



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

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**FCTC/COP/8/9**  
**13 June 2018**

**Progress report on technical matters related to  
Articles 4.2.d (gender issues), 5.3 (tobacco industry  
interference), 17 and 18 (alternative livelihoods and  
protection of the environment) and 19 (liability)**

**Report by the Convention Secretariat**

**Purpose of the document**

This report provides information on the progress made on technical matters related to Articles 4.2.d (gender issues), 5.3 (tobacco industry interference), 17 and 18 (alternative livelihoods and protection of the environment) and 19 (liability).

**Action by the Conference of the Parties**

The Conference of the Parties (COP) is invited to note this report.

Contribute to the Sustainable Development Goals (SDGs), if applicable: SDGs 1, 2, 3, 5, 6, 8, 10, 11, 12, 13 and 17, and Target 3.a.

Link to the workplan and budget item: 4.

Additional financial implications if not included in the workplan and budget: None.

Author team(s): Office of the Head of the Secretariat.

Related document(s):

## **A. PROGRESS MADE ON TECHNICAL MATTERS RELATED TO ARTICLE 4.2.D (GENDER ISSUES)**

1. Decision FCTC/COP7(12) requested the Convention Secretariat of the WHO Framework Convention on Tobacco Control (WHO FCTC) to invite the World Health Organization (WHO) to prepare and submit a paper to the Eighth session of the Conference of the Parties (COP8) that includes: (a) further updates on the evidence on tobacco use and its consequences among girls and women, as well as boys and men, and with special attention to vulnerable groups, with respect to social determinants of health; (b) experiences from the Parties including opportunities and challenges in implementing gender-specific tobacco control policies; (c) policy options to be considered by the Parties when developing and promoting gender-specific tobacco control policies, in line with WHO FCTC provisions, at the national level. This report was prepared by WHO and is accessible at <http://www.who.int/fctc/cop/sessions/cop8/supplementary-information/en/>

## **B. PROGRESS MADE ON TECHNICAL MATTERS RELATED TO ARTICLE 5.3 (TOBACCO INDUSTRY INTERFERENCE)**

2. Since the Seventh session of the Conference of the Parties (COP7), the Convention Secretariat carried out a series of activities to support implementation of Article 5.3 of the Convention and its guidelines.

3. In accordance with Decision FCTC/COP7(8), the Convention Secretariat continued promoting policy coherence on Article 5.3 within the United Nations System, including the development of a model policy for agencies of the United Nations System on preventing tobacco industry interference. Member States of the United Nations Economic and Social Council (ECOSOC) adopted a resolution (E/2017/L.21) containing a reference to this policy. This was the result of the Convention Secretariat's long-time coordination with the United Nations Interagency Task Force and ECOSOC. Moreover, in respect to specific United Nations agencies, the Convention Secretariat advised the United Nations Global Compact on the delisting of the tobacco industry. The Secretariat also promoted, in the governing body of the International Labour Organization (ILO), the termination of tobacco industry-funding for ILO programmes, for example, the public-private partnership with the Eliminate Child Labour in Tobacco Growing Foundation (ECLT) and Japan Tobacco International's direct funding that will expire in 2018. A final decision of the ILO Governing Body will be addressed at a future session.

4. Overall, as of 13 June 2018, the Convention Secretariat sent two notes verbales to Parties on matters related to Article 5.3 since COP7. The first occasion was the launching of the Foundation for a Smoke-free World, which receives its full funding from Philip Morris International. In this note verbale the Convention Secretariat, among others, discouraged Parties to accept funding from or collaborate with the Foundation, in light of their obligations under Article 5.3. The Convention Secretariat's knowledge hubs also issued a joint statement along these lines. In the second occasion, the Convention Secretariat informed Parties in relation to the discussions at ILO to gather their support for the negotiations on integration of the United Nations Model Policy in the organization's work. The Secretariat has also briefed both health and labour attachés on the same topic in a briefing organized for the Permanent Missions in Geneva.

5. In accordance with Decision FCTC/COP7(8), the Secretariat engaged in the establishment of a knowledge hub for Article 5.3 at the Global Center for Governance in Tobacco Control (GGTC) based at Thammasat University in Bangkok, Thailand. The knowledge hub was officially launched on 1 November 2017 and since then, the hub is increasingly involved in a series of projects that assist Parties to implement the Convention. The launching of the hub was followed by the first international meeting hosted by the hub that helped build capacity for implementation of Article 5.3 in 20 participating Parties that represented all WHO regions. The second capacity-building workshop in which the Knowledge Hub participated took place in Beirut, Lebanon, in February 2018, where representatives of Parties from the Eastern Mediterranean Region came together to learn how to build

national programmes for the implementation of Article 5.3. The meeting was co-organized by WHO Regional Office for the Eastern Mediterranean the Convention Secretariat and the Article 5.3 Knowledge Hub. The Knowledge Hub has also provided assistance, upon request, to several Parties in the Eastern Mediterranean and South-East Asia regions.

6. To facilitate the dissemination of information, the knowledge hub has posted articles and resources on tobacco industry interference on its website (<http://untobaccocontrol.org/kh/article-53/>). The hub also hosted a meeting of Article 5.3 experts in Bangkok and aims to coordinate the work of such experts to provide assistance to Parties in need in their jurisdictions.

7. The Convention Secretariat also promoted and supported the operation of tobacco industry observatories in Brazil, South Africa and Sri Lanka, with discussions ongoing with other Parties to establish such monitoring centres. These centres have the capacity to produce information and findings to be shared with the governments to help scale up national activities to prevent tobacco industry interference. The Convention Secretariat continues to promote the observatory concept to extend it to other Parties and regions. The Convention Secretariat, together with its Knowledge Hub, is working on a guide for Parties on how to establish and operate tobacco-industry monitoring programmes, in line with the Guidelines for implementation of Article 5.3.

8. The Secretariat commissioned several reports to document best practices and international developments. In January 2018, the Convention Secretariat published a report on *Good country practices in the implementation of WHO FCTC Article 5.3 and its guidelines*.<sup>1</sup> Another report analyses the possible effect on implementation of Article 5.3 of the United Nations' guidelines for the business sector.<sup>2</sup>

9. Efforts continue to be made by the Convention Secretariat to ensure that the spirit of Article 5.3 is entrenched in emerging policies and programmes of the Convention Secretariat as a cross-cutting subject, such as the development of the Medium-term Strategic Framework (MTSF) and the concept of an Investment Fund to support the implementation of the WHO FCTC. The need to protect tobacco policies from interference by the tobacco industry is included in the Declaration of the 2018 World Conference on Tobacco or Health.

### **C. PROGRESS MADE ON TECHNICAL MATTERS RELATED TO ARTICLES 17 AND 18**

10. Following COP7 decision FCTC/COP7(10) requesting the Convention Secretariat to engage in a number of activities and collaborate with various stakeholders, the following activities to promote the implementation articles 17 and 18 were conducted:

11. The Convention Secretariat in cooperation with the Food and Agriculture Organization of the United Nations (FAO), the United Nations Development Programme (UNDP) and the WHO organized a Global Meeting on Articles 17 and 18 of the WHO Framework Convention on Tobacco Control that took place in Dar es Salaam, United Republic of Tanzania on 12–14 June 2017. The objective of the meeting was to move forward in the implementation of Articles 17 and 18 at national and global levels. A number of selected tobacco grower and tobacco exporter Parties were invited to this meeting. Representatives from different government sectors including ministries of agriculture, industry or trade, finance, health and labour were invited. Apart from the above-mentioned United Nations agencies, the ILO, United Nations Framework Convention on Climate Change (UNFCCC), the United Nations Environment Programme (UNEP), the United Nations Children's Fund (UNICEF) and the UN Women, were invited to participate.

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<sup>1</sup> <http://www.who.int/fctc/publications/fctc-article-5-3-best-practices.pdf?ua=1>

<sup>2</sup> <http://untobaccocontrol.org/impldb/article-5/>

12. As a result of the meeting the following was achieved:
- a. The creation of an informal United Nations agencies working group on Articles 17 and 18. This group has met on two occasions after the global meeting in Tanzania. It has jointly developed a short-term United Nations agencies action plan for the promotion of the implementation of Articles 17 and 18, has developed a fundraising note in line with Article 5.3 on child labour in tobacco farming to address ILO's discussions on accepting funding from the tobacco industry for child labour projects, and has organized a briefing session for the Permanent Missions in Geneva with the participation of representatives from 27 Member States. It was suggested that the informal group on Articles 17 and 18 could be the core group of the thematic tobacco control group under the United Nations Interagency Task Force on Tobacco Control.
  - b. The engagement with Parties to prepare national action plans for each participating country in accordance with the Policy Options and Recommendation for the Implementation of Articles 17 and 18.
  - c. The development of an economic model for implementing alternative livelihoods for tobacco growers. The economic model was presented during the meeting and the participating Parties had the opportunity to do an exercise introducing their national data into the model. The paper can be found at the Convention Secretariat's webpage.<sup>3</sup>
  - d. Proposals for conducting pilot projects in eight of the participating countries. Four of these proposals have been initiated.
  - e. The Convention Secretariat is incorporating the approach of decent work in tobacco-growing regions and elimination of child labour in tobacco growing areas as important elements in the framework of Parties development assistance.
13. Conversations have been held with UNFCCC and UNEP to collaborate on studies to estimate the environmental effects of tobacco growing and production.
14. WHO produced a publication entitled *Tobacco and its environmental impact: an overview* that uses a life-cycle analysis to track tobacco use across the full process of cultivation, production and consumption.
15. The Convention Secretariat has commissioned a technical report from Imperial College London on the *Cigarette smoking: An assessment of tobacco's global environmental footprint across its entire supply chain, and policy strategies to reduce it*.

#### **D. PROGRESS MADE ON TECHNICAL MATTERS RELATED TO ARTICLE 19**

16. Decision FCTC/COP7(11) of COP7 requested the Convention Secretariat to make a toolkit on Article 19 available on the WHO FCTC information platform and to update it by incorporating relevant information and material, including information received from the Parties pursuant to their reporting obligations under the Convention.

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<sup>3</sup> [http://www.who.int/fctc/implementation/resources/economic-model-17-18\\_viable-alternatives-tobacco.pdf](http://www.who.int/fctc/implementation/resources/economic-model-17-18_viable-alternatives-tobacco.pdf)

17. In accordance, the Toolkit on Article 19 was finalized and was launched during the 17th World Conference on Tobacco or Health in March 2018 in Cape Town, South Africa. This toolkit is designed to present ways in which individuals and groups can overcome challenges in implementing Article 19 of the WHO FCTC and bring legal claims against the tobacco industry. The toolkit has identified a number of possible scenarios that are represented as decision trees. It contains relevant sources such as key cases, legislation, best practices from other fields and legislative reform options for holding the industry accountable. The toolkit can be accessed at: <http://untobaccocontrol.org/impldb/tobacco-control-toolkit/#/about>

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