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联合国教育、  
科学及文化组织

# Conference of Parties to the International Convention against Doping in Sport

# 2CP

Second Session  
Paris, UNESCO Headquarters, Room XI  
26-28 October 2009

Distribution: Limited

ICDS/2CP/Doc.6  
12 September 2009  
Original: English

Item 4.3 of the Provisional Agenda

## Allocation of the Fund for the Elimination of Doping in Sport 2010-2011

### Summary

**Documents:** International Convention against Doping in Sport; Handbook: Fund for the Elimination of Doping in Sport

**Background:** One of the key functions of the Conference of Parties, as set forth in Article 30(c) of the International Convention against Doping in Sport, is to adopt a plan for the use of the resources of the Fund for the Elimination of Doping in Sport. This report, drawing upon the experiences in the first two years of its operation, proposes several amendments to the regulations governing the Fund. It is recommended that the maximum amount of assistance available for each national, sub-regional, inter-regional, or regional project is increased and that the designated channel for the submission of projects is expanded to include any relevant government ministries or departments. However, it is proposed that the priority areas for the allocation of funding are retained for the forthcoming biennium. The report also proposes the formal appointment of representatives to serve on the Approval Committee responsible for the allocation of the Fund.

**Decision Required:** Paragraph 17

## **INTRODUCTION**

1. One of the key functions of the Conference of Parties is to adopt a plan for the use of the resources of the Fund for the Elimination of Doping in Sport (hereinafter referred to as “the Fund”). This requirement is set forth in Article 30(c) of the International Convention against Doping in Sport (hereinafter referred to as “the Convention”). At the First Session of the Conference of Parties, held at UNESCO Headquarters from 5 to 7 February 2007, a number of decisions were taken concerning the Fund for the Elimination of Doping in Sport. For example, the conditions and procedures for the submission of applications as well as three priority areas for the investment of the resources of the Fund were all determined. It was expected that these decisions would apply for the 2008/2009 biennium, and the next ordinary session of the Conference would present an opportunity to refine or amend the regulations governing the Fund. In this regard, Paragraph 10 of resolution 1 CP/7 requested the Secretariat to prepare a report on the operation of the Fund and to present options concerning the principles, procedures and allocation of priorities applied to the Fund. This report, drawing upon the experiences of administering the Fund in the first two years of its operation, considers options to improve its operation.

## **ANALYSIS OF THE ADMINISTRATION OF THE FUND**

2. It is difficult to make a comprehensive analysis about operation of the Fund given the limited number of projects supported by the Fund. However, it is possible to make several general observations and to identify possible areas for amendment. The first observation relates to the submission of projects to UNESCO. The regulations governing the Fund call for all projects to be submitted through the National Commission for UNESCO. Where there is no National Commission, applications will be accepted from a designated government channel. Experience has shown that this regulation may be too strict. On occasion there have been delays in the transmission of projects to UNESCO. Moreover, there have been several projects which have been developed and implemented by a government department or ministry. In these instances the inclusion of the National Commission adds another level to the application process which may be unnecessary.
3. The development of high quality projects that accord with the regulations governing the Fund is time intensive. States Parties and the Secretariat have invested a great deal of time to develop comprehensive proposals. However, this level of investment has helped to ensure that all those applications submitted to the Approval Committee have been successful. It is also expected that the robust analysis of the projects will translate into the delivery of high quality interventions which will advance the fight against doping in sport. In this regard, it is important to reinforce the need for a comprehensive evaluation at the conclusion of each project. Such an approach will allow for the identification of best practices and help inform the administration of the Fund over the long term.
4. The administration of the Fund has also been hampered by delays in the preparation of contracts and technical difficulties in obtaining the banking details of the recipient organizations. UNESCO's internal procedures to ensure that any bank transfers are made correctly are very precise. This situation also has the potential to slow the conclusion of contracts and the transfer of funds. Therefore, it is recommended that States Parties begin the application process well in advance of the timeframe for implementation. At a minimum, the submission of applications should take place two to three months prior to the launch of the project.

5. Finally, the limited number of national projects financed by the Fund can be explained by several factors. The administrative mechanisms governing the allocation of the Fund were only implemented in 2008 and it took considerable time and effort to inform States Parties about the possibilities offered by the Fund. It is also possible that some States Parties were reticent about submitting projects until they had seen others do so. The number of potentially interested States Parties, recognizing the priority given to least developed or low income states, has grown over time as more Member States of UNESCO have adhered to the Convention.

## **AMENDMENT OF THE REGULATIONS GOVERNING THE FUND**

### *Priority areas for the investment of the Fund*

6. The First Session of the Conference of Parties identified three priority areas for the first two years of the Fund's existence (2008-2009). The first priority was attached to education projects focusing on youth and sports organizations. This priority was further emphasized by the decision that 50 percent of the Fund should be dedicated to anti-doping education. The second area for the investment of the Fund was assistance to States Parties for the development of legislation, regulation, policies and administrative practices for the purposes of complying with the Convention. Thirdly, funding was earmarked for mentoring and capacity development programmes.
7. It is recommended that the above priority areas are retained for the 2010-2011 biennium. Given the limited number of projects funded to date it would seem premature to change these priorities. There is no reason to consider that the consensus reached at the First Session of the Conference of Parties is no longer valid. Moreover, the need for anti-doping education, policy development and capacity building programmes throughout the world remains.

### *Reassessment of maximum amounts*

8. The Conference of Parties may wish to consider reviewing the maximum amounts of funding available for national or regional projects. The First Session of the Conference of Parties determined that applications for national projects submitted by individual States Parties should not exceed USD\$10,000. The maximum amount of assistance available for each sub-regional, inter-regional, or regional project was set at USD\$25,000. However, these sums could be increased now that the Fund has been established and there is greater clarity about the amount of funds available for investment. The Fund is in a strong financial position, with a balance of over USD\$2,200,000.
9. The Secretariat considers the experience with the administration of the Fund to-date may be too limited to allow for definite conclusions to be reached about the need to increase the maximum amount available for national and sub-regional, inter-regional, or regional projects. Certainly retaining these financial ceilings would ensure the durability of the Fund and maximize the number of projects that could be supported. This is particularly important since the number of States Parties reached has now reached 127 and it is expected to continue to grow during the next biennium.
10. However, increasing the amounts available under the Fund would likely raise interest among States Parties and lead to an increase in the number of projects presented to the Approval Committee. It could also reinforce the impact of projects by allowing broader or more ambitious programmes to be implemented. Taking these considerations into account, it is proposed that the Conference of Parties considers a limited reassessment of the maximum

amounts of funding available for national or sub-regional, inter-regional or regional projects. The maximum amount available for each national project could be raised to USD\$15,000. The maximum amount of assistance for each sub-regional, inter-regional or regional project could also be raised to USD\$35,000.

#### *Designated government channels*

11. It is recommended that the regulations governing the Fund are amended to allow for the submission of projects directly from a designated government channel. Most of the projects approved to date have been implemented by ministries responsible for sport. Accordingly, it might help to streamline the process if these applications can be made directly to UNESCO. Moreover, one of the global objectives of the Convention is to ensure that governments are actively engaged in the fight against doping in sport. On this basis government authorities should be encouraged to initiate projects.

#### **ALIGNMENT WITH COMPLIANCE MONITORING AND BEST PRACTICE MODELS**

12. In the next biennium there will be several opportunities to improve the functioning of the Fund by drawing upon other activities undertaken in support of the Convention. Of significance, the results generated from monitoring compliance of the Convention can be used as a means to generate applications to the Fund. The *Anti-Doping Logic* system is designed to highlight the actions taken by States Parties with respect to the operative articles of the Convention. Data will be collected on national anti-doping activities, international cooperation, education and training and research. This information will not only provide an indication of compliance but it can also be used as a tool to highlight areas for improvement in national anti-doping programmes. Those States Parties that have lower scores in certain areas can then be targeted and encouraged to submit projects which specifically tackle these deficits. Moreover, the results of the monitoring system can provide guidance for reorienting the priority areas for the Fund. If there is clear weakness across States Parties relating to the implementation of key articles in the Convention, the priorities for the investment of the Fund should be changed to encourage projects that will rectify these problem areas.
13. The development of a series of anti-doping databases which is currently being undertaken by the Secretariat should also have a positive impact on the operation of the Fund. One of the databases will be used to collect key documents, reference materials and best practice examples. It is hoped that the availability of anti-doping legislation, regulations and policies from around the world will be useful for States Parties that are developing or refining their policy frameworks. This information can be used to reinforce the second priority of the Fund. Another database will contain all of the applications submitted to the Fund. This will allow other interested States Parties to use these as models to develop their own projects.

#### **APPOINTMENTS TO THE APPROVAL COMMITTEE**

14. Finally, it is proposed that the Conference of Parties formally appoints a number of representatives to the Approval Committee responsible for the allocation of the Fund. As stated in the report on the Administration of the Fund [ICDS/2CP/Doc.5 refers], it was expected that the initial structure of the Committee would remain in place until a formal decision on its constitution could be made by the Conference of Parties.
15. These are several systems of representation which could be used to constitute the Approval Committee. State Party representatives could be selected from each of the electoral groups of UNESCO. In this regard, it might be advisable to draw upon those representatives elected

during the Second Session of the Conference of Parties. The Approval Committee could also be comprised of all of the major donors to the Fund. Both options have their merits, however, consideration should be given to the practical or cost implications of changing the structure of the Approval Committee.

16. Markedly expanding the size of the Approval Committee, to include the 19 governments that have made financial contributions to the Fund, may be impractical. A committee of this size might be too large to work effectively and it could result in support costs, particularly in the area of translation. At this point the costs of servicing the committee have been fiscally neutral. It would be advisable to continue with such a prudent approach to the administration of the Fund. The financial resources in the Fund should be expended in a manner which will advance the fight against doping in sport and will enhance the capacity of States Parties to implement the Convention. Therefore it is proposed that the constitution of the Approval Committee is amended to include:

- 6 representatives of States Parties
- 1 representative of the World Anti-Doping Agency (WADA)
- 1 representative of the Social and Human Sciences Sector of UNESCO
- 1 representative of the External Relations and Cooperation Sector of UNESCO
- 1 representative of the Education Sector of UNESCO

The Approval Committee, as amended, should also be strongly encouraged to ensure that its working practices do not have any fiscal impact on the Fund.

### **DRAFT RESOLUTION 2CP/4.3**

17. The Conference of Parties may wish to adopt the following resolution:

The Conference of Parties,

1. *Having* examined document ICDS/2CP/Doc.6,
2. *Recognizing* that the elimination of doping in sport is dependent upon the development of a network of competent national authorities across the world with the requisite capacity to implement effective anti-doping programmes,
3. *Agrees* to retain the three priority areas of the Fund for the Elimination of Doping in Sport, namely: (1) education projects focusing on youth and sports organizations; (2) policy advice; and (3) mentoring or capacity development programmes. These priorities will remain in place until the next ordinary session of the Conference of Parties. A guideline for the allocation to these priorities will be; half to education and the remainder divided between policy advice and capacity building,
4. *Agrees* that the following principles and procedures shall govern the administration of the Fund for Elimination of Doping in Sport:
  - Each request by a State Party shall not be in excess of US\$15,000 for national projects.
  - Each sub-regional, inter-regional or regional project submitted by States Parties shall not be in excess of US\$35,000.

- Requests shall be submitted to the Director-General of UNESCO by States Parties, through the National Commission for UNESCO or through a designated government channel.
  - Projects initiated by the Secretariat shall require the approval of the Approval Committee,
5. *Agrees* to appoint six representatives of States Parties to serve on the Approval Committee responsible for the allocation of the Fund for the Elimination of Doping in Sport,
  6. *Elects* [State Party] [State Party] [State Party] [State Party] [State Party] [State Party] to the Approval Committee,
  7. *Agrees* that the Approval Committee should also include one representative of the World Anti-Doping Agency (WADA), one representative of the Social and Human Sciences Sector of UNESCO, one representative of the External Relations and Cooperation Sector of UNESCO and one representative of the Education Sector of UNESCO,
  8. *Encourages* the Approval Committee to keep any costs associated with its operation to a minimum,
  9. *Requests* the Secretariat to revise the Handbook for the Fund for the Elimination of Doping in Sport to incorporate the decisions taken above,
  10. *Requests* the Secretariat to prepare a report on the operation of the Fund for the Elimination of Doping in Sport and options in relation to the priorities for allocation, drawing upon the results of the monitoring system and other relevant information, for consideration at the next ordinary session of the Conference of Parties.