping organization, with functions in the control and fight against doping in sport, as the entity responsible for the procedure of doping control, ensuring the pursuit of the highest public interest in the protection of sporting integrity and the health of athletes.

ADoP may also collaborate with national and international bodies with responsibility in the fight against doping in sport.

According to nº 4 of Article 18 of Law No. 81/2021 of 30 November, this Authority is a central service of the direct administration of the State, endowed with administrative autonomy, dependent on the member of the Government responsible for the area of sport.

Its jurisdiction as a national organisation responsible for the control and fight against doping in sport is total, exercising its powers throughout the national territory and, whenever requested by the World Antidoping Agency, Olympic Committees or International Federations, abroad.

ADoP Organisation Chart



2.2. How the NADO is funded, and the sources of that funding; and

The operating budget of ADOP is allocated the necessary funds to pay the general operating expenses of ADOP, and to pay the expenses resulting from the charges arising from the implementation of its assigned tasks.

The budget structure of ADOP is defined in art. 32 of Law 81/2021, November 30th, and it is foreseen that ADOP has the following own revenues:

- The appropriations allocated to it by the State Budget.
- Fees and incomes resulting from services rendered, the issuing of certificates and photocopies and the use of ADOP facilities.
- The fines, under the terms and percentages established by law.
- The guarantees provided under the terms of article 45.
- The proceeds from the sale of publications and other goods edited or produced by ADOP.
- Contributions from any kind of entity.
- Any other revenue that may be attributed to it by law, contract, or other title.

For 2023, ADOP sees its revenue substantially reinforced (+14,27%).

Funding Source	2022	2023	··	·%
Revenue and taxes	1 611 570	1 863 481	251 911	15,63
Own revenues	153 846	153 846	0	0
Grand total	1 765 416	2 017 327	251 911	14,27

This reinforcement will allow ADOP to finance the increase of the activity of this Authority, in the context of the systematic monitoring of the Olympic and Paralympic mission, considering that the Olympic year Paris 2024 starts on 26 July 2023.

In this year, the main activities of ADOP will be the Implementation of the PNA - National Antidoping Plan; the planning, implementation, and management of the results of doping controls in competition and out of competition, nationally or internationally; strengthening of training actions and

implementation of information, education and awareness campaigns on the fight against doping in sport; and monitoring and follow-up of the BPU - Biological Passport Management Unit.

2.3. The measures taken to ensure that the NADO is independent in its operational decisions and activities, including how the NADO is governed, and how senior officials from within the NADO are recruited and appointed;

In Portugal, there are three national antidoping entities that operates with complete autonomy between them, the Portuguese Antidoping Authority of Portugal (ADoP), the Antidoping Analysis Laboratory (LAD) and the Antidoping Disciplinary College (CDA).

2.3.1. Antidoping Authority of Portugal (ADoP)

The Antidoping Authority of Portugal (ADoP) is the national antidoping organization with functions to control and fight against doping in sport, as the entity responsible for the procedure of doping control, ensuring the pursuit of the highest public interest in the protection of sporting integrity and health of all athletes.

ADoP also collaborates with national and international organizations with responsibility in the fight against doping in sport, ensuring the effectiveness of all antidoping activities.

This Authority as the national organization responsible for the control and fight against doping in sport, exercises its competencies in national territory and, whenever requested by the World Antidoping Agency, International Federations, abroad.

It governed by the principles of scientific and operational independence, precaution, credibility, transparency and confidentiality, and cooperates with others entities with functions of prevention and repression of Judicial and administrative offenses or with functions in the exercise of their respective powers, using the mechanisms legally suitable.

ADoP has the following Bodies and Services:

1 – Bodies:

- a) The President;
- b) The Executive Director (CEO);
- c) The Advisory Board.

1 a) – The President

ADoP's President is appointed through a public tender for a five-year term.

It has the following functions:

- Represent ADoP before any institutions or bodies, national or international;
- To approve upon the opinion of the executive director (CEO), the recommendations and notices that bind ADoP;
- Exercise other powers that are not assigned to other bodies and services.

1 b) – Executive Director (CEO)

The CEO is appointed through a public tender for a three-year term.

It has the following functions:

- For administrative services;
- For ESPAD quality management;
- For the management of the National Antidoping Program;
- For the Management of Results;
- By the information of the athlete's whereabouts.

1 c) - The Advisory Board

The Advisory Board is the advisory body of ADoP, and it is responsible for issuing non-binding opinions whenever requested by ADoP.

The advisory board is composed by the following elements appointed by the various Organism:

- The President of ADoP, who chairs.
- ADoP CEO.
- A representative appointed by the President of the Portuguese Institute of Sport and Youth, I.P (IPDJ, I.P).
- A representative appointed by the Olympic Committee of Portugal.

- A representative appointed by the Portuguese Paralympic Committee.
- A representative appointed by the Portuguese Sports Confederation.
- A representative of the Directorate General for Health.
- A representative of INFRAMED – National Authority for Medicine and Health Products.
- A representative of the Nurse’s Order.
- A representative of the Pharmacist’s Order.
- A representative of the Doctor’s Order.
- A representative of the Intervention Service in Addictive Behaviours and Dependencies.
- A representative of the Judicial Police.
- A representative appointed by the Commission of Olympic Athletes.
- A representative appointed by the Paralympic Athletes Commission.
- A representative appointed by the self-government bodies of each Autonomous Region.
- A representative appointed by the Food and Economic Security Authority.

The advisory board meets, ordinarily, twice a year and, extraordinarily, whenever it is convened by its chair, on his own initiative or at the request of a third of its members.

ADoP, in an ordinary meeting, informs the advisory board of its annual activity report and development plan, to ensure its disclosure and clarification.

The President of the advisory board may invite public and/or private persons or entities with relevant activity in the field of sport to participate in its meetings.

The President of the advisory board may request opinions from other experts or entities, national or international, whenever he deems it necessary.

2 — **Services:**

- a) The Support Structure for the Antidoping Programme (ESPAD);
- b) The Legal Division.

2 a) **The Support Structure for the Antidoping Programme (ESPAD)**

The Support Structure for the Antidoping Programme (ESPAD) works under the dependency of the CEO and is responsible for:

- To ensure the administrative and logistical services necessary for the implementation of the National Antidoping Plan, namely the planning and carrying out doping controls.
- To ensure the administrative management of results, sanctions, and appeals.
- To ensure the administrative management of the system of athlete's whereabouts for doping control purposes.
- To ensure the administrative management of the system of authorisations for therapeutic use.
- To implement information and educational programmes related to the fight against doping in sport.

The Therapeutic Use Authorization Commission – CAUT operates within the scope of ESPAD.

The Therapeutic Use Authorization Commission – CAUT is the body responsible for analysing and approving therapeutic use authorization, and is composed by five members with a Medicine degree, with relevant services in the fight against doping in sport and in sports medicine, responsible for:

- Analysing and approving therapeutic use authorization.
- Issue opinions whenever requested by ADoP.
- Ensuring other functions assigned by law.

Graduates in Medicine are proposed to ADoP's President by the CEO and appointed by the member of the Government responsible for the area of sport, who also designates its president.

The members of the CAUT have a three-year term renewable for equal periods.

2 b) **Legal Division**

The Head of ADoP Legal Division is appointed through a public tender for a term of 3 years.

The Legal Division has the following functions:

- Provide legal advice to ADoP bodies;
- Collaborate and participate in the elaboration of national and international legal diplomas, concerning the fight against doping in sport;
- Verify compliance with federal antidoping regulations;
- Instruct administrative infractions and disciplinary procedures, analyze challenges and ensure ADoP's judicial representation;
- Provide technical support within the scope of processes submitted to AMA;

- Inform, give an opinion and technically monitor the administrative procedures in the scope of ADoP;
- Assure the other functions entrusted to it by the president of the ADoP.

2.3.2. The Laboratory of Doping Analysis (LAD)

The Laboratory Director is recruited from among individuals, national or foreign, of recognized technical or scientific merit, possessing adequate academic qualifications and with proven professional experience, namely higher education professors and researchers, linked or not to the Public Administration.

The LAD is a unit with technical and scientific autonomy and works together with the INSA - National Institute of Health Doctor Ricardo Jorge and is responsible for the following functions:

- Carry out analyses related to doping control, at a national or international level, if requested, according to its operational capacity;
- Sign protocols with other institutions, within the scope of their competences;
- Collaborate in training and investigation actions in the field of doping;
- Ensuring the other functions assigned to it.

At the LAD, they perform specialized technical functions related to analytical, research and certification activities, in accordance with the requirements set out in the World Antidoping Code.

2.3.3. Anti- Doping Disciplinary College (CDA)

The CDA is an independent technical-judicial commission, with competence to decide on disciplinary offences arising from antidoping rule violations, enjoying full jurisdiction in disciplinary matters.

The CDA exercises its jurisdiction throughout the national territory and is subject to the principles of legality, exemption, transparency, and confidentiality.

The CDA is composed of seven members, who must have proven knowledge of doping matters and observe, among others, the following requirements:

- Five of its members, one of whom is the president, must hold a degree in Law;

- Two of its members must hold a bachelor's degree in other areas relevant to the subject of doping.

The members of CDA shall be appointed by the member of the Government responsible for the area of sport, upon proposal from the president of the ADoP.

The mandate of CDA members lasts for three years, renewable for equal periods.

In terms of operation, CDA is organized in a single instance that decides on cases instructed and received from ADoP.

The CDA works and deliberates in the presence of a subcommittee composed by three of its members, with one coordinator and one rapporteur with a degree in Law and a member with a degree in a relevant area for the matter of doping.

CDA President has the following functions:

- CDA representation;
- The definition of the composition of the subcommittees and the distribution of the processes by the referred subcommittees;
- Monitoring compliance with CDA operating rules.

CDA members have the following status:

- CDA members must be individuals and fully capable.
- No one can be deprived of their appointment as a member on account of their nationality.
- Members must perform their duties independently and impartially.
- Members cannot be held responsible for any damages resulting from the decisions they make, except in the same cases in which judicial magistrates may be.

CDA member roles are incompatible in the following situations:

- With the exercise of advocacy in the processes to be decided by the subcommittees, it integrates.
- No member may exercise his/her functions when he/she has a direct or indirect, personal, or economic interest in the results of the process.

There are specific impediments of CDA members, namely:

- Have intervened, in any capacity, in the matter object of the process.

- Having a professional or other relationship with any of the parties in the process, or with the accused athlete's club or the federation of the sport in question.

CDA members must declare and disclose all circumstances that may give rise to reasonable doubts about their independence and impartiality, including supervening circumstances or of which they only became aware after their appointment, when related to the processes to be decided by the subcommittees that come to integrate.

CDA members enjoy operational independence within the scope of the disciplinary process, and ADoP's President, its employees, services providers or consultants, members of sports federation or confederation or any person involved in the antidoping process instruction.

CDA members, or other persons involved in CDA's decision, cannot be involved in the investigation phase or in the decision to initiate disciplinary proceedings, ensuring that CDA is able to conduct the hearing and decision-making process without interference from ADoP or others.

I believe that in this way, the functioning of the three Portuguese antidoping entities is very clear, as well as their total operating autonomy.

The current national legislation therefore provides very clearly for the separation of powers, which is so important for a system that wants to be transparent.

3. PART THREE - Public Authorities

3.1. The National Report should describe which of its public authorities have an involvement in some aspect of sport organisation, regulation, or administration.

ADoP is a public entity depending on the Secretariat of State for Youth and Sport integrated in the Presidency of the Council of Ministers, which are the government structures in charge for sport in Portugal.

A member of the staff in the Secretariat of State is responsible to make the connection with ADoP in all matters related to antidoping.

However, there is a total independence in the decisions taken in ADOP related to the National Antidoping Plan, mainly in what concerns the definition of the Target Group, the choice of controls and the Therapeutic Use Exemption.

Related to the Secretary of State for Youth and Sport, is the Portuguese Institute for Sport and Youth, which is the government department that rules and manages all the relation between the state and sport. The Institute funds sport in Portugal and the funds used to support its activity are all from the Lottery.

ADoP depends more than ninety per cent on the budget allocated every year by the Secretariat of State for its operation. The funds allocated to ADoP are almost all from the state budget.

In summary, the origin of funds to support the functioning of ADoP and sport activity in Portugal come from different sources.

However, the use of these funds is submitted to the rules for the public authorities with all the procedures that are compulsory for the state organisations.

The funding for ADoP is separated from the funding for the LAB and the CDA, which have their one budgets.

3.2. The National Report should explain how its public authorities coordinate in relation to antidoping related matters. In particular, the National Report should:

- 3.2.1. Explain and identify the measures that are in place to facilitate the effective exchange of information;
- 3.2.2. Identify the body or bodies responsible for deciding which organisations/which persons are eligible to receive public funding and/or publicly funded benefits

Due to a mandatory separation of guardianship, ADoP is now in a different tutelage of the Antidoping Laboratory and the Antidoping Disciplinary College, which is responsible for the application of the sanctions. The exchange of information with these two authorities is done according to the rules established to ensure the security of data or samples collected.

These three departments are now under different guardianships and outside the tutelage of the Portuguese Institute of Sport and Youth as they were before.

Regarding the relation with the Ministry of Education it is done at two levels:

- 1- In the Physical Education discipline programs for the last three years of the Secondary School (ages between 15 to 18 years old), the antidoping subject is included in the National Programs and usually schools ask for the participation of ADoP in small conferences with students.
- 2- Besides this demand, the writers of the national official manuals for this discipline ask ADoP to validate the information included in each manual about antidoping.

In the last years, ADoP started to exchange of information with Judicial Police, which is done by the President of ADoP and a Chief Inspector of the Police. Besides the antidoping rules violations, civil offences can occur which can only be investigated by the Judicial Police.

The exchange of information with the Judicial Police is done on different matters such as: ADoP's NAP, Laboratory results and whistleblowers declarations.

On the other side the Judicial Police informs previously ADoP about the actions on the field they are carrying and usually requests the participation of ADoP staff mainly in the identification of the substances founded.

The exchange of information is also done with International Federations, Olympic Committees, and ITA mainly when they intend to make antidoping controls in Portugal with Portuguese athletes or teams.

In most of these cases, the planning and executing of the antidoping controls are done in coordination with the involved organisations.

4. PART FOUR - Sport Organisations

The cooperation with the sports movement has been a key role in the objectives of ADoP in the past years.

Due to the importance of the National Olympic and Paralympic Committees, ADoP established a close connection with those two organisations in order to disseminate the values of clean sport. Due to this close relationship, the two Committees always include in their main education / information activities the participation of ADoP. These activities touch athletes from almost all the sport federations.

These two committees have made in the past the connection between the athletes and the teams, that are included in the Olympic Program, with ADoP when they need private explanations about antidoping matters or education sessions to prevent doping violations.

<https://www.adop.pt/informacao-educacao/noticias/protocolo-cop.aspx>

<https://www.adop.pt/informacao-educacao/noticias/protocolo-cpp.aspx>

ADoP also established relations with the Portuguese Sport Confederation, which reunites the large majority of the Portuguese Sport Federations.

<https://www.adop.pt/informacao-educacao/noticias/a-adop-recebe-com-a-confederaçao-do-desporto-de-portugal-2019.aspx>

Another important sport organisation, with whom ADoP has established a cooperation to improve the strategy to fight doping in sport, is the Foundation for Sport. This Foundation, among other responsibilities, makes the coordination of all the High-Performance Sport Centres in the country, where ADoP does several antidoping controls as well as education sessions.

<https://www.adop.pt/informacao-educacao/noticias/a-adop-recebe-a-fundacao-do-desporto-2019.aspx>

Understanding the importance of coaches in the process of educating athletes, ADoP has a close relation with the Portuguese Coach Confederation, which represents coaches from almost all sports.

<https://www.adop.pt/informacao-educacao/noticias/a-adop-reúne-se-com-a-confederação-de-treinadores-de-portugal-2.aspx>

Athletes are the main reason for the existence of ADoP. Due to this fact, ADoP gives an important value to the relation with the athletes representatives. Besides the education sessions done under the aegis of their organisation, ADoP keeps a permanent link of communication with the Olympic Athletes Commission (CAO) for issues that can occur during each Olympiad with athletes and support personnel.

<https://www.adop.pt/informacao-educacao/noticias/a-adop-promove-encontro-com-a-comissão-de-atletas-olímpicos-2019.aspx>

<https://www.adop.pt/informacao-educacao/noticias/ena0.aspx>

AGAP / Portugal Activo is the organisation that represents the majority of the Gyms and Academies in Portugal. Knowing that 600.000 persons use their facilities and facing the fact that the use of forbidden substances in sport can be dangerous for health, ADoP built a close relation with this organisation with the objective of minimizing its use mainly through sessions of education done with Personal Trainers and Gym Directors.

<https://www.adop.pt/informacao-educacao/noticias/protocolo-agap.aspx>

<https://www.adop.pt/informacao-educacao/noticias/encontro-regional-beira-litoral.aspx>

The organisation with whom ADoP has the most common relation and exchange of information is the Judicial Police, with whom ADoP has done in the last years several operations of antidoping control that led to very fruitful results in the combat against doping in cycling.

Several sport organisations have established antidoping rules, according to the Code, that apply specifically to the sport they represent. These are three examples of Antidoping Rules of National Federations where Portugal has world top level athletes / teams (Handball, Judo and Athletics):

<https://portal.fpa.pt/wp-content/uploads/2019/05/Regulamento-de-Controlo-Antidopagem.pdf>

<http://www.fpj.pt/wp-content/uploads/2022/07/Regulamento-Federativo-Antidopagem-2022.pdf>

<https://fpaportalonline.blob.core.windows.net/portalfpa-public/2019/11/Regulamento-Antidopagem.pdf>

Apart from the above examples, ADoP's Education Program is built with the involvement of many sport organisations in order to achieve the availability and objectives of both parts.

5. PART FIVE - Restricting the Availability of Doping Substances

5.1. The National Report should describe the legislation, regulations, administrative measures and/or other means that it has taken to restrict the availability, including trafficking, of banned substances and methods and, in particular, anabolic steroids, as well as the use in sport of banned doping agents and doping methods.

ADoP, in carrying out its mission, interacts with a wide range of national and international partners, namely: Sports Federations, Olympic and Paralympic Committees, Sports Clubs, Sports Associations, Administrative and Sports Courts, Universities, Schools, Teachers, Sports Managers, Trainers and all Sports Practitioners.

During this year, ADoP continued to carry out its extremely important mission with regard to the control and fight against doping in sport, namely as the entity responsible for adopting the rules with a view to triggering, implementing or applying any phase of the doping control procedure, exercising its powers in national territory, or abroad whenever requested by the World Antidoping Agency (WADA) or International Federations.

As a result, the main challenges for ADOP centred on a transversal strategy reinforcing the sport truth in competition and out of competition within the sports that belong to Federations with Public Sporting Utility.

ADoP only has supervisory power and consequently power to sanction events or athletes who are federated in a federation with Public Sporting Utility.

In this way and being ADoP an Authority signatory of the World Antidoping Code and all International Standards issued by the World Antidoping Agency - WADA, has all the necessary national legislation to be in full compliance with all international standards produced by the World Antidoping Agency, or in other words, in full compliance with the International Convention against Doping in Sport (UNESCO).

Thus, it should be noted that ADoP in the performance of its functions has legality in relation to the following legal norms:

5.1.1. NATIONAL LEGISLATION:

<https://www.adop.pt/adop/legislacao.aspx>

- Law nº 81/2021, of 30 November - Approves the antidoping law in sport, adopting in the internal legal system the rules established in the World Antidoping Code and revoking Law no. 38/2012, of 28 August.
- Law nº 33/2014, of June 16 - Introduces the first amendment to Law nº 74/2013, of September 6, which creates the Court of Arbitration for Sport and approves the respective law. First amendment to Law nº 38/2012, of 28 August.
- Ordinance nº 436/2022, of 1 April - Approves the regulatory implementing rules of Law nº 81/2021, of 30 November, which establishes the legal regime of the fight against doping in sport.
- Ordinance nº 312/2021 of 21 December - Approves the List of Prohibited Substances and Methods for 2022, revoking Ordinance nº 306/2020, of 29 December.
- Order nº 15350/2016, of 21 December - Establishes ADoP's determinations regarding TUE requests.
- Dispatch nº 2318/2015, of 6 March - Approves the identification card of those responsible for doping control (DCO) of ADoP.
- Dispatch nº 6329/2020, of 15th June - Approves the table of fees and prices for sale of goods and services provided by the Portuguese Antidoping Authority.

5.1.2. INTERNATIONAL CONVENTIONS

<https://www.adop.pt/adop/legislacao.aspx>

- European Convention against Doping – Decree nº 2/94, of 20 January, which approves, for ratification, the European Convention against Doping.
- International Convention against Doping in Sport (UNESCO) - Decree nº 4-A/2007, of 20 March which approves the International Convention against Doping in Sport, and its annexes I and II, adopted by the 33rd session of the General Conference of UNESCO, on 19 October 2005.

5.1.3. INTERNATIONAL STANDARDS OF THE WORLD ANTIDOPING AGENCY

<https://www.adop.pt/adop/legislacao.aspx>

- World Antidoping Code
- Athletes' Antidoping Rights Act
- International Standard for Testing and Investigations
- International Standard for Laboratories
- International Standard for Therapeutic Use Exemptions
- International Standard for the Protection of Privacy and Personal Information
- International Standard for Results Management
- International Standard for Education
- International Standard for Code Compliance by Signatories

- International Standard for Prohibited List

5.1.4. OTHER LEGAL REGULATIONS

<https://www.adop.pt/adop/legislacao.aspx>

- Law nº 74/2013, of 6 September - Creates the Court of Arbitration for Sport, an independent jurisdictional entity , namely from the bodies of public administration of sport and the bodies that integrate the sports system, with specific competence to administer justice regarding disputes that fall under the sports legal system or related to the practice of sport in Portugal.

- 5.2. This should include an explanation of how differing measures apply to differing contexts: for example, there may be specific Antidoping legislation that restricts the use of banned substances by sports persons, and broader legislation that restricts the use, sale or supply of prohibited drugs, medications, and other substances.**

Regarding this point, it should be noted that ADoP cooperates with other organizations on the prevention and repression of the use of doping substances that are part of the List of Prohibited Substances and Methods in force.

This reality occurs for example with Gyms and Academies in Portugal, where ADoP has no legal right to carry out doping controls on their users, as they are people without any connection to a Sports Federation, i.e., they act in a private capacity.

In Portugal, gyms and academies are under the purview of Law nº 39/2012, of 28 August, which approves the regime of technical responsibility for the direction and guidance of sports activities carried out in sports facilities that provide sports services in the area of physical fitness, namely gyms, fitness centres or health clubs (health clubs).

[https://www.adop.pt/media/3390/Lei n.º 39-28 de Ago \(Ginasios\).pdf](https://www.adop.pt/media/3390/Lei n.º 39-28 de Ago (Ginasios).pdf)

However, it is established in its article 18, the prohibition to recommend or commercialize in these establishments any substances or methods that are part of the List of Prohibited Substances and Methods in force.

In many situations, when there are seizures by the Judicial police of doping substances, ADoP is asked to give its opinion on them.

In recent years, ADoP has carried out numerous awareness-raising and educational activities under a protocol signed with the directors and users of gyms and fitness centres, with the aim of raising their members' awareness of the risks of using prohibited substances for their health.

Even though gyms and academies are outside the legal sphere of ADoP, this Authority is extremely concerned not only with regard to a possible contamination of attitudes between gyms and academies frequenters and federated athletes, but also with regard to the protection of Public Health, taking into account the approximately 600,000 gyms and fitness centres frequenters currently existing in Portugal.

Another very important organization with which ADoP works is the Intervention Service on Addictive Behaviours and Addictions (SICAD) whose mission is to promote the reduction of consumption of psychoactive substances, the prevention of addictive behaviours and the reduction of addictions.

This Organization aims to dissuade risk behaviours and operates as a network of articulated responses working to reduce the consumption of psychoactive substances and addictions, to protect the health of consumers and populations, and to prevent social exclusion.

Its intervention is based on the recommendations given by the Commissions for the Dissuasion of Drug Addiction (CDT), services of the Ministry of Health, which operationalise the judicialization law, and has national scope. These services welcome the indicated (users of illicit psychoactive substances) referred by the security forces and by the courts, carrying out a rigorous assessment of their situation regarding their consumption, always valuing their psychosocial needs, without ever neglecting the reason why they were created: the urgency to bring users of illicit substances closer to the health services.

The Intervention Service in Addictive Behaviours and Dependencies is also part of the Advisory Board of ADoP, as described in nº 1 of article 26, nº 2, of Law nº 81/2021, of 30 November.

5.3. The National Report should also describe any regulations, standards and/or policies relating to the sale, supply and/or use of nutritional supplements, particularly those that relate to the use of nutritional supplements by sports persons.

In this regard, it should be noted that nutritional supplements are the responsibility of the Directorate General for Food and Veterinary Office - DGAV.

<https://www.dgav.pt/alimentos/conteudo/generos-alimenticios/regras-especificas-por-tipo-de-alimentos/suplementos-alimentares/>

Food supplements are considered in Portugal as foodstuffs that are intended to complement or supplement the normal diet and are concentrated sources of nutrients or other substances with a nutritional or physiological effect, marketed in dose form and intended to be taken in small quantity units

This matter is regulated by Decree-Law 118/2015 of 23 June, which transposes into Portuguese law European Parliament Directive 2002/46/EC of 10 June 2002 and Commission Directive 2006/37/EC of 30 March 2006 on the approximation of the laws of the Member States relating to food supplements marketed as foodstuffs and presented as such.

This issue is also a matter of great concern for ADoP, even though it has no legal action on it.

The use of these food supplements is frequent among sportsmen and women, and ADoP understands the risk they run by taking a food supplement that may contain substances on the list of prohibited substances and methods for sport.

The contamination of these supplements is also a concern for ADoP, being always dedicated a great deal of information on this issue in our education and training activities.

ADoP cannot prevent the taking of these food supplements but is aware that these supplements can be the gateway to doping and the risk that federated and even Olympic athletes can run by taking a supplement that may be contaminated and thus cause a sports sanction related to doping in sport.

6. PART SIX - Testing and the Analysis of Biological Samples

6.1. Testing and NADO Operational Activities

- 6.1.1. the jurisdiction and powers of the NADO as far as the Testing of Athletes within the territory of the Host Party is concerned, and any limitations that apply to the ability of the NADO to test Athletes;

The Portuguese Antidoping Authority (ADoP) is the only national antidoping organisation with functions in the control and fight against doping in sport, namely as the entity responsible for adopting rules with a view to triggering, implementing, or applying any phase of the doping control procedure in Portugal.

With regards to Territorial Jurisdiction, according to Article 19 of Law nº 81/2021 of 30 November, ADoP, as the national organisation responsible for the control and fight against doping in sport, exercises its powers within the national territory and, whenever requested by WADA or international federations, abroad.

This territorial competence includes Portugal Continental and the Islands (Madeira Island and the Azores Island).

Thus, and within the scope of Law nº 81/2021, of 30 November, it gives ADoP full powers to control any athlete of any age, if he or she is affiliated in a Federation with Public Sports Utility.

The table below lists the sports federations with public sports utility with the respective modality.

National Federation	Sport
Portuguese Swimming Federation	Aquatics
Portuguese Archery Federation	Archery
Portuguese Athletics Federation	Athletics

Portuguese Automobile and Karting Federation	Automobile Sports & Karting
Portuguese Badminton Federation	Badminton
Portuguese Basketball Federation	Basketball
Portuguese Billiards Federation	Billiards Sports
Portuguese Federation of Sports for People with Disabilities	IPC Sports
Portuguese Bridge Federation	Bridge
Federation of Camping and Mountaineering of Portugal	Camping and Mountaineering / Climbing
Portuguese Canoeing Federation	Canoe/Kayak
Portuguese Chess Federation	Chess
Portuguese Federation of Chinese Martial Arts	Chinese Martial Arts
Portuguese Cycling Federation	Cycling
Portuguese Draughts Federation	Draughts
Portuguese Equestrian Federation	Equestrian
Portuguese Fencing Federation	Fencing
Portuguese Hockey Federation	Hockey
Portuguese Football Federation	Football
Portuguese Golf Federation	Golf
Portuguese Gymnastics Federation	Gymnastics
Handball Federation of Portugal	Handball
Portuguese Judo Federation	Judo
National Karate Federation	Karate
Portuguese Federation of Kickboxing and Muaythai	Kickboxing
Portuguese Korfball Federation	Korfball
Portuguese Federation of Modern Pentathlon	Modern Pentathlon
Portuguese Motorcycling Federation	Motorcycling
Portuguese Orienteering Federation	Orienteering
Portuguese Padel Federation	Padel
Portuguese Powerboat Federation	Powerboating

Portuguese Skating Federation	Roller Sports
Portuguese Rowing Federation	Rowing
Portuguese Rugby Federation	Rugby
Portuguese Sailing Federation	Sailing
Portuguese Shooting Federation	Shooting
Portuguese Shooting with Hunting Weapons Federation	Shooting with Hunting Weapons
Portuguese Skating Federation	Skating
Federation of Camping and Mountaineering of Portugal	Sport Climbing
Portuguese Sport Fishing Federation	Sport Fishing
Portuguese Federation of High Seas Sport Fishing	Sport Fishing
Portuguese Sports Dance Federation	Sports Dance
Portuguese Surfing Federation	Surfing
Portuguese Table Tennis Federation	Table Tennis
Portuguese Taekwondo Federation	Taekwondo
Portuguese Tennis Federation	Tennis
Portuguese Triathlon Federation	Triathlon
Portuguese Underwater Activities Federation	Underwater Sports
Academic Federation for University Sport	University Sports
Portuguese Volleyball Federation	Volleyball
Portuguese Winter Sports Federation	Winter Sports
Portuguese Federation of Amateur Wrestling	Wrestling

It is important to note that in Portugal, Sports Federations are legal persons constituted as non-profit associations that, encompassing sports clubs or societies, territorial association, professional leagues, practitioners, technicians, judges and referees, and other entities that promote, practise or contribute to the development of the respective modality, cumulatively meeting the following requirements:

a) Propose, under the terms of their statutes, to pursue, among others, the following general objectives

- To promote, regulate and direct the practice of a sport or a group of related or associated sports.
- Representing the interests of its members before the Public Administration.
- Representing their sport or a group of related or associated sports to the international sporting organizations where they are affiliated, as well as ensuring the competitive participation of the national teams.

b) Obtain the status of a collective person of public utility for sport.

However and despite the legality that ADoP has to control any sports athlete from any sport modality, it is important to inform that behind a doping control, there is a risk assessment, which defines when, where and to whom the doping control will be done both in competition and out of competition.

- 6.1.2. How the NADO conducts Testing and in particular an explanation as to how test distribution planning is carried out;

The planning and distribution of doping controls in ADoP is done by crossing several criteria that can somehow direct and optimize their results.

ADoP, at the beginning of each year, or whenever it is exceptionally necessary, performs risk assessments through seven criteria:

- The physical and other requirements of the relevant sport(s) and/or discipline(s) within the sport(s), considering in particular the physiological requirements of the sport(s) / sport discipline(s);
- The possible effects on performance enhancement that doping may cause in that sport(s) / sport discipline(s);
- the rewards available at the different levels of the sport(s)/sport discipline(s) and/or other potential incentives that might lead a sportsperson to dope.
- History in terms of antidoping rule violations in the sport(s) / sport discipline(s).
- Available research on doping trends (e.g., peer review, studies and articles);
- Information received / intelligence developed on possible doping practices in sport;
- The results of previous test distribution planning cycles.

There are other criteria, which can be considered, when for example we have information from Police bodies.

In the recent past, we participated in a major investigation in W52FCPorto cycling team, which lasted over 18 months, where ADoP worked closely with the Portuguese Judicial Police.

As an example, we show three examples of our distribution and risk assessment to Portuguese sports:

ADoP'S 2022 RISK ASSESSMENT

Sport	Discipline	Physiological requirements & physical demands		Rewards/ Incentives	History of Doping	Available Intelligence	Total Score	Risk level High (22 – 25) Medium High (18 – 21) Medium (13 – 17)	Comments on quantitative factors	Prohibited substances and/or methods Prohibited substances detected in AAF results from others years	Statistics/ Research on doping trends	Outcomes of previous TDP cycles	Career patterns	Seasonal patterns
		Cardiovascular Endurance	Power, Strength & Muscular Endurance											
		Score 1-5	Score 1-5	Score 1-5	Score 1-5	Score 1-5								
Aquatics	Aquatics	3	2	3	3	4	15	High Risk group						
Aquatics	Artistic Swimming	3	2	3	3	4	15	High Risk group						
Aquatics	Diving	1	2	3	3	4	13	High Risk group	It is a modality with a number of non-high federated athletes, with medium / high value monetary awards distributed by athletes, and with a moderate risk of using Doping	indapamide tamoxifen		keep on collecting samples to assess baseline levels		Competitions all year round, ones more relevant than others
Aquatics	Open Water Swimming Sprint 100 m or less	4	2	3	3	4	16	High Risk group						
Aquatics	Swimming Middle Distance 200-400m	3	3	3	3	4	16	High Risk group						
Aquatics	Swimming Long Distance 800m or greater	4	2	3	3	4	16	High Risk group						
Aquatics	Water Polo	3	3	3	3	4	16	High Risk group						
		1	1	1	1	1	5	Low Risk group	It is a modality with a number of low federated athletes, with low value monetary awards distributed by athletes, and with a small risk of using Doping	indapamide hydrochlorothia				February to December - national competitions May - International competitions
Archery	Archery													
Athletics	Combined Events	4	4	4	3	5	20	Extreme Risk Group						
Athletics	Cross Country	5	2	4	3	5	19	Extreme Risk Group						
Athletics	Jumps Long Distance 3000m or greater	3	4	4	3	5	19	Extreme Risk Group						
Athletics	Marathon (corrida em estrada)	5	2	4	3	5	19	Extreme Risk Group	It is a very practiced modality in Portugal, with a high risk of using Doping and also with high monetary prizes distributed by the athletes.	metandienone methylephedrate amfetamine 19-norandrosterone	Erythropoietin/EPO Diuretics - Furosemide	Confirmation procedures + IRMS requested as well as additional test	Many top athletes	Competitions all year round
Athletics	Middle Distance 800-1500m	5	2	4	3	5	19	Extreme Risk Group						
Athletics	Race Walk	5	2	4	3	5	19	Extreme Risk Group						
Athletics	Sprint 400m or less	3	4	4	3	5	19	Extreme Risk Group						
Athletics	Throws	3	4	4	3	5	19	Extreme Risk Group						
Automobile Sports	Automobile Sports	2	1	3	3	4	13	High Risk group						
Automobile Sports	Rally	2	1	3	3	4	13	High Risk group	It is a modality with a number of non-high federated athletes, with medium / high value monetary awards distributed by athletes, and with a moderate risk of using Doping	carvedilol indapamide cocaine clonazepam metandienone hydrochlorothiazide		in 2021 two AAF: 1. Substancia - hydrochlorothiazide 55. Diuretics and Masking Agents 2. Substancia - clenbuterol - 31.000 ng/mL Classe - S1.2 Other Anabolic Agents - processo arquivado		Competitions from april to december
Automobile Sports	Rallycross	2	1	3	3	4	13	High Risk group						
Automobile Sports	Moutain	2	1	3	3	4	13	High Risk group						
Automobile Sports	Trial 4x4	2	1	3	3	4	13	High Risk group						
Automobile Sports	Drift	2	1	3	3	4	13	High Risk group						
Automobile Sports	Karting	2	1	3	3	4	13	High Risk group						

Distribution of Sports Modalities by Risk Group - 2022

Extreme Risk Group	High Risk Group	Medium Risk Group	Low Risk Group
<ul style="list-style-type: none"> • Athletics • Cycling • Football • Kickboxing and Muaythai 	<ul style="list-style-type: none"> • Auto Racing and Karting • Basketball • Canoeing • Judo • Roller Sports • Rowing • Sailing • Swimming • Triathlon 	<ul style="list-style-type: none"> • Badminton • Fencing • Gymnastics • Handball • IPC Sports • Karate • Motorcycling • Orienteering • Rugby • Artistic Skating • Surf • Skating • Taekwondo • Tennis • Underwater Activity • Wrestling (Amateur Fights) 	<ul style="list-style-type: none"> • Archery • Billiards • Boccia • Bridge • Camping and Mountaineering / Climbing • Chess • Chinese Martial Arts • Draughts • Equestrian • Golf • Korfball (Corfebol) • Modern Pentathlon • Padel • Powerboating • Shooting • Shooting with Hunting Weapons • Sport Climbing • Sport fishing • Deep Sea Fishing • Sports Dance • Table tennis • University Sports • Volleyball • Winter Sports

ADoP TESTING AUTHORITY - NATIONAL ANTI-DOPING PROGRAM

		Jan	Fev	Mar	Abr	Mai	Jun	Jul	Ago	Set	Out	Nov	Dez	TOTAL
Doping Controls Quantification	IC	5	9	8	7	14	9	16	32	18	10			128
	OOO	0	0	0	0	0	0	14	0	3	10			27
	TOTAL	5	9	8	7	14	9	30	32	21	20	0	0	155
Sample Quantification	Urine	15	30	27	20	63	42	101	82	90	50			520
	EPO+GHRF	0	6	0	1	3	3	19	10	3	56			101
	EPO	4	0	0	7	0	3	36	49	0	6			105
	GHRF	0	1	0	0	0	8	0	0	0				9
	ABP	0	0	1	7	0	0	25	0	3	24			60
	GH	0	0	0	7	0	0	0	0	3	24			34
	TOTAL	19	37	28	42	66	56	181	141	99	160	0	0	829
Sample Quantification	PB	0	0	1	7	0	0	25	0	3	24			60
	GH	0	0	0	7	0	0	0	0	3	24			34
		2	3	4	5	6	7	8	9	10	11	12	13	
Sample Quantification	U - IC	15	30	27	20	63	42	101	82	90	44			514
	EPO+GHRF - IC	0	6	0	1	3	3	5	10					28
	EPO - IC	4	0	0	7	0	3	24	49		6			93
	GHRF - IC	0	1	0	0	0	8	0	0					9
	ABP - IC	0	0	1	7	0	0	0	0					8
	GH - IC	0	0	0	7	0	0	0	0					7
	U - OOO	0	0	0	0	0	0	0	0		6			6
	EPO+GHRF - OOO	0	0	0	0	0	0	14	0	3	56			73
	EPO - OOO	0	0	0	0	0	0	12	0	0				12
	GHRF - OOO	0	0	0	0	0	0	0	0	0				0
	ABP - OOO	0	0	0	0	0	0	25	0	3	24			52
	GH - OOO	0	0	0	0	0	0	0	0	3	24			27
	Total IC	19	37	28	42	66	56	130	141	90	50	0	0	659
	Total OOO	0	0	0	0	0	0	51	0	9	110	0	0	170
	TOTAL	19	37	28	42	66	56	181	141	99	160	0	0	829

6.1.3. How the Testing of overseas Athletes who are temporarily present in the territory of the Host Party is authorised and takes place, and how agreements as regards the Testing of Athletes from the Host Party who are overseas have been put into place;

Portugal is by excellence a country where many athletes and teams carry out their preparation stages for major events.

Therefore, ADoP performs numerous doping controls to foreign athletes in the national territory as follows:

- By unilateral decision of ADoP, since ADoP has the legality to control all athletes who are in Portuguese territory, whether Portuguese or foreign.
- At the request of the NADOS of the countries of the athletes who are in Portugal, and in that measure ADoP in a perspective of institutional collaboration and in favour of the fight against doping worldwide carries out the mentioned doping controls using our physical and financial resources, i.e., without costs for NADOS.
- There is another type of collaboration with International Federations or with the ITA on behalf of International Federations that request doping controls mainly in international events that takes place in Portugal.
- We also carry out doping controls to athletes or entourage of foreign athletes who are training in Portugal to participate in Olympic Games, World Championships, etc. In this case, we not only carried out doping controls, but also provided training and education to more than 300 Olympic athletes who were in Portugal at various stages of the year.

Finally, it is important to mention that we collaborate intensely with the RILD - Ibero-American Antidoping Network and with the RELAD - Lusophone Antidoping Network.

6.1.4. How Testing in the lead up of major sport events is put into practice;

In this respect, there are two distinct situations.

In certain events, ADoP participates as the Sample Collection Authority and the Testing Authority and Result Management Authority is carried out by the International Federations or even by ITA on behalf of the International Federations.

However, and in certain international events, ADoP has also been invited to be not only the Sample Collection Authority and Testing Authority, but also the Result Management Authority. An example of this is the biggest international cycling competition held in Portuguese territory - Volta ao Algarve em

Bicicleta), UCI, requested ADoP to carry out all phases of the doping control procedure of this major event.

In a more distant past, ADoP was an integral part along with UEFA in the doping control procedures at the Euro2004 football tournament held in Portugal.

Another example that can be given in this matter, regarding testing leading up a major event, is the recent collaboration of ADoP with FIFA with the preparation of FIFA World Cup Qatar 2022, in order to maximize testing of players potentially playing at the mentioned competition, minimizing the amount of testing resources, which are needed.

6.2. Laboratories and Analysis

6.2.1. The National Report should:

6.2.1.1. Confirm that biological samples provided by Athletes are analysed in WADA-accredited laboratories or laboratories otherwise approved by WADA;

In 2016, the World Antidoping Agency, suspended the accreditation of the Portuguese Antidoping Laboratory, at that stage, and in an urgent way, the Portuguese Antidoping Authority had to launch an international public tender in order to send its samples to another Laboratory abroad that was also, naturally, accredited by WADA.

At the end of this tender, ADoP began to work with Ghent's Laboratory in Ghent, for the biological urine samples and with Barcelona's laboratory in Barcelona, for the biological blood samples.

Subsequently, the Portuguese Antidoping Laboratory lost its accreditation by determination of WADA and again the Portuguese Antidoping Authority, held a new international tender, in which the winners were again the laboratory of Ghent and Barcelona.

Thus, since 2016, the Portuguese Antidoping Authority has been working with these two WADA Accredited Laboratories, thus scrupulously complying with the standards issued by WADA.

Recently, the Portuguese Antidoping Laboratory have again received WADA accreditation, which will be very positive for the implementation of the national antidoping plan and less costly considering the available budget of ADoP.

In conclusion, and giving you an answer to the question, we confirm that all biological samples collected by ADoP from athletes, were always analysed in antidoping laboratories accredited by the World Antidoping Agency.

6.2.1.2. If there is a laboratory within the territory of the Host Party describe the relationship it has with the NADO/sports organisations within the territory;

On September 23, the Lisbon Doping Analysis Laboratory regained its accreditation by the World Antidoping Agency.

In this way, the accreditation of Lisbon Laboratory is a very important step in the fight against doping in Portugal, considering the lower burden of administrative and bureaucratic procedures that are avoided when we must send samples resulting from doping controls to a Laboratory based abroad.

The Presidents of both entities have already held several meetings to streamline processes with a view to working together as fruitfully as possible.

The Portuguese Antidoping Laboratory is under the responsibility of the INSA - Instituto Nacional de Saúde Doutor Ricardo Jorge, which is a central service of the direct administration of the State.

Therefore, both the Antidoping Laboratory and the ADoP are services of direct administration of the State, which will certainly help and facilitate the institutional functioning that must exist between these two entities.

Both bodies belong to different ministries with full autonomy between them, which puts us in full compliance with the international standards approved by WADA.

6.2.1.3. *If there is no laboratory within the territory of the Host Party, explain how the NADO/sports organisations collaborate with WADA-accredited laboratories for the analysis of urine and blood samples.*

As already mentioned in answer 6.2.1.1, if our Lisbon Antidoping Laboratory loses its accreditation again, there are swift processes in view to quickly triggering an international public tender to send samples to another WADA-accredited Laboratory abroad.

At no time is doping control in Portugal compromised by the lack of an Antidoping Laboratory in Portuguese territory.

6.2.2. *If there is a laboratory within the territory of the Host Party, the Report should also refer in detail to the matters highlighted in the Explanatory Note regarding governance, independence, and impartiality.*

As mentioned in the answer to question 6.2.1.2, the Portuguese Antidoping Laboratory is under the responsibility of INSA - Instituto Nacional de Saúde Doutor Ricardo Jorge, which is a central service of the direct administration of the State.

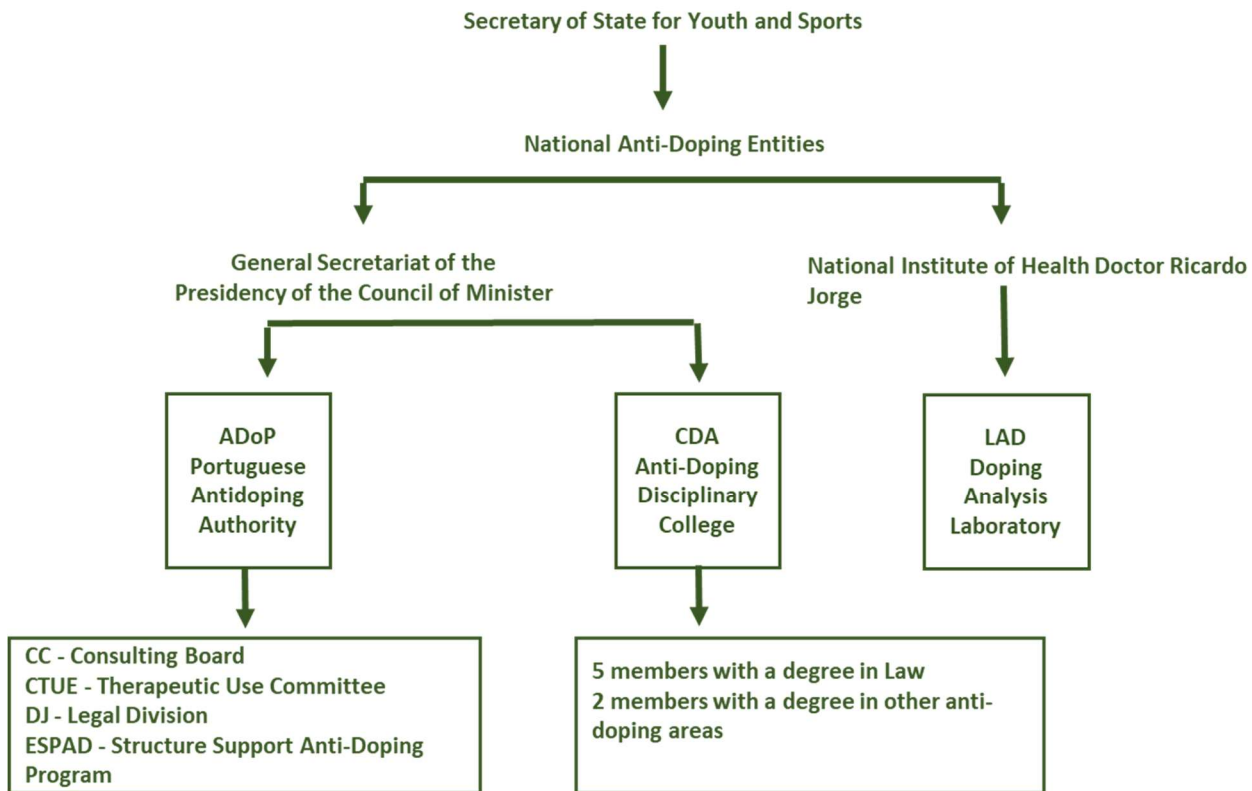
Therefore, both the Antidoping Laboratory and the ADoP are services of direct administration of the State, which will certainly help and facilitate the institutional functioning that must exist between these two entities.

Both bodies belong to different ministries with full autonomy from each other, with separate budgets, separate human resources maps and physical headquarters in different places. In other words, Portugal now has a tripartite antidoping system, having the same full autonomy between them, without any hierarchy between them.

This division of powers places Portugal in full compliance with all the international standards approved by WADA.

For further clarification, the following image is attached:

National Anti-Doping Entities



7. PART SEVEN - Education and Research

7.1. Education

7.1.1. The National Report should explain how the Host Party ensures that appropriate levels of education and training regarding antidoping matters are provided to institutions and individuals within the territory of the Host Party. In particular

In the last years, Education has been one of the most important tools in the Portuguese Antidoping Organisation to fulfil the objective defined for the next years, which is to achieve zero violations of the Antidoping Rules by the Portuguese athletes.

In order to guarantee a wide program of education with all the actors involved in the sport movement, ADoP signed several protocols with sport organisations representing athletes, coaches, gyms and sports officials.

According to those protocols, one of the main subjects is the education and training activities, which are developed in partnership of those institutions.

Those protocols were signed with the Portuguese Olympic Committee (COP), the Portuguese Paralympic Committee (CPP), Maia University (Maieutica), University Sport Federation (FADU) and the National Association of Gyms and Academies (AGAP)



Protocolo ADoP -
COP.pdf



Protocolo ADoP -
AGAP - Portugal Acti

Besides the protocols, ADoP made agreements on this matter with other organisations with the same objective. These agreements were made with:

National Coaches Association
School Sport
Sport Federations
Sport Clubs
Municipalities

Judicial Police

Armed Forces

7.1.2. The National Report should explain if and how any legislative measures require antidoping education to be conducted;

Knowing that coaches have a huge influence on the behaviour and choices of the athletes, all the courses for becoming or renovating their certification to coach have a module dedicated to antidoping. The contents of those modules are certified by ADoP before being published and are compulsory for all sports.

<https://files.dre.pt/1s/2019/09/17100/0005100068.pdf>

The coordination and responsibility on establishing the rules for the curriculum of each course and the monitoring of its implementation belongs to the National Institute for Sports and Youth, with whom ADoP works closely.

Links to the Courses:

Level I –

https://ipdj.gov.pt/documents/20123/3644128/FUNCIONAMENTO+CH+ANTIDOPAGEM_GI.pdf/ddf75123-0628-1e35-6fa0-d28bfd6d9040?t=1643215843266

Level II –

https://ipdj.gov.pt/documents/20123/3644128/ANTIDOPAGEM_GII.pdf/7e634819-d5d6-82bf-f169-601964c889da?t=1646231089163

Level III -

https://ipdj.gov.pt/documents/20123/3644128/PNFT2021_ANTIDOPAGEM_GIII.pdf/67e6efb7-de4d-9cfa-ddcd-0cb6473afb59?t=1662375163469

Recognising the difficulty of reaching all the athletes and their support personnel in Portugal, the strategy of ADoP in this domain is based in the cascade effect. That is why most of the education sessions are aimed to coaches and support personnel, in order for them to disseminate in their Federations or Clubs the message of Clean Sport.

7.1.3. The National Report should describe in detail the practical and operational aspects of the antidoping education that takes place within the territory of the *Host Party*.

In 2021 and 2022 ADoP directly reached a population over 20.000 participants between athletes, coaches, sport officials and other functions related to sport, during more than 150 hours of courses exclusively done by the staff working in ADoP.

In Portugal 600.000 sportsmen and sportswomen participate, representing their clubs, in competitions organised by national sport federations. Besides this organised and competitive sport, 600.000 people do their physical activity in gyms and academies.

Knowing that in those places, ADoP has no authority to make antidoping controls, and a quite important use of forbidden substances is common among some groups of the gym users being a health problem, ADoP started an Education Program with the Personnel Trainers (PT) and Gym Directors, done at a Regional Level.

In accordance with the different protocols and agreements, the antidoping education sessions made in the last two years are in the following two tables:

Nº	PROGRAM 2021	PARTICIPANTS	DATE	HOURS	ORGANISATION
1	Clean Sport	Coaches, Sport Officials, Sportsmen, Sportswomen	15/01/2021	3	Rio Maior University
2	Clean Sport	Coaches, Sport Officials, Sportsmen, Sportswomen	22/01/2021	3	Rio Maior University
3	Clean Sport	Coaches, Sport Officials, Sportsmen, Sportswomen, Parents	23/01/2021	2	Odivelas Municipality
4	Clean Sport	Coaches, Sport Officials, Sportsmen, Sportswomen, Parents	30/01/2021	2	Santarém Municipality
5	Clean Sport	Coaches, Sport Officials, Sportsmen, Sportswomen, Parents	12/02/2021	2	Juventude Vidigalense and Bairro dos Anjos
6	Doping - What the coach needs to know	Coaches	20/02/2021	2	Padel Portuguese Federation
7	Doping - What the coach needs to know	Coaches, Sport Officials, Sportsmen, Sportswomen	15/03/2021	2	Handball Portuguese Federation
8	21st International Forum	Coaches, Sport Officials, Sportsmen, Sportswomen	26/03/2021	2	Coimbra University
9	Doping - What the coach needs to know	Coaches	27/03/2021	2	Surf Portuguese Federation
10	Fighting doping in sport	Judiciary Police Inspectors	15/04/2021	4	ADoP
11	1st International Portuguese Speaking	Lawyers	18/04/2021	4	Sport Law Brazilian Academy
12	Post Graduation Sports Law	University Students	22/04/2021	2	Lisbon University
13	Doping - What the coach needs to know	Coaches	09/05/2021	2	Padel Portuguese Federation
14	Clean Sport	Coaches, Sport Officials, Sportsmen, Sportswomen	13/05/2021	2	Portuguese Association of Sport Management
15	Post Graduation Sports Law	Sport Officials, Doctors	22/05/2021	2	Portuguese Society of Sport Medicine
16	Doping - What the coach needs to know	Coaches	23/05/2021	2	Padel Portuguese Federation
17	Clean Sport	Coaches, Sport Officials, Sportsmen, Sportswomen, doctors	25/05/2021	2	Portuguese Paralympic Committee
18	Post Graduation Sports Law	University Students	28/05/2021	2	Coimbra University
19	Doping - What the coach needs to know	Coaches	10/06/2021	2	Padel Portuguese Federation
20	Doping - What the coach needs to know	Coaches	11/06/2021	2	Padel Portuguese Federation
21	Session about wereabout with Olympic athlete	Sports woman	26/05/2021	2	Portuguese Athletics Federation
22	Sport Inovation Seminar	International Panel	17/06/2021	3	Council of European Union Presidency
23	3rd Brazilian Seminar on Antidoping	Coaches, Sport Officials, Sportsmen, Sportswomen	24/06/2021	3	Brazilian NADO (ABCD)
24	Clean Sport	Coaches, Sport Officials, Sportsmen, Sportswomen, doctors	29/06/2021	2	Portuguese Olympic Committee
25	Doping - What the coach needs to know	Coaches, Sport Officials, Sportsmen, Sportswomen, doctors	12/08/2021	2	Alverca Football Club
26	Scientific and Cultural Congress	Coaches, Sport Officials, Sportsmen, Sportswomen	02/09/2021	3	Panathlon Clube District Brazil
27	Doping - What the coach needs to know	Coaches	18/09/2021	2	Padel Portuguese Federation
28	Doping - What the coach needs to know	Coaches	09/10/2021	2	Surf Portuguese Federation
29	Post Graduation Sports Law	University Students	20/10/2021	2	European University
30	National Congress	Coaches, Sport Officials, Sportsmen, Sportswomen, doctors	22/10/2021	2	National Association of Gyms and Academies
31	Session about wereabout with Olympic athlete	Sportsman	11/11/2021	2	Surf Portuguese Federation
32	Clean Sport	Coaches, Sport Officials, Sportsmen, Sportswomen, doctors	16/11/2021	2	Sporting Club of Portugal
33	Doping - What the coach needs to know	Coaches, Sport Officials, Sportsmen, Sportswomen	19/11/2021	1	Vizela Football Club
34	Clean Sport	Coaches, Sport Officials, Sportsmen, Sportswomen, Parents	20/11/2021	2	Vizela Municipality
35	Doping - What the coach needs to know	Coaches	09/12/2021	2	Padel Portuguese Federation
36	Doping - What the coach needs to know	Coaches	10/12/2021	2	Surf Portuguese Federation
37	Doping - What the coach needs to know	Coaches, Sport Officials, Sportsmen, Sportswomen	15/12/2021	2	University Sport Federation
38	Clean Sport	Coaches, Sport Officials, Sportsmen, Sportswomen	14/12/2021	2	Portuguese Athletics Federation
39	Doping - What the coach needs to know	P.E. Coaches	20/12/2021	4	Portuguese Navy

Nº	PROGRAM 2022	PARTICIPANTS	DATE	HOURS	ORGANISATION
1	Clean Sport - Olympic Team Paris 2024	Coaches, Sport Officials, Sportsmen, Sportswomen	16/01/2022	2	Sport Dance Portuguese Federation
2	Doping - What the coach needs to know	Coaches - Surf	04/04/2022	2	Lusofona University
3	Clean Sport	Students	15/02/2022	2	CEFAD
4	Clean Sport	Students	25/02/2022	2	Soares Basto Secondary School
5	Clean Sport	1st Antidoping Inspectors Course	26/02/2022	2	Cycling Portuguese Federation
6	Doping - What the coach needs to know	Coaches - Padel	05/03/2022	2	Lusofona University
7	Clean Sport	Students	18/03/2022	2	Soares Basto Secondary School
8	Doping - What the coach needs to know	Coaches, Sport Officials, Sportsmen, Sportswomen	11/03/2022	2	University Sport Federation
9	Doping - What the coach needs to know	Deaf Sportsman and sportswoman	12/03/2022	2	Portuguese Paralympic Committee
10	Clean Sport	Students	25/03/2022	2	Lousã Secondary School
11	Clean Sport	Coaches, Sport Officials, Sportsmen, Sportswomen, Parents	25/03/2022	2	Lousã Municipality
12	Post Graduation Sports Law	University Students	05/04/2022	2	Catholic University
13	Clean Sport - Combined Events National team	Coaches, Sport Officials, Sportsmen, Sportswomen	09/04/2022	2	Athletics Portuguese Federation
14	Doping - What the coach needs to know	Coaches - Padel	10/04/2022		Lusofona University
15	Clean Sport - Sprint National Team	Coaches, Sport Officials, Sportsmen, Sportswomen	11/04/2022	2	Athletics Portuguese Federation
16	Clean Sport - Junior National Team	Coaches, Sport Officials, Sportsmen, Sportswomen	14/04/2021	2	Athletics Portuguese Federation
17	Post Graduation Sports Law	University Students	22/04/2022		Lusofona University
18	Clean Sport - 400m / 400m h National Team	Coaches, Sport Officials, Sportsmen, Sportswomen	23/04/2022	2	Athletics Portuguese Federation
19	Clean Sport - U17 Basketball Girls National Team	Coaches, Sport Officials, Sportswomen	28/04/2022	2	National High Performance Center
20	Clean Sport	Coaches, Sport Officials, Sportsmen, Sportswomen	04/05/2022	2	University Sport Federation
21	National Antidoping Plan	OND Staff	02/05/2022	6	Cape Verde NADO
22	TUE's	Doctors	03/05/2022	6	Cape Verde NADO
23	Clean Sport	Students	04/05/2022	2	Cape Verde NADO
24	Doping - What the coach needs to know	Coaches - Surf	06/05/2022	2	Lusofona University
25	Doping - What the coach needs to know	Doctors National Teams	07/05/2022	5	Football Portuguese Federation
26	Post Graduation Chemistry	University Students	17/05/2022	2	Lisbon University
27	Clean Sport	University Students	18/05/2022	5	Maia University
28	Doping - What the coach needs to know	Coaches - Padel	21/05/2022	2	Lusofona University
29	Clean Sport	Athlete Support Personnel	26/05/2022	2	National High Performance Center
30	Doping - What the coach needs to know	Coaches - Surf	28/05/2022	2	Lusofona University
31	Pharmacology and Doping	Sport Medicine Post-Graduation	25/06/2022	2	Portuguese Society of Sport Medicine
32	Clean Sport - Junior National Team	Coaches, Sport Officials, Sportsmen, Sportswomen	29/06/2022	2	Table Tennis Portuguese Federation
33	Clean Sport - 4 National teams	Coaches, Sport Officials, Sportsmen, Sportswomen	25/08/2022	2	Rugby Portuguese Federation
34	Doping - What the coach needs to know	Coaches, Sport Officials	17/09/2022	2	Sporting Club of Portugal
35	Doping - What the coach needs to know	Coaches - Padel	08/10/2022	2	Lusofona University
36	2nd International Law Seminar of Portuguese Language	Lawyers	08/10/2022	2	National Academy of Sport Law - Brazil

The following two tables show the distribution of education sessions according to the institutions that promoted them, in the last two years:

Nº	2021 - INSTITUTIONS	NUMBER OF SESSIONS
1	UNIVERSITIES	6
2	FEDERATIONS	15
3	MUNICIPALITIES	3
4	CLUBS	4
5	OLYMPIC / PARALYMPIC COMMITTEES	2
6	OTHER NADO'S	3
7	SCHOOLS	0
8	ADoP	1
9	OTHER	5

Nº	2022 - INSTITUTIONS	NUMBER OF SESSIONS
1	UNIVERSITIES	11
2	FEDERATIONS	11
3	MUNICIPALITIES	1
4	CLUBS	1
5	OLYMPIC / PARALYMPIC COMMITTEES	1
6	OTHER NADO'S	3
7	SCHOOLS	4
8	ADoP	0
9	OTHER	4

7.2. Research

In the research area, ADoP divided its action in two vectors: Internal and External.

In the Internal vector, included in one of the protocols signed with several institutions, ADoP is developing a Post-Graduation in "Doping Prevention", in partnership with the Lisbon University involving also both Committees (Olympic and Paralympic) and the National Institute of Sports. It will be dedicated to a wide range of professionals, all of them connected with sport activities.



POS-GRAD-FOLHET
O-PREVENCAO DOP

Most of the teachers responsible for the technical subjects are from ADoP staff and the course will last for one hundred hours.

It is an objective of ADoP that some of our Doping Control Officials (DCO) would attend the course in order to improve their skills and scientific knowledge on these subjects. In order to promote their participation, a reduced fee is available for them.

In the External vector, ADoP is associated as Beneficiary to an Erasmus Mundus Project, involving three other NADO's (CYADA – Cyprus as Coordinator; POLADA – Poland and BulNADO – Bulgaria both as Beneficiaries) and EHFA – EuropeActive also as Beneficiary.

The project under the name "Developing and Implementing an Antidoping Communication and Social Marketing Campaign: The European Week of Clean Sport", will have a duration of 24 months (2022 / 2024).

The specific objectives defined in the project are the following ones:

1. Assess the needs of local sport stakeholders and sporting communities for the development of the European Clean Sport Week campaign.

2. Identify best practices in health communication and social marketing campaigns and acquire lessons from related initiatives such as WADA's Play True Day and UKAD's Clean Sport Week.
3. Co-develop an operational framework for the implementation of the European Week of Clean Sport with expert academics, National Antidoping Organisations, and relevant target groups.
4. Implement and evaluate the impact of the European Week of Clean Sport in 4 EU countries, with an emphasis on promoting clean sport values and antidoping education across levels of sport and in an inclusive manner.
5. Provide policy and practice recommendations for the future implementation of the European Week of Clean Sport across Europe.

“Communication and social marketing have been successfully applied over the last 40 years in a wide range of public health domains, but they are largely underutilised in the context of doping prevention”.

“The proposed project aims to develop, implement, and evaluate the European Week of Clean Sport (Project EWCS).”

8. PART EIGHT - Disciplinary Measures

8.1. How antidoping rules are applied and enforced in respect of persons who have committed antidoping rule violations (‘disciplinary measures’);

Antidoping rules apply to athletes who have violated antidoping rules by monitoring them. First, in accordance with Article 90(5) of Law No. 81/2021 of November 30, ADOP makes the public disclosure on its website of all disciplinary sanctions that are applied.

Ano	Modalidade	Nome do praticante Desportivo	Tipo de Violação de Norma Antidopagem	Substância	Sanção
2019	Kickboxing e Muaythai	Artur Jorge Martins de Sousa	Resultado analítico adverso	Furosemida nandrolona	4 anos
2019	Kickboxing e Muaythai	Duarte Rafael Pereira Simões	Resultado analítico adverso	Clenbuterol Furosemida	4 anos
2019	Remo	Uíga Eha Esteves Sá	Resultado analítico adverso	Norandrosterone	4 anos
2020	Remo	Hugo Castro	Resultado analítico adverso	Clenbuterol	4 anos
2020	Motociclismo	Helder Manuel Gonçalves Correia	Resultado analítico adverso	Hydroxymethyl	4 anos
2020	Surf	Ana Dória Durão Nápoles Sarmento	Sistema de Localização	-	2 anos
2020	Ciclismo	João Paulo Silva Carvalho	Resultado analítico adverso	Terbutaline	2 anos
2020	Ciclismo	David Rodrigues	Passaporte Biológico	-	4 anos
2021	Ciclismo	Hugo de Matos Sancho	Passaporte Biológico	-	4 anos
2022	Ciclismo	Filomena Maria Lourenço Paulo	Participação em competição desportiva durante o cumprimento de período de suspensão	-	2 anos
2021	Ciclismo	João Ludgero Costa dos Santos	Resultado analítico adverso	Tetrahidrocannabinol; darboporetina (DEPO)	4 anos
2021	Kickboxing	Gilbes Viana Gomes	Resultado analítico adverso	Tetrahidrocannabinol	2 anos
2022	Ciclismo	José Carlos Prates Neves Fernandes*	Posse de substância proibida e método proibido	Hormona de crescimento humana	3 anos
2022	Ciclismo	Samuel José Rodrigues Caldeira*	Posse de substância proibida e método proibido	Somatropina, Actrapade Insulina Humana, Hormona de crescimento humana	3 anos
2022	Ciclismo	Rui Pedro Carvalho Vinhas**	Posse de substância proibida e método proibido	Betametazona	3 anos
2022	Ciclismo	Ricardo Jorge Correia Mestre*	Posse de substância proibida e método proibido	Somatropina	3 anos
2022	Ciclismo	Ricardo Augusto Afonso Vilela**	Posse de substância proibida e método proibido	Hormona luteinizante, somatropina, Testosina - B4 e seus derivados p. ex. TB-500	3 anos
2022	Ciclismo	Daniel José Pereira Mestre*	Posse de substância proibida e método proibido	Betametazona	3 anos
2022	Ciclismo	João Pedro Lourenço Rodrigues**/**	Passaporte Biológico e posse de Método proibido	-	4 anos aplicados pela UCI (Passaporte Biológico) ↓ 3 anos aplicados pela ADOP (Posse de método proibido)

* De acordo com o previsto no n.º 16 do artigo 83.º da Lei n.º 81/2021, de 30 de novembro, ao abrigo do qual, se o praticante admitir a violação da norma antidopagem e aceitar o período de suspensão, pode beneficiar de uma redução de um ano no período de suspensão. A sanção foi aplicada após audição da Agência Mundial Antidopagem (AMA) e da União Ciclista Internacional (UCI).

** A sanção aplicada pela ADOP vai ser cumprida entre 15 de julho de 2026 e 14 de julho de 2029, após cumprimento da sanção de quatro anos imposta pela União Ciclista Internacional (UCI).

<https://www.adop.pt/gabinete-juridico/san%C3%A7%C3%B5es-disciplinares.aspx>

On the other hand, in accordance with Article 90(1) of Law No. 81/2021 of November 30, all disciplinary decisions are notified to sports federations.

Also, in accordance with Article 90(2) of Law No. 81/2021 of November 30, ADoP must, until the beginning of the sports season, communicate to all sports federations the list of practitioners who are complying with the suspension period.

Thus, it is concluded that decisions are communicated to national sports federations. In fact, such communication is also made to international sports federations. Accordingly, all sports activity that is carried out within a sports federation is monitored, and the person who is complying with a sanction for violation of an antidoping rule is strictly prohibited from participating in any federative test.

However, in Portugal there are also sports events of a playful nature, which are held by sports promoters, which are usually companies. To prevent these people from participating in these events, in Portugal was approved Decree-Law No. 45/2015, of April 9, which is intended to protect the object and activity of sports federations.

According to this Decree-Law, any entity that intends to organize a sports event that relates to a sport organized by a sports federation, must apply to the sports federation permission to conduct this event. If the entity does not apply for such authorisation, the evidence cannot be carried out.

And when the event promoter asks for this authorization, the sports federation becomes aware of the list of participants in the competition, which prevents sports practitioners who are complying with doping sanctions from participating in any event.

[Decreto-Lei 45/2015 \(tretas.org\)](http://tretas.org)

In fact, a few months ago a sports federation became aware that an athlete who was serving a doping sanction participated in a race in Portugal and another in Spain, having reported this to ADoP. Immediately, ADoP acted, having applied a sanction to the athlete.

8.2. How allegations that a person (including Athlete Support Persons) has committed an antidoping rule violation are resolved, including an explanation as to the nature and constitution of the relevant hearing body/bodies responsible for resolving antidoping rule violation matters and imposing sanctions;

All allegations regarding antidoping rule violations are resolved, by the instruction of the disciplinary process.

The first step in the disciplinary process is the appointment of an instructor. The instructor of the disciplinary process is appointed by the President of ADoP, always being a member of the Legal Division, which is licensed in law.

The entire procedural regime is explained in Article 72 of Law No. 81/2021 of 30 November:

"Article – 72

Rules of the procedure

- 1 – Without prejudice to paragraph 5, the disciplinary procedure has written form and a secret nature.*
- 2 – The language of procedural acts is the Portuguese.*
- 3 – The instructor of the procedure is appointed by the President of the ADoP, with the possibility of delegation.*
- 4 – After analysing the evidence carried out in the file, the instructor chooses to promote the preliminary hearing of the agent or to deduce charges.*
- 5 - The preliminary hearing provided for in the preceding paragraph must be brief and swift, ensuring the sports practitioner an opportunity to be heard, in written or verbal form.*
- 6– The complaint must include the facts imputed to the offender and the circumstances of the time, manner and place of the commission of the infringement.*
- 7 – Notified of the charge, the agent may submit, within 10 working days, a defence and a promissory form.*
- 8 – The agent may constitute and be assisted by a lawyer at any stage of the procedure and be represented by a guardian or a parent.*

9 – After the defence phase, the instructor prepares a final report, and the ADoP shall refer it to the Antidoping Disciplinary College for decision.”

Concerning to the nature and constitution of the relevant hearing body responsible for resolving antidoping rule violation matters and imposing sanctions, all decisions are rendered by the Antidoping Disciplinary College. According to n.º 1 of article 37 of the Law 81/2021, november 30th, *“The Antidoping Disciplinary College (CDA) is an independent technical-legal committee with the competence to decide disciplinary offenses arising from violations of antidoping rules, having jurisdiction over the in disciplinary matters.”*

Regarding the composition of the CDA, it is composed of seven members, who must have proven doping knowledge and comply, inter a few others, with the following requirements:

- (a) five of its members, one of whom is the President, holds a law degree;
- (b) two of its members hold a bachelor's degree in other areas relevant to doping.

The members of the CDA are appointed by the member of the Government responsible for the field of sport, on a proposal from the President of the ADoP. The term of office of the Members of the CDA is of three years renewable for equal periods, and the members are bound to the principles of legality, exemption, transparency, and confidentiality.

8.3. How the operational independence of the relevant hearing body/bodies is monitored and how the disciplinary and dispute resolution measures established by the Host Party align with Monitoring Group guidelines and recommendations;

According to n.ºs 5 to 10 of article 39 of Law 81/2021, November 30th, all members of the CDA have operational, technical and are full independent from ADoP and sports federations, and cannot be lawyers in the disciplinary process in which takes part:

The members of the CDA must respect the following principles:

“5 – The status of a member of the CDA is incompatible with the exercise of law in the to decide on the subcommittees it integrates.

6 – No member may perform his or her duties when he has an interest, directly or indirect, personal or economic, in the results of the process, and shall apply to it, with the appropriate adaptations, the regime of impediments and suspicions specific to judicial magistrates.

7 – In particular, specific reasons for preventing CDA members are:

(a) have intervened, in any capacity, in the matter of the proceedings;

(b) to have a professional or other relationship with any of the parties to the proceedings, or with the club of the accused athlete or the federation of the sport concerned.

8 – CDA members shall declare and disclose all circumstances that may raise doubts about their independence and impartiality, including circumstances supervenient or of which they have only become aware after their designation, in particular procedures to be decided by the subcommittees they will be included.

9 – CDA members are operationally independent of the disciplinary process, so the President of ADoP, it´s staff members, commission members, consultants and officials, or the members federations or confederations, as well as any person involved in the investigation and pre-adjudication of the matter cannot be appointed member of CDA.

10 – The members of the Disciplinary Antidoping College, or other persons involved in the decision of the Disciplinary College Antidoping, may not be involved in the investigation phase or in the decision to institute disciplinary proceedings, ensuring that the Disciplinary College Antidoping is in a position to conduct the hearing and decision-making process without interference from ADoP or others.”

8.4. How mutual recognition of sanctions is given effect.

Mutual recognition of sanctions is given effect, according to article 95^o of Law 81/2021, november 30th:

"1 - A decision of an antidoping rule violation made by a Signatory Antidoping Organization, an appellate body or CAS shall, after the parties to the proceeding are notified, automatically be binding beyond the parties to the proceeding upon ADoP and any sports federation, as well as every Signatory in every sport with the effects, depending on the case, described below:

a) A decision by any of the above-described bodies imposing a Provisional Suspension (after a Provisional Hearing has occurred or the Athlete or other Person has either accepted the Provisional Suspension or has waived the right to a Provisional Hearing, within the terms of numbers 5 to 7 and 14 to 18 of article 7 and (f) number 13 of article 76, automatically prohibits the Athlete or other Person from participation in all sports within the authority of any Signatory during the Provisional Suspension.

b) A decision by any of the above-described bodies imposing a period of Ineligibility (after a hearing has occurred or been waived) automatically prohibits the Athlete or other Person from participating in competitions or sporting events, in all sports or disciplines that occur under the authority of a signatory, in the terms of the article 88.

c) A decision by any of the above-described bodies accepting an antidoping rule violation automatically binds all Signatories;

d) A decision by any of the above-described bodies to Disqualify results for a specified period automatically Disqualifies all results obtained within the authority of any Signatory during the specified period;

e) ADoP and any sports federation shall recognize and implement a decision and its effects, without any further action required, on the earlier of the date ADoP receives actual notice of the decision or the date the decision is placed into ADAMS;

f) A decision by an Antidoping Organization, an appellate body or CAS to suspend, or lift, Consequences shall be binding upon ADoP, and any sports federations, without any further action required, on the earlier of the date ADoP receives actual notice of the decision or the date the decision is placed into ADAMS.

2 - A decision of an antidoping rule violation by a Major Event Organization made in an expedited process during an Event shall not be binding on ADoP or National Federations in Portugal unless the rules of the Major Event Organization provide the Athlete or other Person with an opportunity to an appeal under non-expedited procedures.

3 - ADoP and any National Federation in Portugal may decide to implement other antidoping decisions rendered by Antidoping Organizations non-signatories of the World Antidoping Code, such as a Provisional Suspension prior to a Provisional Hearing or acceptance by the Sports Practitioner or Other Person.

4 - An antidoping decision by a body that is not a Signatory to the World Antidoping Code shall be implemented by ADoP and any sports federation, if ADoP finds that the decision purports to be within the authority of that body and the antidoping rules of that body are otherwise consistent with the World Antidoping Code.”

9. PART NINE - International Co-operation and Provision of Information

9.1. International Co-Operation

In the last years ADoP is having an active participation in all the CAHAMA meetings with the presence of the President of ADoP, the Executive Director of ADoP and a representative from the Portuguese Government.

In the past, ADoP appointed several members of the Advisory Groups, which provided to ADoP a great value of information.

The cooperation between the states and the coordination done by CAHAMA lead Europe to present a common and strong position when required in the decisions taken by WADA.

In the rules of some Portuguese Federations the national records can only be recognised if an anti-doping test is done in a defined period of time after being achieved. This usually applies for Junior and Senior age groups.

https://fpaportalonline.blob.core.windows.net/portalfpa-public/2019/11/REGULAMENTO_DE_HOMOLOGACOES_DE_RECORGES-21794.pdf

9.2. Provision of Information

International Cooperation has been one of the sectors of major importance in the last three years in ADoP.

ADoP has presented in the last years candidatures to two WADA's Committees. Maria João Cascais was candidate to a nomination in the Health, Medical and Research Committee and Carlos Santos was candidate to a nomination in the Education Committee.

Maria João Cascais, President of ADoP's TUE Commission, was member of the Monitoring Group for Laboratories until last June.

Besides the cooperation with WADA and the Council of Europe, ADoP is a founding member of two Antidoping networks that join different NADO's:

RILD – A network with the Portuguese and Spanish speaking countries from the Iberian Peninsula and Central and South America.

RELAD – A network with the Portuguese speaking countries of all continents

These two networks have as main objective the exchange of experience and knowledge between the members and, in some cases, the support to implement a NADO in those countries where the doping control is still responsibility of the National Olympic Committee.

As referred before, in Part Seven – Education and Research, ADoP is also involved in an ERASMUS project with three other European NADO's (Cyprus, Poland and Bulgaria) and Europe Active.

The cooperation between ADoP and INADO has been growing in the last years. From the beginning of this year, the Executive Director of ADoP, António Júlio Nunes, is member of the board of INADO and takes part of two working groups, "Experts" and "Legal Experts".

Within the scope of the UNESCO Convention, Rui Alves ADoP's Legal Division Chief, is member of the "Task Force Improvement and refinement of the monitoring system of the International Convention against Doping in Sport".

In this matter, ADoP has a very special cooperation with two NADO's, Brazil and Cape Verde. This year ADoP made a three-day cooperation mission in Cape Verde where several work and education sessions were done with the local staff, DCO's, doctors and students. Subjects like Antidoping National

Plan, Therapeutic Use Exemption, and Results Management were discussed in the sessions. This cooperation was done with funding from UNESCO.

In cooperation with WADA, ADoP supported the creation of the Anti-Doping legislation of East Timor.

October 21, 2022

President of ADoP
(Manuel Brito)