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ORAL REPORT OF THE CONFERENCE OF PARTIES

2015

1. It is my pleasure to provide a short summary of the Fifth Session of the Conference of Parties (I refer to the Conference in this Report as 'the COP'). I will follow the agenda when summarising events, albeit that certain agenda items have by necessity straddled both days. I have tried to highlight a number of matters but in doing so will inevitably not be able to mention all issues and acknowledge all interventions. These will be dealt with in full in my written Report.
2. On the opening morning of the Session, the COP heard a considered opening statement from the Director-General followed by statements from a number of guests of honour representing sporting governmental institutions from a number of States Parties. Each distinguished speaker emphasized the value and importance of the UNESCO Anti-Doping Convention and re-affirmed their commitment to its principles. The Convention was lauded as an instrument that remains as relevant now in its tenth year as it was in its first.
3. The COP then turned to the business of the Fifth Session. The Chairperson opened of the Fifth Session and invited the COP to adopt the Final Report of the Fourth Session of the Conference of Parties, and also to adopt the agenda and timetable. The COP did so. The Chairperson ably facilitated the election of a Chairperson, four Vice-Chairpersons and a Rapporteur for this Fifth Session, representing the six Electoral Groups of UNESCO. This was swiftly dealt with and there is now a full Bureau to assist the COP in its business arising from the Fifth Session.
4. Much of the operational business of the Fifth Session was devoted to the development of practical tools and processes. In particular, the COP considered the adoption and use of a new logo for the work of the Convention, and draft guidelines for the use of that logo. The COP also considered a new compliance tool and guidelines for the use of that tool.
5. The COP was assisted by a number of helpful interventions in relation to both matters. Pursuant to a suggestion made by Finland, an ad hoc working group considered the logos put forward for consideration to the COP. Ghana advised the COP that the working group (having met and discussed the issue) recommended to the COP that two possible logos had been selected for consideration. The COP made its choice by a majority vote. On behalf of the Chairperson I thank all the States Parties involved in the ad hoc working group for their efforts and cooperation in arriving at this result.
6. With regards to the compliance function and associated documents, with the assistance of States Parties the Secretariat prepared an amended version of the relevant materials. The COP reviewed the draft and noted the helpful feedback provided by CANADA, FRANCE, MONACO and GRENADA on the text. The COP adopted the revised text. The COP also adopted a proposal that the COP Bureau have an expanded role in terms of assisting the COP.
7. As regards the Convention, Australia introduced a draft Resolution regarding the interpretation of the Convention. This text had been provided to States Parties in advance of the COP. Australia kindly explained that it had proposed this Resolution to ensure consistency between the Code (2015) and the Convention and in particular to resolve a slight discrepancy between the Code and the Convention. (This is an issue that has arisen previously and was addressed by Resolution 2CP/5.2 in 2009).
8. Australia noted that the discrepancy posed a risk to the consistent application of the Code. The Secretariat made a minor suggestion regarding the proposed wording, which was put to the COP. A slightly revised version of the Resolution was adopted by the COP.

9. The COP received a comprehensive Report from Mr David Howman as to Code matters. Mr. Howman made reference to a number of key activities undertaken by WADA since COP4, relating primarily to 2015 Code implementation matters. Mr Howman stressed that the Code is a global document, adopted globally and administered by WADA – not a WADA instrument.
10. Mr Howman explained to the COP that WADA will look to assess compliance with the Code in a qualitative manner that looks at the overall effectiveness of an anti-doping program, as well as 'black letter' compliance. Practical support will be offered by WADA to every anti-doping organisation in a collaborative manner in compliance matters. Mr Howman emphasised the ongoing importance of RADO work and the vital role that RADOs play in effective anti-doping practice.
11. Mr Howman reported to the COP on the embedding of information and intelligence gathering techniques within anti-doping organisations, and stressed the importance of this in establishing a solid foundation for all aspects of anti-doping work. He reminded the COP that the 2015 Code focusses on non-analytical techniques that can be used to uncover cheating, the role of entourage in encouraging and counselling cheating, and longer and more meaningful sanctions for cheats. Mr Howman stressed again how the use of intelligence and information gathering is fundamental to the realisation of these aims.
12. Mr Howman advised the COP as to a number of important partnership agreements entered into by WADA with the pharmaceutical industry. Mr Howman also advised the COP as to how the Athlete Biological Passport will be finessed to ensure that it remains the premier anti-doping detection tool for anti-doping organisations.
13. Mr Howman emphasised the importance of values-based education and prevention work, and reported that WADA continues to develop content to assist anti-doping organisations in their delivery of such education. Partnerships have been entered into to create a single education resource.
14. Mr Howman stressed that doping remains a serious public health issue. Doping is not an activity that is limited to elite athletes. The abuse of doping substances – especially for lifestyle and non-sporting reasons – is alarmingly prevalent. This serious and increasing public health risk is accompanied by a corresponding public order issue, in that organised criminality feeds the demand for doping substances created by 'societal' use of such substances. This is a serious issue for all Governments.
15. Mr Howman identified a number of ongoing challenges to anti-doping work: including the ongoing need to improve the quality and effectiveness of programs in the context of static levels of investment; and the need to emphasise the public health and public order message to underline the pernicious and sinister impact that doping has across society. He concluded his Report by thanking the Government representatives present: States Parties' commitment and championing is fundamental to the success of anti-doping work.
16. The COP received an illuminating and inspiring presentation concerning the use to which the Voluntary Fund is being put across the globe. These initiatives are making a real difference to Clean Sport and were applauded warmly by the COP. The COP also received and noted the financial reports prepared for it concerning the Voluntary Fund. The COP thanked the outgoing members of the Approval Committee and warmly welcomed the newly elected members of that body. The new Approvals Committee was elected by the COP. The Chairperson thanked the newly elected States and endorsed the warm words of thanks and appreciation expressed by Grenada regarding the outgoing members of the Approvals Committee.

17. Following a query raised by Denmark, the Secretariat advised that there remains a lack of clarity and consistency as to RADO legal personality that in turn creates challenges in embedding a new direct funding model. The work of RADOs as funded through direct State Party application remains, however, an essential feature of anti-doping work, and funding for such activities *per se* via national level application is not in jeopardy.
18. The COP took note of the States Party Compliance Reports prepared by the Secretariat, and had an opportunity to hear in detail from the Secretariat as regards the outcome of the anti-doping policy project approved by COP4. This project was recently completed in October 2015. The body responsible for this project provided the COP with a detailed, in-depth review and described in detail the main issues and learnings developed from the project. This was warmly and attentively received by those present. Governments would have noted the comments made regarding the 'legislation-creation' quasi-function afforded to WADA in connection with the Code and the issues that this can create for Governments.
19. Norway noted that Governments will need time to digest the full implications of the report. Denmark observed (along with other States Parties) that how any follow-up work is undertaken and funded will remain a live issue post the Fifth Session.
20. The COP was delighted to see its former colleague Paul Marriott-Lloyd again at the Fifth Session. Mr Marriott-Lloyd has been advising the Secretariat as to reforms to the Anti-Doping Logic Compliance tool used to assess compliance by States Parties with the Convention. Mr Marriott-Lloyd kindly explained a number of detailed matters relating to these reforms, and how they will help shape and finesse future compliance efforts. Mr Marriott-Lloyd astutely observed that the fight in doping is always in flux and States Parties' mechanisms to tackle doping need to be equally dynamic. In this regard coordination with other compliance monitoring systems will be one of a number of key reforms.
21. The Chairperson offered his sincere thanks to all States Parties for their attendance, contribution and attention during the COP. Looking to the future, the Secretariat advised that the Sixth Session of the COP will take place in September 2017.
22. The Chairperson declared the Fifth Session to be closed.

Graham Arthur (United Kingdom)
Rapporteur to the Fifth Session of the Conference of Parties
30 October 2015