

Legal Aspects of Regulation of Sports Policy in Latvia

*Marina Kamenecka-Usova
PhD student, Riga Stradins University
LLM in Commercial law, Erasmus University, Rotterdam
Mag. iur. University of Latvia
JSC ‘SRR’, LLC ‘FLC Latvia’ lawyer
Latvia*

EU general principles of co-operation and complementarity

Recommendation No. R (92) 13 of the Committee of Ministers to Member States of the European Sports Charter :

11. Acknowledging that public authorities should develop reciprocal cooperation with the sports movement as the essential basis of sport, in order to promote the values and benefits of sport, and that in many European States, governmental action in sport is taken in order to be complementary to and support the work of this movement (subsidiarity).

Legal enactments regulating the sports industry in Latvia

Two types



legal acts of the direct implementation

policy documents, i.e., guidelines, plans and conceptual reports that are developed to set new medium-term development directions for the sectoral policies

Legal acts of the direct implementation (1)

Sports Law (latvian: Sporta likums)

- Adopted in 2002
- Aim is to specify:
 - 1) the general and legal basis for the organisation and development of sport,
 - 2) mutual relationships of sports organisations, State and local government institutions
 - 3) as well as the principles to be observed when taking part in the international sports movement.

Legal acts of the direct implementation (2)

The Sports Law specifies the basic principles to be observed in the sports industry:

- 1) the principle of **equality**;
- 2) the principle of **fair play**;
- 3) the principle of **safety**.

Policy planning documents

Sports Policy Guidelines for 2014-2020

- determine the sports policy of the State for seven years
- address all target groups of the sports policy
- include the basic principles, objectives, directions, target groups and priorities of the sports policy
- directions of action and tasks to achieve the goals pursued by the sports policy and solve the problems thereof

Policy planning documents

The National Development Plan of Latvia for 2014-2020

- the main medium term planning document in Latvia and the action plan of the Sustainable Development Strategy of Latvia
- aimed to promote an active lifestyle, healthy eating, physical activities (including national sport), reproductive health and injury prevention as well as implementation of targeted measures in society

Policy planning documents

Public Health Guidelines for 2011-2017

- aimed to prolong the healthy life years of the Latvian population
- prevent untimely deaths while maintaining, improving and restoring health
- provide for the measures intended to promote physical activity thus reducing the risk factors for non-infectious diseases (adiposity, sedentary lifestyle, etc) in Latvia's population

Policy planning documents

Youth Policy Guidelines for 2009-2018

- aimed to ensure consistency of the youth policy implementation and its coordination by identifying the top-priority action directions
- specify the most essential issues to be solved in the field of youth, identify the directions of action, the main tasks and results of the policy and action to be achieved within 10 years
- physical activity is one of the most essential factors characterising a life style along with the measures intended to promote physical activity among youth

Policy planning documents

Regional Policy Guidelines for 2013-2019

- identify the targeted range of public services, including the range of sports services, for different levels of living in Latvia

Implementing sport values

Latvia supports all the main values proclaimed in the international and European legal enactments, and implements them in the national documents of two types- legal acts of the direct implementation and policy planning documents

→ before deciding on action to a pre-defined sector policy implementation, Latvian Cabinet of Ministers also focuses on the internationally recognized values and principles of sport

Shortcomings

- Values set on paper in the policy planning documents serve for the benefit of stakeholders only when they are implemented in the legal acts of the direct implementation and can be ‘physically’ tangible
- Are they?
- Sports Law only discloses the major ‘players’ of Latvian sports, defines them and describes their obligations, and it does not cover and prescribes procedures that are of a real importance, e.g., sports financing, distribution of funds to sport organisations, extrajudicial dispute resolution procedures, special labour norms applicable to sport contracts (in Latvia sport contracts are governed by general labour code)

Thank you for your attention