

**MONITORING GROUP (T-DO)**

ANTI-DOPING CONVENTION



Strasbourg, 7 March 2024

T-DO(2024)08

**Anti-Doping Convention (ETS No. 135)**

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

**Evaluation visit to Albania  
5-6 December 2023**

**REPORT**

The Monitoring Group oversees the implementation and application of the Anti-Doping Convention (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 part 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**.

The Monitoring Group carried out an evaluation visit in Albania on 24-25 September 2014 and adopted an [evaluation report in 2015](#).

In April 2023, the Albanian authorities invited the Council of Europe's Monitoring Group for the Anti-Doping Convention (T-DO) to carry out an evaluation visit with the focus on the assessment of the implementation of the recommendations provided in the evaluation report from 2015, and the recent measures taken to reinforce the fight against doping.

As envisaged by the *T-DO Guidelines regarding the evaluation of States Parties Compliance with the Anti-Doping Convention* [T-DO(2023)10], the Monitoring Group decided that “that the Evaluation Visit will focus its attention on specific Article(s)” of the Convention. Consequently, the ad hoc visit to Albania focused on the normative measures taken to reinforce the fight against doping, the structure and the functioning of the national anti-doping organisation and the role of the public authorities to protect clean sport.

Prior to the visit, the Albanian authorities provided the evaluation team with a [national report](#) detailing the various measures taken to implement the Convention. The national report and the [programme](#) of the visit and the list of persons met during the visit are annexed to this evaluation report.

## **1. LEGISLATIVE, REGULATORY AND ADMINISTRATIVE PROVISIONS**

- 1.1 Albania ratified the Convention on 15 November 2004 and Albanian representatives regularly participate in the T-DO activities. On 12 May 2004, Albania also signed the 2002 Additional Protocol to the Convention but has not ratified yet it. This lack of commitment could be explained in part by the absence of a national anti-doping organisation at the time of the signature and the requirements to obtain a certification to ISO quality standards for doping control.
- 1.2 The Law on Sport No. 9376 of 2005 was the first legislation in Albania to regulate the fight against doping by defining doping substances, the applicable rules for doping control and testing, and establishing an Anti-Doping Commission.
- 1.3 The Law on Sport No. 79/2017 of 2017 improved the Albanian anti-doping system by clarifying the respective definitions in order to comply with the Convention and the World Anti-Doping Code. It also recognised the establishment of the Albanian Anti-Doping Organisation (OKAD) as an independent entity with a non-profit status. The law also specifies the type of the funding that OKAD can receive (see the following section for further details). These changes were in line with the recommendations made in the 2015 Evaluation report.
- 1.4 As indicated in the 2015 Evaluation report, the Criminal Code provides for criminal penalties for the trafficking, production, transport, or distribution of certain prohibited substances, i.e. substances of abuse and certain stimulants. However, the abovementioned provisions do not cover literally anabolic steroids or other classes of prohibited substances or prohibited methods.
- 1.5 The Albanian Criminal Code also provides that “distorting competition in sports events by participants through use of prohibited substances constitutes a criminal offence and is punishable by fine or imprisonment for up to two years” (Article 197/b). The Evaluation Team was informed that an athlete had been condemned under this provision in 2019.
- 1.6 Albania ratified the Council of Europe Convention on the counterfeiting of medical products and similar crimes involving threats to public health (Medicrime Convention) in 2016. The Medicrime Convention could be a complementary tool to facilitate the fight against doping and the prosecution of the import or sale of illegal medicines.

## **Conclusion**

- 1.7 Albania has taken a number of positive steps to strengthen the fight against doping at national legislation in order to comply with its international obligation. The Law on Sport No. 79/2017 is an essential element in this regard. However, additional measures should be taken to restrict the availability and use of banned doping agents and methods.

## **Recommendations**

- 1.8 The Albanian authorities are recommended to ratify the Additional Protocol to the Council of Europe Anti-Doping Convention.
- 1.9 The Albanian authorities are recommended to review criminal doping legislation. Legislation needs to focus on criminalising the trafficking, supply and sale of doping methods and substances in order to properly investigate and prosecute support personnel and not hold criminally liable athletes for using prohibited substances or methods.

## **2. NATIONAL ANTI-DOPING ORGANISATION (OKAD) - STRUCTURE AND FUNCTIONING**

- 2.1. For the purpose of the visit, the Evaluation Team solely focused on the structure and the functioning of the NADO and did not evaluate other aspects of its activities.
- 2.2. The Albanian Anti-Doping Organisation, OKAD, established in 2017, is a non-profit association. The 2017 Law on Sport provides that OKAD "shall be established by not less than three Albanian Olympic Federations" and its statute "shall be approved by the Minister of Sport". The evaluation team was informed that the establishment of OKAD as a public body was not feasible due to administrative constraints, in particular the legal requirement to have a minimum number of employees.
- 2.3. The founders of OKAD are the national federations of boxing, horse riding and sport climbing & mountaineering, which are represented in the General Assembly and the Executive Committee of OKAD. According to the Albanian authorities, the governing structures of the association have no effective control over the functioning of OKAD. Their role is limited to the appointment of the Director of OKAD by the General Assembly through an open competition every five years and the adoption of the OKAD annual report by the Executive Committee. OKAD also reports annually to the Ministry of Education and Sport on its activities, including the number and type of tests carried out.
- 2.4. The 2017 Law on Sport was amended in 2020 to clarify the financing of sports organisations in Albania, including OKAD. Article 13 of the amended law provides that:  
    "1. The sports federations, the Albanian National Olympic Committee and the National Anti-Doping Organization shall be financed with funds provided by the State budget in the form of transfers provided for in the state budget, as well as from other legal sources.  
    2. The financing of the Olympic sports federations, the Albanian National Olympic Committee and the National Anti-Doping Organization is determined by a joint instruction of the minister responsible for finance and the minister responsible for sports [...]"
- 2.5. Furthermore, Article 44 paragraph 3 of the 2017 Law on Sport provides that "the National Anti-Doping Organization can be financed with funds provided by the State Budget, international organizations to which it is a member, Albanian sports federations, as well as other legal sources".

- 2.6. On 25 February 2022, the Minister responsible for sport approved the Joint Instruction No 4 stating that OKAD “will be financed up to 3% of the total budget” allocated to sport and that 7% will be allocated to National Olympic Committee.
- 2.7. Between 2017 and 2019, OKAD did not receive any funding from the Albanian authorities. Since 2019, the allocated budget has steadily increased from 9,000 to 51,000 euros in 2023. The Albanian authorities have indicated their intention to further increase this budget.
- 2.8. The allocated budget is used for OKAD activities, mainly testing and education, and for the remuneration of OKAD staff, which at the time of the visit consisted of a director (part-time), a financial manager (part-time) and an executive secretary (full time).
- 2.9. Since 2021, OKAD has carried out between 50 and 60 tests annually with an appropriate balance between in and out of competitions.<sup>1</sup> OKAD and the Albanian authorities agreed that the number of tests should be increased. Representatives of the Ministry of Sport were of the opinion that 70 tests should be carried out in 2024, as it is an Olympic year and that 100 tests per year should be an achievable goal in the near future.
- 2.10. In addition to the public funding, Albanian sports federations can support OKAD testing programme, through bilateral agreements requiring additional tests. According to OKAD, this would amount to approximately 15 additional tests in 2023, which were not included in the OKAD test distribution plan. OKAD can also receive funding if it acts as a service provider for major events. In this context, OKAD conducted 74 tests during two wrestling championships organised in Albania in 2023.
- 2.11. OKAD paid a special attention to the prevention of doping and the promotion of clean sport. The organisation regularly held educational events for targeted audiences, from young or professional athletes to schoolchildren.
- 2.12. The representatives of the National Olympic Committee and of the Football Federation expressed their desire to extend the involvement of OKAD to the education of young and professional athletes as well as their entourage (coaches and healthcare staff).
- 2.13. The Evaluation Team was informed that OKAD was in the process of developing its own website to promote its activities and publish relevant information, including the list of prohibited substances and methods and its anti-doping rules which are currently available on the website of the Ministry responsible for sport.
- 2.14. The 2017 Law on Sport stipulates that “Albanian sports federations accept the authority of the National Anti-doping Organization for the control of athletes, their members, and the penalty of doping users.” This recognition is reflected in the statutes of the 42 national federations which explicitly acknowledge the authority and decisions of OKAD. The Evaluation Team was informed that OKAD was facing practical difficulties regarding the possibility of testing football players. The visit allowed to clarify the situation and to recall the principle of OKAD’s unconditional jurisdiction over all national federations regarding the testing of their athletes in and out of competition.

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<sup>1</sup> 60 tests in 2021 (32 in competition / 28 out of competition), 55 tests in 2022 (14 in competition / 41 out of competition), 45 tests until November 2023.

- 2.15. During the discussions with the representatives of the Ministry responsible for sport and the President of the National Olympic Committee (NOC) of Albania, the Evaluation Team was informed about the increased participation of Albanian athletes in international competitions, the hosting of international or continental events in Albania and, more generally, the modernisation and massification of Albanian sport. In 2022, the Albanian NOC has been allocated 500,000 USD to support sport federations through various projects, and 132,000 USD to support elite summer and winter sport athletes. In this context, it is essential to ensure that the development of Albanian sport is guided by the principle of clean sport and that OKAD has the necessary financial and human resources to support clean athletes in this process, particularly in terms of anti-doping education and testing of athletes.

## **Conclusion**

- 2.16. The establishment of OKAD, the Albanian Anti-Doping Organisation, is an important and positive step in the implementation of the Convention in Albania.
- 2.17. Since its establishment, OKAD has demonstrated its professionalism, its operational independence and its willingness to promote clean sport and fight against doping in sport. However, the fact that OKAD is governed by three national federations – even if their current role is mainly honorary - may expose OKAD to the risk of influence or even dissolution. A different legal structure should be envisaged to ensure the continued independence of OKAD.
- 2.18. The scope of OKAD's activities is gradually expanding. This process should be encouraged by an appropriate increase in the budget allocated to OKAD by the Albanian authorities in order to increase the staffing level, the number of anti-doping tests conducted annually and other activities. Such an increase should also make it possible to end the practice of indirect funding of OKAD's testing activities by the national federations.
- 2.19. Considering the expertise of OKAD and the necessity to educate athletes and their entourage to anti-doping, collaborations with sport federations and the Albanian NOC could be envisaged in relation to education to anti-doping. These educational activities could be part of the project financed by the Albanian Government and currently implemented by the NOC to promote sport at national level.

## **Recommendations**

- 2.20. The Albanian authorities are recommended to strengthen the independence of OKAD by reviewing its legal structure. The possibility of transforming the organisation into a public institution should be considered.
- 2.21. While noting the steady increase in the budget of OKAD, the Albanian authorities should consistently increase the public funding allocated to OKAD in order to strengthen its staff and carry out more anti-doping activities, in particular the number of tests conducted. The budget allocated should be sufficient to allow the organisation to function properly and not to be dependent on other sources of funding such as the bilateral agreements signed with national federations. This measure will further strengthen the independence of the organisation.

### **3. ROLE OF THE PUBLIC AUTHORITIES TO PROTECT CLEAN SPORT**

- 3.1. The protection of clean sport requires the involvement and the active contribution of public authorities. The Convention notably requires appropriate coordination between the competent authorities.

#### **Ministry of Education and Sport**

- 3.2. The Ministry of Education and Sport is responsible for developing and ensuring the implementation of the anti-doping policy at the national level.
- 3.3. The Evaluation Team was informed that the Ministry has the power to suspend or withdraw funding from a national federation in the event of a breach of the anti-doping rules. However, the legal provisions on this point were not provided, and the Evaluation Team was informed that this possibility had never been used.
- 3.4. The Ministry, and by extension the NOC and/or the national federation concerned, has the power to suspend or withdraw funding from any athlete or coach who commits an anti-doping rule violation. Representatives of the Ministry indicated that before any funds are released to an athlete, or before they are offered public employment in the government for their sporting success, they must submit a negative doping test. The legal or contractual provisions, and the policy describing the “grant” procedure were not communicated to the Team. The requirement of a negative doping test before receiving any funding or other benefits from the Ministry is a positive initiative. However, it is not always feasible and more importantly its value is questionable if the test is not conducted in-competition and without prior notice. Finally, it is not clear whether the withdrawal of funding and of the other benefits for athletes and support persons can be applied retroactively. This is of crucial importance as anti-doping rules allow for the long-term storage and reanalysis of samples for up to 10 years from the date of the doping control.
- 3.5. In 2017, with the support of UNESCO, the Albanian authorities developed a project to train 400 physical education teachers from eight regions on anti-doping and to develop a toolkit with the help of WADA's ADEL Platform. Since then, the Ministry of Education and Sports has signed an agreement with OKAD to promote anti-doping education among children. The aim is to develop and implement educational activities for primary school pupils and teachers. The programme is an integral part of the physical education, sport and health curricula.
- 3.6. The Albanian authorities have also included anti-doping in the curricula of pre-university education, physical education and sports university.
- 3.7. The Ministry of Education and Sport coordinates the anti-doping activities through the National Compliance Platform. The Platform is composed of representatives from the Ministries of Education and Sport; Health and Social Protection; Interior; Finance and Economy as well as of the OKAD and of the sports movement (a coach from an Olympic Federation and an athlete, member of the Albanian Athletes Commission of the Olympic Committee). The Evaluation Team understood that the main role of the Platform was to collect information necessary for the Council of Europe and UNESCO anti-doping questionnaires. Several ministry representatives expressed their interest in more regular

meetings of the Platform and the creation of a network for exchange and coordination on anti-doping.

### **Ministry of Health and Social Protection**

- 3.8. At the time of the visit, the Ministry of Health and Social Protection was working on reinforcing the law on narcotic and psychotropic substances in order to improve the regulation, better protect the society and prosecute offenders.
- 3.9. The Evaluation Team was informed that the legislation on the labelling of medicines mirrored that of the European Union.
- 3.10. The representatives of the Ministry of Health and Social Protection recognised that doping is a public health issue and expressed their willingness to step up their activities to combat the production and the illicit use of medicines for doping purposes. The need for active cooperation with the law enforcement authorities was mentioned in particular to detect potential “kitchen laboratories” producing prohibited substances and the trafficking of doping substances in the country.
- 3.11. The need for a reinforced cooperation with other Ministries, and in particular the Ministry of Agriculture which is responsible for the control of food supplement, was stressed and the authorities announced their intention to create a dedicated working group, with the participation of the other Ministries and OKAD.
- 3.12. With regard to healthcare practitioners, the Ministry of Health is considering the development of a learning module on combating doping, with reference to all relevant International and European standards. Additionally, the Ministry intends to assess and revise the relevant regulatory framework to empower the competent authorities to take disciplinary action against doctors, nurses, physiotherapists, and other healthcare professionals in the event of an anti-doping rule violation.

### **Law enforcement authorities and customs - Ministries of Interior and of Finance and Economy**

- 3.13. The Ministry of Interior has taken a number of steps to reinforce the fight against doping. A police unit is specifically responsible for illegal substances (including many of the substances that are prohibited in sport) and two police officers have recently participated in the WADA “Anti-Doping Intelligence & Investigation Capability and Capacity Building Project in Europe”.
- 3.14. The law enforcement authorities regularly cooperate with OKAD and have the possibility to share information with OKAD staff. However, exchanges of information appeared to be based on a mutual trust between both institutions rather than on a formal agreement.
- 3.15. Customs’ activity in relation to anti-doping prohibited substances is limited. Representatives of Customs explained that this is mainly due to the need to translate doping substances into customs tariff codes that needs to be done with the assistance of the Ministry of Health. The lack of appropriate equipment to detect and identify potential prohibited substances also limits their ability to act.



- 3.16. The representatives of the Ministry of Finance and Economy considered that their work would be strengthened by the technical support from the Ministry of Health and of the OKAD, particularly with regard to trends in doping activities. The designation of a contact point to ensure a reactive interaction between the customs services and the Ministry of Health was mentioned as a key tool. A formalised cooperation between the customs and the authority responsible for medication would increase the knowledge sharing and facilitate the identification of the illicit substances. They also expressed an interest in the signing with OKAD a memorandum of understanding to allow exchanges of information and cooperation.
- 3.17. The importance of an initial and ongoing anti-doping training for police and customs officers, including by OKAD, was also mentioned as a way forward.

## **Conclusion**

- 3.18. As provided by the Anti-Doping Convention, national co-ordination is essential for the implementation of the policies and actions of the government departments and other public agencies concerned with combating doping in sport. Under the leadership of the Ministry responsible for sport, the authorities established a national platform to ensure this co-ordination which should be further used.
- 3.19. The Albanian authorities have taken a number of measures to promote clean sport, in particular as regards education and the promotion of sporting values. The authorities have shown a clear will to combat doping, particularly as regards improving the awareness and training of professionals and limiting the availability of prohibited substances in Albania.

## **Recommendations**

- 3.20. The Albanian authorities are recommended to reinforce the cooperation between all the anti-doping stakeholders by organising regular meetings and exchanging information on individual situations and general trends. The national platform under the leadership of the Ministry responsible for sport could serve this task. OKAD should be involved in this cooperation process. Bilateral cooperation should also be established or strengthened. In this context, the announced establishment of a working group between the Ministry of Health and the Ministry of Agriculture on food supplements should be highlighted. The working group could also benefit from the participation of OKAD and of Customs.
- 3.21. The Albanian authorities are encouraged to include dedicated learning modules on the fight against doping in the initial and ongoing education curricula of the Police academy, in the training of customs officers and medical and healthcare studies.
- 3.22. It is recommended that the Ministry of Sport to develop and implement a policy on the role and responsibilities of national federations, with clear indicators and objectives. The policy should include the possibility of withholding funding in the event of wrongdoing or underperformance by a sports federation in relation to the fight against doping.
- 3.23. The Albanian authorities are also recommended to introduce the possibility for the Ministry of Sport to recover the grant and withdraw other benefits in the event of an anti-doping rule violation by a rewarded athlete.

- 3.24. The Ministries of Interior and of Finance and Economy, are recommended to ensure that the exchange of relevant information, including of criminal nature, could take place between OKAD and the law enforcement and customs authorities. It should be envisaged to involve OKAD into the exchange of information already existing between the police and customs service which is based on a cooperation agreement.
- 3.25. The Ministry of Economy and Finance and the Ministry of Health should formalise a cooperation to provide technical assistance, in particular through the designation of a focal point, to share knowledge and to assist customs to translate prohibited substances into customs tariff codes. It could be envisaged that the national authorities entrusted with the responsibility to regulate medications provide technical assistance to the General Directorate of customs.
- 3.26. The Albanian authorities are encouraged to review legislation and/or regulations to ensure that healthcare professionals can be sanctioned if involved in doping-related matters.

**NATIONAL REPORT  
TO THE MONITORING GROUP OF THE ANTI-DOPING CONVENTION (T-DO)**

**AD HOC VISIT TO ALBANIA**

**DECEMBER 5-6, 2023, TIRANA**

The objectives of the visit are as follows:

- I The recent progress, in particular the implementation of the new anti-doping legislation;
- II The role and functioning of the newly established NADO;
- III The role of the Ministry of Sport in the fight against doping;
- IV The involvement of the sport movement (NOC and national federations) in its anti-doping activities;
- V The measures in place to ensure the intergovernmental/interagency cooperation and exchanges of information on anti-doping (law enforcement, customs, ministry of education, ministry of health, health-care agency, etc.)

**I The recent progress, in particular the implementation of the new anti-doping legislation**

**1. International Legal Framework**

Albania has ratified the European Anti-Doping Convention by Law no. 9242, dated 17.06.2004 "On ratification of the European anti-doping Convention, 1989 " and the UNESCO International Convention against Doping in Sport by Law no. 9623, dated 16.10.2006 "On the accession of the Republic of Albania in the International Convention against Doping in Sport, 2005".

Albania is among the first signatories of the Copenhagen Declaration for recognition of WADA Anti-Doping Code.

**2. National legal framework**

In appliance of the obligations deriving from the implementation of the European Anti-Doping Convention and UNESCO International Convention against Doping in Sport, Albania approved a legal framework for the doping control. This has become possible as a result of systematic (and often very challenging work).

In the legislative aspect, many changes have been made over the years thanks to the cooperation of the Ministry responsible for sport with COE and WADA.

## **a) The changes of the law of sport**

### **Year 2005**

- The first Law no. 9376 “On Sport”, dated 21.04.2005 provided the notions of anti-doping substance, rules, doping control, testing, and anti-doping commission, and determines the anti-doping policies.

### **Year 2017**

- The Law no. 79/2017 “On Sport” have improved all the deficiencies in order to be in compliance with the Conventions ratified by the Republic of Albania as follows:

In appliance of the priority recommendations of the Monitoring Group of Antidoping Convention, during their visit on 24-25 September 2014, the Ministry responsible for Sport took the necessary initiatives in order to amend the sport Law taking in consideration the following issues:

- The amendment of the Albanian Law no .79/2017 “On Sport” ensure the definition of doping which covers the administration to sportsmen or sportswomen, or the use by them, of **doping substances and methods**.
- The establishment of the National Anti-Doping Organization as an independent unity, in the status of non-governmental organization, since Albania did not have the possibility to establish an Antidoping Public Agency, due to the large number of employees required in this case, as public entity, according to the Albanian legislation in force.

## **Law no .79/2017 “On Sport”**

### ***“Article 43 ANTI-DOPING IN SPORT***

#### ***Use of doping substances and methods***

- 1. It is strictly prohibited to use doping substances and methods in the training process and sport activities.*
- 2. The list of doping substances and methods prohibited in the Republic of Albania is the same as those adopted by the World Anti-Doping Agency.*
- 3. Use of doping substances and methods, as well as promotion for their use are punished according to international norms accepted by the respective federations.*

### ***Article 44***

#### ***National Anti-doping Organization***

- 1. Anti-doping activity in the Republic of Albania is exercised by the National Anti-doping Organization. The National Anti-doping Organization is a non-profit organization, established by not less than three Albanian Olympic federations. Organization and functioning of the National Anti-Doping Organization shall be conducted according to the statute approved by the minister responsible for sport and the competent court.*

2. *Statutory changes shall be approved by the minister responsible for sport, within 60 days from the date the document with the relevant changes is filed. After this term, the statutory changes are considered silently endorsed. Upon completion of this procedure, statutory changes are registered with the court.*
3. *National Anti-Doping Organization may be funded by the Government Budget, the international organizations to which it adheres, the Albanian sports federations, as well as other legitimate sources.*
4. *The Ministry responsible for sport recognizes only a National Anti-doping Organization and no other organization can exercise its attributes.*
5. *The National Anti-Doping Organization shall take the necessary measures, under the European Anti-Doping Convention, for the anti-doping control of athletes and take the measures provided for persons using or promoting the use of doping.*
6. *Albanian sports federations accept the authority of the National Anti-doping Organization for the control of athletes, their members, and the penalty of doping users. The federate statute provides for this liability.*
7. *The National Anti-Doping Organization and all sports organizations must adhere to the fight anti-doping, as defined in the provisions of the International Convention Against Doping in Sport, 2005, ratified by the Republic of Albania under Law no. 9623, dated October 16, 2006, "On the adherence of the Republic of Albania to the International Convention Against Doping in Sport, 2005", and to the European Anti-doping Convention of 1989, ratified by the Republic of Albania by Law no. 9242, dated June 17, 2004, "On the Ratification of the European Anti-Doping Convention, 1989".*

### **Year 2020**

- b) The amendment of the Law no.79/2017 "On Sport", determined the Financing of sports organizations. For the first time the National Anti-Doping Organization is included is included in the financing of sports organizations from the state budget.

### ***Article 13 "Financing of sports organizations***

1. *The sports federations, the Albanian National Olympic Committee and the National Anti-Doping Organization are financed with funds provided by the state budget in the form of transfer, provided for in the state budget, as well as from other legal sources.*
2. *The financing of the Olympic sports federations, the Albanian National Olympic Committee and the National Anti-Doping Organization is determined by a joint instruction of the minister responsible for finance and the minister responsible for sports....."*

### **Year 2021**

- d) The Minister responsible for sport approved the joint instruction no. 4, date 25.2.2022 “On the method of using the "grant/internal current transfer" fund to Olympic sports federations, Albanian national Olympic committee and the national anti-doping organization” defined the percentage of the fund dedicated for ALB NADO.

“5. Funding of the organizations for the purpose of sports (NOC of Albania and the National Anti-Doping Organization), as well as non-Olympic sports federations, will be in the following limits, depending on the available annual budget:

- b) National Anti-Doping Organization will be financed up to 3% of the total fund;”

### **3. RULES**

- a) Since November 2011, Albania enjoys the status of a country whose Rules are completely compliant with the WADA Code.

The National Anti-Doping Rules of Albania came into force on 31 October 2011. The Rules were developed by the National Anti doping Commission “NADC” and adopted by the Order of the Ministry of Sport and Tourism, Culture, Youth and Sports of Albania dated on 31 October 2011, No. 251, “On approval of the anti-doping rules and regulations for the functioning of the National Anti-Doping Commission (NADC)”.

- b) Following the legal changes and the establishment of the National Anti-Doping Organization, ALB NADO in close collaboration with WADA drafted and approved the Rules of ALB NADO.

ALB NADO Rules are fully in compliance with WADA Code, confirmed by WADA.

The Antidoping Rules, legislation and important documents in accordance with WADA Code are displayed on the official website of the Ministry responsible for sports at the link <https://arsimi.gov.al/organizata-kombetare-antidoping/>. ALB NADO is in the process of creating its website.

#### **4. THE DOPING SUBSTANCES AND METHODS**

The amendment of the Albanian the Law no .79/2017 “On Sport” ensured the definition of doping which covers the administration to sportsmen or sportswomen, or the use by them, of **doping substances and methods, as follows:**

*“Article 43*

*Use of doping substances and methods*

*“1. It is strictly prohibited to use doping substances and methods in the training process and sport activities.*

*2. The list of doping substances and methods prohibited in the Republic of Albania is the same as those adopted by the World Anti-Doping Agency.*

*3. Use of doping substances and methods, as well as promotion for their use are punished according to international norms accepted by the respective federations.”*

ALB NADO publishes all the necessary documents at the Ministry responsible for sport website, (the Rules, the prohibited list of WADA, etc.)

ALB NADO is in the process to create its own website.

#### **5. Other policy measures undertaken by the *Host Party* to implement the Convention, either directly or indirectly**

a) The legislation of the Albanian Republic provide for the criminal liability in relation to the anti-doping rule violation, for use of banned substances, that appear on the WADA Prohibited List, stipulated by article 197/b of the Albanian Republic Criminal Code.

The Article 234 of the Criminal Code of the Albanian Republic determines liability for Distortion of competition in sports participants, through the use of banned substances, constitutes a criminal offense and is punishable by fine or imprisonment up to two years.

b) Law No.7975 of 21 July 1995 “On narcotic and psychotropic substances” (*Official Gazette of the Republic of Albania No.20, date 25.08.1995, page 853*), amended by Laws: No. 9271 of 09 September 2004 and No.9559 of 8 July 2006. This Law defines the rules of production, manufacturing, importation, exportation, control, store and trade of narcotic and psychotropic substances. *The list of the drugs under control is part of this law. The amendments made by the Law No. 9559, provide the obligation and responsibility of the local government and the local police to cooperate in prevention and fight against cultivation of narcotic plants.*

- Law No.8750 of 26 March 2001 “On the prevention and combating of illicit trafficking of narcotic drugs and psychotropic substances” (*Official Gazette of the Republic of Albania No.14, date 13.04.2001, page 391*) defines the standards for the prevention and combating of illicit trafficking of drugs and their precursors. It allows for more special investigation means, such as “simulated purchase”, “controlled deliveries” and “infiltrated” or “undercover” agents. Also, the creation and functioning of the National Committee for Coordination of the Fight against Drugs is foreseen in this law.

- Law No. 8874 of 29 March 2002 “On the control of the substances that can be used for illicit manufacturing of narcotic and psychotropic substances” (*Official Gazette of the Republic of Albania No.12, date 29.04.2002, page 359*) defines the rules for the control of the substances that often are used for illicit manufacturing of narcotic and psychotropic drugs, with the aim to prevent the supply or deviation from legal destination of such substances. The list of the substances (precursors) under control is part of this law.

## **II The role and functioning of the newly established ALB NADO**

### **a) LEGAL FRAMEWORK**

Based on the recommendations of WADA and COE, in order to achieve the international standards of WADA Code, the Ministry responsible for sport legally supported the establishment of the National Anti-Doping Organization" (ALB NADO) through legal changes to of the law no. 79/2017 "On Sport". The legal changes consist on the substitution of the organization of doping control in our country, from the National Anti-Doping Commission at the Ministry responsible for sport, to a non-profit organization, "National Anti-Doping Organization" (ALB NADO).

In accordance with the Albanian legislation in force, the Ministry responsible for sport in collaboration with the federations took all the necessary legal and technical steps for the organization and operation of the ALB NADO.

ALB NADO is registered as an independent entity, Nonprofit Organization, with decision No.5929, dated June 20, 2018 at the Tirana Judicial District Court.

The statute of ALB NADO is drafted and approved by the Assembly and the Minister responsible for sport in accordance with the legislation in force and the WADA Code.

ALB NADO drafted and approved the Antidoping Rules of ALB NADO, supported by WADA, in order to be in compliance with the standards required by Code.

The Antidoping Rules of ALB NADO are fully in compliance with WADA Code 2021.

ALB NADO adopted ALB NADO Rules of Procedure of Standing Commissions and General Director in compliance with the WADA Guide "*Operational Independence of National Antidoping Organization under the 2021 World Antidoping Code 2021*".



## **b) ALB NADO MISSION**

To create a generation of athletes who have confidence in their ability to succeed in Athletics without the use of Prohibited Substances or Prohibited Methods.

## **c) ALB NADO STRATEGY**

ALB NADO values the contribution that sport can make to health, self-development, social development and national pride when fostered within a strong ethical environment.

Doping in sport is a major challenge, as it not only threatens the integrity of sport but also puts athletes' health at risk. Only by taking a concerted and comprehensive approach to the fight against doping in sport is it possible to protect the integrity of sport and the health of athletes worldwide.

## **d) INDEPENDENCE OF ALB NADO**

ALB NADO is independent in their operational decisions and activities from sport and government.

The composition and function of ALB NADO, the Standing Commissions are in accordance with ALB NADO Statute, ALB NADO' Rules, the article 44 of the Law no.79/2017 "On Sport" amended, article 20.5.1 of the World Anti-Doping Agency (WADA) Code.

In accordance with WADA Guide "*Operational Independence of National Anti-Doping Organizations under the 2021 World Anti-Doping Code*", the General Director directs operational activities and decisions-making on day-to-day operations of the NADO related to any of the above (staff, budget, scope and timing of activities, etc.).

### **1.1 The functions of the Standing Commissions:**

- a) The Technical Commission for doping control and therapeutic use exemptions shall be set up to perform the following tasks:
  - Scheduling effective athletes' testing, preserving the integrity and identity of the samples, according to international testing and investigation standards, of the World Anti-Doping Agency.
  - Review and decide on the athletes' request for the use of a prohibited substance or method for therapeutic use purposes.
- b) The Disciplinary Panel (Medical Disciplinary Commission) has the authority to review and decide as a first instance for violation of Anti-Doping Rules, in accordance with the World Anti-Doping Agency Code, for any athlete licensed by the Albanian Sports Federations.
- c) The Health and Promotion Affairs Commission is set up to plan, implement and monitor information, educational and preventive anti-doping programs.
- d) The Medical Appeals Commission has the power to review and decide on the second instance of complaints for each athlete licensed by the Albanian Sports Federations, at the Albanian CAS.

#### **e) FINANCING OF ALB NADO**

According to Article 13 of Law no. 79/2017 “On Sport”, the financing of the national sports organization and National Anti-Doping Organization are financed with funds provided by the state budget and sport organizations.

*“Article 13*

*Financing of sports organizations*

*1. The sports federations, the Albanian National Olympic Committee and the National Anti-Doping Organization are financed with funds provided by the state budget in the form of transfer, provided for in the state budget, as well as from other legal sources.*

*The article 44/ 3 defines as follows:*

*The National Anti-Doping Organization can be financed with funds provided by the State Budget, international organizations to which it is a member, Albanian sports federations, as well as other legal sources.*

The financing of ALB NADO started in 2019 and has increased every year. EERADO and the federations gave a modest contribution to the financial support of the tests over the years.

The budget of ALB NADO is growing every year approximately as follows:

In 2019 **9000 euro**;

in 2020 **11 000 euro**;

in 2021 **18 000 euro**;

in 2022 **42 000 euro**

in 2023 **51 000 euro**.

#### **f) TESTING**

In accordance with the WADA International Standard of Testing and Investigation, ALB NADO:

- Develop a Doping Control Program, including risk assessment, RTP, whereabouts and planning and carrying out doping controls.
- Educate staff and Sample Collection Personnel to be able to plan and carry out doping control

TESTING 2019            39 urine tests = 29 OoC and 10 IC;

TESTING 2020            15 urine tests = 7 tests IC and 8 tests OoC

TESTING 2021            60 tests= 32 IC and 28 OOC

TESTING 2022            55 tests= 14 IC and 41 OOC

TESTING 2023            During 2023 we have conducted until now 45 urine tests with additional analyses (EPO and GHRF).

ALB NADO in collaboration with United World Wrestling/ ITA, conducted 20 urine tests at the U17 European Championship 12-18 June 2023 and 54 urine tests at U23 World Championship 2023 Wrestling 25- 29 October 2023.

**g) THERAPEUTIC USE EXEMPTION (TUE)**

In the web site of the Ministry in the menu National Anti-Doping Organization / link <https://arsimi.gov.al/national-anti-doping-organization/> ALB NADO has published the updated documents in compliance with WADA International Standard of Testing and Investigation.

1. Therapeutic Use Exemption (TUE) Application Form (Albanian and English);
2. Therapeutic Use Exemption Process for Athletes (Albania);
3. ATHLETE'S Therapeutic Use Exemption process (English);

The responsible TUE Commission has examined some requests and did not recognize them due to the lack of the necessary medical documents.

The last case has been recognized by the Commission on 27.10.2023.

**h) The Management of Doping Control Results and Violations of Anti-Doping Rules**

**DECISION OF THE NATIONAL ANTIDOPING ORGANIZATION OF ALBANIA  
(ALB NADO)**

**Anti-Doping Disciplinary Panel 2021-2023**

Status	National Sports Organization	ALB NADO ADRV	Substance/Charges	Testing/date	Final decision
Athlete	Albanian Weightlifting Federation	Article 10.2.4.1	Stimulant cocaine	In competition/ 20.02.2021	Ineligibility from 23.03.2021 until 23.06.2021
Athlete	Albanian Shooting Federation	Article 10.2.1.2	Propranolol	In competition / 17.04.2021	Ineligibility from 17.04.2021 until 17.04.2025

Athlete	Albanian Weightlifting Federation	Article 10.2.1	Stanozolol	Out of competition 09.05.2022	Ineligibility from 17.06.2022 until 17.06.2026
Athlete	Albanian Taekwondo W Federation	Article 10.2.1	Hydrochlorothiazide	Out of competition 13.05.2022	Ineligibility from 17.06.2022 until 17.06.2026
Coach	Albanian Taekwondo W Federation	Article 10.3.4	Complicity or Attempted Complicity by an Athlete or Other Person		No period of Ineligibility
Athlete	Albanian Shooting Federation	Article 10.2.1.2	Propranolol	In competition 23.06.2027	Ineligibility from 23.06.2023 until 23.06.2027
Athlete	Albanian Shooting Federation	Article 10.2.1.2	Propranolol Hydrochlorothiazide Atenolol	In competition 23.06.2027	Ineligibility from 23.06.2023 until 23.06.2027

#### **i) International agreements**

Project Agreement between the Albanian Anti-Doping Agency – ALB NADO and Polish Anti-Doping Agency - POLADA, covers the development of Anti-Doping Programs as per the requirements of the World Anti-Doping Code.

#### **j) Scientific Research**

The realization of the research study is a new component which responds to the main challenges.

In 2023 ALB NADO is supporting a research study which will examine doping from a motivational perspective and explore how motivational variables, such as achievement goal orientations and perceived self-determination of sports activities, can be related to moral attitudes, goals and doping behaviour in adolescents participating in competitive sports.

The study will include amateur and elite athletes from all regions of Albania: 100-120 participants (age group: 18–25 years).

## **k) ALB NADO Anti-Doping Education**

### **Educational Programs**

Our anti-doping education provide all members of Albania's sporting community with the opportunity to develop the necessary knowledge, skills and attitudes required to be active, effective and responsible in protecting Albania's sporting integrity.

- Individuals – athletes, support personnel, parents, students, educators, general community
- Groups – sporting groups, clubs or teams, schools, classes, community groups and associations
- Organizations - National Sporting Organizations,

ALB NADO is offering educational programs for:

- Junior and high school athletes; The purpose of the lectures is to educate athletes about fight against doping, dangers of doping and give the athletes basic information about doping control process and the List of prohibited substances and methods.
- NRTP athletes; ADAMS workshops for all new NRTP members.

### **Outreach Programs**

ALB NADO outreach programs at sport events in Albania are intended to be used by all participants to properly point at the dangers of doping, which are becoming a great risk in the entire sports world.

### **E-learning**

In the framework of implementation of the World Anti-Doping Code 2021 and the International Standards of Education (ISE), has translated the new platform "Anti-Doping Learning and Education (ADEL)" for athletes, coaches, medical personnel and other stakeholders.

The ADEL platform offers a range of resources to support the development of anti-doping programs, in order to educate, inform and raise awareness among all actors in the field of sport.

Several materials have already been translated into Albanian, such as "Anti-Doping Education and Training (ADEL) for Albania for the Tokyo 2020 Olympic Games", "Athletes' Guide", "Guide for Athlete Support Personnel", "Anti-Doping Education and Training" (ADEL) for Albania for the Paralympic Games Tokyo 2020", the Olympic Winter Games Beijing 2022", etc.

### **III THE ROLE OF THE MINISTRY OF SPORT IN THE FIGHT AGAINST DOPING**

The successful implementation of the Project supported by UNESCO in 2017, regarding the anti-doping education at school in the pre-university system, is followed by a

#### **COOPERATION AGREEMENT BETWEEN THE NATIONAL ANTI-DOPING ORGANIZATION AND THE MINISTRY OF EDUCATION AND SPORTS.**

- Taking into consideration that sport plays an important role in the protection of health, in the moral, cultural and physical education of athletes the parties confirmed the commitment and cooperation for the implementation of the Project "Anti-doping education in school" of ALB NADO.

The objective of the Agreement between the Parties consists in the realization of the ALB NADO project "Anti-doping education in school", based on the program of the subject of Physical Education, Sports and Health for the training and in-depth information of teachers and students on the values of an active lifestyle and healthy and clean sport.

The Ministry responsible of sport is committed to support the anti-doping education at school, integrated into the curriculum of the subject of physical education, sports and health, within the framework of the National Anti-doping Education Plan and the National Compliance Platform (NCP), against doping in sports.

The educational program consists of a theoretical part, regarding the fight against doping and the practical part in the form of workshops on the theme of doping, in which young athletes with discuss a specific topic, and at the end present their arguments.

### **VI THE INVOLVEMENT OF THE SPORT MOVEMENT (NOC AND NATIONAL FEDERATIONS) IN ITS ANTI-DOPING ACTIVITIES**

#### **1. Legal framework**

a) The Law no .79/2017 “On Sport”, paragraph 6/ article 44 has defined as follows:

“Albanian sports federations accept the authority of the National Anti-doping Organization for the control of athletes, their members, and the penalty of doping users. The federate statute provides for this liability.”

Following the legal changes and the establishment of the National Anti-Doping Organization, all sports federations are obliged to include in their statutes the recognition and implementation of legal obligations and international standards against doping in sports.

All sports federations are obliged to include in their statutes the recognition and implementation of legal obligations and international standards against doping in sports.

b) In the Anti-Doping Rules of ALB NADO, Article 18, the duties of sports federations are defined as follows:

- All *National Federations* shall establish rules requiring all *Athletes* preparing for or participating in a *Competition* or activity authorized or organized by a *National Federation* or one of its member organizations, and all *Athlete Support Personnel* associated with such *Athletes* to agree to be bound by these Anti-Doping Rules and to submit to the *Results Management* authority of the *Anti-Doping Organization* in conformity with the *Code* as a condition of such participation.
- All *National Federations* shall report any information suggesting or relating to an anti-doping rule violation to ALB NADO and to their International Federation and shall cooperate with investigations conducted by any *Anti-Doping Organization* with authority to conduct the investigation.
- All *National Federations* shall have disciplinary rules in place to prevent *Athlete Support Personnel* who are *Using Prohibited Substances* or *Prohibited Methods* without valid justification from providing support to *Athletes* under the authority of ALB NADO or the *National Federation*.
- All *National Federations* shall conduct anti-doping *Education* in coordination with ALB NADO.

## **2. Cooperation with the Albanian Sports Federations and ALB NADO**

In implementation of the anti- rules of ALB NADO, cooperation agreements have been concluded regarding the concrete tasks for the parties and the procedural deadlines related to the necessary information and the determination of the calendar for anti-doping education.

ALB NADO has signed cooperation agreements with the following Albanian Sport (Olympic) Federations and continues to sign with other federations, with the aim of raising awareness in the joint fight against doping in sports.

Albanian Athletics Federation Albanian Weightlifting Federation Albanian Boxing Federation, Albanian Wrestling Federation Albanian Cycling Federation, Albanian Judo Federation, Albanian Swimming Federation, Albanian Shooting Federation, Albanian Taekwondo Federation, Albanian Basketball Federation Albanian Volleyball Federation, etc.

## **IV THE MEASURES IN PLACE TO ENSURE THE INTERGOVERNMENTAL AND INTERAGENCY COOPERATION AND EXCHANGES OF INFORMATION ON ANTI-DOPING (LAW ENFORCEMENT, CUSTOMS, MINISTRY OF EDUCATION, MINISTRY OF HEALTH, HEALTH-CARE AGENCY, ETC.)**

In order to better coordinate government departments and other public agencies concerned with combating doping in sport, the Ministry responsible for sport established a National Compliance Platform (NCP) composed of all relevant stakeholders at national level, in order to achieve the common goal against doping in sport.

The responsible entity in charge of coordination and collecting information is the Ministry responsible for sport.

This is a consolidated approach in providing information and collecting data to complete the Annual Antidoping questionnaire of CoE and ADLogic questionnaire of UNESCO.

The stakeholders involved in the NCP of Albania are as follows: The Ministry of Education and Sport, the Ministry of Health and Social protection, the Ministry of Interior, the Ministry of Finance and Economy, the National Antidoping Organization and representatives of sport community (a coach from one Olympic Federation and an athlete, member of NOC Albania Athlete Commission).

In the framework of the NCP of Albania, is signed an agreement between the Ministry responsible for sports and ALB NADO. The close cooperation continues with the representatives of the Ministries mentioned above, regarding the anti-doping education at school, for the purpose of educating the new generation for a healthy life away from doping and prohibited substances that create addiction.



**PROGRAMME OF THE T-DO EVALUATION VISIT  
in Tirana, Albania**

**Tuesday, 5 December 2023**

9:00-11:00    The role of the Ministry of Sport in the fight against doping - at the Ministry of Sport

- Endrit HOXHA, the Deputy Minister of the Ministry of Education and Sport (MES);
- Arjan KONOMI, Head of Development of Elite Sports/ Directory of Policy on Sport/MES;
- Violeta SHQEVJ, Specialist/ Directory of Policy on Sport/MES, Coordinator of NCP

11:30-13:30    The Role and functioning of the newly established NADO – ALB NADO Headquarters

- Surven METOLLI, Director of ALB NADO & NADO staff

15:00-17:00    Meeting with NOC of Albania and Sports Federations (football federation)

**Wednesday, 6 December 2023**

09:30-13:30    Meetings

- Ministry of Health and Social protection,
- Ministry of Internal Affairs
- Ministry of Finance and Economy.

15:00 – 16:00 – Conclusions and recommendations from the consultative team

**EVALUATION TEAM**

Members	Michael PETROU (Team Leader) President, Cyprus Anti-Doping Authority (CyADA)  Yasemin GÖDEK Expert on Youth and Sports, Ministry of Youth and Sports, Türkiye  Michał RYNKOWSKI, Director, Polish Anti-Doping Agency (POLADA)
Secretariat	Julien ATTUIL-KAYSER, Head of the Anti-Doping Unit, Council of Europe
Observer	Rafał PIECHOTA, Director, Office of the President, WADA