Latvian Sports Regulation in Transition: Navigating Historical Evolution and Contemporary Development Trends

By Marina Kameņecka-Usova¹, Jānis Žīdens², Signe Luika³, Laine Donāne⁴, Olena Agapova⁵, Ieva Stecenko⁶, Ričards Griķis⁷

ABSTRACT:

This comprehensive analysis delves into the intricate realm of sports law and policies in Latvia, exploring the historical evolution, administrative framework, and policy landscapes that shape the country's sports sector. The text highlights Latvia's transition from the Centralized Soviet Model to a more autonomous sports system post-independence, reflecting the nation's historical context and pursuit of sporting excellence. It examines the interaction between EU regulations and internal sports governance, emphasizing the balance between market-regulating rules and legitimate sports governance. The study also discusses recent legislative amendments in response to geopolitical events that has shaken the Eastern Europe, such as the Russian invasion of Ukraine, showcasing Latvia's proactive approach to safeguarding national interests and ethical standards in sports. Furthermore, insights into the implementation of National Anti-Doping Regulations underscore Latvia's commitment to maintaining integrity in sports. The administrative framework involving various stakeholders, including governmental bodies and non-governmental organizations, is analysed to provide a holistic view of sports policy planning and stakeholder engagement in Latvia. Overall, this research sheds light on the evolving landscape of sports law in Latvia and the country's efforts to promote athletic development, fair play, and good governance in sports. The findings will contribute to a deeper understanding of the factors and forces shaping the sports sector in the country.

Keywords: sports law and geopolitics, sports governance, sports policies, EU sports law, Latvia

1. Introduction

Sports law serves as the regulatory backbone of athletic endeavours, shaping the landscape in which athletes, organizations, and governing bodies operate. In the case of Latvia, a nation which sporting heritage intertwined with its history of struggle for independence, understanding the current state of sports and law and chain of historical

|¹The Social Sciencies Research Centre, Rīga Stradiņš University, Riga, Latvia; Law Department, EKA University of Applied Sciences, Riga, Latvia

²Department of Management and Communication Sciences, Rīga Stradiņš University Latvian Academy of Sport Education, Riga, Latvia

³Department of Management and Communication Sciences, Rīga Stradiņš University Latvian Academy of Sport Education, Riga, Latvia

⁴Faculty of Social Sciences, Rīga Stradiņš University, Riga, Latvia

⁵The Social Sciencies Research Centre, Rīga Stradiņš University, Rīga, Latvia; Scientific Research Center of Independent Forensic of the Ministry of Justice of Ukraine, Kiev, Ukraine

⁶Department of Sports Theory, Rīga Stradiņš University Latvian Academy of Sport Education, Riga, Latvia ⁷Department of Information Technology, Rīga Stradiņš University Latvian Academy of Sport Education, Riga, Latvia. events that led us here is paramount to navigating its future trajectory. This research examines the nuanced realm of sports law within the Latvian context, elucidating the historical evolution, administrative framework, and policy landscapes that underpin this dynamic field. The aim of the research is to shed light on sports law in Latvia by examining the present situation, delving into historical context, and analysing the administrative framework shaping the sports sector today. We'll also explore how EU soft law on sport and principles of good governance are integrated into Latvian sports legislation, and examine how political events influence changes in Latvian sports law.

To achieve the proclaimed goal the authors shall explore the following topics:

(1) Brief History of Latvian Sports: emphasizes pivotal moments in the history of the Latvian sports, as they are closely intertwined with significant historical and political events.

(2) Administration of Sports in Latvia: provides crucial insights into the mechanisms through which policies are formulated and implemented.

(3) National Sports Policies: highlights policies that offer invaluable insights into the priorities, challenges, and opportunities that define the country's approach to fostering athletic development and promoting sports participation.

(4) *Sports Law in Latvia*: navigates the complex terrain of sports law and domestic regulation within Latvia covering also recent amendments since February 2022 due to Russian aggression in Ukraine.

(5) EU Impact on Latvian Sports: explores the influence of EU policies on good governance in sports on Latvia's sporting landscape.

2. Methods

This comprehensive analysis employs a multifaceted methodological approach to investigate the complex landscape of sports policies and law in Latvia. The research utilizes a combination of qualitative methods, including:

Monographic method: Examination of specific documents, and literature related to sports policy and law in Latvia.

Analytical method: Critical analysis of legal frameworks, regulations, and policy documents governing the sports sector.

Historical method: Exploration of the historical development of sports law in Latvia, tracing the transition from the Centralized Soviet Model to the current autonomous sports system post-independence.

Teleological and systemic interpretation: Analysis of the purpose and interaction of sports law with other legal domains, such as EU regulations and internal sports governance.

The research draws upon various sources, including scientific literature, legal frameworks, policy documents, and empirical data from surveys and interviews. By employing this multifaceted approach, the study aims to provide a comprehensive understanding of the evolving landscape of sports policies and law in Latvia, highlighting the country's efforts to promote athletic development, fair play, and good governance in sports.

3. The Sports landscape in Latvia

3.1. Brief history of Latvian sports

To explore sports law in Latvia thoroughly, it is essential to highlight key milestones in the history of the Latvian state as it is deeply intertwined with significant historical and political events. These milestones signify the nation's quest for independence, the pursuit of its identity, and the preservation of its cultural heritage and language. Presented below is an excerpt from the Latvian Institute's study on the history of Latvian sports:

Pre-World War I Era: Riga emerged as a prominent sports center within the Russian Tsarist Empire, alongside St. Petersburg, Moscow, Kiev, and Revel (Tallinn). As suggested by Līventāls, such first beginnings of organized sports life are associated with Riga as an important seaport on the scale of the whole Russia, where without raw materials and goods from Great Britain, Germany and Sweden ideas and impulses for the development of sports life entered the city (Līventāls, T., 1932).

1911: The Baltic Olympic Committee was formed to collaborate with the Russian Olympic Committee, helping to select athletes from the Baltic provinces for the Olympic Games.

1921: Following Latvia's declaration of independence in 1918, the Provisional Union of Latvia's Sports Organizations was established in Riga to coordinate efforts and promote a cohesive system for sporting activities.

1923-1924: The Latvian Olympic Committee received recognition from the International Olympic Committee, allowing Latvian athletes to participate in Olympic Games. Information about the Paris 1924 Olympics was supplied by the Ambassador of France in Latvia, Count de Martel.

Between the World Wars: Latvian sportsmen participated in seven Olympic Games and numerous international competitions. Notably, Latvian athletes won one silver and two bronze Olympic medals.

World War II and Soviet Rule: From June 1941 to May 1945, Latvia was occupied by Nazi German forces and subsequently by the Soviet regime. Under Soviet rule, Latvia's sports system was reorganized according to the Centralized Soviet model.

Late 1980s: Gorbachev's "Perestroika"¹ led to the restoration of the Latvian Olympic Committee and democratization efforts within the sports system. The Latvian Olympic Academy was founded in 1989.

1990: Despite initial challenges, including Moscow's rejection of Latvia's declaration of independence, the Latvian Olympic Committee sought recognition and participation in international events. However, the International Olympic Committee

¹ According to Encyclopaedia Britannica, "Perestroika" was a reform program introduced by Mikhail Gorbachev in the mid-1980s to overhaul the Soviet Union's economic and political systems. Its goal was to boost the Soviet economy to the level of capitalist countries like Germany, Japan, and the United States by decentralizing economic controls and encouraging self-financing for enterprises. However, resistance from the entrenched economic bureaucracy limited the success of these reforms. On the political side, Gorbachev aimed to reduce the Communist Party's direct control over government and strengthen local governance. In 1988, the Soviet Congress of People's Deputies was created, along with similar congresses in each republic, enabling multi-candidate elections, including non-communists, though the Communist Party remained dominant.

initially denied participation due to Latvia's status within the The Union of Soviet Socialist Republics (USSR).

1991: Although Latvia lost its de facto independence in 1940, it continued to exist as a subject of international law until the full restoration of its independence in August 1991.

Post-Independence Trends:

Following independence, Latvian sports aimed at development in three key areas which are still outlined in the Policy Planning documents (Latvijas Republikas Ministru Kabinets. Politikas plānošana), i.e., :

(1) Sports for All

(2) Youth and Children's Sports

(3) Elite/High-performance sports

These trends continue to shape Latvian sports policy and influence legislative acts to address possible imperfections in the sports landscape and its development.

3.2 Administration of Sports in Latvia

The development of the sport sector in Latvia involves various institutions and organizations with distinct legal statuses. The Ministry of Education and Science has formulated a management model for the sport sector, encompassing governmental, nongovernmental organizations, and enterprises. Below, the following main stakeholders in the arena of the Latvian sports sector and its administration are identified.

Governmental Responsibilities:

According to the Latvian Constitution, the Saeima holds legislative authority, with the Sports Subcommittee of the Education, Culture, and Science Committee leading legislative proposals in the sport sector. The adoption of the Sports Law by the Saeima defines the organization and development of sports, along with the Cabinet of Ministers executing executive power.

Role of the Cabinet of Ministers:

The Cabinet of Ministers implements various executive functions outlined in the Sports Law, including approving the Latvian National Sports Council, establishing criteria for sports federations, allocating funds for outstanding achievements, and organizing national team participation in international competitions.

Latvian National Sports Council:

Under the authority of the Cabinet of Ministers, the Latvian National Sports Council participates in the development of national sports policy, proposes state budget allocations for sports, and offers suggestions regarding financial awards for sports achievements.

Ministry of Education and Science:

Responsible for implementing unified state policy in the sport sector, the Ministry of Education and Science oversees international cooperation, regulatory enactments, and other functions specified in relevant laws.

Role of Other Ministries:

Additional ministries, including Health, Welfare, Defence, and Internal Affairs, contribute to sports development within their respective sectors, ensuring coordination and support for sport-related initiatives.

Non-Governmental Organizations (NGOs):

A significant portion of the sport management system comprises NGOs, such as the Latvian Sports Federation Council, Latvian Olympic Committee, Latvian Paralympic Committee, and Latvian School Sports Federation, among others. These organizations play key roles in coordinating, representing, and promoting sports interests.

Local Government Involvement:

Local governments play a vital role in promoting sports development within their administrative territories, including the establishment and financing of sports education institutions like sports schools as outlined in the Local Government Law (Pašvaldību likums) and Sports Law. These regulations require municipalities to promote healthy lifestyles, develop sports infrastructure, support local sports clubs, and finance sports education programs. While these efforts are aligned with national goals set by the Sports Policy Guidelines 2021-2027, there are notable discrepancies in how resources are allocated across different regions.

For instance, Ventspils has a dedicated budget of EUR 10.2 million for culture and sports in 2024, with EUR 3.9 million specifically allocated to the Sports Authority, emphasizing the development of sports infrastructure and accessibility, particularly for children and youth. (Par Ventspils valstspilsētas pašvaldības 2024. gada budžetu). Liepāja, on the other hand, budgets approximately EUR 13.2 million for leisure, sports, and culture combined, indicating a similar commitment to sports, though the specific allocation to sports within this broader category is less clear (Par Liepājas valstspilsētas pašvaldības budžetu 2024. gadam).

Riga, Latvia's capital, allocates EUR 547.4 million to education in 2024, which includes spending on institutions under the Department of Education, Culture, and Sports. (Par Rīgas valstspilsētas pašvaldības 2024. gada budžetu) However, with such a large portion devoted to education overall, the focus on sports might be less direct and potentially underfunded compared to smaller cities like Ventspils, where the budget is more narrowly targeted at sports development.

These differences in budget structures and resource distribution suggest regional imbalances in sports development. While national policies encourage equitable growth, the variations in local funding priorities may result in unequal opportunities and infrastructure quality between cities, potentially hindering the overall progress of sports across the country.

Regulation of the Sport Sector:

The sport sector in Latvia is governed by over 40 regulatory enactments, with the Sports Law serving as the central legislation since its adoption in 2002. The law aims to provide a legal framework for organizing and developing sports, ensuring equality, fair play, and safety principles throughout the sector.

Resource Allocation:

Labor, financial, material, and information resources contribute to the operations of the sport sector, sourced from various entities such as the state budget, sponsorships, donations, and European grants. (Laine and Vehmas, 2017).

3.3 Sports Policy Planning and Coordination in Latvia

Prior to the establishment of a comprehensive policy planning framework, Latvia faced challenges due to the absence of a unified approach to policy planning. The lack of clarity in document statuses, coupled with insufficient policy revision systems, led to confusion and inefficiencies in policy development and implementation.

To address these issues, the Cross-Sectoral Coordination Centre of the Republic of Latvia (CSCC) developed a policy-making handbook, aimed at organizing and streamlining policy planning processes. Under the direct authority of the Prime Minister, the CSCC oversees national development planning and coordination, ensuring alignment with EU directives and facilitating consultations and guidance for ministries (Cross-Sectoral Coordination Centre of the Republic of Latvia).

In regards Sports Policy Planning, the main policy planning document in Latvia today is the Sports Policy Guidelines for 2022–2027 (Sporta politikas pamatnostādnes 2022.–2027. gadam), which sets forth objectives, priorities, and actions for a six-year period, catering to various target groups within the sports sector. The guidelines are designed to build on the sport policies of previous years, to ensure the continuity of the investments made in the sport sector in previous years, and to address new challenges through the necessary reforms.

Also, several other Policy Planning Documents impact Latvia's sports sector, including the National Development Plan (Latvijas Nacionālais Attīstības Plāns 2021.–2027. gadam), Public Health Policy Guidelines (Sabiedrības veselības pamatnostādnes 2021.–2027. gadam), Youth Policy Implementation Plan (Jaunatnes politikas īstenošanas plāns 2023.–2024. gadam), and Regional Policy Guidelines (Par Reģionālās politikas pamatnostādnes 2021.-2027. gadam). These documents align with international principles and norms governing sports policy, ensuring fairness, accessibility, and ethical standards.

Undoubtedly, an important role in the implementation of the state's sports policy in promoting sports ethics, sports policies, gender equality, anti-doping initiatives, and environmental responsibility is played both by the Latvian Olympic Committee (LOC) and the Latvian Anti-Doping Bureau (LAT-NADO). LOC mission according to its Charter is to strengthen the role of sport in society, enhance the quality of life, and encourage regular physical activity among citizens (Latvian Olympic Committee Charter). LAT-NADO operates as a direct administrative institution under the oversight and supervision of the Minister for Health and makes decisions independently in its operations. According to the By-law of the Latvian Anti-doping Bureau (By-law of the Latvian Anti-doping Bureau), LAT-NADO purpose is to implement anti-doping policies to meet the requirements of the International Convention against Doping in Sport (19 October 2005) and the Anti-Doping Convention (ETS No. 135) of 16 November 1989, along with their appendices.

However, it should be noted that Latvia's sports-related policy planning documents effectively aim to promote a healthy, physically, and emotionally developed nation, but there is a significant lack of well-defined policies for professional and high-performance sports. As a good example of policy covering also elite sport the National Sports Policy 2018-2027 of the Government of Ireland (Government of Ireland. National Sports Policy 2018–2027) can be mentioned as it includes a dedicated chapter for high-performance sports, outlining policies for elite sports and Olympic goals, highlighting

Ireland's ambitions for achieving high results in the international sports arena (Kamenecka-Usova, M., 2021).

4. Sports law in Latvia4.1 Sports Law framework

The framework of Sports Law in Latvia was established with the adoption of the Latvian Sports Law in 2002, ratified by the Latvian president following approval by the Parliament. Its primary purpose, as outlined in Article 2, is to delineate the foundational legal principles governing sports organization and development, the relationships between sports entities, governmental bodies, and local institutions, as well as the fundamental tasks in sports development and financing. Comprising 21 articles, it primarily regulates the general operations of the Latvian sports system and its constituents, including sports federations, teams, athletes, and organizations.

According to Article 1 (10) of the Sports Law, sport is defined as any form of individual or organized activity aimed at maintaining and enhancing physical and mental health, as well as achieving success in sports competitions. Furthermore, Article 19 outlines the definition of a professional athlete, stipulating that a professional sportsperson is an individual who, under an employment contract and for compensation, trains for and engages in sports competitions. However, it does not offer a specific definition for professional sport or sports of high achievement/performance. In contrast, the Federal Law on Physical Culture and Sports in the Russian Federation (TA ФС РФ Государственная Дума Федерального Собрания Российской Федерации) categorizes sports into five types: sport, children and youth sport, mass sport, highachievement sport, and professional sport, providing distinct definitions for each. Similarly, the Code du Sport of the French Republic, in its Titre II: Sportifs (Code du sport - Legifrance), includes separate definitions for high-level sport and professional sport.

Article 3 of the Sports Law delineates the fundamental principles observed in the realm of sport, including the principles of equality, fair play, and safety. These principles emphasize equal access to sports, adherence to ethical standards, and ensuring the safety of sports events.

Moreover, the Sports Law regulates various concepts, including the competence of state and municipal institutions, the role of the Latvian National Sports Council, characteristics of sports organizations, allocation of financial resources, awarding of prizes for sporting achievements, participation in international competitions, athlete rights and duties, prohibition of sports competition manipulation, and definition of professional athletes.

In 2016, a significant amendment was made to the Sports Law with the introduction of Article 15.1, which prohibits the manipulation of sports competitions, defined as any action aimed at improperly altering outcomes. Athletes, organizations, and professionals must take measures to prevent such manipulation, with criminal responsibility outlined in Article 212.1 of Latvia's Criminal Law. Despite these updates, the Sports Law remains insufficient, offering broad guidelines without addressing modern needs and trends in Latvian sports, especially when compared to more detailed sports legislation in countries like France or Russia. (Kamenecka-Usova, 2021). A significant shortcoming of the Sports Law is the lack of provisions for resolving sports disputes,

including the absence of a definition or terminology such as "sports dispute." This highlights an outdated aspect of the law. In contrast, Latvia's neighbour Lithuania addresses sports dispute resolution in its law On Physical Education and Sport (Lietuvos Respublikos Kūno Kultūros ir Sporto Istatymo), outlining a clear procedure and offering the option to refer disputes to sports arbitration.

It should be noted that there is a need to revise and amend the Sports Law, considering all the recommendations and regulations outlined in the White Paper for Sports and the European Sports Charter. Special attention should be given to emerging issues in European sports, such as poor governance, racism, and excessive commercialization. Additionally, to protect athletes' interests, the Sports Law should establish an accessible and affordable system of dispute resolution for Latvian athletes.

Continuing to explore the complexities of sports law in Latvia, it is important to highlight the insights provided by Zalcmane et al. in their analysis of labor and tax legislation from a sustainable development perspective. In this work, Latvian legal researchers assert that the definition of a professional athlete under the Sports Law does not adequately serve the interests of Latvian athletes and is not applicable to the conditions of the sports sector in Latvia.

The issues arising from the improper definition of a professional athlete in the Sports Law and the actual employment relationships can be addressed in two ways. One option is to enforce compliance with the Sports Law, requiring clubs to employ athletes through formal employment contracts, at least at the Latvian Olympic unit level. This would necessitate the introduction of a coercive mechanism, which has not yet been implemented since the law came into effect, and would require reforming Latvia's entire sports management system to align with Labour Law provisions.

Alternatively, specific regulations could be developed to provide a clearer and more practical definition of a professional athlete, allowing them to hold professional status without requiring an employment contract. This approach would grant athletes official recognition, guarantees, and stability. Research indicates that in other countries, professional athletes' contracts display characteristics of employment but often require specialized regulations due to the unique nature of the sports industry and the rules set by national and international federations. (Zalcmane et al, 2021)

4.1.1 Amendments to the Sports Law in Response to Geopolitical Events

Since the Russian invasion of Ukraine on 24 February 2022, Latvia and other European nations have made significant political decisions that have reshaped the regulatory framework of sports. In Latvia, on 28 April 2022, the Saeima adopted amendments No 2022/83A.1 (Grozījumi Sporta likumā – Latvijas Vēstnesis) to the Sports Law, effective from 30 April 2022. The key changes included a ban on Latvian sports staff and participants from competing in events organized by the Russian Federation and Belarus, as well as from working with their sports organizations.

Sports Law was expanded with the addition of Chapters 12 and 13 to Article 10. These new chapters restrict individuals who are associated with foreign state security, intelligence, or counterintelligence services, including those who were informants or employees of the Latvian Soviet Socialist Republic's (LSSR) State Security Committee, from holding executive positions in sports organizations. To enforce this, candidates must

certify in writing that they do not fall under these restrictions and provide a certificate from a competent state body within three months of their election. Moreover, the law was amended to require that only Latvian citizens can be members of the executive bodies of sports federations, with additional checks for foreign intelligence service affiliations. The amendments align with the The European Court of Human Rights (ECHR) judgment in Anchev v. Bulgaria (European Court of Human Rights (2020)), supporting state discretion in national security matters and historical legacy management. The ECHR noted that states that emerged from non-democratic regimes have a wide margin of appreciation in choosing how to deal with the legacy of those regimes; the authorities of those states, which have direct democratic legitimacy and superior knowledge of their country's historical and political experience, are better placed than the ECHR Court to decide what transitional measures are necessary in the public interest (paragraph 102 of that judgment) (Likumprojekts Nr.1388/Lp13 "Grozījumi Sporta likumā").

Further amendments introduced Articles 16.1 and 17.1, which prohibit Latvian sports teams from participating in competitions organized by Russia or Belarus, and from playing in international leagues where these countries dominate. Similarly, organizing such competitions within Latvia is banned. These measures were implemented to mitigate security risks posed by affiliations with these nations. Given that the Sports Law has not previously regulated the participation of sports participants in sports competitions outside the territory of the Republic of Latvia, it was necessary to understand the trend of participation and to regulate participation in competitions organised by the Russian Federation and the Republic of Belarus. When assessing the participation of sports teams and individual athletes in competitions organised by other countries, it can be noted that sports teams and individual athletes registered in the Republic of Latvia participate in competitions not only within the Baltic States, but also in the open championships of the Russian Federation. One of the most prominent examples is the men's hockey team Dinamo Riga, which since 2008 has participated in the Continental Hockey League, which is also the Russian Open Men's Hockey Championship. A total of 24 teams are participating in this championship, including 19 teams from the Russian Federation, one team from the Republic of Belarus, etc. When sending to the Saeima Education, Culture and Science Committee the draft law No.1388/Lp13 "Amendments to the Sport Law", the Saeima deputies stated: "The military aggression and large-scale invasion of Ukraine by the Russian Federation (which also involves the Republic of Belarus), which is a flagrant violation of the sovereignty and territorial integrity of Ukraine and which is in flagrant violation of the obligations of the Russian Federation under Article 2 of the Charter of the United Nations and Article 2 of the Charter of the United Nations. Article 2 of the Charter of the Russian Federation and the peremptory norms of international law, as well as the obligations assumed by the Russian Federation when signing the Budapest Memorandum and undertaking to guarantee the territorial integrity and sovereignty of Ukraine, has raised the issue of the participation of Latvian sports teams in sports competitions, in particular national championships, organised by the Russian Federation and the Republic of Belarus." (Grozījumi Sporta likumā 2024/31.2). Based on the foregoing, a draft law proposing amendments to the Sports Law has been submitted, which would prohibit all sports teams registered in Latvia, regardless of their legal status, from participating in competitions organized by the Russian Federation and Belarus if more than half of the participants are from these countries. Additionally, the law would ban participation in events held in Russia or Belarus and prohibit the organization of national championships or cups for sports competitions in those nations. The amendments to the Sports Law also took into account the fact that an athlete who has violated any of the above-mentioned restrictions may not be included in the national team and may not receive state or municipal budget funds. In such a case, each sports federation may also decide on individual sanctions if an athlete violates the provisions of the Sports Law.

Another significant change was the prohibition on collaboration with sports agents from Russia and Belarus, as outlined in Article 21. Transitional provisions were included to ensure compliance checks on members of sports organizations' executive bodies.

On 27 February 2024, Amendment No. 2024/31.2 (Grozījumi Sporta likumā 2024/31.2) to the Sports Law came into force, reinforcing Latvia's solidarity with Ukraine and blocking Russian efforts to use sports to legitimize war crimes (Sporta komandām aizliedz spēlēt pret agresorvalstīm. 2024). This amendment is based on the UN General Assembly Resolution "Aggression against Ukraine" from 2 March 2022, which condemns Russia's actions and Belarus's involvement. These steps emphasize Latvia's commitment to national security and public solidarity with Ukraine. These amendments to the Sports Law are also based on the decision taken by the Executive Committee of the Union of European Football Associations to lift the ban on Russian youth national teams from competing in its competitions and the disqualification of Russian national teams and clubs so far. On this basis, the Latvian Football Federation has also publicly stated that the Latvian national football team will not play against Russian teams of any age. The Saeima of the Republic of Latvia believes that these amendments will strengthen the security of the Latvian state and strengthen public solidarity towards the people of Ukraine. Following the amendments to the Sports Law, Article 17.1 was supplemented with the second and third paragraphs, which read as follows: it is prohibited to organize competitions in Latvia for national teams (adults, youth, and juniors) in team sports if the national teams of the Russian Federation or the Republic of Belarus participate, whether under their own flag or in a neutral capacity. Latvian national teams in team sports are prohibited from playing against national teams of the Russian Federation or the Republic of Belarus in competitions, regardless of whether they participate under their own flag or in a neutral capacity (Grozījumi Sporta likumā 2024/31.2).

A potential negative consequence of these amendments is the inability to continue attracting qualified Russian and Belarusian coaching staff, a practice that has been feasible in the past. Additionally, Latvian teams will no longer be able to participate in open championships in Russia and Belarus, which had been a convenient option due to geographical proximity. Furthermore, the dissolution of the leading Latvian hockey team, Dinamo Riga, following its exit from the Continental Hockey League, has led many Latvian hockey players to sign contracts abroad, relocating their families as a result.

Latvia has also addressed the issue of participation in international events like the Olympic Games, advocating against Russian and Belarusian involvement, even in a neutral capacity. Despite these comprehensive measures, the amendments to the Sports Law are considered proportional, prioritizing national security and public interest over individual participation rights. They also have no financial impact on state or local government budgets.

4.2 Anti-doping rules in Latvia, compliance and issues

The National Anti-Doping Regulations (Nacionālie antidopinga noteikumi), adopted 28 September 2021 by the Cabinet of Ministers, outline the following key points:

(1) Definition and violations: The regulations define doping and anti-doping offences, including procedures and deadlines for proving violations, disqualifying results, and imposing sanctions. It also covers the processes for submitting and reviewing appeals, recognizing decisions from anti-doping authorities, and applying sanctions, all in line with international conventions.

(2) Procedures for addressing violations: The regulations specify how and when the LAT-NADO, athletes, and sports employees should address the Disciplinary Anti-Doping Commission, as well as the Commission's procedures and timelines for examining violations and making decisions.

(3) Case resolution and sanctions: The regulations detail the procedures, conditions, and timeframes for the LAT-NADO to decide on violations, enter into resolution agreements with athletes or sports employees, and impose sanctions.

(4) Therapeutic use exemptions: The regulations outline the procedures and deadlines for athletes to submit therapeutic use exemption applications and for the Therapeutic Use Exemptions Commission to make decisions.

(5) Governing framework: The national anti-doping regulations are governed by this Regulation and the World Anti-Doping Code (the Code).

(6) Substances and methods: The regulations refer to the International Standard for Prohibited Substances and Methods included in the International Convention against Doping in Sport, with specific substances and methods detailed in the Code.

(7) Recognition of decisions: The procedures for recognizing decisions from antidoping authorities are determined by Article 15 of the Code and the provisions of this Regulation.

(8) Rights of minors: Minors exercise their rights and obligations, except for doping control, through a legal representative. Minors have the right to have an adult representative present during doping control.

These regulations ensure compliance with international standards and provide a comprehensive framework for managing anti-doping measures in Latvia.

Still some problematic issues in the realisation of Latvian anti-doping policy need to be addressed below.

Article 18 of the Sports Law delineates the rights and responsibilities of athletes, yet it remains silent on a crucial duty incumbent upon professional athletes: the provision of whereabouts information. Athletes listed in the Register of Athletes to be Tested are mandated to furnish their location details within ADAMS, the Anti-Doping Administration and Management System. ADAMS serves as a web-based repository, meticulously crafted to facilitate data entry, storage, sharing, and reporting in alignment with pertinent data protection statutes, thereby underpinning anti-doping endeavours championed by stakeholders and the esteemed World Anti-Doping Agency (WADA).

Compliance necessitates the daily submission of requisite information over an extended span, often spanning several consecutive years (ADAMS un sportistu reĝistrs).

The register of athletes subject to testing undergoes periodic updates, ensuring currency and accuracy. Each listed athlete is obliged to document their whereabouts, utilizing either digital or telephonic means to delineate their current abode and furnish a mandatory daily timeframe during which unannounced doping tests may be conducted by medical personnel. Furthermore, training schedules are to be disclosed, subject to potential scrutiny by the Doping Control Officer. The Latvian athlete, upon inclusion in the register, receives formal notification from the Latvian Anti-Doping Bureau, accompanied by credentials enabling access to the ADAMS system. Subsequently, quarterly updates are mandated, necessitating meticulous detailing of forthcoming whereabouts, including accommodation and training venues, along with requisite timings.

Failure to adhere to these stringent protocols bears consequences, with successive infractions culminating in punitive measures, including temporary bans and disqualification. Demanded whereabouts encompass postal addresses, electronic contact details, telephonic accessibility, accommodation particulars, competition schedules, and training regimens, alongside a designated sixty-minute window during which athletes must remain reachable for potential doping controls. This window spans from 05:00 to 23:00, barring extenuating circumstances such as leisure periods devoid of structured training (ADAMS Instrukcija kā aizpildīt informāciju par atrašanās vietām).

Regrettably, operational inadequacies mar the efficacy of the ADAMS system, as evidenced by its inability to accurately pinpoint locations, particularly in scenarios necessitating manual intervention due to system limitations. Athletes encountering such discrepancies risk admonition despite their earnest attempts to comply. The World Anti-Doping Code prescribes penalties for infractions related to athletes' availability for out-ofcompetition doping controls, ranging from temporary suspensions to multi-year bans (Donāne, 2022).

A survey (Sportistu viedoklis par dopinga lietošanu sportā, 2019) conducted by the esteemed research centre SKDS underscores widespread dissatisfaction among athletes regarding the antiquated ADAMS infrastructure's functionality, with approximately sixty percent of respondents encountering hurdles in fulfilling their whereabouts obligations. Amidst these challenges, differentiation between professional and amateur athletes emerges as a pertinent consideration, with suggestions posited for accommodating the former's unique circumstances within the legal framework.

Exploratory avenues for enhancing doping control efficacy and mitigating undue encroachments upon athletes' rights abound. Proposals encompass decentralized testing mechanisms to safeguard privacy, alongside provisions facilitating athletes' direct submission of tests within specified timeframes. Furthermore, athletes embroiled in doping allegations retain the prerogative to request supplementary analyses at personal expense, though adherence to principles of procedural fairness mandates equitable access to public resources.

EU impact on Latvian sports Shift from Soviet rule to EU law

Latvia joined the EU in 2004. The EU functions under the rule of law, meaning its actions are based on treaties that all member states have voluntarily and democratically approved. If a policy area isn't outlined in a treaty, the Commission cannot propose legislation in that field. This principle was originally stated in Article 5 (1) of the EC Treaty and, since the Lisbon Treaty came into effect, is found in Article 5 of the TEU. Before the Lisbon Treaty in 2009, the EU had no explicit authority over sports, and the EC Treaty did not mention it. However, in the *Walrave and Koch* case (1974), the Court ruled that sport, as an economic activity, falls under the scope of the Treaty, rejecting the idea of separating sports governance from EC law. This decision ensured that sporting practices with economic impact must comply with EU rules. (Kamenecka-Usova, 2022).

Following the post-Lisbon re-numbering, Articles 165 and 166 of the TFEU outline the EU's role in sport. Article 165 emphasizes the Union's contribution to promoting European sports, considering its voluntary nature and social and educational roles. It also focuses on fairness in competitions, cooperation between sports bodies, and protecting the integrity of athletes, especially the young. Article 165 further encourages cooperation with third countries and international organizations, while the European Parliament and Council may adopt incentive measures without harmonizing Member States' laws.

Weatherill concludes that the development of sports law within the EU serves as an intriguing case study on the interaction between conventional market-regulating rules and those formally established by private organizations to support the global framework of sports governance. The EU's law does not directly compete with sport's own 'internal law'; rather, it allows for a conditional autonomy. In establishing these conditions, the EU institutions, particularly the

Court and the Commission, have had to devise a concept of legitimate sports governance despite the lack of explicit guidance in the Treaty itself (Kamenecka-Usova, M., 2021).

Prior to regaining its independence from the USSR in 1991, Latvian sports operated under a Centralized Soviet Model. The Centralized Soviet Model in sports refers to the system implemented by the Soviet Union where the government had centralized control and planning over all aspects of sports development and competition. This model involved the state taking a leading role in identifying and training talented athletes, organizing competitions, providing resources and facilities, and setting goals for sporting achievements. The Soviet government's involvement in sports extended to talent identification at a young age, extensive training programs, and the allocation of resources to ensure success in international competitions like the Olympics. The Centralized Soviet model aimed to showcase the superiority of the socialist system through sporting achievements and promote national pride and prestige. As stated by Sutter and Smith, Eastern European nations adopted the Soviet sports planning system and excelled, with East Germany leading the way. East and West Germany competed as separate teams from 1968 to 1988. East Germany won the total medal count in the 1980 Winter Olympics and ranked second only to the Soviet Union in the 1988 Summer Olympics. Despite having less than one-third of West Germany's population and a lower per capita GDP, East Germany's performance was remarkable. Other Eastern European countries also

frequently placed in the top 10 in the national medal counts in most Olympiads (Sutter and Smith, 2013).

Since 1991, the Latvian sports system has been transitioning from the Centralized Soviet model to embrace EU values in 2004, guided by soft laws such as the White Paper on Sport and European Sports Charter.

The transition from the Centralized Soviet model required a significant commitment from the sports community and system to ongoing adaptation and improvement. Some of the obvious challenges that could have been faced include: overcoming resistance from those with vested interests in maintaining the old system; adapting to a new set of values and practices, which might have been difficult for those accustomed to the Soviet model, requiring changes in mindset and operational methods; establishing mechanisms to monitor and evaluate the progress and effectiveness of the transition, implementing new training programs, necessitating investment in education for coaches, athletes, and administrators; since 2004, aligning new training and sport development programs, infrastructure, policies with EU standards, requiring additional investment in education for coaches, athletes, and administrators.

Overall, moving from a centralized model to a more decentralized approach likely required significant changes in the organization and management of sports institutions.

The experience of France in building new sports culture after some shocks and low performance during summer's Rome Games in 1960's may be mentioned for example as France's efforts to build and embed a sports culture provide valuable insights into effective strategies that extend beyond the sports field.

As stated by Krasnoff, changing organizational dynamics is challenging and timeconsuming, typically taking three to five years for substantial implementation. However, fostering a strong institutional culture is widely recognized as beneficial, with 94% of executives and 88% of employees acknowledging its value, according to Deloitte (Deloitte, 2013). One significant step in France's approach was the enactment of the 1975 Mazeaud Law, which established the National Sports Institute (INSEP). This institute allowed elite athletes to prepare for competitions while pursuing academic studies, supported by toptier coaches, tacticians, and medical professionals. The law also declared the development of sport and physical activities as a fundamental element of culture and a national obligation.

The 1984 Avice Law attempted to reinforce the 1975 law by emphasizing sport and physical activity as vital for personal well-being and enshrining sport as a citizen's right. And by far, as stated by Krasnoff, the most transformative measure France took was to invest in youth detection and development pipelines (Cultural change – Olympics 2024 – I by IMD).

Unfortunately, it should be recognized that the Latvian approach to the transition of the sports system was less comprehensive and thoughtful, as the country was shaken by the turbulence of "Perestroika", the economic crisis and the crime wave as a consequence of the collapsing Soviet Union.

5.2 EU values and good governance

The European Model of Sport was established by the European Commission in 1998 and has since served as a fundamental framework for the application of EU law to sport (García, 2009).

In the article "Down with the Politics, up with the Law! Reinforcing EU Law's Supervision of Sport Autonomy in Europe," Garcia analyses the components of the European Model of Sport (EMS) and offers the following insights.

The EMS is characterized by several core principles:

(1) Grassroots approach: The EMS emphasizes the connection between professional and amateur sports. It promotes solidarity and redistribution of resources within sports, ensuring that benefits reach not only the top-tier professional clubs but also amateur clubs, youth programs, women's sports, and other stakeholders.

(2) Social and educational importance: The EMS acknowledges the significant social and educational roles that sport plays within the European Union. Sporting activities contribute to community building, cultural identity, and education, reinforcing their value beyond mere entertainment.

(3) Solidarity and redistribution: One of the EMS's fundamental principles is the redistribution of revenues generated by professional sports to support amateur and grassroots levels. This ensures that all levels of sport benefit from the financial success of the top-tier competitions.

(4) Link to local, regional, and national identities: The EMS maintains strong ties to various levels of identity within Europe. It recognizes the importance of sport in fostering local, regional, and national pride and cohesion.

(5) Promotion and relegation principle: The EMS supports the principle of promotion and relegation, ensuring competitive balance and equal opportunities within sports leagues. This principle helps maintain a dynamic and meritocratic sporting environment.

(6) Homogeneous regulatory and technical conditions: The EMS advocates for uniform regulatory and technical standards across competitions. This helps ensure fairness and equal opportunity for all participants.

(7) Educational and social function: The EMS highlights the educational and social roles of sports, emphasizing their contributions to personal development and societal well-being.

In judicial contexts, the Court of Justice of the European Union (CJEU) has indirectly recognized these principles, even when not explicitly naming the EMS. The CJEU has acknowledged the unique characteristics of sport, such as its social and educational importance, and the need for solidarity and redistribution, aligning with the EMS's fundamental aspects.

The EMS provides a structured approach to sports governance within the EU, ensuring that sport serves broader social, educational, and cultural objectives while maintaining competitive integrity and fairness (Garcia, 2023).

Meanwhile EU Policy Framework is based on:

• Nice Declaration (2000): Recognizes the specific nature of sport and its social function. It highlights the primary responsibility of sporting organizations

and Member States in conducting sporting affairs, in compliance with national and Community legislation.

• White Paper on Sport (2007): A comprehensive document that includes policy discussions on the social role, economic dimension, and organization of sport. It emphasizes the promotion of good governance principles like transparency, democracy, accountability, and stakeholder representation.

• EU Work Plans for Sport (2011–2024): These documents outline the EU's recommendations for sports governance, identifying grassroots organizations, national sports governing bodies, and international federations as key recipients.

• The European Sports Charter (revised in 2021): A standard that offers guidance to member states to refine existing legislation or policies and to develop a comprehensive framework for sport.

The EU Work Plans for Sport also highlight the necessity for a robust judicial and disciplinary framework within sports bodies, recommending: establishment of appropriate judicial/disciplinary frameworks; development of separate judicial/disciplinary codes; ensuring impartiality and expertise of adjudicators; guaranteeing fair trial procedures; implementing an appropriate appeal framework.

The importance of good governance in sports is a significant theme within the European Union's policy framework. The EU's policies and recommendations on sports governance are aimed at creating a transparent and effective system that supports the sustainable development of sport. The emphasis on good governance reflects the EU's broader values and its approach to integrating sports into its economic and social policies. These efforts also highlight the importance of a proper dispute resolution system within sports organizations, promoting quick and efficient conflict resolution.

Henry and Lee have identified several core principles of good governance in sports: (1) transparency, i.e., clarity in procedures and decision-making, especially regarding resource allocation, with the organization's internal arrangements being as open to public scrutiny as possible; (2) accountability, i.e., responsibility to financial and other types of investors, including supporters who have an emotional investment; (3) democracy: ensuring that those who constitute the organization have access to representation in decision-making processes; (4) responsibility: commitment to the sustainable development of the organization and the sport, including stewardship of their resources and those of the community they serve; (5) equity: fair treatment of all constituencies, particularly with regard to gender equity; (6) effectiveness: establishing and monitoring measures of effectiveness, setting measurable and attainable targets (Henry and Lee, 2004).

A pledge to implement good governance in European sport, to which 32 federations and organisations have committed, was launched during the September 2016 European week of sport (Halleux, 2017).

A notable report prepared for Commissioner Tibor Navracsics by Valérie Fourneyron and Thierry Zintz under Pál Schmitt's chairmanship emphasizes the role of sports diplomacy in promoting a positive image for the EU and its member states. This report underscores several key points: • The EU's dialogue with sports bodies aims to promote its values, including peace, democracy, human rights, good governance, fairness, openness, participation, and solidarity.

• Major sporting events offer opportunities for sports diplomacy, addressing issues such as integrity, transparency, good governance, grassroots participation, human rights, and social inclusion (High Level Group on Sport Diplomacy Report to Commissioner Tibor Navracsics, 2016).

A key document on EU sports policy, grounded in the European Sports Charter, EU White Paper on Sports, and various EU Work Plans, is the Conclusions of the Council and Representatives of Member States (2018/C 196/06). This document urges action on promoting common European sport values by Member States, the European Commission, and the Sports Movement. It also calls on Member States to encourage and support sports organizations in improving governance and incorporating these values into their ethical guidelines.

This document posits that the European Union views sport primarily as a tool for promoting shared values and establishing common sports principles. This perspective is reflected in EU sports policies like Sport and Integrity, Sport and Economy, and Sport and Society. The authors argue that following these guidelines at the national level will enhance good governance, which is vital for the sports community and industry at all levels.

It is important to note that the recommendation to adopt and implement EU sports policies within the national sports organizations of EU Member States originates from two key sources: EU soft law and major international sports organizations, such as UEFA and the IOC. Both of these sources highlight the significance of internal dispute resolution procedures as a foundation for effective good governance in sports organizations. However, it is crucial to recognize the global influence of the IOC on all members of the Olympic movement and the specific policy impact of UEFA on national football federations.

Despite the frequent emphasis on the necessity for national sports organizations to have an internal dispute resolution system as a component of good governance, Article 3 (4) of the Sports Law in Latvia defining good governance does not include this requirement. This article requires democratic management structures, well-defined objectives, equitable procedures, transparency, collaboration among stakeholders, efficient and sustainable regulation, and clearly defined levels of oversight and accountability.

An examination of the charters and internal documents of prominent Latvian sports federations indicates that only a few have implemented internal regulatory enactments aligned with the principle of good governance. Moreover, internal dispute resolution procedures are largely disregarded by these organizations.

In Latvia, the integration of EU sports policies and values into national sports organizations is still a work in progress. Despite this, the combined pressure from EU policies and international sports organizations provides a reason for optimism regarding future developments (Kamenecka-Usova, 2022).

6. Conclusions

Here are the key insights and conclusions drawn from this article:

Historical Evolution: Latvia's sports sector has undergone significant changes, transitioning from a Centralized Soviet Model to a more autonomous system post-independence, reflecting the country's historical context and pursuit of sporting excellence. The legacy of centralized governance and state control continues to influence modern sports policies, particularly in terms of resource allocation, as the governance structure still depends on the Ministry of Education and Science, which may not always provide sufficient resources or strategic guidance for effective sports management. However, these historical influences are increasingly merging with modern governance principles that emphasize inclusivity, youth participation, and decentralized management, marking a shift towards a more democratic and comprehensive sports system. This evolution highlights the resilience and adaptability of Latvia's sports infrastructure, demonstrating a successful shift towards greater autonomy.

EU Influence: The development of sports law within the EU has created a framework that complements rather than competes with internal sports regulations, showcasing a balance between market-regulating rules and sports governance. The synergy between EU sports law and national regulations fosters a well-rounded and supportive environment for sports governance, enhancing the effectiveness and fairness of sports administration within Latvia. The integration of EU sports policies and values into Latvian sports is ongoing.

Policy Priorities: National sports policies in Latvia emphasize the importance of strategic planning, investment, and collaboration among stakeholders to promote athletic development, public health, and youth engagement in sports. Strategic prioritization and stakeholder collaboration are crucial for sustainable sports development, ensuring that public health and youth engagement are continuously promoted through well-funded and well-planned initiatives.

Legislative Reforms: Recent amendments to the Latvian Sports Law, particularly in response to geopolitical events like the Russian invasion of Ukraine, demonstrate the country's proactive approach to safeguarding national interests and ensuring ethical standards in sports. Proactive legislative reforms in response to geopolitical challenges underscore Latvia's commitment to maintaining ethical standards and national security in sports, reflecting a forward-thinking and protective approach to sports governance.

Anti-Doping Regulations: The implementation of National Anti-Doping Regulations in Latvia underscores the country's commitment to maintaining integrity in sports through defined procedures for addressing violations and aligning with international conventions. By adhering to stringent anti-doping regulations, Latvia reinforces its dedication to integrity and fair play in sports, aligning its practices with international standards and ensuring a level playing field for all athletes.

Administrative Framework: The administration of sports in Latvia involves multiple stakeholders, including governmental bodies, sports organizations, and educational institutions, working together to shape policies, regulate sports activities, and oversee the development of the sports sector. Effective collaboration among various stakeholders is essential for the comprehensive administration and development of sports in Latvia, ensuring that policies are well-rounded, inclusive, and effectively implemented. To further enhance the sports landscape in Latvia, there is a need for continuous review and revision of sports laws, alignment with EU recommendations on good governance, and the establishment of effective dispute resolution mechanisms to protect athletes' interests and ensure fair play.

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