



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

Seventh session  
Delhi, India, 7–12 November 2016

**12 November 2016**

# **DECISION**

## **FCTC/COP7(6) Status of the Protocol to Eliminate Illicit Trade in Tobacco Products (ITP)**

The Conference of the Parties (COP),

Acknowledging the work carried out by the Convention Secretariat in the follow-up to the sixth session of the COP;

Recalling Articles 8.2, 8.12 and 8.13 of the Protocol, which provide that obligations assigned to a Party shall not be performed or delegated to the tobacco industry;

Recalling the establishment of a Panel of Experts on the Protocol to Eliminate Illicit Trade in Tobacco Products (Panel of Experts);

1. DECIDES to intensify the work of the Panel of Experts, which should meet at least every six months and continue its work between meetings by electronic means;
2. REQUESTS the Panel of Experts:
  - (a) to report to the eighth session of the COP, and if applicable to the first Meeting of the Parties (MOP1) to the Protocol, on the progress of its work and any findings;
  - (b) to establish the following priorities as guidance for its work:
    - i. assistance to the Convention Secretariat with the preparation of a draft agenda and, as appropriate, relevant documents for MOP1;
    - ii. development of a forum for the exchange of best practices among Parties;
    - iii. provision of technical assistance to Parties by: a) documenting exchanges of best practices; and b) mapping of the emerging traceability systems;
    - iv. support to Parties with free-trade zones in implementing the Protocol;
    - v. advice to Parties on experiences with licensing regimes;
    - vi. development of proposals for consideration at MOP1 as to the future work in the area of fighting illicit trade, including the initial thoughts on the structure of a global information-sharing focal point;
3. MANDATES the Panel of Experts to draw, as necessary, on the expertise of intergovernmental, governmental and nongovernmental experts in fulfilling its mission;

4. DECIDES that the draft agenda and relevant preparations for the first Meeting of the Parties to the Protocol shall be discussed and agreed at a preparatory meeting where each region shall be represented by up to two Parties that have ratified or acceded to the Protocol. For travel, the COP travel policy shall apply. In addition, other Parties that have ratified or acceded to the Protocol may attend the meeting at their own cost. This preparatory meeting should be preceded and supported by regional consultations that may be conducted through electronic means of communication and have no cost implications to the Secretariat;
5. FURTHER DECIDES that except interactions to the extent strictly necessary, Parties to the Convention are urged not to consider any proposal or assistance related to tracking and tracing from the tobacco industry, or submitted on their behalf, including in the course of the preparatory activities for MOP1, in accordance with their obligations under the WHO FCTC.

(Fifth plenary meeting, 12 November 2016)

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