

For a clean and
healthy sport

**The Anti-Doping
Convention**



COUNCIL OF EUROPE CONSEIL DE L'EUROPE



Why an Anti-Doping Convention under the umbrella of the Council of Europe?

For the Council of Europe, sport is a force for social integration, tolerance and understanding. As the single most popular activity in society today, sport plays a most distinctive role. It is open to all, regardless of age, language, religion, culture or ability. Sport provides the opportunity to learn to play by commonly agreed rules, to behave with fairness in victory and in defeat, and to develop not only the physical being, but also social competences and ethical values. Its positive role in education is also increasingly acknowledged.

Sport brings a key contribution to the promotion of the core values of the Council of Europe: democracy, human rights and the rule of law. For its part, the Council of Europe acts firmly against some of the negative aspects of sport - violence and doping - through two conventions: the European Convention on Spectator Violence and Misbehaviour at Sports Events and in particular at Football Matches (ETS No. 120) and the Anti-Doping Convention (ETS No. 135).

Doping in sport is nothing new, but it has grown, expanded geographically and become more visible in recent decades. It is a true scourge for many competitive sports and jeopardises the health of millions of young athletes throughout the world. Doping is also cheating. It is contrary

to the values of sport and the principles for which it stands: fair play, equal chances and loyal competition. Furthermore, doping damages the image of a clean and healthy sport amongst all age groups.

To better protect these values and principles and to actively fight against doping, the Council of Europe has prepared, since the 1960s, the ground for the Anti-Doping Convention. Several resolutions and recommendations led to the drafting of the final text of the Anti-Doping Convention. Opened for signature on 16 November 1989 in Strasbourg, the convention entered into force very rapidly on 1 March 1990.

The Anti-Doping Convention underlines the political will of the States Parties to combat doping in sport in an active and co-ordinated manner.

The refusal of the first five riders in the 1966 world road-race cycling championship to submit to a doping control and the death of a professional cyclist in the 1967 Tour de France resulted in considerable public concern on the abuse of drugs in sport. As an answer, the Committee of Ministers adopted in 1967 Resolution [67]12 on the doping of athletes, which was the first international text on doping in sport.

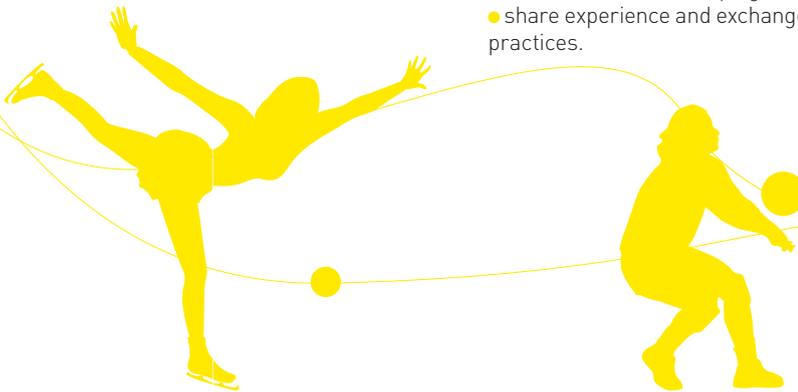
What does the convention aim to do?

The convention promotes the harmonisation, at national and international level, of measures to be taken against doping. It does not claim to create a uniform model of anti-doping, but rather to set a certain number of common standards and regulations requiring that States Parties adopt legislative, financial, technical, scientific, educational and other measures to efficiently fight doping in sport. The convention aims to give a common framework to each country's specific policy in which athletes are subject to the same procedures, no matter which country they are representing.

What are the States Parties committed to?

By joining the principles and objectives of the convention, the States Parties undertake, in their respective constitutional provisions, to put into place a national anti-doping policy to:

- create a national co-ordinating body;
- reduce the trafficking of doping substances and the use of prohibited doping agents;
- reinforce doping controls and improve detection techniques;
- support education and awareness-raising programmes;
- guarantee the efficiency of sanctions taken against offenders;
- collaborate with sports organisations at all levels including at international level;
- use accredited anti-doping laboratories;
- share experience and exchange good practices.



How is compliance of the Parties with the convention ensured?

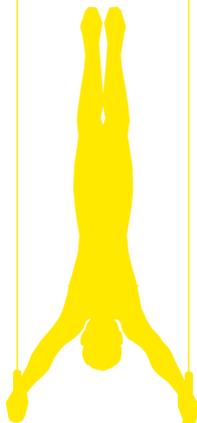
The body in charge of monitoring the implementation of the Anti-Doping Convention is the Monitoring Group. This is a unique network of governmental experts and officials from anti-doping organisations and sports federations who lead the monitoring work of anti-doping policies among its 50 States Parties, including also non-European states. As a kind of international anti-doping barometer, it sets standards and produces specific recommendations to the states.

The overall mission of the Monitoring Group is to make sure that the convention is respected by the States Parties. A project on monitoring compliance with commitments, introduced in 1998, allows to study how States Parties implement the convention on a day-by-day basis. Advisory visits assist countries to put in place policies and programmes which help to carry out the requirements laid down in the convention.

Furthermore, States Parties must complete on an annual basis a detailed questionnaire on the state of their national anti-doping policies and practices.

The Monitoring Group has four Advisory Groups (on Legal issues, Science, Education and the Data Base) which regularly meet and prepare the substance for the decisions and recommendations of the Monitoring Group. They deal with a variety of issues ranging from data protection in the fight against doping, to trafficking and doping, detection of new doping substances and methods, the update of the list of prohibited doping substances, the transportation of doping samples, education and prevention in anti-doping and the development and update of the monitoring database.





The Council of Europe has produced 11 Recommendations, 6 Resolutions and 2 Declarations in the domain of doping in sport. Some examples are:

- The Resolution on Ethical and Human Problems in Sport (78/3)
- The Recommendation on measures to restrict the availability of anabolic steroids (94/2)
- The Recommendation on blood sampling for doping medical controls (98/3)
- The Recommendation of the Committee of Ministers to member states on common core principles to be introduced into national legislation to combat the traffic in doping agents (2000/16)

What are the other instruments launched by the Council of Europe to fight doping?

The Additional Protocol to the Anti-Doping Convention

The Additional Protocol entered into force on 1st April 2004. It reinforces the application of the convention by introducing a binding monitoring system. This is to ensure that doping controls by States Parties to the convention is carried out on their territory on sportsmen and women originating from other States Parties to the convention. It aims to discourage the conclusion of multiple bilateral agreements and to increase the effectiveness of anti-doping controls. This monitoring is carried out by an evaluation team, which can decide to organise a visit to any State Party, after reception of an evaluation report. The Protocol makes it an obligation for Parties to be available for evaluation, thus making the Anti-Doping Convention one of the few international conventions with a stringent control system.

The list of prohibited doping substances and methods

Every year, the Monitoring Group updates the list of prohibited doping substances and methods, in appendix to the convention, in response to the ever-evolving doping techniques.

The European Sports Charter

The European Sports Charter was adopted by the Committee of Ministers on 19 September 1984 and revised in 1992. It recommends to the governments of member states of the Council of Europe to take all appropriate steps falling within their competence to eradicate doping in sport. These steps include, among others, to co-operate at international level; to set up and run doping control laboratories, to implement educational programmes and campaigns on doping and to promote the proper ethical and physical values of sport, to offer their co-operation to sports organisations, so that the latter take all measures falling within their competence to eradicate doping and to assist with the financing of doping controls.



How is co-operation at international level achieved?

In 2003, the Monitoring Group was complemented by the European Co-ordination Forum for the World Anti-Doping Agency (CAHAMA), a political tool aiming at harmonising policies of European governments in line with the World Anti-Doping Agency (WADA). In the CAHAMA, senior European officials meet regularly to prepare positions, before they are discussed and decided upon at worldwide level, among the representatives of both the Executive Committee and the Foundation Board of WADA. The CAHAMA is the only regional instrument of its kind; it prepares the international agenda of anti-doping at regional level as well as contributing in substance to the elaboration of international standards. The CAHAMA also formulates the mandate for the six European representatives within the statutory organs of WADA.

The Monitoring Group co-operates with the European Partial Agreement on Sport (EPAS), created in 2007, on anti-doping issues raised at the biennial Council of Europe Conference of Ministers responsible for Sport.

The Unesco International Convention against Doping in Sport, which came into force on 1 February 2007, sets the background for harmonising anti-doping rules and policies worldwide, effective implementation of the

World Anti-Doping Code, development of anti-doping education programmes, and consulting governments on the development of national anti-doping programmes. To date, 120 countries have ratified the Unesco Convention.

The WADA World Anti-Doping Code, which came into effect on 1 January 1999, aims to harmonise anti-doping policies within public authorities and sports organisations. More than 600 sports organisations have adopted the Code.

How many states have ratified the convention?

The Anti-Doping Convention has been ratified by:

- 46 Council of Europe member states (Albania, Andorra, Armenia, Austria, Azerbaijan, Belgium, Bosnia-Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, "the Former Yugoslav Republic of Macedonia", France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Moldova, Monaco, Montenegro, Netherlands, Norway, Poland, Portugal, Romania, Russia, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, Ukraine, United Kingdom);
- 4 non-member states (Australia, Belarus, Canada and Tunisia).

The Council of Europe

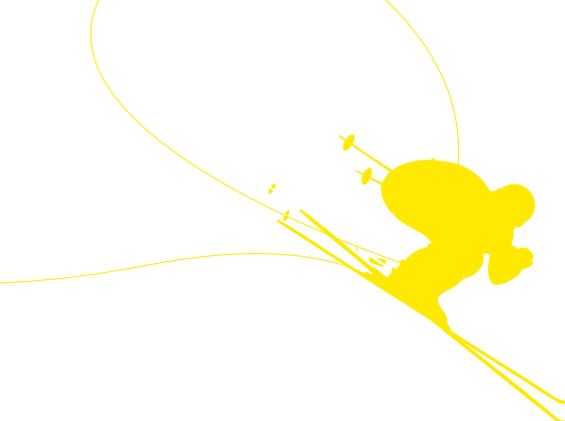
The Council of Europe is an intergovernmental political organisation which was founded on 5 May 1949 by 10 European countries and which today comprises 47 member states. Its headquarters are in Strasbourg (France).

The primary aim of the Council of Europe is to create a common democratic and legal area throughout the whole of the continent, ensuring respect for its fundamental values: human rights, democracy and the rule of law.

These values are the foundations of a tolerant society and indispensable for European stability, economic growth and social cohesion. On the basis of these fundamental values, the Council of Europe tries to find shared solutions to major problems such as terrorism, organised crime and corruption, cybercrime, bioethics and cloning, violence against children and women, and trafficking in human beings. Co-operation between all member states is the only way to solve the major problems facing society today.

The Council of Europe attaches great importance to the effective operation of the Sport Conventions, which are reference texts in international law. In line with the Committee of Ministers Recommendation (99)9 on the role of sport in furthering social cohesion, the Heads of State and Government of the member states of the Council of Europe, meeting in Warsaw on 16 and 17 May 2005, recommended the continuation of Council of Europe activities which serve as references in the domain of sport.





A convention is an international inter-state treaty governed by public international law. Its acceptance is optional, but becomes legally binding when a state signs and ratifies it.

Pharmacological classes of doping agents or doping methods means those classes of doping agents or doping methods banned by the relevant international sports organisations and appearing in lists that have been approved by the Monitoring Group under the terms of Article 11.1.b (This, in effect, is the WADA List).

Sportsmen and sportswomen

refers to those persons who participate regularly in organised sports activities.

A recommendation is an international decision adopted by specific bodies, intended for the governments of member states and inviting them to implement the guidelines contained in the recommendation. A recommendation is not legally binding, which means that the transposition of the principles set out in a recommendation into domestic legislation is optional for the individual member state.

Doping in sport means the administration to sportsmen or sportswomen, or the use by them, of pharmacological classes of doping agents or doping methods.





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