



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

Seventh session
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Provisional agenda item 7.2

FCTC/COP/7/23
17 August 2016

**Interim performance report for the 2016–2017
workplan and budget**

Report by the Convention Secretariat

INTRODUCTION

1. An interim report on implementation of the 2016–2017 workplan and budget was requested by the Conference of the Parties (COP) at its sixth session (Moscow, Russian Federation, 13–18 October 2014). The present report has been prepared in accordance with that decision and covers the first six months of implementation of the workplan and budget to 30 June 2016.
2. The report follows the structure of the workplan and budget for the financial period 2016–2017 approved by the COP in decision FCTC/COP6(27).

CONFERENCE OF THE PARTIES

Preparatory work towards COP7

3. The host agreement for the seventh session of the COP (COP7) was signed by the government of India and the Convention Secretariat in January 2016. A note verbale announcing COP7 was sent to Parties, Member States that are not Parties to the COP, and intergovernmental and nongovernmental organizations (IGOs and NGOs) that are observers to the COP on 18 May 2016. A guide for participants was subsequently uploaded on the website of the Convention Secretariat.
4. As part of the efficiency-savings strategy¹ and the cost-reduction measures implemented in recent years, the Convention Secretariat identified the United Nations Office for Project Services (UNOPS) as the translation services provider for COP7 after a review of possible service providers within the UN system. Following contract procedure requirements and formalities, and having received a waiver from WHO to switch translation services to another agency, the Convention Secretariat concluded a UN agency contribution agreement with UNOPS.
5. The Convention Secretariat has been preparing COP documents with the aim to make them available to Parties within 60 days of the start of the COP.

¹ See documents FCTC/COP/7/25 and FCTC/COP/7/INF.DOC./2

Preparatory work towards MOP1

6. Arrangements for a Meeting of the Parties (MOP) of the Protocol to Eliminate Illicit Trade in Tobacco Products, to take place immediately following COP7, have been made with the host country should the Protocol enter into force by that time. An annotated agenda of MOP1 was presented and approved by the Bureau of the COP at its third meeting.

Support for the work of the Bureau of the COP

7. The third Bureau meeting took place in Geneva from 12–15 April 2016. All official documents and the minutes of the third Bureau meeting were made available to the Parties on a protected website as requested by the COP. For the first time, the Bureau reviewed the initial draft 2018–19 workplan and budget which allows for a second draft to be prepared to incorporate some comments of the Bureau and allows more time for early consultation among the Parties. The Bureau also discussed strategic issues, such as a proposal for a hosting agreement with WHO, the potential procedures to apply for observer status of the Convention Secretariat with UN entities and other relevant agenda items such as progress in the work of Working Groups and Expert Groups established by COP6.

PROTOCOL TO ELIMINATE ILLICIT TRADE IN TOBACCO PRODUCTS (THE PROTOCOL)

8. Since the beginning of 2016, six more Parties (Burkina Faso, Latvia, Sri Lanka, Cote d'Ivoire, the European Union and Mali) have become Parties to the Protocol, bringing the number to 19. This represents a significant acceleration in adherence by states to the Protocol in late 2015 and early 2016, as compared with the period 2012–2015.

9. With regard to activities related to the Protocol, the Convention Secretariat continues to promote ratification, acceptance, approval, formal confirmation and accession. To that end, the Convention Secretariat has given technical support to a number of Parties in becoming Parties to the Protocol. In the same vein, the Convention Secretariat has successfully conducted a number of initiatives as follows:

- Participated in the WHO European regional meeting on tobacco control, held in Ashgabat, Turkmenistan, on 28–29 April 2016 to promote adoption and implementation of the Protocol;
- Participated in a Protocol-specific multisectoral and subregional workshop that was organized in collaboration with the WHO African region in Harare, Zimbabwe, on 20–22 April 2016;
- Engaged in preparing three additional Protocol-specific workshops scheduled for this year in i) Brasilia, Brazil, on 14–16 September 2016 for South American Parties; ii) Copenhagen, Denmark on 19–21 September 2016; and iii), Nadi, Fiji, on 26–28 September 2016 for Pacific Island Parties.

Assistance to Parties

10. The Convention Secretariat continues to provide or facilitate technical assistance to Parties, including face-to-face, online and videoconferencing sessions, which is tailored to the needs of different sectors involved in the implementation of the Protocol, all of which aim to support implementation of Protocol provisions.

11. The Convention Secretariat continues to disseminate an overview of the Protocol, providing a summary of the main obligations and available in all six official languages, as well as additional background material on legal procedures to become Parties to the Protocol. A detailed Q&A paper on the key aspects of the Protocol continues to serve as essential guidance. An expert paper on the status of illicit trade in Centro-America has also been published.

12. The Convention Secretariat is continuing to promote a self-assessment checklist, prepared by the Secretariat, for Parties to assess their legal, regulatory and policy frameworks in view of the requirements of the Protocol.

Panel of experts on the Protocol

13. In accordance with decisions FCTC/COP6(6) and FCTC/COP6(20), the Convention Secretariat has established a panel of experts on the Protocol, which held a coordinating meeting in Geneva on 3–4 May 2016. A protected website network was established to support the activities of the panel of experts and involvement of the experts providing assistance to Parties on a number of topics is ongoing.

INTERSESSIONAL GROUPS WITH EXTENDED MANDATE

Groups with their mandates extended by COP6:

14. The Convention Secretariat has provided the necessary assistance for the organization and networking of key facilitators of the intergovernmental working groups on Articles 9 and 10, on sustainable measures for strengthening implementation of the WHO FCTC, and the expert group on article 19, through a protected website network, conference calls and face-to-face meetings.

15. The Convention Secretariat has also organized a number of working group and expert group meetings:

- The working group on Articles 9 and 10 met in Antalya, Turkey, on 2–4 February 2016, with the participation of 29 Parties and one observer;
- The working group on sustainable measures to promote implementation of the WHO FCTC met in Geneva on 26–28 April 2016 with the participation of 23 Parties and five observers;
- The third meeting of the expert group on Article 19 (Liability), took place in Geneva on 19–21 April 2016 with the participation of eleven experts nominated by Parties and three experts nominated by observers.

New groups established by COP6:

16. The Convention Secretariat has provided the necessary assistance for the networking of the co-chairs of the expert group on reporting arrangements and impact assessment through a protected website network, conference calls and face-to-face meetings, and has worked with the impact assessment expert group in supporting the completion of country missions and reports.

17. The second meeting with the expert group on reporting arrangements took place in Geneva on 11–13 May 2016 with the participation of 14 experts nominated by Parties, one other international treaty participant and one other COP working group representative.

18. The second meeting of the expert group on impact assessment took place in Geneva in January 2016, when the six experts nominated by Parties and one expert nominated by observers reviewed the progress made and planned activities leading up to COP7.

19. All 12 scheduled country missions were completed by 5 May 2016, and included Bangladesh, Brazil, the Islamic Republic of Iran, Kenya, Madagascar, Pakistan, the Philippines, the Republic of Korea, Sri Lanka, Turkey, the United Kingdom and Uruguay. A third and final meeting of the group took place in Geneva from 18–20 May 2016. Updates and information about the impact assessment process have been posted on the WHO FCTC website and a communications platform to assist members of the impact assessment group has been established on the WHO FCTC Networking Platform.

REPORTING ARRANGEMENTS UNDER THE CONVENTION AND ASSESSING IMPLEMENTATION OF THE WHO FCTC

Updating the reporting instrument of the WHO FCTC

20. At the extended deadline for reports from Parties (30 April 2016), 134 reports had been received. These will be analysed to assess global progress in implementation of the WHO FCTC and will be submitted to the COP. The Internet-based format of the core questionnaire has been available for Parties' completion since December 2015. The core questionnaire is also linked to additional questions (optional module), which Parties may also choose to complete. Step-by-step instructions on completing the core questionnaire, updated for the 2016 reporting cycle, are also available on the FCTC Home Page².

Support to Parties in fulfilling their reporting obligations

21. The Convention Secretariat has responded to queries from Parties on the use of the reporting instrument via email. WHO regional offices have helped mobilize countries, through WHO country offices and otherwise, to complete and submit their implementation reports.

ASSISTANCE TO PARTIES IN IMPLEMENTING SPECIFIC PROVISIONS OF THE CONVENTION, WITH A PARTICULAR FOCUS ON DEVELOPING COUNTRY PARTIES AND PARTIES WITH ECONOMIES IN TRANSITION

Advice and support on the compilation and communication of information on treaty matters and promotion of the transfer of expertise and technology

22. A technical publication in collaboration with the United Nations Development Programme (UNDP) on implementation of Article 5.2 has now been published and was jointly launched in February 2016 during the sixth meeting of the United Nations Interagency Task Force on NCDs (UNIATF) at UN headquarters in New York City.

23. A publication on international investment law and the WHO FCTC in collaboration with the United Nations Conference on Trade and Development (UNCTAD) has also been finalized. Another publication in collaboration with UNCTAD, the Tobacco Global Value Chain in Low-Income Countries, is in its final stages prior to publication.

24. The Convention Secretariat has continued to facilitate the granting of licenses for pictorial health warnings to Parties upon request. The Convention Secretariat is initiating the development of a pictorial health warning database for Parties in the WHO Eastern Mediterranean Region and Pacific Island country Parties in collaboration with the relevant WHO regional offices.

25. In addition to the three existing Knowledge Hubs, three others were established in 2016. The WHO FCTC Knowledge Hub at the American University of Beirut (Lebanon) was launched on 14 January 2016 and will focus on matters related to waterpipe tobacco use. The Knowledge Hub at The Institute of Cytology and Preventive Oncology (ICPO) based in Noida, India, which is focusing on smokeless tobacco products, was launched in April 2016. The formal establishment of another Knowledge Hub (focusing on tobacco taxation and illicit tobacco trade) at the University of Cape Town, South Africa, is scheduled to begin work in mid-2016.

26. The Convention Secretariat actively participated in the organization of the First WHO Global Meeting of National NCD Programme Directors and Managers, which was held in Geneva on 15–17 February 2016. The meeting was attended by 135 Member States of WHO. The implementation of the WHO FCTC was highlighted at this meeting and COP7 was identified as one of the major

² <http://apps.who.int/fctc/reporting/SBS2016en.pdf?ua=1>

milestones leading to the 2018 UN High Level meeting on NCDs. A lunch seminar on, “Hot topics in the implementation of the FCTC” was organized by the Convention Secretariat.

27. The first tobacco industry monitoring centre was launched in Brazil in March 2016. Establishment of these centres was initiated in the BRICS countries³, and later extended to other interested Parties, such as Sri Lanka, in cooperation with the International Union Against Tuberculosis and Lung Disease (the Union), an observer to COP.

Needs assessments and promotion of access to available resources

28. A needs assessment mission was conducted in Lebanon from 4–7 April 2016. Five more are planned for 2016: El Salvador (12–15 July), Bolivia (18–21 July), Costa Rica (29 August – 2 September), and Ecuador and Pakistan (dates to be determined). Japan and Saudi Arabia have recently expressed an interest in needs assessment.

29. Post-needs assessment assistance has been provided to the Democratic Republic of the Congo, Benin, Mongolia, Peru, the Gambia and Togo.

30. A review of the process and outcome of the needs assessment missions has been conducted by an independent team of scientists. The results of this evaluation will be available on the Convention Secretariat’s webpage before COP7: <http://www.who.int/fctc/implementation/needs/>.

Tobacco regulation and litigation

31. The Convention Secretariat has provided assistance to a number of Parties on an ad-hoc basis in reviewing existing laws, providing technical support, conducting study-support visits and encouraging governments to advance the implementation of the WHO FCTC. For example China, Japan, Mexico, Nigeria, Namibia and Vietnam have received assistance in 2016.

32. At the request of Parties whose measures adopted in accordance with their obligations under the WHO FCTC faced legal challenges from the tobacco industry, the Secretariat provided assistance in the form of technical reports or statements. In 2016, the Secretariat provided advice and interacted with a number of Parties, and engaged with a number of non-governmental organizations, to support their defence against attacks from the tobacco industry.

COORDINATION WITH INTERNATIONAL AND REGIONAL INTERGOVERNMENTAL ORGANIZATIONS AND OTHER BODIES

Establishing and expanding cooperation and coordination with relevant international and regional intergovernmental organizations and other bodies

33. WHO: The Convention Secretariat continued to closely cooperate with a number of departments and programmes of WHO, including but not limited to clusters under the Director-General’s Office (DGO), including the Department of Communications, (DCO), Noncommunicable Diseases and Mental Health (NMH), Maternal newborn, child and adolescent health (MCH), Health Statistics and information systems (HIS), and Comptroller and Administration. The Secretariat also continues to collaborate with WHO regional and country offices. Activities in 2016 include:

- NMH: Regular meetings to coordinate activities with WHO NMH and the Convention Secretariat are held to coordinate the treaty response to WHO global indicators on NCDs and to coordinate support for treaty implementation from Prevention of Noncommunicable

³ The BRICS Health Ministers, at their meeting in October 2015, stressed the importance of monitoring tobacco industry strategies, of new forms of tobacco products and nicotine use and of taking steps to minimize the introduction and proliferation of such products. The BRICS project will be funded from extrabudgetary resources provided by Brazil, Panama and the Russian Federation.

Diseases (PND). The Convention Secretariat has also joined WHO in supporting World No Tobacco Day (WNTD) 2016 celebrations;

- DGO: a joint document has been prepared with DGO for distribution by WHO to Heads of WHO Country Offices (HWOs) and regional offices explaining these issues. At the same time, a section about the work of the Secretariat has been included in the Handbook for HWO. Information was disseminated at the Global Meeting of HWOs at WHO headquarters at the induction of new HWOs in March 2016, to inform country offices about governance aspects of the treaty. The Convention Secretariat has also been involved in a number of WHO communication activities including WNTD 2016;
- MCH: The Convention Secretariat, in consultation with the Human Rights Equity and Gender department, as well as the maternal and child cluster, has prepared a document on tobacco and gender issues which was presented to the Bureau and will now be presented to COP7⁴. Collaboration has also been initiated in the area of environment, climate changes and health;
- Regional and country offices: The Convention Secretariat continues to work with the regional and country offices to organize needs assessment missions following Party requests, to provide treaty-specific technical support, as well as to deliver and monitor post-needs assessment support to Parties. A meeting with Regional Advisors took place in Geneva on 25 May 2016 to discuss the proposed 2018–2019 workplan of the Convention Secretariat and methods of enhanced collaboration, and to stimulate alignment of the WHO workplan with the COP workplan and decisions.

34. UNDP: The Convention Secretariat is working jointly with UNDP in pursuing triangular and south-south cooperation, monitoring of Sustainable Development Goals (SGGs), developing an investment case tool, promoting the work of the UN Country Team in the implementation of the WHO FCTC and improving governance at the country level.

35. UNIATF: The Convention Secretariat took the lead in organizing a full-day programme on the implementation of the Convention at the sixth meeting of UNIATF in February 2016 and promoted a model policy to prevent tobacco industry interference among UN agencies. The Convention Secretariat contributed to the drafting of the UNIATF report to the Economic and Social Council (ECOSOC) on activities undertaken to implement the Convention and updated the matrix of collaborative work among UN agencies in supporting treaty implementation.

Promotion of south-south cooperation in the exchange of scientific, technical and legal expertise as relevant to the implementation of the Convention

36. The Secretariat has been assisting in the execution of six south-south and triangular projects that were identified during the Second South-South and Triangular Cooperation Meeting which took place in Uruguay in September 2015. More information in document FCTC/COP/7/17.

ADMINISTRATION, MANAGEMENT AND OTHER ARRANGEMENTS AND ACTIVITIES

Tasks related to general administration and management

37. The Convention Secretariat is increasingly promoting the treaty through social media, its website and close collaboration with Parties and observers to COP. Regular contacts with the media are also being pursued to increase public awareness and understanding of treaty provisions, guidelines and the Protocol. Furthermore, the Convention Secretariat has shared with the Bureau a stamp for Knowledge Hubs and Observatories as well as for overall Convention Secretariat initiatives to separate Parties' related statutory meetings and decisions from the Secretariat's activities and work. Finally, the

⁴ Document FCTC/COP/7/14

Convention Secretariat is engaging in promoting the treaty within the UN system and beyond the health sector under the framework of the UN Tobacco control treaty, reflecting recent statement from the UN Secretary General.

38. The Secretariat's workplan and administrative arrangements are fully integrated and customized, where necessary, within the hosting agency (WHO) global management system. The full report on implementation of the workplan and budget for the financial period 2014–2015 will be submitted to COP7. The Convention Secretariat has also begun to prepare the workplan and budget for the financial period 2018–2019 to be submitted to COP7 for adoption following initial consultation with the Bureau at its third meeting.

39. By 30 June 2016, the collection of voluntary assessed contributions (VAC) for the 2016–2017 biennium had reached 30%, compared with 21% in the same period as reported in the interim performance report presented to COP6 (FCTC/COP/6/22). In line with decision FCTC/COP6(21), the Convention Secretariat sent a note verbale (CSF/NV/16/02) to Permanent Missions of Parties and Ministers of Health for Parties without permanent missions in Geneva, which were in VAC payment arrears for the financial period 2006–2013 and also to Parties with outstanding payments of their VAC for the financial period 2014–2015. The Secretariat continues to follow up with the Parties in line with COP6 decision FCTC/COP5(17).

40. As requested in decision FCTC/COP6 (27), the Convention Secretariat has communicated to Parties the scale of assessment of VAC for 2016–2017.

41. With regard to resource mobilization, the Secretariat is working on a paper on the subject. This report will be presented to COP7 (FCTC/COP/7/26).

SUMMARY OF IMPLEMENTATION STATUS OF THE WORKPLAN

42. Overall, all the tasks identified in the workplan for the financial period 2016–2017 for WHO FCTC implementation have been initiated during the six months of implementation.

FINANCIAL IMPLEMENTATION

43. The budget approved by COP6 amounts to US\$ 18 724 000, of which US\$ 9 100 000 was to be covered by the Parties' voluntary assessed contributions (VAC) and US\$ 9 624 000 by extrabudgetary funds.

44. Full details of financial implementation for the biennium will be available in the 2014–2015 performance report to be submitted to COP7⁵.

Arrears in voluntary assessed contributions

45. As indicated above, the unpaid VAC for prior bienniums 2006–2011 (US\$ 61 050), the non-payment of VAC for 2012–2013 (US\$ 120 779), non-payments for 2014–2015 (US\$ 791 632) and the contingency reserve for VAC payments in the 2016–2017 biennium (US\$ 455 000), were not made available to the Secretariat by WHO financial services due to Parties' non-payment of VAC.

ACTION BY THE CONFERENCE OF THE PARTIES

46. The COP is invited to note this report and give further guidance.

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⁵ FCTC/COP/7/22