



**UNITED NATIONS EDUCATIONAL,
SCIENTIFIC AND CULTURAL ORGANIZATION**

Address by Mr Paul Marriott-Lloyd
Programme Specialist: Anti-Doping

on the occasion of *Play the Game* the 4th world
communication conference on sport and society

Copenhagen, Denmark, 6-10 November 2005

International Convention Against Doping in Sport: Words without actions?

Distinguished guests, ladies and gentlemen

It is a great pleasure for me to be in Copenhagen to attend *Play the Game*. I am extremely grateful to the support provided by Jens Sejer Andersen and the conference organising committee. Their hospitality and generosity has been truly exceptional.

I am here to talk to you today about the realisation of an important milestone in the fight against doping in sport. On 19 October 2005, the 33rd session of the UNESCO General Conference unanimously adopted the International Convention against Doping in Sport. This signified the birth of the first truly global anti-doping Convention. This was a tremendous achievement, made all the more special given that it occurred during the International Year of Sport and Physical Education.

There is much to celebrate with the adoption of the Convention. My task is over the next few minutes is to explain what the Convention strives to achieve. To explain the substance behind the words. And to talk about how aspects of the Convention are already being pursued to good effect. I intend to demonstrate that the International Convention against Doping in Sport is *'not simply a case of too many high sounding words and too few actions that correspond with them'*.¹

But first a little background.

The International Convention against Doping in Sport was developed after extensive drafting and consultation meetings involving representatives from over 95 countries.

It was natural for UNESCO, which stands on principles of equality and justice, to take on this task. We were deeply concerned about the erosion of the ethics and the gross inequity created by cheating athletes. We saw the use of performance enhancing drugs by athletes is one of the biggest threats to sport today. It destroys fair play and equitable competition. It harms athletes. Finally, doping does irreparable damage to the credibility of sport.

In developing the Convention, UNESCO responded to the calls from the international community. At the Third International Conference of Ministers and Senior Officials Responsible for Physical Education and Sport in Punta del Este, Uruguay, in December 1999, consideration was given to ethical values in sport. Ministers expressed concern over unethical behaviour, in particular doping in sport, and urged all countries to take concerted action. Following a Ministerial Round Table held at UNESCO in January 2003, fresh momentum led to the decision of the 32nd session of the UNESCO General Conference to tackle the question of doping in sport by an international convention.

¹ Abigail Adams

Copenhagen has more than a passing relevance to the Convention. It was here in March 2003 that the World Anti-Doping Code (the Code) was agreed and the Declaration on Anti-Doping in Sport (bearing the cities name) was first signed. Both of these document, inter alia, talked about a process leading to the development of an international convention or other obligation.

Having delivered on this promise let us explore what it actually means.

The purpose of the Convention is to promote the prevention of and the fight against doping in sport, with a view to its elimination. The Convention represents the first time that Governments around the world have decided to apply the force of international law to the fight against doping in sport. Accordingly, it provides a legal framework within which all Governments can take action to remove doping from sport. This is important because there are specific areas where Governments *and only Governments* possess the means to take the fight against doping forward.

The Convention also provides the means for governments to back the efforts of the sporting movement. It has been drafted to give effect to the Code, creating obligations on nations to take steps in accordance with its principles. Accordingly, the Convention helps to formalise global anti-doping rules, policies and guidelines that will help to provide an honest and equitable playing environment for all athletes.

The Convention is a permissive document. The majority of the obligations in the Convention are articulated in non-prescriptive language, requiring a commitment to undertake measures consistent with the principles of the Code. The Convention also provides flexibility in the approach governments can take to give effect to the Convention, either by way of legislation, regulation, policies or administrative practices. This is necessary because, as you can image, 193 sovereign states have different constitutional arrangements and ways of doing things. Further, it is appropriate for sovereign states to decide how they take the fight against doping forward and which fits best within their own jurisdictions. However, the Convention requires parties to undertake to adopt appropriate measures, at the national and international level to encourage and foster all forms of international cooperation aimed at protecting athletes and furthering the fight against doping in sport.

Turning to the specific obligations under the Convention.

Governments must take action to restrict the availability of prohibited substances and methods in order to restrict their use in sport. These include measures against production, movement, importation, distribution, sale and trafficking. Clearly the latter is essential after Mr Donati's presentation yesterday. Some countries are already giving effect to these provisions through their medicines control legislation (prescription only medicines). Others like Italy, France and now Spain have chosen the imposition of

criminal penalties. In Australia, the Government has instituted border controls to stop steroid trafficking, and there has already been concrete evidence of this practice working.

There is a requirement for Governments to adopt measures aimed at athlete support personnel. We have heard concerns during this conference about coaches who are complicit in doping offences, or worse, are the peddlers of drugs. These people must be held responsible for their actions and removed from sport. In this regard, we know of the policy in China where coaches are punished alongside their athletes.

Governments shall take measures to encourage the producers and distributors of nutritional supplements to disclose information regarding the analytic composition of their products. This will help to deal with concerns over the constituents of some of these supplements and the potential for contamination by prohibited substances, which may lead to an inadvertent anti-doping rule violation by athletes.

Under the Convention State Parties shall support or provide funding for testing programmes. Further, all doping controls shall be consistent with the Code, and include no-advance notice, out-of-competition and in-competition testing. This may be the most taxing obligation in the Convention for Governments in terms of resource requirements. However, there are novel ways to approach this issue. Eleven countries in the Caribbean, with the help of the World Anti-Doping Agency (WADA), have decided to join together to form a Regional Anti-Doping Organisation to undertake testing. This follows other models in Oceania and Africa. The result is that through the sharing of costs and expertise smaller states will be able to meet their obligations.

One of the key tools in the Convention, and at the disposal of Governments, is the ability to control the purse strings. The Convention requires Governments to withhold financial support to suspended athletes and withhold financial or other sport-related support from sports organisations not in compliance with the Code. This is important given the money tied up in sport and the fact that sport does not exist without some level of Government funding, direct or indirect. In terms of its application, I know that New Zealand is not alone in that compliance with the Code is a condition of Government funding for sports, and that athletes that will lose all entitlements and access to facilities upon conviction of an anti-doping violation.

Cooperation between anti-doping organisations, public authorities and sports organisations is encouraged at the international level, particularly in relation to doping control, in order to achieve the purposes of the Convention. Support for, and funding of, WADA are also specifically mentioned.

The Convention requires Governments to undertake to support, devise or implement education and training programs on anti-doping. For us to truly succeed in our mission we need to focus on the athletes

of tomorrow. It is important to educate young people about the harm doping does to sport as well as to the individuals concerned. That harm is not just physical or psychological. It is also ethical. The desire to win is healthy; the desire to win at all costs, *by cheating*, is not. It is important that young people learn that personal integrity and honour are a precious gift that, once lost, may be difficult to recover. Ultimately, through education, I hope to see the restoration of the fundamental values underpinning sport. And for those who maintain their ethical integrity in the face of many temptations to be seen as role models too.

Finally, the promotion of research into anti-doping is another central component of the Convention. Parties are to undertake to encourage and promote anti-doping research, in the areas outlined. Minister Caborn from the United Kingdom has pursued a novel approach to this issue, calling upon the pharmaceutical industry to invest a small amount of their tremendous R&D budgets into detection methods.

That is the substance of the Convention, however, its adoption signifies a beginning not the end. Thirty instruments of ratification are required for the Convention to come into force. It is essential for this to happen quickly. Both the World Anti-Doping Code and the Copenhagen Declaration anticipated the *implementation* of a global Convention prior to the opening of the Turin Winter Olympics. There is also a pressing duty to ensure that the current momentum in anti-doping is sustained.

In closing, the adoption of the Convention marks a new phase in anti-doping. A phase where all of the Governments of the world work within their considerable spheres of influence to remove doping from sport. The International Convention against Doping in Sport provides the framework for this to take place. However, it needs the forceful application by Governments to ensure that these are not simply words without actions.

Thank you



International Convention Against Doping in Sport

International Convention against Doping in Sport

Preamble

The General Conference of the United Nations Educational, Scientific and Cultural Organization, hereinafter referred to as UNESCO, meeting in [...] from [...] to [...] at its [...] session,

Considering that the aim of UNESCO is to contribute to peace and security by promoting collaboration among the nations through education, science and culture,

Referring to the existing international instruments relating to human rights,

Aware of the resolution 58/5 adopted by the General Assembly of the United Nations on 3 November 2003, concerning sport as a means to promote education, health, development and peace, notably its paragraph 7,

Conscious that sport should play an important role in the protection of health, in moral, cultural and physical education and in promoting international understanding and peace,

Noting the need to encourage and coordinate international cooperation towards the elimination of doping in sport,

Concerned by the use of doping by athletes in sport and the consequences thereof for their health, the principle of fair play, the elimination of cheating and the future of sport,

Mindful that doping puts at risk the ethical principles and educational values embodied in the International Charter of Physical Education and Sport of UNESCO and in the Olympic Charter,

Recalling that the Anti-Doping Convention and its Additional Protocol adopted within the framework of the Council of Europe are the public international law tools, which are at the origin of national anti-doping policies and of intergovernmental cooperation,

Recalling the Recommendations on doping adopted by the second, third and fourth International Conferences of Ministers and Senior Officials responsible for Physical Education and Sport organized by UNESCO at Moscow (1988), at Punta del Este (1999) and Athens (2004) and of 32 C/Resolution 9 adopted by the UNESCO General Conference at its 32nd session (2003),

Bearing in mind the World Anti-Doping Code adopted by the World Anti-Doping Agency at the World Conference on Doping in Sport, Copenhagen, 5 March 2003 and the Copenhagen Declaration on Anti-Doping in Sport,

Mindful also of the influence that elite athletes have on youth,

Aware of the ongoing need to conduct and promote research with the objectives of improving detection of doping and better understanding of the factors affecting use in order for prevention strategies to be most effective,

Aware also of the importance of ongoing education of athletes, athlete support personnel and the community at large in preventing doping,

Mindful of the need to build the capacity of States Parties to implement anti-doping programmes,

Aware that public authorities and the organizations responsible for sport have complementary responsibilities to prevent and combat doping in sport, notably to ensure the proper conduct, on the

basis of the principle of fair play, of sports events and to protect the health of those that take part in them,

Recognizing that these authorities and organizations must work together for these purposes ensuring the highest degree of independence and transparency at all appropriate levels,

Determined to take further and stronger cooperative action aimed at the elimination of doping in sport,

Recognizing that the elimination of doping in sport is dependent in part upon progressive harmonization of anti-doping standards and practices in sport and cooperation at the national and global level,

Adopts this Convention on this [...] day of 200x.

Part I: Scope

Article 1 – Purpose of the Convention

The purpose of this Convention, within the framework of the strategy and programme of activities of UNESCO in the area of physical education and sport, is to promote the prevention of and the fight against doping in sport, with a view to its elimination.

Article 2 – Definitions

These definitions are to be understood within the context of the World Anti-Doping Code. However, in case of conflict the provisions of the Convention will prevail.

For the purposes of this Convention:

1. “Accredited doping control laboratories” means laboratories accredited by the World Anti-Doping Agency.
2. “Anti-doping organization” means an entity that is responsible for adopting rules for initiating, implementing or enforcing any part of the doping control process. This includes, for example, the International Olympic Committee, the International Paralympic Committee, other major event organizations that conduct testing at their events, the World Anti-Doping Agency, international federations, and national anti-doping organizations.
3. “Anti-doping rule violation” in sport means one or more of the following:
 - (a) the presence of a prohibited substance or its metabolites or markers in an athlete’s bodily specimen;
 - (b) use or attempted use of a prohibited substance or a prohibited method;
 - (c) refusing, or failing without compelling justification, to submit to sample collection after notification as authorized in applicable anti-doping rules or otherwise evading sample collection;
 - (d) violation of applicable requirements regarding athlete availability for out-of-competition testing including failure to provide required whereabouts information and missed tests which are declared based on reasonable rules;
 - (e) tampering, or attempting to tamper, with any part of doping control;

- (f) possession of prohibited substances and methods;
 - (g) trafficking in any prohibited substance or prohibited method;
 - (h) administration or attempted administration of a prohibited substance or prohibited method to any athlete, or assisting, encouraging, aiding, abetting, covering up or any other type of complicity involving an anti-doping rule violation or any attempted violation.
4. “Athlete” means, for the purposes of doping control, any person who participates in sport at the international or national level as defined by each national anti-doping organization and accepted by States Parties and any additional person who participates in a sport or event at a lower level accepted by States Parties. For the purposes of education and training programmes, “athlete” means any person who participates in sport under the authority of a sport organization.
 5. “Athlete support personnel” means any coach, trainer, manager, agent, team staff, official, medical or paramedical personnel working with or treating athletes participating in or preparing for sports competition.
 6. “Code” means the World Anti-Doping Code adopted by the World Anti-Doping Agency on 5 March 2003 at Copenhagen which is attached as Appendix 1 to this Convention.
 7. “Competition” means a single race, match, game or singular athletic contest.
 8. “Doping control” means the process including test distribution planning, sample collection and handling, laboratory analysis, results management, hearings and appeals.
 9. “Doping in sport” means the occurrence of an anti-doping rule violation.
 10. “Duly authorized doping control teams” means doping control teams operating under the authority of international or national anti-doping organizations.
 11. “In-competition” testing means, for purposes of differentiating between in-competition and out-of-competition testing, unless provided otherwise in the rules of an international federation or other relevant anti-doping organization, a test where an athlete is selected for testing in connection with a specific competition.
 12. “International Standard for Laboratories” means the standard which is attached as Appendix 2 to this Convention.
 13. “International Standard for Testing” means the standard which is attached as Appendix 3 to this Convention.
 14. “No advance notice” means a doping control which takes place with no advance warning to the athlete and where the athlete is continuously chaperoned from the moment of notification through sample provision.
 15. “Olympic Movement” means all those who agree to be guided by the Olympic Charter and who recognize the authority of the International Olympic Committee, namely: the international federations of sports on the programme of the Olympic Games; the National Olympic Committees, the Organizing Committees of the Olympic Games, athletes, judges and referees, associations and clubs, as well as all the organizations and institutions recognized by the International Olympic Committee.

16. “Out-of-competition” doping control means any doping control which is not conducted in competition.
17. “Prohibited List” means the list which appears in Annex 1 to this Convention identifying the prohibited substances and prohibited methods.
18. “Prohibited method” means any method so described on the Prohibited List, which appears in Annex 1 to this Convention.
19. “Prohibited substance” means any substance so described on the Prohibited List, which appears in Annex 1 to this Convention.
20. “Sports organization” means any organization that serves as the ruling body for an event for one or several sports.
21. “Standards for Granting Therapeutic Use Exemptions” means those standards that appear in Annex 2 to this Convention.
22. “Testing” means the parts of the doping control process involving test distribution planning, sample collection, sample handling, and sample transport to the laboratory.
23. “Therapeutic use exemption” means an exemption granted in accordance with Standards for Granting Therapeutic Use Exemptions.
24. “Use” means the application, ingestion, injection or consumption by any means whatsoever of any prohibited substance or prohibited method.
25. “World Anti-Doping Agency (WADA)” means the foundation so named established under Swiss law on 10 November 1999.

Article 3 – Means to achieve the purpose of the Convention

In order to achieve the purpose of the Convention, States Parties undertake to:

1. adopt appropriate measures at the national and international level which are consistent with the principles of the Code;
2. encourage all forms of international cooperation aimed at protecting athletes, ethics in sport, and sharing the results of research;
3. foster international cooperation between States Parties and leading organizations in the fight against doping in sport, in particular with WADA.

Article 4 – Relationship of the Convention to the Code

1. In order to coordinate the implementation, at the national and international level, of the fight against doping in sport, the States Parties commit themselves to the principles of the Code, as the basis for the measures provided for in Article 5 of this Convention. Nothing in this Convention prevents the States Parties from adopting additional measures complementary to the Code.
2. The Code and the most current version of Appendices 2 and 3 are reproduced for information purposes, and are not an integral part of this Convention. The Appendices as such do not create any binding obligations under international law for States Parties.

3. The Annexes are an integral part of this Convention.

Article 5 – Measures to achieve the objectives of the Convention

In abiding by the obligations contained in this Convention, each State Party undertakes to adopt appropriate measures. Such measures may include legislation, regulation, policies or administrative practices.

Article 6 – Relationship to other international instruments

This Convention shall not alter the rights and obligations of States Parties which arise from other agreements previously concluded and consistent with the object and purpose of this Convention. This does not affect the enjoyment by other States Parties of their rights or the performance of their obligations under this Convention.

Part II: Anti-doping activities at the national level

Article 7 – Domestic coordination

States Parties shall ensure the application of the present Convention, notably through domestic coordination. To meet their obligations under this Convention, States Parties may rely on anti-doping organizations as well as sport authorities and organizations.

Article 8 – Restricting the availability and use in sport of prohibited substances and methods

1. States Parties shall, where appropriate, adopt measures to restrict the availability of prohibited substances and methods in order to restrict their use in sport by athletes, unless the use is based upon a therapeutic use exemption. These include measures against trafficking to athletes, and to this end, measures to control production, movement, importation, distribution and sale.
2. States Parties shall adopt, or encourage, where appropriate, the relevant entities within their jurisdictions to adopt measures to prevent and to restrict the use and possession of prohibited substances and methods by athletes in sport unless the use is based upon a therapeutic use exemption.
3. No measures taken pursuant to this Convention will impede the availability for legitimate purposes, of substances and methods otherwise prohibited or controlled in sport.

Article 9 – Measures against athlete support personnel

States Parties shall themselves take measures or encourage sport organizations and anti-doping organizations to adopt measures, including sanctions or penalties, aimed at athlete support personnel who commit an anti-doping rule violation or other offence connected with doping in sport.

Article 10 – Nutritional supplements

States Parties, where appropriate, shall encourage producers and distributors of nutritional supplements to establish best practices in the marketing and distribution of nutritional supplements, including information regarding their analytic composition and quality assurance.

Article 11 – Financial measures

States Parties shall, where appropriate:

- (a) provide funding within their respective budgets to support a national testing programme across all sports or assist sports organizations and anti-doping organizations to finance doping controls either by direct subsidies or grants, or by recognizing the costs of such controls when determining the overall subsidies or grants to be awarded to those organizations;
- (b) take steps to withhold sport-related financial support to individual athletes or athlete support personnel who have been suspended following an anti-doping rule violation, during the period of their suspension;
- (c) withhold some or all financial or other sport-related support from any sports organization or anti-doping organization not in compliance with the Code or applicable anti-doping rules adopted pursuant to the Code.

Article 12 – Measures to facilitate doping control

States Parties shall, where appropriate:

- (a) encourage and facilitate the sports organizations and anti-doping organizations within their jurisdiction to carry out the doping controls in a manner consistent with the Code including no-advance notice, out-of-competition and in-competition testing;
- (b) encourage and facilitate the negotiation by sports organizations and anti-doping organizations of agreements permitting their members to be tested by duly authorized doping control teams from other countries;
- (c) undertake to assist the sports organizations and anti-doping organizations within their jurisdiction to gain access to an accredited doping control laboratory for the purposes of doping control analysis.

Part III: International cooperation

Article 13 – Cooperation between anti-doping organizations and sports organizations

States Parties shall encourage cooperation between anti-doping organizations, public authorities, and sports organizations within their jurisdiction and those within the jurisdiction of other States Parties, in order to achieve, at the international level, the purposes of this Convention.

Article 14 – Supporting the mission of WADA

States Parties undertake to support the important mission of WADA in the international fight against doping.

Article 15 – Equal funding of WADA

The States Parties support the principle of equal funding of the approved WADA annual core budget by public authorities and the Olympic Movement.

Article 16 – International cooperation in doping control

Recognizing that the fight against doping in sport can only be effective when athletes can be tested with no advance notice and samples can be transported in a timely manner to laboratories for analysis, States Parties shall, where appropriate and in accordance with domestic law and procedures:

- (a) facilitate the task of WADA and anti-doping organizations operating in compliance with the Code, subject to relevant host countries' regulations, to conduct in- or out-of-competition doping controls on their athletes, whether on their territory or elsewhere;
- (b) facilitate the timely movement of duly authorized doping control teams across borders when conducting doping control activities;
- (c) cooperate to expedite the timely shipping or carrying across borders of samples in such a way as to maintain their security and integrity;
- (d) assist in the international coordination of doping controls by various anti-doping organizations, and cooperate to this end with WADA;
- (e) promote cooperation between doping control laboratories within their jurisdiction and those within the jurisdiction of other States Parties. In particular, States Parties with accredited doping control laboratories should encourage laboratories within their jurisdiction to assist other States Parties in enabling them to acquire the experience, skills and techniques necessary to establish their own laboratories should they wish to do so;
- (f) encourage and support reciprocal testing arrangements between designated anti-doping organizations, in conformity with the Code;
- (g) mutually recognize the doping control procedures and test results management, including the sport sanctions thereof, of any anti-doping organization that are consistent with the Code.

Article 17 – Voluntary Fund

1. A “Fund for the Elimination of Doping in Sport”, hereinafter referred to as “the Voluntary Fund”, is hereby established. The Voluntary Fund shall consist of funds-in-trust established in accordance with the Financial Regulations of UNESCO. All contributions by States Parties and other actors shall be voluntary.
2. The resources of the Voluntary Fund shall consist of:
 - (a) contributions made by States Parties;
 - (b) contributions, gifts or bequests which may be made by:
 - (i) other States;
 - (ii) organizations and programmes of the United Nations system, particularly the United Nations Development Programme, as well as other international organizations; or
 - (iii) public or private bodies or individuals;
 - (c) any interest due on the resources of the Voluntary Fund;
 - (d) funds raised through collections, and receipts from events organized for the benefit of the Voluntary Fund;
 - (e) any other resources authorized by the Voluntary Fund's regulations, to be drawn up by the Conference of Parties.

3. Contributions into the Voluntary Fund by States Parties shall not be considered as a replacement for States Parties' commitment to pay their share of the WADA annual budget.

Article 18 – Use and governance of the Voluntary Fund

Resources in the Voluntary Fund shall be allocated by the Conference of Parties for the financing of activities approved by it, notably to assist States Parties to develop and implement anti-doping programmes, in accordance with the provisions of this Convention, taking into consideration the goals of WADA, and may serve to cover functioning costs of this Convention. No political, economic or other conditions may be attached to contributions made to the Voluntary Fund.

Part IV: Education and training

Article 19 – General education and training principles

1. States Parties shall undertake, within their means, to support, devise or implement education and training programmes on anti-doping. For the sporting community in general, these programmes should aim to provide updated and accurate information on:
 - (a) the harm of doping to the ethical values of sport;
 - (b) the health consequences of doping.
2. For athletes and athlete support personnel, in particular in their initial training, education and training programmes should, in addition to the above, aim to provide updated and accurate information on:
 - (a) doping control procedures;
 - (b) athletes' rights and responsibilities in regard to anti-doping, including information about the Code and the anti-doping policies of the relevant sports and anti-doping organizations. Such information shall include the consequences of committing an anti-doping rule violation;
 - (c) the list of prohibited substances and methods and therapeutic use exemptions;
 - (d) nutritional supplements.

Article 20 – Professional codes of conduct

States Parties shall encourage relevant competent professional associations and institutions to develop and implement appropriate codes of conduct, good practice and ethics related to anti-doping in sport that are consistent with the Code.

Article 21 – Involvement of athletes and athlete support personnel

States Parties shall promote and, within their means, support active participation by athletes and athlete support personnel in all facets of the anti-doping work of sports and other relevant organizations and encourage sports organizations within their jurisdiction to do likewise.

Article 22 – Sports organizations and ongoing education and training on anti-doping

States Parties shall encourage sports organizations and anti-doping organizations to implement ongoing education and training programmes for all athletes and athlete support personnel on the subjects identified in Article 19 above.

Article 23 – Cooperation in education and training

States Parties shall cooperate mutually and with the relevant organizations to share, where appropriate, information, expertise and experience on effective anti-doping programmes.

Part V: Research

Article 24 – Promotion of research in anti-doping

States Parties undertake, within their means, to encourage and promote anti-doping research in cooperation with sports and other relevant organizations on:

- (a) prevention, detection methods, behavioural and social aspects, and health consequences of doping;
- (b) ways and means of devising scientifically-based physiological and psychological training programmes respectful of the integrity of the person;
- (c) the use of all emerging substances and methods resulting from scientific developments.

Article 25 – Nature of anti-doping research

When promoting anti-doping research, as set out in Article 24 above, States Parties shall ensure that such research will:

- (a) comply with internationally recognized ethical practices;
- (b) avoid the administration to athletes of prohibited substances and methods;
- (c) be undertaken only with adequate precautions in place to prevent the results of anti-doping research being misused and applied for doping.

Article 26 – Sharing the results of anti-doping research

Subject to compliance with applicable national and international law, States Parties shall, where appropriate, share the results of available anti-doping research with other States Parties and WADA.

Article 27 – Sport science research

States Parties shall encourage:

- (a) members of the scientific and medical communities to carry out sport science research in accordance with the principles of the Code;
- (b) sports organizations and athlete support personnel within their jurisdiction to implement sport science research that is consistent with the principles of the Code.

Part VI: Monitoring of the Convention

Article 28 – Conference of Parties

1. A Conference of Parties is hereby established. The Conference of Parties is the sovereign body of this Convention.

2. The Conference of Parties shall meet in ordinary session in principle every two years. It may meet in extraordinary session if it so decides or at the request of at least one third of the States Parties.
3. State Parties shall each have one vote at the Conference of Parties.
4. The Conference of Parties shall adopt its own Rules of Procedure.

Article 29 – Advisory organization and observers to the Conference of Parties

WADA shall be invited as an advisory organization to the Conference of Parties. The International Olympic Committee, the International Paralympic Committee, the Council of Europe, and the Intergovernmental Committee for Physical Education and Sport (CIGEPS) shall be invited as observers. The Conference of Parties may decide to invite other relevant organizations as observers.

Article 30 – Functions of the Conference of Parties

1. Besides those set forth in other provisions of this Convention, the functions of the Conference of Parties shall be to:
 - (a) promote the purpose of this Convention;
 - (b) discuss the relationship with WADA and study the mechanisms of funding of WADA's annual core budget. States non-Parties can be invited to the discussion;
 - (c) adopt a plan for the use of the resources of the Voluntary Fund, in accordance with Article 18;
 - (d) examine the reports submitted by States Parties in accordance with Article 31;
 - (e) examine, on an ongoing basis, the monitoring of compliance with this Convention in response to the development of anti-doping systems, in accordance with Article 31. Any monitoring mechanisms or measure that goes beyond Article 31 shall be funded through the Voluntary Fund established under Article 17;
 - (f) examine draft amendments to this Convention for adoption;
 - (g) examine for approval, in accordance with Article 34 of the Convention, modifications to the Prohibited List and to the Standards for Granting Therapeutic Use Exemptions adopted by WADA;
 - (h) define and implement cooperation between the States Parties and WADA within the framework of this Convention;
 - (i) request a report from WADA on the implementation of the Code to each of its sessions for examination.
2. The Conference of Parties, in fulfilling its functions, may do so in cooperation with other intergovernmental bodies.

Article 31 – National reports to the Conference of Parties

States Parties shall forward every two years to the Conference of Parties through the Secretariat, in one of the official languages of UNESCO, all relevant information concerning measures taken by them for the purpose of complying with the provisions of this Convention.

Article 32 – Secretariat of the Conference of Parties

1. The Secretariat of the Conference of Parties shall be provided by the Director-General of UNESCO.
2. At the request of the Conference of Parties the Director-General of UNESCO shall use to the fullest extent possible the services of WADA on terms agreed upon by the Conference of Parties.
3. Functioning costs related to the Convention will be funded from the regular budget of UNESCO within existing resources at an appropriate level, the Voluntary Fund established under Article 17 above or an appropriate combination thereof as determined every two years. The financing for the Secretariat from the regular budget shall be done on a strictly minimal basis, it being understood that voluntary funding should also be provided to support the Convention.
4. The Secretariat shall prepare the documentation of the Conference of Parties, as well as the draft agenda of its meetings, and shall ensure the implementation of its decisions.

Article 33 – Amendments to the Convention

1. Each State Party may, by written communication addressed to the Director-General of UNESCO, propose amendments to this Convention. The Director-General shall circulate such communication to all States Parties. If, within six months from the date of the circulation of the communication, at least one half of the States Parties give their consent, the Director-General shall present such proposals to the following session of the Conference of Parties.
2. Amendments shall be adopted by the Conference of Parties with a two-thirds majority of States Parties present and voting.
3. Once adopted, amendments to this Convention shall be submitted for ratification, acceptance, approval or accession to the States Parties.
4. With respect to the States Parties that have ratified, accepted, approved or acceded to them, amendments to this Convention shall enter into force three months after the deposit of the instruments referred to in paragraph 3 of this Article by two thirds of the States Parties. Thereafter, for each State Party that ratifies, accepts, approves or accedes to an amendment, the said amendment shall enter into force three months after the date of deposit by that State Party of its instrument of ratification, acceptance, approval or accession.
5. A State that becomes a Party to this Convention after the entry into force of amendments in conformity with paragraph 4 of this Article shall, failing an expression of different intention, be considered:
 - (a) a Party to this Convention as so amended;

- (b) a Party to the unamended Convention in relation to any State Party not bound by the amendments.

Article 34 – Specific amendment procedure for the Annexes to the Convention

1. If WADA modifies the Prohibited List or the Standards for Granting Therapeutic Use Exemptions, it may, by written communication addressed to the Director-General of UNESCO, inform her/him of those changes. The Director-General shall notify such changes as proposed amendments to the relevant Annexes to this Convention to all States Parties expeditiously. Amendments to the Annexes shall be approved by the Conference of Parties either at one of its sessions or through a written consultation.
2. States Parties have 45 days from the Director-General's notification within which to express their objection to the proposed amendment either in writing, in case of written consultation, to the Director-General or at a session of the Conference of Parties. Unless two thirds of the States Parties express their objection, the proposed amendment shall be deemed to be approved by the Conference of Parties.
3. Amendments approved by the Conference of Parties shall be notified to the States Parties by the Director-General. They shall enter into force 45 days after that notification, except for any State Party that has previously notified the Director-General that it does not accept these amendments.
4. A State Party having notified the Director-General that it does not accept an amendment approved according to the preceding paragraphs remains bound by the Annexes as not amended.

Part VII: Final clauses

Article 35 – Federal or non-unitary constitutional systems

The following provisions shall apply to States Parties that have a federal or non-unitary constitutional system:

- (a) With regard to the provisions of this Convention, the implementation of which comes under the legal jurisdiction of the federal or central legislative power, the obligations of the federal or central government shall be the same as for those States Parties which are not federal States;
- (b) With regard to the provisions of this Convention, the implementation of which comes under the jurisdiction of individual constituent States, countries, provinces or cantons which are not obliged by the constitutional system of the federation to take legislative measures, the federal government shall inform the competent authorities of such States, countries, provinces or cantons of the said provisions, with its recommendation for their adoption.

Article 36 – Ratification, acceptance, approval or accession

This Convention shall be subject to ratification, acceptance, approval or accession by Member States of UNESCO in accordance with their respective constitutional procedures. The instruments of ratification, acceptance, approval or accession shall be deposited with the Director-General of UNESCO.

Article 37 – Entry into force

1. This Convention shall enter into force on the first day of the month following the expiration of a period of one month after the deposit of the thirtieth instrument of ratification, acceptance, approval or accession.
2. For any State that subsequently expresses its consent to be bound by it, this Convention shall enter into force on the first day of the month following the expiration of a period of one month after the deposit of its instrument of ratification, acceptance, approval or accession.

Article 38 – Territorial extension of the Convention

1. Any State may, when depositing its instrument of ratification, acceptance, approval or accession, specify the territory or territories for whose international relations it is responsible and to which this Convention shall apply.
2. Any State Party may, at any later date, by a declaration addressed to UNESCO, extend the application of this Convention to any other territory specified in the declaration. In respect of such territory the Convention shall enter into force on the first day following the expiration of a period of one month after the date of receipt of such a declaration by the depositary.
3. Any declaration made under the two preceding paragraphs may, in respect of any territory mentioned in such declaration, be withdrawn by a notification addressed to UNESCO. Such withdrawal shall become effective on the first day following the expiration of a period of one month after the date of receipt of such a notification by the depositary.

Article 39 – Denunciation

Each State Party may denounce this Convention. The denunciation shall be notified by an instrument in writing, deposited with the Director-General of UNESCO. The denunciation shall take effect on the first day of the month following the expiration of a period of six months after the receipt of the instrument of denunciation. It shall in no way affect the financial obligations of the concerned State Party until the date on which the withdrawal takes effect.

Article 40 – Depositary

The Director-General of UNESCO shall be the Depositary of this Convention and amendments thereto. As the Depositary, the Director-General of UNESCO shall inform the States Parties of this Convention, as well as the other Member States of the Organization of:

- (a) the deposit of any instrument of ratification, acceptance, approval or accession;
- (b) the date of entry into force of this Convention in accordance with Article 37 above;
- (c) any report prepared in pursuance of the provisions of Article 31 above;
- (d) any amendment to the Convention or to the Annexes adopted in accordance with Articles 33 and 34 above and the date on which the amendment comes into force;
- (e) any declaration or notification made under the provisions of Article 38 above;
- (f) any notification made under the provisions of Article 39 above and the date on which the denunciation takes effect;

- (g) any other act, notification or communication relating to this Convention.

Article 41 – Registration

In conformity with Article 102 of the Charter of the United Nations, this Convention shall be registered with the Secretariat of the United Nations at the request of the Director-General of UNESCO.

Article 42 – Authoritative texts

1. This Convention including its Annexes has been drawn up in Arabic, Chinese, English, French, Russian and Spanish, the six texts being equally authoritative.
2. The Appendices to this Convention are drawn up in Arabic, Chinese, English, French, Russian and Spanish.

Article 43 – Reservations

No reservations that are incompatible with the object and purpose of the present Convention shall be permitted.

Done in Paris, this day of 200., in two authentic copies bearing the signature of the President of the General Conference of UNESCO at its session and of the Director-General of UNESCO, which shall be deposited in the archives of UNESCO.

Annexes

1. The Prohibited List – International Standard
2. Standards for Granting Therapeutic Use Exemptions

Appendices

1. World Anti-Doping Code
2. International Standard for Laboratories
3. International Standard for Testing