



WHO FRAMEWORK CONVENTION  
ON TOBACCO CONTROL

**Meeting of the Parties to the  
Protocol to Eliminate Illicit Trade  
in Tobacco Products**

First session  
Geneva, Switzerland, 8–10 October 2018

**10 October 2018**

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## **DECISION**

**FCTC/MOP1(6)      Tracking and tracing systems, including the global information-sharing focal point and unique identification markings for cigarette packets and packages**

The Meeting of the Parties (MOP),

Considering the report contained in document FCTC/MOP/1/10 prepared by the Convention Secretariat;

Noting with satisfaction and appreciation the outcome of the work of the Panel of Experts on the Protocol to Eliminate Illicit Trade in Tobacco Products (the Protocol), as well as the report contained in document FCTC/MOP/1/9, recommendations on a road map to implementing a tracking and tracing systems compliant with the Protocol, recommendations on minimum technical requirements for developing a tracking and tracing system compliant with the Protocol, and initial thoughts on the structure of a global information-sharing focal point;

Considering that certain provisions of Article 8 must be implemented by the Parties within a certain period following the entry into force of the Protocol, namely Article 8.1 (global tracking and tracing, five years) and Article 8.3 (identification markings, five and 10 years);

Stressing that Article 8 also provides for the creation of a global information-sharing focal point located at the Convention Secretariat, and that preparations in view of such a mechanism should begin without delay,

**1.      DECIDES:**

(a)    to establish a working group for the development and implementation of tracking and tracing systems in accordance with Article 8, including the global information-sharing focal point (Article 8.1) and unique identification markings for cigarette packets and packages (Article 8.3), to further elaborate on the next steps;

(b)    to request the Convention Secretariat to make the necessary arrangements, including budgetary arrangements, for the working group to complete its work;

- (c) to adopt the draft terms of reference for the working group on tracking and tracing systems set out in the Annex to this decision.

## ANNEX

### **Terms of reference for the working group on tracking and tracing systems**

#### **Background**

Article 8 of the Protocol to Eliminate Illicit Trade in Tobacco Products (the Protocol) requires an international tracking and tracing regime to be established within five years of entry into force of the Protocol, comprising national and/or regional tracking and tracing systems and a global information-sharing focal point located at the Secretariat of the WHO Framework Convention on Tobacco Control (WHO FCTC) and accessible to all Parties, enabling the Parties to make enquiries and receive relevant information.

Each Party will also have to ensure that cigarette packages bear unique, secure and non-removable identification markings within five years of the Protocol entering into force for that Party; for other tobacco products the deadline is 10 years.

#### **The Meeting of the Parties to the Protocol decides to establish a working group on tracking and tracing**

#### **Objectives**

1. To elaborate a comprehensive report compiling good practices and experiences on the implementation of tracking and tracing systems (Article 8.1) as well as unique identification markings for cigarette packets and packages (Article 8.3);
2. To prepare conceptual work, with a clearly defined timeframe, in view of creating the global information-sharing focal point (Article 8).

#### **Composition and selection of the members of the working group**

The provisions of Article 4.2 of the Protocol and Article 5.3 of the WHO FCTC will fully apply to the working group.

All Parties to the Protocol that would like to take part in the process can join the working group and participate in the deliberations at their own expense. Each region shall nominate up to two members representing the Parties in their respective regions through their regional coordinators, to ensure equal regional participation; these regional nominees may benefit from assistance as per the travel policy of the Conference of the Parties (COP) to the WHO FCTC.

The working group would welcome Parties to the WHO FCTC that are not Parties to the Protocol to participate as observers. No travel support would be made available to these WHO FCTC Parties.

Additionally, the Convention Secretariat, having consulted the members of the working group, will invite, as observers to the working group, up to three representatives of nongovernmental organizations that are observers to the COP, and up to three representatives of intergovernmental

organizations that are observers to the COP, on the basis of relevant expertise and sound knowledge of matters related to the authorities' response to the illicit tobacco trade.

Parties willing to act as key facilitators should identify themselves at any time during the process.

## **Mandate**

The working group should compile an overview of good practices employed by Parties willing to participate in this exercise, as regards the implementation of tracking and tracing systems (Article 8.1) as well as unique identification markings for cigarette packets and packages (Article 8.3) at the national or regional level. In preparing this compilation, the working group may consider reviewing the recommendations and the technical reports prepared by the Panel of Experts.

The working group should elaborate a conceptual analysis – with options – of how a global information-sharing focal point could be set up. This analysis should consider the need for efficiency, in financial and administrative terms, as well as the need to adequately protect confidential information, and pay due regard to data protection requirements. To the extent possible, a cost estimate of implementing the global information-sharing focal point at the level of the Convention Secretariat should be made.

## **Assistance from the Convention Secretariat**

Pending the availability of funds, at least two face-to-face meetings of the working group are envisaged between the First and Second sessions of the Meeting of the Parties; in addition, the group shall use web-based technologies for communication when conducting its work. The working group's key facilitator(s) should assist the Convention Secretariat in the organization of these meetings.

For participation in the meetings of the working group, the COP travel policy shall apply.

## **Timetable**

Make the draft documents, as requested, accessible to the Parties for their comments	At least six months before the Second session of the Meeting of the Parties
Submission to the Convention Secretariat for editing and translation	At least three months before the Second session of the Meeting of the Parties
Circulation to the Meeting of the Parties	At least 60 days before the opening day of the Second session of the Meeting of the Parties (Rule 8, Rules of Procedure of the Meeting of the Parties)

(Second plenary meeting, 10 October 2018)

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