

# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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RECOMMENDATION No. R (88) 12

### OF THE COMMITTEE OF MINISTERS TO MEMBER STATES

#### ON THE INSTITUTION OF DOPING CONTROLS WITHOUT WARNING OUTSIDE COMPETITIONS<sup>1</sup>

*(Adopted by the Committee of Ministers on 21 June 1988  
at the 418th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

1. Recalling its Resolution (67) 12 on the doping of athletes, its Recommendation No. R (79) 8 on doping in sport and, in particular, its Recommendation No. R (84) 19 on the "European Anti-Doping Charter for Sport";
2. Bearing in mind Resolution No. 4 on doping in sport, adopted by the European Ministers responsible for Sport at their 5th Conference in Dublin on 2 October 1986;
3. Noting that many governments have taken action in accordance with the European Anti-Doping Charter for Sport, both in regard to their own competence and in offering their co-operation to sports organisations, so that many of them have taken measures falling within their competence;
4. Acknowledging that the organisers of most major national and international competitions regularly conduct doping controls at them, and that these controls constitute in themselves an important deterrent and educational tool in the anti-doping campaign;
5. Considering that the carrying out of doping controls at competitions will not by itself ensure the eradication of doping from sport;
6. Welcoming the decisions taken by the competent authorities — whether governmental or non-governmental — in several member states, and by some international sports federations, to institute doping controls not only at competitions, but also, without warning, during training;
7. Welcoming the fact that the majority of member states now have officially accredited doping-control laboratories and that they are now in a position to provide sports organisations with a continuous and adequate supply of analyses;
8. Desirous of seeing the principle of doping control outside competition extended in all member states on a harmonious basis, both between countries and between sports, and in a way which is equitable to all athletes, in accordance with the ethical principles and purposes of the European Anti-Doping Charter for Sport,

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1. When this recommendation was adopted, and in application of Article 10.2.c of the Rules of Procedure for the meetings of the Ministers' Deputies, the Representative of the Federal Republic of Germany reserved the right of his Government to comply with it or not.

- I. Recommends the governments of member states to take all the appropriate steps that may fall within their competence, and to offer their co-operation to their sports organisations so that they are encouraged to take all the appropriate steps falling within their competence, with a view to achieving the objectives set out in the appendix to this recommendation ;
- II. Instructs the Secretary General to transmit this recommendation to the governments of non-member states, party to the European Cultural Convention ;
- III. Instructs the Secretary General to transmit this recommendation to international sports organisations.

Appendix to Recommendation No. R (88) 12

**Objectives for doping controls without warning outside competitions**

- i. The setting up, in accordance with the principles of the European Anti-Doping Charter for Sport, of programmes for the carrying out of doping controls on a regular basis, not only at competitions or at events where new regional or world records are claimed, but also, without warning, at any appropriate time outside competitions.
- ii. The adaptation, or adoption where necessary, of doping regulations by sports organisations so that due provision and authority is made for doping controls without warning outside competitions ; these regulations should be fair and equitable, respect the rights of suspected athletes and include the principle of hearing both sides ; they should include the principle of the random selection of those to be tested and retested ; the regulations should be consistent with the doping regulations and lists of banned substances etc. of the International Olympic Committee and should ensure that there is testing for banned substances, such as anabolic steroids, with long-term effects on performance ; they should include provision for the application of appropriate penalties and/or procedures for dealing with cases which seem to reveal either a deliberate or an inadvertent breach of the regulations.
- iii. Seeking to ensure that regulations of sports organisations are compatible with the provisions of such relevant domestic legislation as may exist, so that effective random doping controls without warning outside competitions may be carried out.
- iv. Facilitating the task of those officially entrusted by those international sports federations concerned with the carrying out of random doping controls at short notice on the territory of a member state (for example in the granting of visas).
- v. Encouraging the creation of voluntary registers whereby athletes who wish to be considered for selection in a representative competition would agree to undergo a duly authorised doping control at any time.
- vi. Continuing the principle of financial assistance, encouragement and inducement for doping controls on this wider basis.
- vii. The conclusion of agreements on a bilateral or multilateral basis which would allow athletes from one member state, training on the territory of another, to be tested, in accordance with the principles of this recommendation, by an authorised doping-control team of the latter member state or of an international sports organisation and which would ensure that consequent appropriate action would be taken as if the control had taken place on the athlete's own territory.
- viii. Taking appropriate steps to ensure that athletes are informed of the principles of the anti-doping campaign on this enlarged basis and that they, and others also concerned, are provided with educational material warning of the dangers of taking or providing doping substances, and explaining the ethical implications of doping abuse in sport.
- ix. Ensuring that the effectiveness of out-of-competition controls is not undermined by athletes having access to doping agents.