

**FCTC**WHO FRAMEWORK CONVENTION
ON TOBACCO CONTROL**Conference of the Parties to the
WHO Framework Convention
on Tobacco Control**Seventh session
Delhi, India, 7–12 November 2016
Provisional agenda item 7.7**FCTC/COP/7/28**
17 June 2016**Review of accreditations of nongovernmental
organizations with the status of observer
to the Conference of the Parties****Report by the Convention Secretariat****INTRODUCTION**

1. At the fifth session (Seoul, Republic of Korea, 12-17 November 2012), the Conference of the Parties (COP) adopted decision FCTC/COP5(22)¹ entitled “Accreditation of nongovernmental organizations with the status of observer to the Conference of the Parties”, that adopted the procedure for the review of accreditations of NGO Observers and further, at the sixth session (Moscow, Russia, 13-18, 2014) it adopted decision FCTC/COP6(23), on the same subject, in which Parties agreed on the standard questionnaire to be used during the review.

2. The Convention Secretariat invited the 20 NGOs with observer status to submit reports via an online questionnaire in December 2015, with the deadline of 31 January 2016. 19 NGOs have responded to this request. As mandated in decision FCTC/COP5(22) the Secretariat analysed the reports received and presented a report to the Bureau of the Conference of the Parties. The Bureau reviewed the Secretariat’s report in April 2016 and formulated proposals to the COP.

3. As such, this report aims to summarize the reports submitted and present the proposals of the Bureau for consideration of the COP.

REPORTS RECEIVED BY THE CONVENTION SECRETARIAT

4. The 19 NGO respondents, most of which complied with the 11 March 2016 deadline, are as follows:

Campaign for Tobacco-Free Kids; Corporate Accountability International; European Network for Smoking and Tobacco Prevention; FDI World Dental Federation; Framework Convention Alliance on Tobacco Control; International Alliance of Women; International Council of Nurses; International Federation of Pharmaceutical Manufacturers and Associations; International Network of Women

¹ Requesting the Convention Secretariat to analyse the reports received from the NGOs and prepare a report for the Bureau for its review with a view to the Bureau making recommendations to the Conference of the Parties at its next regular session on whether to maintain, suspend or discontinue the observer status of accredited nongovernmental organizations.

Against Tobacco; International Pharmaceutical Federation; International Pharmaceutical Students' Federation; International Union Against Tuberculosis and Lung Disease (the Union); Medical Women's International Association; Southeast Asia Tobacco Control Alliance; Union for International Cancer Control; World Federation of Public Health Associations; World Heart Federation; World Medical Association; World Self-Medication Industry.

5. One NGO (Consumers International) has not submitted a report. The organization explained in a letter addressed to the Head of the Convention Secretariat that it no longer conducts work on this matter and therefore wishes to relinquish observer status.

SUMMARY OF THE SECRETARIAT'S ANALYSIS OF THE REPORTS RECEIVED

6. All 19 NGOs which submitted a report wished to retain their status of observer to the COP.

7. Of the 19 respondents, only five made reference to tobacco control in their mission statements (Campaign for Tobacco Free Kids; European Network for Smoking and Tobacco Prevention; Framework Convention Alliance for Tobacco Control; International Network of Women Against Tobacco; and Southeast Asian Tobacco Control Alliance). Most of the other NGO observers have missions that go beyond tobacco control and/or address tobacco control through broader objectives including public health, cancer control, biomedical research or protection from corporate abuse.

8. Inclusion of tobacco control in mission statements increased the likelihood of NGOs being more active in more areas covered by the Convention (11 articles on average for those that include tobacco control and less than seven articles on average for those organizations which do not include tobacco control in mission statements).

9. All but three (International Council of Nurses, SEATCA, Union for International Cancer Control) reporting organizations have regional branches and all of them convene regular meetings or conferences of their memberships. All 19 organizations reported that tobacco control is covered in their meetings. The meetings also provide excellent opportunities to promote implementation of the WHO FCTC globally and among the respective organizations' constituencies at country level, which could assist implementation of the Convention. Such conferences include the World Conference on Tobacco or Health and the World Conference of Lung Health (organized by the International Union Against Tuberculosis and Lung Disease (The Union)); the World Cancer Congress (Union for International Cancer Control); the World Congress on Cardiology and Cardiovascular Health (World Heart Federation); and the World Congress on Public Health (World Federation of Public Health Associations). The Convention Secretariat was represented and co-hosted pre-session workshops and plenary meetings at the 16th World Conference on Tobacco or Health in March 2015, and is planning to gradually increase its presence at other global conferences to promote involvement of the constituencies of the respective organizations in implementation of the WHO FCTC.

10. NGOs were asked in the questionnaire² about the articles of the Convention they had worked on. Responses varied from one to all 14³ substantive articles which are covered in the questionnaire. The articles attracting the strongest contributions from the NGOs include Article 12 (18 organizations out of 19 reported that they had promoted and exchanged information in relation to the WHO FCTC),

² Article 5 (General Obligations), 6 (Price and tax), 8 (Protection from exposure), 9 &10 (Regulation of the contents and tobacco product disclosures), 11 (Packaging and labelling), 12 (Education, communication, training and public awareness), 13 (Tobacco advertising, promotion and sponsorship), 14 (demand reduction measures concerning tobacco dependence and cessation), 15 (Illicit trade in tobacco products), 16 (Sales to and by minors), 17&18 (Provision of support for economically viable alternative activities and Protection of the environment and the health of persons), 19 (Liability), 20 (Research, surveillance and exchange of information), 22 (Cooperation in the scientific, technical and legal fields and provision of related expertise)

³ Articles 9 and 10 and articles 17 and 18 are combined into one question.

followed by Article 8 (16 mentions), Article 5 (15 mentions) and Article 13 (12 mentions). Less attention was accorded, in terms of the work done in these areas, to articles: 15 (5 mentions⁴), 9 &10, 16 and 19 (6 mentions each).

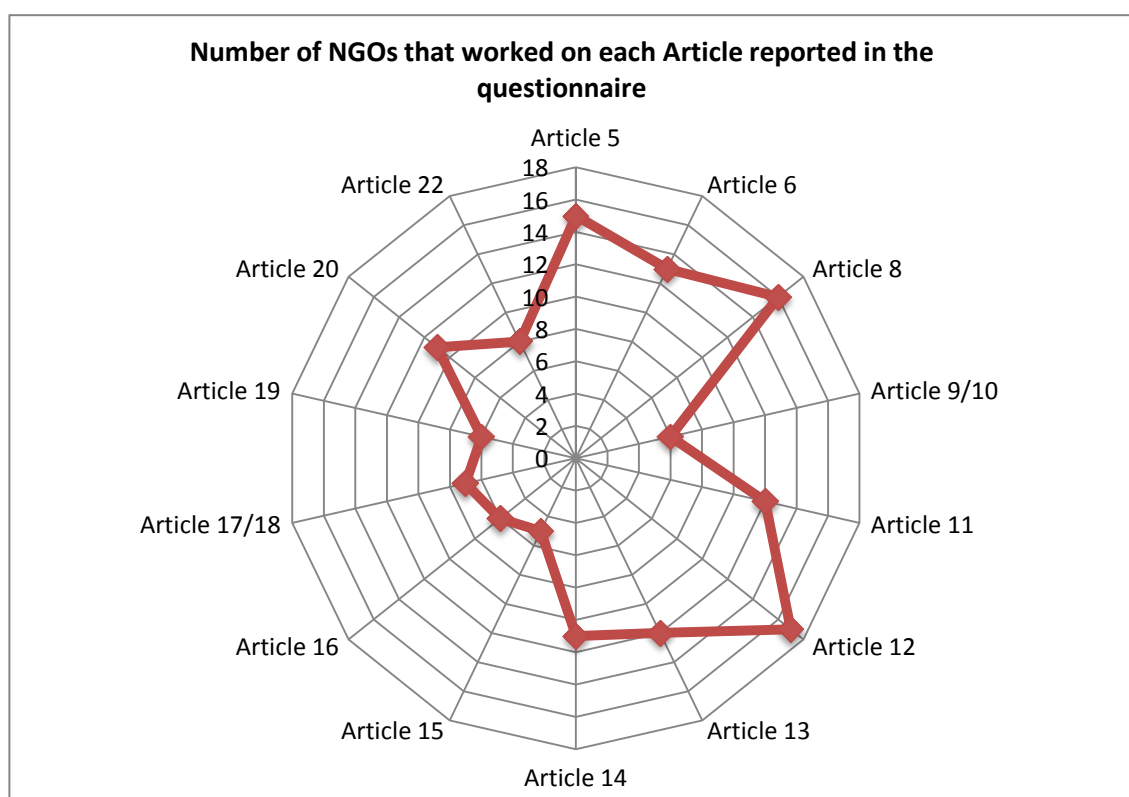
11. NGO coverage ranged from one (European Network of Smoking and Tobacco Prevention) which reported that it covered all 14 articles, to the Medical Women's International Association, which reported only having worked in the area of education and public awareness.

12. The graphs represent activities reported by the NGOs from these two different angles. They also show that two NGOs' (Medical Women's International Association and International Federation of Pharmaceutical Manufacturers and Associations) contribution to the overall promotion of the Convention is minimal.

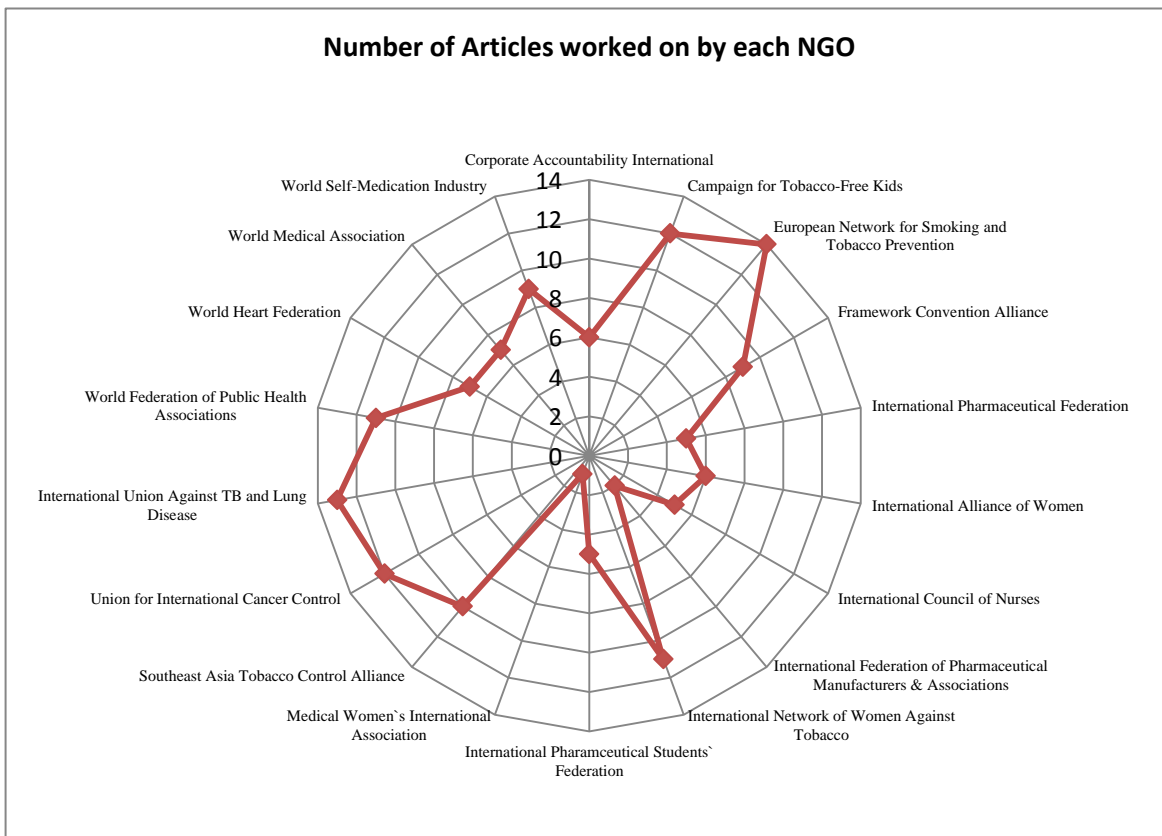
EXAMPLES OF RECENT WORK OF NGO OBSERVERS

13. The NGOs which provided information on recent activities to support the implementation of WHO FCTC are shown in the diagrams below.

14. **Campaign for Tobacco Free Kids** provided seminars on various areas of the WHO FCTC to a range of target groups, including lawyers, journalists, tobacco control advocates and researchers. The legal team of the organization (the International Legal Consortium) manages the Tobacco Control Laws website, which includes WHO FCTC-compliant comparisons of tobacco control legislation from over 80 Parties. The team recently initiated the Lawyers' Circle Forum project, an online, secure communication portal dedicated to legal aspects of tobacco control.



⁴ Although Article 15 featured as the topic of the 2015 World No Tobacco Day, only a limited number of NGOs reported having engaged in promoting the ratification of the Protocol to Eliminate Illicit Trade in Tobacco Products.



15. **Corporate Accountability International** provided the Convention Secretariat with a list of resources available to Parties on implementation of Article 5.3. Together with other experts, they also prepared key materials used in the expert meeting co-organized by the Convention Secretariat and SEATCA on measures to implement COP6 decision on tobacco industry interference.

16. **The European Network for Smoking and Tobacco Prevention** leads and participates in a number of European-wide research projects, which are mostly funded by the European Union, a Party to the Convention. It covers areas such as: tobacco cessation, effectiveness of tobacco control interventions, exposure to tobacco smoke, impact of the implementation of the new EU Tobacco Product Directive, and improving the effectiveness of policies for the prevention of youth smoking.

17. **The Framework Convention Alliance** contributes to several working and expert groups established by the COP, and was one of the key partners of the Convention Secretariat in promoting inclusion of WHO FCTC implementation as a target of the SDGs and in the Addis Ababa Action Agenda of the Third International Conference on Financing for Development which outlines the global framework post-2015.

18. **The International Alliance of Women (IAW) and the International Network of Women Against Tobacco (INWAT)** aim to promote gender-specific approaches in the implementation of the WHO FCTC. For example, IAW contributes to the Committee on the Elimination of Discrimination against Women (CEDAW)⁵ on how countries implement articles of the WHO FCTC. Additionally, INWAT celebrated its 25th birthday in 2015 by promoting gender-specific research worldwide (this

⁵ The Committee on the Elimination of Discrimination against Women (CEDAW) is the body of independent experts which monitors implementation of the Convention on the Elimination of All Forms of Discrimination against Women.

contributed to the implementation of Article 20 of the Convention). Lastly, INWAT is active in its contributions to the Sustainable Measures to promote the implementation of the WHO FCTC working group established by the COP.

19. **The International Council of Nurses** initiated the establishment of a global network of nurses in tobacco control, focusing on tobacco cessation.

20. **The International Pharmaceutical Federation** launched, “Establishing tobacco-free communities: A practical guide for pharmacists” in December 2015, which provides pharmacists with examples to highlight opportunities for involvement in identifying treatment of tobacco dependence.

21. The “Tobacco Alert Campaign” of **the International Pharmaceutical Students’ Federation** has grown to become one of the most popular initiatives of the Federation. It encourages pharmacy students to become advocates and role models for a healthy lifestyle.

22. **The Union** has developed a course on sustainable funding for tobacco control and is working with the University of Stirling in the United Kingdom to create a continuing development course on International Tobacco Control in Practice. It has also joined the initiative of the Convention Secretariat in establishing tobacco industry monitoring centres in BRICS countries and interested Parties by providing technical assistance in establishing such a centre in Brazil.

23. **SEATCA** is active in many different areas and provides strong support to Parties in South-East Asia and beyond. It developed two monitoring tools (one on tobacco industry interference and another on tobacco taxation) for implementation of the relevant articles of the WHO FCTC. In terms of promoting sustainable funding for tobacco control, SEATCA provides technical and administrative support to the International Network of Health Promotion Foundations, whose members are engaged in tobacco control. SEATCA also co-organized and co-funded with the Convention Secretariat a meeting of experts to support implementation of Article 5.3 in November 2015.

24. **The Union for International Cancer Control’s** contribution is represented by its involvement with the McCabe Centre for Law and Cancer in Australia, which is a WHO FCTC Knowledge Hub. It engaged in a series of activities last year, mostly related to tobacco and trade and plain packaging. Through the International Cancer Control Partnership the UICC promotes, in its regional forums, the integration of tobacco control strategies as a key element in national cancer control plans. The UICC also embraced the Tobacco Free Portfolios initiative by establishing the Global Taskforce for Tobacco Control Portfolios, promoting disinvestment from the tobacco industry.

25. **The World Heart Federation’s** 2015 “Emerging Leaders course” focused on the implementation of WHO FCTC. WHF also identified three global NCD targets (hypertension, tobacco control and access to counselling for heart attack and stroke) which have the greatest impact on premature cardiovascular disease mortality, and developed Global CVD Roadmaps for achieving those targets; the tobacco control roadmap is based on the WHO FCTC.

26. **The World Medical Association**, with its partners in academia, developed an online course for physicians to help them assess the health effects of exposure to tobacco smoke on children.

27. **The World Self-Medication Industry** completed a survey among its members to identify any links or collaboration with the tobacco industry or its subsidiaries. None of its members reported any such links. Further, the WSMI Board agreed to review its statutes and to include a paragraph rejecting

any membership request from an Electronic Nicotine Delivery System (ENDS) producer linked to the tobacco industry⁶.

28. **The World Congress on Public Health**, convened by the World Federation of Public Health Associations every three years, features items on tobacco control. It also operates a Tobacco Control Working Group which includes eight national public health organizations in its membership.

CONTRIBUTIONS OF NGOS TO MEETINGS ORGANIZED BY THE CONVENTION SECRETARIAT AND OTHER INTERACTIONS

29. With regard to participation in COP sessions, 10 NGO observers⁷ were represented at the sixth session of the COP (by 171 participants). At the fifth COP, 11 NGO observers⁸ participated, of which, the International Alliance of Women and the World Medical Association were missing from the sixth session. The World Federation of Public Health did not attend the fifth session, but did attend the sixth session of the COP.

30. The contribution of NGOs to COP sessions has included the preparation and distribution of background documents, publication of a daily newsletter (by the Framework Convention Alliance for Tobacco Control), participation in the discussions on various agenda items and contributions to the organization of lunchtime seminars. NGOs have contributed similarly to the work of subsidiary bodies of the COP.

31. The Convention Secretariat utilizes different forums to engage with NGO observers. Regular teleconferences are held with Corporate Accountability International and the Framework Convention Alliance on Tobacco Control to discuss their contributions to the COP workplan. Additionally, informal meetings with relevant NGOs are held on the sidelines of other FCTC-related meetings, WHO governing body meetings and in meetings attended by the Secretariat, to identify areas of joint interest.

32. The full reports submitted by the NGOs are available from the Secretariat, upon request, for consultation by Parties. For the sake of transparency and to promote observer activities, the Convention Secretariat proposes to make available the NGO reports on its home page (as with the implementation reports of the Parties).

33. To promote the work of NGO observers, the Secretariat established a dedicated web page⁹ for news and other materials on these organizations.

⁶ The Secretariat contacted the organization to ask for clarification on this matter. WSMI indicated that so far, they have not received any request for membership from an ENDS producer. Should they receive such an application, due diligence will be performed to identify any links with the tobacco industry and if confirmed, membership will be denied. Membership will however be granted to producers which do not report any links to the tobacco industry. The organization refers to a decision of COP6 that allows for regulation of ENDS products, and does not require a blanket ban.

⁷ Corporate Accountability International, European Network for Smoking and Tobacco Prevention, Framework Convention Alliance on Tobacco Control, International Council of Nurses, International Network of Women Against Tobacco, International Union against Tuberculosis and Lung Disease, Union for International Cancer Control, World Federation of Public Health, World Heart Federation and World Self-Medication Industry.

⁸ Corporate Accountability International, European Network for Smoking and Tobacco Prevention, Framework Convention Alliance on Tobacco Control, International Council of Nurses, International Alliance of Women, International Network of Women Against Tobacco, International Union against Tuberculosis and Lung Disease, Union for International Cancer Control, World Heart Federation, World Medical Association and World Self-Medication Industry

⁹ http://www.who.int/fctc/cop/observers_ngo/

CONFLICTS OF INTEREST

34. NGOs which submitted reports were asked to sign a declaration on potential conflicts of interest with the tobacco industry or its affiliates, or those furthering the interests of the tobacco industry. One reporting NGO was not in a position to confirm the absence of such conflicts of interest. The International Federation of Pharmaceutical Manufacturers and Associations declared a conflict of interest. One of their national pharmaceutical associations has a member whose business includes tobacco products. It further explained that, “the company in question has very little interaction on policy development of the Association per se and has no interaction on any health policy issue where a link to tobacco could be made”.

ACTION BY THE CONFERENCE OF THE PARTIES

35. The COP is invited to note the report and adopt, as appropriate, the proposal of the Bureau as follows:

- to maintain the observer status of the following 17 NGOs that submitted a report: Campaign for Tobacco-Free Kids; Corporate Accountability International; European Network for Smoking and Tobacco Prevention; FDI World Dental Federation; Framework Convention Alliance on Tobacco Control; International Alliance of Women; International Council of Nurses; International Network of Women Against Tobacco; International Pharmaceutical Federation; International Pharmaceutical Students’ Federation; International Union Against Tuberculosis and Lung Disease (the Union); Southeast Asia Tobacco Control Alliance; Union for International Cancer Control; World Federation of Public Health Associations; World Heart Federation; World Medical Association; World Self-Medication Industry.
- to discontinue the observer status of two NGOs (International Federation of Pharmaceutical Manufacturers and Associations and Medical Women’s International Association), since their FCTC-related activities are minimal. In addition, the International Federation of Pharmaceutical Manufacturers and Associations reported a conflict of interest.

36. The COP is also invited to discontinue the Observer status of Consumers International, for the reasons outlined in paragraph 5.

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