

MONITORING GROUP (T-DO)

ANTI-DOPING CONVENTION

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Strasbourg, 10 November 2015

T-DO (2015) 25

Anti-Doping Convention (T-DO)

**Revised RULES OF PROCEDURE
of the Monitoring Group of the Anti-Doping Convention**

**Adopted at the 43rd meeting of the
Monitoring Group
Strasbourg, 10 November 2015**

**RULES OF PROCEDURE OF THE MONITORING GROUP
OF THE ANTI-DOPING CONVENTION**

The Monitoring Group,

Having regard to the entry into force on 1st March 1990 of the Anti-Doping Convention (hereinafter referred to as “the Convention”),

Having regard to Articles 10 to 13 of the Convention,

Pursuant to paragraph 8 of Article 10 of the Convention,

Adopts the present revised Rules of Procedure: ^{1 2}

Article 1

Functions and working methods

1. Pursuant to Article 11 of the Convention, the Monitoring Group (hereinafter referred to as “the Group”) is responsible for monitoring the application of the Convention, as well as for the interpretation of its provisions.
2. The functioning and operation of the Group shall be governed by these Rules of Procedure.

Article 2

Delegates

1. Parties to the Convention shall nominate as their representatives – hereinafter referred to as delegates – one or more experts of the highest rank possible in the field of the fight against doping.
2. Governments shall communicate the names, contact details and working language of their delegates to the Secretary General of the Council of Europe, whenever possible at least one month before the date fixed for the opening of the meeting. In the case of multi-member delegations, Governments shall indicate the head of the delegation.
3. Each delegate shall retain office as long as he/she carries out these tasks at national level, and until the Government or the delegate concerned has notified the Secretary General of his/her replacement.
4. A delegate may be accompanied by one or more experts.
5. The provisions of this Article shall apply mutatis mutandis to observers.

¹ entered into force on 11 November 2015.

² replacing those in T-DO (99) 16rev. of 22 October 1999.

Article 3
Participants

Participants shall take part in the meetings of the Group with no right to vote. They are:

- a. Representatives of committees or other bodies of the Council of Europe engaged in related work, as well as the Parliamentary Assembly, the European Court of Human Rights, the Congress of Local and Regional Authorities of the Council of Europe, the Council of Europe Commissioner for Human Rights and the Conference of INGOs of the Council of Europe;
- b. The European Union.

Article 4
Observers³

1. Pursuant to paragraph 3 of Article 10 of the Convention, any member State of the Council of Europe, other State Party to the European Cultural Convention and non-member State which have participated in the elaboration of this Convention and which is not a Party to this Convention, may be represented in the Monitoring Group on a permanent basis.

2. Pursuant to paragraph 4 of Article 11 of the Convention, the Group shall also invite, by unanimous decision, any non-member State of the Council of Europe which is not a Party to the Convention, and any sports organisation⁴, to be represented as observers.

3. Candidates shall request the status of observer by a letter addressed to the Chair of the Group. The Co-ordination Group shall examine the request and prepare a recommendation. The decision of granting the status is taken by the Group by unanimous decision.

4. Except for countries mentioned in the paragraph 1 abovementioned, observer status shall be granted for a period of three years. For the observers status granted prior to the adoption of these revised Rules of Procedure, the period of three years starts the day after the adoption of these revised Rules of Procedure. The status can be renewed after this three years period following the unanimous decision of the Group.

5. Observers may contribute to the meetings by making oral or written statements on the subjects under discussion, with the permission of the Chair. They shall not assist to the sessions held in private, and shall have no access to the documents discussed in these sessions. Otherwise, they shall have access to all working documents. In any case, they shall have no right to vote.

Article 5
Meetings

1. The Group shall hold a meeting at least once a year. The Group shall fix the date of its meetings in consultation with the Secretary General.

2. Whenever a Party requests the Group to be convened according to Article 10.5 of the Convention, the Secretary General may fix the date of the meeting in consultation, if possible, with the Chair of the Group.

³ A list of observer sis attached to these Rules of Procedure.

⁴ Sports organisation shall mean any organisation engaged in the definition and/or implementation of sports policies at regional, national or international level; any organisation engaged in the preparation of a major sport event; or any organisation which carries out projects in the field of sport and of particular interest and relevance for the work of the Monitoring Group.

3. When a meeting has been convened, any request for postponement must reach the Secretary General at least four weeks before the date previously fixed for the opening of the meeting. A decision in favour of postponement shall be considered as having been taken when a majority of the delegates shall have notified the Secretary General of their agreement seven days before the date previously fixed.

4. Meetings shall be held at the seat of the Council of Europe at Strasbourg. Exceptionally, a meeting can be held on other Party to the Convention upon its invitation and provided there is a unanimous agreement by the Group.

Article 6
Convocation

1. Meetings of the Group shall be convened by letter addressed by the Secretary General to the delegates and to the observers. Whenever a country has no delegate, the letter of convocation shall be addressed to the Government concerned.

2. A copy of the letter of convocation addressed to the delegates and observers shall be sent to the Governments of the member States, the other States party to the European Cultural Convention and the non-member States which have participated in the elaboration of the Convention.

3. Letters of convocation shall indicate the place, date, opening time of the meeting and its probable duration. They shall, in general, be sent at least two months before the date fixed for the opening of the meeting, except in case of emergency which shall be duly explained.

Article 7
Chair, Vice-Chair and Co-ordination Group

1. The Chair and Vice-Chair shall be elected for a term of two years, by a majority of the votes cast. They shall be eligible for re-election for the consecutive second term of two years.

2. Elections shall be held at the last meeting which precedes the expiry of the term of office concerned. For practical reason, and no matter whether or not they are re-elected, this meeting stays under the direction of the Chair and Vice-Chair until its end. The terms of office of the new Chair and Vice-Chair start immediately after the meeting in which they are elected.

3. The Chair shall, in close co-operation with the Co-ordination Group and the Secretariat, direct the work of the Monitoring Group. He/she presides at meetings of the Monitoring Group.

4. The Chair shall retain the right to participate in the discussions of the Group and to vote.

5. If the Chair is absent or prevented from chairing, he or she shall be replaced by the Vice-Chair. If neither of these persons is able to carry out their duties, the Group shall designate one of its members to take the Chair in an acting capacity.

6. Should any of the above offices fall vacant before the completion of the relevant terms of office, the Group shall decide whether to hold an election for the vacant post at the beginning of its next meeting. Any person so elected shall complete the term of office of his or her predecessor.

7. The Chair, the Vice-Chair, the Chairs of the Advisory Groups (described in Article 16 of these Rules), the Chair of any ad hoc expert group established under the provisions of Article 17

and the Chair and Vice-Chair of the Ad Hoc European Committee to the World Anti-Doping Agency (CAHAMA) together form the Co-ordination Group, which prepares, co-ordinates and oversees the anti-doping activities of the Council of Europe.

8. The Chair of the Monitoring Group acts as the Chair of the Co-ordination Group.

Article 8
Secretariat

1. The Secretary General shall provide the Group with the necessary staff and facilities.
2. The Secretariat shall be responsible for the material preparation and distribution of the working documents to be examined by the Group. Documents should normally be sent to delegates at least one month before the opening of the meeting.
3. The Secretary General of the Council of Europe or his/her representative may at any time make an oral or written statement on any matter under consideration.

Article 9
Agenda

1. The Secretariat, in close cooperation with the Co-ordination Group, shall draw up the draft agenda and annex it to the letter of convocation.
2. The agenda shall be adopted by the Group at the beginning of each meeting.

Article 10
Languages

1. The official languages of the Group shall be those of the Council of Europe.
2. Any delegate or observer may, however, use a language other than an official language, provided that his/her delegation provides for interpretation into one of the official languages.
3. Any document to be considered by the Group submitted in a language other than one of the official languages shall be accompanied by a translation into one of the official languages. The delegate or observer concerned is responsible for making the necessary arrangements and covering the costs.

Article 11

Privacy of Meetings

1. Meetings shall not be public. They are only opened to delegates, participants and observers. They can also be opened to one or more relevant individual experts or organisations interested in the work of the Monitoring Group and invited under provisions of Article 15 of these Rules.
2. For some matters, which shall be discussed exclusively by delegates, parts of the meetings shall be held in private. Observers and guests shall not be present during these sessions. Normally, the decision on which parts of the meeting are held in private shall be taken prior to the meeting and indicated in the draft agenda.

Article 12
Quorum

There shall be a quorum if a majority of the Parties are present.

Article 13
Voting

1. Each Party to the Convention shall have one vote.
2. The Group shall take decisions on matters other than those mentioned in paragraphs 4 and 8 of Article 10 of the Convention by a majority of the votes cast. However, in the case of the written procedure for amending the reference list, Article 18, paragraph 2, of the present Rules of Procedure shall apply.
3. In case of doubt as to what rule applies to the taking of any decision, the Group shall decide by a two-thirds majority of votes cast.
4. When a decision has been taken on any particular matter, such matter shall not be re-opened except at the request of a delegate approved by a two-thirds majority of the votes cast.
5. For the purposes of these Rules, “votes cast” shall mean the votes of the delegates cast in favour or against. Delegates who abstain shall be regarded as not having cast a vote.

Article 14
Reports

The Secretariat shall prepare a draft report after each meeting which shall be considered as adopted unless objections are formulated within one month of the date of its circulation. In the event that objections are formulated, the report shall be adopted at the following meeting.

Article 15
Consultation with other organisations or with experts

1. The Group may decide to invite intergovernmental or non-governmental organisations or bodies to appoint a person who will be available for consultation during a particular meeting or part of a meeting. It may also decide to invite individual experts.
2. The Group may, in liaison with the Secretary General, appoint a consultant expert to make a report on one or more particular matters.

Article 16
Advisory Groups

1. The Monitoring Group is assisted in its work by four permanently functioning Advisory Groups:
 - a. Advisory Group on Compliance (T-DO COMP)
 - b. Advisory Group on Education (T-DO ED)
 - c. Advisory Group on Legal Issues (T-DO LI)
 - d. Advisory Group on Science (T-DO SCI)

2. Advisory Groups shall undertake specific tasks assigned to them by the Monitoring Group and report on the results at the Monitoring Group's meetings.
3. The Chairs of Advisory Groups shall be elected by the Monitoring Group for a term of two years, by the majority of the votes cast. They shall be eligible for re-election for the second consecutive term of two years. Should any of the offices of the Chair of Advisory Group fall vacant before the completion of the relevant terms of office, the same procedure as described in par. 6 of the Article 7 of the present rules shall apply.
4. The Chairs of the Advisory Groups direct the work of their groups, convene their meetings, preside at them and report to the Monitoring Group.
5. Any delegate to the Monitoring Group may participate in the work of one or more Advisory Groups. The Chairs of the Advisory Groups may specifically invite members of the Monitoring Group who possess competences required to fulfil the tasks given to the Advisory Group to participate in their work. The Chair may also invite other experts to the meetings of the Advisory Groups as observers or consultants.
6. Meetings of the Advisory Groups shall be held in private.

Article 17

Meetings of ad-hoc groups of experts set up by virtue of Article 11.2 of the Convention

1. The Monitoring Group might decide to establish an ad hoc expert group to undertake a specific task which cannot be performed by any of the Advisory Groups. Chair for such a group shall be elected by the Monitoring Group.
2. Articles 16.4 – 16.6 of the present rules of procedure shall apply to the meetings of such groups.

Article 18

Procedure for amending the reference list

1. The reference list of banned pharmacological classes of doping agents and doping methods shall be amended in accordance with Article 11.1.b of the Convention.
2. Should the above list and/or explanatory notes require modification in a period exceeding three months before the next meeting of the Group, the following written (or electronic) procedure will be used:
 - the Secretariat shall transmit to the delegates for approval the draft decision(s), including the date of their taking effect, together with a postal voting form; observers may also be asked for their views;
 - delegates shall ensure that their votes reach the Secretariat within two weeks of the date of receipt of the draft decision(s); if no vote is received, the delegate is considered as not having cast a vote;
 - if a majority of the Parties approve the draft decision(s), a letter from the Secretariat will inform Parties and observers of this decision(s), and confirm the date at which this decision shall enter into force.

Article 19

Amendment to the Rules of Procedure

1. These rules may be amended by the Group at any time, on the basis of draft amendments circulated at least one month before a meeting of the Group.
2. Amendments shall be adopted by a two-thirds majority of the votes cast.

Article 20

Entry into force of the Rules

The present Rules of Procedure, as well as any amendment, enter into force on the day that follows their adoption.

ANNEX

List of observers (updated on 15 January 2016)

States Parties to the European Cultural Convention or non-member States which have participated in the elaboration of the Convention:

- Holy See
- Kazakhstan
- United States of America

Other non-member States of the Council of Europe:

- Argentina (*until 11 November 2018*)
- Barbados (*until 11 November 2018*)
- Bolivia (*until 11 November 2018*)
- Brazil (*until 11 November 2018*)
- Cameroon (*until 11 November 2018*)
- Chile (*until 11 November 2018*)
- China (*until 11 November 2018*)
- Colombia (*until 11 November 2018*)
- Guatemala (*until 11 November 2018*)
- Honduras (*until 11 November 2018*)
- Jamaica (*until 11 November 2018*)
- Japan (*until 11 November 2018*)
- Mexico (*until 11 November 2018*)
- New Zealand (*until 11 November 2018*)
- Panama (*until 11 November 2018*)
- Paraguay (*until 11 November 2018*)
- Peru (*until 11 November 2018*)
- South Africa (*until 11 November 2018*)
- Uruguay (*until 11 November 2018*)
- Venezuela (*until 11 November 2018*)

Sports organisations:

- All Europe Taekwondo Federation (AETF) (*until 11 November 2018*)
- Association of National Olympic Committees of Africa (ANOCA) (*until 11 November 2018*)
- Badminton Europe (*until 11 November 2018*)
- Confédération européenne de volley-ball (CEVB) (*until 11 November 2018*)
- Confederation of European Baseball (CEB) (*until 11 November 2018*)
- EU Athletes (*until 11 November 2018*)
- European Cyclist Federation (ECF) (*until 11 November 2018*)
- European Federation of Sports Medicine Associations (EFSMA) (*until 11 November 2018*)
- European Golf Association (EGA) (*until 11 November 2018*)
- European Handball Federation (EHF) (*until 11 November 2018*)
- European Judo Union (EJU) (*until 11 November 2018*)
- European Karate Federation (EKF) (*until 11 November 2018*)
- European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) (*until 11 November 2018*)
- European Olympic Committees (EOC) (*until 11 November 2018*)

- European Shooting Confederation (ESC) (*until 11 November 2018*)
- European Squash Federation (ESF) (*until 11 November 2018*)
- European Taekwondo Union (ETU) (*until 11 November 2018*)
- European Tennis de table Union (ETTU) (*until 11 November 2018*)
- European Union of Gymnastic (EUG) (*until 11 November 2018*)
- European Weightlifting Federation (EWF) (*until 11 November 2018*)
- French-speaking World Conference of Ministers for Youth and Sports (CONFEJES) (*until 11 November 2018*)
- International Association of Athletics Federations (IAAF) (*until 11 November 2018*)
- International Basketball federation (FIBA) (*until 11 November 2018*)
- International Biathlon Union (IBU) (*until 11 November 2018*)
- International Boxing Association (AIBA) (*until 11 November 2018*)
- International Cycling Union (UCI) (*until 11 November 2018*)
- International Dance Sport Federation (IDSF) (*until 11 November 2018*)
- International Federation of Associated Wrestling Styles (FILA) (*until 11 November 2018*)
- International Federation of Sports Medicine (FIMS) (*until 11 November 2018*)
- International Judo Federation (*until 11 November 2018*)
- International Military Sports Council (CISM) (*until 11 November 2018*)
- International Olympic Committee (IOC) (*until 11 November 2018*)
- International Paralympic Committee (IPC) (*until 11 November 2018*)
- International Tennis Federation (ITF) (*until 11 November 2018*)
- International Triathlon Union (ITU) (*until 11 November 2018*)
- International Weightlifting Federation (IWF) (*until 11 November 2018*)
- Institute of National Anti-Doping Organisations (iNADO) (*until 11 November 2018*)
- Ligue européenne de natation (LEN) (*until 11 November 2018*)
- Professional Players Federation (PPF) (*until 11 November 2018*)
- SportAccord (*until 11 November 2018*)
- Tennis Europe (*until 11 November 2018*)
- UNESCO (*until 11 November 2018*)
- Union internationale de pentathlon moderne (UIPM) (*until 11 November 2018*)
- Union of European Football Associations (UEFA) (*until 11 November 2018*)
- World Anti-Doping Agency (WADA) (*until 11 November 2018*)
- World Baseball Softball Confederation (WBSC) (*until 11 November 2018*)
- World Health Organisation (WHO) (*until 11 November 2018*)
- World Rugby (*until 11 November 2018*)