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Anti-Doping Convention (ETS 135)

EVALUATION REPORT OF THE MONITORING GROUP (T-DO)

Compliance by Bulgaria with the Anti-Doping Convention

REPORT

*adopted at the 49th meeting of the
Monitoring Group*

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Introduction

Acknowledgements

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Glossary:

ADAMS	Anti-Doping Administration and Management System
ADRV	Anti-Doping Rule Violation
AFNOR	Association Francaise de Normalisation (French National Organisation for Standardization)
BWF	Bulgarian Weightlifting Federation
CAHAMA	Ad Hoc European Committee for the World Anti-Doping Agency
CAS	Court of Arbitration for Sport
CCES	Canadian Centre for Ethics in Sport
CDDS	Committee for the Development for Sport
EPO	Erythropoietin
ETS	European Treaty Series
GHRFs	Growth Hormone Releasing Factors
IC	In-competition
iNADO	Institute of National Anti-Doping Organisations
IRMS	Isotope Ratio Mass Spectrometry
ISL	International Standard for Laboratories
ISO	International Standards Organisation
ISTI	International Standard for Testing and Investigations
IWF	International Weightlifting Federation
NADO	National Anti-Doping Organisation
NSA	National Sports Academy
OOC	Out-of-Competition
RTP	Registered Testing Pool
T-DO	Monitoring Group of the Anti-Doping Convention of the Council of Europe
UNESCO	United Nations Educational, Scientific and Cultural Organization
WADA	World Anti-Doping Agency

Executive Summary

1. As part of the Compliance with Commitments project of the Council of Europe and on the request of the Bulgarian Anti-Doping Centre (made on behalf of the Ministry of Youth and Sports of the Government of Bulgaria), a Monitoring Group evaluation team (the Evaluation Team) made an evaluation visit to Sofia, Bulgaria on 18 and 19 October 2016 (the Visit), as a follow-up to a previous Monitoring Group evaluation team visit that took place from 19 to 21 of November, 2012.
2. The aim of the Visit was to assess compliance by Bulgaria with the Anti-Doping Convention of the Council of Europe (the Convention) and in particular, to evaluate those Articles of the Convention and its Additional Protocol that place obligations on State Parties.

3. Summarised below are the principal findings and outcomes of the Evaluation Team on each of the Articles of the Convention and its Additional Protocol that have been evaluated. The relevant background and detailed findings are provided in subsequent chapters of this Report.
4. Convention Article 1- Aim of the Convention: Bulgaria has ratified the Convention in 1992 and the Additional Protocol to the Convention in 2005. State Parties are required to take measures to reduce and eliminate doping in sport, including legislation and commit themselves towards this responsibility. The Law on Physical Education and Sport that was originally adopted in 1996 provides the legal background for the fight against doping in Bulgaria and establishes the Bulgarian Anti-Doping Centre. Although the Law does not make direct reference to the Convention, Bulgaria has fulfilled the political commitments described in Article 1 of the Anti-Doping Convention of the Council of Europe.
5. Convention Article 2 – Definitions and scope of the Convention: The Law on Physical Education and Sport and the Bulgarian Anti-Doping Centre's Regulations on Doping Control in Training and Competition Activities provide for the definition of doping. This is in line with the World Anti-Doping Code, which covers the respective definition of doping in sport of the Convention and is even broader. WADA's Prohibited List is incorporated in the Bulgarian legal system; however, there is no reference to the role of the Monitoring Group on the adoption of the list of pharmacological classes of doping substances and doping methods. The Law on Physical Education and Sport contains no definition of 'Athlete' whereas the Bulgarian Anti-Doping Centre's Regulations contain the Code-based definition, which is not as broad as the respective definition in the Convention.
6. Convention Article 3 – Domestic co-ordination: In accordance with the Law on Physical Education and Sport, the Bulgarian Anti-Doping Centre is the responsible authority for the fight against doping in Bulgaria. It cooperates with the sport organisations in the country; however, it is not clear if and how the Bulgarian Anti-Doping Centre cooperates and coordinates with other governmental agencies for the fight against doping. The Bulgarian Anti-Doping Centre receives its funding from the Ministry of Youth and Sports.
7. Convention Article 4 – Measures to restrict the availability and use of banned doping agents and methods: Bulgaria has no specific legislation, regulations or administrative measures aiming to restrict the availability of doping agents and methods, including trafficking. However, the accessibility to certain groups of doping substances and methods may be considered as restricted on the basis of pharmaceutical laws and regulations.
8. Convention Article 5 – Laboratories: The Bulgarian Doping Control Laboratory is not accredited by WADA and thus cannot analyse samples for doping control. All of the samples that are collected by the Bulgarian Anti-Doping Centre are analysed in WADA-accredited Laboratories.
9. Convention Article 6 – Education: The Bulgarian Anti-Doping Centre is active in anti-doping information and education, and its programmes target mainly athletes and their support personnel. The involvement of the Bulgarian Anti-Doping Centre in research in the field of anti-doping is limited.
10. Convention Article 7 – Cooperation with sports organisations on measures to be taken by them: The Bulgarian Anti-Doping Centre, acting as the national anti-doping organisation, has developed

its anti-doping rules (Regulations on Doping Control in Training and Competition Activities) in line with the 2015 Code. The Regulations are nationally enforced across all licensed sports in Bulgaria. The Bulgarian Anti-Doping Centre's testing programme needs to develop further with the inclusion of more sports, and more samples need to be collected. A harmonised hearings and appeals procedure for doping cases is in place.

11. Convention Article 8 – International Cooperation: Representatives of the Bulgarian Anti-Doping Centre participate in the meetings of the Monitoring Group and its Advisory Groups as well as the meetings of CAHAMA at the Council of Europe. The Bulgarian Anti-Doping Centre is a member of the Institute of National Anti-Doping Organisations and also has established collaboration and cooperation with many international federations.
12. Convention Article 9 – Provision of Information: Representatives of the Ministry of Youth and Sport and the Bulgarian Anti-Doping Centre attend the Monitoring Group meetings regularly and report on the legislative and other measures taken for the purposes of the implementation of the Convention.
13. Additional Protocol Article 1 – Mutual recognition of doping controls: The Bulgarian Anti-Doping Centre incorporates in its Anti-Doping Rules the Code-based provisions for the mutual recognition of sanctions.
14. In conclusion, it is the opinion of the Evaluation Team that Bulgaria has fulfilled most of the commitments described in the Anti-Doping Convention of the Council of Europe and its Additional Protocol.
15. The Evaluation Team's Recommendations on each of the Articles that have been evaluated are provided in Chapters 2 to 11 of this Report, whereas an overview of all of the Recommendations is presented in Chapter 12.
16. The below key Recommendations are proposed by the Evaluation Team:
 - The Bulgarian authorities should consider developing and adopting an anti-doping specific law to regulate all aspects of the fight against doping in sport in Bulgaria.
 - The Bulgarian authorities should ensure adequate structures and practices for efficient cooperation and coordination between the Ministry of Youth and Sport, the Bulgarian Anti-Doping Centre and other departments and public agencies for the fight against doping at the national level.
 - The Ministry of Youth and Sport should ensure that the Bulgarian Anti-Doping Centre is independent on its operations and decisions and free of organisational and individual conflicts of interest.
 - The Bulgarian authorities shall adopt comprehensive legislative measures to control the trafficking of doping substances; these measures should include, as a minimum, the list of substances to be controlled, the agencies to be involved, and the applicable sanctions.
 - The Ministry of Youth and Sport should introduce and enforce stringent provisions in their legislation to allow withholding of financial support and other sport related benefits from public funds from athletes who commit an ADRV during the period of ineligibility, as well as cancelling life-long monthly bonuses from Olympic, Paralympic and Deaflympics medallists and their coaches and chief-coaches if they are found to have committed an ADRV.

- The Bulgarian authorities should ensure that the List of banned pharmacological classes of doping agents and banned doping methods in force in Bulgaria is the one adopted by the Monitoring Group. It does not mean, however, that it cannot be the WADA Prohibited List since the two Lists are identical.
- The Bulgarian Anti-Doping Centre should increase the number of samples it collects every year including athletes from more sports.

Background, Methodology and Scope

1.1 Background

1.1.1 The Compliance with Commitments project was developed in 1997 by the Steering Committee for the Development for Sport (CDDS) to help participating countries determine how “*the European Sports Charter, the Anti-Doping Convention and the European Convention on Spectator Violence and Misbehaviour at Sports Events and in particular at Football Matches*” are applied in their countries.

1.1.2 The preferred working method involves interactions between a national team who prepare a detailed report on compliance with the commitments entered into under the Convention or Charter (National Report) and a Evaluation Team appointed by the Council of Europe. Following a visit by the Evaluation Team, a second report is prepared detailing their findings, suggestions, and possible recommendations for improved compliance with the commitments. No later than three years after the publication of the final report, the visited country shall deliver a follow-up report, explaining the measures and initiatives taken following the visit.

1.2 Methodology

1.2.1 In April 2015, Dr Violeta Zarkova, Executive Director of the Bulgarian Anti-Doping Centre, on behalf of the Bulgarian authorities, by way of an e-mail to the Secretariat of the Sport Conventions of the Council of Europe provided the Monitoring Group with a follow-up report to the Evaluation Visit that Bulgaria has received in 2012¹, and invited the Council of Europe to pay a follow-up Monitoring Visit to Bulgaria.

1.2.2 The Secretariat of the Sport Conventions of the Council of Europe and the Chair of the Advisory Group on Compliance of the Monitoring Group of the Anti-Doping Convention appointed the Evaluation Team for the Monitoring Visit to Bulgaria (the Visit). The Evaluation Team was comprised of Dr. Michael Petrou, President of the Cyprus Anti-Doping Authority and Chair of the Advisory Group on Compliance of the T-DO as the Head of Delegation and Rapporteur, Mrs. Katja Huotari, Doping Control Manager at the Finnish Centre for Integrity in Sports (FINCIS) - Finnish Anti-Doping Agency FINADA, Dr. Xavier de la Torre, Scientific Vice-Director, Laboratorio Antidoping FMSI, Italy, Mr. Rafal Piechota, Deputy Director, Office of the Minister, Ministry of Sport and Tourism of Poland, Graham Arthur, Chair of the Advisory Group on Legal Issues of the T-DO and Ms. Maryam Gafar-Zada from the Secretariat of Sport Conventions of the Council of Europe, as Coordinator. The composition of the Evaluation Team is shown in Annex 1.

1.2.3 The Visit was organised by the Ministry of Youth and Sport of Bulgaria and the Bulgarian Anti-Doping Centre jointly with the Secretariat of the Sport Conventions of the Council of Europe and the Evaluation Team. Since Bulgaria held an Evaluation Visit in 2013 and since then has repeatedly provided the Monitoring Group with follow-up reports on the implementation of the Convention and the recommendations of the Evaluation Team, it was decided not to provide the Monitoring Group with a National Report. Instead, the Bulgarian authorities have provided the Secretariat of Sport Conventions of the Council of Europe with a series of related documents. In addition, a list of questions was prepared and submitted by the Evaluation Team and answered by the Ministry of Sport and Youth and the Bulgarian Anti-Doping Centre prior to the Visit.

1.2.4 The aim of the Evaluation Team was to be as prepared as possible for the Visit in order to have efficient and constructive meetings. In other words, the Evaluation Team wanted to familiarise itself

¹ The Evaluation Visit to Bulgaria took place in Sofia, on 19 – 21 October 2012. The Report from the Evaluation Visit [T-DO (2013) 05] was adopted by the Monitoring Group in April 2013.

as much as possible with the anti-doping work in Bulgaria prior to the Visit in order to conduct an in-depth evaluation of the anti-doping policies and actions in the country and provide recommendations accordingly.

1.2.5 The study of the documents provided by the Bulgarian authorities and the answers to the Evaluation Team's questions gave the Evaluation Team an insight into the country's anti-doping programme.

1.2.6 For the preparation of the Visit to Bulgaria, the Evaluation Team reviewed the information on Bulgaria from the Council of Europe's annual questionnaire on national anti-doping policies.

1.2.7 As part of its preparation, the Evaluation Team convened in the morning before the Visit to discuss about the agenda, the approach to the meetings and the interviews and the key questions and issues per Convention article.

1.2.8 The Visit of the Evaluation Team in Sofia, Bulgaria was held on 18 and 19 of October 2016. The programme of the Visit is shown in Annex 2.

1.2.9 In order to ensure that every stakeholder and interviewee was informed about the Anti-Doping Convention of the Council of Europe as well as the aim of the Visit and the expectations from the interviews, the Evaluation Team agreed to structure the interviews as below:

- a. To provide each interviewee with a brief introduction about the Anti-Doping Convention, the members of the Evaluation Team and the purpose of the Visit;
- b. To explain to each interviewee that the objective of the Evaluation Team was to assess the implementation of the Convention in Bulgaria and the actions taken by each stakeholder in that respect;
- c. To ask each interviewee about the strengths, weakness and challenges that they face towards the implementation of the Convention and to identify areas of improvement; and
- d. To invite each interviewee to engage in an open discussion with the Evaluation Team.

1.2.10 All the meetings were conducted in a friendly and open way, and all the governmental and sport representatives with whom the Evaluation Team met shared their concerns and showed great interest to hear how their anti-doping programme could be improved.

1.2.11 At the end of the Visit, the Evaluation Team met and discussed with the Minister of Youth and Sport of Bulgaria the Team's preliminary findings and conclusions and the most important recommendations.

1.2.12 The Evaluation Team prepared the Report "Respect by Bulgaria with the Anti-Doping Convention" with the aim to provide the Monitoring Group with the following on each article of the Convention: (a) a short introduction; (b) summary of the findings and analysis; (c) conclusion in relation to the question whether Bulgaria complies with its commitments under the Anti-Doping Convention of the Council of Europe; and (d) recommendations. The Report includes also an Executive Summary and an overview of the Evaluation Team's recommendations.

1.2.13 A draft version of the Evaluation Team's Report was provided to the Ministry of Youth and Sport of Bulgaria for review. The comments of the Bulgarian authorities are included in the Appendix.

1.2.15 The Evaluation Team's Report is prepared for review and approval by the Monitoring Group of the Anti-Doping Convention.

1.2.16 Following its adoption by the Evaluation Team, the Report will be formally submitted to the Bulgarian Authorities.

1.3 Scope

1.3.1 The aim of the Visit to Bulgaria is to monitor compliance with the Anti-Doping Convention. In that respect, the Evaluation Team evaluated the following articles of the Convention and the Additional Protocol to the Convention that place obligations on state parties:

- Convention Article 1: Aim of the Convention;
- Convention Article 2: Definition and scope of the Convention;
- Convention Article 3: Domestic coordination;
- Convention Article 4: Measures to restrict the availability and use of banned doping agents and methods;
- Convention Article 5: Laboratories;
- Convention Article 6: Education;
- Convention Article 7: Cooperation with sports organisations and measures to be taken by them;
- Convention Article 8: International cooperation;
- Convention Article 9: Provision of information; and
- Additional Protocol Article 1: Mutual recognition of doping controls.

1.3.2 Taking into account that (a) the Bulgarian authorities have ratified the International Convention against Doping in Sport of UNESCO and signed the Copenhagen Declaration on Anti-Doping in Sport that refer to the World Anti-Doping Code; and (b) the Convention requires from states parties to harmonise their anti-doping rules which can only be achieved under the umbrella of the Code, the Evaluation Team agreed that a comparison between the Bulgarian Anti-Doping Rules and the World Anti-Doping Code fell within the Scope of the Visit.

Part I

Convention Article 1 - Aim of the Convention

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

2.1 Introduction

2.1.1 The Convention, under this introductory article, requires State Parties to take measures to reduce and eliminate doping in sport, including legislation, and commit themselves towards this responsibility.

2.1.2 The Additional Protocol to the Anti-Doping Convention (ETS No. 188) opened for signature in Warsaw, Poland on 12 September 2002 and entered into force in 2004. The aim of the Additional Protocol is to enhance and reinforce the application of the provisions of the Convention.

2.2 Findings

2.2.1 Bulgaria is a State Party to the Anti-Doping Convention of the Council of Europe which it signed on 24 March 1992 and ratified on 1 June 1992 and the Additional Protocol to the Anti-Doping Convention, which it signed on 6 December 2004 and ratified on 13 June 2005. The Anti-Doping Convention and its Additional Protocol entered into force on 1 August 1992 and 1 October 2005, respectively. In addition, on 17 January 2007 Bulgaria became a State Party to the International Convention against Doping in Sport of UNESCO.

2.2.2 The Bulgarian authorities have also signed the Copenhagen Declaration against Doping in Sport² and on 4 May 2005, the National Anti-Doping Commission of Bulgaria accepted the World Anti-Doping Code. The Code Acceptance Form was signed again on 20 December 2010 by the Bulgarian Anti-Doping Centre that replaced the National Anti-Doping Commission. As required by the Code, the Bulgarian Anti-Doping Centre as a Signatory to the Code and acting as the National Anti-Doping Agency of Bulgaria developed its Anti-Doping Rules, in line with the Code.

2.2.3 Bulgaria has no specific anti-doping law in place. The principles of the fight against doping are found in the Law on Physical Education and Sport that is the main legislation regulating sport in Bulgaria, originally adopted on 9 July 1996 and amended several times since then. Article 45 of the Law on Physical Education and Sport prohibits *“the use of doping in sport”*, authorises the Council of Ministers *“to determine the conditions and procedure for exercising doping control, prevention and the fight against doping in sports”* and creates the obligation *“for amateur athletes, professional athletes and officials (...) to comply with the requirements and procedures for doping control established by acts of state authorities and the recognised international organisations in the field”*. Moreover, Article 67 provides for the definition of doping in sport and the principle of the respective sanctions and Article 41 establishes the Bulgarian Anti-Doping Centre as *“the national body for doping control, prevention and fight against doping in sport”*.

2.2.4 Bulgaria has no specific legislation regarding the availability and the control of trafficking of doping substances; however, legislation in place that restricts the availability of certain medicines and drugs, is also partly relevant to anti-doping.

² The Copenhagen Declaration on Anti-Doping in Sport (Copenhagen Declaration) was drafted and agreed to by governments at the Second World Conference on Doping in Sport held in Copenhagen, Denmark, in March 2003. The Copenhagen Declaration was the political document through which governments signaled their intention to formally recognize and implement the World Anti-Doping Code. This initiative was the first step taken by governments towards the preparation of the UNESCO International Convention against Doping in Sport. (Source: www.wada-ama.org/en/governments#CopenhagenDeclaration; accessed: 16.2.2018).

2.2.5 The Law on Physical Education and Sport does not refer specifically to the Anti-Doping Convention of the Council of Europe or the International Convention against Doping in Sport of UNESCO that have been ratified by Bulgaria. The Anti-Doping Convention of the Council of Europe as well as the International Convention against Doping in Sport of UNESCO are international instruments that stipulate governmental support for the fight against doping in the state parties' countries, not limited to the operations of their national anti-doping organisation. The Bulgarian authorities explained that, in accordance with Article 5.4 of the Constitution of the Republic of Bulgaria, international treaties that have been ratified by law (as it is the case with the abovementioned Conventions) become part of the legislation and even prevail over any conflicting provisions of the national legislation.

2.2.6 In 2015, the Ministry of Youth and Sport developed the "National Strategy against Doping in Sport (2015-2024)". The Strategy was adopted by Decree No 390 of the Council of Ministers on 29 May 2015. As it is explained in the Introduction, the prevention of doping is among the priorities of the Management Programme of the Bulgarian Government for the period 2014-2018. The Strategy "*is based on coordinated policies and actions*" to fight doping in both "*the sport for high achievements and the sport in leisure time*" and sets the following eight strategic objectives:

1. *Legal regulatory changes to the control and prevention of doping;*
2. *Greater awareness about the negative impact of the use of doping with an emphasis on young people and their families;*
3. *Regulation of the activities of the persons engaged in recovery of the athletes at the sports organisations;*
4. *Regulation of the activity of the fitness centres in Bulgaria (to comply with the anti-doping rules);*
5. *Control of production, distribution and content of the products declared dietary supplements or foods intended for intense muscular effort (so-called 'foods for athletes');*
6. *International accreditation of the Laboratory for anti-doping control to the Anti-Doping Centre;*
7. *Accreditation of the Laboratory for anti-doping control to the Anti-Doping Centre for analysing food supplements; and*
8. *Scientific research activity.*

2.2.7 Bulgaria received a Consultative Visit by the Monitoring Group of the Anti-Doping Convention of the Council of Europe on 28-29 October 2002³ and an Evaluation Visit on 18-21 November 2012⁴. Moreover, as mentioned in paragraph 1.2.1 above, the Bulgarian authorities by way of an e-mail have provided the Monitoring Group with a follow-up on the implementation of the Recommendations from the Evaluation Visit and requested a follow-up visit. The intention of the Government of Bulgaria to intensify the fight against doping in sport in the country based on the Evaluation Team' recommendations was expressed by the Minister of Youth and Sport during the meeting with the Evaluation Team. Thus, the Evaluation Team is convinced about the Bulgarian authorities' intention and commitment to fully implement the Anti-Doping Convention of the Council of Europe.

2.2.8 Although as it mentioned above and analysed in more detail throughout this Report, the Law on Physical Education and Sport provides for the legal background and regulates most aspects of the fight against doping in sport in Bulgaria; however, it is the opinion of the Evaluation Team that the Bulgarian authorities should consider the development of a specific anti-doping law. Such a law could regulate all aspects of the fight against doping in the country, including the fight against trafficking of doping.

2.3 Conclusion

³ T-DO (2002) 45

⁴ T-DO (2013) 05

2.3.1 The Evaluation Team concludes that Bulgaria has fulfilled the political commitments described in Article 1 of the Anti-Doping Convention of the Council of Europe.

2.4 Recommendations

2.4.1 Recommendation no. 1: The Bulgarian authorities should consider developing and adopting an anti-doping specific law to regulate all aspects of the fight against doping in sport in Bulgaria.

Convention Article 2 - Definition and scope of the Convention

2.1 For the purposes of this Convention:

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

3.1 Introduction

3.1.1 This article provides for the definitions of “doping in sport”, “pharmacological classes of doping agents and doping methods” and “sportsmen and sportswomen”.

3.1.2 With the entry into force of the World Anti-Doping Code in 2004 and its consecutive revisions in 2009 and 2015, a broader definition of doping is established. The Code-based definition of doping has been adopted by the International Convention against Doping in Sport of UNESCO.

3.1.3 Similarly, since the entry into force of the World Anti-Doping Code, the list of banned doping agents and doping methods has been revised at least once a year and is published by WADA.

3.1.4 Unlike the definition of doping in sport, the list of pharmacological classes of doping agents and doping methods is reproduced in the appendix to the Council of Europe’s Anti-Doping Convention and is approved by the Monitoring Group whenever it is revised by WADA. This mechanism allows for a speedy approval by the Monitoring Group of new lists, so that they become legally applicable for the Parties’ own purposes.

3.1.5 Article 2.1.c provides the definition of “sportsmen” and “sportswomen” as *“those persons who participate regularly in sports”*. As clarified in the Explanatory Report to the Anti-Doping Convention:⁵

“It is not the drafters’ intention that the Convention is to be applied indiscriminately to all sports and to all levels of sports. National authorities will decide their own priorities and make appropriate selections and decisions: (...) The Convention will be applied realistically, concentrating firstly on sports where doping is known to exist. (...) The use of the adverb “regularly” in Article 2.1.c is designed to bring these participants within the merit of the Convention where it is appropriate, while not prescribing an unduly heavy obligation to control purely casual participants”.

3.2 Findings

3.2.1 The Bulgarian Anti-Doping Centre acting as the national anti-doping organization of Bulgaria adopted its own Anti-Doping Rules (“Regulations on doping control in training and competition activities”) that are nationally enforced by Ministerial Decree No. 453, dated 30.12.2014. The Regulations were developed based on the 2015 WADA Model Rules for NADOs and following review by WADA were deemed to be Code Compliant. Article 6 of the Regulations on doping control in training and competition activities contains a definition of “doping in sport” as follows:

⁵ Explanatory Report to the Anti-Doping Convention, Strasbourg, 16.XI.1989, paragraph 48.

“Article 6.

(1) Doping is the occurrence of one or more of the anti-doping rule violations set forth in paragraph 2 beneath.

(2) The following constitute anti-doping rule violations:

1. The presence of a prohibited substance or its metabolites or markers in an athlete’s sample

(...)

2. The use or attempted use by an athlete of a prohibited substance or a prohibited method

(...)

3. Evading, refusing or failing to submit to sample collection

(...)

4. Whereabouts failures

(...)

5. Tampering or attempted tampering with any part of the doping control process

(...)

6. Possession of a prohibited substance or a prohibited method

(...)

7. Trafficking or attempted trafficking in any prohibited substance or prohibited method

8. In-competition administration or attempted administration to any athlete of any prohibited substance or prohibited method, or out-of-competition administration or attempted administration to any athlete of any prohibited substance or any prohibited method that is prohibited out-of-competition

9. Complicity

(...)

10. Prohibited association.”

3.2.2 The Code-based definition of doping that is found in the Regulations on doping control in training and competition activities covers the respective definition of doping in sport of the Convention.

3.2.3 The Law on Physical Education and Sport under Article 67.1 provides the definition of doping in sport as below:

“Article 67.1 The following shall constitute violations of the anti-doping rules:

1. the presence of a prohibited substance, or its metabolites or markers in an athlete’s sample;

2. the use or attempted use by an athlete of a prohibited substance or a prohibited method;

3. where an athlete refuses to participate or does not participate without justifiable reason in sample collection after receiving notification pursuant to the Ordinance on doping control in training and competitions (SG No. 35/2011) or in any other way avoids the sample collection procedure;

4. any breach of the requirements relating to an athlete’s obligation to be available for out-of-competition testing, including failure to provide whereabouts information or missed tests;

5. tampering or attempting to tamper any part of the doping control procedure;

6. the possession of prohibited substances or prohibited methods;

7. the trafficking or the attempted trafficking of prohibited substances or prohibited methods;

8. administration or attempted administration of a prohibited substance or prohibited method to any athlete, or assisting, encouraging, aiding, abetting, covering up or any

other type of complicity involving an anti-doping rule violation or any attempted violation.”

3.2.4 The Evaluation Team note that the aforementioned clause does not cover the complicity and prohibited association that are introduced in the 2015 version of the Code and the Regulations on Doping Control in Training and Competition Activities of the Bulgarian Anti-Doping Centre.

3.2.5 During the Visit, the Evaluation Team was presented with a series of draft amendments to the Law on Physical Education and Sport. According to the draft amendments the following definition of doping in sport under Article 89.1 is to be introduced, which provides that all anti-doping rule violations (including Complicity and Prohibited Association) are included:

“Article 89.1. Doping is the occurrence of one or more of the anti-doping rule violations set forth in the International Convention against Doping in Sport (the UNESCO Convention), the World Anti-Doping Code and its International Standards, Anti-Doping Convention of the Council of Europe and the Additional Protocol to it, as well as in the Regulations under paragraph 4.”

3.2.6 The Regulations on Doping Control in Training and Competition Activities under Article 14.1 refer to the WADA’s Prohibited List and respective annex to the International Convention against Doping in Sport (UNESCO Convention) as below:

“Article 14.1 WADA shall, as often as necessary and no less often than annually, determine and publish as an International Standard the Prohibited List, which thoroughly itemizes the prohibited substances and prohibited methods. The changes and amendments to the List of Prohibited Substances and Methods shall enter into force for the Republic of Bulgaria as provided in the International Convention against Doping in Sport, which was ratified with a law adopted by the 40th National Assembly (SG No 105/2006).

3.2.7 The Law on Physical Education and Sport does not refer to the list of pharmacological classes of doping agents or doping methods. However, during the Visit a series of draft amendments to the Law were presented to the Evaluation Team. According to the draft amendments the following reference to the list is to be adopted within the framework of the Law (additional provisions):

“13. Prohibited substance or prohibited methods is a substance or a class of substances, or a method, specified in the List of Prohibited Substances and Methods adopted by the WADA.”

3.2.8 It is the opinion of the Evaluation Team that the reference to list of pharmacological classes of doping agents or doping methods that is found in both, the Regulations and the Law on Physical Education and Sport, is complex and complicated. Moreover, the Evaluation Team notes that the role of the Monitoring Group of the Convention in approving the List of banned substances and methods is not mentioned in the Bulgarian legislation. Finally, the issue of compatibility of the lists should be raised. The draft amendments to the Law on Physical Education and Sport refer to the WADA’s Prohibited List directly whereas the Regulations on doping control in training and competition activities refer to the WADA’s Prohibited List as annexed to the International Convention against Doping in Sport of UNESCO. The WADA Prohibited List is beyond doubt compliant with the Convention. However, if the Monitoring Group of the Convention adopts a prohibited list that differs from WADA’s Prohibited List, albeit this is improbable, then Bulgaria -as well as many other State Parties to the Convention- would have to deal with such a peculiar situation.

3.2.9 Another issue that relates to the List of banned substances and methods is its publication. Article 14.2 of the Regulations on doping control in training and competition activities stipulates how the List is made public:

“Article 14.2 The Prohibited List shall be distributed by the Anti-Doping Centre to each licensed sports organization and the Bulgarian Olympic Committee and shall be published on the websites of the Anti-Doping Centre and the Ministry of Youth and Sports.”

3.2.10 The abovementioned clause does not refer, however, to the publication in the official Journal of Law of Bulgaria. The Evaluation Team discussed this issue with the Bulgarian authorities and was advised that, instead, the List, with the decision of the Council of Ministers (No. 103 from 2015) is included among the “priority data groups” that are published in the Open Data Portal that is a public, web-based informational system in line with Directive 2013/37/EU of the European Parliament and of the Council. The Evaluation Team acknowledges the value of publication of the List in the Open Data Portal, and leaves it up to the Bulgarian authorities to examine whether this serves its scope sufficiently or whether the List of banned substances and methods as an Appendix to the Anti-Doping Convention of the Council of Europe (and similarly the Prohibited List of WADA as an Annex to the International Convention against Doping in Sport of UNESCO) should be translated and published in the Journal of Law after its adoption by the Monitoring Group of the Anti-Doping Convention of the Council of Europe (or UNESCO, respectively) as it was the case with the abovementioned Conventions. Nevertheless, timely publication of the List is also important, not only for the prevention of possible legal challenges regarding the version of the List that is in effect but also for its prompt communication to the public, and in particular to the athletes and their support personnel. It is even more important when knowing that WADA publishes its Prohibited List in a limited number of languages and Bulgarian is not among them.

3.2.11 The Law on Physical Education and Sport uses the term “athlete” throughout the text; however, it contains no clear definition of this term. Moreover, the Law distinguishes between the amateur and professional athletes, as presented below, with no clear explanation on the criteria used to register an athlete to one of the abovementioned groups:

“Article 35.1 Top performance training and competition activities shall be carried out by persons registered as amateur or professional athletes under the guidance of coaches.

(...)

3. The status of amateur and professional athletes shall be determined with regulations of the sports federations which shall become effective upon approval by the Minister of Youth and Sports and which shall be published on the web pages of the Ministry of Youth and Sports and of the respective federation. Sports clubs shall conclude contracts with athletes on the basis of the approved regulations.

(...)

Article 35a.1 Sports federations shall determine the terms and procedures for registering amateur and professional athletes.”

3.2.12 The abovementioned provisions describe inter alia the process of licencing (registering) athletes. The process is carried out by the sports federations. Such an approach results, as stated earlier, in uncertainty as to who is the professional athlete and who is the amateur. Moreover, it raises the issue of the scope of application of the anti-doping rules, especially those on doping control, to the amateur and unregistered athletes.

3.2.13 The Evaluation Team is of the opinion that the aforementioned use of the term “athlete” is complicated. Moreover, the aforementioned definition does not refer directly to the elements of “regular participation” and “organized sports” which are found in the definition of athlete in the Council of Europe’s Anti-Doping Convention. Thus, the definition of athlete found in the Law on Physical Education and Sport is incomplete from the Convention perspective. Following the Visit, the Evaluation Team was advised that the

definition of athlete and in particular the definition of amateur and professional athlete is addressed in a new draft amendment of the Law on Physical Education and Sport; However, the Team did not explore in any detail the new draft amendment of the Law.

3.2.14 The Regulations on Doping Control in Training and Competition Activities introduce the standard definition of an “athlete” based on the World Anti-Doping Code which reads as follows:

“Athlete: Any Person who competes in sport at the international level (as defined by each International Federation), or the national level (as defined by each National Anti-Doping Organization). For purposes of Article 6(2)9, and for purposes of anti-doping information and education, any person who participates in sport under the authority of any signatory, government, or other sports organization accepting the Code is an athlete.”

3.2.15 In line with the definition of athlete in the Regulations on Doping Control in Training and Competition Activities, Article 1.2 of the Regulations defines the persons that fall into the scope of the Regulations, as below:

“Article 1.2 These Regulations apply to licensed sports organizations and national-level athletes included in the Registered Testing Pool of the Anti-Doping Centre and not listed in the Registered Testing Pool of an international federation, as well as to athletes who are not listed in the Registered Testing Pool of the Anti-Doping Centre but compete in sport events and competitions authorized by Bulgarian sports organizations. Such athletes shall be considered “national-level athletes” for the purposes of these rules.”

3.2.16 The Evaluation Team is of the opinion that the definition of athlete that is found in the Convention (i.e., “those persons who participate regularly in sports”) is broader than the definition of athlete that is found in the Regulations on Doping Control in Training and Competition Activities. However, the Team finds that, under the circumstances, Article 1 of the said Regulations provides for a realistic application of the Convention in Bulgarian sport.

3.3 Conclusion

3.3.1 The Evaluation Team concludes that Bulgaria has fulfilled the commitments described in Article 2.1 of the Anti-Doping Convention of the Council of Europe.

3.4 Recommendations

3.4.1 Recommendation no. 2: The Bulgarian authorities should ensure that the List of banned pharmacological classes of doping agents and banned doping methods in force in Bulgaria is the one adopted by the Monitoring Group. It does not mean, however, that it cannot be the WADA Prohibited List since the two Lists are identical.

* * *

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

3.5 Introduction

3.5.1 The List of banned pharmacological classes of doping agents and doping methods that was in effect at the time when the Convention came into force was in appendix to the original text of the Convention. When the Monitoring Group of the Convention approves a new list, it is reproduced in the appendix so that it becomes legally applicable for the Parties' own purposes (and the previous version cease to be effective).

3.6 Findings

3.6.1 Bulgaria ratified the Council of Europe's Anti-Doping Convention in 1992 and the International Convention against Doping in Sport of UNESCO in 2007. The two Conventions are similar in the sense that they both have the List of banned substances and banned methods and the WADA Prohibited List as an appendix or annex, respectively.

3.6.2 As mentioned in paragraph 3.2.9 above, the Bulgarian authorities publish the WADA's Prohibited List on the websites of the Bulgarian Anti-Doping Centre and the Ministry of Youth and Sports and not the List of banned substances and banned methods that is adopted by the Monitoring Group of the Anti-Doping Convention of the Council of Europe. For more comments on the List, see paragraphs 3.2.6 to 3.2.10. Nevertheless, the two Lists are identical.

3.7 Conclusion

3.7.1 The Evaluation Team concludes that Bulgaria has fulfilled the commitments described in Article 2.2 of the Anti-Doping Convention of the Council of Europe.

3.8 Recommendations

3.8.1 See Recommendation no. 2 (paragraph 3.4.1, above).

Convention Article 3 - Domestic co-ordination

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

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

4.1 Introduction

4.1.1 The fight against doping in sport involves several governmental departments and agencies, including those responsible for public health, medical care, customs, police, sport and education. They all need to work together constructively to achieve best results. Even though the Convention does not propose a single operative method, Parties should ensure the practical implementation of the Convention and –in that respect- establish a national responsible body, with some degree of authority over individual sports so as to ensure consistency across all sports at the national level.

4.1.2 The World Anti-Doping Code requires each country to designate a National Anti-Doping Organization (NADO) defined as an entity “(...) possessing the primary authority and responsibility to adopt and implement anti-doping rules, direct the collection of samples, the management of test results, and the conduct of hearings at the national level”. Moreover, the Code under Article 22.6 requires each government to “respect the autonomy of a national anti-doping organization in its country and not interfere in its operational decisions and activities”.

4.2 Findings

4.2.1 The legal framework that regulates sport in Bulgaria, including anti-doping, is the Law on Physical Education and Sport that was originally adopted on 9 July 1996. Article 41a provides for the establishment of the Bulgarian Anti-Doping Centre (to replace the National Anti-Doping Commission of Bulgaria) as “the national body for doping control, prevention and fight against doping in sport” and specifies that it receives its budget from the Ministry of Youth and Sports.

4.2.2 The Bulgarian Anti-Doping Centre was established on 11 October 2010 by Decree No 232 of the Bulgarian Council of Ministers. On 20 December 2010, the Bulgarian Anti-Doping Centre formally became a signatory to the World Anti-Doping Code and acts as the National Anti-Doping Agency of Bulgaria in compliance with the Code.

4.2.3 Although the Law on Physical Education and Sport does not refer specifically to the Anti-Doping Convention, the draft amendments to the Law that were presented to the Evaluation Team provide that “the Antidoping Centre performs its activity based on the provisions of the Code and its International Standards (...) the International Convention against Doping in Sport (UNESCO Convention) as well as the Anti-Doping Convention of the Council of Europe and its Additional Protocol”.

4.2.4 As mentioned above (paragraph 4.2.1), Article 41 of the Law on Physical Education and Sport specifies that the Bulgarian Anti-Doping Centre receives its budget from the Ministry of Youth and Sports. In accordance with the figures provided to the Evaluation Team, the budget of the Bulgarian Anti-Doping Centre increased from €234,986 in 2011 to €265,992 in 2015 and €355,308 in 2016. The Evaluation Team is of the opinion that the Ministry of Youth and Sport should provide a level of funding that allows the Bulgarian Anti-Doping Centre (a) to carry out the duties required by the Convention as well as the Code and the International Convention against Doping in Sport of UNESCO on an effective scale, and (b) ensure its operational independence. In order to decide what is “adequate funding” for the Bulgarian Anti-Doping Centre, the Ministry should take into account factors such as funding being proportionate to the number of

elite level athletes within the country, the funding provided to sport by the Government, and the integration of anti-doping into a broader sport and public health strategy.

4.2.5 Article 41b.2 of the Law on Physical Education and Sport provides that the Bulgarian Anti-Doping Centre -apart from the funding provided by the Ministry of Youth and Sports- receives its own proceeds from, among other, carrying out doping tests, certification of persons entitled to participate in anti-doping teams, laboratory analyses, sanctions and fines imposed under the Law on Physical Education and Sport and the Regulations on Doping Control in Training and Competition Activities (for anti-doping rule violations or non-compliance with the provisions of the Regulations). (The Evaluation Team did not explore in any detail the service agreements between the Bulgarian Anti-Doping Centre and national sport federations and is thus not able to comment further.) However, it is worth pointing out that the representatives of the Bulgarian Anti-Doping Centre have clarified to the Evaluation Team that the Centre has no “commercial interest” from conducting doping controls on the request of the national sport federations and that the federations reimburse the Centre on a costs-incurred basis, only. The Evaluation Team is of the opinion that, as a principle, commercial service relationships between national anti-doping organisations (NADOs) and national sport organisations present an obvious risk of conflict of interest and should be avoided. Moreover, it is the Team’s opinion that the Governments, apart from providing sufficient funding to their NADO (as mentioned in paragraph 4.2.4 above) should ensure that the NADOs’ independence is protected at all times. In the case of Bulgaria, the Evaluation Team believes that testing should be exclusively planned by the Bulgarian Anti-Doping Centre without any interference from the national sport federations and that the Ministry of Youth and Sports should ensure that all testing-related funds are allocated to the Bulgarian Anti-Doping Centre that is the NADO of Bulgaria and “*the national body for doping control, prevention and fight against doping in sport*” as indicated in the Law on Physical Education and Sport (see paragraph 4.2.1, above).

4.2.6 As it is indicated in the Law on Physical Education and Sport, the Bulgarian Anti-Doping Centre operates under the Ministry of Youth and Sport. The draft amendments of the Law that were provided to the Evaluation Team authorise the Minister of Youth and Sport to appoint the Executive Director of the Bulgarian Anti-Doping Centre. It is the opinion of the Evaluation Team that Bulgarian Anti-Doping Centre should be accountable to the Bulgarian Government in respect of its activities and must carry out its publicly-funded activities subject to Government oversight and financial accountability. The Team believes, however, that the Bulgarian Government should balance this need with the need to allow the Bulgarian Anti-Doping Centre the autonomy necessary for it to carry out its activities and does not jeopardise its operational independence.

4.2.7 The Ministry of Youth and Sport developed the National Strategy against Doping in Sport (2015-2024). The Strategy acknowledges that doping in Bulgaria is not limited to athletes but “*affects an increasing number of people*” and “*puts at risk the health of the nation and becomes a serious challenge to the society.*” The Strategy mentions particularly the alarming extend of doping among young, recreational athletes and indicates that “*the Republic of Bulgaria placed as a priority in its Management Programme for the period 2014-2018 the prevention and control of the use of doping in sport.*” Further, the Strategy identifies the institutions that are relevant to the fight against doping in Bulgaria, and either have or could have a role in the fight against doping, as follows:

- Ministry of Youth and Sport including the Bulgarian Anti-Doping Centre;
- Ministry of Health including its Executive Agency on Pharmaceuticals/ Bulgarian Drug Agency;
- Bulgarian Agency for Food Safety/ Food Safety Agency;
- Customs;
- Ministry of Education and Science;
- Ministry of Justice; and
- Ministry of Interior.

4.2.8 The Evaluation Team is of the opinion that the abovementioned Ministries and governmental departments have an important role to play for the fight against doping in Bulgaria. However, it is not clear

to the Evaluation Team how they coordinate in that respect and if, and how the cooperation with the Bulgarian Anti-Doping Centre is established and enhanced (see also paragraph 5.2.5).

4.2.9 Although information on illicit traffic in doping substances is not easily accessible, the National Strategy against Doping in Sport (2015-2024) refers to “increasing trafficking” of doping substances across the borders of Bulgaria. Reports from other sources identified several drug trafficking routes of which Bulgaria is a part. The Evaluation Team understood that the Bulgarian law enforcement agencies (such as the Customs, border police etc.) are not rigorously active against trafficking of doping substances across the Bulgarian borders and that is a main weakness of the country’s anti-doping programme and improvements should be made in that respect. (See also paragraph 5.2.5)

4.2.10 An area on which the Bulgarian authorities are particularly active is the control of production, distribution and labelling of dietary supplements that are used in sport. As it is explained in the National Strategy against Doping in Sport (2015-2024), inadvertent doping from food supplements that contain doping substances not declared on the label, is a problem in Bulgaria (as well as worldwide). In that respect, based on the legislation in place in Bulgaria, dietary supplements’ manufacturers and/or resellers are required to formally declare the content of their products prior to their release on the market and that the products are free of doping substances. Although the Evaluation Team did not explore in any detail the relevant legislation and its implementation, it is of the opinion that dietary certification is a vital consideration for athletes; however, it is of utmost importance such testing and certification programmes are provided by a third-party⁶ and not the companies themselves. The Evaluation Team is of the opinion that the Bulgarian authorities should be commended for their efforts to ensure the safety of dietary supplements and encourage them to evaluate the effectiveness of this approach and share their findings among other European countries as an example of best practice.

4.3 Conclusion

4.3.1 The Evaluation Team concludes that Bulgaria has fulfilled the commitments described in Article 3 of the Anti-Doping Convention of the Council of Europe.

4.4 Recommendations

4.4.1 Recommendation no. 3: The Bulgarian authorities should ensure adequate structures and practices for efficient cooperation and coordination between the Ministry of Youth and Sport, the Bulgarian Anti-Doping Centre and other departments and public agencies for the fight against doping at the national level.

4.4.2 Recommendation no. 4: The Ministry of Youth and Sport should ensure that the Bulgarian Anti-Doping Centre is independent on its operations and decisions and free of organisational and individual conflicts of interest.

4.4.3 Recommendation no. 5: The Ministry of Youth and Sport should ensure that the Bulgarian Anti-Doping Centre is provided a level of funding that allows the Bulgarian Anti-Doping Centre (a) to carry out the duties required by the Convention as well as the Code and the International Convention against Doping in Sport of UNESCO on an effective scale, and (b) ensure its operational independence. (In order to decide what is “adequate funding” for the Bulgarian Anti-Doping Centre, the Ministry should take into account factors such as funding being proportionate to the number of elite level athletes within the country, the funding provided to sport by the Government, and the integration of anti-doping into a broader sport and public health strategy.)

⁶ Several third-party certification programmes (e.g., Informed Sport/ Choice, Cologne List etc.) run internationally to offer testing programmes designed to ensure that dietary supplements are free of doping substances.

4.4.4 Recommendation no. 6: The Ministry of Youth and Sport should balance the need for the Bulgarian Anti-Doping Centre to be accountable to the Bulgarian Government in respect of its activities and the need to carry out its publicly-funded activities subject to Government oversight and financial accountability with the need to allow the Bulgarian Anti-Doping Centre the autonomy necessary for it to carry out its activities and does not jeopardise its operational independence.

4.4.5 Recommendation no. 7: The health authorities should include the fight against doping in their scope of activities, especially the control of availability of doping substances and methods as well as the prevention of doping in society; and cooperate, collaborate and coordinate with the Bulgarian Anti-Doping Centre as the competent authority, including sharing of information.

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

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

5.1 Introduction

5.1.1 Under Convention sub-article 4.1, States Parties are required to adopt measures to restrict the availability, including trafficking, of banned substances and methods and, in particular, anabolic steroids. As it is explained in the Explanatory Report to the Anti-Doping Convention⁷, most of the classes of banned substances and methods are under pharmacists' regulations or strict medical control and the main area of further restrictions lies in the anabolic steroids.

5.1.2 In addition to the above provision of the Convention, the Monitoring Group adopted the *Recommendation Rec (94/2) on Measures to Restrict the Availability of Anabolic Steroids* that recommends the Parties to ensure –among other- that a legislative framework that provides for (a) efficient control of the unauthorised possession, supply and transfer of anabolic androgenic steroids; and (b) appropriate penalties for such conduct are in place.

5.2 Findings

5.2.1 Bulgaria, at the time of the Monitoring Visit, had no specific legislation in place with respect to restricting the availability of prohibited substances. However, the accessibility to certain groups of doping substances may be considered as restricted on the basis of different legislative and administrative measures which have been adopted in Bulgaria. These measures are mostly based on different pharmaceutical and narcotics laws and regulations and are limited to certain groups of banned doping agents and doping methods, only. It is worth pointing out that, these measures aim to restrict the use of banned substances or methods in general, and are not limited to sports.

5.2.2 The Evaluation Team was acquainted with a legislative framework to regulate the availability of certain groups of banned doping agents and doping methods that is in place in Bulgaria. The most important laws and regulations in this field include, but are not limited to, the following:

- a. The Law on Foodstuffs that covers food additives and is relevant to the fight against doping resources. For the purposes of this Law, "food" is defined as any substance or product which is intended, or may be used, for human consumption. It regulates (a) the food requirements, the measures and conditions to ensure the food hygiene and its safety, packaging, labelling, presentation, including their promotion and (b) the requirements at all stages of production, processing and distribution of the food.
- b. The Ordinance No. 47 of 28.12.2004 on the requirements for food supplements. It defines the requirements for food supplements, introducing the requirements of the Directive 2002/46/ EC on food additives.
- c. The Criminal Code that provides under Article 350 imprisonment for the preparation, distribution and sale of food or beverages intended for general use, if they contain substances hazardous to health.
- d. The Law on Drugs and Pharmacies in Human Medicine.
- e. The Law on Child Protection.

⁷ Explanatory Report to the Anti-Doping Convention, Strasbourg, 16.XI.1989, paragraph 52.

f. The Law on Narcotic Substances.

5.2.3 Furthermore, on May 29, 2015, based on the Decision No. 390 of the Council of Ministers, the National Strategy against Doping in Sport (2015-2024) was adopted by the Bulgarian Government. The main strategic goal of the document is to “Limit of the spread of doping through legislative and regulatory measures”. (For more information about the Strategy, see paragraph 2.2.6 above). For the implementation of the Strategy, the Bulgarian authorities have already developed draft amendments of the Law on Physical Education and Sport and the Law of Foodstuffs.

5.2.4 The legislation listed in paragraph 5.2.2 aims to regulate the availability of medicines and narcotics and is not limited to sport. The Evaluation Team did not evaluate the aforementioned legislation. However, based on the information that is available in the Report of the Evaluation Visit to Bulgaria in 2012⁸ and in the National Strategy against Doping in Sport (2015-2024) and following the discussions that the Team held during the Visit about the impact of the said Laws on the fight against doping in Bulgaria, it is the opinion of the Evaluation Team that the legislation in place for limiting the availability of doping substances and doping methods needs to improve.

5.2.5 The role of law enforcement agencies and customs for the restriction of the availability and the use in sport of banned doping agents and doping methods is of great importance. Moreover, the cooperation between national anti-doping organisations and law enforcement agencies and customs has proved to be an effective measure in the fight against doping in sport, and governments should find ways to facilitate and promote such cooperation. Although the need for cooperation between different stakeholders is strongly emphasised in the National Strategy against Doping in Sport, currently there is no sharing of information or any other type of cooperation, collaboration or coordination in place between the relevant authorities and the Bulgarian Anti-Doping Centre in case of violation of the abovementioned legislation that involves illegal importation, trafficking, or distribution of doping substances and/or athletes or athlete support personnel. Such cooperation and sharing of information could help the fight against doping in Bulgaria. The only exception is the Memorandum of Cooperation that was signed between the Bulgarian Anti-Doping Centre and Customs that was signed a few days before the Monitoring Visit thus, the Team did not have the opportunity to look into any detail of the Memorandum and its implementation.

5.3 Conclusion

5.3.1 The Evaluation Team concludes that Convention Article 4.1 of the Convention is not fully implemented.

5.3.2 The most prominent non-conformity under this sub-article is the lack of comprehensive legislation and other measures in place to limit the availability of banned substances and methods, particularly anabolic steroids.

5.4 Recommendations

5.4.1 Recommendation no. 8: The Bulgarian authorities shall adopt comprehensive legislative measures to control the trafficking of doping substances; these measures should include, as a minimum, the list of substances to be controlled, the agencies to be involved, and the applicable sanctions.

5.4.2 Recommendation no. 9: The Anti-Doping Centre of the Republic of Bulgaria should establish cooperation agreements with other agencies (e.g., Ministry of Health, etc.), as necessary, including information sharing, to control the availability of doping substances and methods.

* * *

⁸ T-DO (2013) 05

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

5.5 Introduction

5.5.1 As a form of encouragement to sport organisations to fight doping, Article 4.2 of the Convention requires the States or the relevant non-governmental organisations to make it a criterion for the grant of public subsidies to sports organisations that they effectively apply anti-doping regulations.

5.6 Findings

5.6.1 Article 97 of the Bulgarian Anti-Doping Centre's Regulations on Doping Control in Training and Competition Activities provides for the potential suspension or termination of any funding provided by the Bulgarian Government to licensed sport organisations that do not comply with specific requirements in the Regulations.

5.6.2 In addition, Article 12(1) of the Bulgarian Anti-Doping Centre's Regulations on Doping Control in Training and Competition Activities requires licensed sports organizations to adopt anti-doping rules that comply with the requirements of the World Anti-Doping Code and the Regulations. Moreover, Article 95 of the Regulations provides for the sanctioning of licensed sport organisations in cases where their member athletes or athlete support persons commit an anti-doping rule violation, and the applicable sanctions vary from fines of the sport organization to revocation of the organisation's license.

5.6.3 The Bulgarian Anti-Doping Centre's Regulations on Doping Control in Training and Competition Activities indicate that the abovementioned sanctions may be imposed by virtue of Article 65(4) of the Law on Physical Education and Sport. However, the Evaluation Team notes that the relevant section of the Law provides for financial sanctions and it is not clear on what basis the license of a sport organization may be revoked. Moreover, it is not clear if the aforementioned sanctions, including revocation of the license have been applied in the case of the Bulgarian Weightlifting Federation (BWF). The BWF had 11 athletes suspended for anti-doping rule violations in 2015⁹.

5.7 Conclusion

5.7.1 The Evaluation Team concludes that Bulgaria has fulfilled the commitments described in Article 4.2 of the Anti-Doping Convention of the Council of Europe.

5.8 Recommendations

5.8.1 None.

* * *

4.3 Furthermore, the Parties shall:

a. assist their sports organisations to finance doping controls and analyses, either by direct subsidies or grants, or by recognising the costs of such controls and analyses

⁹ On 2.3.2015, 11 athletes of the BWF were tested out-of-competition and the analysis of their samples returned an AAF for anabolic agents. All 11 BWF athletes were sanctioned by the IWF with 9 or 18 months ban. The decision of the IWF was appealed to CAS by the 11 BWF athletes but the appeal was dismissed and the IWF decision was confirmed. As a result of the ADRVs committed by the 11 BWF, the BWF was banned by the IWF from entering the Rio 2016 Olympic Games.

when determining the overall subsidies or grants to be awarded to those organisations;

5.9 Introduction

5.9.1 Under this article of the Convention, governments may underwrite the entire cost of doping controls and analysis or offer partial grants to the sport organisations, as a form of encouragement to undertake testing on a worthwhile scale.

5.10 Findings

5.10.1 Article 41a of the Law on Physical Education and Sport provides that the national body for doping control, prevention and fight against doping in sport is the Bulgarian Anti-Doping Centre. This operates as a second-level administrator of budget with the Minister of Youth and Sports.

5.10.2 The Regulations on Doping Control in Training and Competition Activities of the Bulgarian Anti-Doping Centre expressly provide under Article 4(2) that *“the expenses for the doping control conducted on the basis of the annual test distribution plan shall be covered by the Antidoping centre’s budget”*.

5.10.3 Based on the information provided to the Evaluation Team, the annual budget for the implementation of the Bulgarian Anti-Doping Centre's tasks in the years 2011 to 2015 ranged from 234,986 to 265,992 Euros (respectively) and increased to 355,308 euros in 2016. These amounts do not include the budget for the Bulgarian Doping Control Laboratory. The amount that the Bulgarian Anti-Doping Centre allocates for doping controls (testing and analysis of samples) ranges. The allocated amount equals to 33.7% of the Centre’s annual budget in 2011, 66.7% in 2012, 63.99% in 2013, 45.9% in 2014, 48% in 2015 and 41.05% in 2016.

5.11 Conclusion

5.11.1 The Evaluation Team concludes that Bulgaria has fulfilled the commitments described in Article 4.3.a of the Anti-Doping Convention of the Council of Europe.

5.12 Recommendations

5.12.1 None.

* * *

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

5.13 Introduction

5.13.1 This article of the Convention is to be interpreted in the sense of withholding financial support from public funds, whether directly from the state or indirectly through sport organisations, to sportsmen and sportswomen who have been suspended for doping, during the period of their suspension.

5.13.2 In addition to the Convention, the Code under Article 10.12.4 provides that some or all sport-related financial support or other sport-related benefits received by athletes or other persons who have committed an Anti-Doping Rule Violation (ADRV) not involving a reduced sanction will be withheld during the period of ineligibility.

5.14 Findings

5.14.1 The Law on Physical Education and Sport under Article 59a.6 provides that the resources from the budget of the Ministry of Youth and Sport are spent, for among others, *“providing of incentives and awards for high-grade athletes, medal and prize winners from European and world championships and Olympic games and from similar championships and games for the disabled”*. Moreover, Articles 59b.(2)5 and 59b.(5) of the Law on Physical Education and Sport provide that Olympic as well as Paralympic and Deaflympic medallists (respectively) who retire from competition receive *“life-long monthly bonuses”* whereas Articles 59b.(2)7, 59b.(2)8, 59b.(7) and 59(9) provide similar *“life-long monthly bonuses”* for their coaches and the coaches-in-chief of the respective sport.

5.14.2 Despite the abovementioned provisions, the Law on Physical Education and Sport does not provide for withholding the financial support or the other benefits provided to Athletes who are later found to have committed doping violations. This is being remedied: during the Visit the Evaluation Team was presented with draft amendments to the Law that provide for suspension of the financial support received from the Ministry of Youth and Sport by athletes who commit an ADRV, and even the reimbursement of the awards provided by public funds, if any.

5.14.3 The Regulations on Doping Control in Training and Competition Activities of the Bulgarian Anti-Doping Centre include standard, Code-based provisions that allow withholding of financial support or other sport related benefits from athletes serving a period of ineligibility for an ADRV not involving a reduced sanction for specified substances by signatories (of the Code), their member organisations, including licensed sport organisations and the government.

5.14.4 The Evaluation Team is of the opinion that the Bulgarian authorities should consider introducing and enforcing stringent provisions in their legislation to allow withholding of financial support and other sport related benefits from athletes who commit an ADRV during the period of ineligibility, as well as cancelling life-long monthly bonuses from Olympic, Paralympic and Deaflympics medallists and their coaches and chief-coaches if they are found to have committed an ADRV. It is the opinion of the Team that this is of particular importance considering the life-long benefits for these athletes provided in the Law on Physical Education and Sport and the success of the IOC Reanalysis Programme¹⁰.

5.15 Conclusion

5.15.1 The Evaluation Team concludes that Bulgaria fulfilled the commitments described in Article 4.3.b of the Anti-Doping Convention of the Council of Europe; however, the Team is of the opinion that the relevant legislative and/or regulatory framework needs to be strengthened.

5.16 Recommendations

5.16.1 Recommendation no. 10: The Ministry of Youth and Sport should introduce and enforce stringent provisions in their legislation to allow withholding of financial support and other sport related benefits from public funds from athletes who commit an ADRV during the period of ineligibility, as well as cancelling life-long monthly bonuses from Olympic, Paralympic and Deaflympics medallists and their coaches and chief-coaches if they are found to have committed an ADRV.

5.16.2 Recommendation no. 11: The Bulgarian authorities should conduct a thorough review of the incentives and awards scheme for high-level athletes, including the life-long monthly bonuses from Olympic, Paralympic and Deaflympics medallists and their coaches and chief-coaches bearing in mind that such economic benefits may be seen as reasons to dope.

¹⁰ The IOC Reanalysis Programme Beijing 2008 and London 2012 has resulted to 111 AAFs from samples collected at Beijing 2008 and London 2012 Olympic Games (<https://stillmed.olympic.org/media/Document%20Library/OlympicOrg/IOC/What-We-Do/Protecting-Clean-Athletes/Fight-against-doping/IOC-reanalysis-programme-18-August-2017-eng-002.pdf>; accessed 11.3.2018)

* * *

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

5.17 Introduction

5.17.1 The Convention requires from states to take measures to eliminate the use of doping in sport. In addition to the direct measures (restrict of availability required in Article 4.1), states may offer different forms of encouragement to reduce the use of doping, such as financial encouragement and/or penalisation (Articles 4.2, 4.3.a and 4.3.b). Article 4.3.c of the Convention requires from states more practical forms of encouragement such as in facilitating doping control testing, both in-, and out-of-competition.

5.18 Findings

5.18.1 The Bulgarian Anti-Doping Centre collaborates and facilitates international federations and anti-doping organisations to conduct testing in Bulgaria, both in-, and out-of-competition.

5.18.2 In accordance with the 2016 Annual Statistical Report¹¹ of the Bulgarian Anti-Doping Centre, in the reference year it conducted 356 doping tests commissioned by other anti-doping organisations, in 17 international sport events that were held in Bulgaria or out-of-competition.

5.19 Conclusion

5.19.1 The Evaluation Team concludes that Bulgaria has fulfilled the commitments described in Article 4.3.c of the Anti-Doping Convention of the Council of Europe.

5.20 Recommendations

5.20.1 None.

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

5.21 Introduction

5.21.1 The aim of this provision of the Convention is to ensure that athletes continue to be subject to testing even when they are out of their countries, for training or competition.

5.21.2 The importance of testing of athletes when they are out of the country, for training or competition is reflected in the Additional Protocol to the Convention.

¹¹ www.anti-doping.government.bg/en/images/upload/Docs_en/Reports_en/annual_stats_report_2016_final_en.pdf (accessed 8.2.2018)

5.21.3 Similarly, the World Anti-Doping Code under article 20.5 (Roles and Responsibilities of National Anti-Doping Organisations) requires National Anti-Doping Organisations “to encourage reciprocal testing” between them.

5.22 Findings

5.22.1 During the Visit the Evaluation Team was informed by the Bulgarian authorities that there were no official agreements in place between the Bulgarian Anti-Doping Centre and other anti-doping organisations (or sample collection companies) for testing of athletes from Bulgaria when training in other countries, and no other measures have been taken in that respect. However, following the Visit and before the finalisation of this Report, the Team was advised that the Bulgarian Anti-Doping Centre has signed a cooperation agreement with the Canadian Centre for Ethics in Sports (CCES) and that the testing of Bulgarian athletes outside Bulgaria is possible through the CCES network with other National Anti-Doping Organisations or anti-doping service providers worldwide.

5.23 Conclusion

5.23.1 The Evaluation Team concludes that Bulgaria has fulfilled the commitments described in Article 4.3.d of the Anti-Doping Convention of the Council of Europe.

5.24 Recommendations

5.24.1 None.

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

5.25 Introduction

5.25.1 This Article of the Convention acknowledges the right of states to adopt legislation by virtue of which, inter alia, public authorities may themselves organise doping controls. As it is explained in the Explanatory Report to the Anti-Doping Convention¹² this is particularly the case where the public authorities feel that the sport organisations are not fulfilling their responsibilities adequately.

5.26 Findings

5.26.1 Article 41.a of the Law on Physical Education and Sport provides that the Bulgarian Anti-Doping Centre is “the national body for doping control”. Similarly, Article 7(1) of the Bulgarian Anti-Doping Centre’s “Regulations for Doping Control in Training and Competition Activities” that are enforced nationally across all licensed sports organisations expressly provide that it “conducts doping controls on the territory of Bulgaria in compliance with the International Standard for Testing and Investigations”. (See also paragraphs 8.5 – 8.8)

5.27 Conclusion

5.27.1 The Evaluation Team concludes that Bulgaria has fulfilled the commitments described in Article 4.4 of the Anti-Doping Convention of the Council of Europe.

¹² Explanatory Report to the Anti-Doping Convention, Strasbourg, 16.XI.1989, paragraph 58.

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5.28 Recommendations

5.28.1 None.

Convention Article 5 – Laboratories

5.1 *Each Party undertakes:*

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

5.2 *These laboratories shall be encouraged to:*

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

6.1 Introduction

6.1.1 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.

6.1.2 Since 2004, anti-doping laboratories are accredited by WADA, which also monitors and assesses their performance. The requirements for obtaining and maintaining WADA accreditation of Laboratories, as well as the operating standards for laboratory performance are included in the World Anti-Doping Code International Standard for Laboratories (ISL), a mandatory International Standard developed as part of the World Anti-Doping Program.

6.1.3 The Executive Committee of WADA adopted in September 2013 a strategy for the development of the anti-doping laboratory network for the years 2013-2018, based on which no additional laboratories would be approved in Europe.

6.1.4 The Convention, under Article 5, requires member states either to create doping control laboratories suitable for accreditation or, if such a laboratory is not in place, then access to an accredited laboratory in another state must be sought and subsidized. Moreover, the Convention is deemed to require that State Parties should use only accredited laboratories: this is as an essential part of a coherent anti-doping strategy and ensures equal treatment for all athletes. Similarly, WADA requires anti-doping organisations, as signatories to the World Anti-Doping Code, to have all samples analysed for doping control purposes in WADA-accredited laboratories or laboratories otherwise approved by WADA, only¹³ and considers this to be critical requirement in the fight against doping in sport¹⁴.

6.2 Findings

6.2.1 The Bulgarian Doping Control Laboratory (hereafter “the Laboratory”) was established in 1978 performing analytical and research activities until 2010, when by order of the Minister of Youth and Sports, the Laboratory stopped analysis of athletes’ samples. In the same year, by the Decree 232 of 12.10.2010 of the Council of Ministers, the Laboratory became an independent part of the Bulgarian Anti-Doping Centre.

¹³ WADA, World Anti-Doping Code 2015, Article 6.1

¹⁴ WADA, International Standard for Code Compliance by Signatories

6.2.2 The Laboratory is supported by the Government of the Republic of Bulgaria, and has its own budget allocated, defined by the Laboratory itself and approved by the Ministry of Youth and Sports. The investment in the last years in terms of instruments acquisition has been very important, and the Laboratory is today completely furnished of the necessary equipment to perform most of the analyses required by WADA (see paragraphs 6.2.4 to 6.2.6, below). The Laboratory budget has been increasing since 2011 although no official sample analysis has been performed since then.

6.2.3 The Laboratory is located in the same building as the Bulgarian Anti-Doping Centre. However, access to the Laboratory is controlled and allowed to authorised persons, only.

6.2.4 The infrastructure of the Laboratory is of high level and includes all the necessary Gas Chromatography Mass Spectrometry (GC-MS and GC-MS/MS), Liquid Chromatography Mass Spectrometry (LC-MS) instruments and isotope ratio mass spectrometry (GC-C-IRMS) to perform most of the analyses required by WADA. In addition, the Laboratory has the necessary equipment for the implementation of erythropoietin, human chorionic gonadotropin analysis, and the measurements of the hematological module parameters of the Athlete Biological Passport (ABP) on site, although there is not clear plan for their implementation.

6.2.5 The Laboratory is accredited since 2015 by the Bulgarian Accreditation Service of the Republic of Bulgaria (EA BAS) according to the ISO/IEC 17025:2006 to “Perform tests of: Biological fluid- human urine for concentration of prohibited substances in accordance with the Prohibited List of WADA”, specifically: synthetic and endogenous anabolic agents, diuretics and masking agents, stimulants and narcotics. The EA BAS is a full member of the International Laboratory Accreditation Cooperation (ILAC) as required by the ISL.

6.2.6 Regarding the analytical capacity of the Laboratory, the Evaluation Team notes that, at the time of the Visit, the accreditation that the Laboratory has received from EA BAS does not cover a number of prohibited substances and methods (e.g., peptide hormones, growth factors, related substances and mimetics, beta 2 agonists, cannabinoids or glucocorticoids). Moreover, not all of the threshold substances have a quantitative accredited method (e.g., 19-norandrosterone), although some of these methods are already in place. In addition, the detection of erythropoietin, human chorionic gonadotropin or human growth hormone is not included in the scope of accreditation of the Laboratory. The Evaluation Team acknowledges that the development and validation of the methods for the detection of erythropoietin and human growth hormone will be a difficult task without the collaboration with laboratories that are already accredited for these methods. However, the collaboration between WADA-accredited laboratories and laboratories that have not yet entered the probationary phase of WADA accreditation (as it is the case with the Bulgarian Laboratory) is strictly prohibited by WADA. Despite of the limitations to participate to inter-laboratory exercises and to have access to WADA samples exercises, the Laboratory has demonstrated its commitment with the assessment of the quality of the established methods by participating to available ring tests. The Laboratory participates to proficiency testing programmes organised by: RIKILT-Wageningen-University and Research (The Netherlands) for anabolic agents and glucocorticoids, Bundesinstitut für gesundheitlichen Verbraucherschutz und Veterinärmedizin (BgV) of Berlin (Germany) for beta-2 agonists and LGC Standards (Teddington, UK) for cannabinoids and designer drugs. (It is worth mentioning that following the Visit and before the finalization of this Report, the Evaluation Team was advised that the Laboratory expanded its analytical capacity and the scope of accreditation further.)

6.2.7 The scientific staff of the Laboratory comprises eight persons, all with university degrees in chemistry or biology. Due to the WADA prohibition of collaboration mentioned above, they are not permitted to be trained in WADA-accredited laboratories; However, the Evaluation Team was advised that members of the staff of the Laboratory participate in national and international conferences and have presented their work on at least one conference.

6.2.8 The Evaluation Team was presented with three research projects conducted by the Laboratory in collaboration with other Bulgarian institutions: “Influence of methadone therapy and metabolic syndrome on

the steroid profile”, “Influence of methadone therapy and metabolic syndrome on the steroid profile” and “Determination of reference values for steroid profile”. In addition, the Laboratory collaborates with academic institutions in Bulgaria in support of the institutions’ research activities.

6.2.9 For the analysis of samples, the Bulgarian Anti-Doping Centre uses mainly the WADA-accredited laboratories in Athens (Greece) and Seibersdorf (Austria).

6.2.10 As mentioned in paragraph 6.1.3 above, the Executive Committee of WADA adopted in September 2013 a strategy for the development of the anti-doping laboratory network for the years 2013-2018, based on which no additional laboratories would be approved in Europe. In October 2013 WADA informed the Bulgarian authorities about the strategy for the laboratories and rejected the request of the Bulgarian Doping Control Laboratory for accreditation. In 2015, the Bulgarian Government has raised again the issue of Laboratory accreditation with a letter to WADA signed by the Minister of Youth and Sport, in which it was pointed out that the fight against doping is among the main priorities of the Government Programme for Sustainable Development of the Republic of Bulgaria 2014-2018 and the Laboratory accreditation is an important objective of this programme. Ever since, there has been no further communication between WADA and the Bulgarian authorities about the issue of the Laboratory to the Evaluation Team’s knowledge.

6.2.11 The Evaluation Team understood that the accreditation of the Bulgarian Doping Control Laboratory remains high on the priorities of the country’s anti-doping program and the Bulgarian authorities are allocating significant financial and other resources in that respect. Obtaining WADA’s accreditation is one of the main strategic objectives in the National Strategy against Doping in Sport (2015-2024) (see paragraph 2.2.6, above). However, the total number of samples collected annually under the Bulgarian anti-doping program (530 samples in 2016; 523 samples in 2015) is well below the required number (i.e. 3000 samples, as a minimum) that the Bulgarian Anti-Doping Centre must guarantee that it will provide to the Laboratory, in accordance with the ISL. It is the opinion of the Evaluation Team that, the Laboratory should be seen as an integral part of the Bulgarian anti-doping programme and its development must be paired with that of the Bulgarian Anti-Doping Centre’s and anti-doping programme in general. It would be then reasonable for the Bulgarian authorities to put more weigh on the development of the Bulgarian Anti-Doping Centre and the implementation of sound anti-doping programme based on the Anti-Doping Convention of the Council of Europe, the International Convention against Doping in Sport of UNESCO and the Code. Even with more emphasis on developing the Bulgarian Anti-Doping Centre, the Laboratory still needs to improve further, up to the level required for WADA accreditation; however, such development can be made only if, and when, the Laboratory gets in the Probationary phase.

6.2.12 In the National Strategy against Doping in Sport (2015-2024) the Bulgarian authorities have included another strategic objective regarding the Laboratory: *“After the intended accreditation by the World Anti-Doping Agency, the Laboratory for Doping Control to the Anti-Doping Centre must be accredited by the Bulgarian Service for Accreditation and analyzing nutritional supplements. The Laboratory will make analysis for the presence of prohibited or high-risk substances in the most widespread products, advertised as food supplements (...)”*. The Monitoring Group sees the great value of testing nutritional supplements for prohibited substances (contaminants or fraudulent ingredients) and advising athletes and athlete support persons accordingly as a means for reducing the risk of unintentional doping. However, in accordance with the ISL, WADA-accredited laboratories shall not engage in analysing commercial material or preparations (e.g. dietary supplements) unless specifically requested by an Anti-Doping Organization as part of a doping case investigation. Therefore, the Bulgarian authorities should consider revising their Strategy since the two strategic objectives are contradicting. It is the opinion of the Evaluation Team that since -under the circumstances- obtaining the WADA-accreditation status is not feasible, the Bulgarian authorities should examine the possibility to develop the Laboratory further for the analysis of food supplements. A thorough feasibility study should be conducted in that respect before a final decision is taken.

6.3 Conclusions

6.3.1 The Evaluation Team concludes that Bulgaria has fulfilled the commitments described in Article 5 of the Anti-Doping Convention of the Council of Europe.

6.4.1 Recommendations

6.4.1 Recommendation no. 12: The Bulgarian Anti-Doping Centre and the Bulgarian Government should conduct a thorough analysis of the need for a WADA-accredited laboratory in the country taking into account parameters like the number of samples that need to be collected under the Bulgarian anti-doping program, the costs for obtaining and maintaining the Laboratory accreditation (analytical facilities, instrumentation, research etc.), the costs for analysis of samples in WADA-accredited laboratories in other countries etc.

6.4.2 Recommendation no. 13: Since the Laboratory is an integral part of the country's anti-doping programme, the Bulgarian authorities should reconsider the priorities of their national anti-doping programme and consider putting more weight towards the development of the Bulgarian Anti-Doping Centre and the implementation of a sound anti-doping programme based on the Convention and the Code.

6.4.3 Recommendation no. 14: Since the Laboratory cannot be used for the analysis of samples for doping control purposes, the Laboratory should consider extending its activities to other fields, like, for example, the analysis of dietary supplements for the detection of doping substances and collaborating with Customs authorities in the investigations over seized products.

6.4.4 Recommendation no. 15: The Laboratory, if accepted by WADA to be treated as being in a Probationary phase towards accreditation, should:

- apply for ISO/IEC 17025 accreditation for the substances and methods not currently under the scope of the current accreditation in order to cover as much as possible of the substances of the WADA's Prohibited List;
- develop and validate methods for the detection of erythropoietin (rEPO) and similars, growth hormone and the hematological module of the ABP;
- continue to take part in proficiency testing schemes to test and prove its competence in the analytical methods that applies.

6.4.5 Recommendation no. 16: The Laboratory is encouraged to collaborate with academic and research institutions in Bulgaria and other countries for the scientific development of its staff.

6.4.6 Recommendation no. 17: The Laboratory is encouraged to expand its collaboration with more academic and research institutions in Bulgaria and other countries and/or to implement more scientific research programmes and publish their results in peer-reviewed scientific international journals.

Convention Article 6 – Education

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

7.1 Introduction

7.1.1 The Anti-Doping Convention of the Council of Europe acknowledges the importance of education and information for the prevention of doping in sport and requires state parties and sport organisations to cooperate in that respect. Educational and informational programmes should be comprehensive and be directed mainly to athletes and their support personnel.

7.1.2 Apart from the Convention, the importance of education for the fight against doping in sport is reflected by the World Anti-Doping Code, and the International Convention against Doping in Sport of UNESCO.

7.1.3 The Monitoring Group developed the *Model Guidelines for Core Information/Education Programmes to prevent Doping in Sport*, as a methodological tool, for the development, implementation, delivery, and evaluation of information and education programmes. These Model Guidelines are annexed to the *Recommendation Rec (2011) 1 of the Monitoring Group on the use of the model guidelines for core information/education programmes to prevent doping in sport*.

7.1.4 The Monitoring Group developed also 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 on the Guidelines for anti-doping education for Tertiary*.

7.2 Findings

7.2.1 Article 90.1 of the draft amendments of the Law on Physical Education and Sport that were presented to the Evaluation Team requires both *“the state and the sports organisations establish conditions and promote the education aimed at complying with anti-doping rules”*.

7.2.2 The National Strategy against Doping in Sport (2015-2024) sets eight operational objectives including *“greater awareness about the negative impact of the use of doping with an emphasis on young people and their families”*. Under the Strategy, the Bulgarian Anti-Doping Centre undertakes the *“main responsibility”* to take measures among athletes; workshops for sport doctors, national conferences on anti-doping; and education for athletes who are members of national teams who will participate in the Paralympic and Olympic Games. Similarly, for the prevention of doping in *“sport in leisure time”*, the Ministry of Youth and Sports is responsible for organising information campaigns about the risks of the use of doping, targeted at students of athletic schools and their parents, as well as public awareness campaigns. The Bulgarian Anti-Doping Centre is also responsible for the training of instructors working in fitness centres.

7.2.3 As from 2016, the Ministry of Youth and Sports requires national sport federations to provide anti-doping education to their members (athletes and athlete support persons). Moreover, for certain

programmes (e.g., high level athletes, athletes and athlete support persons that are members of national teams to participate in major events etc), the Ministry requires sport organisations to confirm that they provide anti-doping education. The Bulgarian Anti-Doping Centre is supportive to the work of sport organisations for the education of their members.

7.2.4 Based on the information provided to the Evaluation Team, the Bulgarian Anti-Doping Centre did not allocate funding for its education programmes between the years 2011 to 2014. In 2015, it allocated €2,604 and in 2016 €5,641 that is 0.97% and 1.58% (respectively) of the total annual budget the Bulgarian Anti-Doping Centre received from the Ministry of Youth and Sports. It is the opinion of the Evaluation Team that the Ministry of Youth and Sports and the Bulgarian Anti-Doping Centre should ensure that the Centre's information and educational programmes are sufficiently funded to reach their goals yet budgeted carefully.

7.2.5 The Bulgarian Anti-Doping Centre's educational programmes in the field of doping in sport are targeted at athletes, athlete support personnel (e.g., coaches, trainers, instructors, sport officials, sport doctors etc.) and athletes' parents, as well as physical education teachers at sport schools. In particular, educational programmes target athletes of all levels, ranging from high-level athletes, members of the national team prior to their participation in major events (e.g., the participants in 2016 Olympic and Paralympic Games in Rio, and the 2016 Youth Olympic Games in Lillehammer) to young athletes and students at sport schools. The Evaluation Team was advised that educational programmes are established in three categories: (a) 'high priority' for high priority athletes and athlete support persons that are those who are preparing for upcoming major events; (b) 'priority' for international and national level athletes and their athlete support persons, from different sports; and (c) 'low priority' for national level athletes and athlete support persons, including all sport schools in the Bulgaria. The Evaluation Team finds the education strategy of the Bulgarian Anti-Doping Centre well developed and targets all athletes in the country. However, it is the opinion of the Evaluation Team that, taking into account the relatively limited resources of the Bulgarian Anti-Doping Centre, the target groups should be prioritised and catered to, based on risk assessment and categorisation unless the Bulgarian Anti-Doping Centre has the necessary resources to support its education strategy and plans.

7.2.6 The Bulgarian Anti-Doping Centre's informational and educational programmes in the field of doping in sport are intended to provide accurate and updated information on the following issues: substances and methods on the Prohibited List; anti-doping rule violations; consequences of doping including sanctions and health consequences; rights and responsibilities of athletes and athlete support persons; doping control procedures; applicable whereabouts requirements; therapeutic use exemptions; and the risks of nutritional supplements. Moreover, since 2016, the Centre's educational programmes are values-based; this means education that takes a person-centred, holistic approach, engaging participants in the moral and ethical arguments of fair play and the spirit of sport, and thus promoting positive attitudes towards clean sport, and ultimately leading to athletes and other persons engaging in doping-free behaviour. It is the opinion of the Evaluation Team that the Bulgarian Anti-Doping Centre's educational programmes cover all the required topics.

7.2.7 The Evaluation Team understood that, in general the Bulgarian Anti-Doping Centre uses a generic approach to its informational and educational programmes in the field of doping in sport instead of sport specific programmes based on the characteristics of each sport and the risk evaluation and categorisation. An exemption to this approach is the sport of weightlifting and the special education rehabilitation programme that the Bulgarian Anti-Doping Centre delivers to athletes and coaches of the Bulgarian Weightlifting Federation (BWF) following the disqualification of the BWF by the International Weightlifting Federation from the Rio Olympic Games after 11 athletes were suspended for anti-doping rule violations in 2015 (see paragraph 5.6.3, above). It is beyond any doubts that this approach will assist the national federation concerned, working in cooperation with the Bulgarian Anti-Doping Centre, to establish a culture of zero tolerance towards doping in each sport and eradicate systemic and/or deeply-rooted culture of doping where such problem exists. Similar programmes have been implemented in other sports.

7.2.8 The Bulgarian Anti-Doping Centre provides mainly face-to-face information and education to athletes and other persons through presentations in seminars, workshops and conferences as well as outreach booths in athletic events. In addition, the Bulgarian Anti-Doping Centre has developed materials to assist its educational programmes (such as brochures, leaflets, etc) that are available on its website. The Bulgarian Anti-Doping Centre also provides access to the Prohibited List, translated into Bulgarian, information and instructions about the use of Anti-Doping Administration and Management System (ADAMS) for whereabouts submission, link to WADA's Play-True Quiz and, in general, it acts as a valuable source of information for athletes and all other interested persons. Although face-to-face sessions are effective, it is the opinion of the Evaluation Team that in order to increase their effectiveness, information and educational programmes should run over a period of time (instead of a single session). In addition, it is the Team's opinion that the Bulgarian Anti-Doping Centre should consider developing online training programmes available on its website for athletes and any other interested persons to refer to at any time, in support of the education programmes.

7.2.9 The Bulgarian Anti-Doping Centre working in partnership with international federations delivered WADA's Outreach Program¹⁵ at international events taking place in Bulgaria (e.g., Cadets European Wrestling Championships, Samokov 2014; Cadet and Junior Fencing World Championships, Plovdiv 2014; ISU World Short Track Speed Skating Championships, Sofia, 2016). Apart from giving the opportunity to Bulgarian and international athletes who visit the Outreach booth to discuss with anti-doping experts, one-on-one, about the dangers and consequences of doping, it creates a legacy for the Bulgarian Anti-Doping Centre that can be used for organising similar programmes in national events in Bulgaria.

7.2.10. An important resource that is currently missing from the Bulgarian Anti-Doping Centre's informational programme is a tool that could be used by athletes and athlete support personnel looking to find a definitive answer on whether a particular substance or a particular brand that is available in Bulgaria is banned in sport. It is the opinion of the Evaluation Team that such a tool would allow athletes checking the statuses of their medications to ensure that no prohibited substances are to be used.

7.2.11 The Bulgarian Anti-Doping Centre has developed an overall information and education strategy with short-, and long-term goals and objectives to be implemented within a set period of time. For its development, the Bulgarian Anti-Doping Centre has carefully analysed the existing situation including any previous initiatives, the sport environment, and the available resources and capacities. Moreover, the Bulgarian Anti-Doping Centre has prioritised its anti-doping education programmes for athletes and athlete support personnel of those sports that are included in its Test Distribution Plan. Nevertheless, the Bulgarian Anti-Doping Centre should continue monitoring the progress of the implementation of its educational programmes and evaluating their implementation and effectiveness.

7.2.12 The Bulgarian Anti-Doping Centre has established a partnership with the National Sports Academy (NSA) "Vassil Levski" in Sofia (that is the only university fully specialised in sports science in the country). The Evaluation Team visited the NSA and discussed with members of the administration and the faculty about the role of NSA in the prevention of doping. The Team was advised that NSA has included topics on anti-doping in the curriculum of all three NSA faculties (Coaching, Physical Education, and Kinesiotherapy), mandatory in underground and selective in postgraduate studies. Although the Evaluation Team did not look into any detail the programmes or the curricula of NSA, it is the opinion of the Evaluation Team that, the NSA should consider developing anti-doping education further, and implement, deliver and evaluate anti-doping education in line with the *Recommendation Rec (2016) 2 of the Monitoring Group on the Guidelines for anti-doping education for Tertiary* (see paragraph 7.1.4, above).

¹⁵ WADA's Outreach Program reaches athletes during sports events of all kinds. Outreach activities focus on creating positive attitudes towards anti-doping, increasing visibility at events to enhance understanding, and providing an outlet for athletes and support personnel to engage with anti-doping organizations' staff.

7.2.13 The Evaluation Team was advised that anti-doping topics are included in the high school curriculum and that this will be expanded further to include secondary schools.

7.2.14 The Evaluation Team has received no information about the role of athletes or athletes' committees in information and education in the field of doping in sport in Bulgaria. It is well acknowledged that athletes' committees, established by sport organisations or national anti-doping organisations to represent the views and rights of athletes, can play an important role in the fight against doping. Athlete committees' members can assist in raising awareness among athletes about anti-doping and the promotion of the clean sport message; at the same time, athletes' committees can help sport organisations and national anti-doping organisations understand the challenges athletes face and develop strategies to not only detect, but also deter and prevent doping in sport.

7.3 Conclusion

7.3.1 The Evaluation Team concludes that Bulgaria has fulfilled the commitments described in Article 6.1 of the Anti-Doping Convention of the Council of Europe.

7.4 Recommendations:

7.4.1 Recommendation no. 18: The Bulgarian Anti-Doping Centre and the Ministry of Youth and Sport should ensure that sport organisations (national olympic committee, national paralympic committee, national federations and sport clubs) actively participate in education programmes for their athletes, including appointing a person from each sport organisation that can be trained by the Bulgarian Anti-Doping Centre to be in charge of anti-doping information and education programme in their sport.

7.4.2 Recommendation no. 19: The Bulgarian Anti-Doping Centre should work closely with athletes' committees or consider establishing its own athlete committee with the view, among other, to promote active participation of athletes in the fight against doping.

7.4.3 Recommendation no. 20: The Bulgarian Anti-Doping Centre should consider appointing one or more athletes as anti-doping ambassadors, if deemed useful on advocating for the fight against doping in sport and promoting athletes' participation in the anti-doping work.

7.4.4 Recommendation no. 21: The Bulgarian Anti-Doping Centre should consider using social media (e.g., Twitter, Facebook) as a tool to communicate key messages and create a social norm about doping in the country.

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

7.5 Introduction

7.5.1 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 Anti-Doping Convention of the Council of Europe but also the World Anti-Doping Code, and the International Convention against Doping in Sport of UNESCO.

7.6 Findings

7.6.1 Scientific research for the fight against doping is one of the main objectives of Bulgaria's National Strategy against Doping in Sport (2015-2024). Based on the Strategy, the Antidoping Centre will use part of the financial resources that are allocated for the Bulgarian Doping Control Laboratory to expand its scientific research activities for combating doping. Moreover, the Anti-Doping Centre, together with the Ministry of Youth and Sports will identify the opportunities to participate in research projects for combating doping, under special programs of the European Union, WADA and UNESCO.

7.6.2 The Evaluation Team understood that the research activity of the Bulgarian Anti-Doping Centre is very limited. During the years 2011 to 2016, the Bulgarian Anti-Doping Centre allocated no funds for research with the exception of 2015 during which a small amount of 1,121 Euros only (0.42% of the total annual budget for 2015) was allocated for research purposes. Moreover, the Evaluation Team was not presented with any research projects that are initiated by the Bulgarian Anti-Doping Centre or projects to which it was partner.

7.6.3 In Bulgaria, 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. The Evaluation Team visited the National Sport Academy in Sofia and was presented, among other, about the Academy's research activity and provided with a list of published studies.

7.7 Conclusions

7.7.1 The Evaluation Team concludes that Bulgaria has fulfilled the commitments described in Article 6.2 of the Anti-Doping Convention of the Council of Europe; however, the Team is of the opinion that the research into anti-doping areas as well as into the support of athletes could be improved further.

7.8 Recommendations

7.8.1 Recommendation no. 22: The Bulgarian Anti-Doping Centre should encourage and fund research studies related to anti-doping by academic and other interested institutions in the country.

7.8.2 Recommendation no. 23: The Bulgarian Anti-Doping Centre should play a role on the coordination of the research activities on anti-doping in the country.

7.8.3 Recommendation no. 24: The Bulgarian Anti-Doping Centre should explore the various funding opportunities for anti-doping research (e.g., European Union, WADA), with the collaboration of other national anti-doping organisations and/or research institutions.

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

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

8.1 Introduction

8.1.1 The Convention, with article 7.1 and a series of other articles (7.2 and 7.3) aims to encourage sport organisations to -within their competence- adopt and implement effective programmes against doping in sport but also to indicate the strong desire for national and international compatibility and harmonization of these programmes between sports and countries.

8.2 Findings

8.2.1 The Bulgarian Government adopted its Law on Physical Education and Sport in 1996, although it has been amended on a number of occasions, most recently in June 2016. The Law on Physical Education and Sport contains several provisions aiming to encourage sport organisations to -within their competence- take measures against doping in sport. For example, Article 90.1 provides that *“(...) the sport organisations establish conditions and promote education aimed at complying with antidoping rules, and also implement measures to prevent, control and fight against the use, distribution, and toleration of doping sport”*.

8.2.2 Similarly, Article 12(1) of the Bulgarian Antidoping Centre’s Regulations on Doping Control in Training and Competition Activities provides that *“With decisions of their ruling bodies, licensed sport organisations shall adopt antidoping rules that comply with the requirements of the World Anti-Doping Code and these Regulations”*. Moreover, Article 97 of the Regulations provides that *“The Executive Director of the Anti-Doping Centre shall be entitled to propose to the Minister of Youth and Sports to suspend for a period of up to six months or terminate the funding of any licensed sports organization upon (...) failure by that licensed sports organization on executing the anti-doping rules or to submit its anti-doping rules under Article 12 upon the by request of the Executive Director of the Bulgarian Anti-Doping Centre.”*

8.3 Conclusion

8.3.1 The Evaluation Team concludes that Bulgaria has fulfilled the commitments described in Article 7.1 of the Anti-Doping Convention of the Council of Europe.

8.4 Recommendations

8.4.1 None.

* * *

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

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

8.5 Introduction

8.5.1 The Convention requires governments which are state parties to the Convention to encourage their sport organisations to have harmonised anti-doping regulations, as a principle of fair justice and due process for all athletes.

8.5.2 The harmonisation of anti-doping regulations of national anti-doping organisations and national and international sport organisations is achieved under the umbrella of the World Anti-Doping Code and International Standards considering that their anti-doping rules are Code compliant.

8.6 Findings

8.6.1 Article 41a of the Law on Physical Education and Sport provides that:

“Article 41a. The national body for doping control, prevention and fight against doping in sports shall be the Anti-Doping Centre – a second-level administrator of budget with the Minister of Youth and Sports”.

8.6.2 The Bulgarian Anti-Doping Centre has prepared its anti-doping rules (“Regulations on Doping Control in Training and Competition Activities”) enforced nationally by ministerial decree and, following reviewed by WADA, the said Rules were deemed in line with the 2015 World Anti-Doping Code.

8.6.3 Article 1.2 of the abovementioned Regulations provides as follows:

“Article 1.(2) These Regulations apply to licensed sports organizations and national-level athletes included in the Registered Testing Pool of the Anti-Doping Centre and not listed in the Registered Testing Pool of an international federation, as well as to athletes who are not listed in the Registered Testing Pool of the Anti-Doping Centre but compete in sport events and competitions authorized by Bulgarian sports organizations. Such athletes shall be considered “national-level athletes” for the purposes of these rules”

8.6.4 Moreover, as mentioned in paragraph 8.2.1 (above), Article 12.1 of the Regulations provides as follows:

“Article 12.(1) With decisions of their ruling bodies, licensed sports organizations shall adopt anti-doping rules that comply with the requirements of the World Anti-Doping Code and these Regulations.”

8.6.5 The aforementioned provisions of the Regulations on Doping Control in Training and Competition Activities apply across all sports in Bulgaria that are governed by “licensed” sports organizations. At the time of the Monitoring Visit, the registry of licensed sports included 178 sports, including all of the Olympic sports.

8.6.6 Although the Regulations on Doping Control in Training and Competition Activities and the rules of international sports federations are Code-based tools, they differ in their application. However, if agreed that the Regulations on Doping Control in Training and Competition Activities are operational and nationally enforced across all licensed sports in Bulgaria, the harmonization required by the Convention is achieved.

8.7 Conclusion

8.7.1 The Evaluation Team concludes that Bulgaria has fulfilled the commitments described in Article 7.2.a of the Anti-Doping Convention of the Council of Europe.

8.8 Recommendations

8.8.1 None.

* * *

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

8.9 Introduction

8.9.1 The required harmonisation on the list of banned pharmacological substances and methods is achieved under the umbrella of the Code and WADA's Prohibited List International Standard that applies to all signatories to the Code including the international federations and national anti-doping organisations.

8.10 Findings

8.10.1 As mentioned under Chapter 3 in this Report (paragraphs 3.2.6 to 3.2.8), the Law on Physical Education and Sport does not refer to the list of pharmacological classes of doping agents or doping methods.

8.10.2 Simultaneously, the Regulations on Doping Control in Training and Competition Activities under Article 14.1 refer to the WADA's Prohibited List and its amendments as an annex to the International Convention against Doping in Sport of UNESCO.

8.10.3 It is the opinion of the Evaluation Team that the abovementioned mechanism provides for the required harmonisation on the List of banned substances and banned methods. However, the Team notes that the Bulgarian legislation makes no reference to the List of banned pharmacological classes of doping agents and banned doping methods adopted by the Monitoring Group of the Anti-Doping Convention of the Council of Europe (for more comments about the List of banned pharmacological classes of doping agents and banned doping methods, see paragraphs 3.2.6 – 3.2.10).

8.11 Conclusion

8.11.1 The Evaluation Team concludes that Bulgaria has fulfilled the commitments described in Article 7.2.b of the Anti-Doping Convention.

8.12 Recommendations

8.12.1 See Recommendation no. 2 (paragraphs 3.4.1).

* * *

c. doping control procedures;

8.13 Introduction

8.13.1 The required harmonisation on doping control procedures -in principle- is achieved under the umbrella of the World Anti-Doping Code and the International Standard for Testing and Investigations.

8.14 Findings

8.14.1 The Law on Physical Education and Sport under Article 8.3.15 provides as follows:

“Article 8.(3)The Minister of Youth and Sports shall:

(...)

15. organise activities relating to anti-doping control, prevention and fight against the use of doping in sports through the Anti-doping Centre;”

8.14.2 The Anti-Doping Rules of the Anti-Doping Centre of the Republic of Bulgaria (“Regulations on Doping Control in Training and Competition Activities”) are in line with the 2015 Code. Section I within the chapter II of the said Regulations establishes a detailed doping control procedure consistent with the standards set up in the Code and the International Standard for Testing and Investigations, including the authority to test, test distribution plan, in-, and out-of-competition testing, athlete whereabouts requirements and selection of athletes to be tested.

8.14.4 As mentioned above, the Regulations on Doping Control in Training and Competition Activities establish a detailed doping control procedure consistent with the standards set up in the 2015 Code and the International Standard for Testing and Investigations. The planning and testing procedures applied by the Anti-Doping Centre of the Republic of Bulgaria comply with ISO 9001:2008, as certified by the French National Organization for Standardisation (AFNOR, certificate No. 2014/58336.1). Following the Monitoring Visit and before the publication of this Report, the Evaluation Team was advised that the Bulgarian Anti-Doping Centre is certified with ISO 9001:2015 as from 7.1.2017.

8.15 Conclusion

8.15.1 The Evaluation Team concludes that Bulgaria has fulfilled the commitments described in article 7.2.c of the Anti-Doping Convention of the Council of Europe.

8.16 Recommendations

8.16.1 None.

* * *

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

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

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

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

8.17 Introduction

8.17.1 This article of the Convention requires from state parties to put in place regulations about their disciplinary and appeal procedures that respect the concept of natural justice and due process.

8.17.2 The Monitoring Group of the Anti-Doping Convention (T-DO) during its conference “*Council of Europe and fight against doping – 25 years of the Anti-Doping Convention: from past to future*” (Strasbourg, 4 November 2014)¹⁶ stressed the importance of the following: (a) clear distinction between reporting and disciplinary bodies, (b) independent and impartial disciplinary bodies, free of conflicts of interest; and (c) experienced disciplinary bodies, with members possessing the right skills.

8.17.3 The Monitoring Group adopted on 20.02.2017 the Recommendation on ensuring the independence of hearing panels (bodies) and promoting fair trial in anti-doping cases [T-DO/Rec (2017) 01].

8.18 Findings

¹⁶ “Council of Europe and fight against doping – 25 years of the Anti-Doping Convention: from past to future” [T-DO (2014) 30 rev1]: Draft Summary. Prepared by Mr Anders Solheim, Chair of the Monitoring Group of the Anti-Doping Convention.

8.18.1 The Bulgarian Anti-Doping Centre's Regulations on Doping Control in Training and Competition Activities were prepared and adopted in line with the Code. Article 60.1 of the said Regulations provides for the establishment of the Disciplinary Commissions that carry out proceedings and take decisions in first instance in Anti-Doping Rule Violations cases. First-instance decisions may be appealed to the Bulgarian Sports Arbitration or to the Court of Arbitration for Sport (CAS), if the case concerns an international-level athlete. The Disciplinary Commission and the Bulgarian Sports Arbitration was established by the Bulgarian Olympic Committee. Although established by the Olympic Committee, it also handles cases concerning athletes from non-Olympic sports.

8.18.2 Chapter 4 of the abovementioned Regulations is entirely dedicated to the disciplinary procedure. It refers to the principles of fair trial set out in Article 7.2.d of the Convention and in the Recommendation T-DO/Rec (2017) 01, including the right to be represented, the right to have a timely hearing before the impartial panel, the right of appeal and the right to present evidence:

"Article 65.(8). All hearings shall respect the following principles:

- 1. a timely hearing;*
- 2. fair and impartial hearing panel;*
- 3. the right to be represented at the person's own expense;*
- 4. the right to be informed in a fair and timely manner of the asserted anti-doping rule violation;*
- 5. the right to respond to the asserted anti-doping rule violation and resulting consequences;*
- 6. the right of each party to present evidence, including the right to call and question witnesses (subject to the hearing panel's discretion to accept testimony by telephone or written submission);*
- 7. the person's right to an interpreter at the hearing, with the hearing panel to determine the identity, and responsibility for the cost of the interpreter;*
- 8. a timely, written, reasoned decision, including explanation/s of the reason for imposition of the relevant period of ineligibility."*

8.18.3 As stated in Article 60.3 of the abovementioned Regulations, *"the Disciplinary Commission panel shall be appointed by the Executive Bureau of the Bulgarian Olympic Committee, following a proposal submitted by the President of the Bulgarian Olympic Committee and consultation with the Minister of Youth and Sports"*. Therefore, it must be underlined that the hearing panel (body) should remain operationally independent from the Government, national federations, the National Olympic Committee, National Paralympic Committee and the National Anti-Doping Organisation. There should be no interference from these actors on decisions made by the hearing panel (body) and on the conduct of the hearing proceedings [see Recommendation T-DO/Rec (2017) 01].

8.18.4 The Evaluation Team considers it necessary to refer to some of the recommendations given to the Bulgarian authorities following the previous Evaluation Visit in 2012 as they may influence the status of compliance with both, the Convention and the Code: Firstly, the recommendation to make it the default for all hearings to be held behind closed doors unless either party requested that the matter be dealt with in public is no longer valid. According to the Recommendation T-DO/Rec (2017) 01, the hearing should be public unless otherwise decided by the hearing panel (body). Moreover, Article 6.1 of the Convention for the Protection of Human Rights and Fundamental Freedoms of the Council of Europe states that *"everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal"*. Secondly, the recommendation that also international level athletes could appeal a decision from the Disciplinary Commission to the Bulgarian Sports Arbitration for Sports before taking the matter to the Court of Arbitration for Sport, might be seen as contrary to the Code provisions.

8.19 Conclusion

8.19.1 The Evaluation Team concludes that Bulgaria fulfilled the commitments described in Article 7.2.d of the Anti-Doping Convention of the Council of Europe.

8.20 Recommendations

8.20.1 Recommendation no. 25: The Bulgarian authorities should consider introducing a definition of conflicts of interest applicable to the members, employees or volunteers of the Disciplinary Commission and the Bulgarian Sports Arbitration.

* * *

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

8.21 Introduction

8.21.1 The involvement of athlete support persons (i.e., coaches, trainers, team staff, team officials, medical and paramedical personnel and other persons working with, or treating an athlete) in doping of athletes is not uncommon. Thus, this Article of the Convention requires state parties to have procedures in place allowing the imposition of effective penalties against those who are associated with doping infringements. This provision of the Convention includes also veterinary doctors in order to ensure that they can be sanctioned in cases of doping in animals competing in sport.

8.22 Findings

8.22.1 According to Article 1.1 of the Regulations on Doping Control in Training and Competition Activities apply to "Athlete Support Personnel" and introduce the Code-based definition of "Athlete Support Personnel" which is broader than the scope of this Article of the Convention and reads as follows:

"Athlete Support Personnel: Any coach, trainer, manager, agent, team staff, official, medical, paramedical personnel, parent or any other person working with, treating or assisting an athlete participating in or preparing for sports competition."

8.22.2 The abovementioned Regulations introduce disciplinary sanctions (i.e., ineligibility for participation in sport, in any capacity) against the Athlete Support Personnel. Moreover, Article 71.3 of the Regulations include the below provisions regarding violations involving Athlete Support Personnel that allow for additional sanctions by the competent administrative, professional or judicial authorities:

"Article 71.(3) For violations of Article 6.(2)7 or Article 6.(2)8, the period of ineligibility shall be a minimum of four years up to lifetime ineligibility, depending on the seriousness of the violation. Violations of the same Article 6.(2)7 or Article 6.(2)8, involving a minor shall be considered a particularly serious violation and, if committed by athlete support personnel for violations other than for specified substances, shall result in lifetime ineligibility for athlete support personnel. In addition, significant violations of these items, which may also violate non-sporting laws and regulations, shall be reported to the competent administrative, professional or judicial authorities."

8.22.3 Moreover, Article 67(4) of the Law on Physical Education and Sport provides for a fine of 1000 Bulgarian Lev (approximately 513 euro) for doping infringement by athlete support personnel. It is the opinion of the Evaluation Team that the said fine could in certain instances lack a sufficient deterrent effect.

8.22.4 Apart from the Regulations on Doping Control in Training and Competition Activities, Article 350 of the Criminal Code provides imprisonment for the preparation, distribution and sale of food or beverages intended for general use, when contain substances hazardous to health.

8.23 Conclusion

8.23.1 The Evaluation Team concludes that Bulgaria has fulfilled the commitments described in Article 7.2.e of the Anti-Doping Convention of the Council of Europe.

8.24 Recommendations

8.24.1 Recommendation no. 26: The Anti-Doping Centre of the Republic of Bulgaria should have policies and procedures in place for reporting to the competent administrative or professional authorities of any cases of doping rule violations committed by Athlete Support Persons.

8.24.2 Recommendation no. 27: The Bulgarian authorities should consider the possibility to introduce more severe penalties for athlete support persons who commit doping rule violations (i.e., possession, trafficking, or administration of doping substances, or complicity involving a doping rule violation).

* * *

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

8.25 Introduction

8.25.1 The Convention under this article introduces elements of consistency between sports and between nations to ensure that sanctions imposed for doping rule violations are mutually recognised and not seeking alternative jurisdictions.

8.25.2 Mutual recognition of sanctions is one of the principles of the World Anti-Doping Code.

8.25.3 The principle of mutual recognition of sanctions is enhanced and reinforced by the Additional Protocol to the Anti-Doping Convention that entered into force in 2002.

8.26 Findings

8.26.1 Article 67 of the Regulations on Doping Control in Training and Competition Activities incorporates the Code-based provisions on the mutual recognition of sanctions, as follows:

“Article 67. (1) The Anti-Doping Centre shall recognize and respect the actions and decisions of all signatories related to the performance of the procedures for sample collection, issue of therapeutic use exemptions, hearings and final adjudications described in this Chapter, as well as those of non-signatories, whose internal provisions are otherwise consistent with the Code, so long as they are not in conflict with Bulgarian legislation.

(2) The mutual recognition under paragraph 1 above does not undermine the Anti-Doping Centre’s appeal rights granted by these Regulations.”

8.26.2 The Evaluation Team finds that the above provisions in the Regulations on Doping Control in Training and Competition Activities cover the requirements under the Convention.

8.27 Conclusion

8.27.1 The Evaluation Team concludes that Bulgaria has fulfilled the commitments described in Article 7.2.f of the Anti-Doping Convention of the Council of Europe.

8.28 Recommendations

8.28.1 None.

7.3 Moreover, the Parties shall encourage their sports organisations:

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

8.29 Introduction

8.29.1 Under this article, the Convention requires State Parties to organise doping control testing; and sets certain elements of the testing programmes: on an effective scale, in-, and out-of-competition, and without advance notice.

8.29.2 In addition to the aforementioned elements, the Convention requires testing to be “equitable for all sportsmen and sportswomen”. For this to be achieved, it is important for the organisation responsible for testing and those persons involved, to be independent, impartial and free from any conflicts of interest.

8.29.3 In addition to the Convention, the World Anti-Doping Code requires Code-signatories to conduct testing in conformity with the provisions of the International Standard for Testing and Investigations (ISTI)¹⁷. Among the purposes of the ISTI is, to plan for intelligence and effective testing, both in-competition and out-of-competition. To that end, the ISTI establishes mandatory standards for, among others, risk assessment, test distribution planning (including collection and use of athlete whereabouts information) and the conduct of sample collection.

8.30 Findings

8.30.1 Article 2(1) of the Regulations on Doping Control in Training and Competitions provide that “*the (Bulgarian) Antidoping Centre with the Minister of Youth and Sports shall be the national-level body for doping control, prevention and fight against doping in sport*”.

8.30.2 The Bulgarian Anti-Doping Centre as a Signatory to the World Anti-Doping Code has prepared its anti-doping rules (“Regulations on Doping Control in Training and Competition Activities”) and after review by WADA, the Regulations were found in line with the Code and International Standards. The Evaluation Team notes, however, that both the title and the content of the Regulations refer to (testing) “in training and competition activities” that is misleading since, in accordance with the Code and the ISTI, testing can take place “at any time and at any place” (e.g., at the athlete’s house). Such a clause is not found in the Bulgarian Anti-Doping Centre’s “Regulations on Doping Control in Training and Competition Activities”.

¹⁷ The World Anti-Doping Code International Standard for Testing and Investigations (ISTI) is a mandatory International Standard developed as part of the World Anti-Doping Programme. The purposes of the ISTI are to plan for intelligent and effective Testing, both In-Competition and Out-of-Competition, [the efficient and effective gathering, assessment and use of anti-doping intelligence and the efficient and effective conduct of investigations into possible anti-doping rule violations.](#)

8.30.3 The Bulgarian Anti-Doping Centre in line with the ISTI and its Regulations on Doping Control in Training and Competition Activities develops its Registered Testing Pool (RTP) that is based on its Test Distribution Plan and its risk assessment. During the Visit, the Evaluation Team was provided with a copy of the Bulgarian Anti-Doping Centre's RTP in effect which included 31 athletes from nine Olympic and two Paralympic sports and was advised that the RTP was the result of a thorough risk analysis of doping in the country. The 2016 Annual Report of the Bulgarian Anti-Doping Centre¹⁸ states that the number of athletes in its RTP in 2016 was 69 and explains that *"it was characterised by several changes in its composition due to the dynamic situation before the Olympic and Paralympic Games in Rio 2016"*. Out of the 69 athletes, 63 were from 14 different Olympic sports and six athletes from Paralympic sports. Although the Evaluation Team is not aware of (and has not evaluated) the effectiveness of the Bulgarian Anti-Doping Centre's annual testing programme, it is of the opinion that the approach that was taken by the Bulgarian Anti-Doping Centre (i.e. changes on its RTP based on priorities and risk assessment) will assist it significantly to enhance its anti-doping programme, especially in the lead-up to major events (like, for example, the Olympic and Paralympic Games).

8.30.4 The Evaluation Team notes that the Bulgarian Anti-Doping Centre in its RTP includes only athletes from individual sports and collects whereabouts from these athletes; it does not include athletes from team sports and does not collect individual or -at least- team whereabouts from team sports' athletes.

8.30.5 The Bulgarian Anti-Doping Centre's authority to conduct testing is detailed under Article 4(1) of its "Regulations on Doping Control in Training and Competition Activities" and includes, among other, "all athletes who have been issued with competition licenses by any of the licensed sport organisations". As it is mentioned in paragraph 8.6.5 (above) at the time of the Monitoring Visit, the registry of licensed sports included 178 sports, including all of the Olympic sports. According to the figures provided in its 2016 Annual Report, the Bulgarian Anti-Doping Centre performed testing (under its testing programme) in 25 sports, only. Although only a small percentage of the licensed sports fell into the testing programme of the Bulgarian Anti-Doping Centre in 2016, the Evaluation Team understood that the selected sports reflect the priorities of the Bulgarian Anti-Doping Centre following its risk assessment. However, in order to comply with the Convention requirement that doping controls are conducted in a way which is "equitable for all sportmen and sportwomen" the Bulgarian Anti-Doping Centre should include more sports into its testing programme.

8.30.6 The Evaluation Team compiled statistical information on the Bulgarian Anti-Doping Centre's testing programme from WADA's Anti-Doping Testing Figures that are published annually. The testing figures for the years 2013-2016 are presented in Table 1 (below):

Table 1. Testing figures for the years 2013-2016 where the Bulgarian Anti-Doping Centre is the testing authority. (Source: WADA)

Year	Samples		Tests		Total
	Urine	Blood	IC	OOC	
2013	496	-	329	167	496
2014	603	-	373	230	603
2015	491	32	276	247	523
2016	497	33	267	263	530

Abbreviations: IC; In-competition; OOC: out-of-competition.

[Note to table 1: In accordance with the Bulgarian Anti-Doping Centre's 2016 Annual Report, in the reference year it collected 491 samples whereas in WADA's Anti-Doping Testing Figures it is stated that 530 samples were collected. The Evaluation Team was explained that WADA's Figures include also samples that

¹⁸ http://www.anti-doping.government.bg/en/images/upload/Docs_en/Reports_en/annual_stats_report_2016_final_en.pdf

were collected by the Bulgarian Anti-Doping Centre on the request of national sport federations but not as part of the Centre's Test Distribution Plan.]

8.30.7 The Evaluation Team notes that the Bulgarian Anti-Doping Centre collects samples in-, and out-of-competition in almost equal numbers in 2015 and 2016. It notes also that the Bulgarian Anti-Doping Centre collects mainly urine samples and only a small number of blood samples was collected in 2015 and 2016. The Team did not explore in any detail the implementation of the requirements of the Technical Document for Sport Specific Analysis¹⁹ and is not aware whether the Bulgarian Anti-Doping Centre is implementing the haematological and steroidal modules of the Athlete Biological Passport programme and to what extent.

8.30.8 The Evaluation Team is of the opinion that the testing programme in place in Bulgaria is in line with the principles of the Convention in terms of testing in-, and out-of-competition, and without advance notice; however, having taken into account the total number of samples collected each year and the number of sports that are included in its testing programme, the Evaluation Team believes that it is not on an effective scale and equitable for all sportsmen and sportswomen and needs to be improved further.

8.31 Conclusion

8.31.1 The Evaluation Team concludes that Bulgaria has fulfilled the commitments described in Article 7.3.a of the Anti-Doping Convention of the Council of Europe.

8.32 Recommendations

8.32.1 Recommendation no. 28: The Bulgarian Anti-Doping Centre should increase the number of samples it collects every year including athletes from more sports (see also paragraph 6.2.11).

8.32.2 Recommendation no. 29: The Bulgarian Anti-Doping Centre should consider increasing its Registered Testing Pool and requesting whereabouts information from more athletes, including team sports (individual or team whereabouts), as necessary.

8.32.3 Recommendation no. 30: The Bulgarian Anti-Doping Centre should ensure that athletes are aware that testing can take place at any time and at any place (and not only in training and competition activities as it is the title of its Regulations).

* * *

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

8.33 Introduction

8.33.1 Under this article of the Convention the Parties are required to establish agreements (as necessary) with other organisations for testing their athletes when training in other countries.

¹⁹ The Technical Document for Sport Specific Analysis (TDSSA) is prepared by WADA and aims to ensure that the Prohibited Substances within the scope of the TDSSA that are deemed to be at risk of abuse in certain sports/disciplines are subject to an appropriate and consistent level of analysis by all ADOs that conduct Testing in those sports/disciplines. A Minimum Level of Analysis (MLA) is specified for the Prohibited Substances within the scope of the TDSSA for each sport/discipline, expressed as a percentage of the total number of eligible Tests and based on a Physiological Risk Assessment of that sport or discipline. Currently, the Prohibited Substances that are within the scope of the TDSSA are: (a) Erythropoiesis Stimulating Agents (ESAs); (b) Growth Hormone (GH); and (c) Growth Hormone Releasing Factors (GHRFs) including Growth Hormone Releasing Hormone (GHRH) and its analogues, Growth Hormone Secretagogues (GHS) and Growth Hormone Peptides (GHRPs). Compliance with the TDSSA is mandatory under the 2015 World Anti-Doping Code.

8.33.2 The lack of testing of athletes when training in other countries has been identified as one of the reasons why the drug testing programmes have been generally ineffective in detecting dopers.²⁰

8.34 Findings

8.34.1 The Regulations of Organisation and Operation of the Anti-Doping Centre provide that the Bulgarian Anti-Doping Centre “*sign agreements with international federations and with national antidoping organisations for conducting doping control tests.*” Although it is not specified whether this provision of the Regulations allows for the Bulgarian Anti-Doping Centre to authorise other entities to conduct testing, until the time of the Monitoring Visit no tests on Bulgarian athletes out of the country were conducted at the request of the Centre. However, following the Visit and before the finalisation of this Report, the Team was advised that the Bulgarian Anti-Doping Centre has signed a cooperation agreement with the Canadian Centre for Ethics in Sports (CCES) and that testing of Bulgarian athletes out of the country were conducted on the request of the Bulgarian Anti-Doping Centre. (see paragraph 5.22.1)

8.35 Conclusion

8.35.1 The Evaluation Team concludes that Bulgaria has fulfilled the commitments described in Article 7.3.b of the Anti-Doping Convention of the Council of Europe.

8.36 Recommendations

8.36.1 None.

* * *

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

8.37 Introduction

8.37.1 Out-of-competition testing, and in particular testing in the lead up of major sport events, is one of the most important elements of a comprehensive testing programme. It assists anti-doping organisations to detect those athletes who may choose to use prohibited substances or methods in order to enhance their performance in competition. In addition, if athletes are aware of the possibility to be tested when they are preparing for competitions, out-of-competition testing has a strong deterrent effect.

8.37.2 At the international level, major event organisations (like, for example, the International Olympic Committee) and international federations encourage national anti-doping organisations to test their athletes prior to their participation in international events. Similarly, at the national level, the national anti-doping organisation should test the athletes under its jurisdiction prior to their participation in national events, based on a risk assessment analysis and with the support of the interested national sport organisation.

8.38 Findings

8.38.1 The Ministry of Youth and Sports gives particular attention and provides support for the athletes of national teams preparing for participation in international events.

²⁰ The Report to WADA Executive Committee on Lack of Effectiveness of Testing Programs prepared by Working Group Established Following Foundation Board Meeting of 18 May 2012 was published by WADA on 5 December 2013 and is available at: www.wada-ama.org/en/resources/world-anti-doping-program/lack-of-effectiveness-of-testing-programs.

8.38.2 The Bulgarian Anti-Doping Centre intensifies its anti-doping measures in the lead up to major international events. In addition to its anti-doping information and education programmes for the members of the national teams, the Commission intensifies its testing programme based on its test distribution plan as well as on a risk assessment and intelligence for target testing. However, the Evaluation Team is of the opinion that the testing programme of the Bulgarian Anti-Doping Centre could improve further if the Centre requests testing of Bulgarian athletes who are training out of the country, if necessary (see paragraph 8.43.1).

8.39 Conclusion

8.39.1 The Evaluation Team concludes that Bulgaria has fulfilled the commitments described in Article 7.3.c of the Anti-Doping Convention of the Council of Europe.

8.40 Recommendations

8.40.1 None.

* * *

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

8.41 Introduction

8.41.1 Several international federations organise anti-doping information and educational programmes for those athletes who are included in their registered testing pool or competing in their events.

8.41.2 The World Anti-Doping Agency and many international sports organisations (like, for example, the International Olympic Committee (IOC), the International Paralympic Committee (IPC) and international federations) establish their athlete committee, with aim to serve as the voice of clean athletes, encouraging integrity and fairness for sport and athletes. Moreover, the participating athletes act as ambassadors for the fight against doping worldwide.

8.42 Findings

8.42.1 The Evaluation Team was advised that Bulgarian athletes participate in the international federation's anti-doping information and education programmes. Similarly, many young athletes from Bulgaria attend information and education programmes organised by their international federations during competitions or training camps, in Bulgaria (in cooperation with the Bulgarian Anti-Doping Centre) or in other countries.

8.42.2 Other than the above, the Evaluation Team was not presented with any information about Bulgarian athletes who are actively participating in the anti-doping work of international sport organisations or how the Bulgarian authorities encourage their athletes to do so.

8.43 Conclusion

8.43.1 The Evaluation Team concludes that Bulgaria has not fully fulfilled the commitments described in Article 7.3.d of the Anti-Doping Convention of the Council of Europe.

8.44 Recommendations

8.44.1 Recommendation no. 31: The Bulgarian authorities should encourage and provide the necessary support to Bulgarian athletes to participate in the anti-doping work of international sport organisations (e.g., IOC, IPC, international federations) and thus contribute to the fight against doping in Bulgarian and worldwide.

* * *

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

8.45 Introduction

8.45.1 The analysis of samples for the purpose of anti-doping testing by the WADA-accredited laboratories is constantly evolving with strengthening of the existing analytical methods, as well as the development and implementation of new and more sophisticated methodologies. The Convention under Article 7.3.e requires from the Parties to make full and efficient use of the analytical capacities of the laboratories.

8.45.2 In accordance with the Code, anti-doping organisations may store samples for up to ten years for re-analysis at a later stage using improved analytical techniques developed in the meantime. This action has proved to be very effective on uncovering doped athletes and has a strong deterrent effect.²¹

8.46 Findings

8.46.1 As mentioned under Convention Article 5, all the samples that are collected by the Bulgarian Anti-Doping Centre as part of the Bulgarian anti-doping programme, with the Bulgarian Anti-Doping Centre as the Results Management Authority are analysed at the Doping Control Laboratory of Athens, Greece or the Seibersdorf Labor GmbH Doping Control Laboratory in Austria which are accredited by WADA.

8.46.2 The Bulgarian Anti-Doping Centre collects both urine and blood samples. For the urine samples, the Bulgarian Anti-Doping Centre requests from the Laboratory to be analysed for the standard menu of analysis and additionally for erythropoiesis stimulating agents (e.g. EPO), Isotope Ratio Mass Spectrometry (IRMS), growth hormone releasing factors (GHRFs) or other tests, based on risk assessment of the sport and discipline or the athlete from whom the sample is collected. Blood samples are collected and analysed for the detection of prohibited substances (growth hormone); However, based on the 2015 and the 2016 Anti-Doping Testing Figures that are published by WADA, the Bulgarian Anti-Doping Centre did not request any blood samples to be analysed for the Athlete Biological Passport or other special tests although these tests can be performed by the WADA-accredited laboratories to which the Bulgarian Anti-Doping Centre has or could have access.

8.46.3 Taking into account the above, the Evaluation Team is of the opinion that the Bulgarian Anti-Doping Centre could make more efficient use of the capacities of the WADA-accredited laboratories to which the Bulgarian Anti-Doping Centre has or could have access for the detection of doping in sport, and request more tests, as required by the Convention (Article 7.3.e) and WADA's Technical Document for Sport Specific Analysis²².

²¹ See, for example, the Press Releases from WADA regarding reanalysis of samples from Beijing 2008 and London 2012 Olympic Games by the International Olympic Committee in the lead up of the Rio 2016 Games. (<https://www.wada-ama.org/en/media/news/2016-05/wada-statement-regarding-re-testing-of-2008-beijing-olympic-samples> and <https://www.wada-ama.org/en/media/news/2016-05/wada-statement-regarding-reanalysis-of-2012-london-olympic-samples>, respectively; accessed: 14.11.2016).

²² See footnote no. 21.

8.46.4 Article 37(4) of the Regulations on Doping Control in Training and Competition Activities provides for long storage and further analysis of samples in accordance with the International Standard for Laboratories that is for up to a period of ten years. The Bulgarian Anti-Doping Centre developed its long storage and re-analysis strategy and announced it on its website. Although the Evaluation Team did not explore in any detail the Bulgarian Anti-Doping Centre's samples long storage and re-analysis strategy and its implementation, it is of the opinion that it constitutes an important development, especially for a country like Bulgaria where Olympic medallists and their coaches receive life-long monthly bonuses and other awards from the State when they retire from competition. It is of utmost importance for the Bulgarian Anti-Doping Centre to have in place and implement such a strategy that allows for full and efficient use of the analytical capacities of the laboratories and employ the latest scientific breakthroughs in anti-doping technology and analysis to ensure that those athletes who enjoy such privileges did not cheat.

8.47 Conclusion

8.47.1 The Evaluation Team concludes that Bulgaria has fulfilled the commitments described in Article 7.3.e of the Anti-Doping Convention of the Council of Europe.

8.48 Recommendations

8.48.1 Recommendation no. 32: The Bulgarian Anti-Doping Centre should ensure that it makes full and efficient use of the analytical capacities of the WADA-accredited laboratories and employ the latest scientific breakthroughs in anti-doping technology and analysis, at all times, especially for samples collected from those athletes who enjoy life-long privileges from the Government.

* * *

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

8.49 Introduction

8.49.1 This article of the Convention is a further reflection of the concern expressed in Article 6.2, namely that athletes need to be provided with scientifically prepared guidelines to support their training and protect them from unnecessary harm, and also to prevent them from doping.

8.50 Findings

8.50.1 As mentioned in paragraph 7.6.3, in Bulgaria there are many well-established academic institutions, including universities that offer courses on sport science and conduct research in the field of sport. The results of the research projects are disseminated for the support of the athletes.

8.50.2 The Ministry of Youth and Sports pays particular attention to the support of Bulgarian athletes during their training. In 2015, with Order of the Minister of Youth and Sports, a working group ("Commission for Monitoring and Medical Control of the training of the athletes") was established for the monitoring of training of athletes who had capability to qualify for the Rio 2016 Olympic and Paralympic Games. The "Commission for Monitoring and Medical Control of the training of the athletes" is chaired by Dr. Violeta Zarkova – sport physician and Executive Director of the Bulgarian Anti-Doping Centre, and includes the following members: Dr. Stefan Strugarov – physician of the national team in wrestling and doctor of the Bulgarian Olympic Delegation at the Bulgarian Olympic Committee; Dr. Georgi Damyanov - Executive Director of the Specialized Hospital for active treatment in traumatology, orthopaedics, and sport medicine "Prof. Dr. Dimitar Shoylev"; Dr. Ivan Ivanov - physician of the national team in boxing; Prof. Rumyan Hristov – professor at the National Sport Academy and Director of its Center for research and applied activity; Dr. Lyubomir Mladenov – Director of the Department "Coordination and control of sport training" of the Ministry of Youth and Sports; Radoslava Dimitrova – Chief Expert in the Department "Elite

sport” of the Ministry of Youth and Sports; and Marusia Veleva – State Expert in the Department “Coordination and control of sport training” of the Ministry of Youth and Sports. The Commission was later enlarged to include other high-level athletes that were placed at European or World Championships or the Olympic or Paralympic Games. The Commission requires athletes and their coaches, physicians, and federation officials involved in their training, to list any medication and nutritional supplements they are using during the training period and competitions as well as to provide regular updates on their training programmes. The role of the Commission is to ensure that the medications the athletes are using are not prohibited in sport. In addition, the Commission develops criteria and recommends for purchasing nutritional supplements aiming to reduce the risk of using contaminated supplements; and also ensures that the medical doctors and other athlete support persons are suitably qualified and experienced. The Evaluation Team finds this initiative of the Bulgarian authorities in line with the Convention, for the support of athletes during their training and minimize the risk of (unintentional) doping. It is the opinion of the Team, however, that the work of the Commission, should be secured from any individual or organisational conflicts of interests.

8.51 Conclusion

8.51.1 The Evaluation Team concludes that Bulgaria has fulfilled the commitments described in Article 7.3.f of the Anti-Doping Convention of the Council of Europe.

8.52 Recommendations

8.52.1 None.

Convention Article 8 - International co-operation

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

8.2 The Parties undertake:

- a. to encourage their sports organisations to operate in a manner that promotes application of the provisions of this Convention within all the appropriate international sports organisations to which they are affiliated, including the refusal to ratify claims for world or regional records unless accompanied by an authenticated negative doping control report;**
- b. to promote co-operation between the staffs of their doping control laboratories established or operating in pursuance of Article 5; and**
- c. to initiate bilateral and multilateral co-operation between their appropriate agencies, authorities and organisations in order to achieve, at the international level as well, the purposes set out in Article 4.1.**

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

9.1 Introduction

9.1.1 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.

9.1.2 A main channel for such cooperation is the Monitoring Group set up by virtue of Convention Article 10 as well as the Advisory Groups and the ad hoc groups of experts established by virtue of Convention Article 11.2 to support the work of the Monitoring Group.²³

9.1.3 Another important channel of cooperation under the Council of Europe is the Ad hoc European Committee for the World Anti-Doping Agency (CAHAMA) which is responsible for the coordination of the positions of all Parties to the European Cultural Convention, with regard to questions relating to WADA.

9.1.4 Outside the structures of the Council of Europe, cooperation in the field of anti-doping can be achieved in many fora, like WADA, UNESCO and the Conference of Parties to the International Convention against Doping in Sport, and the Institute of National Anti-Doping Organisations (iNADO).²⁴

9.1.5 Article 8.2.a refers to a regulation that is in place by many international sports organisations based on which they ratify records only if accompanied by a negative doping control. As it is clarified in the Explanatory Report to the Anti-Doping Convention:²⁵

“(...) The drafters discussed the desirability of obliging national record claims to be subject to a similar requirement, but the practical difficulties of having a doping control team at every event, in every sport at which a national record might be claimed would be too great. In some countries where the emphasis is on out-of-competition

²³ In accordance with the revised Rules of Procedures of the Monitoring Group of the Anti-Doping Convention, the Monitoring Group is assisted in its work by four permanently functioning Advisory Groups: a. Advisory Group on Compliance (T-DO COMP); b. Advisory Group on Education (T-DO ED); c. Advisory Group on Legal Issues (T-DO LI); and d. Advisory Group on Science (T-DO SCI). In addition, the Monitoring Group establishes ad hoc expert groups to undertake specific tasks that cannot be performed by any of the Advisory Groups.

²⁴ The Institute of National Anti-Doping Organisations (iNADO), established in 2012, is the international member body for National Anti-Doping Organisations (NADOs). www.inado.org

²⁵ Explanatory Report to the Anti-Doping Convention, Strasbourg, 16.XI.1989, paragraph 78.

controls, it would also be retrograde. However, the drafters considered that it was important that this explanatory report should mention the desirability of having such a condition, where practical, for national records, at least in high profile sports or events.”

9.2 Findings

9.2.1 Bulgaria ratified the Anti-Doping Convention of the Council of Europe on 24 March 1992 and its Additional Protocol on 6 December 2004. Bulgaria also ratified the International Convention against Doping in Sport of UNESCO on 12 January 2007.

9.2.2 The Bulgarian Anti-Doping Centre signed the World Anti-Doping Code Acceptance Form on 20 December 2010. This replaces the original Code Acceptance that was signed on 4 May 2005 by the “National Anti-Doping Commission of Bulgaria” that was in place before the establishment of the Bulgarian Anti-Doping Centre.

9.2.3 Representatives of the Bulgarian Anti-Doping Centre regularly attend the meetings of the Monitoring Group of the Anti-Doping Convention (T-DO) as well as meetings of the Advisory Groups and the Ad hoc European Committee for the World Anti-Doping Agency (CAHAMA).

9.2.4 Bulgaria attends the Conference of Parties to the International Convention against Doping in Sport of UNESCO.

9.2.5 The Bulgarian Anti-Doping Centre is a member of the Institute of National Anti-Doping Organisations (iNADO) since 2014.

9.2.6 In addition to the aforementioned fora, the Bulgarian Anti-Doping Centre collaborates with many international federations, mainly for testing services in international events that are held in Bulgaria.

9.2.7 The Evaluation Team did not explore in any detail whether national federations in Bulgaria ratify national records only if accompanied by a negative doping control (as provided in Convention Article 8.2.a). However, taking into account the rather limited extend of the testing programme of the Bulgarian Anti-Doping Centre, it is the opinion of the Evaluation Team that this issue should not be seen as non-conformity. Nevertheless, this Convention requirement should be considered in the future, at least in high profile sports or events.

9.3 Conclusion

9.3.1 The Evaluation Team concludes that Bulgaria has fulfilled the commitments described in Article 8 of the Anti-Doping Convention of the Council of Europe.

9.4 Recommendations

9.4.1 None.

Convention Article 9 - Provision of information

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

10.1 Introduction

10.1.1 The Convention requires Parties to exchange information and experiences between Parties and observers about issues related to the implementation of the Convention. The meetings of the Monitoring Group of the Convention serve as a suitable occasion for providing and exchanging such information.

10.2 Findings

10.2.1 Representatives of the Bulgarian authorities (mainly the Bulgarian Anti-Doping Centre) attend the meetings of the Monitoring Group and report to the Monitoring Group on the legislative and other measures taken for the purpose of the implementation of the provisions of the Convention as well as on any developments made at the national level for the fight against doping in Bulgaria.

10.2.2 The Bulgarian authorities regularly reply to the annual questionnaire that is set up by the Monitoring Group providing information about the implementation of the Convention.

10.3 Conclusion

10.3.1 The Evaluation Team concludes that Bulgaria has fulfilled the commitments described in Article 9 of the Anti-Doping Convention of the Council of Europe.

10.4 Recommendations

10.4.1 Recommendation no. 33: The Bulgarian authorities should continuously provide information to the Monitoring Group on the legislative and other measures they take for the purpose of the implementation of the provisions of the Convention and the developments, at the national level, for the fight against doping in Bulgaria including the implementation of the Recommendations provided by the Evaluation Team in this Report.

Additional Protocol Article 1 – Mutual recognition of doping controls

1 Bearing in mind the provisions of Articles 3.2, 4.3.d and 7.3.b of the Convention, the Parties shall mutually recognise the competence of sports or national anti-doping organisations to conduct doping controls on their territory, in compliance with the national regulations of the host country, on sportsmen and women coming from other Parties to the Convention. The result of such controls shall be communicated simultaneously to the national anti-doping organisation and national sports federation of the sportsman or sportswoman concerned, to the national anti-doping organisation of the host country, and to the international sports federation.

2 The Parties shall take such measures as are necessary for the conduct of such controls, which may be in addition to those carried out by virtue of a previous bilateral or other specific agreement. In order to ensure compliance with internationally recognised standards, the sports or national anti-doping organisations shall be certified to the ISO quality standards for doping control recognised by the Monitoring Group, set up by virtue of Article 10 of the Convention.

3 The Parties shall similarly recognise the competence of the World Anti-Doping Agency (WADA) and of other doping control organisations operating under its authority to conduct out-of-competition controls on their sportsmen and women, whether on their territory or elsewhere. The results of these tests shall be communicated to the national anti-doping organisation of the sportsmen and women concerned. Any such controls shall be carried out, in agreement with the sports organisations referred to in Article 4.3.c of the Convention, in accordance with regulations in force and with the provisions of national law of the host country.

11.1 Introduction

11.1.1 As explained in the Preamble of the Additional Protocol to the Anti-Doping Convention, “a general agreement on the mutual recognition of the anti-doping controls (...) would increase the effectiveness of these controls by contributing to the harmonisation, the transparency and the efficiency of existing and future bilateral or multilateral doping agreements reached in this area and by providing the necessary authority for such controls in the absence of any agreement on the matter.”

11.1.2 The principle of mutual recognition of doping controls is found in the World Anti-Doping Code. Article 15 of the Code reads as follows:

“ARTICLE 15 APPLICATION AND RECOGNITION OF DECISIONS

15.1 Subject to the right to appeal provided in Article 13, testing, hearing results or other final adjudications of any Signatory which are consistent with the Code and are within that Signatory’s authority, shall be applicable worldwide and shall be recognized and respected by all other Signatories.

15.2 Signatories shall recognize the measures taken by other bodies which have not accepted the Code if the rules of those bodies are otherwise consistent with the Code.”

11.1.3 The importance of adoption of ISO standards by anti-doping organisations is reflected in the Additional Protocol to the Anti-Doping Convention of the Council of Europe. ISO certification represents a tool for achieving harmonisation of standards and procedures in doping control. In addition, ISO certification helps to enhance the level of confidence that athletes have in the doping control system.

11.2 Findings

11.2.1 As mentioned in paragraph 8.26.1, the Bulgarian Anti-Doping Centre incorporates in its Regulations for Doping Control in Training and Competition Activities (Article 67) the Code provisions about the mutual recognition of sanctions which cover the requirement of the Convention.

11.2.2 Bulgaria imposes no restrictions to international federations conducting doping tests of Bulgarian athletes in Bulgaria. The results of such tests are recognised by the Bulgarian Anti-Doping Centre and the national federations, in accordance with the Code and the Bulgarian Anti-Doping Centre's Regulations for Doping Control in Training and Competition Activities.

11.2.3 As mentioned in paragraph 8.14.4, following the Monitoring Visit and before the publication of this Report, the Evaluation Team was advised that the Bulgarian Anti-Doping Centre is certified by AFNOR with ISO 9001:2015 as from 7.1.2017.

11.3 Conclusion

11.3.1 The Evaluation Team concludes that Bulgaria has fulfilled the commitments described in Article 1 of the Additional Protocol to the Anti-Doping Convention of the Council of Europe.

10.4 Recommendations

10.4.1 None

Annex 1: Composition of the Evaluation Team

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COUNCIL OF EUROPE SECRETARIAT:

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Annex 2: Programme of the Monitoring Visit

October 18, 2016

08:30-08:45

INTRODUCTORY REMARKS

Mrs. VIOLETA ZARKOVA, MD, Executive Director of the Antidoping Centre

Mr. MICHAEL PETROU, Rapporteur/Head of the visiting delegation

08:45-10:30

Mrs. SYLVIA MINDOVA, Senior Legal Advisor, Legal and Administrative Services
International and national documents regulating antidoping activities in Bulgaria

Ms. MILA TAFRADZHIEVA, Expert, Anti-Doping Programmes

ISO 9001:2008 (trainings and audits); System of financial management and control; Antidoping educational programs

10:30-10:45 Coffee break

10:45-11:15

Ms. NADYA IVANOVA, Expert, Anti-Doping Programmes

ADAMS and Risk assessment; Antidoping centre's Register Testing Pool; TDSSA - sport-specific analysis and doping Test Distribution Plan;

11:15-11:45

TIHOMIR VLAHOVSKI, Server system security

11:45-12:30

Discussions on the activities of the Antidoping Centre for implementation of the Anti-Doping Convention in Bulgaria

12:30-13:30 LUNCH

13:30-14:00

MEETING OF THE EVALUATION TEAM WITH OFFICIALS, COACHES, AND ATHLETES IN THE SPORT OF FOOTBALL

14:00-14:45

VISIT OF THE EVALUATION TEAM TO THE ANTIDOPING LABORATORY

Meeting of the Visiting-Team Expert with the Laboratory staff and discussion on the pending WADA accreditation

14:45 – 15:00 Coffee break

15:00-16:00

MEETING WITH REPRESENTATIVES OF THE NATIONAL CUSTOMS AGENCY, THE MINISTRY OF INTERIOR, AND THE BULGARIAN FOOD SAFETY AGENCY

16:30-17:30 *Sight-seeing Tour*

19:30 DINNER

October 19, 2016

08:30-09:30

MEETING OF THE EVALUATION TEAM WITH OFFICIALS, COACHES, AND ATHLETES IN THE SPORTS OF WEIGHTLIFTING AND WRESTLING

09:30-10:00

MEETING WITH REPRESENTATIVES OF THE MYNISTRY OF EDUCATION AND SCIENCE

10:30-11:15

VISIT TO THE BULGARIAN OLYMPIC COMMITTEE AND THE DISCIPLINARY COMMISSION

11:45-12:30

MEETING WITH REPRESENTATIVES OF THE NATIONAL SPORT ACADEMY

12:30-13:30 LUNCH

14:00-15:00

MEETING WITH MR. KRASEN KRALEV, MINISTER OF YOUTH AND SPORTS: BULGARIAN-GOVERNMENT
COMMITMENTS FOR IMPLEMENTATION OF THE ANTI-DOPING CONVENTION OF THE COUNCIL OF EUROPE
15:00 – END OF THE VISIT - CLOSING REMARKS

Mr. MICHAEL PETROU

Rapporteur/Head of visiting delegation

Mrs. VIOLETA ZARKOVA, MD

Executive Director of the Antidoping Centre

Part II – National Strategy against Doping in Sport (2015-2024)



MINISTRY OF YOUTH AND SPORT

NATIONAL STRATEGY AGAINST DOPING IN SPORT (2015-2024)



2015

INTRODUCTION

Through its positive effects on social inclusion, education, training and public health sport contributes much to achieve smart, sustainable and inclusive growth and to create new jobs. By improving the health and productivity of the population and ensuring better quality of life in the third age, it helps to limit the growth of public expenditure on social security and health. The voluntary activities in sports sector can contribute to the increase of employment chances and social inclusion through its impact on education and training as well as on the greater civic participation, especially among young people. Sport, however, faces a number of threats, such as doping, violence and intolerance of which athletes, especially younger ones, and citizens must be protected.

By "doping" in sport is meant the use of prohibited substances or methods to achieve higher sporting achievements. Among the various types of doping are the acceptance of substances that allow greater strength, higher resistance to pain, faster recovery after hard training or competitions, as well as substances that modify the ability to critically evaluate the danger and allowing risk-taking. Therefore, doping is in conflict with the basic principle of sport for fair play, for a realistic assessment of the opportunities and sportsmanship. It vitiates sporting rules and destroys its educational role. In addition, the adoption of stimulating agents of the type of doping can be a real threat to the health of the athlete. There are numerous cases of damages resulting from doping agents – from transient impairment of normal physiological functions, to addiction, severe errors of metabolism, hormonal imbalance and even death.

As doping are used a number of medications that are not applied for medicinal purposes but with the intention to improve artificially the results of athletes. In medicine, these prohibited substances are used on medical prescription, but in this case they are obtained by other devious and illegal means, including the Internet.

The doping is a serious threat to sport. The use of doping substances by the athletes in amateur and professional sport and sport in leisure time leads to serious risks to public health and requires the need for preventive actions, including in terms of sites where recreational sports is practiced, such as fitness centres. The prevention of doping and the provision of penalties for the use of doping remain within the remit of sports organizations and the states.

The need to coordinate the laws of the countries in the field of doping and agree on measures taken at national and international level, has led to the creation in 1999 of the World Anti-Doping Agency – WADA (World Anti-Doping Agency). In 2003, WADA has adopted the World Anti-Doping Code (the Code), which is a precondition for harmonizing anti-doping policies, rules and regulations within sport organizations and public authorities. World Anti-Doping Code is changed every four years, reflecting the new guidelines in the fight against doping.

European Commission (EC) supports the fight against doping and stresses in its reports the important role of the World Anti-Doping Agency, the national anti-doping organizations, accredited laboratories, the Council of Europe and UNESCO. The Commission welcomes the fact that national anti-doping organizations increasingly have the status of independent bodies. It encourages the Member States to adopt and exchange national action plans to combat doping, which objective is to ensure coordination between all participants in the process. Already in 2011 in its report the EC emphasizes the need that anti-doping rules and practices to comply with the legislation of the European Union (EU) regarding the respect of fundamental rights and principles, such as respect for private and family life, protection of personal data,

the right to a fair trial and the presumption of innocence. Any limitation on the exercise of these rights and freedoms must be set out by the law and should respect the essence of those rights and the principle of proportionality. The European Commission encourages the existing trend in Member States of the European Union to introduce criminal law provisions against trade with doping substances, carried out by organized networks, or to strengthen the already existing regulations.

The National Strategy for Fight against Doping in Sport 2015-2024 aims to analyze the state of measures to combat doping in Bulgaria, to outline the main problems and obstacles to effective policy to combat doping and to formulate objectives and guidelines for actions which help to achieve an environment with minimal risk of spread and use of doping among the athletes and people who practice sport in their free time. The main objective of the strategy is doping prevention, taking into account the most effective weapons in the fight against doping – the information and education.

Bulgarian society, the government and the sports community realize that the problem of the spread of doping, which until recently was mainly including athletes, today is becoming a problem that affects an increasing number of people. This puts at risk the health of the nation and becomes a serious challenge to the society.

Particular attention deserves the problem of doping substances among young people who practice sport in their free time, mostly in the field of fitness and bodybuilding. In some of the clubs are offered unobstructed harmful to health agents and substances. Internet marketing of such substances is also not regulated. For these reasons, the prevention and the fight against the use of doping must envisage serious measures regarding recreational sports.

The use of doping in sport both for excellence in sport and leisure activities is an increasingly common practice. Evidence of this are the numerous doping scandals in recent years and the removal and cancellation of many sporting results and titles. Although many athletes do not consider doping dangerous to their health, it hides many risks associated mostly with the side effects. Many of the used doping substances have a negative impact on the cardiovascular system, which is one of the busiest in sports activities. Taking doping in many cases leads not only to health problems, but is the major cause for the sudden death of athletes.

Realizing the seriousness of the problem the Government for sustainable development of the Republic of Bulgaria placed as a priority in its Management Program for the period 2014-2018 the prevention and control of the use of doping in sport. The main objective for implementing the priority is accreditation of the Laboratory for Doping Control to the Anti-Doping Centre.

The National strategy for combating the use of doping in sport is based on coordinated policies and actions against the use of doping in sport, which are aimed at reducing the production, traffic, distribution and use of illicit means and methods, as well as to information on the harmful consequences of their use.

The tasks lying ahead of the Bulgarian state to resolve in the context of the global anti-doping policy are urgent. The Government of the Republic of Bulgaria shall focus its efforts on promoting equality and principle of openness in sporting competitions and cooperation between bodies responsible for sports, and protecting the physical and moral integrity of sportsmen and sportswomen, especially of the youngest among them.

The National strategy for combating the use of doping in sport is directed to act in sports organizations, aiming ethical relations, honest wins in competitions and ensuring the health of the athletes. The strategy is long-term for a period of ten years, but could be upgraded as necessary.

National Strategy for Fight against Doping in Sport 2015-2024 has several target groups:

- Athletes and sport-technical staff including students from the sports schools and their parents;
- Students from general secondary schools and high schools and their parents.
- People practicing sports in their free time and in particular those involved in fitness (focusing on young people).

ANALYSIS OF THE SITUATION OF THE FIGHT AGAINST DOPING

I. CURRENT STATE

Bulgaria is part of the international effort to clean sport. In 1992 Bulgaria ratified the Convention of the Council of Europe against doping and the UNESCO Convention of 2005. The World Anti-Doping Code was adopted by the Bulgarian Olympic Committee and the existing at that time National Anti-Doping Commission.

One of the fundamental international standards applied by the Code is the List of substances and methods that are prohibited for use during competitions or out of competition or banned only in certain sports.²⁷ These prohibited substances and methods are doping agents used mostly by athletes. The Prohibited List was first published in 1963 by the International Olympic Committee. Since 2004 It is supplemented and published annually, and for its preparation and publication is responsible the World Anti-Doping Agency. Many of the substances of included in the Prohibited List pharmacological groups are used as drugs in medical practice, which further hampers the fight against their use as doping agents in sports.

WEB-based system ADAMS was created for management of the Register of athletes for testing and filling forms for location. It facilitates the daily activities of athletes and of all organizations and laboratories involved in the fight against doping in sport. World Anti-Doping Agency requires its compulsory use by the competitors listed in the Register for testing.

Globally, the identified cases of doping in sport are numerous. The establishment of specialized national structures to combat this phenomenon with enormous adverse effects on ethics in sport and credibility of athletes and to health of sportspeople is part of the measures creating the conditions for limiting the use of doping. In sports doping incidents are numerous and therefore the creation of national anti-doping organizations is considered a major priority in the measures, restricting the use of doping agents. According to the WADA Code those organizations are responsible for the adoption and implementation of the anti-doping rules and policies at national level.

Despite the measures taken to combat the use of doping around the world, there is a tendency for more and more widespread use of doping agents by athletes at all levels.

1. Institutions relevant to the fight against doping

The Anti-Doping Centre (AC) is the national authority for doping controls, prevention and fight against doping in sport. Under current legislation in Bulgaria, partner institutions at national level for implementing the fight against doping in sport are: the Ministry of Youth and Sports (MYS), the Ministry of Education and Science (MES), the Ministry of Health (MoH), Bulgarian Agency for Food Safety/ Food Safety Agency (FSA), "Customs" Agency, Ministry of Interior (Moi) and the Bulgarian Olympic Committee (BOC), licensed sports organizations, non-governmental organizations/ NGOs and others.

- **Ministry of Youth and Sports (MYS)**

²⁷ World Anti-Doping Agency (WADA). The 2015 Prohibited List: International Standard, Montreal, Quebec, Canada, 2011. <http://www.wada-ama.org/en/world-anti-doping-program/sports-and-anti-doping-organizations/international-standards/prohibited-list/>.

The Ministry carries out a unified government policy in the field of youth, sports and social tourism. Ministry of Youth and Sports has a leading role and coordinates the efforts at the state level to combat doping in sport. Under the Structural Regulations function of Ministry of Youth and Sports in the field of anti-doping policy is the organization of prevention and control of the use of doping in sport.

- **Anti-Doping Centre and the Laboratory for Doping Control**

In 2010 at the Ministry of Youth and Sports was created Anti-Doping Centre, which adopted the WADA Code and the responsibility to comply with the anti-doping rules. The centre operates as a national anti-doping organization for the implementation of commitments made by Bulgaria with the signing of the Copenhagen Declaration, the UNESCO International Convention against Doping in Sport and the Convention of the Council of Europe against the use of doping. It represents a structure to implement the policy to combat the use of doping in competition and out-of-competition activities in Bulgaria. The main functions of the centre are related to the implementation of doping control through doping tests; conducting educational and information campaigns on different aspects of the fight against doping; granting authorizations for therapeutic use of drugs and performing scientific research.

For the short period since its establishment, the Anti-doping centre has undertaken a number of specific actions aimed at preventing the fight against the use of doping in sport. In 2011-2014, training was carried out on doping issues of more than 500 people: athletes (participants in the Olympic Games in London and winter Olympic Games in Sochi), doctors of national teams, sports and technical personnel and young athletes. The centre implements training project for students from the sports schools - "Anti-doping training against the false self-affirmation", financed by the UNESCO Fund for the Elimination of Doping in Sport. In 2013 and 2014, under this project additionally were trained 250 students from 6 sports schools in the country and a group of children deprived of parental care. During the lectures together with the students attended their teachers and coaches.

To the Anti-doping centre was established the Laboratory for Doping Control, which is intended to carry out analyses of the taken doping samples. From 2012, the laboratory is housed in a renovated building with updated and expanded laboratories and hardware. New equipment was provided. Are also envisaged and strictly observed all the requirements for restricted access of unauthorized persons, independent activity of the employees is granted and proper archiving of the results of the tested samples is ensured.

New refrigeration and freezing chambers were constructed for receiving and storing a minimum of 3000 samples per year. The Laboratory for Doping Control to the Anti-Doping Centre was accredited by the Bulgarian Accreditation Service to ISO 17025: 2006. The goal is the Laboratory for Doping Control to the Anti-Doping Centre to obtain international accreditation by the WADA, which shall increase the level of fight against doping in Bulgaria.

- **Ministry of Health (MoH)**

Under the Food Act the Minister of Health together with the Minister of Agriculture and Food implement the state policy on food safety, including food supplements. The Ministry of Health (MoH) conducts the drug policy as part of the state health policy in Bulgaria. Certain of the doping substances are types of medicinal products which are used by the medicine. The Executive Agency on Pharmaceuticals/Bulgarian Drug Agency (BDA) to the Minister of Health is a specialized supervisory body to monitor the quality, safety and efficacy of medicinal products that coordinates its activities with the regional health inspections with regard of the control of medicinal products. The functions of the Bulgarian Drug Agency cover the performance of control over the production, import, storage, wholesale and retail trade, clinical trials, the safety and the advertising of medicinal products.

Regional Health Inspections of the Ministry of Health in implementation of the Law on Health carry out state health control of the fitness centres as places of public intended purpose

- **Bulgarian Agency for Food Safety/ Food Safety Agency (FSA)**

The Bulgarian Agency for Food Safety / Food Safety Agency (FSA) to the Minister of Agriculture and Food, organized into regional directorates on food safety, is the only competent authority implementing control concerning safety and quality of foods to which according to the Food law belong also the nutritional supplements. The Agency exercises its powers to the stages of production and trade of foodstuffs and in the marketing of new food additives The Food Safety Agency provides expert evaluation only on the presented sample of the label.

The Food Safety Agency exercises control through scheduled inspections of all registered sites for food trade pursuant Article 12 of Law on foodstuffs, and thereby the inspection covers all the fitness centres that have registered outlets of foodstuffs. By the month of April 2015 the registered facilities for food trade in the fitness centres are only 289. For all other sites that are not covered by the planned monitoring, a possibility is provided on the website of Food Safety Agency for submission of signals for infringements, related to foodstuffs, for which the agency is required to conduct checks. The Agency has the power to impose sanctions in respect of facilities located in the fitness centres where trade of food additives or foodstuffs for athletes is performed when such facilities are not registered as facilities for trade of foodstuffs under Law on foodstuffs.

- **"Customs" Agency (CA)**

In connection with the functions of the "Customs" Agency for implementation of customs control in Bulgaria, it has the authority to carry out investigations or particular actions on criminal investigations in the cases, terms and procedure of the Criminal Procedure Code.

- **Other institutions involved in the fight against doping substances**

Relevant to the problem connected to the distribution and use of doping have the Ministry of Justice and Ministry of Interior (with purpose of the potential criminalization of such acts into the Bulgarian legislation) and the Ministry of Education and Science (in connection with the opportunities to include training related to anti-doping fight in curricula programs).

2. Legal Regulatory and Strategic Framework

Bulgaria as part of the international effort to clean sport is also guided by a number of international documents:

- [World Anti-Doping Code;](#)
- [International Convention against doping in sport; Council of Europe](#)
- [Convention against the use of doping - UNESCO;](#)
- [Optional Protocol to the Convention against doping in sport;](#)
- [List of prohibited substances and methods \(annually updated and amended\);](#)
- [International Standard for Therapeutic Use permits;](#)
- [International Standard for the protection of privacy and personal data;](#)
- [International Standard for Testing and investigations;](#)

- [Annex to the International Standard for the protection of privacy and personal data.](#)

The national documents concerning the fight against the use of doping agents are:

- [Law on Physical Education and Sports;](#)
- [Food Law;](#)
- [Implementing Regulations of the Law on Physical Education and Sports;](#)
- [Regulations of Organization and Operation of the Anti-Doping Centre;](#)
- [Ordinance on doping control in training and competitive activity;](#)
- [Rules of the Medical Control Commission to the Anti-Doping Centre for permits for a Therapeutic Use;](#)
- [Technical procedure for management of the register of athletes for testing of the Anti-Doping Centre;](#)
- [Instruction on the criteria for including athletes into the register of athletes for testing of the Anti-Doping Centre;](#)
- Ordinance No. 47 of December 28, 2004 on the requirements for food supplements;
- Ordinance on specific requirements for foods intended for intense muscular effort, especially for sportsmen;
- Ordinance on the labelling and presentation foods.

Under Bulgarian law, particularly the Law on Physical Education and Sports, the state should encourage the development of physical education and sport, taking measures to comply with anti-doping rules to combat the use of doping. In the Law is provided that physical education, sport and tourism in preschool childcare facilities, general education, special and vocational schools should be an integral part of the educational and training process and to be implemented under programs of the Ministry of Education, in coordination with the Ministry of Youth and Sports.

The Law on Physical Education and Sports regulates the issues related to the financing of the activities of the Anti-Doping Centre. The sport organizations can not use in their business forms and methods leading to health damage of the athletes, being prohibited the use of doping in sport. Amateur athletes, professional athletes and officials are obliged to comply with the requirements and procedures for doping control established by acts of state bodies and internationally recognized organizations in this field. In the Law are foreseen also provisions in case of violation of anti-doping rules.

The Law on Foodstuffs covers food additives and is relevant to the fight against doping resources. Within the meaning of this Act food is any substance or product which is intended, or may be used for human consumption. It regulates:

- The food requirements, the measures and conditions to ensure the food hygiene and its safety, packaging, labelling, presentation, including their promotion;
- The requirements at all stages of production, processing and distribution of food including the control thereof.

By the **Ordinance No. 47 of December 28, 2004 on the requirements for food supplements** are defined the requirements for food supplements, introducing the requirements of the Directive 2002/46/ EC on food additives. To the Regulation there are:

- List of vitamins and minerals which may be used in the manufacture of food supplements;
- Forms of vitamins and minerals which may be used in the manufacture of food supplements;
- Maximum authorized amounts of vitamins and minerals input in food supplements for daily intake recommended by the manufacturer;
- Plants and parts thereof not permitted for use in food supplements.

By Ordinance **have also been determined the specific requirements for foods intended for intense muscular effort** (Ordinance on specific requirements for foods intended for intense muscular effort, especially for athletes). The Ordinance covers all athletes - those for which the sport is the main occupation, as well as persons who conduct systematic training and competition activities, but for them it is not the main profession.

Since December 2014 is in force a new ordinance that regulates the issue of labelling requirements and the presentation of food. It sets out the requirements for:

- Labelling, presentation and advertising of foodstuffs in order to guarantee right of consumers to information;
- The presentation of nutritional information on the labelling of food, including in cases of the submission nutrition claims.

Article 350 of the Criminal Code provides imprisonment for the preparation, distribution and sale of food or beverages intended for general use, when therein are created or caught substances hazardous to health.

In December 2014 the government **adopted a new Regulation on doping control in training and competition activities, as main document of the country in the fight against doping**. The objective is to bring Bulgarian national legislation in accordance with the latest amendments to the World Anti-Doping Code, which came into force from 1 January 2015.

By the Ordinance has been extended the range of acts that constitute violations of anti-doping rules, as therein are included the so called "forbidden relations" of an athlete or any other person with sports-technical individuals who are already serving their sentences for doping offenses. Ordinance on doping control in training and competition activities shall apply only to licensed sports organizations and athletes who have been filed to the licensed sports organizations.

The **National Strategy for the Development of Physical Education and Sports in the Republic of Bulgaria 2012-2022** draws attention to the alarming gaps in the organization and quality of medical insurance and comprehensive recovery of athletes, which reflects on the use of prohibited substances and methods. The fight against the use of doping is a top priority of the Council of Europe, the European Commission, WADA, the International Olympic Committee, UNESCO and all organizations related to sports. Unfortunately, over the last five years, there are 32 cases of positive doping samples of elite athletes. As a result, the strategy provides only to be undertaken active actions for modernization and international accreditation of the laboratory for doping control.

No measures and actions were also planned in **the National Youth Strategy for the period 2012-2020**, despite the recognized problem of distribution of doping agents among young people One of the strategic

goals is: "Promoting a healthy lifestyle among young people" by means of prevention of the factors posing at risk the health of young people. The strategy placed as well the task to create training opportunities for young people on matters of health, sport and physical activity.

II. EXISTING PROBLEMS

Notwithstanding the effort deployed in Bulgaria are observed a number of problems that characterize the distribution and use of doping and which require to activate the fight against this negative phenomenon.

1. Lack of a clear legislative and regulatory and strategic framework for control of the traffic and distribution of doping substances

Despite the established legal regulations at the moment in Bulgaria there is still no clear legal framework for control over the traffic and distribution of prohibited substances. There is no legal definition of the doping substances with a high degree of risk to public health due to the harmful effects of misuse (for example substances provoking high risk for health). There is also no regulatory framework to control the production, processing, transfer, transport, trade, import, export, transit and storage of high-risk doping substances.

The lack of legal framework to control the high-risk doping substances also leads to lack of normatively regulated functions and responsibilities, and consequently also to a lack of co-ordination between the different government bodies which should be involved in the fight against doping. In this connection are present the following specific deficiencies:

- Despite the established by the "Customs" Agency cases of trafficking across the border of large quantities of doping substances, at the moment does not exist legal ban on the import or export of such substances;
- The National Strategy for the Development of Physical Education and Sports in the Republic of Bulgaria 2012-2022, provides only the following measures targeted just to the elite sport, "Updating of the Regulation for doping control in accordance with the standards of the International Olympic Committee and the World Anti-Doping Agency", "Undertaking active steps to modernization and international accreditation of the laboratory for doping control." With the so planned measures, the strategy for the development of physical education and sport does not give clarity as to which specific actions will be undertaken to combat the doping;
- In the National Youth Strategy 2012-2020 are not planned measures and actions to combat doping, despite the recognized problem of distribution of doping agents among youth;
- Ordinance №18 of 09.01.2012 for the acquisition of professional qualification "fitness instructor" and Ordinance № 54 of 25.01.2012 for the acquisition of professional qualification "assistant fitness instructor" determine the necessary professional knowledge, skills and competencies. The competences for the professions are defined based on a description of the profession, which includes the basic work activities, responsibilities, characteristics of working conditions, equipment and others. In the above described professions are not included knowledge about the foods and beverages, including food supplements, energy drinks and doping substances. At present such knowledge, skills and competencies are not subject to regulations in these professions.

2. Increased use of doping agents by athletes

In Bulgaria there is a use of doping agents among athletes. During the period 2010-2014 have been registered 32 cases of positive doping samples of Bulgarian elite athletes. The use of doping among athletes in Bulgaria presents risks to their health, violates the principle of fair play and damages the image of Bulgaria at international level. Reasons for the use of doping among athletes in Bulgaria are complex, but perhaps one of the most important is the lack of information on various aspects of the doping use. This fact is confirmed in a study on the prevention of doping within the European Union that was commissioned by the European Commission and published in December 2014²⁸ It specifies that at the moment large part of doping practices are a result of lack of knowledge and understanding of the effects of the doping; there is ignorance or confusion among athletes on whether the products they consume are illegal, or contain prohibited substances and are harmful to their health. The ignorance of the matter relating to doping has also been confirmed under the project "Anti-doping education against the false self-affirmation", financed by the UNESCO Fund for the Elimination of Doping in Sport. Under the project among young athletes have been conducted preliminary inquiries concerning their awareness of doping. The results showed an unsatisfactory level of knowledge on the problems associated with the doping use.

3. Performance of sports recovery work by inadequately prepared individuals

During the last years there have been cases of alleged of doping Bulgarian athletes. The work on the recovery of the competitors (including procurement and administration of medications for recovery) in sport organizations in Bulgaria is performed by medical professionals, coaches or other sports technical personnel, and not all of them are adequately prepared on the issues of doping. In Bulgaria to the sports clubs in general do not work sports doctors.

The Anti-Doping centre carries out training sessions and courses for the sports and technical personnel on the issues of doping, but the sport organizations are not obliged to employ individuals who have passed the anti-doping training. As a result, sports and recovery activities in the sport organizations are carried out by incompetent and unaware of doping persons. This leads to the risk of implicating athletes in the use of prohibited substances. It remains open the question also for the sport medical facilities. There is no normative order for the functioning of these institutions, which should play an essential role in the recovery of the athletes.

4. Increased use of doping agents in recreational sports

Along with the registered during the last years high levels of doping among athletes in Bulgaria, just as alarming is the scale of the distribution and use of doping in sport leisure activities. Historically the documents and initiatives at international level concerning the fight against doping have mechanisms that are mainly focused on fight against doping use in sport for high achievements. They are not focused on measures against the production, distribution and use of high-risk to health substances by the people practicing sports in their free time. The study for the prevention of doping in European Union indicates that since the Code itself does not prohibit the anti-doping organizations to take samples of non-elite athletes, practically it appears that those who train for good health are not in the focus either of Code, nor the anti-doping organizations in different countries. The Anti-doping prevention in sports in leisure time is quite different from the prevention in sport for high achievements - in respect of which organization is leading, from which athletes can be taken samples and what rules are applicable. This is especially true for the members or visitors of the fitness centres, which typically are not members of any federation that adheres

²⁸ <http://bookshop.europa.eu/en/study-on-doping-prevention-pbNC0514065/>, Page 34

to the Code, and thereby are not in the focus of the preventive measures, except where the government institutions do not take any special actions. In this regard, the prevention on the spread and use of doping in recreational sports is in the focus of anti-doping initiatives from comparatively short period of time. In Bulgaria there is no systematic focus on prevention of the risk of the growing ease of doping substances distribution, especially among young people practicing popular sports as fitness. With the increasing popularity of sport as a lifestyle and in particular with the growing popularity of sports such as fitness, among young people in Bulgaria increases the desire to use substances that are believed to contribute to achieve the desired visible outcomes from exercises. According to unofficial data, in Bulgaria about 100 000 persons, mostly young people are practicing fitness for good health. According to the data derived from a study in 2011 under the project "Fitness against doping"²⁹, about 12% of the practicing fitness and bodybuilding in Bulgaria use doping. According to this indicator Bulgaria is ranked first among the countries participating in the study. This requires serious prevention measures to be undertaken, especially in the distribution and use of doping out of the sport for high achievements.

When analyzing the problem of the spread of doping in sports in Bulgaria, it appears that young people who are engaged in fitness in their free time have access to the doping in the fitness centres. **In them are distributed various doping substances, such as products advertised as dietary supplements or foods intended for intense muscular effort containing prohibited ingredients that are not reported on the label.** This raises some basic questions about the fitness centres themselves. The activity in these facilities is not subject to specific regulation by the state. Some basic information is also missing about their number in Bulgaria. As a result – there is not accumulated information on the nature and scope of trade thereof with products declared as dietary supplements, foods intended for intense muscular effort or other agents with potential doping effects. The study for the prevention of doping in the EU indicates that the fitness centres in Bulgaria do not participate and are not active in the measures to combat doping. They do not address the issue of doping in recreational sports as a major problem.³⁰

An important aspect of the problem is related to the checking of the activities of the fitness centres in Bulgaria and the lack of control on the qualifications of the persons who work therein. A common practice in the fitness centres is that the fitness instructors and assistant instructors are those persons who recommend and/ or provide the doping agents to people who train there.

Supply and performance of fitness services by unqualified and uncertified personnel may pose a danger to the health of young people involved in fitness, because these people are not trained for the negative effects of doping and/ or they are not part of the wider efforts to combat doping in Bulgaria. There is no statutory requirement for verification and control of the professional qualifications of the persons responsible for these professional activities in the fitness centres.

5. Reduction of age at which for the first time substances are used

In the context of the problem of doping in the fitness centres should be noted that particularly alarming are the data for increasingly early age at which persons practicing sports in free time start using doping.

The study, commissioned by the European Commission indicates that the young people are heavily reliant on "self-proclaimed" experts who give advice on what substances to be taken, how to be taken and what should be done to reduce side effects. This trend is emerging in the teenage years, when young people acquire information on the high risk doping substances from their friends or from their "informed" peers.

²⁹ <http://www.ehfa-programmes.eu/node/3>

³⁰ <http://bookshop.europa.eu/en/study-on-doping-prevention-pbNC0514065/>, Page 55

Internet is also an important source of information for young people. The study also indicates that when viewing thousands of websites promoting the use and sale of high risk doping substances, is noticeable particular efforts that have been made to discredit the scientific evidences on the harmful effects of the use of doping agents.

The lack of information about the harmfulness of the use of stimulants, particularly among young people practicing fitness in their free time, leads to the fact that doping reaches more and more easily to increasingly young people, which fact poses serious health risks for the society in the future.

6. Distribution of products declared food supplements or foods intended for intense muscular effort containing prohibited ingredients undeclared on the label

There are numerous cases in which have been registered positive doping samples due to the fact that the caught athletes have used products, declared food supplements or foods intended for intense muscular effort, containing prohibited ingredients that are not reported on the label. The most frequently found undeclared substances are the steroids. The presence of such prohibited substances is however not indicated on the labelling of the products in question. Several such cases with Bulgarian athletes in recent years impacted negatively on the international sporting reputation of Bulgaria. In these cases, unfortunately, it was not found whether these are illegally manufactured products announced as food supplements or foods intended for intense muscular effort containing prohibited ingredients, which are non-declared on the label or such products to which, for one reason or another, has been added doping substance.

The discrepancy between the declared ingredients on the label and the actual content can be demonstrated only by laboratory analysis. Currently in Bulgaria there is no accredited laboratory for analysis of content of nutritional supplements, foods for athletes and products announced as dietary supplements.

7. There is no internationally accredited Laboratory for Doping Control in Bulgaria

In performance of its functions the Anti-Doping Centre performs doping controls of the athletes in Bulgaria. At present, the centre sends the doping samples taken to international laboratories for testing. This is related to the spending of significant financial resources from the State Budget.

Bulgaria do not dispose with a laboratory accredited by the World Anti-Doping Agency to perform analyses of doping samples collected from the centre. Thus is loaded the budget of Anti-Doping Centre, making more expensive the cost for carrying out the doping samples and thereby narrows the range of the doping control in Bulgaria performed by the centre.

ANALYSIS OF THE STRENGTHS, WEAKNESSES, OPPORTUNITIES AND THREATS (SWOT)

STRENGTHS	WEAKNESSES
<ol style="list-style-type: none"> 1. Anti-Doping struggle is one of the main priorities of the Government in the field of sport; 2. Anti-Doping Centre and Laboratory for Doping Control were created; 3. Have been established institutions for the control of medicines, medical products, including products declared as dietary supplements and foods intended for intense muscular effort, especially for sportsmen; 4. Ordinance on doping control in training and competition activities has been adopted, as well as other legal regulations and strategic documents; 5. Information is available on doping, including the regular publication of prohibited substances, and information on the violations of athletes, caught with positive doping samples at national and international level; 6. Bulgaria observes and regularly publishes an updated List with prohibited substances; 7. Were created opportunities throughout the country for recreational sports - sports clubs, gyms and more. 8. Availability of a large number of fitness centres for those who want to practice sports in their free time, and is provided employment of the fitness instructors 	<ol style="list-style-type: none"> 1. Despite being a government priority have not yet been planned measures concerning the control and prevention of free use and distribution of the doping agents; 2. Anti-Doping Centre carries out the doping controls only of the athletes in Bulgaria and the sports technical staff; 3. There is no established institutional mechanism with clear, specific functions and responsibilities of the institutions that should be engaged in the control and prevention of doping; 4. The Ordinance and other legal regulations and strategic documents refer only to the doping control in sport excellence, and are not intended regulations regarding the distribution and control regarding the people practicing sports in their free time. The Ordinance may not be extended to persons, other than registered athletes; 5. Information on damages caused by the doping agents is not spread sufficiently among young people; 6. Despite the presence of the Prohibited List, the banned substances therein are freely distributed and used. The list refers only to the athletes; 7. Accessible conditions for establishing fitness centres – they have no a special regime of regulation, have been established as commercial outlets, such are not subject to inspections and controls of the professional qualification of fitness instructors and assistant instructors, as well as persons performing occupational activities in the fitness centres.
OPPORTUNITIES	THREATS
<ol style="list-style-type: none"> 1. The Government must continue to undertake serious measures in the anti-doping fight; 2. Accreditation of Laboratory for Doping Control by World Anti-Doping Agency - opportunities to participate in scientific research projects to combat doping through special programs of the EU and WADA; 	<ol style="list-style-type: none"> 1. The lack of commitment of the institutions carries risks to the health of the athletes, violates the principle of fair play and damages the image of Bulgaria internationally; 2. The analysis of the samples taken in Bulgaria shall continue to be carried out abroad; 3. Without implementation of prevention and

<p>3. Precise clear rules for the mechanism for prevention and control of doping;</p> <p>4. Legal regulatory and strategic framework to address the issue of people who practice sport in their free time (not just for athletes);</p> <p>5. Conducting information campaigns about the risks of doping and performing training educational activities among students;</p> <p>6. The list of prohibited substances to become compulsory and applicable to all people (not just the athletes) through changes in legislation and carrying out checks for their illegal distribution, including carrying out Customs controls and verification of the fitness;</p> <p>7. Further development of the legal regulatory framework in the field of sports in order to strengthen the control over the distribution of doping substances, including through the introduction of so-called checks "Secret Client" type;</p> <p>8. Possibility to regulate the activity of the fitness clubs in order to reduce the spread and use of harmful substances, introduction of the requirement fitness centres to be provided with at least one employee suitably trained in matters of fight against doping</p>	<p>control of distribution and use of the doping agents is increasing the health risk for people practicing sport, including young people;</p> <p>4. The lack of legal grounds could contribute to increasing and free distribution and use of illicit and dangerous to health substances;</p> <p>5. The lack of knowledge and understanding of the effects of doping leads to ignorance or confusion among people who practice sports referring to the products they use, as to whether they are legal or not, or whether they contain prohibited substances and harmful to their health agents;</p> <p>6. The free distribution and use of harmful and prohibited substances, including by young people; represents a real threat to increasing number of mortality or adverse health effect;</p> <p>7. Risk of increasing trafficking, distribution and use of prohibited agents and methods will contribute to increasing harmful consequences;</p> <p>8. The free distribution and use of prohibited and hazardous to the health doping substances, especially by incompetent in this context individuals</p>
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VISION:

Developed environment in which operates a strong mechanism to combat doping, minimizing the spread and the use of doping in Bulgaria

MISSION:

A strategy to contribute for the activation of measures to combat

GUIDING PRINCIPLES FOR IMPLEMENTATION OF THE STRATEGY:

1. Partnership and Cooperation
2. Commitment from the government, media, non-governmental sector
3. Responsibility towards the citizens
4. Transparency and comprehensibility of objectives set
5. Motivation for implementing the objectives
6. Striving for greater efficiency
7. Comprehensiveness - creation of a wide environment in which will be created conditions and will be implemented activities to promote the fight against doping

STRATEGIC GOALS:

1. Prevention of the use of doping in the sport for high achievements and in sport in leisure time
2. Limit the spread of doping through legislative and regulatory measures

STRATEGIC GUIDELINES

The use of hazardous to the health doping substances in the sport is the result of the joint impact of various factors (personal, cultural, social, biological, economic, technological and etc.). The understanding of the complex nature of this problem is a prerequisite for the implementation of various approaches to its successful solution. This is at the heart of this strategy, which is aimed at creating conditions for sports without doping. Should be strictly respected the guidelines and the principles of the World Anti-Doping Code, taking into account the current trends of increased doping in elite sport, growing traffic and uncontrolled supply of doping agents, as well as the consequent need for additional measures concerning education, science, medicine and investigations in this area.

To be effective the fight against the use of doping in the sport, it is necessary to combine the monitoring of compliance with anti-doping rules with targeted preventive actions for training of the athletes, sports technical personnel and all young people, about the harm of doping, and also to suppress trafficking and distribution of doping agents.

Following an analysis of the problems, mostly related to the distribution of doping substances in Bulgaria, the strategy seeks to intensify the fight against doping on Bulgaria through targeting its focus on new guidelines with a view to all existing challenges - the complex institutional and legal environment, the limited resources, the popularity among the young people of sports that are highly exposed to doping, the lack of information about the harmfulness of the use of doping.

To achieve both strategic objectives, the National Strategy for combating the use of doping in the sport for the period 2015-2024 sets the following OPERATIONAL OBJECTIVES:

1. Legal regulatory changes to the control and prevention of doping
2. Greater awareness about the negative impact of the use of doping with an emphasis on young people and their families.
3. Regulation of the activities of the persons engaged in recovery of the athletes at the sports organizations
4. Regulating the activity of the fitness centres in Bulgaria
5. Control of content of products declared dietary supplements or foods intended for intense muscular effort
6. International accreditation of the Laboratory for doping control
7. Accreditation of the Laboratory for analysis of dietary supplements or foods intended for intense muscular effort
8. Scientific research activity

To achieve the operational objectives of the strategy it is necessary to undertake the following measures:

1. Legislative Changes to doping control

Essential to combat the spread of doping in recreational sports is undertaking the necessary legislative changes, which would allow the creation of an effective mechanism to combat this phenomenon. The normative changes should be aimed at limiting the use of doping in the sport for high achievements and its restriction in leisure time sports through an effective initial and subsequent control and efficient preventive actions. By the normative acts should be solved the issue as well for the prevention of the use of doping. Particularly efficient can be the prevention by measures taken in schools, universities, sports venues, through the media and others.

Given the complexity of the problem of doping, the strategy will strive to achieve realistic results of controlling the spread of doping. The scope of the regulatory changes should be limited on several types of doping substances with a high risk to the health, and which are considered to be the most commonly used by those young people involved in fitness, and which are the most widely spread type of stimulants. In this sense, it is necessary to undertake steps in the following aspects:

- Research of the best practices of other countries that have made progress in the fight against the use of doping in sport. Based on the developed analysis must be decided on the need to adopt a new Law on Physical Education and Sport or to modify the existing law that regulates the state function for effective limitation of the spread of doping in sport. In the new framework the doping substances can be classified according to the degree of risk, which in its turn should be consistent with their level of risk on the physical and mental health.
- Legal regulation of doping substances that have a high degree of risk to public health, due to the harmful effects of their misuse. The number and type of high-risk doping substances, the form in which they are administered and so, need to be further specified by the competent authorities: Ministry of Health, Ministry of Youth and Sports, the Anti-Doping Centre and others. Prohibited substances should be entered in the relevant list, such as the existing similar list to the Regulation for the classification of plants and substances as narcotic drugs. The list must comply with the requirements of the normative acts and will have legal effect for all target groups falling within the scope the strategy. Must be available the opportunity to promptly complement this list with new agents and substances.
- Introduction of legal prohibition and penalties for production, distribution, placing, supply, sale and purchase of high-risk doping substances. Ministry of Health, Ministry of Interior, Ministry of Justice and Ministry of Youth and Sports should further specify the scope of the regulatory changes, the responsible institutions and the mechanism for the development and adoption of the changes.
- Introduction of prohibition and penalties for import and export of high-risk substances. "Customs" Agency, Ministry of Justice and Ministry of Youth and Sports should further specify the scope of regulatory changes and the mechanism for the development and adoption of the changes.
- It is necessary to make an analysis of the possibilities to test as well foods intended for intense muscular effort, especially for athletes.

- The criminalization of illegal activities with high-risk doping substances. This is one of the main issues that need to be clarified. For the adoption of possible criminalization it is necessary to analyze to what extent the prosecution of some of the activities as criminal offenses would achieve significant positive result in the direction of limiting the spread of such substances and the protection of public health and interest. Article 354 of the Criminal Code provides imprisonment up to two years or a fine from one hundred to three hundred BGN for the production, acquisition, possession and distribution of highly active or toxic substances that are not narcotic drugs. It should be considered whether this type of criminalization should be extended to high-risk doping substances after being legislatively defined.
- It is necessary to analyze the needs of strengthening the administrative capacity of the institutions responsible for the checks for distribution of doping.

2. Greater awareness of the negative effects of doping

With regard to sport for high achievements:

Given the identified serious problem associated with the use of banned substances among the athletes in Bulgaria, over the next ten years should be undertaken the necessary steps for the continuation and strengthening of measures to prevent doping among the athletes. The main responsibility in this regard will have Anti-Doping Centre, which will continue to organize information events related to the prevention of doping in elite sport through:

- Workshops for sports medical doctors and sports technical staff on anti-doping rules and the harm of doping to health;
- Holding national conferences on doping issues;
- Elaboration of anti-doping programs in cooperation with the sports federations;
- Conducting anti-doping trainings for all athletes who have received quotas for Olympic Games (summer and winter Olympic Games), for expanding the knowledge about the consequences (legal, medical, social, ethical) of doping use in sport;
- Rules for therapeutic use permit.

With regard to sport in leisure time:

It is necessary to intensify the fight against the spread and use of doping among young people and special emphasis should be placed on young people who are engaged in sports for health in their free time, popular sports such as fitness, as well as on their parents. In this field are provided for the following activities:

- Conducting information campaigns about the risks of the use of doping

Over the next few years will be carried out information campaigns on the risks of the use of doping. The campaigns will be implemented by the Ministry of Youth and Sports through various communication channels - press, television and radio and the internet. At least one of the planned campaigns will represent massive national information campaign which will be implemented via broadcasting clips on several television channels. It will be focused on young people who are engaged in their free time, mostly with fitness and bodybuilding, the students and their parents. The campaigns will rely to produce lasting and systemic effect on the target group on the issues of

the adverse effect of doping on health and appearance. The campaigns will focus on the following topics:

- √ Health risks of the doping use;
- √ Risk of the use of products advertised as food supplements that are not certified to have undergone laboratory analysis;
- √ Specific risk to purchase products advertised as food supplements or foods intended for intense muscular effort from Internet shops, where there is no control.

– **Educational activities among students and their parents**

Particular efforts will be made to intensify the measures to educate the students from schools and their parents about the risks of doping use. The Ministry of Youth and Sports will initiate discussions with the Ministry of Education and Science and the municipalities to develop a campaign in the schools for informing the students about the risks of doping use in fitness. Will be specified the form of the trainings, as the idea is specially prepared trainers during certain classes of the curriculum program (in classes of tutor or classes in biology and health education, chemistry and environmental protection) to hold training courses. Concept is that training courses should be in the form of a short lecture about the risks of doping and should include videos aiming to influence the audience. The target group of the campaign must be students of VIII-XII grade of secondary schools and high schools. At this age young people begin to practice fitness and in this regard is especially important that precise at this point they obtain information about the negative effects of doping, the products in which form might be available (focusing on food for athletes, products advertised as dietary supplements containing high-risk doping substances), as well as the fact that fitness centres are the most common place where the doping is spread. Students should be alerted to be careful in their contacts with instructors in the fitness centres, since often they are those who offer the use of foods for athletes and/ or products advertised as dietary supplements containing banned ingredients, which are not reported on the label, in order to obtain rapid and desired effect of the exercises

Except in secondary schools, educational campaigns should take place in the sports schools. Such campaigns should focus not only on the doping use in fitness, but on wider aspects of the doping use in competitive activities (legal, medical and ethical).

– **Training for instructors working in fitness centres**

The Anti-Doping Centre should develop a special training module for instructors working in the fitness centres in Bulgaria. The module will include knowledge about the types of doping substances, the risks of doping, the statutory requirements to food supplements and foods intended for intense muscular effort, especially for athletes and others. The trained people will receive a certificate of passed training course. The employment of staff certified on doping issues will be one of the requirements of the planned regulation of the activities of the fitness centres in Bulgaria.

3. Regulation of the activities of persons engaged in recovery of athletes in sports organizations

In subsequent years steps must be made to regulate and monitor the activities of persons engaged in sport and recovery works (including procurement and prescription of drugs for the recovery of competitors) in the sport organizations in Bulgaria.

4. Regulation of activity of fitness centres in Bulgaria

The analysis of the situation related to the spread of doping among young people in Bulgaria shows clearly, that they have the easiest access to it in the fitness centres where they are training.

The most common practice is that namely the instructors in the fitness centres are those persons who offer the practitioners products advertised as dietary supplements or foods intended for intense muscular effort containing prohibited ingredients, which are unannounced on the label: for example - high-risk doping substances. In this regard in the coming years should be undertaken measures to regulate the activity of the fitness centres and fitness instructors in the following areas:

- Creating a map of fitness clubs in Bulgaria

In cooperation with non-governmental organizations, Ministry of Health, Food Safety Agency, Ministry of Interior, the National Revenue Agency and the National Statistical Institute should be established a map of the fitness clubs in Bulgaria. The map will be public and will contain information about all the fitness centres in Bulgaria, and will designate particularly those that are registered for trade with food and dietary supplements according to the Food Law. The availability of information on the number and location of fitness centres is of critical importance to undertake further measures in the direction of controlling the spread of doping therein. The creation of the map will facilitate the work of the competent government authorities responsible for the fight against doping.

5. Regulation of fitness centres activity to comply with the anti-doping rules

In view of the fact, that at the moment the anti-doping rules in Bulgaria have no legal effect on fitness centres, in the coming years will be undertaken actions to solve this problem in the following aspects:

- After the development of normative legal analysis, will be adopted changes regarding the regulation of the activities of fitness centres in terms of compliance with anti-doping rules. After the adoption of the necessary legislative changes, Food Safety Agency (in case of doubt or signals for marketing of products advertised as food supplements or foods intended for intense muscular effort, especially for sportsmen containing doping substances), Ministry of Health, the Anti-Doping Centre and the Executive agency for medicines, together with Ministry of Interior will have the powers and duties to exercise control over the distribution of risky for the health doping substances in the fitness centres, as well as on compliance with the requirements for the operation of fitness centres, by performing inspections on the spot.
- Establishment of an obligation for inspection type "Secret Client".
- Should be adopted a normative act on the introduction of obligation of the fitness centres to hire at least one employee trained in Anti-Doping Centre on the risks of doping. After a certain period of entry into force of the normative act, the managers of the fitness centres must prove that they have hired at least one person having completed the training on doping issues.
- Fitness centres must have at visible places in their premises available information materials (stickers, posters, etc.) notifying visitors thereof, that the objects comply with anti-doping rules, that they are part of the efforts to eliminate doping in sport and that they do not offer products

containing high-risk doping substances. Also will be distributed informational materials about the risks of using foods for athletes or products declared to be food supplements, that are not certified to have undergone laboratory analysis of their content and regarding the risks of buying such products, especially from uncontrollable Internet shops.

- Creation of a database of the fitness instructors

For the purpose of publicity and in order to promote the professional realization of those instructors who are certified and trained on the dangers of doping, should be established a database containing information on the certified fitness instructors. Thereby those who want to practice fitness in their free time, as well the managers of the fitness centres that must hire certified employees, will have easy access to the information for all certified instructors who have undergone anti-doping training courses.

6. Control of production, distribution and content of the products declared dietary supplements or foods intended for intense muscular effort (so-called "foods for athletes")

It is necessary to adopt measures to limit the cases in which in samples of athletes was found the presence of prohibited substances, resulting from the use of products (mainly foods offered as food supplements or foods intended for intense muscular effort) with unannounced ingredients on the labels, in the following aspects:

- Optimizing the regulation on the manufacture, import and distribution of food, declared dietary supplements or foods intended for intense muscular effort;
- Adoption of regulatory changes to improve the expert evaluation of the labels of foods advertised as dietary supplements or foods intended for intense muscular effort, taking into account any input components as well as other requirements to the contained in the label requisites;
- Adoption of legislative amendments to impose control on the compliance of the labelling of foodstuffs declared dietary supplements or foods intended for intense muscular effort with their content by performing analysis in an accredited laboratory;
- Undertake further measures to enhance public awareness about the problem of undeclared ingredients in foods for athletes or products offered as food supplements through the following actions:
 - √ Food Safety Agency should continue to promptly inform about this on its website upon receiving information/ detection of distribution on the market in EU Member States or other countries of products, containing undeclared on the label potentially hazardous to health substances, including such with doping effect;
 - √ Envisaged in this strategy media information campaigns about the risks of doping will be also focused on the risk of possible contents of high-risk doping substances in various types of products such as food supplements.

7. International accreditation of the Laboratory for anti-doping control to the Anti-Doping Centre

The presence of a laboratory in Bulgaria accredited by World Anti-Doping Agency will eliminate the need that the analysis of samples taken in Bulgaria is carried out abroad. The Anti-doping Centre will send the samples taken in the context of the performed doping control to an accredited laboratory in Bulgaria and

will spend considerably less financial resources. This will enable the Anti-doping Centre to increase significantly the number of the samples of competitive and non-competitive doping control, which will allow expanding the scope of doping control and performing all year round monitoring of various groups.

8. Accreditation of the Laboratory for anti-doping control to the Anti-Doping Centre for analyzing food supplements

After the intended accreditation by the World Anti-Doping Agency, the Laboratory for Doping Control to the Anti-Doping Centre must be accredited by the Bulgarian Service for Accreditation and Analyzing of nutritional supplements. The Laboratory will make analysis for the presence of prohibited or high-risk substances in the most widespread products, advertised as food supplements and used by the sports organizations and in leisure time sports in Bulgaria.

The Anti-Doping Centre will maintain on its website a list of the supplements that have passed analysis in the laboratory and for which was demonstrated that do not contain banned or high-risk substances.

The objective is to reduce the health risks related to the use of products declared as dietary supplements or foods intended for intense muscular effort, containing undeclared ingredients and prevention of cases, in which Bulgarian athletes are accused of the use of substances included in the Prohibited List, due to the presence of undeclared ingredients or contamination.

Following an analysis it is necessary to consider what is the need to strengthen the administrative capacity of the Anti-Doping Centre.

9. Scientific research activity

In subsequent years, must be activated also scientific research to combat doping.

Anti-Doping Centre will use part of the additional financial resources resulting from the accreditation of the Laboratory for Doping control by World Anti-Doping Agency, to expand its scientific research activities for combating doping.

The Anti-Doping Centre, together with the Ministry of Youth and Sports will identify the opportunities to participate in research projects for combating doping, under special programs of the European Union, World Anti-Doping Agency and UNESCO.

It is necessary to continuously improve the competence of the personnel through training, exchange of experience, international cooperation and opportunities to acquire academic degrees.

MONITORING OF THE IMPLEMENTATION

1. Executive and coordinating body of the tasks associated with the National Strategy for the fight against doping in sport for the period 2015-2024:

- The Ministry of Youth and Sports

2. Institution responsible for the implementation of doping control, prevention and fight against doping in sport is Anti-Doping Centre (AC).

3. Partner institutions at national level:

- Ministry of Health
- Ministry of Interior
- Ministry of Justice
- Ministry of Education and Science
- Bulgarian Agency for Food Safety
- "Customs" Agency
- National Sports Academy "Vasil Levski"
- The Bulgarian Olympic Committee
- licensed sports organizations
- Others – in the course of implementation of the strategic tasks and after the improvement and updating of the legal framework

The implementation of the National Strategy for the fight against doping in sport, will count on the support and cooperation with World Anti-Doping Agency, UNESCO, Council of Europe and other institutions involved in the fight against doping in sport.

The international cooperation will be aimed not only at financial and logistical support, but rather to decent and equitable participation of our country together with European and other countries for the realization of the noble objectives of the fight against doping in sport - through participation in joint projects and studies, and through the experience of 'good practice'.

FINANCING OF ACTIVITIES

Ensuring the effective financial mechanisms to implement the objectives of this strategy for combating doping in sport provides:

- Budget funds within each department concerned in the implementation of the strategic tasks of combating doping in sport;
- Participation in international programs and projects for the utilization of financial funds of the European Union, UNESCO and other organizations.

IN THE IMPLEMENTATION OF THE NATIONAL STRATEGY TO FIGHT AGAINST DOPING IN SPORT ARE EXPECTED TO BE ACHIEVED THE FOLLOWING RESULTS:

- 1. Reducing the risk of the use of high-risk to the health substances**
- 2. Restricted distribution of doping in sport, as a result of established effective institutional and legal mechanisms**
- 3. Increased awareness among all people about the risks of doping with an emphasis on young people and their parents**
- 4. Raising the fight against doping in Bulgaria to a new higher level through international accreditation of the Laboratory for Doping Control**

The implementation of the measures envisaged by the National Strategy for the fight against doping in sport is extremely important both for the maintenance of good physical shape, health, morale and self esteem of the athletes, and the decent presentation of Bulgaria to the world, as well as for the prevention of health abuse of people engaged in sports in their free time. The general public awareness, the skilful management and better coordination of the participating institutions are a guarantee for its successful implementation.

To implement the National Strategy to combat doping in sport will be developed an annual Action Plan. The Action Plan will include specific actions for the realization of the objectives pursued and measures, indicators, sources of financing, indicative deadlines and responsible institutions. The work on the plan will be reported annually by the Ministry of Youth and Sports.

Part III - Comments of Bulgarian authorities on the Evaluation Team report



REPUBLIC OF BULGARIA
Ministry of Youth and Sports

*№ 40-00-47/1
20.10.2018.*

**To the Monitoring Group
of the Anti-Doping Convention**

Dear Chair, Heads of Delegations, Participants and Observers in the Monitoring Group of the Anti-Doping Convention.

The Ministry of Youth and Sports of the Republic of Bulgaria put the fight against the use of doping in sport among its priorities because the theme of clean sport and observance of the rules of fair play is extremely important for the whole sports world.

With the development of the National Strategy, the government assumes the important task to prevent and control the use of doping substances in professional and grassroots sport. Every year, a Strategy Implementation Plan is developed. This plan contains specific actions that contribute to overcoming this issue which poses a serious risk to the health and life of the people practicing sport.

The globalization of sport requires our joint efforts and enhanced fight against doping based on our shared experience.

We highly appreciate the comments and recommendations of the evaluation team of the Monitoring Group of the Convention. The external review of our activities and the suggested recommendations are very useful for the further advance of the anti-doping programme in Bulgaria and for our activities carried out in pursuance of the Anti-Doping Convention.

I believe that the shared experience and the joint actions of all the institutions responsible for sport will help to comply with and implement the global anti-doping policy at international level.

I would like to express my gratitude for the good cooperation and your kind support in our common fight against the use of doping in sport.

KRASEN KRALEV
Minister of Youth and Sports





REPUBLIC OF BULGARIA
Ministry of Youth and Sports

№ 40-00 -47 /23.10.2018r

MR. JEROEN SCHOKKENBROEK
Director
Directorate of Anti-Discrimination
Directorate General of Democracy
Council of Europe
F67075 Strasbourg Sedex, France
E-mail: sport.t-do@coe.int

Sofia, 26 October 2018

DEAR MR. SCHOKKENBROEK,

Thank you very much for the letter of October 10, 2018, sent together with the draft evaluation report of the compliance of Bulgaria with the Council of Europe Anti-Doping Convention CETS 135.

We highly appreciate the comments and the recommendations of the Evaluation Team of the Monitoring Group of the Anti-Doping Convention. Undoubtedly, the proposed actions would be very useful for the further advance of the anti-doping programme in Bulgaria and for our deeds for implementation of the Anti-Doping Convention for fight against the use of doping in sport.

In the comments, we have exposed our position on some of the recommendations, as well as the activities that we have planned for their implementation. Also, we have included information about certain results attained and actions launched after the visit of the Evaluation Team.

I would like to express our gratitude for the fine collaboration and your kind support in our joint fight against the use of doping in sport.

Yours Sincerely

KRASEN KRALEV
MINISTER



Enclosure: Comments on the report

Copy to:- Permanent Representation of Bulgaria to the Council of Europe (bulgarie@noos.fr)

- National Antidoping Centre (Violeta.Zarkova@anti-doping.government.bg)

Article/ recommendation from the report	Overview of the Evaluation Team's Recommendations	Comment by Bulgarian authorities
Convention Article 1: Aim of the Convention		
Recommendation no. 1	The Bulgarian authorities should consider developing and adopting an anti-doping specific law to regulate all aspects of the fight against doping in sport in Bulgaria.	<p>In the last two years, an entirely new Law of Physical Education and Sport has been prepared, which was legally adopted and would be effective as of 18.01.2019.</p> <p>Admitting the importance of the fight against the use of doping in sport, in the new Law a special attention is paid to this matter and it is regulated in a separate chapter – “Antidoping activity”. The latter is grounded on the basic rules in this field, specified by the relative international acts on the matter, the provisions of the new Law regulating also explicit sanctions for non-adherence to the antidoping rules.</p> <p>Additionally, the Law also envisages a development of a special regulations in the field of fight against the use of doping in sport, in which, according to the rules of the UNESCO International Convention for fight against the use of doping in sport, the World Antidoping Code and its International Standards, the Convention of the European Council against the use of doping and its Additional Protocol, to determine:</p> <ol style="list-style-type: none"> 1. The conditions and the order of conducting doping control; 2. Disciplinary procedure, including specific features in the corpus delicti of the ADVR; 3. Measures for prevention and fight against the use of doping in sport.
Convention Article 2: Definition and scope of the Convention		
Recommendation no. 2:	The Bulgarian authorities should ensure that the List of banned pharmacological classes of doping agents and banned doping methods in force in Bulgaria is the one adopted by the Monitoring Group. It does not mean, however, that it cannot be the WADA Prohibited List since the two Lists are identical.	<p><u>COMPLETED</u></p> <p>In paragraph 1, item 5, of the “Additional Provisions” of the new Law of Physical Education and Sport, the following legal definition is put down: “Prohibited substances and prohibited methods” are substances and prohibited methods, listed in the actual List of</p>

		Prohibited substances and methods, adopted by the World Antidoping Agency, as well as in the List under the Convention of the European Council against the use of doping.
Convention Article 3: Domestic coordination		
Recommendation no. 3:	The Bulgarian authorities should ensure adequate structures and practices for efficient cooperation and coordination between the Ministry of Youth and Sport, the Bulgarian Anti-Doping Centre and other departments and public agencies for the fight against doping at the national level.	The Bulgarian authorities work in close cooperation and coordination in the field of fight against the use of doping on national level. For implementation of the acting National Strategy for fight against the use of doping in sport (2015-2024), yearly action plans are adopted, which are developed by an inter-institutional commission and are approved by the Council of Ministers. In the plans, tangible execution measures and the responsible institutions are entered, the latter report the implementation of the measures in collaboration with all participants in the process
Recommendation no. 4:	The Ministry of Youth and Sport should ensure that the Bulgarian Anti-Doping Centre is independent on its operations and decisions and free of organisational and individual conflicts of interest.	The Ministry of Youth and Sports, within the framework of its competence, provides for all necessary conditions in order that the Bulgarian Antidoping Centre is independent in its activities and decisions, without organizational and individual conflicts of interests.
Recommendation no. 5:	The Ministry of Youth and Sport should ensure that the Bulgarian Anti-Doping Centre is provided a level of funding that allows the Bulgarian Anti-Doping Centre (a) to carry out the duties required by the Convention as well as the Code and the International Convention against Doping in Sport of UNESCO on an effective scale, and (b) ensure its operational independence. (In order to decide what is “adequate funding” for the Bulgarian Anti-Doping Centre, the Ministry should take into account factors such as funding being proportionate to the number of elite level athletes within the country, the funding provided to sport by the Government, and the integration of anti-doping into a broader sport and public health strategy.)	The Ministry of Youth and Sports, within the framework of its competence, provides for all necessary conditions in order that to the Bulgarian Antidoping Centre such funding is ensured, which would allow it: (a) to implement effectively its obligations taken according to the Convention, as well as according to the Code and the UNESCO International Convention for fight against the use of doping in sport; (b) to ensure its operational independence.
Recommendation no. 6:	The Ministry of Youth and Sport should balance the need for the Bulgarian Anti-Doping Centre to be accountable to the Bulgarian Government in respect of its activities and the need to carry out its publicly-funded activities subject to Government	The Ministry of Youth and Sports, within the framework of its competence, ensures the necessary prerequisites to provide for the Antidoping Centre the possibility of having at its disposal the necessary autonomy for executing its

	oversight and financial accountability with the need to allow the Bulgarian Anti-Doping Centre the autonomy necessary for it to carry out its activities and does not jeopardise its operational independence.	activities, without jeopardising its operative independence.
	Recommendation no. 7: The health authorities should include the fight against doping in their scope of activities, especially the control of availability of doping substances and methods as well as the prevention of doping in society; and cooperate, collaborate and coordinate with the Bulgarian Anti-Doping Centre as the competent authority, including sharing of information.	The Bulgarian authorities would commence activities allowing the inclusion of the 28 regional health inspectorates at the Ministry of Healthcare, as well as the Bulgarian Drug Agency, in the fight against doping, as well as in the control on the presence and the use of doping substances and methods, respectively. The National centre of public health and the Ministry of Healthcare would be duty-bound for prevention of doping use in the society.
Convention Article 4: Measures to restrict the availability and use of banned doping agents and methods		
Recommendation no. 8:	The Bulgarian authorities shall adopt comprehensive legislative measures to control the trafficking of doping substances; these measures should include, as a minimum, the list of substances to be controlled, the agencies to be involved, and the applicable sanctions.	The Bulgarian authorities prepare such measures. Draft version of a new Foods Law, approved by the Council of Ministers in 2017, is submitted to the Parliament for adoption. In the bill, a detailed regulation is foreseen on the regime of putting on the market nutrient supplements and foods designed for use at intensive muscle loading, particularly by athletes. It is fixed that, at submitting notification for putting on the market such foods, the business operator should declare in writing the compliance between content and label, and for the lack in the content of dope substances and/or compounds risky for human health, denoted in the specific normative documents determining the requirements towards these groups of foods. Following the Food Law adoption, regulations (including a list of the substances to be controlled) would be issued. The Bulgarian Drug Agency possesses the expertise to prepare such a list. Presently, The Bulgarian Food Safety Agency (BFSA) controls the adherence to the requirements for labelling of nutrient supplements and foods designed for use at intensive muscle loading, particularly by athletes. At putting on the market of a new nutrient supplement, BFSA performs expert estimation of the submitted label example. At information/ascertainment for putting on the market of products containing active substances, non-declared on the label, including compounds with dope

		<p>effect, subject to prescribing by physician and/or risky for human health, BFSA duly informs for this in its website and undertakes the measures provided in the law. In case of suspicion that nutrient supplements contain unpermitted substances with dope effect and/or compounds risky for human health, BFSA assigns analysis for their presence in accredited laboratories.</p>
Recommendation no. 9:	<p>The Anti-Doping Centre of the Republic of Bulgaria should establish cooperation agreements with other agencies (e.g., Ministry of Health, etc.), as necessary, including information sharing, to control the availability of doping substances and methods.</p>	<p>The Antidoping Centre would launch the necessary actions for establishing a cooperation agreement with the Bulgarian Food Safety Agency on mutual help in the antidoping activities (e.g., information sharing and control on availability of doping substances).</p>
Recommendation no. 10:	<p>The Ministry of Youth and Sport should introduce and enforce stringent provisions in their legislation to allow withholding of financial support and other sport related benefits from public funds from athletes who commit an ADRV during the period of ineligibility, as well as cancelling life-long monthly bonuses from Olympic, Paralympic and Deaflympics medallists and their coaches and chief-coaches if they are found to have committed an ADRV.</p>	<p>As stated in the comment on the Recommendation No. 1, the new Law of Physical Education and Sport would be effective as of 18.01.2019.</p> <p>Art. 131 of the latter foresees the sequences at violation of the antidoping rules by a registered athlete, concerning the received public funding for his/her training – financing of the athlete, the support personal, and the officials directly related to his/her training, is discontinued and is not reinstated unless an effective act of a competent body establishes that the athlete has not violated the antidoping rules.</p> <p>In regard to the life-long monthly bonuses of Olympic, Paralympic and Deaflympics medallists and their chief-coaches, it should be kept in mind that such bonuses are given and have always been given only to medallists of those Games according to the official positions announce by the International Olympic Committee/International Paralympic Committee/International Committee of Sport for Deaf People, certified in line with the relevant provisions of the new Law of Physical Education and Sport. In this regard, in case of an established violation of the antidoping rules, the positions of those athletes would be invalidated and there would be no prerequisite for allowance of life-long monthly bonuses both to the relevant athletes and to their coaches, i.e. they should not have right to receive life-long monthly bonuses for the position they had reached.</p>

Recommendation no. 11:	The Bulgarian authorities should conduct a thorough review of the incentives and awards scheme for high-level athletes, including the life-long monthly bonuses from Olympic, Paralympic and Deaflympics medallists and their coaches and chief-coaches bearing in mind that such economic benefits may be seen as reasons to dope.	<p>In case of achieved prize-positions at World and European Championships, as well as at Olympic Games/Paralympic Games the relevant athletes and the officials who, have participated in their training, receive award for the reached success; for a medal in Olympic Games/Paralympic Games/Deaflympic Games, the athletes have the right of life-long monthly bonus. In this way, the Bulgarian state expresses its appreciation to the esteemed athletes and coaches who not only rise at international level the prestige of the Bulgarian nation but are also peculiar emissaries of our country to the world.</p> <p>Bulgarian authorities, including the Ministry of Youth and Sports, endeavour to restrain by normative regulations the use of doping in sport and to not allow the alleged economic advantages to be the motive for the use of prohibited substances and methods. This policy is very important for Bulgaria, being principally realised via the control accomplished by the competent institutions, and became a priority with the new Law of Physical Education and Sport.</p>
Convention Article 5: Laboratories		
Recommendation no. 12:	The Bulgarian Anti-Doping Centre and the Bulgarian Government should conduct a thorough analysis of the need for a WADA-accredited laboratory in the country taking into account parameters like the number of samples that need to be collected under the Bulgarian anti-doping program, the costs for obtaining and maintaining the Laboratory accreditation (analytical facilities, instrumentation, research etc.), the costs for analysis of samples in WADA-accredited laboratories in other countries etc.	<p>The Bulgarian authorities would conduct an additional analysis on the matter. We would highly appreciate the help of the Monitoring group in this analysis.</p> <p>Presently, the Bulgarian Government and the Antidoping Centre deem that a WADA-accredited Doping Control Laboratory in the country is really necessary and would be very useful for the doping control performed by the Centre. It would allow to decrease the expenses for analysis of the samples and, accordingly, to increase their number. It should also be taken into account that the present laboratory has at its disposal the necessary up-to-date devices and the costs for its final equipment would be very low.</p>
Recommendation no. 13:	Since the Laboratory is an integral part of the country's anti-doping programme, the Bulgarian authorities should reconsider the priorities of their national anti-doping programme and	The Bulgarian authorities are grateful for this recommendation. We would reconsider the priorities of our national anti-doping programme in full compliance

	consider putting more weight towards the development of the Bulgarian Anti-Doping Centre and the implementation of a sound anti-doping programme based on the Convention and the Code.	with the Convention and the Code.
Recommendation no. 14:	Since the Laboratory cannot be used for the analysis of samples for doping control purposes, the Laboratory should consider extending its activities to other fields, like, for example, the analysis of dietary supplements for the detection of doping substances and collaborating with Customs authorities in the investigations over seized products.	The Laboratory has validated methods for analyses of prohibited substances in biological fluids. The analysis of nutrient supplements is an inadmissible field for a laboratory that is a candidate for accreditation by the WADA.
Recommendation no. 15:	<p>The Laboratory, if accepted by WADA to be treated as being in a Probationary phase towards accreditation, should:</p> <ul style="list-style-type: none"> - apply for ISO/IEC 17025 accreditation for the substances and methods not currently under the scope of the current accreditation in order to cover as much as possible of the substances of the WADA's Prohibited List; - develop and validate methods for the detection of erythropoietin (rEPO) and similars, growth hormone and the hematological module of the ABP; - continue to take part in proficiency testing schemes to test and prove its competence in the analytical methods that applies. 	<ul style="list-style-type: none"> - The analytical capacity of the Laboratory in the accreditation range was enlarged in April 2017 with two new methods for analysis of all substances of classes S1, S3, S9 and P2 of the WADA Prohibited List. In parallel, the Laboratory participated in a new professional test (PT) for stimulants and narcotics in hair and saliva, the provider being LGC Standards/PT. - For class S2 – peptide hormones, erythropoietins, growth factors and mimetics, the Laboratory has certain difficulties with referent standards and kits, since they are available only for WADA-accredited laboratories. Besides, the WADA is the sole provider of EQAS (WADA-form of PT). - According to the requirements of the standard ISO 17025, the Laboratory could obtain accreditation as a testing laboratory for substances of class S2 only after successful participation for a minimum of one year in PT from providers accredited on ISO 17034. This requirement is also observed by the Bulgarian accreditation body (BAS), which is a full-member of the ILAC MRA. - In 2018, the Laboratory has prepared its documentation and now expects its reaccreditation by BAS on the standard ISO/IEC 17025:2017.
Recommendation no. 16:	The Laboratory is encouraged to collaborate with academic and research institutions in Bulgaria and other countries for the scientific	In the period 2016-2018, the Laboratory took part in the preparation of three research projects submitted to the WADA; up to now, the projects have not been

	development of its staff.	approved.
Recommendation no. 17:	The Laboratory is encouraged to expand its collaboration with more academic and research institutions in Bulgaria and other countries and/or to implement more scientific research programmes and publish their results in peer-reviewed scientific international journals.	The Laboratory maintains and enlarges its collaboration with academic research institutes; in 2018, the Laboratory has a common project with the Institute of Neurobiology of the Bulgarian Academy of Sciences, which funding is approved by the Council of Ministers.
Convention Article 6: Education		
Recommendation no. 18:	The Bulgarian Anti-Doping Centre and the Ministry of Youth and Sport should ensure that sport organisations (national olympic committee, national paralympic committee, national federations and sport clubs) actively participate in education programmes for their athletes, including appointing a person from each sport organisation that can be trained by the Bulgarian Anti-Doping Centre to be in charge of anti-doping information and education programme in their sport.	The Antidoping Centre would help the Ministry of Youth and Sports in its activity to assure the active participation of the Bulgarian sports organisations (the Bulgarian Olympic Committee, The Paralympic Committee, national federations, sport clubs) in the organisation of educational programmes for the athletes by training of representatives of Bulgarian sport federations who will be responsible about the anti-doping information and the educational programmes in their sport.
Recommendation no. 19:	The Bulgarian Anti-Doping Centre should work closely with athletes' committees or consider establishing its own athlete committee with the view, among other, to promote active participation of athletes in the fight against doping.	The Antidoping Centre considers that its antidoping activities would be more effective in the fight against use of doping at a close collaboration with the athletes' committee (after its establishing).
Recommendation no. 20:	The Bulgarian Anti-Doping Centre should consider appointing one or more athletes as anti-doping ambassadors, if deemed useful on advocating for the fight against doping in sport and promoting athletes' participation in the anti-doping work.	The Antidoping Centre would consider the appointment of one or more athletes as anti-doping ambassadors who would promote athletes' participation in the anti-doping activities.
Recommendation no. 21:	The Bulgarian Anti-Doping Centre should consider using social media (e.g., Twitter, Facebook) as a tool to communicate key messages and create a social norm about doping in the country.	The Antidoping Centre would consider all possibilities for using social media (e.g., Twitter, Facebook) as a tool to share key messages and create a social norm on doping in the country.
Recommendation no. 22:	The Bulgarian Anti-Doping Centre should encourage and fund research studies related to anti-doping by academic and other interested institutions in the country.	At the moment, the budget of the Antidoping Centre does not foresee funding of research projects.
Recommendation no. 23:	The Bulgarian Anti-Doping Centre should play a role on the coordination of the research activities on anti-doping in the country.	In future, the Antidoping Centre would continue its work on stimulation and coordination of antidoping research in the country. In close collaboration with scientists from the Bulgarian Academy of Sciences and the National Sport

		Academy, the Centre took part in the preparation of a research project submitted to the WADA.
Recommendation no. 24:	The Bulgarian Anti-Doping Centre should explore the various funding opportunities for anti-doping research (e.g., European Union, WADA), with the collaboration of other national anti-doping organisations and/or research institutions.	<p>Completed</p> <p>In 2013-2015, the Antidoping Centre gained the project „Antidoping education versus false self-confirmation“, funded by the UNESCO Fund for fight against doping, for implementing antidoping education in the sport schools in Bulgaria.</p> <p>In 2017, the Antidoping Centre applied to the UNESCO Fund for fight against doping, submitting the project “Nutritional supplements in fitness centers: necessity or lifestyle (Survey in major Bulgarian cities)”. The project foresees conducting a survey in eight of the biggest cities in Bulgaria about the motives for use of nutrient supplements by persons who exercise sport in the free time in the fitness centres.</p> <p>In 2017, an expert of the Antidoping Centre participated in the project “Sportegy – the sport as a strategic instrument for personal development”, funded by the Erasmus+ programme.</p> <p>In 2017-2018, the Antidoping Centre, together with the Ministry of Youth and Sports, took part on the Erasmus+ programme in organising and implementing an International Seminar on “Prevention of doping use in the professional and recreational sport through education and investigation”.</p> <p>In March 2018, being invited by the “Association for Bulgarian-sport development” to participate in an antidoping seminar on the project “Just Sport” funded by the Erasmus+ programme, experts of the Antidoping Centre conducted a 2-day lecture course to fitness and sport specialists in Sofia, and the Executive Director of the Centre participated in the round-table discussions.</p>
Convention Article 7: Cooperation with sports organisations and measures to be taken by them		
Recommendation no. 25:	The Bulgarian authorities should consider introducing a definition of conflicts of interest applicable to the members, employees or volunteers of the Disciplinary Commission and the Bulgarian Sports Arbitration.	In the Regulations on Doping Control in Training and Competition Activities (RDCTCA), it is regulated in details which persons might be members of the Disciplinary Commission, in order to avoid conflict of interests. The members

		<p>sign a declaration for lack of conflict of interests for each separate case that they consider (Art. 63).</p> <p>By analogy, such rules are written down also in the Regulations for arguments resolving of the Bulgarian Sport Arbitration, the members of which also sign such a declaration for each separate case that they consider (Art. 25).</p>
Recommendation no. 26:	The Anti-Doping Centre of the Republic of Bulgaria should have policies and procedures in place for reporting to the competent administrative or professional authorities of any cases of doping rule violations committed by Athlete Support Persons.	This question is not regulated with politics and procedures simply but with legal norms – RDCTCA, Law of Physical Education and Sport, and Criminal Code. Our national decrees treat both the athletes and the athlete’s support personal when imposing sanctions for established antidoping rules violations, the cases being reported to the competent authorities and overtly published in the site of the Antidoping Centre.
Recommendation no. 27:	The Bulgarian authorities should consider the possibility to introduce more severe penalties for athlete support persons who commit doping rule violations (i.e., possession, trafficking, or administration of doping substances, or complicity involving a doping rule violation).	Please, see the comments to recommendation 26. Concerning the amount of the 1000 BGN fine, it should be taken into consideration that the athlete’s support personal in Bulgaria is paid awfully low, frequently working for gratuities only when medals have been won. The country standard is not high, too and the stated amount of money corresponds roughly to the median salary in the country.
Recommendation no. 28:	The Bulgarian Anti-Doping Centre should increase the number of samples it collects every year including athletes from more sports.	BULNADO shows a tendency for increasing the number of samples it collects. Additionally to the presented data in Table.1, p. 56, the number of collected samples in 2017 as per BULNADO’s TDP is 758 (https://www.anti-doping.government.bg/en/images/upload/ABOUT%20US/Annual%20reports/annual_stats_report_2017_en.pdf)
Recommendation no. 29:	The Bulgarian Anti-Doping Centre should consider increasing its Registered Testing Pool and requesting whereabouts information from more athletes, including team sports (individual or team whereabouts), as necessary.	The number of athletes in BULNADO’s RTP could be different depending on whether it is a pre-Olympic Games year or post-Olympic Games year. It is obvious that the number of athletes in RTP increases before Olympic Games and is lower after them. Another factor that may affect the size of the RTP is the national and international performance of the Bulgarian athletes. Thus, RTP is not a static pool and depends on external

		<p>factors, which may affect its size.</p> <p>Since September 2018, BULNADO established team whereabouts pool and launched collecting whereabouts of football teams.</p> <p>Apart from the RTP, in cooperation with the Bulgarian Olympic Committee, BULNADO collects whereabouts information from athletes who gain quotas for participation in the Youth Olympic Games or other Major Events.</p> <p>BULNADO also receives whereabouts information from the Ministry of Youth and Sports on a monthly basis, concerning the training camps of the national teams in different sports.</p>
Recommendation no. 30:	The Bulgarian Anti-Doping Centre should ensure that athletes are aware that testing can take place at any time and at any place (and not only in training and competition activities as it is the title of its Regulations).	BUL-NADO is planning to change the name of the Regulations in the upcoming revision. BULNADO guarantees that athletes are aware that testing could take place not only at training and in competition activities, but at any time and at any place (e.g. in their home, hotel, etc.), as per WADC and ISTI.
Recommendation no. 31:	The Bulgarian authorities should encourage and provide the necessary support to Bulgarian athletes to participate in the anti-doping work of international sport organisations (e.g., IOC, IPC, international federations) and thus contribute to the fight against doping in Bulgarian and worldwide.	The Antidoping Centre would consider the possibilities to provide the necessary support to Bulgarian athletes for participation in the antidoping activities of international sport organisations (e.g., IOC, IPC, International Federations), thus contributing to the fight against doping in Bulgaria and worldwide.
Recommendation no. 32:	The Bulgarian Anti-Doping Centre should ensure that it makes full and efficient use of the analytical capacities of the WADA-accredited laboratories and employ the latest scientific breakthroughs in anti-doping technology and analysis, at all times, especially for samples collected from those athletes who enjoy life-long privileges from the Government.	Presently, the Bulgarian Anti-Doping Centre has signed an agreement with the WADA accredited Doping Control Laboratory in Seibersdorf, Austria. This agreement concerns not only the analysis of urine and blood samples, but also the storage of samples according to the World Anti-Doping Code requirements and the International Standard for Laboratories (ISL), as well as the APMU for our Centre. In rare cases only, after a special request from a certain Testing Authority, the Anti-Doping Centre sends the collected samples for analysis to other WADA accredited laboratories.
Convention Article 8: International cooperation		
	No recommendations.	

<u>Convention Article 9: Provision of information</u>		
Recommendation no. 33:	The Bulgarian authorities should continuously provide information to the Monitoring Group on the legislative and other measures they take for the purpose of the implementation of the provisions of the Convention and the developments, at the national level, for the fight against doping in Bulgaria including the implementation of the Recommendations provided by the Evaluation Team in this Report.	As presented in the report, the Republic of Bulgaria, via the Anti-Doping Centre, has participated (and would participate in future) in the Monitoring Group meetings, duly reporting for the measures commenced for implication of the Convention and on the Evaluation Team recommendations up to now.
<u>Additional Protocol Article 1: Mutual recognition of doping controls</u>		
	No recommendations.	

Best practices

Since the establishment of BUL-NADO, 8 years ago, the Bulgarian anti-doping activity has undergone substantial development. Therefore the meetings of the Monitoring group and the recommendations of the evaluation teams of Council of Europe have helped us in particular.

The most important points of our activity which we would like to share with you are as follows:

1. BUL-NADO has a principal role in the 10-year National Strategy against doping in sport, the aim of which is to analyse the anti-doping activity and based on the conclusion of the analysis to improve it. The Bulgarian Anti-doping Centre is in partnership with the involved governmental authorities. The Strategy is approved by the Council of Ministers and its main key elements are anti-doping education and awareness about the risks of doping use.
2. The Bulgarian Antidoping Centre delivered “Teaching the teachers seminar” and conducts annual monitoring of the anti-doping education in sport schools.
3. The Ministry of Education and Science has approved an educational programme in the curriculum of physical education and sports programmes with information about prevention of doping use.
4. In 2016 and 2017, the Ministry of Youth and Sports has obligated the athletes, athlete support personal, and officials, participating in the Ministry funding programmes, to take part in anti-doping education every 18 months. In case when these persons are not trained they should not receive state funding.
5. The BULNADO Educational Plan is revised and updated timely, including also all invitations for outreach programmes and seminars from national and international federations.
6. On April 25-26, 2018, The World Anti-Doping Agency audited the Bulgarian Anti-Doping Centre. The audit was very useful for BULNADO and as a result of the meeting, all critical findings are completed before the deadline. Two High Priority findings are about to be completed. The latter have to be amended in the Regulations on Doping Control in Training and Competition activity (RDCTCA). We have taken the necessary measures in compliance with WADA regulations to amend the normative document.
7. On 18 October 2018, the new Law of the Physical Education and Sport was promulgated, which would enter into force on January 18, 2019. In it, there is a separate chapter on Anti-Doping Activity, which regulates the basic rules on doping control and prevention of doping use in sport, in compliance with the World Anti-Doping Code. For the first time, the cooperation between The

Bulgarian Antidoping Centre and the Educational institutions is regulated by the law and the main purpose of this partnership is awareness among young people for the cost of using prohibited substances and methods. Under the new law, the Bulgarian Anti-doping Centre is developing new Regulations on Doping Control, which is about to be adopted next year. The Regulations will be approved and adopted by the Council of Ministers of the Republic of Bulgaria and we dare to claim that this is one of our best practices we could share: The fact that our main regulation of anti-doping activity have not to be submitted by the Parliament greatly facilitates the timely updating of its provisions in accordance with all requirements of the International Conventions, ratified by us and the World Anti-doping Code and its International standards.