



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(12) Maximizing transparency of delegations from Parties and observers to the Conference of the Parties, its subsidiary bodies and other WHO FCTC meetings

The Conference of the Parties (COP),

Reaffirming the determination of the Parties to protect their public health policies with respect to tobacco control from commercial and other vested interests of the tobacco industry in accordance with national law;

Emphasizing the need to be alert to interference by the tobacco industry in tobacco control efforts of the Parties and the need to be informed of activities of the tobacco industry that interfere with the implementation of the WHO Framework Convention on Tobacco Control (WHO FCTC);

Recognizing the importance of protecting sessions of the COP and its subsidiary bodies while also upholding the WHO Accountability Framework to “make available reliable and timely information about existing conditions, decisions and actions relating to its activities, in an accessible, visible and understandable fashion, unless the information is deemed confidential”;

Recalling recommendation 4.9 of the Guidelines for the implementation of Article 5.3 of the WHO FCTC (the Guidelines), which states that Parties should not nominate any person employed by the tobacco industry or any entity working to further its interests to serve on delegations to meetings of the COP, its subsidiary bodies or any other bodies established pursuant to decisions of the COP;

Recalling also recommendation 8.3 of the Guidelines, which states that Parties should ensure that representatives of a State-owned tobacco industry do not form part of delegations to any meetings of the COP, its subsidiary bodies or any other bodies established pursuant to decisions of the COP;

Recalling further document FCTC/COP/6/27 on attendance of members of the public in meetings of the COP and its subsidiary bodies, noting document FCTC/COP/7/30 on maximizing transparency of Parties’ delegations, intergovernmental organizations (IGOs), nongovernmental organizations (NGOs) and civil society groups during sessions of the COP and meetings of its subsidiary bodies, and also noting document FCTC/COP/8/15 presenting a set of measures proposed

by the Bureau elected by the Seventh session of the COP to maximize transparency of delegations from Parties and observers to the COP, its subsidiary bodies and other WHO FCTC meetings,

1. URGES the Parties:

- (a) to accelerate and strengthen implementation of Article 5.3 of the WHO FCTC and of the Guidelines;
- (b) to remain vigilant towards tobacco industry strategies and tactics to interfere in the setting and implementation of their public health policies with respect to tobacco control;
- (c) to consider recommendations 4.9 and 8.3 of the Guidelines when designating members of their delegations to meetings of the COP, its subsidiary bodies or any other bodies established pursuant to decisions of the COP;

2. DECIDES:

- (a) to request the Convention Secretariat to remind Parties, in the invitations to the meetings of the COP, its subsidiary bodies or any other bodies established pursuant to decisions of the COP, of their obligations under Article 5.3 of the WHO FCTC and be mindful of recommendations 4.9 and 8.3 of the Guidelines. For this purpose, the Convention Secretariat shall include the following sentence in its invitations:

“The Convention Secretariat respectfully reminds Parties to observe Article 5.3 of the WHO FCTC and to be mindful of the recommendations 4.9 and 8.3 of the Guidelines for the implementation of Article 5.3 of the WHO FCTC when designating their representatives to the meetings of the Conference of the Parties, its subsidiary bodies or any other bodies established pursuant to decisions of the Conference of the Parties”;

- (b) to require Parties, when designating their representatives to the meetings of the COP, its subsidiary bodies or any other bodies established pursuant to decisions of the COP, to indicate, by any means or format of their preference (e.g. in the accreditation document or in a separate letter), that they have observed Article 5.3 of the WHO FCTC and have been mindful of the recommendations 4.9 and 8.3 of the Guidelines. In this regard, the Parties shall indicate the following:

“When designating its representatives to the [name of the meeting], [name of the Party] has observed Article 5.3 of the WHO FCTC and has been mindful of the recommendations 4.9 and 8.3 of the Guidelines for the implementation of Article 5.3 of the WHO FCTC”;

- (c) in accordance with their internal procedures and domestic legislation, Parties may determine the procedures outlined in paragraph (b) that they deem appropriate and are in line with Article 5.3 of the WHO FCTC, as well as recommendations 4.9 and 8.3 of the Guidelines. Parties may utilize the declaration-of-interests forms as part of this internal process;
- (d) the procedures set forth in paragraphs 2 (a) to 2 (c) above applies mutatis mutandis to the designation of delegations from States non-Parties to the WHO FCTC;

3. DECIDES to adopt:

- (a) the screening and accreditation process for representatives of IGOs, as described in Annex 1 to the present decision, and to require all individuals to complete and submit declaration-of-interest forms 14 days in advance of the session or meeting they wish to attend;
- (b) the screening and accreditation process for representatives of NGOs, as described in Annex 2 to the present decision, and to require all individuals to complete and submit

- declaration-of-interest forms 14 days in advance of the session or meeting they wish to attend;
- (c) the screening and accreditation process for members of the media, as described in Annex 3 to the present decision, and to require all individuals to complete and submit declaration-of-interest forms 30 days in advance of the session or meeting they wish to attend;
 - (d) the screening and accreditation process for members of the public, as described in Annex 4 to the present decision, and to require all individuals to complete and submit declaration-of-interest forms 30 days in advance of the session or meeting they wish to attend;
 - (e) the documents contained in Annexes 5 to 7 to the present decision as the declarations-of-interest forms to be completed and submitted to the Convention Secretariat by representatives nominated by IGOs and NGOs, as well as by members of the media and the public;
 - (f) that official guest speakers shall not be subject to these procedures;
4. REQUESTS the Convention Secretariat, taking into account their capacities to complete these tasks in line with past practice:
- (a) to collect and review all declaration-of-interest forms in reference to in subparagraphs 3(a) to 3(e) for future sessions of the COP and meetings of its subsidiary bodies in order to avoid any actual, potential or apparent conflict of interest;
 - (b) to inform the Bureau of the COP of their findings to take appropriate actions to ensure compliance with Article 5.3 of the Convention;
 - (c) to report its findings to the COP.

ANNEX 1

**PROCEDURES FOR SCREENING AND ISSUANCE OF BADGES TO MEMBERS
OF THE DELEGATION OF INTERNATIONAL INTERGOVERNMENTAL
ORGANIZATIONS THAT ARE ACCREDITED AS OBSERVERS**

1. Each member of the delegation of an intergovernmental organization (IGO) that has been accredited as an observer will be required to complete a declaration-of-interest form in conjunction with their nomination as a delegate to the Conference of the Parties (COP) and submit the form to the Convention Secretariat at least 14 days in advance of the session of the COP, meeting of a subsidiary body or meeting convened by the Convention Secretariat to which they have been nominated.
2. The declaration-of-interest form would require applicants to declare whether they are affiliated with or have received funds from the tobacco industry in the past five years or entities working to further its interests, in addition to providing their affiliation and contact details. In the absence of the declaration of interest, the member of the delegation would not be eligible to attend any session of the COP or meetings of subsidiary bodies.
3. The Convention Secretariat within their capacities will screen the declarations received before the deadline, taking into account the 17th and 18th preambular paragraphs of the Convention, as well as Article 5.3 of the Convention and the guidelines for its implementation, and inform the Bureau of the COP of their findings in order to take appropriate action to ensure compliance with Article 5.3 of the Convention.
4. Delegates who attend a session of the COP, a meeting of subsidiary bodies or meetings convened by the Convention Secretariat will be issued a badge for the duration of the session or meeting that includes their name, photograph and affiliation.
5. The delegate will be required to show a valid form of identification, such as passport or similar national ID, before collecting their badge, which will include their name, country and photograph.
6. The declaration-of-interest forms of all members of the delegation of the IGO that are accredited observers shall be made available to the Parties and accredited observers prior to the session of the COP, a meeting of subsidiary bodies or meetings convened by the Convention Secretariat.

Application to Meetings of the Parties

7. The above rules shall also apply *mutatis mutandis* to Meetings of the Parties to any protocols of the Convention, as appropriate.

ANNEX 2

**PROCEDURES FOR SCREENING AND ISSUANCE OF BADGES TO MEMBERS
OF THE DELEGATION OF NONGOVERNMENTAL ORGANIZATIONS THAT
ARE ACCREDITED AS OBSERVERS**

1. Each member of the delegation of the nongovernmental organization (NGO) that has been accredited as an observer will be required to complete a declaration-of-interest form in conjunction with their nomination as a delegate to the Conference of the Parties (COP) and submit the form to the Convention Secretariat at least 14 days in advance of the session of the COP, meeting of a subsidiary body or meeting convened by the Convention Secretariat to which they have been nominated.
2. The declaration-of-interest form would require applicants to declare whether they are affiliated with or have received funds from the tobacco industry in the past five years or entities working to further its interests, in addition to providing their affiliation and contact details. In the absence of the declaration of interest, the member of the delegation would not be eligible to attend any session of the COP or meetings of subsidiary bodies.
3. The Convention Secretariat within their capacities will screen the declarations received before the deadline, taking into account the 17th and 18th preambular paragraphs of the Convention, as well as Article 5.3 of the Convention and the guidelines for its implementation, and inform the Bureau of the COP of their findings to take appropriate actions to ensure compliance with Article 5.3 of the Convention.
4. Delegates who attend a session of the COP, a meeting of subsidiary bodies or meetings convened by the Convention Secretariat will be issued a badge for the duration of the session or meeting that includes their name, photograph and affiliation.
5. Delegates will be required to show a valid form of identification, such as passport or similar national ID, before collecting their badge, which will include their name, country and photograph.
6. The declaration-of-interest forms of all members of the delegation of the NGO that are accredited as observers shall be made available to the Parties and accredited observers prior to the session of the COP, a meeting of subsidiary bodies or meetings convened by the Convention Secretariat.

Application to Meetings of the Parties

7. The above rules shall also apply *mutatis mutandis* to Meetings of the Parties to any protocols of the Convention, as appropriate.

ANNEX 3

**PROCEDURES FOR SCREENING AND ISSUANCE OF BADGES
TO MEMBERS OF THE MEDIA**

1. Credentials for representatives of the media who wish to attend sessions of the Conference of the Parties (COP), meetings of subsidiary bodies or meetings convened by the Convention Secretariat shall be issued in line with current United Nations policies and WHO policies for media accreditation to the World Health Assembly.
2. Specifically, members of the media shall be required to submit to the Convention Secretariat at least 60 days in advance a letter from their editor-in-chief or equivalent supervisor, the date and event for which accreditation is required, and presentation of a press identification card and national passport.
3. In addition, members of the media shall be required to complete and submit a declaration-of-interest form 30 days in advance of the session of the COP, the meeting of a subsidiary body or meetings convened by the Convention Secretariat.
4. Accredited members of the media shall be granted entry into sessions of the COP, meetings of subsidiary bodies or meetings convened by the Convention Secretariat with badges unique to the media, and which will include their name, country, position and title, and photograph.
5. The Convention Secretariat within their capacities will screen the applications received before the deadline, taking into account the 17th and 18th preambular paragraphs of the Convention, as well as Article 5.3 of the Convention and the guidelines for its implementation, and inform the Bureau of the COP of their findings in order to take appropriate action to ensure compliance with Article 5.3 of the Convention.

Distribution of the list of members of the media

6. The list of names and status/affiliations of members of the media will be communicated to the Bureau before the opening of a COP session and will be made available to the Parties and accredited observers in advance of the session to which they are accredited.

Application to Meetings of the Parties

7. The above rules shall also apply *mutatis mutandis* to Meetings of the Parties to any protocols of the Convention, as appropriate.

ANNEX 4

**PROCEDURES FOR SCREENING AND ISSUANCE OF BADGES
TO MEMBERS OF THE PUBLIC**

1. Members of the public shall be required to submit to the Convention Secretariat at least 60 days in advance a letter of intent to attend, with the date and event convened by the Convention Secretariat for which accreditation is required, together with a résumé describing their professional background and affiliations over the past five years.
2. In addition, members of the public shall be required to complete and submit a declaration-of-interest form 30 days in advance of the event convened by the Convention Secretariat for which accreditation has been approved.
3. Members of the public shall be granted entry into the event convened by the Convention Secretariat for which accreditation has been approved with badges unique to the public, and which will include their name, country, position and title, and photograph.
4. The Convention Secretariat within their capacities and in line with past practice will screen the applications received before the deadline, taking into account the 17th and 18th preambular paragraphs of the Convention, as well as Article 5.3 of the Convention and the guidelines for its implementation, and inform the Bureau of the COP of their findings in order to take appropriate action to ensure compliance with Article 5.3 of the Convention.

Distribution of the list of members of the public

5. The list of names of members of the public will be communicated to the Bureau before the opening of the event convened by the Convention Secretariat for which accreditation has been approved and will be made available to the Parties and accredited observers in advance of the session to which they are accredited.

Application to Meetings of the Parties

6. The above rules shall also apply *mutatis mutandis* to Meetings of the Parties to any protocols of the Convention, as appropriate.

ANNEX 5

**Ninth session of the Conference
of the Parties to the WHO FCTC (COP9)
October 2020**

**Declaration of interest for observers to COP, meeting of a subsidiary body,
or meeting convened by the Convention Secretariat**
All fields below must be completed

Country/Organization:

- International intergovernmental organization (IGO), please specify:
- Nongovernmental organization (NGO), please specify:

Declaration of interest (please tick if applicable):

- I declare that I and/or the organization(s) which I am representing do/does not receive any direct or indirect financial assistance, funding, other than taxes, or other fiscal duties, court-mandated payments, or settlements from the tobacco industry, or any entity working to further its interests, nor have I/we within the past five years.
- I declare that I am not and have not been employed in the past five years by the tobacco industry or any entity working to further the interests of the tobacco industry.
- I declare that I am not affiliated with, or do not have a professional relationship with the tobacco industry, or any entity working to further its interests. (NOTE: the notion of “professional relationship” used in this paragraph is to be understood as not including a public office holder’s interactions with the tobacco industry required for setting and implementing public health policies with respect to tobacco control).
- I declare that the above information is true to the best of my knowledge, and understand that my accreditation may be rejected or revoked if the information is inaccurate.

If you are unable to check either one or both boxes, please explain below:

Signed by: *(full name and title)*

Date:

Signature:

ANNEX 6

<p>Ninth session of the Conference of the Parties to the WHO FCTC (COP9) October 2020</p>		
<p>Declaration of interest for members of the media <i>All fields below must be completed</i></p>		
<p>Date: <i>(to be completed by the Registration Desk officer)</i></p>		<p>Badge No.:</p>
<p>Title:</p>	<p>Family Name:</p>	<p>First Name:</p>
<p>Home address: Email: Tel: Fax:</p>		
<p>Media company represented: Your position and title: Your supervisor: Address: Tel: Fax:</p>		
<p>Address during session:</p>		
<p>Declaration of interest (please tick if applicable):</p> <p><input type="checkbox"/> I declare that I and/or the organization(s) which I am representing do/does not receive any financial assistance, funding, other than taxes, or other fiscal duties, court mandated payments, or settlement from the tobacco industry, or any entity working to further its interests, nor have I/we within the past five years.</p> <p><input type="checkbox"/> I declare that I am not and have not been employed in the last five years by the tobacco industry or any entity working to further the interests of the tobacco industry.</p> <p><input type="checkbox"/> I declare that I am not affiliated with, or have a professional relationship with the tobacco industry, or any entity working to further its interests. (NOTE: the notion of “professional relationship” used in this paragraph be understood as not including a public office holder’s interactions with the tobacco industry required for setting and implementing public health policies with respect to tobacco control).</p> <p><input type="checkbox"/> I declare that the above information is true to the best of my knowledge, and understand that my accreditation may be rejected or revoked if the information is inaccurate.</p> <p>If you are unable to check either one or both boxes, please explain below:</p> <p>Signed by: <i>(full name and title)</i></p> <p>Date:</p> <p>Signature:</p>		

ANNEX 7

**Ninth session of the Conference
of the Parties to the WHO FCTC (COP9)
October 2020**

Declaration of interest for members of the public

All fields below must be completed

Country:

Organization:

Declaration of interest (please tick if applicable):

I declare that I and/or the organization(s) which I am employed do/does not receive any financial assistance, funding, other than taxes, or other fiscal duties, court mandated payments, or settlement from the tobacco industry, or any entity working to further its interests, nor have I/we within the past five years.

I declare that I am not and have not been employed in the last five years by the tobacco industry or any entity working to further the interests of the tobacco industry.

I declare that I am not affiliated with, or have a professional relationship with the tobacco industry, or any entity working to further its interests. (NOTE: the notion of “professional relationship” used in this paragraph be understood as not including a public office holder’s interactions with the tobacco industry required for setting and implementing public health policies with respect to tobacco control).

I declare that the above information is true to the best of my knowledge, and understand that my accreditation may be rejected or revoked if the information is inaccurate.

If you are unable to check either one or both boxes, please explain below:

Signed by: *(full name and title)*

Date:

Signature:

(Fifth plenary meeting, 6 October 2018)