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## Evaluation of UNESCO's International Convention against Doping in Sport

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## ABSTRACT

UNESCO's International Convention against Doping in Sport was adopted in 2005 and came into force in 2007. As 2017 marks the 10<sup>th</sup> anniversary of its coming into force, it is a timely moment to engage in the first evaluation of the Convention. This exercise aims to assess the relevance of the instrument, the effectiveness of its governance and the efficiency of the support of the Secretariat to States parties in implementing the Convention with a view to strengthening UNESCO's role in the fight against doping.

The evaluation found that although relevant, the Convention's unique mandate was not clearly delimited and would warrant further emphasis, especially when compared to other relevant international instruments in the field of anti-doping. At the same time, UNESCO should rely on the complementarity of these instruments to forge partnerships with both external entities and other UNESCO bodies to promote the Convention and gain visibility. While successful, the Fund for the Elimination of Doping in Sport has had declining efficiency as contributions have depleted. Similarly, the monitoring system (AD Logic) was found to be lacking and had room for improvement. Finally, the Conference of Parties and its Bureau need to review their membership and working methods to remain relevant and drive purposeful discussions and meaningful debates. Increased Bureau leadership since COP5 is a step in the right direction but more can be achieved, should adequate funding be dedicated to the implementation of the Convention.

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## List of Abbreviations

ADLogic - Anti-Doping Logic system for monitoring

CAHAMA - Ad hoc European Committee for the World Anti-Doping Agency

CIGEPE - Intergovernmental Committee for Physical education and Sport

COE - Council of Europe

COP – Conference of Parties

ICSSPE - International Council of Sport Science and Physical Education

IF – International Federations

IFPC - International Fair Play Committee

IOC - International Olympic Committee

IPC - International Paralympic Committee

MINEPS - International Conference of Ministers and Senior Officials Responsible for Physical Education and Sport

NADO - National Anti-Doping Organization

NF – National Federations

PCC - Permanent Consultative Committee of CIGEPE

RADO – Regional Anti-Doping Organization

WADA - World Anti-Doping Agency

## Executive Summary

The International Convention against Doping in Sport (the Convention) is regarded as the second most successful Convention in the history of UNESCO with 185 (194 if territories associated to a State are included) signatories as of 23 March 2017, just ten years after its entry into force, in 2007. Its purpose is to promote the prevention of and the fight against doping in sport, with a view to its elimination in the field of physical education and sport. The Convention aims at ensuring the protection of public health, sport integrity and sport values, notably the spirit of fair play. While fully respecting the sovereign authority of States Parties, the Convention provides a framework to enable States Parties to take appropriate actions against doping thus ensuring their compliance with its provisions. The structure of the Convention contains two annexes and three appendices. The two annexes (the Prohibited list and Standards for granting therapeutic use exemptions) have been developed by WADA and are an integral part of the Convention.

### Evaluation purpose, scope and methodology

The 10th anniversary of the Convention provides for a timely opportunity to review progress of its implementation. The evaluation has a predominant formative focus – to examine the appropriateness and usefulness of the mechanisms put in place to ensure the effective implementation of and compliance with the Convention to inform its future direction and focus. The evaluation draws on multiple data collection strands – semi-structured interviews with diverse stakeholders; an online survey of States Parties; good practice narratives from high performing countries and extensive review of relevant documents. The evaluation findings and recommendations aim to inform the deliberations of the 6th session of the Conference of Parties (COP6) that will take place in September 2017 and act as a catalyst for dialogue and debate about the future direction and support for the implementation of the Convention.

### Key evaluation findings

**The Convention is seen as unique and successful, as demonstrated by the high number and speed of ratifications.** States Parties consider the Convention to be a highly relevant international legal instrument and believe it provides a strong inter-governmental platform for national action. The high number of ratifications demonstrates States Parties' commitment to the global regulation and governance mechanism to address the serious dangers and risks of doping. While a number of international legal instruments including the World Anti-Doping Code by WADA [WADA Code] and the Council of Europe's Anti-Doping Convention precede UNESCO's Convention, the latter is seen as having a unique character due to its global scope and emphasis on the wider value of anti-doping efforts for protecting public health, sport integrity and values. The specificity of the Convention is that the Code is not binding for Governments; hence the need for a universal instrument for Governments. The moral authority of the UN system and UNESCO with its ethics and human rights mandate, its monitoring mechanisms and its wider reach beyond the sports movement further enhances the value and status of the Convention.

**States Parties face a number of challenges in implementing the Convention.** While some States Parties have integrated the Convention's provisions into national policies and laws following ratification, a significant number have not made the desired level of progress. A number of factors make implementation challenging for States Parties including a lack of understanding as to how to integrate the provisions of the Convention into domestic policy frameworks; a lack of clarity as to how to integrate the WADA Code with the Convention; a lack of awareness of who to involve in the fight against doping and how to leverage the skills and knowledge of the various stakeholders to accelerate

implementation; and a lack of structural and financial capacities and capabilities within the public authorities to fulfil their obligations. This is an area where UNESCO needs to invest significantly in the future.

**Further efforts are required for clarifying and enhancing synergy between various legal instruments in the field of anti-doping.** The Convention has important complementary relationships with a number of other instruments particularly with the World Anti-Doping Code, the Anti-Doping Convention and its Additional Protocol adopted within the framework of the Council of Europe, and the International Charter of Physical Education, Physical Activity and Sport. While the scope and focus of these regional and international instruments may be different, stakeholders interviewed believed the anti-doping space is quickly getting cluttered and crowded and that on-going efforts are needed to clarify, harmonize and enhance the synergies between them.

**States Parties need considerable support in addressing Global Priority Gender Equality in the context of the Convention.** Many stakeholders acknowledge that the gender dimension of the Convention is an area that needs significantly more attention. For example, the implementation mechanisms such as the Handbook for the Fund, the ADLogic questionnaire, and application form for Fund projects are silent on gender. During the application development stage, the Secretariat of the Fund encourages applicants to pay attention to gender balance when selecting project participants. Contracts under the Fund also stipulate that 'project implementation are undertaken with a gender sensitive lens and due attention to equality of participation'. However, more can be done to create awareness about this important issue and to collect relevant information and good practices on gender mainstreaming for sharing with others.

**Working methods of the Conference of Parties need to be further improved.** As the role and objectives of the Convention and the Conference of Parties have become clearer, participation numbers at the Conference of Parties have steadily risen. However, stakeholders believe that more can be done to make the COP meetings more engaging and lift the quality of participant engagement and discussions. Stakeholders suggested that consideration is given to (a) the number and profile of its participants, (b) their patterns of attendance, and (c) their experience and expertise in the relevant field to ensure their overall engagement and contribution. The role of WADA and the Council of Europe as advisor and observer respectively is seen to add richness to the discussion and must be leveraged to progress implementation of the Convention.

**Growing leadership of the Bureau is making positive contributions to enhancing the visibility and relevance of the Convention.** Recent efforts by the Bureau to promote and lead the implementation of the Convention are seen as a significant step. The Bureau's proposal for a country-level mission to be implemented under the scope and supervision of the Bureau of the COP, proactively writing to relevant national authorities to promote compliance with the monitoring, attending the Council of Europe meetings, attending the meetings of the Fund Approval Committee and inviting its Chair to do the same have received endorsement from key partners, namely WADA and the Council of Europe.

**Membership and working methods of the Bureau need to be reviewed.** While regional representation, enabled through membership of the Bureau, was believed to serve regional interests well, other considerations particularly relating to Bureau members' skills, experience and knowledge about the current anti-doping environment require attention. Stakeholders encouraged States Parties to consider competency, and availability [to dedicate time to actively engage in the inter-session meetings including follow-up] when nominating representatives for the Bureau.

**Monitoring compliance with the Convention is seen as a unique and integral component of the implementation of the Convention but more needs to be done to align the efforts of the State parties.** The monitoring process of the Convention occurs through the Anti-Doping Logic (ADLogic) that invites

States Parties to submit online self-assessments on national anti-doping measures. It is an important vehicle for ensuring compliance of the Convention, but faces a number of challenges. For instance, the majority of States Parties are not meeting the benchmark to achieve full compliance; there is variable capacity across States Parties to respond meaningfully to the monitoring requirements; and there are issues with respect to the validity of the information provided in the National Reports. Recent efforts of the Bureau of the COP with support from the Convention Secretariat to strengthen compliance and the development of Operational Guidelines comprising a framework of consequences to be presented at COP 6 are seen to help better align the implementation of the Convention by States Parties. States Parties have a shared responsibility to ensure thorough and full implementation of the Convention and support those States Parties who need assistance.

**There is strong endorsement for the Fund for the Elimination of Doping in Sport, but contributions to it have declined.** The Fund established by the Convention has seen strong support and demand<sup>1</sup>; it continues to grow in popularity. Activities under the Fund cover the priorities identified by the COP and have a wide geographical coverage, which is central to UN principles of equity-driven capacity development. Contributions to the Fund however are on the decline – this matter requires urgent attention. Strong imperatives exist to consider diversifying the funding sources including seeking support from other entities working in the field of anti-doping (e.g. national and regional anti-doping agencies, national Olympic committees and the private sector) and from States Parties to the Convention. A strategy to mobilize financial resources will be submitted at COP 6.

**Credible and purposeful leadership for the Convention requires adequate resources.** The work of the UNESCO Convention Secretariat is considered to be of high quality; however, current resourcing (one P4 position) for the Convention Secretariat is a serious impediment to UNESCO's ability to meaningfully and credibly lead its implementation. The scale and complexity of the issues and the ongoing need to forge new strategic partnerships to accelerate implementation and mobilize funds to sustain investment in the voluntary Fund require both human and financial resources.

**Strong partnerships and collaborations by States Parties and the Convention Secretariat have enhanced the influence of the Convention but they are missing opportunities to better horizontal integration with other UNESCO bodies.** The Convention can ultimately succeed in its aims only if it is able to influence and encourage anti-doping activities and actions both at the national and international levels. The evaluation findings show that States Parties have undertaken a wide range of activities to forge strong partnerships and collaborations, both domestically, regionally and internationally focused on the implementation of Convention measures. In 2017, a symposium held in Riyadh, Kingdom of Saudi Arabia, focused its work on the implementation of the Convention in the Arab region. The Convention Secretariat together with the Bureau has also undertaken to craft and foster new strategic international partnerships to ensure convergence of interest and progress towards the implementation of the Convention. These partnerships are central to achieving the purpose of the Convention and must be nurtured and deepened to assist UNESCO in its efforts.

Nevertheless opportunities for horizontal integration between the Convention's mechanisms and UNESCO's other bodies working in the field of sport are largely unexplored. Linkages across the Convention's implementation mechanisms – Conference of Parties, Bureau, Fund Approval Committee, and ADLogic System – are emerging but remain largely untapped. There are multiple opportunities within UNESCO for harnessing support for the Convention, such as through UNESCO's other bodies and forums (CIGEPS and MINEPS) – these have also been largely underutilized so far.

**In conclusion,** the UNESCO Convention is in no doubt a significant achievement globally and is considered to be a highly relevant international legal instrument in the field of doping as

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<sup>1</sup> 218 projects worth over US\$4.2 million funded so far. During COP5 in October 2015, the Fund's balance stood at US\$1.8 million



demonstrated by the exceptionally high number of ratifications. This view is shared by many, including not only States Parties, but also other stakeholders involved in the fight against doping in sport. The Convention has given UNESCO a seat at the table and helped to broaden the discourse on doping to include issues relating to public health and sports integrity. It has also sought to rebalance the role and contribution of public authorities vis-à-vis the sports movement in the fight against doping in sport and sends a clear signal about the complementarity and synergy of the various legal instruments. Progress has been made in the implementation of the Convention both at the national policy/legislative level and at the international level with strengthened partnerships and collaborations between partners. However, considerable challenges exist in a number of other areas that need to be urgently addressed.

The evaluation has generated a number of recommendations for consideration by the Conference of Parties to strengthen implementation of the Convention. Please see the more detailed articulation of the recommendations on page x.

<b>Recommendation 1</b>	<b>Governance</b>
The Convention Secretariat together with the various Governance mechanisms (COP, Bureau, and Fund Approval Committee) should make proposals to the Conference of Parties for strengthening the governance of the Convention with a view to reinforcing their leadership and facilitating more substantial discussions during their meetings.	
<b>Recommendation 2</b>	<b>Visibility</b>
The Convention Secretariat together with the Bureau of the COP should elevate the visibility and leadership of the UNESCO Convention in the field of anti-doping through the development of a communication strategy that reinforces messages about its relevance and value and clarifies its role vis-à-vis other legal instruments in the field.	
<b>Recommendation 3</b>	<b>Monitoring</b>
The Convention Secretariat together with the COP should increase efforts to monitor and report on States Parties' compliance with the Convention with a view to enforcing the Convention.	
<b>Recommendation 4</b>	<b>Information sharing</b>
The Convention Secretariat should enable States Parties to learn from each other's experiences in the fight against doping in sport.	
<b>Recommendation 5</b>	<b>Fund for the Elimination of Doping in Sport</b>
The Fund Secretariat together with the Convention Secretariat should undertake a series of actions in order to increase the effectiveness and efficiency of the Fund.	

However, as the Conference of Parties consolidates its efforts over the past ten years, it may be timely to reflect on some of the strategic issues arising from this evaluation, with a view to strengthening implementation of the Convention and reiterate its unique mandate and role vis-à-vis other anti-doping instruments. Therefore, in addition to the recommendations, the evaluators have generated high-level questions to act as a catalyst for discussion and debate and enrich the deliberations of the COP as it focuses on the future of the Convention.

- How does the COP want to use the Convention's comparative advantage to position itself in the currently cluttered anti-doping landscape?
- How strongly are thematic linkages between UNESCO's work on the Convention and its work in the wider area of physical education and sport being leveraged? Are there any missed opportunities in this regard?
- What strategies and actions can be taken by the Conference of Parties to ensure the sustainability of the Fund, given its unique character and contribution to supporting States Parties to implement anti-doping programmes in their national contexts?
- What role can States Parties, the international community, industry and the private sector play in bridging the funding gap?

- Collectively, do the efforts of partner agencies address all aspects relating to the fight against doping in sport? Is the balance between doping controls and enforcement vis-à-vis education and prevention right?

## Management Response

Overall Management Response:	
<p>The 6<sup>th</sup> session of the Conference of Parties (COP6) welcomed the outcomes and recommendations of the evaluation and <i>“request[ed] that the Secretariat develop in cooperation with the Bureau of the Conference of Parties an implementation plan including timeline, associated costs, priority actions and required procedural changes by the first quarter of 2018 and circulate it to States Parties for comment before a set deadline”</i>.</p> <p>SHS also welcomes this evaluation which is very important for the promotion and improvement of the implementation of the Convention and anti-doping programme delivery. Nevertheless, one of the key challenges in each area concerned by the recommendations is the lack of resources, particularly financial and human capacity for implementation. This requirement should be linked, as a core element, to the follow-up to 38 C/Resolution 101 on the “governance, procedures and working methods of the governing bodies of UNESCO”. At its informal meeting held on 26 September 2017 on the side of COP6, the Bureau anticipated adopting core provisions which concord with the recommendations contained in Annex I and the Appendixes of document 202 EX/21.</p> <p>Based on the above, the Bureau, with the support of the Secretariat, will give thorough attention on the follow-up to this outcome. A Bureau meeting to be held in Riyadh, Saudi Arabia in February 2018 will then address the matter.</p>	
Recommendation:	Management Response:
<p><b>Recommendation 1: Governance</b></p> <p>The Convention Secretariat together with the various Governance mechanisms (COP, Bureau, and Fund Approval Committee) should make proposals to the Conference of Parties for strengthening the governance of the Convention with a view to reinforcing their leadership and facilitating more substantial discussions during their meetings.</p> <p>The following actions need to be considered to strengthen implementation:</p> <ul style="list-style-type: none"> <li>• Restructuring the format of the COP as well as its working methods.</li> <li>• Reviewing the profile of participants at the COP, the Bureau and the Approval Committee and encouraging the nomination and participation of experts in anti-doping.</li> <li>• Empowering the Bureau to drive the agenda of COP sessions.</li> <li>• Pursuing the regular participation of the Chairperson of the Bureau in meetings of the Fund Approval Committee meetings and <i>vice versa</i>.</li> <li>• Enabling the Bureau to continue working on a small set of identified priorities in between COP sessions.</li> </ul>	<p>The Social and Human Sciences Sector welcomes the recommendation and will work in close cooperation with the COP Bureau and Fund’s Approval Committee to ensure timely actions are taken.</p> <p>Although most of the recommendations are already being implemented, further consideration will be given to them, through the Bureau, in due course:</p> <p>The 4<sup>th</sup> meeting of the COP5 Bureau adopted the following principles:</p> <ol style="list-style-type: none"> <li>i. Members will have to host at least one Bureau meeting;</li> <li>ii. Members will have to be deeply involved in the work of the Bureau;</li> <li>iii. The costs will be borne by the country they represent;</li> <li>iv. The country they represent has to be compliant with the Convention.</li> </ol> <p>Moreover, at its informal meeting held on the side of COP6, the newly elected Bureau engaged in working methods and initiated the following steps: (i) each Member is to set up regional information tools to update the States Parties of its regional group on activities related to the</p>

	<p>Convention; (ii) each Member is to organize meetings/workshop, via Skype or other communication tools for regional States Parties, experts and RADO, to support the implementation of the Convention and follow-up on the Resolutions adopted by COPs; (iii) a social media communication tool is to be adopted (a WhatsApp Bureau Group) to ease communication and exchanges;</p>
<p><b>Recommendation 2 : Visibility</b></p> <p>The Convention Secretariat together with the Bureau of the COP should elevate the visibility and leadership of the UNESCO Convention in the field of anti-doping through the development of a communication strategy that reinforces messages about its relevance and value and clarifies its role vis-à-vis other legal instruments in the field.</p> <p>The following actions need to be considered to heighten the visibility of the Convention:</p> <ul style="list-style-type: none"> <li>• Nominating champions/ambassadors for the Convention.</li> <li>• Strengthening the empowerment of the Bureau and the Convention Secretariat to participate in international platforms in the field of anti-doping.</li> <li>• Strengthening partnerships with other international actors in the field of doping in sport especially WADA (and its RADOs particularly) but also the IOC, the IPC, the Council of Europe and the Institute of National Anti-Doping Organisations (iNADO).</li> <li>• Developing communication materials with a focus on what has been achieved in the first ten years since the adoption of the Convention and actively disseminating them to different audiences.</li> <li>• Undertaking efforts to promote the Convention in other UNESCO bodies and forums with sports mandates (CIGEPS, MINEPS).</li> </ul>	<p>The Social and Human Sciences Sector welcomes the recommendation and will work in close cooperation with the COP Bureau to implement the recommendation.</p> <p>Prior to receiving the final outcomes of the evaluation, the Secretariat drafted a strategy communication plan based on internal brainstorming, the highlights of which received thorough consideration by COP6 for follow-up. WADA, the CoE and UNESCO will meet on 19 October 2017 for follow-up. Regional ministerial conferences organized by WADA will be articulated as joint UNESCO/WADA regional ministerial conferences, as issues related to the Convention will be discussed.</p>
<p><b>Recommendation 3: Monitoring</b></p> <p>The Convention Secretariat together with the COP should increase efforts to monitor States Parties' compliance with the Convention with a view to enforcing the Convention.</p> <p>The following actions need to be considered to strengthen monitoring of the Convention:</p>	<p>The Social and Human Sciences Sector welcomes the recommendation and will work with the COP to strengthen efforts to monitor States Parties' compliance, in particular through further improvements to the communication between Permanent Delegations and national competent authorities regarding the ADLogic questionnaire.</p>

<ul style="list-style-type: none"> <li>• Improving the ADLogic online questionnaire to ensure that the information collected focuses on actual changes [outcomes] in States Parties' policies and practices.</li> <li>• Including questions in the ADLogic questionnaire on gender equality in States Parties' anti-doping policy frameworks.</li> <li>• Considering the implementation of consequence framework for States Parties that do not report on measures taken to implement provisions of the Convention and/or do not comply with the latter.</li> <li>• Collaborating with other organizations, such as WADA and the Council of Europe, for monitoring missions in States Parties.</li> <li>• Continuing efforts to seek harmonization among the three monitoring systems to prevent duplication and monitoring fatigue by the States Parties.</li> <li>• Encouraging the development of national compliance platforms and focal points to coordinate States Parties' response to monitoring requirements and providing regular assistance to them.</li> </ul>	<p>Future actions will build upon the outcomes of Resolution 5CP/11 of COP5, in response to which the Secretariat developed a national compliance platform and a focal point identification per country to boost communication between the Secretariat and the concerned State Party. The process is now mutating into an online system to be filled in by States Parties with the name of the national focal point, and providing detailed information on the <i>National Compliance Platform</i> to be established by the public authorities.</p> <p>Preliminary draft operational guidelines and a framework of consequences have been developed by the Secretariat to reinforce the monitoring system, in line with Resolution ICDS/6CP/5 adopted by COP6.</p>
<p><b>Recommendation 4 : Information sharing</b></p> <p>The Convention Secretariat should enable States Parties to learn from each other's experiences in the fight against doping in sport.</p> <p>Suggested actions may include:</p> <ul style="list-style-type: none"> <li>• Creating a platform for the sharing of good practices.</li> <li>• Accessing skills and expertise of global, regional or national organizations in order to promote peer-to-peer learning.</li> <li>• Engaging in further research projects in order to demonstrate the impact of the Convention, especially at the national policy levels.</li> </ul>	<p>The Social and Human Sciences Sector supports the recommendation to encourage information sharing and highlights the following:</p> <ul style="list-style-type: none"> <li>• A national anti-doping public policy review framework (Policy Advice Project) has been well established to provide guidance and reform-oriented recommendations to States Parties.</li> <li>• The newly established UNESCO Anti-Doping Chair (in France) will contribute significantly to forging research to address national policy and capacity development, through establishing national anti-doping research units in cooperation with universities, the COP Bureau and WADA.</li> <li>• COP6 asked the Secretariat to work with WADA in drafting model legislation and policies and compile examples of good pieces of legislation and best practices to encourage the sharing of information.</li> </ul>
<p><b>Recommendation 5 : Fund for the Elimination of Doping in Sport</b></p> <p>The Fund Secretariat together with the Convention Secretariat should undertake a series of actions in</p>	<p>The Social and Human Sciences Sector recognizes the need to increase the effectiveness and efficiency of the Fund and notes that resolutions regarding the Fund adopted at COP6 are being followed up, in particular within the framework of</p>

<p>order to increase the effectiveness and efficiency of the Fund.</p> <p>Suggested actions should include:</p> <ul style="list-style-type: none"> <li>• Reviewing the return on investment for the Fund and use the findings to inform future management decisions.</li> <li>• Introducing a thematic focus for the Fund each biennium in order to allow for greater coordination and knowledge sharing across projects.</li> <li>• Establishing a smart online tool for applications to the Fund, which will guide applicants at each stage of the application to provide required information before moving on to the next stage.</li> <li>• Applying a two-step application process in order to optimize the screening procedure.</li> <li>• Including questions on projects' contribution to gender equality in the application to the Fund.</li> <li>• Developing a resource mobilization strategy with a view to widening the pool of donors particularly to include the private sector.</li> </ul>	<p>the newly elected Approval Committee.</p> <p>An evaluation of the Fund will be undertaken in 2018, also aiming at reviewing the return on investment in the Fund and developing a resource mobilization strategy based on the outcomes of the evaluation. The COP Bureau and the Fund's Approval Committee will meet in September/October 2018 to discuss the findings of the evaluation and decide on future actions.</p>
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# Chapter 1 – Introduction and Background

This chapter sets the background to the UNESCO Convention against Doping in Sport, briefly traces its history and implementation and provides an overview of the Evaluation scope, methodology and limitations.

## Background to the Convention

- UNESCO responded to calls from the international community in establishing the International Convention against Doping in Sport [‘Convention’]. During the third international Conference of Ministers and Senior Officials Responsible for Physical Education and Sport [MINEPS III] held in Uruguay in December 1999, Ministers expressed concern over unethical conduct, specifically doping in sport, and asked all States to follow a harmonized approach. This concern was discussed during the 2003 Round Table of Ministers and Senior Officials responsible for Sport organized following the outcomes of MINEPS III and then submitted to the consideration of MINEPS IV held in Athens in December 2004. As a result of this Conference, preparations for an International Convention against Doping in Sport were put in place. UNESCO's work in the field of physical education and sport since the 1970s and recognition of the significance of the issue of doping in sport culminated with the adoption of the International Convention against Doping in Sport on 19 October 2005. The Convention entered into force on 1 February 2007 and is now the second most ratified of all UNESCO treaties.
- Prior to the adoption of the Convention, there were no global legal frameworks with which all governments could consistently address the growing prevalence of performance-enhancing substances and methods in sport.

**Table 1: Anti-doping history**

1978	Adoption of the UNESCO International Charter of Physical Education and Sports
1988	MINEPS II Moscow Declaration
16 November 1989	Adoption of the Council of Europe Anti-Doping Convention
2 February 1999	Adoption of the Lausanne Declaration on Doping in Sport during the First World Conference on Doping [organized by the IOC]
Nov – Dec 1999	MINEPS III in Punta del Este, Uruguay
10 November 1999	IOC establishes WADA
12 September 2002	Adoption of the Additional Protocol to the Council of Europe Anti-Doping Convention
3 January 2003	Adoption of the Copenhagen Declaration
October 2003	UNESCO General Conference decides to develop an international convention to remove doping from sport
1 January 2004	World Anti-Doping Code enters into force
December 2004	MINEPS IV in Athens, Greece considered the draft Convention and helped to resolve a number of outstanding issues
2004 - 2005	Series of meetings and consultative process to produce a preliminary draft of the UNESCO Convention against Doping in Sport (over 95 countries represented)
19 October 2005	Adoption of the UNESCO International Convention against Doping in Sport
7 June 2006	Memorandum of Understanding between UNESCO and WADA
1 February 2007	UNESCO Convention entered into force
17 November 2007	First revision of the World Anti-Doping Code
2008	Creation of the Fund for the elimination of Doping in Sport [voluntary fund]
October 2009	Resolution 2CP/4.3 establishes the Fund’s Approval Committee Resolution 3CP/6.3 sets mandate for the Fund’s Approval Committee
30 May 2013	Adoption of the Declaration of Berlin [MINEPS V]
15 November 2013	Second revision of the World Anti-Doping Code



18 September 2014	Council of Europe Convention on the manipulation of Sports Competitions
5 November 2015	Revision of the Memorandum of Understanding between UNESCO and WADA
16 March 2017	Declaration of the IOC Executive Board – 12 principles for a more robust and independent global anti-doping system to protect clean athletes
15 July 2017	Adoption of the Kazan Action Plan
Early 2017	Launch of WADA's World Anti-Doping Code Compliance Monitoring Program

3. The Convention is significant for several reasons:

- its provisions are binding on signatory States Parties, which are to be enforced by Ministries in charge of sports and sports movements<sup>2</sup>, including sports federations;
- the obligations it sets are meant to harmonize national legislations and practice of any person whether governed by public or private law and the reciprocal relations and obligations they maintain;
- it aims to ensure coordination of testing and to provide education training and prevention programmes (aimed at promoting sports values and informing young people on the moral and legal consequences of doping) notably through the Fund for the Elimination of Doping in Sports (the Voluntary Fund);
- it aims to ensure the effectiveness of the World Anti-Doping Code (the Code). Whereas the Code (created in 2004) only applies to members of sports organizations, the reach by the Convention of governments allows for a more systematic approach to anti-doping involving a broad range of actors.

4. The Convention outlines clear obligations for governments. Consequently, States Parties undertake to:

- adopt appropriate measures at the national and international levels consistent with the principles of the Code;
- encourage all forms of international cooperation aimed at protecting athletes and ethics in sport and sharing the results of research;
- foster international cooperation between States Parties and with the World Anti-Doping Agency (WADA) in particular.

5. However, the Convention is an accommodating instrument that provides flexibility in the approach governments can take to implementation, either by way of legislation, regulation, policies or administrative practices.<sup>3</sup>

### Implementation of the Convention

6. The Conference of Parties (COP) is the implementing arm of the Convention and is held every two years at UNESCO Headquarters in Paris. Representatives of all States Parties to the Convention participate with their right to vote. Other Member States can attend the COP as observers. The World Anti-Doping Agency (WADA) is invited as an advisory organization to the Conference. Other Organizations such as the International Olympic Committee (IOC), the International Paralympic Committee (IPC), the Council of Europe (COE), the Intergovernmental Committee for Physical Education and Sport (CIGEPS) and other intergovernmental sports organizations are invited as observers to the COP.

<sup>2</sup> The 'sports movement' is the term used to refer to the various entities that are associated with, and play a role in the overseeing and management of, international sport. These entities include: public authorities (e.g. Ministry of Sport), publicly funded organisations (e.g. NADO), international (e.g. the International Sports Federations/IF) and national organisations (e.g. National Federations/NF).

<sup>3</sup> P. Marriott-Llyod, International Convention against Doping in Sports Background Paper, SHS/2010/PI/H/2

7. A core objective of the Conference of Parties is to monitor compliance with the Convention. Governments are required to provide a report outlining all the measures they have taken to comply with the provisions of the Convention (including the development of anti-doping programmes). This reporting is facilitated by the Anti-Doping Logic system (ADLogic) and its online questionnaire.

8. The COP operates with an elected Bureau. This comprises a Chairperson, four Vice Chair-Persons and a Rapporteur. The main role of the Bureau is to coordinate each COP session and the work of the COP in accordance with its agenda and mandate. In 2015, the Bureau submitted for consideration of COP 5 Rules of Procedure; the COP approved a slight amendment to the Rules of Procedure of the COP that allowed for members of the Bureau to be eligible for immediate re-election for a second term of office. There was a tacit agreement that the Bureau would meet in between the sessions. Effective implementation of the Convention is mainly nurtured by a close collaboration between UNESCO, the Bureau of the COP, governments and sports federations.

9. The Role of the Convention Secretariat is to prepare documentation for the COP, as well as the draft agenda of its meetings and implement the decisions made by the COP.

## Evaluation overview

### Evaluation Purpose

10. The purpose of this evaluation is to generate insights with respect to the relevance and effectiveness of UNESCO's support for the implementation of the Convention and identify recommendations for strengthening implementation. The objectives of this evaluation can be summarized as:

- To examine the *effectiveness* of UNESCO's *support* to States Parties towards the implementation of the Convention.
- To assess the *effectiveness* and *efficiency* of the governance and management mechanisms established under the Convention, including its Secretariat.
- To examine the *relevance* and *importance* of the Convention in the current evolving landscape for anti-doping in sport.

11. The Convention Secretariat together with the UNESCO Social and Human Sciences Sector endorsed the objectives outlined above and there was broad agreement for a formative focus for the evaluation. It was felt that such a focus would enable the evaluation to examine the appropriateness and usefulness of the implementation mechanisms and inform future actions required for supporting the Convention's implementation. The evaluation findings and recommendations would thus contribute meaningfully to strengthening UNESCO's global anti-doping efforts. The results of the evaluation aim to inform the deliberations of the 6th session of the Conference of Parties (COP6) that will take place in September 2017 and act as a catalyst for dialogue and debate about the future direction and support for the implementation of the Convention.

### Evaluation Scope

12. Significant information already exists about the current state of implementation. This evaluation adds value by providing insights about how current governance and management arrangements are working to support implementation of the Convention and identifies strengths and challenges and areas for improvement for consideration by the Conference of Parties and the UNESCO Secretariat. The evaluation gathered stakeholders' views on the implementation of the Convention and the support offered by UNESCO to support States Parties in complying with the Convention.

13. The evaluation covered activities within the framework of both regular and extra-budgetary programmes between 2007, when the Convention entered into force, and March 2017.

## Evaluation Methodology

14. Empirical information was collected and analysed using a combination of qualitative and survey methods in a mixed-method approach. This approach helped strengthen the reliability of data, the validity of the findings and recommendations, and provided a deeper understanding of the issues and challenges associated with the implementation of the Convention. The methods were used in a complementary way to allow triangulation of the evidence gathered.

15. The data-gathering strategy included the following strands:

- Review of relevant documents with respect to the 2005 Convention including:
  - 2005 UNESCO's International Convention against Doping in Sport;
  - Other legal instruments including the WADA Code; the Council of Europe Convention against Doping in Sport and the International Charter of Physical Education, Physical Activity and Sports;
  - Documents relating to the governance of the Convention including the Secretariat, Voluntary Fund, ADLogic monitoring, Bureau of the COP and programme budgets for the period 2007-2016;
- Semi-structured interviews with 25 stakeholders:
  - UNESCO Secretariat
  - Convention Governance including the Bureau of the Conference of Parties; Fund Approval Committee
  - Observers and advisors to the Convention including international experts
  - States Parties representatives as Fund beneficiaries and attendees of the Conference of Parties
- An online survey, to gather States Parties' views about implementation and how Convention mechanisms can be strengthened;
- Questionnaire to a select number of States Parties on good practices, to promote sharing and a culture of learning about what is possible.

## Limitations to the evaluation

16. Data collection and analysis was undertaken in a tight timeframe [June/July 2017] in order to ensure the evaluation findings could inform the deliberations of the 6th Conference of Parties. Consequently, not all stakeholders or States Parties could be consulted and together with the Convention Secretariat, the evaluators had to make some choices about limiting the total number of stakeholders engaged in this assignment. In reflection of these constraints, a purposive sampling strategy was employed to identify key stakeholders.

17. An online survey of States Parties was open to respondents for a period of three weeks over June-July 2017. The survey was offered in three languages: English, French and Spanish. The total number of completed responses was 49 representing 26.4% of all States Parties. Given the moderate response rate and the fact that the bulk of responses were from countries in Europe and North America, the survey responses cannot be treated as unbiased or representative of all States Parties. Instead, the survey results serve as an additional data stream for triangulation of findings gathered from the interviews.

# Chapter 2 – Relevance of the Convention

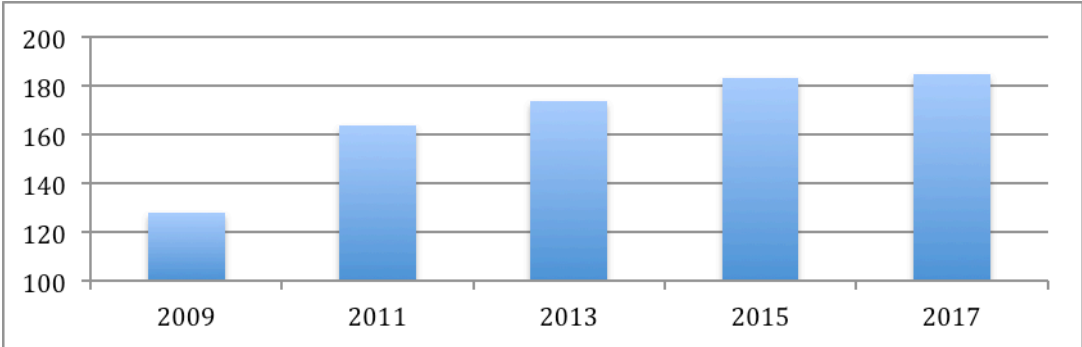
This section of the report presents stakeholder views about the relevance of the Convention and its role in encouraging States Parties to implement anti-doping legislation, regulation, policies or administrative practices. It also highlights the shifting landscape and priorities for anti-doping and the multiplicity of instruments and the challenges these pose for the role and implementation of the Convention.

## Relevance and importance of the Convention

### *Strong support for the Convention evidenced by the high number of ratifications*

18. The Convention was developed in response to a call from States Parties for an international standard-setting instrument in the field of doping in sport. The idea of a global convention, first proposed at the 2003 Round Table of Ministers and Senior Officials responsible for Sport organized following the outcomes of MINEPS III was followed-up with preparatory work during the 2004 MINEPS IV. The Convention is regarded as the second most successful one in the history of UNESCO with 185 signatories as of 23 March 2017, just a decade after its entry into force. This reflects the value Member States attach to the global regulation and governance mechanism to address the dangers and risks of doping, as expressed in the objectives of the Convention. It also demonstrates the importance of the activities undertaken by the Secretariat to ‘promote the purpose of the Convention’ as set forth in Article 30(a) of the Convention.

Figure 1: Accession by State Parties



Source: Secretariat

Notes: 185 in 2017 (194 if territories associated to a State are included)

19. While a number of international legal instruments including the WADA Code and the Council of Europe’s Anti-Doping Convention precede UNESCO’s Convention, the latter is seen as having a unique character due to its global scope and emphasis on the wider value of anti-doping for protecting public health and the integrity of sport. The moral authority of the UN system and UNESCO with its ethics and human rights mandate and its wider reach beyond the sports movement further enhances the value and status of the Convention.

### *The Convention provides a strong inter-governmental platform for national action*

20. The field of anti-doping is multi-layered and complex. The scourge of doping goes beyond testing regimes and banned substances; fast-changing technology and science and constantly evolving supply chains and distribution channels cut across geographic boundaries and borders. Consequently,

no single agency or stakeholder, or indeed a country, can deal with it on its own. The complexity makes it imperative to organize government and multi-stakeholder coordination alongside international cooperation and collaboration. The French approach is illustrative in this regard (Box 1.1). This complexity especially calls for regulatory controls that fall under the jurisdiction of governments and public authorities and the UNESCO Convention is ideally placed to facilitate global response with States Parties directly.

#### **Box 1.1: Towards a comprehensive solution - France**

The International Convention against Doping in Sport was integrated into French law through the combined effect of law n° 2007-129 of 31 January 2007, which authorized its ratification and of decree n° 2007-503 of 2 April 2007, which enabled its publication. Since then the French State has undertaken many actions in the fight against doping, in line with the measures which have been gradually set up at the national level from the 1960s onwards, that aim to:

- Prevent and punish violations of sports ethics induced by doping that also constitute a serious threat to public health amongst athletes
- Promote clean sports that respect sport ethics
- Protect athletes who are the main victims, without ostracizing them.

In order to do so, France constantly pursues three main objectives:

- Undertake as many anti-doping checks as possible and continuing to improve procedures to sanction cheating
- Engage in anti-doping prevention campaigns aimed at large number of athletes, whether they are licensed by a federation or not and whatever their level
- Punish trafficking of doping products

#### *The Convention takes anti-doping efforts beyond elite sports and athletes*

21. The fight against doping in sport was concentrated initially on competitive practice; it was subsequent to and in the context of doping scandals revealed during important sports competitions that the International Convention against Doping in Sport came into being. However, as evidence from the Policy Advice Project [refer to Chapter 3 section 'Activities undertaken by the States Parties to promote cooperation and partnerships, domestically and internationally' for more detail about this project] and stakeholders show, elite competitions are only one highly visible part of a wider problem. Public policies and national legislation (as illustrated in the case of France, Romania and Spain) have increasingly pursued the aims of public health, education and public order, which involve multiple actors. The International Convention against Doping in Sport was seen as instrumental in promoting a broader interpretation of the Convention that falls fully within the competency and mandate of the States Parties.

*The value of the Convention lies in the fact that it is a true champion for anti-doping, it is the means by which States Parties can collectively articulate key health messages behind anti-doping; highlight that doping is not a phenomenon confined to elite level athletes, but that prevalence of doping goes a long way down in sport participation communities. The Convention is thus a catalyst for action at a national level.*

*[International expert]*

### *The Convention also reinforces the link between anti-doping and inclusive development*

22. While anti-doping efforts are complex and go beyond the sports discipline, for stakeholders within the UNESCO system the issue sits within a bigger picture. As one stakeholder commented, “we also need to take a holistic view of the development imperatives”. Stakeholders increasingly see sport as becoming cross sectoral – intertwined with critical policy domains such as social welfare, education, social justice and are keen to see the implementation of the Convention reflect this vision.

23. The policy objective of ‘protecting integrity in sport’ also provides a direct link to the 2030 Agenda and the SDGs, especially to SDG 16 on Peace, Justice and Strong Institutions, with its focus on activities undertaken by governments, the sport movement, academia and other non-governmental organizations to promote inclusive development. As expressed by a stakeholder from the UNESCO Secretariat: “when Sports Ministers come to see us, they want to know about how to fight poverty with sports; and good integration of public spaces with sports”.

24. Doping continues to be a serious threat to the integrity of sport and the well being of athletes at grassroots, competitive and elite levels. This implies that in addition to relevant legislation, information exchange and investigation, prevention education and engagement are effective means to address different threats to sport integrity.

### *States Parties face a number of challenges in implementing the Convention*

25. The Convention outlines clear obligations required of governments - States Parties shall adopt measures at both national and international levels consistent with the principles of the World Anti-Doping Code, encourage international cooperation protecting athletes and ethics in sport and foster cooperation between States Parties and with WADA in particular. However, there is insufficient information and guidance provided to States Parties as to what this looks like in practice. Stakeholders believe a number of factors makes implementation of the Convention challenging for States Parties including:

- lack of understanding as to how they could integrate the intent of the Convention in their domestic frameworks;
- lack of clarity as to how to integrate the WADA Code with the Convention;
- lack of awareness of who to involve in the fight against doping and how to leverage the skills and knowledge of the various stakeholders to accelerate implementation of the Convention;
- lack of capacity and capability within the public authority to assist them to fulfil their requirements.

26. Addressing these challenges has to be a priority for the Conference of Parties if the objectives of the Convention are to be realized. Stakeholders felt that UNESCO, together with its international partners, could do more to assist States Parties in meeting their obligations with respect to the Convention. Recent efforts by the Secretariat to develop guidelines are a step in the right direction. The guidelines will help to ensure clear and consistent understanding of the core measures of the Convention and to support States Parties in the implementation of its provisions. The fight against doping relies on strong policies and resources, financial and human, allocated to identify doping networks and establish measures to inhibit doping practices. States Parties can be encouraged to seek advice and assistance from the Secretariat in the implementation of the Convention, particularly with information and coordination.

27. In addition, experience and expertise of organizations such as National Anti-Doping Organizations (NADOs) and Regional Anti-Doping Organizations (RADOs) can be leveraged to assist States Parties with implementation. These organizations have a strong capacity-building orientation and they have expressed a desire to work bilaterally with governments to create peer-to-peer learning

and sharing platforms. It may be timely for the Secretariat to strengthen these partnerships to help them achieve their implementation aspirations, particularly in light of UNESCO's limited resources.

*Most concrete thing we do, in direct support of the Convention? Prior to every Conference of Parties we can provide our members of summary of meeting documents and key issues, and suggest to them what are the important issues for their government colleagues, what mandate they should take to the meeting; in the interest of clean sport and clean athletes. We can look at the package of information and then summarize to our members. This will help States Parties to take the maximum from these meetings and also engage meaningfully in these forums. The Permanent Delegations are not sport or anti-doping specialists and can sometimes feel overwhelmed.*

*[International NGO]*

### *Ongoing efforts required for clarifying and enhancing synergy between various legal instruments*

28. The Convention against Doping in Sport is complementary to a number of other instruments:

- The World Anti-Doping Code is supported by the Convention to facilitate consistency in anti-doping policies and regulations within governments and sport organizations across the world. The Convention's annexes reflect standards developed by the World Anti-Doping Agency (WADA) and are an integral part of the Convention.
- The Anti-Doping Convention and its Additional Protocol adopted within the framework of the Council of Europe: these are public international law instruments, which are at the origin of national anti-doping policies and intergovernmental cooperation.
- The International Charter of Physical Education, Physical Activity and Sport of UNESCO: based on the universal spirit of the original Charter, and integrating the significant evolutions in the field of sport since 1978, the revised Charter introduces universal principles such as gender equality, non-discrimination and social inclusion in and through sport.

29. While the scope and focus of these international instruments may be different, stakeholders interviewed believed the harmonization of monitoring the respective instruments between UNESCO, the Council of Europe and WADA is a persistent challenge and requires some attention. At its fourth Bureau meeting held in Bucharest in June 2017, the representative of the Council of Europe and Bureau members agreed to focus on this matter and explore areas of improvement. There is a sense that the anti-doping space is quickly getting cluttered and crowded and that efforts are needed to clarify, harmonize and enhance the synergy between them.

### *The Convention and the WADA Code*

30. Since the adoption of the Convention, some difficulties have arisen with respect to the implementation of its provisions, particularly harmonization between the World Anti-Doping Code and the Convention and the complementary nature of the two remains unclear to many stakeholders. Conceptually, the Convention focuses on public authorities, the Code focuses on the sports movement. In reality, however, this distinction is not that clear and there are a number of areas of overlap that create confusion and indeed tension in the relationships between the two instruments. For instance in 2015, WADA increased its focus on prevention and values-based education that thus far had been seen as the domain of UNESCO. On the positive side, stakeholders describe the relationship as 'joined at the hip' or 'interdependent'.

31. The value of the Convention lies in its focus on the developmental, grass roots and sustainability part of the anti-doping equation, while the Code predominantly addresses the elite sports movement. The Convention is a vehicle for governments to ensure national level sports bodies comply with its



obligations; without the Convention, there would be what an expert described as an ‘ad hoc patchwork quilt of different regulations’ at the level of each sport.

32. Some differences in focus and approach remain. Stakeholders noted that WADA has been found wanting in its approach to accommodating needs and aspirations of different cultures. Cultural appropriateness and sensitivities appears to be undermined in efforts towards harmonizing global policies. Similarly, with respect to public health, stakeholders commented that WADA tends to focus on testing certain targeted athletic groups and base their educational programmes on sport ethics rather than overall health.

33. These issues have implications for the governance of the Convention and the Code, in particular on defining and clarifying responsibility and accountability of public authorities and other national stakeholders to fulfil obligations related to the Convention. The evaluation has identified some examples of good practice [Box 1.2] that illustrate how harmonization and synergies between the Convention and the Code have been achieved by some States Parties.

34. Ultimately, the Convention is the only legal global framework; the Code does not have much weight in itself without the leverage that the Convention provides. While the mandate and focus of the two instruments can be potentially easily clarified, the level of funding available to WADA and UNESCO to implement their instruments is trickier to resolve. States Parties are facing austerity drives and they are diverting their limited financial resources to WADA, which means there is less available for UNESCO for implementing the Convention. The balance of allocation of funds across the highly visible, international, elite athlete part of the equation and the developmental, grass roots, peace and development objectives needs to be urgently addressed.

35. The role currently played by sporting events in setting an example to people and encouraging sporting activity has led States to take an interest in the integrity in sports competitions, alongside the sporting movement. No educational and social policy can be built on the foundation of sport if its supreme value, that is honesty in observing the rules, is not guaranteed. At the same time, the financial stakes involved make cheating in sport a kind of financial fraud. In this way, it becomes legitimate for the public authorities, as well as other sports organisations, to take an interest in the fight against doping, aside from the public health concerns.

#### **Box 1.2 - New Zealand: A simplified and permissive approach**

The anti-doping legislation in New Zealand takes a simplified and permissive approach to implementing the Convention by charging the National Anti-Doping Organization [Drug Free Sport New Zealand] with implementing the WADA Code as amended from time to time. This ensures that there is always a seamless consistency between implementing the Code and the rules and practices adopted by DFSNZ. All Government-funded National Sporting Bodies adopt a single central set of Rules drafted and amended from time to time by DFSNZ to meet Code requirements. These are updated automatically when changes occur and DFSNZ does not need to vary practices for each sport.

DFSNZ works closely with the Government anti-doping agency [Sport New Zealand] to ensure that there is maximum expertise applied to anti-doping environment. The Minister of Sport [also a WADA Foundation Board Member] therefore receives high quality briefings in relation to matters of doping.

#### *The Convention and the Council of Europe Anti-Doping Convention*

36. The Convention has important links with the 1989 Anti-Doping Convention and its accompanying 2002 Additional Protocol adopted within the framework of the Council of Europe (COE). The latter reinforces the application of the COE Anti-Doping Convention by introducing a binding monitoring system. The Anti-Doping Convention has been ratified by 52 member states,



including five<sup>4</sup> non-EU member states. The Anti-Doping Convention is similar to the UNESCO one in that it does not claim to create a uniform prescriptive model of anti-doping, but sets a certain number of common standards and regulations requiring Parties to adopt legislative, financial, technical, educational and other measures. The main objective of the Convention is to promote the national and international harmonization of the measures to be taken against doping.

37. In recognition of the similarities across the two instruments, UNESCO has worked with the COE since 2009 at harmonizing anti-doping measures. In 2014, UNESCO participated as an observer in the statutory body meetings of the COE - of the Ad hoc European Committee for the World Anti-Doping Agency (CAHAMA) and of the Council of Europe Monitoring Group of the Anti-Doping Convention. As a follow-up to these meetings, it was decided between UNESCO and the CAHAMA to adopt a shared position on synergy of monitoring systems before the WADA Foundation Board meeting in May 2014 at Montreal. The COE expressed the view that statistical data of the ADLogic system can be complemented with the qualitative data of evaluation visits undertaken by the Monitoring Group<sup>5</sup> of the COE. These are significant attempts at strengthening this tripartite cooperation. In 2017, the 46th meeting of the Monitoring Group of the Council of Europe Anti-Doping Convention (T-DO) also stated to strengthen cooperation with the UNESCO Convention, its Conference of Parties, its Bureau and its Secretariat. Furthermore, the representative of the Council of Europe attends each Bureau meetings since COP 5 and the formalization of its meetings.

38. Stakeholders interviewed commented that both organizations stand to benefit from lessons learned and information shared from their respective implementation experiences. One stakeholder pointed out that the COE was ahead in some aspects especially as its Member States appear to have obtained a better understanding of the issues including engaging with multiple stakeholders in anti-doping efforts. Such lessons are important and need to be shared.

### *The Convention and the International Charter of Physical Education, Physical Activity and Sport*

39. In 1978, UNESCO adopted the International Charter of Physical Education, Physical Activity and Sport (the Charter). In 2015, the Charter was revised. In particular, Article 7 of the Charter upholds protection of the ethical and moral values of physical education and provides that sport integrity must be a constant concern for all. In this regard, it considers doping alongside other factors as undermining the moral values, educative and health aspects of sports in general.

40. Article 7 requires that the fight against doping win the support of national and international authorities at various levels and to that end, a harmonized and concerted policy must guide them in the preparation and application of anti-doping measures and of the educational action to be undertaken. The Charter thus lays the foundational principles for the Convention.

**Recommendation:** The Convention Secretariat together with the Bureau of the COP should elevate the visibility and leadership of the UNESCO Convention in the field of anti-doping through the development of a communication strategy that reinforces messages about its relevance and value and clarifies its role vis-à-vis other legal instruments in the field.

<sup>4</sup> The five non-EU Member States include Australia, Belarus, Tunisia, Morocco and Canada.

<sup>5</sup> The Monitoring Group is a unique network of governmental experts, officials from anti-doping organizations and sports federations. The monitoring programme includes three strands - an annual on-line questionnaire on the steps taken to implement the provisions of the Convention; consultative visits to help countries with implementation; and evaluation visits resulting in the publication of the evaluation reports.

*States Parties need considerable support in addressing Global Priority Gender Equality in the context of the Convention*

41. Gender equality is one of UNESCO's Global Priorities and the Organization's dual approach to addressing this priority through gender mainstreaming and gender-specific programming is relevant in the context of the implementation of the Convention. However, stakeholders believed the extent to which gender equality is integrated into the implementation mechanisms to support the development of gender sensitive national policies and/or legislations, is questionable. While States Parties might acknowledge the gender dimensions relating to the issue of doping, they struggle with *how* to approach the issue and lack the knowledge and tools to specifically address gender equality in relationship to the Convention.

42. The survey results reveal a mixed picture. While most States Parties agreed/fully agreed (62%) that support provided by the Secretariat to States Parties does encourage the mainstreaming of gender equality and human rights into various implementation mechanisms, 10% of respondents disagreed/fully disagreed and another 28% did not know or stated that this question was not applicable to them. No evidence was provided, either by the Secretariat or by States Parties, in the ADLogic reporting, to demonstrate how gender equality and human rights were mainstreamed into various implementation mechanisms.

43. These findings suggest that more needs to be done with regard to creating awareness about gender-specific aspects of the Convention and for introducing a gender equality perspective in the various levels of the standard-setting work. For instance, the ADLogic questionnaire does not seek gender-specific information nor is any sex-disaggregated data requested and leaves it entirely up to States Parties to say something about it. This is a missed opportunity to create awareness amongst States Parties about this very important issue and to collect interesting information and good practices that could be shared with others. The draft Operational Guidelines and the Handbook for the Fund does not provide any direction or guidance to States Parties and is silent on gender. This needs to be addressed urgently.

44. The Secretariat could play an important role in building capacity and capability of States Parties to mainstream gender into national level policies and practices thus significantly contributing to UNESCO's Global Priority – however, in light of the current level of resourcing [as discussed later in this report], these challenges are likely to remain.

## Chapter 3 – Effectiveness of the Convention’s governance and management model

This section provides a detailed description of the mechanisms put in place to support the implementation of the Convention and discusses the context, main issues and challenges faced in the implementation of these mechanisms.

45. The document review revealed three mechanisms that lie at the heart of the implementation of the Convention. These are the:

- governance of the Convention
- monitoring of the Convention
- Fund for Elimination of Doping in Sport.

**Figure 2: Implementation mechanisms**



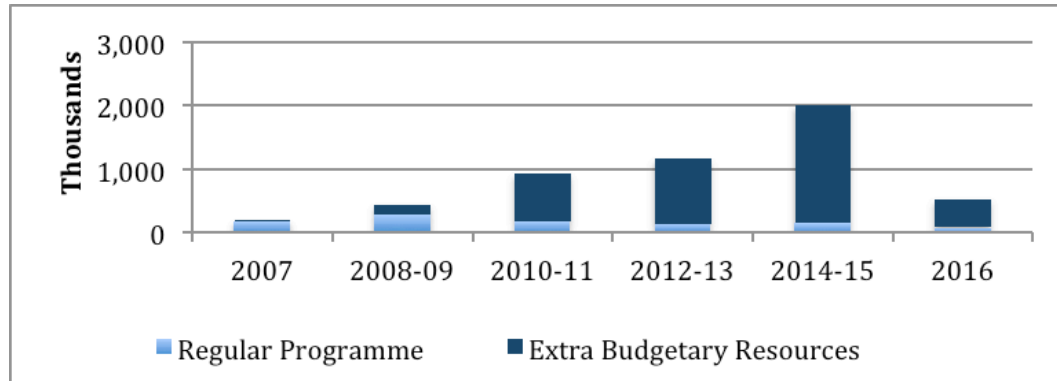
Source: Authors

46. Two crosscutting levers support the robust implementation of these mechanisms: UNESCO’s support through the Convention Secretariat and the partnerships and collaborations forged by States Parties, the Secretariat and the Bureau of the COP to support implementation.

47. According to Article 32 of the Convention, functioning costs related to the implementation of the Convention are funded from the regular programme budget of UNESCO, the Voluntary Fund (Article 17) or an appropriate combination of both as determined every two years. The financing for the Secretariat from the regular programme budget shall be done on a ‘strictly minimal basis’, it being understood that voluntary funding should also be provided to support the Convention. Under these funding modalities, the pool of money available for the Regular Programme has remained more or less constant (see Figure 3) and primarily earmarked for the P4 Programme Specialist constituting the Secretariat. The extra-budgetary resources cover a number of programme areas such as support for

projects (e.g. Policy Advice), monitoring of the Convention and Fund administration. These additional resources grew from a modest base in 2007 and peaked at USD 2 Million in 2014-15, but have since decreased to below the 2010-11 allocation.

**Figure 3: Programme expenditure 2007-2016 (USD)**



Source: UNESCO Secretariat

48. The rest of this chapter discusses stakeholders’ and States Parties’ views about the effectiveness and efficiency of these mechanisms in supporting implementation of the Convention.

## Governance of the Convention

### Conference of Parties to the Convention

49. The principle objective behind the adoption of the Convention was to constructively engage governments in the fight against doping in sport. In line with this, the Conference of Parties (COP) was deemed the sovereign body of this Convention with the overall responsibility for the implementation of the Convention. In principle, the COP meets in ordinary sessions every two years with the option to meet in extraordinary sessions if it so decides or at the request of at least one third of the States Parties, provided that the necessary resources are available.

50. The Conference of Parties has a number of responsibilities: it determines the plan for the use of the resources of the Fund for the Elimination of Doping in Sport; it is responsible for the examination and adoption of any amendments to the Convention and for the monitoring of the implementation of the Convention by States Parties.

### Emerging insights

51. The evaluation focused on gathering information and insights from stakeholders and States Parties about the Conference of Parties in order to determine how effectively it was working as a mechanism to support the implementation of the Convention. The findings are presented below.

#### *Slow start to implementation but momentum is picking up*

52. Stakeholders observed that in the initial years, the role and objectives of the Convention and the Conference of Parties were not clear to States Parties. Consequently, in the initial years the number of participants attending the Conference of Parties was low [between 40-60%] and its activities tended to focus on procedural matters and approving promotional actions by the Secretariat. However, since 2013, as implementation of the Convention has progressed, participation numbers at the Conference of Parties have gone up, with the highest level of attendees at COP5. The

activities of the Convention Secretariat and the Bureau were seen as an important catalyst for this shift – introduction of new items to the agenda, changing the format of the meetings, and a presentation of analysis of the monitoring reports for consideration by States Parties, were some aspects that generated momentum around implementation of the Convention and stakeholders expressed the need to find a way to sustain this.

53. An analysis of the agenda over successive COPs shows that in the initial years the focus was on reviewing and approving actions undertaken by the Secretariat with regard to promotional activities, regional conferences and partnerships. While these actions are essential to implementation, the agenda has been extended and sharpened over the years. For instance, COP4 [2013] dealt with harmonizing reporting with WADA and the Council of Europe, an important issue for many States Parties, and COP5 [2015] tabled reminder letters to States Parties that had not completed the ADLogic questionnaire as per their obligations to the Convention, thus addressing previously identified issue about the lack of active follow up on non-compliance.

#### *Additional actions can be taken to make the COP meetings more engaging*

54. With respect to the meetings of the COP, most State Parties agreed that meetings are well organized (agenda and key documents are circulated in advance of meetings; sufficient time is given for discussions). Of all States Parties that responded to a survey question on this issue, 85% ‘agreed/fully agreed’ that the COP was well organized. At the same time 11% ‘disagreed’ though no one ‘fully disagreed’. Stakeholders interviewed commented that the discussions at the COP were wide ranging and broad in scope and more can be done to make the meetings more meaningful for participants.

*The COP should focus on three priorities to deal with during the two-day meeting and allow for discussion and solutions/measures/resolutions to focus on the three identified priorities. Such an approach would make the COP more active and send a strong signal to the States parties that progress needs to be made in the identified priorities in the next two years. Current priorities are top down and maybe we need a bottom up approach?*

*{Stakeholder}*

55. These findings suggest the need to constantly reflect and revise on the content and structure of the COP agenda and discussions to maintain the momentum on implementation.

#### *Participants’ engagement at the Conference of Parties requires significant improvement*

56. While the operations of the Conference of Parties are picking up momentum, maintaining and using it to significantly progress the objectives of the Convention requires consideration to be given to: (a) the number and profile of its participants, (b) their patterns of attendance, and (c) their experience and expertise in the relevant field to ensure their overall engagement and contribution.

57. Stakeholders for instance commented that there was a significant drop in attendance on the second day of the Conference and/or a tendency to focus on procedural matters versus substantial issues on anti-doping. This was seen as a reflection of who attends the Conference of Parties and the extent to which representatives have the experience and expertise necessary to engage in debates on issues being discussed at the Conference. Representatives of Permanent Delegations are the primary participants at the Conference of Parties who are familiar with UNESCO’s processes and procedures – but the complexity and technical nature of the issues surrounding doping require that they be fully briefed by their Ministry in order to engage meaningfully and force a substantive discussion at the Conference. This is often not the case, which undermines the quality of the discussion and debate. Conversely, States Parties represented by experts and/or by people with the knowledge and

understanding of the issues at the national level are frustrated that they are unable to discuss substantive issues in depth with their peers. The following quotations illustrate these observations.

*I am frustrated with progress being made at the Conference of Parties – they are not dealing with the issues of the day; too much time taken on procedural matters such as the logo. It is time to be more robust and focused in our collective pursuit of the policy objectives of the Convention.*

*[States Party representative]*

*Countries rely on their Permanent Delegations to actively engage with the issues of the day. However, the level of knowledge in the room is varied. Permanent Delegations do not often talk to the respective Ministry in their country and so they are not well prepared for contributing to the substantive issues. These issues need to be urgently addressed if we want to lift the importance of the Convention.*

*[International expert]*

58. These challenges and frustrations can be easily addressed with a different format for the Conference of Parties. For example, potentially including a panel discussion on topical issues arising for example from the ADLogic reporting and inviting panellists to discuss this issue in some depth; or creating platforms where States Parties are invited to share their experiences on implementation. It is reassuring to note that these issues are being addressed by the Convention Secretariat, as evidenced by the agenda for COP6. Early comments have been positive with States Parties interviewed in this evaluation noting the addition of a panel discussion in the agenda for COP6.

*The COP has changed how it is run. I also noticed in the COP6 there are some forums for discussion on specific areas – this is more engaging for States Parties. In the past, the agenda was diluted and there was no involvement of States Parties – they only had to attend. I think this will go far in motivating commitment and interest of States Parties*

*[States Party representative]*

### *Role of WADA and Council of Europe as advisors to the Conference of Parties adds richness to the discussion*

59. The invitation to WADA and Council of Europe to attend the Conference of Parties is seen as a positive development and contributes to ensuring harmonization of efforts in the fight against doping in sport. The two organizations act as advocates for the Convention and their contribution at the meetings strengthen global efforts to achieving universal application of the Convention. These observations by stakeholders are corroborated by the survey findings. Most States parties (96%) ‘agreed/fully agreed’ that the inclusion of Advisers and Observers such as from the World Anti-Doping Agency, International Olympic Committee, International Paralympic Committee, and the Council of Europe to the Conference of Parties contributed valuable expertise to the discussions at the COP. The fact that 71% ‘fully agreed’ is a testament to the role of and the value provided by these international stakeholders.

**Recommendation:** The Convention Secretariat together with the various Governance mechanisms (COP, Bureau, and Fund Approval Committee) should make proposals to the Conference of Parties for strengthening the governance of the Convention with a view to reinforcing their leadership and facilitating more substantial discussions during their meetings.

## Bureau of the Conference of Parties

60. The COP Bureau is responsible for coordinating the work and fixing the agendas of the Conference of Parties. While they do not take any decision, they do make recommendations to the COP within their designated functions. The main tasks of the Bureau can be summarized as:

- coordinating and assessing the level of implementation of the Convention by signatory States Parties;
- ensuring follow-up to the Resolutions adopted by the COP, including promoting the purpose of the Convention and its implementation, discussing the relationship with WADA, examining reports submitted by States Parties and monitoring compliance with the Convention.

61. The COP operates with an elected Bureau at each of its session. The Bureau is composed of a Chairperson, a Rapporteur and four Vice-Chairpersons to, ideally, represent the six electoral groups of UNESCO. While the mandate of the Chairperson and Rapporteur are assigned on an *intuitu personae* basis (fixed to the individual), the Vice-Chairperson mandates are assigned to State Parties, which can appoint representatives on their behalf for the meetings of the Bureau.

62. In 2015, amendments were made to the Rules of Procedure<sup>6</sup> in response to recommendations from the External Auditor report<sup>7</sup> to strengthen the governance of the Convention. Accordingly, the revised Rules of Procedure 2015 (Rule 4 – Election of Officers) provided for the Conference to elect a Chairperson, one or more Vice-Chairpersons and a Rapporteur, with due regard being given to ensuring an equitable geographical distribution, who shall together constitute its Bureau. In the interests of continuity and deepening expertise, members were allowed a second and final term of two years. Further, the Bureau was to coordinate the work of the COP and the order of business of the session and the Chairperson is to be assisted by other members of the Bureau. These two changes were adopted at COP5<sup>8</sup>.

## Emerging insights

### *Growing leadership of the Bureau is making positive contributions to enhancing the visibility and relevance of the Convention*

63. The revised Rules of Procedure 2015 have provided a clearer mandate for the Bureau; increased the frequency of meetings to four in a two-year period [in between COP conferences]; and extended their term to allow for members to engage in two consecutive two-year terms [to enhance continuity as well as the expertise of Bureau members] – all these revisions contribute to strengthening the Bureau's operations and allow it to become more visible. The majority (82%) of States Parties 'agreed/fully agreed' that the revised Rules of Procedure have helped the Bureau execute its mandate better; none 'disagreed'. However, a sizeable 17% responded that they 'did not know' or that this was 'not applicable', thereby indicating varying awareness about these changes.

64. Recent decisions and actions by the Bureau include proposing a country-level review mission to be implemented under the scope and supervision of the Bureau of the COP; proactively writing to relevant national authorities to promote compliance with the monitoring; attending the Council of Europe meetings; attending the meetings of the Approval Committee and inviting the Chair of the Approval Committee to do the same. Key partners, namely WADA and the Council of Europe, have also endorsed the timely actions taken by the Bureau.

65. The Secretariat also advised the Bureau on its engagement and ownership for the debate regarding the way the Convention is promoted and valued. In this regard, the increased delegation of

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<sup>6</sup> UNESCO, 2015, ICDS/5CP/Doc.12

<sup>7</sup> UNESCO, 2015, 197 EX/28 Rev. New Audits by the External Auditor

<sup>8</sup> Annex, amendments to the Rules of Procedure, 4.1 and 4.2, ICDS/5CP.Doc13



authority to the Bureau is likely to further ensure leadership, relevance and effectiveness of the Conference of Parties.

### *Bureau is aware of changing landscape and the need to keep pace*

66. The Bureau now has to operate in a different context than when the Convention was introduced. The Secretariat noted that the Convention faces new realities and the Bureau needs to consider this as a priority. The Chairperson of the Bureau acknowledges this changed situation in that the Convention was adopted at a time when there was a different version of the Code and that the social and doping control environment have since changed. The Chair therefore emphasized the importance of finding a solution to make the interpretation of the Convention and the Code clearer to all States Parties.

67. Reflecting the Bureau's reading of the changed situation, most States Parties appeared to endorse the way the Bureau identified current issues for discussion. A majority (84%) of respondents to the survey 'agreed/fully agreed' that the Bureau actively identifies current issues to drive the discussion at the Conference of Parties. As noted by one stakeholder:

*The Bureau has an opportunity to input into the development of the agenda, and we can see from the agenda circulated for the COP6, that it is vastly improved. More space has been created in the agenda for sharing States Parties experiences – this is a positive trend. The Bureau is demonstrating stronger leadership, particularly relating to promoting compliance.*  
[States Party representative]

### *Bureau's actions on compliance set clear expectations and tone for States Parties*

68. Recent initiatives undertaken by the Bureau of the COP are regarded as fruitful and complementary to the Convention provisions. For instance, following a Resolution adopted by COP5 in 2015, a notification letter is to be issued to States Parties in the following two specific cases:

- (i) Lack of submission of national report to the Conference of Parties as set forth by Article 31 of the Convention; and
- (ii) Implementation of the Convention below the benchmark results generated by ADLogic in assessing measures taken to implement the provisions of the International Convention against Doping in Sport.

Earlier in 2014, the Secretariat undertook two initiatives<sup>9</sup> to identify alternative tools to help improve the pathway to conformity to the ADLogic monitoring requirements. Both projects focused on social realities of prevention work and how on the ground different agencies work and the challenges they face in doing so. This social science approach was meant to go beyond the ADLogic and compliment the monitoring information.

69. In September 2016, the second meeting of the Bureau of the fifth session of the Conference of Parties discussed the issues of sport integrity and doping in sport. A closed-door meeting (restricted only to the Bureau members and exceptionally the Chairperson of the Fund Approval Committee) relating to the Russian inquiry and the use of external consultants was a significant step in decisive actions. These actions, together with the recent proposal for sending a letter to non-compliant States Parties (to be submitted at COP6), ensure the credibility of the monitoring process of the Convention and display the intent and actions needed to set clear expectations for States Parties.

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<sup>9</sup> A project conducted by the Paris West La Defense University and a Policy Advice Project involving seven State Parties under the coordination of an international consultant.



### *Membership and working methods of the Bureau*

70. Regional representation enabled through the membership of the Bureau did not appear to be an issue. In fact, a high proportion (83%) of States Parties 'agreed/fully agreed' that regional interests of States Parties are served well by the geographic representation of Bureau members. Besides adequate regional representation, there were other issues identified that needed to be taken into consideration while becoming a Bureau member particularly relating to their skill, experience and knowledge about the current anti-doping environment. As noted earlier, the mandates for the Chair and Rapporteur have a clear legal basis while in the case of Vice-Chairpersons the States Parties have the mandate to nominate any representative.

71. In this regard, stakeholders cautioned States Parties to consider competency [particularly of the Chair and Vice-Chair], and availability [to dedicate time to actively engage in the inter-session meetings including follow-up] when nominating representatives for the Bureau. In-person meetings are not always feasible and technological solutions are being actively pursued; this requires potential nominees to have a high level of comfort with and access to communication technology. Further, location of the Bureau meetings were rotated across those of the members and this was seen as an opportunity for the host countries to give visibility to their own work and use the forum to highlight the importance of the Convention in their national contexts.

72. With a view to addressing some of the issues concerning membership and active participation in the Bureau, at the recent Bucharest meeting of the Bureau, the following principles were adopted on an informal basis regarding the eligibility of a Bureau member: members will have to host at least one Bureau meeting; be deeply involved in the work of the Bureau; costs of representation are to be borne by the nominating country; and the nominating country must be compliant with the Convention. These principles are to be presented for a future amendment.

### *Actively seeking to strengthen links with international partners*

73. The Bureau's efforts to work with either advisory organizations such as the World Anti-Doping Agency (WADA) or observers such as the International Olympic Committee (IOC), the International Paralympic Committee (IPC), and the Council of Europe (COE) was acknowledged and strongly supported by stakeholders, in particular, their efforts to engage with WADA. The Convention promotes the principles of the Code as part of its key objectives and contains Annexes that specifically reflect the provisions of the Code. This provides the basis for the joint work between UNESCO and WADA in the global efforts to combat doping in sport.

74. In 2015 a Memorandum of Understanding (MoU), signed between UNESCO and WADA, renewed commitments of both organizations to cooperate in their fight against doping. The MoU spans a number of areas set within eight articles including cooperation (e.g. WADA technical advice to the Fund's Approval Committee), representation (e.g. attendance as observers at appropriate meetings of the other), regular exchange of information, setting up an Ad Hoc Management team (e.g. to draw up annual activities of common interest), and Finance (e.g. consider jointly financing common interest activities). The MoU thus provides the platform for a streamlined approach to working on areas of common interest and mutual benefit. Building on this platform, the Bureau and the WADA Foundation Board have agreed further areas of cooperation that go beyond what is stipulated in the MoU.

75. The need for harmonization between the Convention and the Code was highlighted as one of the outstanding issues by a key stakeholder that also suggested establishing a task force drawing on both UNESCO and WADA representatives, including the legal section of the former to help address legal complexities. One stakeholder also observed that not everyone at the Bureau has a full time role and taking a strategic view is hard; so it could be best to maintain ongoing dialogue with WADA on

where problems might be and then identify where the Bureau's interventions will have the most impact.

76. The Bureau's grasp of the outstanding issues between the Convention and the Code and its willingness to engage on a continuous basis with WADA indicates that the Bureau is actively pursuing engagement with the latter. Their response is partly shaped by the centrality of the importance of the Code and its crossover with the Convention. However, their engagement with other international partners appears limited.

## Monitoring of the Convention

77. States Parties are required to report to each COP on the legislative, regulatory and other measures taken by them for the purposes of complying with the provisions of the Convention. The Anti-Doping Logic System [ADLogic], developed in 2009, is the first monitoring and evaluation tool of the UNESCO Convention and provides a unique opportunity to monitor actions and measures taken by public authorities at the national level. It has two principal components:

- An online interface, which contains the ADLogic questionnaire – to elicit information from States Parties concerning the actions they have taken to comply with the obligations set forth in the Convention. The questionnaire has 28 questions, and 23 sub-questions that reflect the themes of the Convention, national anti-doping activities, international cooperation, education, training and research; and,
- A purpose-built assessment tool, which analyses the data, provided by States Parties utilizing a series of mathematical algorithms and produces a national compliance report for each State Party that submits a complete questionnaire. These reports are prepared by the UNESCO Secretariat and presented to the COP.

78. There have been significant transformations and developments in the anti-doping environment since ADLogic and the current questionnaire were formulated. In particular, the World Anti-Doping Code has been amended on two<sup>10</sup> occasions since the Convention was adopted by the UNESCO in 2005 and entered into force in 2007.

79. Ongoing monitoring of compliance with the Convention and additional research into the implementation of key obligations has shed further light on anti-doping activities undertaken by States Parties. As a result of these developments, some aspects of the ADLogic questionnaire were no longer considered relevant, resulting in the COP decision to adopt<sup>11</sup> the 'overall changes and new framework of the Anti-Doping Logic system' aimed at improving the scope and normative value of national reports.

## Emerging insights

### *The ADLogic system seen as a user-friendly tool for monitoring progress against implementation of the Convention*

80. The ADLogic is seen as a critical tool that tracks how States Parties are responding to the measures and obligations set out in the Convention. The structure and format of the tool was described as user-friendly and not placing too much burden on States Parties. A high proportion (92%) of States Parties 'agreed/fully agreed' that the ADLogic system is easy to use. Further, a similar majority (90%) of States Parties also 'agreed/fully agreed' that the time taken for reporting in the

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<sup>10</sup> At the time of this evaluation, consultations were underway for a possible third amendment to the WADA questionnaire.

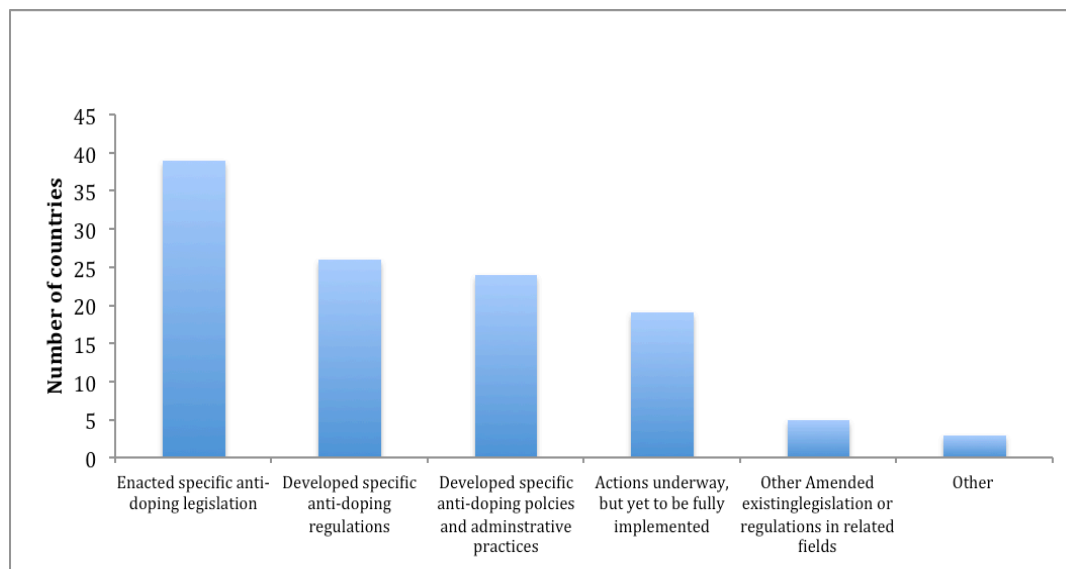
<sup>11</sup> Conference of Parties, Fifth session, Resolutions [ICDS/SCP/Doc.9]

ADLogic system is reasonable. Overall States Parties appear to consider the tool as not being too onerous or time consuming to fill.

*A range of actions taken by States Parties in response to the expectations set by the Convention*

81. Analysis of the results generated by the Anti-Doping logic system shows that about one third of countries (39) have adopted some specific form of anti-doping legislation. Enacting regulations, policies and administrative practices with relation to anti-doping activities are also common practices in 26 countries. Measures taken by countries include measures against athlete support personnel since COP3 [2011]; cooperation among anti-doping organizations; cooperation for anti-doping checks, and sanctions.

**Figure 4: Compliance by States Parties, ADLogic, 2015**



Source: Reproduced from COP5 based on data from 2015 ADLogic – Note: The data relates to 116 countries that replied to Q.1 in ADLogic: *Describe the principal measure taken to abide by the obligations contained in the Convention*. Only one answer is provided per State Party.

*Overall compliance with the reporting is disappointing*

82. The number of States Parties that provide national reports or whose national reports do not meet the benchmark<sup>12</sup> [the benchmarks specify the minimum standard or threshold that States Parties are expected to meet in order to achieve full compliance with the relevant question and article of the Convention] is decreasing. For instance, the overall rate of full compliance in 2015 was lower (47%) compared to 58% in 2013. Analysis for 2017 is still in progress, but initial data<sup>13</sup> made available to the evaluators show that the number of reports submitted for 2017 has decreased even further [96 completed].

83. This scenario, ten years after the Convention’s entry into force, is described by stakeholders as ‘hugely disappointing’ and they urged States Parties to address this issue if the Convention has to maintain its credibility and value in the anti-doping landscape. Some stakeholders are quick to point out that some of the reasons behind the low compliance are the absence of incentives to promote compliance or sanctions to punish non-compliance. However, this is only one part of the story. Others believe this is a reflection of (a) capacity and capability of States Parties to meaningfully respond to

<sup>12</sup> See para 69.

<sup>13</sup> Only 96 have submitted the questionnaire [compared to 116 in 2015]; 91 have not and 7 started but did not complete the questionnaire.

the monitoring requirements, (b) the value States Parties place on reporting on implementation of the Convention vis-à-vis other legal instruments, particularly the WADA Code, and (c) lack of understanding about the value of the information and how it can be used to drive change at the national level.

*There are also significant challenges with respect to the quality and quantity of information provided in the ADLogic monitoring*

84. The challenges faced with respect to effective monitoring of the implementation of the Convention by States Parties are many.

- *Report on activities rather than on outcomes* – the way the questions are formulated, for example, States Parties are asked to report on measures undertaken, which naturally leads them to report on activities. The ADLogic system does not ask questions about the actual results achieved due to the measures undertaken. With respect to international cooperation in research for instance, the ADLogic system collects information about the extent to which States Parties are conducting some form of research, the lines of inquiry pursued in the research and how the research results are shared with international counterparts and WADA. However, it does not ask questions about how the findings were used to influence policy discourse at the national level. This needs to be rectified.
- *Stakeholder input during the preparation of the ADLogic reports* - 81% of States Parties were of the opinion that relevant national stakeholders' input is obtained when filling out the ADLogic monitoring questions. At the same time, 8% of States Parties disagreed that this was being done. Stakeholders interviewed expressed some scepticism about the validity of this reporting and believed additional information needs to be requested to build confidence about this reporting.
- *Concerns remain with the validity of the information provided in the ADLogic reports* - since the ADLogic report is a self-assessment there are some questions about the quality and accuracy and validity of the information provided in these reports. However, stakeholders also state that the philosophy of the Convention and its consensual approach fits the UNESCO ethos. However, a balance needs to be struck to ensure quality of the information and build confidence about the progress made towards meeting the Convention's goals.

*Strong push to leverage opportunities for increased alignment between the various monitoring mechanisms*

85. In keeping with Resolution 2CP/5.2, the Secretariat has engaged in consultation with WADA and the COE to explore harmonization of monitoring systems for the three legal instruments. It was stated that the ADLogic's universal dimension gives it the role of 'radar' without sanctions in contrast to WADA, which may undertake binding measures.

86. Progress is being made to enable both convergence and complementarity and strengthening this tripartite cooperation. While the ADLogic is described as both appropriate and useful, stakeholders expressed a strong desire to join forces with the Council of Europe and WADA whose monitoring procedures go beyond a questionnaire-based self-assessment. The COE for instance has expressed the view that statistical data of the ADLogic system can be complemented with the qualitative data of 'field visits' undertaken by the Monitoring Group of the COE [refer to Table 2].

**Table 2: Monitoring mechanisms of the three legal instruments on anti-doping**

UNESCO Convention	WADA Code	Council of Europe
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			Convention
Responsible Body	Conference of Parties	Compliance Review Committee	Monitoring Group of the Anti-Doping Convention
		WADA Executive Committee	
		Foundation Board	
Monitoring Mechanism	ADLogic online questionnaire with a built-in assessment of compliance	Review of Anti-doping organizations rules	Online questionnaire.
		Code Compliance Questionnaire	Consultative visits to countries followed by Evaluation visits.
		Audits of NADOs or IFs	
		Investigations and other sources	
Sanctions	The disbursement of the amounts approved for the States Parties submitting applications to the Fund can only be made for States Parties that have submitted national reports as required under Article 31	Ineligibility to host sports events	Report of non-compliance to the Committee of Ministers of the Council of Europe
		Inability for national athletes to participate in competitions	
		No funding from WADA	
		Non-accreditation of laboratories	

Sources: UNESCO; [Council of Europe Compliance with Commitments project Procedural Guidelines](#); [WADA Compliance Monitoring Program](#)

### *Need to minimize reporting burden on States Parties*

87. State Parties are signatories to multiple instruments relating to the fight against doping in sport. As part of the obligations imposed through becoming signatories, is the need for compliance reporting on each of those instruments. From the first session of the COP, issues have been raised about duplication and the burden of reporting requirements as competent national authorities of States Parties already had reporting obligations as signatories to the Code. Some States Parties also had obligations under the COE's Anti-Doping Convention 1989. The problems are exacerbated with the recent changes to the WADA questionnaire.

88. The results of the survey of States Parties showed mixed responses. To the question on whether the reporting requirements of the Convention and other instruments in the field of anti-doping (e.g. WADA Code) place a burden on States Parties, 57% agreed/fully agreed that it did. Interestingly 42% of States Parties disagreed/fully disagreed. However, many stakeholders interviewed confirm that there is a high level of 'reporting fatigue', particularly when there are common elements across the multiple instruments and that the reporting windows are spread apart.

89. There are thus on going concerns relating to coordination and harmonization with other compliance monitoring systems, namely the WADA Code and COE Convention. There also appears to be a risk of overburdening States Parties with demands for information from multiple anti-doping agencies that needs to be addressed.

*Recent efforts to strengthen compliance and development of consequences framework is seen as a step in the right direction*

90. There was strong stakeholder support for continuing with current monitoring efforts as it held States Parties accountable for action and provided the much-needed evidence-base for the Conference of Parties to track progress. The real problem with the monitoring of the Convention is that the only sanction imposed on States Parties that do not report is the disbursement of the amounts approved for the States Parties submitting applications to the Fund as required under Article 31. In light of this, recent developments such as the letter from the Director-General of UNESCO reminding States Parties of their monitoring obligations and the consequences framework were seen as a step towards strengthening accountability.

91. Stakeholders suggest that lessons could be learnt from the monitoring undertaken by the Council of Europe that addresses issues of accuracy through country visits. A team comprising experts from fields relevant to the country being visited are invited to examine how the COE Convention is being implemented within the country, and identify how implementation can be improved, strengthened or reshaped to maximize influence.

92. A range of factors contribute to issues pertaining to the quality of the monitoring system:

- States Parties do not realize the implications of their responses; they do not understand the algorithms underpinning the benchmarks;
- The person who is filling in the questionnaire may not be the appropriate one with all of the information to respond meaningfully – this results in incomplete or patchy responses to the questionnaire;
- States Parties are unclear about the value of the information provided for themselves – they see it as a compliance exercise rather than a tool for learning about their own progress towards building a culture of anti-doping.

**Recommendation:** The Convention Secretariat together with the COP should increase efforts to monitor States Parties' compliance with the Convention with a view to enforcing the Convention.

## The Fund for the Elimination of Doping in Sport

93. UNESCO's Fund for the Elimination of Doping in Sport was established in 2008, under the International Convention against Doping in Sport, in recognition of the fact that policy-makers face challenges in the implementation of the Convention. The UNESCO Fund or Voluntary Fund, as it is known, established three priority areas, as set by the Conference of Parties: (1) education, (2) policy advice, and (3) capacity development. It is fed by voluntary contributions from States Parties to the Convention, organizations and programmes of the United Nations system, other international organizations, private or public bodies and individuals as well as revenue from fundraising activities.

94. A Fund Approval Committee, a subsidiary of the Conference of Parties, is responsible for the administration and allocation of the Fund. The Conference of Parties elects States Parties to the Approval Committee every biennium based on equitable geographical representation. The Approval

Committee is supported by the Fund Secretariat and assisted in an advisory capacity by representatives from the Education Sector, the External Relations and Public Information Sector and WADA. The Committee meets twice a year to review and approve project applications.

95. A Fund Secretariat, established within the Convention Secretariat, supports the Fund Approval Committee. To cope with the demands associated with the administration of the Fund including assessing applications, preparing reports and managing contracts, the COP approved the creation of two additional positions in 2013 in the Secretariat; who would focus solely on matters relating to the Fund.

## Emerging insights

### *The Fund continues to grow in popularity since it was established*

96. The Fund is the most visible of the mechanisms set up by the Convention and receives strong support from States Parties. Demand<sup>14</sup> for the Fund continues to grow. Since 2008, the Fund has invested more than USD 4.2 million spread across 218 projects in 108 States Parties. The exponential increase in the number of projects approved and implemented [from 12 in the 2008-2009 biennium to 59 in 2014-2015] can be attributed to the concerted efforts of the Secretariat to enhance the Fund's visibility through the upgrade of the website, development of technical and promotional materials and targeted outreach through UNESCO and partner networks. Fund Secretariat staff reported that project grants have improved national and regional anti-doping agendas in the priority areas identified in the Fund and successfully engaged diverse beneficiary groups from parliamentarians and sports administrators to doping control officers and school students.

97. To date, 218 projects (including 23 regional initiatives) have been granted financial assistance: 61 projects from Africa, 14 from the Arab States, 29 from Asia and the Pacific, 49 from Europe and North America, 65 from Latin America and the Caribbean. With regard to the Fund's priorities, 173 projects focused on education, 36 were capacity-building initiatives, while nine related to policy advice.

98. This upsurge in application development and rollout is illustrated not just in the rise in projects approved but also in the record-breaking number of initiatives currently under development (70). The decision to invest in human resourcing of the Fund, first approved by the Conference of Parties during its third session in Resolution 3CP/6.3 has been critical in ensuring effective implementation of the Fund. Activities under the Fund have a broad thematic focus and wide geographical coverage, which is central to UN principles of equity-driven capacity development.

### *The Fund's unique and special character receives strong endorsement from all stakeholders*

99. Stakeholders interviewed for the evaluation strongly believe that the Fund has a distinct and unique position in the anti-doping landscape in that it is the only such fund that supports governments in their fight against doping. Its mandate, set forth under Article 17 of the Convention, provides a more flexible framework vis-à-vis funding mechanisms of the IOC, WADA and the Council of Europe as it encompasses policy-makers, the sport movement (i.e. athletes, athlete support personnel, and sport administrators) and the general public (i.e. parents, teachers, youth) in multi-stakeholder activities to drive education and training, policy-development and research. By contrast, the IOC Fund is for science and social research committed to protecting clean athletes, and the WADA Special Research Fund is a joint IOC-WADA fund administered by WADA for 'innovative anti-doping research focused on protecting clean athletes'.

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<sup>14</sup> 218 projects worth over US\$4.2 million funded so far.



100. Further reflection on the priorities and scope of these different funds offers interesting insights into the prevalence of funding opportunities available for research versus action-oriented country interventions. Notably, IOC and WADA funding mechanisms relate to either applied science or specific social science research; whereas the UNESCO Fund provides financial assistance to projects focused on practical interventions in the areas of education, policy advice, and capacity-building. Moreover, UNESCO-funded projects cover every world region and focus primarily on single-country activities, implemented on the ground, according to identified needs.

101. In summary, stakeholders emphasized that the Fund is the only one of its kind and at the coalface of anti-doping. This unique character of the Fund needs to be preserved. While stakeholders acknowledge that research and action-focused approaches are necessary to mitigate doping, it is vital that complementarity is increased and the nexus strengthened between the two to better protect limited resources in the field of anti-doping.

*We have benefited from the Fund three times, both as a country and for our regional projects. Sport is a pillar in terms of prestige for our country; and the anti-doping challenges are hugely complex. The Fund has been timely for my country to run critical educational programmes not only for our athletes but also for our stakeholders. The project has helped cement our relationships with stakeholders.*

*[Fund beneficiary]*

### *Requirements for financial or in-kind contributions from States Parties strengthens national ownership*

102. The Handbook stipulates that States Parties must co-contribute to the projects for which they are seeking funding. Not surprisingly, up to now, most countries have tended to offer in-kind support as opposed to financial support. This picture is changing and at the most recent Committee meeting held in June 2017, all applications that were approved had significant financial support from States Parties applicants including one from a Small Island State in the Pacific. These developments are important as they demonstrate national ownership of projects and the commitment of States Parties to addressing the issues identified by projects. In some instances [Box 3.1], contributions from the States Parties make up more than 50% of the cost of the projects.

103. These are important and significant developments, particularly in light of the declining resources in the Fund, as they signal a strong commitment from the States Parties to undertake actions.

#### **Box 3.1: Jamaica Anti-Doping Commission – Sample Collection Personnel training [Project completed; 2014]**

**The project:** The Jamaica Anti-Doping Commission [JADCO] is a statutory body within the purview of the Ministry with responsibility for Sports in Jamaica, Office of the Prime Minister. During a visit by WADA in 2013, a number of recommendations were made to the anti-doping programme of Jamaica. In response to these recommendations, JADCO instituted changes to its governance; recruited new staff and new sample collection personnel. JADCO partnered with the Canadian Centre for Ethics in Sport [CCES] to receive support and training and strengthen the anti-doping knowledge and expertise of staff in JADCO. Through the application to the Fund, the Government of Jamaica was seeking support for mentoring and capacity development, specifically seeking support for the recruitment and training of sample collection personnel.

**Financial support for the project:** The total cost of the Project was USD\$ 36,525. Funding requested from UNESCO was USD\$19,752; the financial contribution from the applicant was USD\$16,772. In addition, there was non-financial contributions in the form of use of offices for meetings; use of administrative equipment; involvement of JADCO office staff and use of JADCO vehicles for transportation.



### *Intensive, hands-on support required for States Parties to access the Fund*

104. The interviews with Fund beneficiaries and the Fund Secretariat revealed that there is significant variability in the capacities and capabilities of States Parties to access the Fund. Despite the Handbook and online resources such as *tips and tricks* being available, applicants still submit incomplete applications, as they do not have the human and financial resources to prepare elaborate project proposals. To overcome these challenges and ensure equitable access, the Fund Secretariat provides hands-on support to States Parties during the application process. Through regular discussion, dialogue, and engagement with relevant domestic and regional stakeholders, the Fund Secretariat strives to ensure that the project for which funding is being sought is conceptually robust, well aligned to the needs and aspirations of the State Party and supports the implementation of the Convention. The evaluation findings indicate that there is strong support and endorsement for the staff, and States Parties rate the quality of advice and support they receive from the Secretariat very highly. 79% 'agreed/fully agreed' that the quality of support offered by the Fund Secretariat was high.

*We are not developing a piece of paper. We try to ensure that applicants are aware of the information that exists and we actively connect them with other States Parties who may have tried a similar project. We deconstruct their project and help them refine and shape the project so as to maximize the value they derive from it.*

*[Fund Secretariat]*

### *There may be opportunities to make the administration of the Fund more efficient*

105. While the support offered by the Fund Secretariat is valued by States Parties, their work in taking the idea and shaping it into a project with clear boundaries and outcomes requires considerable time and effort. The evaluation revealed that on average, there are four to ten iterations for every application, and in one instance, there were 30 iterations with a State Party to help finalise the project proposal. In spite of this upfront investment in proposal design and development, some of the projects were not successful in their application. The work of the Fund Secretariat encompasses a whole range of tasks - capacity building; project and contract management; secretarial support for the Fund Approval Committee; communication and promotional initiatives; evaluating the results of each project; fundraising to ensure continued buoyancy of the Fund and identifying and sharing good practices with other States Parties and stakeholders. Given the breadth of their work, there could potentially be some efficiency gains in the administration practices relating to the Fund. This would ensure the Fund Secretariat could focus on the most important aspects of their role. Some ideas that emerged during the evaluation included:

- (a) The introduction of a smart web-based application tool, which will require applicants to provide in-depth information to satisfy each field before moving to the next field.
- (b) The introduction of a two step-process, where the first step involves seeking expressions of interest from applicants and filtering these down to a small number using selective high-level criteria<sup>15</sup> and then embarking on an intensive engagement with the selected applicants. This will ensure that the time and effort invested by the Secretariat is targeted and focused, freeing up their time to undertake other tasks.
- (c) The introduction of a thematic focus for the Fund each biennium [e.g. nutritional supplements; values-based education] which will allow for efficiencies [through development of shared tools and resources]; greater coherence and coordination across projects and building the knowledge

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<sup>15</sup> The criteria needs to be simple and easy to apply (e.g. is the project anchored in a national level strategy; has the proposal been developed in consultation with national and regional stakeholders; how does the project contribute to the implementation of the Convention?) This will encourage States Parties to engage more meaningfully with their stakeholders and put forth their project ideas for consideration by the Secretariat. The Secretariat can then work with these ideas and help shape them to be implemented effectively.

and evidence-base about the thematic area. Thematic analysis can be shared at the COP thereby steering the discourse on what works and what does not work, and building on successes.

### *Increase in projects vis-à-vis decreasing contributions poses a major threat to the sustainability of the Fund*

106. While the efforts to promote and enhance the visibility of the Fund have led to exponential growth in applications to the Fund, voluntary contributions to the Fund have been on the decline – this matter requires urgent attention. In all, 185 countries are signatories to the Convention but over the last ten years, only 21 countries have contributed to the Fund. Given the value of the Fund for States Parties and its declining donor base, it may be timely for the Conference of Parties to advocate strongly for diversifying the funding sources including looking at new donors, potentially private sponsors as well as various sports federations. Strong imperatives exist to consider diversifying the funding sources including seeking support from other entities working in the field of anti-doping (e.g. national and regional anti-doping agencies, national Olympic committees and the private sector) and including from participating countries. The Convention allows for contributions for funds to be sought from private or public bodies and individuals and these opportunities need to be leveraged to ensure the sustainability of the Fund.

### *Policy advice pillar receives minimal attention from States Parties*

107. Of the three priorities agreed on by the Conference of Parties for the Fund, applications for policy projects are the smallest in number [of the 218 projects funded since the establishment of the Fund, 173 projects sit under education, 36 are capacity-building initiatives, while 9 relate to policy advice]. Stakeholders believe the reasons for this relate to the complexity and scale of the latter. While this is possibly true, developing national anti-doping policies is the most important vehicle for influencing the anti-doping context at the national level and requires urgent attention. The investment in the Policy Advice Project is a step in the right direction as it provides the methodology and approach that could be considered by States Parties keen on embarking on work to introduce anti-doping legislation, regulation or policy.

### *The Fund Approval Committee has strengthened its working methods but opportunities remain*

108. Since 2010, the Committee meets twice a year to examine applications for projects. Prior to that, the Committee worked through Skype and email. When the Fund had acquired more resources, the first decision the Committee made was to meet in person.

109. The Committee could perform better if it had the right skills mix amongst its members. Governments need to appoint experts to the Committee: people that can review and assess applications that would enhance decision-making and the quality of discussions. In this regard, some guidance needs to be provided to States Parties on who they should nominate. In order to demonstrate commitment, one suggestion was that countries that nominate members should also be donors to the Fund. Currently only Russia and Finland are.

110. To improve internal coordination and coherence, Approval Committee members should also have the formal right to attend Bureau meetings. This needs to be embedded into the Rules of Procedure of the Bureau as currently this happens on an ad hoc basis. Externally, opportunities remain to strengthen cooperation. The 2016 review of the strategic investment of the Fund and comparative analysis of funding opportunities showed that there is a multiplicity of grants and varying mandates of international, regional and national organizations in the anti-doping field. There is opportunity here for the Committee to enhance the nexus between the actions of each actor (IOC, RADOs, WADA and UNESCO).

**Recommendation:** The Fund Secretariat together with the Convention Secretariat should undertake a series of actions in order to increase the effectiveness and efficiency of the Fund.

## The Convention Secretariat

111. On behalf of UNESCO, the Secretariat of the Convention assists and collaborates with States Parties in matters related to the implementation of the Convention. The position and funding of the Secretariat are set forth in Article 32 of the Convention that notes ‘the Secretariat of the Conference of Parties shall be provided by the Director-General of UNESCO. Functioning costs associated with the Secretariat will be funded from the regular budget of UNESCO within existing resources at an appropriate level, done on a strictly minimal basis.’ The Social and Human Sciences Sector has assumed the function of the Secretariat. Since 2007, the role of the Secretariat has changed significantly and has become increasingly complex and broad. Current functions of the Convention Secretariat are multifaceted and include, but are not limited to, the following functions:

- undertaking activities that promote the objectives of the Convention – these include writing to the Permanent Delegations and National Commissions of the Member States of UNESCO that have not adhered to the Convention; consultation with WADA and the Council of Europe on harmonization of reporting and monitoring systems; organising seminars and conferences;
- providing administrative support to the governing bodies of the Convention [through the organization of meetings; preparation of working documents; coordination and communication] and ensuring the implementation of its decisions;
- providing support to the Fund Approval Committee through the Fund Secretariat;
- providing general advice and assistance to States Parties as part of ongoing capacity building programmes;
- anticipating and proactively supporting the governing bodies of the Convention to lead its implementation through analysis of emerging issues. For instance, the Convention Secretariat observed [through the ADLogic monitoring reports as well as analysis of applications for the Fund] that a lot more work needs to be done by States Parties to establish legislative and policy environments. This resulted in the design and implementation of the Policy Advice Project.

## Emerging insights

### *Strong endorsement from stakeholders of the role and contribution of the Convention Secretariat*

112. The activities undertaken by the Secretariat to increase awareness of the Convention and promote its purpose were seen as critical in achieving the high number of ratifications of the Convention. Various initiatives taken by UNESCO [at Headquarters and field offices] and the Bureau of the Conference of Parties include regional and sub-regional conferences, the development of partnerships with regional international organizations, the elaboration of tools and resources and hosting a series of conferences, workshops and seminars. For instance at the initiative of the Secretariat, a publication on the prevention of doping has been produced by the Social Sciences and Doping Group - CERSM, under the supervision of the recently named UNESCO Chair Professor Patrick

Trabal (Paris West University Nanterre), to encourage the development of evidence-based policy on the prevention of doping in sport<sup>16</sup>. More recently, the Secretariat has drafted a set of Operational Guidelines to assist and facilitate the implementation of the Convention will be presented at COP6. Stakeholders regarded these efforts as significant in ensuring UNESCO's leadership of the Convention and enhancing its visibility at the global level.

113. This general endorsement of the role of the Secretariat resonated in the survey findings. The quality of support offered by the Secretariat to the COP is highly valued by States Parties. A majority of the respondents (88%) 'agreed/fully agreed' that the quality of support provided by the Secretariat to the organization of the Conference of Parties is high.

#### *Ongoing efforts to extend the reach and influence of the Convention*

114. The current landscape of doping needs comprehensive, coordinated and strong partnerships with anti-doping stakeholders so as to deepen the influence of the Convention, access to resources and create opportunities for learning from each other's experiences. The Secretariat's unwavering focus in this regard in supporting the Conference of Parties to promote the aims of the Convention is acknowledged.

115. As observed by a stakeholder, the Convention enabled States Parties to dip their feet into the water; but now that we realize how deep the water is, we need to learn to swim.

116. Crafting wider partnerships should be a constant endeavour for the Secretariat in order to acquire expertise, knowledge and synergies that come from working in partnership with others. This is even more critical in the circumstances of scarce resources and further push to promote horizontal connectedness.

**Recommendation:** The Convention Secretariat should enable States Parties to learn from each other's experiences in the fight against doping in sport.

#### *Credible and purposeful leadership for the Convention requires adequate resources*

117. The funding allocated to the implementation of the Convention has been strictly minimal in accordance with Article 32 of the Convention. This was highlighted earlier (Fig.1, Chapter 2) where the Regular Programme allocation has remained modest and unchanged. However since the Secretariat was first set up, the scale, scope and complexity of its work has changed significantly. These changes have been necessary to respond to the implementation challenges and have included capacity building for States Parties, developing new approaches and methodologies for leading policy projects, fundraising activities to sustain the Fund, and crafting new strategic partnerships to ensure visibility and leadership of the Convention. Current resourcing (one P4 position) for the Convention Secretariat is a serious setback to UNESCO's ability to meaningfully and credibly lead the implementation of the Convention. The larger size of the secretariat for the Council of Europe convention with a smaller membership was pointed out in this regard.

118. These issues have been outlined in the External Auditor's report<sup>17</sup> that states that 'UNESCO no longer has the means to face an ever-growing number of priorities that, materially, cannot be

<sup>16</sup> <http://unesdoc.unesco.org/images/0023/002302/230205F.pdf>

<sup>17</sup> UNESCO, 2015, 197 EX/28 Rev. New Audits by the External Auditor

addressed owing to the lack of human resources'. The report makes particular observations with respect to the Convention Secretariat by noting 'this is highly relevant for the Convention Secretariat overseeing the implementation of the International Convention'. These issues are endemic to UNESCO as noted in another report by internal audit that states there is a strong need to "prioritize the current work load of the Convention Secretariats to align it with available resources".<sup>18</sup>

119. The 38 C/5 Programme and Budget document explicitly identified Expected Result 7 'multi-stakeholder and inclusive public policies designed and implemented by Member States in the field of physical education, sport and anti-doping'. It is recommended that the Convention Secretariat formulate proposals to the Conference of Parties of the Convention to:

- Prioritize the workload of the Convention Secretariat to align it with available resources
- Develop a coordinated extra-budgetary fundraising strategy and form a resource mobilization team to address the urgent issue of resourcing for both the Convention Secretariat as well as the Voluntary Fund.

## Partnerships and collaborations

120. The Convention can ultimately succeed in its aims only if it is able to influence and encourage anti-doping activities and actions both at the national and international levels. To achieve this, the Convention sets up a number of obligations for States Parties and expects them to cooperate across public policy sectors such as health, education, justice and with private stakeholders such as pharmaceutical industries. The Convention Secretariat together with the Bureau undertakes to craft and foster new strategic international partnerships to ensure convergence of interest and progress towards the implementation of the Convention. This section of the report discusses the role and contribution of partnerships, forged at the national and international levels, in the implementation of the Convention.

### Emerging insights

121. Emerging insights around partnerships and collaborations have been summarised and discussed around two broad headings: activities undertaken by the States Parties to promote cooperation and partnerships, both domestically and internationally and those undertaken by the Convention Secretariat to strengthen implementation of the Convention.

#### *Activities undertaken by the States Parties to promote cooperation and partnerships, domestically and internationally*

122. Some of the core articles in the Convention aim at ensuring national level coordination and collaboration. In particular, Articles 7 to 12 of the Convention set out the obligations for State Parties to fight doping through various measures, including restricting prohibited substances, setting up national testing regimes and facilities, regulating the marketing and distribution of supplements and withholding financial support for erring athletes and sports personnel. These actions taken by States Parties at the national level are the subject of monitoring by the Convention Secretariat and the 2015 analysis of the ADLogic reports shows there is progress in this regard.

123. Domestic stakeholders can play a critical role as a 'bridge' connecting different actors particularly government agencies, sporting entities, the industry, and civil society. There are multiple channels that remind and support States Parties to ensure coordination between different stakeholders in the implementation of the Convention, including:

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<sup>18</sup> UNESCO. 2013. Audit of the Working Methods of Cultural Conventions.

- Ongoing advice by the Convention Secretariat to governments;
- Encouragement of States Parties that apply to the Fund to discuss, coordinate and partner with local stakeholders in the design and implementation of their project;
- Recent calls to form national platforms for coordinating States Parties' response to monitoring requirements. This includes the creation of a national focal point who can coordinate with anti-doping stakeholders and ensure a coherent policy response in the fight against doping.

124. Box 3.2 provides some insights about the approaches taken by selected States Parties towards international cooperation.

**Box: 3.2 Towards a systematic approach to international cooperation**

**France:** The AFLD (Agence française de lutte contre le dopage) has signed a Memorandum of Understanding [MoU] and forged partnerships with international sports federations, NADOs and bodies responsible for big international sports events such as:

- The partnership agreement with the Monegasque Anti-Doping Committee, Norway's NADO, the UK's NADO.
- A Convention signed with WADA to conduct anti-doping checks.
- MoU with the Organizational Committee for the 11th African games or that of the Indian Ocean Games in order to conduct anti-doping checks and/or anti-doping analysis.
- MoU with the Union of European Football Associations [UEFA], the International Union of Cyclists, the international Association of Athletics Federations and the International Swimming Federations on anti-doping programmes, including the sharing of information regarding personal data as related to the biological passport.
- MoU with the UEFA on anti-doping programmes within the framework of the UEFA 2016 Euro.

**Brazil:** The ABCD (Autoridade Brasileira de Controle de Dopagem) has created international linkages such as:

- Many international exchange events on anti-doping best practices were held in Brazil with other (NADOs) and the Brazilian Doping Control Laboratory (LBCD) was finally reaccredited by the World Anti-Doping Agency in March 2015. The hosting of the Rio Olympic Games in 2016 was a further addition to its international engagement.
- Brazil has explored international arrangements, partnerships and cooperation agreements with the international community (UNESCO, WADA, NADOs, IOC, etc.) as part of its openness to world best practices as far as anti-doping intelligence; control and education policies are concerned.
- A world provider of technical cooperation in anti-doping when it comes to the contribution of ABCD for Portuguese-speaking countries, which have always faced difficulties as most of the literature or anti-doping regulations are only available in English.

125. Stakeholders believe these activities and actions undertaken by public authorities can vary among states and there is no consistent framework that enables a systematic approach. There is considerable divergence in national situations regarding the cultural, legal, political and economic context for the strategies put in place. Besides such variable country specific contexts, part of the challenges inherent to this area of coordination and collaboration are aptly summarized in the Policy Advice Project (2015) as under:

- State Parties' global view of anti-doping efforts diverges from the sports discipline focus of WADA and has led to national policy coordination challenges;
- The growing difficulty for States Parties, both concerning the management of procedure deadlines and the possible contradictions between the new principles of the modified Code and their own legal constraints of a constitutional or conventional nature (in particular, for example, the European Convention on Human Rights), in applying to internal law the principles and provisions of the World Anti-Doping Code;

- Very significant inequality among the States depending on the means at their disposal and the flexibility of public funding to respond to doping challenges.

126. UNESCO through its Social and Human Sciences Sector and field offices also finds opportunities [Box 3.3] for working in concerted and coordinated ways to maximize the implementation of the Convention.

**Box 3.3: UNESCO support for implementation of the Convention**

**Brasilia:** In August 2014, the UNESCO Office in Brasilia and the Brazilian Anti-Doping Authority (ABCD) signed a two-year cooperation agreement that foresees a series of joint actions on information, education, prevention, capacity-building and doping control. Thanks to the national and international consultants recruited for the project, ABCD will carry out a number of education activities - seminars, campaigns, international exchanges and so forth - with an emphasis on implementation of the UNESCO Convention, which was ratified by Brazil in 2007. Important achievements have already been made, such as an international forum on intelligence in the fight against doping, which took place in April 2015 with the participation of representatives of the International Olympic Committee (IOC) and a number of national anti-doping agencies (United Kingdom, USA, Canada and Spain), and the re-accreditation, in May 2015, of the Brazilian Doping Control Laboratory (LBCD) by WADA.

**Philippines:** The South-East Asia Centre of Lifelong Learning for Sustainable Development (SEA-CLLSD) in Manila, Philippines, organized a conference on doping in cooperation with the UNESCO National Commission of the Philippines. The aim of the conference was to promote the Convention in the Southeast Asia region and raise awareness among young people through school competitions on the theme of “clean sport”.

127. Information sharing between government, sports federations, civil society and the general public at the national level lies at the heart of domestic coordination efforts and this is an area that warrants further attention. Stakeholders interviewed during this evaluation reiterated the importance of sharing information and experience through networks and platforms. The Good Practice narratives gathered in this evaluation from selected States Parties provides rich information on the strategies used to promote learning across stakeholders and can serve as examples. Both countries featured in the example [Box 3.4] below encouraged States Parties to take full advantage of opportunities to participate in bilateral and multilateral dialogue as the sharing of information and ideas can lead to continual improvement and learning.

**Box 3.4: Examples of information sharing**

**France:** Information sharing occurs in a number of ways:

- Between State services [customs, competition/consumption/fraud prevention and control, sports, tax office and police] and the AFLD for all information obtained while completing their mission relating to forbidden substances and methods;
- Between the AFLD and WADA, NADOs, international sport federations and bodies responsible for major international sports events;
- French Sports federations, the organizers of national competitions, as well as international sport organizations, with jurisdiction to order anti-doping checks during international sports competitions
- All bodies or agents of a French sports federation that are aware of a violation of anti-doping rules must report it to the AFLD and to the relevant international federations and cooperate with these organizations in their investigations.

**New Zealand:** Information sharing occurs through:

- Strong collaborative approach to anti-doping between DFSNZ, Sport NZ, the New Zealand Olympic Committee, the Paralympics New Zealand in relation to anti-doping policy and supporting the work of DFSNZ
- DFSNZ has the ability through legislation to share relevant information with other regulatory bodies. A MoU is in place with Customs and there is already effective sharing of information with NZ Police and ‘Medsafe’, the body responsible for enforcing the Medicines Act. Information from all three sources has led to prosecution of athletes at various times
- DFSNZ also seeks to participate actively in international collaboration to both influence and share best practices.

### *Activities undertaken by the Convention Secretariat to promote partnerships and collaborations*

128. The activities undertaken by the Secretariat to promote international cooperation around the aims of the Convention are wide ranging and encompass direct advice to States Parties as well as initiatives that promote the Convention on the international stage. The Secretariat provides regular updates to the COP and its Bureau on the activities undertaken to forge new strategic partnerships to strengthen implementation of the Convention. Recent examples include:

- Invitation to WADA, the Council of Europe and INTERPOL to formulate their opinions within the framework of the revision of the ADLogic questionnaire, in order to ensure that there is no duplication in respective questionnaires and the development of a consensual evaluation tool.
- Growing partnerships with key stakeholders including the pharmaceutical industries [refer to Tokyo conference details below]
- An international Network for Doping Studies and Analysis of Anti-Doping Policies through a UNESCO Chair who will help countries in formulating a research programme<sup>19</sup>. The Chair can also assist in other ways such as student exchanges, creating a resource base.

### *Forging strong partnership with WADA*

129. The Convention's relationship with the Code and therefore WADA receives ongoing attention as the principles of the Code are enshrined in the body of the Convention and more specifically within the Annex and the Appendix. In this sense, the Code and the Convention are intrinsically connected and the issue is one of operationalising what this means for States Parties and how the two Organizations work together to generate progress in anti-doping efforts.

130. More recently the cooperation between UNESCO and WADA to promote the International Convention against Doping in Sport has been particularly strategic and targeted – leading notably to the International Conferences (2012 and 2015) on “the pharmaceutical industry and the fight against doping in sport”. For instance, UNESCO, WADA, the Japan Anti-Doping Agency (JADA) and the Government of Japan organized the second conference. UNESCO and WADA also cooperate in the Education field.

131. With a view to formalising the areas of common interest between both Organizations, a MoU was signed between UNESCO and WADA in 2015. It provides for a number of areas of cooperation such as WADA continuing to provide advice on the Voluntary Fund and attending the meetings of the Fund Approval Committee; cooperating in training and developing education programmes for young people.

132. WADA also supports the compliance efforts pursued by UNESCO. In particular, it approved the template letter at the 2017 Bucharest meeting of the Bureau for publically displaying the list of non-compliant States Parties. This happened despite apprehension expressed about the conflict between the compliance systems of UNESCO and WADA. At the same Bureau meeting, a consequences framework was also shared. It is significant that this framework was developed with the assistance of WADA. These developments are a step in the right direction and set the stage for ongoing cooperation and complementarity of effort.

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<sup>19</sup> The objective of this Chair is to promote a global framework of integrated research activities, training, information and documentation in the field of anti-doping and the analysis of anti-doping politics. It should facilitate cooperation between high-level researchers, the University's internationally renowned professors and tertiary education institutions in France, Europe, Africa, Latin America, Asia and other regions of the world (2017 MoU between UNESCO and the University of Nanterre).



## Chapter 4 – Where to from here?

133. Over the past ten years, there have been significant developments with regard to the implementation of the Convention. After an initial slow start, implementation has been gaining momentum [much of the developments have come in the last four years]. Recent efforts in refining and adjusting different implementation mechanisms to ensure their robustness has led to strong engagement from States Parties. In particular, the leadership shown by the Conference of Parties in reinforcing the importance of monitoring [including the bold decision to send letters of non-compliance to States Parties] and/or empowering the Bureau to address issues as they arise and/or harmonization efforts between the Bureau and the Approval Committee is a testament to States Parties' overall commitment to the Convention.

134. The proactive role of the Convention Secretariat in shifting gears from ratification to implementation, through supporting the COP and the Bureau to respond to emerging implementation challenges, needs to be acknowledged. With minimal resources, human and financial, the Convention Secretariat has worked hard to maintain the line of sight to the intent and core principles of the Convention and its efforts must be commended.

135. While the investment in various promotional activities has contributed to increasing the visibility of the Convention and to raising awareness [evidenced by the high number of ratifications], it is now time to rebalance the efforts and attention of UNESCO towards the outcomes of the Convention. The focus on strengthening implementation mechanisms was entirely appropriate in the initial years following ratification; however ten years on, it is time for UNESCO to leverage opportunities for synergy across these mechanisms to facilitate achievement of the objectives of the Convention. It is also timely to remind States Parties that their ratification is an expression of their commitment to fighting doping in sport and to the implementation of the provisions of the Convention.

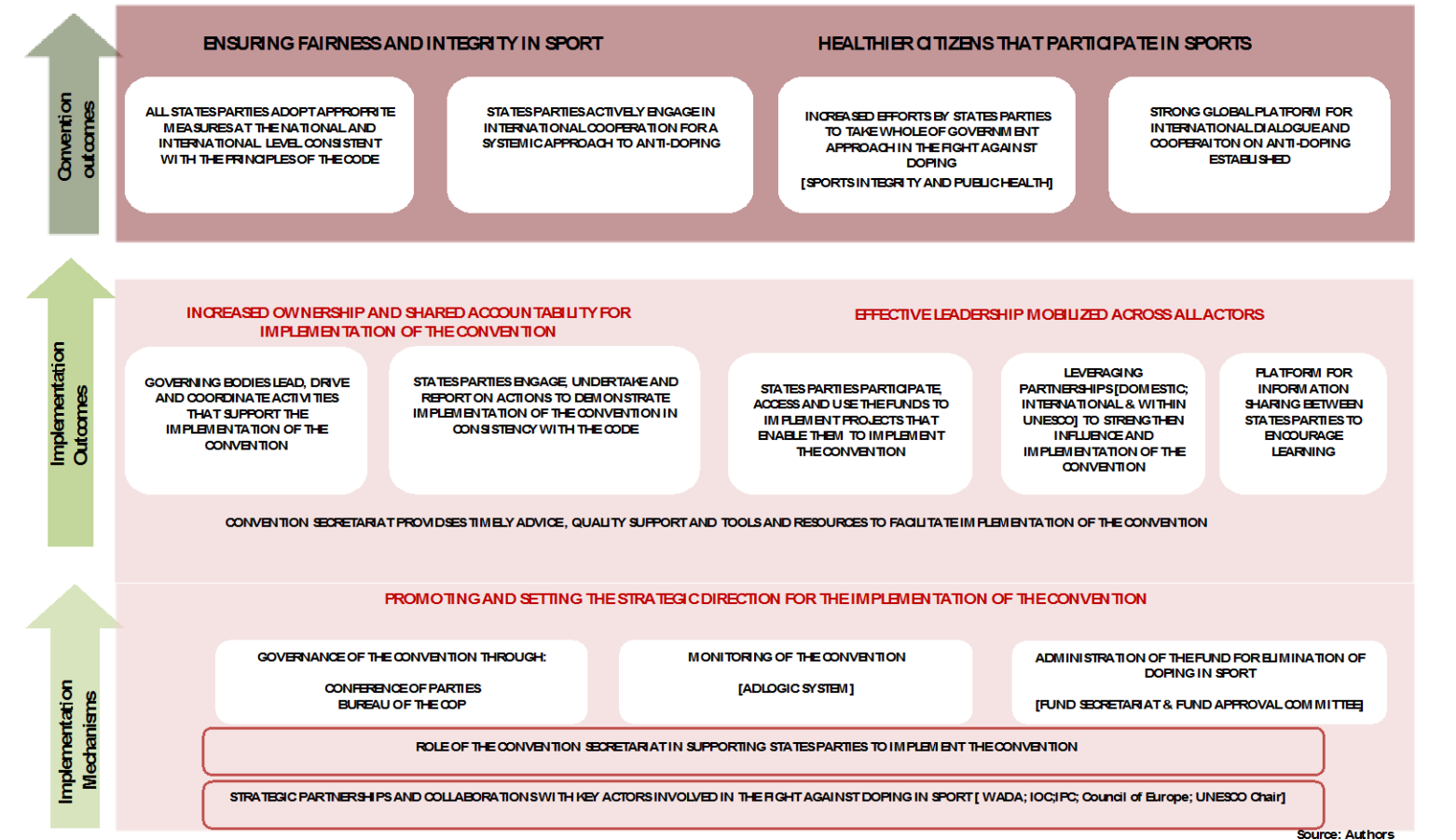
### Towards a theory of change

136. To guide UNESCO, a Theory of Change (Fig.5) has been developed by drawing together the information gathered from stakeholder interviews and their suggestions on the next steps for the implementation of the Convention. The Theory of Change is a useful framework for two reasons: it provides UNESCO with an overview of the Convention's objectives and clarifies how the implementation mechanisms are intended to work to achieve desired outcomes. The framework also intends to help UNESCO reflect on progress against implementation outcomes and serves as a platform for driving its future efforts. Equally, the Theory of Change can help the Conference of Parties understand how its decisions and actions can contribute to strengthening implementation and global efforts in the fight against doping in sport. For reasons of simplicity, the Theory of Change is limited to three levels:

- Implementation mechanisms, representing the suite of structures, processes and systems put in place to enable the implementation of the Convention;
- Implementation outcomes, representing the changes in behaviours and actions of key implementation actors required to enable and consolidate progress towards implementation;
- Convention outcomes, representing the purpose and aspirations of the Convention.

Figure 5: Theory of Change for the International Convention against Doping in Sport

Fig.5: INTERNATIONAL CONVENTION AGAINST DOPING IN SPORT – A THEORY OF CHANGE



Source: Authors

137. The Theory of Change illustrates areas of focus for UNESCO as the Organization moves into the next phase of implementation of the Convention. It also identifies how States Parties and the governance mechanisms of the Convention can support UNESCO to strengthen its efforts.

138. Analysing the findings of the evaluation against the framework indicates that work undertaken by the Convention Secretariat thus far in terms of refining and improving each of the mechanisms has been necessary to establish a strong foundation for implementation. The mechanisms collectively contribute to setting a strategic direction for implementation. With respect to implementation outcomes, however, the picture is somewhat patchy and the evaluation identified a number of areas where efforts can and must be strengthened to achieve implementation outcomes.

139. Addressing these areas requires concerted and focused efforts as below:

- Governance mechanisms (COP, Bureau, Approval Committee) need to assume stronger leadership of the Convention;
- States Parties should recognize and value the importance of monitoring compliance and sharing accountability for implementation;
- States Parties should discuss the sustainability of the Fund and how they can contribute to it either financially or by strengthening perceptions of its value for donors;
- The Secretariat should actively leverage opportunities for horizontal integration between the Convention’s mechanisms and other UNESCO bodies working in the field of sport;
- The Bureau should take stronger ownership of key issues and maintain a sense of urgency and focus in between COP sessions;
- Improved coordination and collaboration of efforts is needed to establish a platform for information-sharing between States Parties;
- Strengthening international cooperation and partnerships with WADA, the IOC, the IPC, and the Council of Europe to foster a culture of learning across anti-doping stakeholders.

## Recommendations

140. A summary of evaluation recommendations is presented below.

Recommendation 1	Governance
<p>The Convention Secretariat together with the various Governance mechanisms (COP, Bureau, and Fund Approval Committee) should make proposals to the Conference of Parties for strengthening the governance of the Convention with a view to reinforcing their leadership and facilitating more substantial discussions during their meetings.</p> <p>The following actions need to be considered to strengthen implementation:</p> <ul style="list-style-type: none"> <li>• Restructuring the format of the COP as well as its working methods.</li> <li>• Reviewing the profile of participants at the COP, the Bureau and the Approval Committee and encouraging the nomination and participation of experts in anti-doping.</li> <li>• Empowering the Bureau to drive the agenda of COP sessions.</li> <li>• Pursuing the regular participation of the Chairperson of the Bureau in meetings of the Fund Approval Committee meetings and <i>vice versa</i>.</li> <li>• Enabling the Bureau to continue working on a small set of identified priorities in between COP sessions.</li> </ul>	
Recommendation 2	Visibility

The Convention Secretariat together with the Bureau of the COP should elevate the visibility and leadership of the UNESCO Convention in the field of anti-doping through the development of a communication strategy that reinforces messages about its relevance and value and clarifies its role vis-à-vis other legal instruments in the field.

The following actions need to be considered to heighten the visibility of the Convention:

- Nominating champions/ambassadors for the Convention.
- Strengthening the empowerment of the Bureau and the Convention Secretariat to participate in international platforms in the field of anti-doping.
- Strengthening partnerships with other international actors in the field of doping in sport especially WADA (and its RADOs particularly) but also the IOC, the IPC, the Council of Europe and the Institute of National Anti-Doping Organisations (iNADO).
- Developing communication materials with a focus on what has been achieved in the first ten years since the adoption of the Convention and actively disseminating them to different audiences.
- Undertaking efforts to promote the Convention in other UNESCO bodies and forums with sports mandates (CIGEPS, MINEPS).

**Recommendation 3**

**Monitoring**

The Convention Secretariat together with the COP should increase efforts to monitor States Parties' compliance with the Convention with a view to enforcing the Convention.

The following actions need to be considered to strengthen monitoring of the Convention:

- Improving the ADLogic online questionnaire to ensure that the information collected focuses on actual changes [outcomes] in States Parties' policies and practices.
- Including questions in the ADLogic questionnaire on gender equality in States Parties' anti-doping policy frameworks.
- Considering the implementation of consequence framework for States Parties that do not report on measures taken to implement provisions of the Convention and/or do not comply with the latter.
- Collaborating with other organizations, such as WADA and the Council of Europe, for monitoring missions in States Parties.
- Continuing efforts to seek harmonization among the three monitoring systems to prevent duplication and monitoring fatigue by the States Parties.
- Encouraging the development of national compliance platforms and focal points to coordinate States Parties' response to monitoring requirements and providing regular assistance to them.

**Recommendation 4**

**Information sharing**

The Convention Secretariat should enable States Parties to learn from each other's experiences in the fight against doping in sport.

Suggested actions may include:

- Creating a platform for the sharing of good practices.
- Accessing skills and expertise of global, regional or national organizations in order to promote peer-to-peer learning.
- Engaging in further research projects in order to demonstrate the impact of the Convention, especially at the national policy levels

**Recommendation 5****Fund for the Elimination of Doping in Sport**

The Fund Secretariat together with the Convention Secretariat should undertake a series of actions in order to increase the effectiveness and efficiency of the Fund.

Suggested actions should include:

- Reviewing the return on investment for the Fund and use the findings to inform future management decisions.
- Introducing a thematic focus for the Fund each biennium in order to allow for greater coordination and knowledge sharing across projects.
- Establishing a smart online tool for applications to the Fund, which will guide applicants at each stage of the application to provide required information before moving on to the next stage.
- Applying a two-step application process in order to optimize the screening procedure.
- Including questions on projects' contribution to gender equality in the application to the Fund.
- Developing a resource mobilization strategy with a view to widening the pool of donors particularly to include the private sector.

## Annexes

### Annex 1: References

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## Annex 2: Terms of References for the Evaluation of UNESCO's International Convention against Doping in Sport

### 1. Introduction and Background

UNESCO has been working in the field of physical education and sport since the 1970s when ministers and senior officials first met under its auspices. The Organization's work in the field culminated with the adoption of the International Convention against Doping in Sport (hereafter the Convention) on 19 October 2015. Entering into force on 1 February 2007, the Convention became the most successful convention in the history of UNESCO in terms of rhythm of ratification after adoption. It is now the second most ratified of all UNESCO treaties.

The purpose of the Convention is to promote the prevention of and the fight against doping in sport, with a view to its elimination. It has been designed to coordinate and compel governmental action in specific areas beyond the domain of the sports movement. Whereas the World Anti-Doping Code (created in 2004) only applies to members of sports organizations, the reach by the Convention of governments aims for a more systematic approach to anti-doping involving a broad range of actors. (See Annex for a detailed description of the implementation modalities.)

The year 2017 marks the tenth anniversary since the Convention's entry into force. To date, however, UNESCO's work to support its implementation has never been evaluated.

### 2. Purpose, scope and areas of priority focus

#### 2.1 Purpose

The purpose of this evaluation is three-fold:

- To examine the relevance of the Convention to States Parties legislation, policies and frameworks in the field of doping in sport, as well as its added value compared to other international legal instruments in the field;
- To examine the effectiveness of UNESCO's support to States Parties towards the implementation of the Convention; and,
- To assess the effectiveness and efficiency of the governance and management mechanisms established under the Convention, including its Secretariat.

The evaluation outcomes - in terms of findings and recommendations – are expected to contribute to strengthening the global anti-doping public policy framework. They are to be submitted to the 6<sup>th</sup> session of the Conference of Parties (25-26 September 2017, UNESCO Headquarters) with the aim of improving the implementation modalities of the Convention and strengthening its governance and management mechanisms.

#### 2.2 Scope

The evaluation will assess the contribution of UNESCO's action, intended to support Member States with the ratification of the Convention and the integration of its provisions into national legislation, policies, and frameworks. The evaluation will cover activities within the framework of both regular and extrabudgetary programmes between 2005, the year of adoption of the Convention, and 2016.

#### 2.3 Evaluation questions

Key evaluation questions will include the following:

#### *Relevance*

- To what extent does the Convention address a clear need for responding to evolving challenges to sport integrity and global sport governance among stakeholders?
- What are the primary differences between the Convention and other legal instruments in the field of doping, such as the Code etc.?
- To what extent does the Convention complement other legal instruments in the field of doping?

#### *Effectiveness*

- How has UNESCO been supporting States Parties in the implementation of the provisions of the Convention?
- To what extent have States Parties integrated the provisions of the Convention into national legislation, policies and frameworks?
- To what extent have States Parties set up institutional arrangements at the national level for the implementation of the Convention?
- To what extent has UNESCO been able to identify and address the key factors that enable or constrain the implementation of the Convention by States Parties?
- What are the key factors (conditions, incentives, resources, mechanisms etc.) that need to be in place to ensure success at the policy development level?
- How has UNESCO reflected its two global priorities (Africa and Gender Equality) into its work in supporting the implementation of the Convention?
- To what extent has UNESCO established effective partnerships (with governments, national anti-doping bodies, sports associations, World Anti-Doping Agency (WADA), International Olympic Committee (IOC), International Paralympic Committee (IPC), Council of Europe, the Intergovernmental Committee for Physical Education and Sport (CIGEPS), private sector and foundations, etc.) for the effective implementation of the Convention?

#### *Efficiency*

- Are working methods for administering, programming and governance of the Convention (by the Conference of Parties, the Bureau, the Secretariat, the Approval Committee for the Anti-doping Fund) clearly established, operating and achieving the expected results? How efficient are they?
- How does the Secretariat of the Convention communicate about the results achieved?

#### *Sustainability*

- To what extent are the governance and management mechanisms established by the Convention sustainable, given the current financial context of the Organization?
- Has UNESCO been successful in analysing and sharing the results of its work, thereby contributing to learning by Member States?
- What mechanisms are in place to monitor and evaluation progress towards the implementation of the Convention? How effective are these reporting mechanisms, including the ADLogic system?

### **3. Methodology**

The evaluation will rely primarily on a **desk review** of documentation and on **semi-structured interviews** with key stakeholders. The methodology will include the following:

- Review of a representative sample of reports of States Parties within the ADLogic System<sup>20</sup>
- Review of a sample of national legislations, anti-doping frameworks, policies etc.
- Review of other international instruments in the field of doping

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<sup>20</sup> ADLogic is a self-assessment system addressed to State Parties to help them comply with their obligations towards the Convention

- Review of documents pertaining to the governance and management of the Convention and its Fund
- Survey of States Parties
- Interviews with the Convention Secretariat, as well as other UNESCO staff
- Interviews with representatives of States Parties involved in the governance of the Convention
- Interviews with key partners and stakeholders working in the field of doping in sport (WADA, IOC, IPC, Council of Europe, etc.)

#### **4. Roles and Responsibilities**

The evaluation will be conducted by an independent, external evaluator. The evaluator is expected to contribute specific subject matter expertise and knowledge, particularly in the field of international legal instruments. The evaluator is expected to prepare three main deliverables: an inception report, draft and final report.

The IOS Evaluation Office (IOS-EO) is responsible for the overall management of the evaluation and quality assurance of the deliverables. A Reference Group comprising representatives of IOS, the Convention Secretariat and the SHS Executive Office will be established to provide guidance throughout the evaluation process.

#### **5. Evaluator Qualifications**

The external evaluator should possess the following mandatory qualifications and experience:

- 10 years of policy and programme evaluation experience on a global/international basis of relevance to policy making;
- Strong strategic policy and legal assessment/analysis skills;
- Strong oral and writing abilities in English;
- Sensitivity and adaptability to culture, gender, religion, nationality and age;
- Understanding and knowledge of the UN mandates in relation to Human Rights and Gender Equality issues;
- Strong interpersonal and communication skills, resourcefulness, initiative, political and diplomacy maturity of judgments, strategic, dialogue and negotiating skills, and the ability to resolve situations that may pose conflict;
- Advanced university degree in specialized fields of social science, law, public policy, international relations or related fields.

Verification of these qualifications will be based on the provided curriculum vitae. Moreover, references, web links or electronic copies of two recently completed evaluation reports may add a positive value to the technical proposal. Candidates are also encouraged to submit other references such as research papers or articles that demonstrate their familiarity with the subject under review.

The evaluation is budgeted for an average of 30 – 40 consultant person days. The evaluator is expected to undertake one mission to Paris for interviews with the UNESCO Secretariat and representatives of States Parties. The evaluator is further expected to undertake one to two missions to Lausanne and another location for interviews with representatives of WADA, the IOC and other stakeholders working in the field of doping in sport.

#### **6. Deliverables and Schedule**

The evaluation is expected to take place between May – August 2017. The indicative timetable is shown below.

Finalization of Terms of Reference	April 2017
Launch of evaluation and tendering	May 2017
Inception report	Early June 2017
Data collection (desk review, interviews, surveys)	June – July 2017
Stakeholder workshop	End July 2017
Draft Evaluation Report	31 July 2017
Comments on Draft Evaluation Report	August 2017
Final Evaluation Report	31 August 2017

The Draft and Final Evaluation reports should be written in English and comprise no more than 40 pages excluding annexes. They should be structured as follows:

- 1.Executive Summary;
- 2.Description of Convention and its mechanisms;
- 3.Evaluation purpose;
- 4.Evaluation methodology;
- 5.Findings;
- 6.Conclusions and Recommendations;
- 7.Annexes including TOR, interview list, data collection instruments, key documents consulted.

## 7.How to submit a proposal

Your electronic offer comprising a technical proposal and a financial proposal, attached in two separate files, shall be sent to the following email address no later than **Wednesday 17 May 2017, 23:59 CET**: [ios@unesco.org](mailto:ios@unesco.org).

For any requests for clarification, please contact Ms. Ekaterina Sediakina-Rivière ([e.sediakina@unesco.org](mailto:e.sediakina@unesco.org)).

### Annex 3: List of interviewees

<b>UNESCO Secretariat</b>	
Ms. Nada Al-Nashif	Assistant Director General – Sector for Social and Human Sciences
Ms. Angela Melo	Director – Division of Ethics, Youth and Sport
Mr. Alexander Schischlik	Chief of Section – Youth and Sport Section
Mr. Marcellin Dally	Programme Specialist - Anti-Doping Programme Secretary for the International Convention against Doping in Sport
Mr. Nicolas Keraurdren	Project Assistant – Anti-doping Programme Responsible for ADLogic
Ms. Maria-Florencia Vidal-Vecino	Project Assistant – Anti-doping Programme
Ms. Nancy McLennan	Project Officer – Anti-doping Programme Responsible for the Fund for the Elimination of Doping in Sport (the Fund)
Ms. Ioana-Raluca Petre-Sandor	Project Assistant – Anti-doping Programme Responsible for the Fund
Mr. Philipp Muller-Wirth	Programme Specialist – Physical Education and Sport, responsible for the Intergovernmental Committee for Physical Education and Sport (CIGEPS)
Ms. Vesna Vujcic-Lugassy	Chief of Unit – Conventions Common Service Unit, Culture Sector
<b>Convention governance</b>	
<i>Bureau of the Conference of Parties</i>	
Dr. Mohammed Saleh Konbaz	Chair – Bureau of the Conference of Parties Member – WADA Foundation Board President – Saudi Anti-Doping Committee
Ms. Graziela Vaijala	Vice-Chair – Bureau of the Conference of Parties President – Romanian National Anti-Doping Agency
Mr. Orlando Reyes Cruz	Vice-Chair – Bureau of the Conference of Parties Coordinator of the Colombian National Anti-doping Agency.
Mr. Hitesh Patel	Rapporteur – Bureau of the Conference of Parties Head of International Sport, United Kingdom Department for Culture, Media and Sport.
<i>Fund's Approval Committee</i>	
Mr. Gennady Aleshin	Chair – Fund's Approval Committee Co-Chair – Russian Committee of National and Non-Olympic Sports
Mr. Chen Zhiyu	Member – Fund's Approval Committee Director – Anti-Doping Division, Science and Education Department of China, China Anti-doping Agency
Mr. Gert C. Oosthuizen	Member – Fund's Approval Committee Chair – CIGEPS Bureau Deputy Minister of Sport and Recreation of the Republic of South Africa.

<b>Observers and Advisers (independent experts)</b>	
Mr. René Bouchard	Advisor for Government Relations – WADA
Mr. Joseph de Pencier	CEO – Institute of National Anti-doping Organisations (INADO)
Mr. Patrick Trabal	Director – UNESCO Chair on Anti-doping Director – Social Sciences team from the Research Centre on Sports and Movement Head of the Scientific Group “Socials sciences and doping” Professor at the University of Nanterre (Paris X), France
Mr. Graham Arthur	Chair – Legal Advisory Group to the Council of Europe Monitoring Group for the Anti-Doping Convention Director of Legal – United Kingdom Anti-Doping Limited.
<b>Stakeholders</b>	
<i>Fund beneficiaries</i>	
Mr. Raphael Mulenga	Chief Sport Development Officer (Programmes) – Ministry of Youth, Sport and Child Development of Zambia Anti-doping National Desk Officer Board Member – Africa Zone VI Regional Anti-doping Organization
Ms. Say Po Yeo	General Manager – Anti-Doping Singapore
<i>States that participate in the Conference of Parties</i>	
Mr. François Allaire	Programme Officer – Anti-doping and Ethics SPORT, Canada
Mr. John-Paul Oluoch	Programme Officer in charge of social and human sciences – Permanent delegation of the Republic of Kenya to UNESCO

## Annex 4: The survey for States parties on the implementation of the 2005 UNESCO Convention against Doping in Sport

1. Please select your language: English

2. Please enter your:

Name:

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Organization:

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3. Please enter your country:

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### Part 1: Governance of the Convention

#### Conference of Parties

4. The quality of support provided by the Secretariat to the organization of the Conference of Parties is high.

Fully disagree  Disagree  Agree  Fully agree  Not applicable / Don't know

5. The Conference of Parties meetings are well organized (agenda and key documents are circulated in advance of meetings; sufficient time is given for discussions).

Fully disagree  Disagree  Agree  Fully agree  Not applicable / Don't know

6. The Conference of Parties agenda focuses on the most important issues for the implementation of the Convention.

Fully disagree  Disagree  Agree  Fully agree  Not applicable / Don't know

7. The inclusion of Advisers and Observers to the Conference of Parties such as from the World Anti-Doping Agency, International Olympic Committee, International Paralympic Committee, and the Council of Europe contributes valuable expertise to the discussions therein.

Fully disagree  Disagree  Agree  Fully agree  Not applicable / Don't know

#### Bureau

8. The revised Rules of Procedure have helped the Bureau execute its mandate better.

Fully disagree  Disagree  Agree  Fully agree  Not applicable / Don't know

9. The geographic representation of Bureau membership serves regional interests of States Parties well.



Fully disagree  Disagree  Agree  Fully agree  Not applicable / Don't know

10. The Bureau actively identifies current issues to drive the discussion at the Conference of Parties.

Fully disagree  Disagree  Agree  Fully agree  Not applicable / Don't know

11. What suggestions would you have for improving the governance arrangements for the Convention?

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## **Part 2: Monitoring the implementation of the Convention (ADLogic system)**

12. The ADLogic system is easy to use.

Fully disagree  Disagree  Agree  Fully agree  Not applicable / Don't know

13. The time taken to complete the ADLogic reporting is reasonable.

Fully disagree  Disagree  Agree  Fully agree  Not applicable / Don't know

14. Relevant national stakeholders' input is obtained when filling out the ADLogic monitoring questions.

Fully disagree  Disagree  Agree  Fully agree  Not applicable / Don't know

15. The reporting requirements of the Convention and other instruments in the field of anti-doping (e.g. WADA Code) place a burden on States Parties.

Fully disagree  Disagree  Agree  Fully agree  Not applicable / Don't know

16. The ADLogic system helps to track the integration of gender equality into States Parties' policies and other measures on anti-doping.

Fully disagree  Disagree  Agree  Fully agree  Not applicable / Don't know

17. How can the monitoring of the implementation of the Convention be improved?

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**Part 3: Secretariat**

18. The support provided by the Secretariat to individual States Parties is useful.

- Fully disagree  Disagree  Agree  Fully agree  Not applicable / Don't know

19. The support provided by the Secretariat to States Parties encourages the mainstreaming of gender equality and human rights into various implementation mechanisms.

- Fully disagree  Disagree  Agree  Fully agree  Not applicable / Don't know

20. The Secretariat contributes to capacity building through the development of education programmes on anti-doping.

- Fully disagree  Disagree  Agree  Fully agree  Not applicable / Don't know

21. The Secretariat ensures the high visibility of the Convention through various media and other communication channels.

- Fully disagree  Disagree  Agree  Fully agree  Not applicable / Don't know

22. The tools and resources (e.g. Communications, Research) provided by the Secretariat on the Convention are useful.

- Fully disagree  Disagree  Agree  Fully agree  Not applicable / Don't know

23. The Secretariat facilitates the sharing of good practices relating to the implementation of the Convention among States Parties.

- Fully disagree  Disagree  Agree  Fully agree  Not applicable / Don't know

24. What suggestions would you have for improving the functioning of the Convention Secretariat?

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**Part 4: Fund for the Elimination of Doping in Sport (The Fund)**

25. Has your country accessed the Fund?

- Yes

- No

If your country has not accessed the Fund, can you briefly explain the reasons why? Then please skip to question 31.

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26. The process for application to the Fund is easy.

- Fully disagree  Disagree  Agree  Fully agree  Not applicable / Don't know

27. The quality of support provided by the Fund Secretariat during the application process is high.

- Fully disagree  Disagree  Agree  Fully agree  Not applicable / Don't know

28. The tools and resources (e.g. Tips and Tricks) provided by the Fund Secretariat are useful.

- Fully disagree  Disagree  Agree  Fully agree  Not applicable / Don't know

29. The questions in the Evaluation Report to be submitted at the end of every project by Fund recipients are adequate.

- Fully disagree  Disagree  Agree  Fully agree  Not applicable / Don't know

30. The questions on financial statements required for submission upon completion of every project are adequate.

- Fully disagree  Disagree  Agree  Fully agree  Not applicable / Don't know

31. What suggestions would you have for improving the administration of the Fund?

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### **Part 5: Overview of the Convention**

32. Can you describe the main achievements in the field of anti-doping in your country as a result of the ratification of the Convention?

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33. What are the key issues that the UNESCO Secretariat should address in the future to strengthen the implementation of the Convention?

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Thank you for your time in filling this survey.

## Annex 5: Survey respondents

Regional Groups	Europe and North America	Latin America and the Carribean	Asia and the Pacific	Africa	Arab States	Grand total
<b>States</b>	Albania	Colombia	Australia	Botswana	Bahrain	
	Armenia	Ecuador	Bhutan	Chad	Jordan	
	Belarus	Mexico	Japan	Kenya	Palestine	
	Belgium	Paraguay	Korea	Malawi		
	Bulgaria	Peru	Micronesia	Mali		
	Canada	Venezuela	Mongolia			
	Cyprus		New Zealand			
	Czech Republic		Singapore			
	Estonia		Turkey			
	France		Uzbekistan			
	Georgia					
	Hungary					
	Iceland					
	Italy					
	Luxemburg					
	Moldova					
	Portugal					
	Romania					
	Russia					
	Serbia					
	Slovakia					
	Spain					
	Sweden					

	Switzerland					
	Ukraine					
<b>Total respondents</b>	<b>25</b>	<b>6</b>	<b>10</b>	<b>5</b>	<b>3</b>	<b>49</b>
<b>Response rate</b>						26.4 %

## Annex 6: Aggregated survey results

Q4 – The quality of support provided by the Secretariat to the organization of the Conference of Parties is high.

Answer Choices	Responses	
Fully disagree	0%	0
Disagree	4%	2
Agree	45%	23
Fully agree	43%	22
Not applicable / Don't know	8%	4
	<b>Answered</b>	<b>51</b>
	<b>Skipped</b>	<b>0</b>

Q5 – The Conference of Parties meetings are well organized (agenda and key documents are circulated in advance of meetings; sufficient time is given for discussions).

Answer Choices	Responses	
Fully disagree	0%	0
Disagree	12%	6
Agree	47%	23
Fully agree	37%	18
Not applicable / Don't know	8%	4
	<b>Answered</b>	<b>49</b>
	<b>Skipped</b>	<b>2</b>

Q6 – The Conference of Parties agenda focuses on the most important issues for the implementation of the Convention.

Answer Choices	Responses	
Fully disagree	0%	0
Disagree	6%	3
Agree	51%	26
Fully agree	35%	18
Not applicable / Don't know	8%	4
	<b>Answered</b>	<b>51</b>
	<b>Skipped</b>	<b>0</b>

Q7 – The inclusion of Advisers and Observers to the Conference of Parties such as from the World Anti-doping Agency, International Olympic Committee, International Paralympic Committee, and the Council of Europe contributes valuable expertise to the discussion therein.

Answer Choices	Responses	
Fully disagree	0%	0
Disagree	0%	0
Agree	27%	14
Fully agree	69%	35

Not applicable / Don't know	4%	2
<b>Answered</b>		51
<b>Skipped</b>		0

Q8 – The revised Rules of Procedure have helped the Bureau execute its mandate better.

Answer Choices	Responses	
Fully disagree	0%	0
Disagree	0%	0
Agree	51%	26
Fully agree	31%	16
Not applicable / Don't know	18%	9
<b>Answered</b>		51
<b>Skipped</b>		0

Q9 – The geographic representation of Bureau membership serves the regional interests of States parties well.

Answer Choices	Responses	
Fully disagree	2%	1
Disagree	0%	0
Agree	47%	24
Fully agree	35%	18
Not applicable / Don't know	16%	8
<b>Answered</b>		51
<b>Skipped</b>		0

Q10 – The Bureau actively identifies current issues to drive the discussion at the Conference of Parties

Answer Choices	Responses	
Fully disagree	2%	1
Disagree	4%	2
Agree	57%	29
Fully agree	27%	14
Not applicable / Don't know	10%	5
<b>Answered</b>		51
<b>Skipped</b>		0

Q11 – What suggestions would you have for improving the governance arrangements for the Convention?

<b>Answered</b>	29
<b>Skipped</b>	22

Q12 – The ADLogic system is easy to use.

Answer Choices	Responses	
Fully disagree	0%	0
Disagree	4%	2



Agree	61%	31
Fully agree	31%	16
Not applicable / Don't know	4%	2
<b>Answered</b>		<b>51</b>
<b>Skipped</b>		<b>0</b>

Q13 – The time taken to complete the ADLogic reporting is reasonable.

Answer Choices	Responses	
Fully disagree	0%	0
Disagree	4%	2
Agree	61%	31
Fully agree	29%	15
Not applicable / Don't know	6%	3
<b>Answered</b>		<b>51</b>
<b>Skipped</b>		<b>0</b>

Q14. Relevant national stakeholders' input is obtained when filling out the ADLogic monitoring questions.

Answer Choices	Responses	
Fully disagree	0%	0
Disagree	10%	5
Agree	61%	31
Fully agree	20%	10
Not applicable / Don't know	10%	5
<b>Answered</b>		<b>51</b>
<b>Skipped</b>		<b>0</b>

Q15. The reporting requirements of the Convention and other instruments in the field of anti-doping (e.g. WADA Code) place a burden on States Parties.

Answer Choices	Responses	
Fully disagree	4%	2
Disagree	37%	18
Agree	39%	19
Fully agree	18%	9
Not applicable / Don't know	4%	2
<b>Answered</b>		<b>49</b>
<b>Skipped</b>		<b>2</b>

Q16. The ADLogic system helps to track the integration of gender equality into States Parties' policies and other measures on anti-doping.

Answer Choices	Responses	
Fully disagree	2%	1
Disagree	10%	5
Agree	44%	22
Fully agree	18%	9
Not applicable / Don't know	26%	13

<b>Answered</b>	50
<b>Skipped</b>	1

Q17. How can the monitoring of the implementation of the Convention be improved?

<b>Answered</b>	32
<b>Skipped</b>	19

Q18. The support provided by the Secretariat to individual States Parties is useful.

Answer Choices	Responses	
Fully disagree	0%	0
Disagree	6%	3
Agree	48%	24
Fully agree	34%	17
Not applicable / Don't know	12%	6
<b>Answered</b>		50
<b>Skipped</b>		1

Q19. The support provided by the Secretariat to States Parties encourages the mainstreaming of gender equality and human rights into various implementation mechanisms.

Answer Choices	Responses	
Fully disagree	2%	1
Disagree	8%	4
Agree	38%	19
Fully agree	24%	12
Not applicable / Don't know	28%	14
<b>Answered</b>		50
<b>Skipped</b>		1

Q20. The Secretariat contributes to capacity building through the development of education programmes on anti-doping.

Answer Choices	Responses	
Fully disagree	0%	0
Disagree	4%	2
Agree	53%	26
Fully agree	33%	16
Not applicable / Don't know	10%	5
<b>Answered</b>		49
<b>Skipped</b>		2

Q21. The Secretariat ensures the high visibility of the Convention through various media and other communication channels.

Answer Choices	Responses	
Fully disagree	0%	0
Disagree	22%	11
Agree	44%	22
Fully agree	24%	12
Not applicable / Don't know	10%	5
	<b>Answered</b>	50
	<b>Skipped</b>	1

Q22. The tools and resources (e.g. Communications, Research) provided by the Secretariat on the Convention are useful.

Answer Choices	Responses	
Fully disagree	0%	0
Disagree	16%	8
Agree	54%	27
Fully agree	26%	13
Not applicable / Don't know	4%	2
	<b>Answered</b>	50
	<b>Skipped</b>	1

Q23. The Secretariat facilitates the sharing of good practices relating to the implementation of the Convention among States Parties.

Answer Choices	Responses	
Fully disagree	2%	1
Disagree	14%	7
Agree	50%	25
Fully agree	20%	10
Not applicable / Don't know	14%	7
	<b>Answered</b>	50
	<b>Skipped</b>	1

Q24. What suggestions would you have for improving the functioning of the Convention Secretariat?

<b>Answered</b>	26
<b>Skipped</b>	25

Q25. Has your country accessed the Fund?

Answer Choices	Responses	
Yes	58%	28
No	44%	21
If your country has not accessed the Fund, can you briefly explain the reasons why? Then please skip to question 31.		
	<b>Answered</b>	48

	Skipped	3
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Q26. The process for application to the Fund is easy.

Answer Choices	Responses	
Fully disagree	3%	1
Disagree	11%	4
Agree	34%	12
Fully agree	34%	12
Not applicable / Don't know	11%	4
	<b>Answered</b>	35
	<b>Skipped</b>	16

Q27. The quality of support provided by the Fund Secretariat during the application process is high.

Answer Choices	Responses	
Fully disagree	0%	0
Disagree	6%	2
Agree	35%	12
Fully agree	44%	15
Not applicable / Don't know	12%	4
	<b>Answered</b>	34
	<b>Skipped</b>	17

Q28. The tools and resources (e.g. Tips and Tricks) provided by the Fund Secretariat are useful.

Answer Choices	Responses	
Fully disagree	0%	0
Disagree	6%	2
Agree	42%	14
Fully agree	39%	13
Not applicable / Don't know	9%	3
	<b>Answered</b>	33
	<b>Skipped</b>	18

Q29. The questions in the Evaluation Report to be submitted at the end of every project by Fund recipients are adequate.

Answer Choices	Responses	
Fully disagree	0%	0
Disagree	0%	0
Agree	56%	18
Fully agree	28%	9
Not applicable / Don't know	16%	5
	<b>Answered</b>	32
	<b>Skipped</b>	19

Q30. The questions on financial statements required for submission upon completion of every project are adequate.

Answer Choices	Responses	
Fully disagree	0%	0
Disagree	0%	0
Agree	44%	14
Fully agree	38%	12
Not applicable / Don't know	19%	6
	<b>Answered</b>	32
	<b>Skipped</b>	19

## Annex 7: Good practice narrative – the Republic of France

*Please summarize your approach to implementing UNESCO's international Convention against Doping in Sport (include actions such as legislation partnership agreements, institutional setup)*

The International Convention against Doping in Sport ('The Convention') was integrated into French law through the combined effect of law n° 2007-129 of 31 January 2007, which authorized its ratification, and of decree n° 2007-503 of 2 April 2007, which enabled its publication.

Since then, the French State has undertaken many actions in the fight against doping, in line with the measures which have been gradually set up at the national level from the 1960s onwards; which aim to :

- Prevent and punish violations of sport ethics induced by doping that also constitute a serious threat to public health amongst athletes;
- Promote clean sports that respect sport ethics ;
- Protect athletes, who are the main victims, without ostracizing them.

In order to do so, we constantly pursue three main objectives :

- To undertake as many anti-doping checks as possible and the continuing to improve procedures to sanction cheats;
- To engage in anti-doping prevention campaigns aimed at the greatest number of athletes, whether they are licensed by a federation or not and whatever their level ;
- To punish the trafficking of doping products.

*What would you highlight as the most significant achievements in the fight against doping in your country since ratifying the Convention?*

- Regularly adapting French legislation to ensure compliance with the World Anti-Doping Code and successive reiterations by the French anti-doping agency, *l'Agence Française de Lutte contre le Dopage* (AFLD), of its acceptance of the principles enshrined in the Code.
- Means given to the AFLD to allow it to conduct on a yearly basis a large number of anti-doping checks: since 2007, there have been on average more than 10 000 checks per year ;
- The AFLD has signed memoranda of understanding and made partnerships with international sport federations, NADOs and bodies responsible for big international sports events, such as :
  - The partnership agreement with the Monegasque Anti-Doping Committee, Norway's NADO, the United Kingdom's NADO... ;
  - A Convention signed with WADA to conduct anti-doping checks ;
  - A memorandum of understanding with the Organizational Committee for the 11th African Games or that of the Indian Ocean Games in order to conduct anti-doping checks and/or anti-doping analyses ;
  - Memoranda of understanding with the Union of European Football Associations (UEFA), the international union of cyclists (UCI), the International Association of Athletics Federation (IAAF) and the International Swimming Federation (FINA) on anti-doping programmes, including namely the sharing of information regarding personal data as related to the "biological passport ;
  - A memorandum of understanding with the UEFA on anti-doping programmes within the framework of the "UEFA 2016 Euro®".
- Foreign organisations (NADOs, international federations and others) regularly resort to the French WADA-accredited laboratory.
- The creation of the framework for interregional anti-doping councillors (CIRADs) : 13 CIRADs – State agents – are :
  - Dispatched on the entire French territory (mainland France and overseas France – all the territories outside of France that are administered by France) ;
  - They are both competent for matters relating to anti-doping checks and the fight against the trafficking of doping substances and methods ;
  - Under the authority of the AFLD Director for anti-doping checks, they conduct anti-doping checks in their jurisdiction to apply the yearly programme established by the AFLD.
  - Concerning the fight against trafficking, they coordinate the work of regional anti-trafficking commissions, and participate in research operations and operations aimed at identifying criminal violations and dismantling networks.
- The establishment of regional commissions for the fight against trafficking of doping substances and methods :
  - Both the regional prefect and the *Procureur général* (the head of prosecutors) or any other competent prosecutor govern these commissions. These regional commissions are composed of representatives of the State's regional services in charge of sports, customs, public finances,

competition/consumption/fraud prevention and control, health, police, the judiciary as well as the Central office for the fight against harms to the environment or public health.

- Their goal is to coordinate the action and activities of the State's regional services and the AFLD and to enhance information sharing;
- The information relates to the calendar of sporting events, the analyses made by the AFLD; disciplinary hearings, studies and statistics. It also concerns any element related to fraud, the identification of seized products (that are either forbidden or being developed), the use of forbidden methods or substances and reporting of information that is likely to give rise to an administrative or judicial inquiry.
- **Strengthening the legal framework to fight against the trafficking of doping substances and methods :**
  - In 2008, the legislator added provisions in the law (Code of Sport) in order to prosecute and to penalize trafficking and allow the AFLD to be an interested party in any criminal proceedings before the court (NB : in that case, the AFLD may not, at the same time, seek disciplinary action against the same person for the same litigious facts);
  - In 2009, the legislator allowed the Central office for the fight against harms to the environment or public health for criminal matters to be an interested party in criminal proceedings (except for cases related to classified substances in national law, such as narcotics).
  - Working under the authority of the management of national police, it coordinates at a national level the operational aspects of police investigations, centralizes information by encouraging their wider dissemination, helps police units and the services of all ministries concerned in case there is a breach of the law, and participates in training and awareness-raising activities;
  - Without overstepping on the jurisdiction of other French central offices and entities in charge of international cooperation between police, he intervenes either upon request (judicial authorities, police units and other concerned ministries) or upon its own initiative;
  - He receives, centralizes, analyses, exploits and all information relevant to his mandate and transfers it to other competent State services ;
  - He shares all useful information regarding the identification and/or the whereabouts of criminals or offenders to all services in Ministries that are invested with the power to conduct police missions as well as all necessary information for an investigation;
  - In compliance with international conventions and EU texts, namely in the field of customs law, and within the limits of his jurisdiction, he is France's central focal point for international exchanges, and maintains operational relationships with the specialised services of other States and international organisations.
  - If the case is complicated and that its territorial application goes beyond the court's jurisdiction, two « public health poles », within the Paris and Marseille courts, have jurisdiction to investigate and prosecute, and, if it is a criminal offence, to judge breaches related to forbidden substances and methods.
- **Exchanges and information sharing between the stakeholders in the fight against doping :**



- Between State services (customs, competition/consumption/fraud prevention and control, sports, tax office, police) and the AFLD for all information obtained while completing their mission that is related to forbidden substances and methods;
- Between the AFLD and WADA, NADOs, international sport federations and bodies responsible for major international sports events ;
- French sports federations, the organizers of national competitions, as well as international sport organisations with jurisdiction to order anti-doping checks during international sports competitions ; who, in the course of their work, have obtained information regarding illegal activities, must report them to the relevant judicial authority ;
- All bodies or agents of a French sports federation that are aware of a violation of anti-doping rules must report it to the AFLD and to the relevant international federation and cooperate with these organizations in their investigations.
- **Preventing doping :**
  - The State (Ministry in charge of Sports) establishes and coordinates pluriennial national plans for the prevention of doping and doping behaviour for the years 2008-2011, 2011-2013, 2013-2015 and 2015-2017. The new plan for 2018-2014 is currently being drafted.
  - Role of sports federations – they must :
    - Mind the health of its licensees and to take all necessary measures in order to do so, namely with regard to training programmes and the calendar of sports competitions they organise;
    - Develop awareness-raising programmes on the prevention of doping for their licensees and their entourage with the support of medical antennas for the prevention of doping ;
    - Deliver training programmes for professionals and volunteers who work with sports federations, clubs, physical health and sports schools.
  - Strengthened involvement of medical antennas for the prevention of doping, organisations accredited by the Ministry in charge of Sports that are directed by a doctor and whose mission is to:
    - Organise open consultations for people who have resorted to doping or who are likely to resort to it (these consultations may be anonymous if a person wishes it to remain unidentified) and to suggest to them, if necessary, the setup of a medical follow-up;
    - See an athlete with a doctor when he/she has had disciplinary sanctions for doping and ask the relevant federation for the restitution, renewal or the issue of a sports licence. At the end of this meeting, a certificate will be issued for the athlete (during this meeting, the doctor may suggest to the aforementioned follow-up to the athlete)
  - Strengthened involvement of advisory doctors in the State’s regional services:
  - The advisory doctor works full time in compliance with the medical ethics code ;

- Its goal is to evaluate structures, projects and sanitary measures to bring its expertise to bodies or partners that request it; to support, promote, coordinate and develop prevention measures; to create a dynamic network of actors and partners, and to collaborate for training, research and updates on sanitary conditions.
- **The creation of an AFNOR standard in relation to nutritional supplements, whose creation in Europe is still under discussion :**
  - The French Association for standardisation (AFNOR) is the national organisation representing France before the international standardisation organisation (ISO) and the European Committee for Standardisation. It may deliver the trade mark « *norme française* » (French standard) which is a national brand that guarantees a product's conformity with norms and standards;
  - Created by the Ministry in charge of Sports and published in June 2012, the AFNOR standard « *NF V 94-001* » concerns supplements and other food products aimed at athletes and good practices in the manufacturing of such products. Its goal is to ensure that finished products sold on the market do not contain substances prohibited by the Convention and namely encourages voluntary manufacturers to subscribe to a quality standard that fits the specific needs of athletes ;
  - Drafted by a commission gathering several stakeholders concerned with th matter (public authorities, manufacturers, providers, the AFLD, sports federations, laboratories....), this standard is in line with international measures taken by the Council of Europe (1989 Convention against Doping) and UNESCO (the Convention) ;
  - Starting from 2013, the Ministry of Sports has engaged in discussions with these stakeholders to study the deployment of this standard at a European level. At the end of 2015, the French Ministry in charge of Sports decided to take care of the measures that would have to be taken to launch this ;
  - The project will be developed over a period ranging between 24 and 36 months, depending on the ease with which a consensus between the 33 members of the European Committee for Standardisation can be reached, the absence of major opposition and how rapidly a European standardisation project can be drafted. Once it has been drafted, the European standard will be stamped on the covers of all food products to offer a guarantee to athletes that eat them that these products do not contain doping substances;
  - The European Committee for Standardisation's Technical Bureau has approved the technical committee with 19 countries voting favourably (5 of which would be willing to participate actively – Cyprus, Czech Republic, Romania, Italy and France). The following countries are members: Denmark, Italy, Spain, Cyprus, Germany, Belgium, Romania, Switzerland. In addition to these countries, you have the Director General of Sports of the European Commission (O. FONTAINE, observer status) and the European Standardisation Committee's CCMC (Karolina KRYSTEK, focal point for the European Committee for Standardisation for the Secretariat of the Technical Bureau)
- **Creation of an advanced framework for the fight against animal doping**, inspired from the one made for human doping. Indeed, likewise, on the one hand, it seeks to identify violations of anti-doping rules through checks and analyses in order to adopt disciplinary measures if necessary, and on the other hand, it seeks to punish criminal violations that may have been committed; especially in cases related to the trafficking of doping products.

*What advice and/or guidance would you offer to the other States Parties to strengthen global efforts towards the implementation of the Convention?*

As both a pioneer in the fight against doping and a State party to the Convention, France's acts in compliance with the framework of the Convention and its other international commitments.

Hence, it encourages all forms of international cooperation between States or between States and WADA and/or the Olympic movement that aims to protect athletes who have integrity.

As such, France will always make itself available to stakeholders who wish to benefit from its experience in the field. France also welcomes any input from States or other anti-doping stakeholders, which would enable further improvement of the French framework, namely in terms of its international relations (UNESCO, European Union, and Council of Europe) and its cooperation with AMA and the Olympic movement.

All international cooperation should :

- Enhance respect for the World Anti-Doping Code and, as the case may be, support WADA's mission, power and action ;
- Aim to either help States that have requested assistance to compensate for the shortcomings of their national anti-doping system or the lack thereof; or to consolidate the existing framework when it has already proven to be efficient.

In order to do so, frequent bilateral and multilateral dialogue between States and/or other concerned parties are necessary and should be enhanced. The exchange of good practices, remarks, information or even anti-doping officers at an international level should be encouraged.

## Annex 8: Good practice narrative – New Zealand

*Please summarize your approach to implementing UNESCO's International Convention Against Doping in Sport [include actions such as legislation, partnership arrangements, institutional setup]*

- The anti-doping legislation in New Zealand takes a simplified and permissive approach by charging the National Anti-Doping Organisation (Drug Free Sport New Zealand) with implementing the WADA Code as amended from time to time. This ensures that there is always a seamless consistency between the Code and the Rules and practices adopted by DFSNZ.
- All Government funded National Sporting Bodies adopt a single central set of Rules drafted and amended from time to time by DFSNZ to meet Code requirements. Rules are updated automatically when changes occur and DFSNZ does not need to vary practices for each sport.
- DFSNZ works closely with the Government anti-doping policy maker (Sport New Zealand) to ensure that there is maximum expertise applied to anti-doping policy development.
- The Minister of Sport (also a WADA Foundation Board Member) therefore receives high quality briefings in relation to doping.
- There is a strong collaborative approach to anti-doping work in New Zealand with DFSNZ, Sport NZ, the New Zealand Olympic Committee, and Paralympics New Zealand all being in close consultation in relation to anti-doping policy and supporting the work of DFSNZ.
- DFSNZ has the ability through legislation to share relevant information with other regulatory bodies. A Memorandum of Understanding with Customs is in place while there is effective sharing of information with NZ Police and “Medsafe” the body responsible for enforcing the Medicines Act. Information from all three sources has led to prosecution of athletes at various times.
- DFSNZ seeks to participate in and gain from international collaboration to both influence and share best practice.

*What would you highlight as the most significant achievements in the fight against doping in your country since ratifying the Convention?*

- The adoption of world leading legislation that allows for simple and accurate implementation of the WADA Code.
- The establishment of a common purpose amongst peak sporting bodies in relation to anti-doping policy and practices.
- The prosecution of athletes across a wide range of breaches with more and more resulting from intelligence gathering and information sharing rather than purely random testing.
- The prioritization of programmes designed to support a clean sport culture (as opposed to an over reliance on a regulatory approach).

*What advice and/or guidance would you offer to other States Parties to strengthen global efforts towards the implementation of the Convention?*

- Adopt a system which is not reliant on regular and time consuming legislative change.
- Take full advantage of opportunities to participate in international fora where the sharing of information and ideas can lead to continual improvement.
- Ensure that the Government and, critically relevant Minister's, are well informed and prepared to participate in internal and international debate and promote anti-doping work.
- Wherever possible increase pressure to ensure that WADA and National Anti-Doping Organisations are adequately funded to ensure both Code and Convention compliance.

