



FCTC

WHO FRAMEWORK CONVENTION
ON TOBACCO CONTROL

**Conference of the Parties to the
WHO Framework Convention
on Tobacco Control**

Eighth session
Geneva, Switzerland, 1–6 October 2018

6 October 2018

DECISION

FCTC/COP8(11) Amendments to the Rules of Procedure of the Conference of the Parties

The Conference of the Parties (COP),

Recalling that its Rules of Procedure were adopted at its First session held in 2006, and amended at its Sixth session in decision FCTC/COP6(24) (2014), and in its Seventh session in decision FCTC/COP7(28) (2016);

Noting the report by the Convention Secretariat submitted to the Eighth session of the COP (document FCTC/COP/8/21/REV.1) on possible amendments to the Rules of Procedure of the COP;

Recognizing the importance of updating the Rules of Procedure of the COP to facilitate the effective functioning of the COP;

Recognizing also that with the entry into force of the Protocol to Eliminate Illicit Trade in Tobacco Products it is necessary to consider ways to facilitate coordination among the governing bodies of the WHO Framework Convention on Tobacco Control and of the Protocol to Eliminate Illicit Trade in Tobacco Products,

1. **ADOPTS** the proposals for amendments to the Rules of Procedure of the COP contained in the Annex to the present draft decision;
2. **DECIDES** to request the COP Bureau, with the support of the Regional Coordinators, to work with the Bureau of the Meeting of the Parties (MOP) to the Protocol to Eliminate Illicit Trade in Tobacco Products, the Convention Secretariat and the WHO Office of the Legal Counsel:
 - (a) to conduct a review of its Rules of Procedure and to identify rules to which amendments could be made to ensure coordination between the COP and the MOP;
 - (b) to draft proposals for amendments to the Rules of Procedure and to submit them for consideration at the Ninth session of the COP in 2020.

ANNEX

Rule	Proposed amendments
Rule 2 Definitions	<p>10. “public” sessions or meetings means sessions or meetings that are open to attendance by Parties, States and regional economic integration organizations that are not Parties, the Secretariat, intergovernmental and nongovernmental organizations accredited by the Conference of the Parties pursuant to Rules 30 and 31, respectively, accredited media and members of the public;</p> <p>“Meeting of the Parties” means the Meeting of the Parties to the Protocol to Eliminate Illicit Trade in Tobacco Products established by Article 33 of the Protocol.</p> <p>“Protocol” means the Protocol to Eliminate Illicit Trade in Tobacco Products, adopted on 12 November 2012 at the Fifth session of the Conference of the Parties to the WHO FCTC.</p>
Rule 9 Agenda	<p>The Secretariat shall, in consultation with the Bureau, include in a supplementary provisional agenda any item proposed by a Party which reaches the Secretariat between the dispatch of the provisional agenda for a regular session and 30 days before the opening day of the session, provided that it falls within the scope of Rule 7 of the Rules of Procedure.</p>
Rule 18 Representation and Credentials	<p>The credentials of representatives, as well as the names of alternates and advisers shall be submitted to the Secretariat if possible no later than 24 hours after the opening of the session. Any subsequent change in the composition of the delegation shall also be submitted to the Secretariat. Credentials shall be issued by the Head of State or Government, the Minister for Foreign Affairs, the Minister of Health, or any other competent government authority or, in the case of a regional economic integration organization, by the competent authority of that organization.</p>
Rule 24bis	<p>5. Joint intersessional meetings of the Bureau of the Conference of the Parties and the Bureau of the Meeting of the Parties shall be held to deal with any matters for which a coordinated decision of both Bureaus or of the Conference of the Parties and the Meeting of the Parties is required.</p> <p>6. The joint intersessional meetings of the Bureaus shall be held at the request of either the Bureau of the Conference of the Parties or the Bureau of the Meeting of the Parties, or when it is mandated by the rules of procedure of the Conference of the Parties or the rules of procedure of the Meeting of the Parties or by a decision of the Conference of the Parties or Meeting of the Parties.</p>
Rule 24ter	<p>1. (a) to make a recommendation, having consulted with the Bureau of the Meeting of the Parties, to the Director-General of WHO regarding the appointment of the Head of the Secretariat;</p>
Rule 24quater Officers	<p>3. If an officer of the regional coordinator Party resigns or is otherwise unable to complete the assigned term of office or perform the functions of that office, a representative of the same Party shall be designated by the Party concerned in his or her place for the remainder of the original term of office. If no representative from the same Party can be identified, a representative of a Party from the same WHO region shall be designated.</p> <p>4. Where a regional coordinator is unable to attend a meeting, an alternate of the same Party shall be designated by the Party concerned.</p>

Rule	Proposed amendments
Rule 27(2) Subsidiary Bodies	Sessions or meetings of subsidiary bodies shall be open, unless the Conference of the Parties or the subsidiary body concerned decides that they shall be public or restricted. This rule shall be implemented in conformity with Article 5.3 of the Convention.
Rule 32 Conduct of Business	Sessions of the Conference of the Parties shall be held in public, unless the Conference of the Parties decides that they shall be open or restricted. Unless the Parties decide otherwise, accredited media shall be entitled to attend at the open sessions of the Conference of the Parties. This rule shall be implemented in accordance with Article 5.3 of the Convention.
Rule 33 Conduct of Business	Proposals and amendments to proposals shall normally be introduced by the Parties in writing, in one of the official languages, and handed to the Secretariat, which shall circulate copies to delegations. Proposals and amendments shall not be considered if they have been circulated less than three days before the meeting in all official languages of the Conference of the Parties. The Conference of the Parties may, however, permit the discussion and consideration of proposals, amendment to proposals or procedural motions, even though such proposals, amendment to proposals or motions have not been circulated, or have only been circulated the same day.

(Fifth plenary meeting, 6 October 2018)

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