



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

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

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INTRODUCTION

1. The First Meeting of the Parties to the Protocol to Eliminate Illicit Trade in Tobacco Products (MOP1) was held at the headquarters of the World Health Organization (WHO) from 8 to 10 October 2018. Representatives of all 44 Parties to the Protocol took part. Also present were representatives of 56 Parties to the WHO Framework Convention on Tobacco Control (WHO FCTC) that were not Party to the Protocol, four international intergovernmental organizations and nine nongovernmental organizations (NGOs), accredited as observers.¹

1. ORGANIZATIONAL MATTERS

2. Organizational matters were considered in a restricted meeting, held on the morning of Monday 8 October. The meeting was opened by the President of the Conference of the Parties to the WHO Framework Convention on Tobacco Control (WHO FCTC) Mr Behzad Valizadeh (Islamic Republic of Iran), and took place before the public opening of MOP1.

1.1. Rules of Procedure and Financial Rules

Documents FCTC/MOP/1/1; FCTC/MOP/1/1/Annex

3. At its restricted meeting, the MOP adopted the Rules of Procedure as set out in document FCTC/MOP/1/1/Annex.

1.2. Election of officers of the Meeting of the Parties

Document FCTC/MOP/1/2

4. Also, at the restricted meeting, the MOP elected the following officers:

Mr Carlos Cisneros (Ecuador), President

Dr Kholoud Al-Mutawaa (Qatar), Dr Take Naseri (Samoa), Dr Lakshmi Somatunga (Sri Lanka), Ms Eliza Fantitou (Republic of Cyprus) and Dr Oumar Ba (Senegal), Vice-Presidents

Dr Take Naseri (Samoa), Rapporteur

1.3. Adoption of the agenda and organization of work

Documents FCTC/MOP/1/3 and FCTC/MOP/1/3(annotated)

5. At its restricted meeting, the MOP adopted its agenda as set out in document FCTC/MOP/1/3 and agreed to divide its work between two parallel committees. Committee A would be entrusted with work under items 4 and 5 of the agenda, while Committee B would focus on matters under agenda items 6 and 7.

6. The following representatives were elected to serve as the officers of Committees A and B, pursuant to rule 28.1 of the Rules of Procedure of the MOP:

¹ For the list of participants, see document FCTC/MOP/1/DIV/2. Available at: http://www.who.int/fctc/protocol/mop/additional_documents/en/

Committee A :

Dr Ernest Zotoua (Côte d'Ivoire), Chairperson

Dr Kholoud Al Mutawaa (Qatar) and Mr Marcos Dotta (Uruguay), Vice-Chairpersons

Committee B:

Dr Leimapokpam Swasticharan (India), Chairperson

Mr Andreas Weinseiss (Austria) and Mr Lundeg Purevsuren (Mongolia), Vice-Chairpersons

1.4. Credentials of participants

Document FCTC/MOP/1/4

7. The MOP agreed at its restricted meeting that, pursuant to Rule 19 of its Rules of Procedure, the Bureau of the MOP, with the assistance of the Convention Secretariat, would examine the credentials of the delegates and would report thereon to the MOP during the session. The report was duly produced as document FCTC/MOP/1/4. The MOP adopted the relevant decision (FCTC/MOP1(19), Credentials of the Parties, at its second plenary meeting on 10 October. It was announced that the credentials of all Parties had been received in full and due form.

1.5. Attendance of observers at the First session of the Meeting of the Parties

Document FCTC/MOP/1/5

8. At the restricted meeting, the MOP took note of document FCTC/MOP/1/5, and agreed with the proposed recognition of five categories of observers to its meetings: Parties to the WHO FCTC that are not Parties to the Protocol; States non-Parties to the WHO FCTC; regional economic integration organizations, international intergovernmental organizations, and NGOs.

2. OPENING OF THE SESSION

9. On the afternoon of 8 October 2018, the President of the MOP declared open the session and welcomed all participants, invited guest Dr Haik Nikogosian, Head of the Convention Secretariat Emeritus.

2.1. Opening remarks

10. A video message by Dr Tedros Adhanom Ghebreyesus, Director-General of the World Health Organization, was shown.

2.2. Keynote address by the Head of the Convention Secretariat

The Head of the Convention Secretariat delivered a keynote address in which she highlighted the entry into force of the Protocol to Eliminate Illicit Trade in Tobacco Products as a historic event in the area of tobacco control. The text of her address is available here <http://www.who.int/fctc/secretariat/head/statements/2018/opening-remarks-mop1-head/en/>.

12. In the ensuing general debate on matters relating to the implementation and objectives of the Protocol, statements were made by Parties to the Protocol, including some representing the different WHO regions, and by representatives of non-Parties to the Protocol who were participating in the Meeting as observers.

3. PROGRESS TOWARDS THE ENTRY INTO FORCE OF THE PROTOCOL TO ELIMINATE ILLICIT TRADE IN TOBACCO PRODUCTS

Document FCTC/MOP/1/6

13. At the first plenary meeting, the Head of the Convention Secretariat presented document FCTC/MOP/16, containing a report prepared by the Convention Secretariat on the progress towards entry into force of the Protocol. In so doing, she provided an update on the status of the Protocol; outlined the main activities carried out by the Convention Secretariat since the Seventh session of the Conference of the Parties to the WHO FCTC; and highlighted the work of the Panel of Experts on the Protocol, as described in document FCTC/MOP/1/9.

14. At its third and fourth meetings, Committee A considered the draft decision contained in document FCTC/MOP/1/6. Parties drew attention to the need for a road map for the implementation of tracking and tracing systems within the five-year time frame established under Article 8 of the Protocol and for the provision of appropriate support to enable Parties to implement the measures called for in relation to free zones and international transit within the three-year time frame established under Article 12. Parties proposed amendments to the draft decision reflecting those comments.

15. The Committee approved the amended draft decision, which was transmitted to the MOP in the second report of Committee A (document FCTC/MOP/1/A/R/2). At its second plenary meeting, on 10 October 2018, the MOP adopted decision FCTC/MOP1(9).

4. REPORTING, IMPLEMENTATION ASSISTANCE AND INTERNATIONAL COOPERATION

4.1. Reporting and information sharing under the Protocol

Document FCTC/MOP/1/7

16. At its first meeting, Committee A considered a draft decision prepared by the Convention Secretariat, contained in document FCTC/MOP/1/7, on reporting and information sharing under the Protocol, and an alternative draft decision put forward by a Party, which proposed the establishment of a working group on assistance and cooperation in customs and enforcement matters. A drafting group was set up to discuss the proposal.

17. At its fourth and fifth meetings, Committee A discussed a revised version of the draft decision. It was proposed that the scope of work of the working group might be expanded to include matters related to Article 12 (Free zones and international transit), Article 21 (Enforcement information sharing), Article 23 (Assistance and cooperation: training, technical assistance and cooperation in scientific, technical and technological matters), Article 24 (Assistance and cooperation: investigation and prosecution of offences) and Article 29 (Mutual legal assistance).

18. The Committee agreed to that proposal and, at its fifth meeting, approved the amended draft decision, which was transmitted to the MOP in the third report of Committee A (FCTC/MOP/1/A/R/3).

At its second plenary meeting, on 10 October 2018, the MOP adopted decision FCTC/MOP1(10).

4.2. Cooperation with competent international and regional intergovernmental organizations, including financial and development institutions (Article 35)

Document FCTC/MOP/1/8

19. The MOP considered and took note of a report by the Convention Secretariat, contained in document FCTC/MOP/1/8, on options for the Secretariat to engage with relevant international and regional intergovernmental organizations, including financial and development institutions.

20. At its first meeting, Committee A approved a draft decision on Cooperation with competent international and regional intergovernmental organizations, including financial and development institutions, contained in document FCTC/MOP/1/8, which was transmitted to the MOP in the first report of Committee A (document FCTC/MOP/1/A/R/1).

21. At its second plenary meeting, on 10 October 2018, the MOP adopted decision FCTC/MOP1(5).

5. PROTOCOL INSTRUMENTS AND TECHNICAL MATTERS

5.1. Report of the Panel of Experts on the Protocol to Eliminate Illicit Trade in Tobacco Products

Document FCTC/MOP/1/9

22. The MOP considered a report, contained in document FCTC/MOP/1/9, summarizing the work conducted by the Panel of Experts on the Protocol to Eliminate Illicit Trade in Tobacco Products between the Seventh and Eighth sessions of the Conference of the Parties to the WHO FCTC, as mandated by the Seventh session of the Conference of the Parties in decision FCTC/COP7(6). The technical documents prepared by the Panel of Experts were made available in a report posted on the website of the Convention Secretariat. Parties commended the work of the Panel of Experts and voiced support for the recommendations put forward in the report.

23. The MOP noted the report.

5.2. Establishment of tracking and tracing systems, including the global information-sharing focal point (Article 8)

Document FCTC/MOP/1/10

24. Committee A considered a report prepared by the Convention Secretariat, contained in document FCTC/MOP/1/10, which proposed a draft decision on the establishment of a mechanism for tracking and tracing systems, including the global information-sharing focal point and unique identification markings for cigarette packets and packages. A Party put forward an alternative draft decision proposing the establishment of a working group to compile an overview of good practices in the development and implementation of tracking and tracing systems and to develop a conceptual analysis of how a global information-sharing focal point might be set up.

25. Several Parties proposed that the two decisions should be merged into a single decision, and a drafting group was formed for that purpose. At its second meeting, Committee A discussed a revised

version of the draft decision. In response to a question from a Party, it was clarified that the issue of data protection at the national level would be addressed as part of the conceptual analysis to be undertaken by the working group. It was suggested that Parties interested in participating in the work of the working group should so inform the Convention Secretariat by 30 January 2019.

26. Committee A approved the draft decision to be submitted to the MOP for adoption. At its second plenary meeting, on 10 October 2018, the MOP adopted decision FCTC/MOP1(6), as appended to the second report of Committee A (document FCTC/MOP/1/A/R/2).

5.3. Timelines for evidence-based research (Articles 6.5 and 13.2)

Document FCTC/MOP/1/11

27. Committee A considered a report, contained in Document FCTC/MOP/1/11, and a draft decision proposed by the Convention Secretariat concerning the arrangements for conducting the evidence-based research called for in Articles 6.5 and 13.2 of the Protocol.

28. A discussion ensued in which attention was drawn to the timeline for the implementation of those Articles. While Parties agreed on the importance of conducting such research, some Parties considered it more important to prioritize the implementation of tracking and tracing systems, under Article 8 of the Protocol, which established a shorter timeline. Concern was also expressed about whether the Secretariat would have sufficient resources to carry out the activities set forth in the draft decision, in addition to offering Parties the support necessary to implement Article 8. In that light, there was general agreement on the need to formulate a road map that clearly prioritized actions to be taken to achieve the objectives of the Protocol. Parties also agreed to amend the draft decision to provide for the presentation by the Secretariat at MOP2 of a detailed road map setting out the timelines and steps to conduct the research foreseen in Articles 6.5 and 13.2 of the Protocol.

29. At its second meeting, Committee A approved the amended draft decision, which was transmitted to the MOP in the second report of Committee A (document FCTC/MOP/1/A/R/2).

30. At its second plenary meeting, on 10 October, the MOP adopted decision FCTC/MOP1(7).

5.4. Financial resources and mechanisms of assistance

Document FCTC/MOP/1/12

31. Committee A considered a report by the Convention Secretariat, contained in document FCTC/MOP/1/12, which put forward a draft decision calling on the Secretariat, inter alia, to develop a strategy, to be presented to the MOP at its second session, to guide the establishment of mechanisms of assistance for the implementation of the Protocol similar to mechanisms existing for the WHO FCTC. In the ensuing discussion, several amendments were proposed, and it was clarified that needs assessments would be conducted as part of the information-gathering required to enable the Convention Secretariat to develop a comprehensive strategy on mechanisms of assistance. It was suggested that, of the two State Party representatives attending each session of the MOP, one should be the tobacco control focal point from the ministry of health and the other should be from the ministry of finance, which in many countries housed the tax and customs authorities.

32. At its third meeting, Committee A approved the amended draft decision, which was transmitted to the MOP in the second report of Committee A (document FCTC/MOP/1/A/R/2). At its second plenary meeting, on 10 October 2018, the MOP adopted decision FCTC/MOP1(8).

5.5. International assistance and cooperation

Document FCTC/MOP/1/13

33. At its fourth meeting, Committee A considered a draft decision by the Convention Secretariat, contained in document FCTC/MOP/1/13, on international assistance and cooperation (Articles 23 and 24), and an alternative proposal by a Party for the establishment of a working group on assistance and cooperation. The proposal was the outcome of the work of the drafting group set up to consider the draft decision proposed under item 4.1. The Committee approved the draft decision, which was subsequently adopted by the MOP as decision FCTC/MOP1(10) (see item 4.1 above).

5.6. Mutual administrative and legal assistance

Document FCTC/MOP/1/14

34. At its fourth meeting, Committee A considered a draft decision by the Convention Secretariat, contained in document FCTC/MOP/1/14, on mutual administrative and legal assistance (Articles 28 and 29), and an alternative proposal by a Party for the establishment of a working group on assistance and cooperation. The proposal was the outcome of the work of the drafting group set up to consider the draft decision proposed under item 4.1. The Committee approved the draft decision and established a working group to deal with matters related to enforcement information sharing, mutual administrative assistance, investigation and prosecution offences and mutual legal assistance, which was subsequently adopted by the MOP as decision FCTC/MOP1(10) (see item 4.1 above).

6. COORDINATION BETWEEN THE CONFERENCE OF THE PARTIES TO THE WHO FCTC AND THE MEETING OF THE PARTIES TO THE PROTOCOL

6.1. Coordination among the governing bodies of the WHO Framework Convention on Tobacco Control and the Protocol to Eliminate Illicit Trade in Tobacco Products

Document FCTC/MOP/1/15

35. Committee B took up the item at its first meeting on the afternoon of Monday 8 October. In so doing, it considered a draft decision, annexed to document FCTC/MOP/1/15, on coordination among the governing bodies of the WHO FCTC and the Protocol, the text of which mirrored that contained in decision COP8(14) on the same subject. Following a brief discussion, the Committee approved the draft decision containing practical steps to ensure coordination and policy coherence among governing bodies for transmission to the plenary.

36. At its second plenary meeting, on 10 October 2018, the MOP adopted decision FCTC/MOP1(11), as appended to the first report of Committee B (document FCTC/MOP/1/B/R/1).

6.2. Selection of the new Head of the Convention Secretariat

Document FCTC/MOP/1/16

37. Committee B considered the report submitted to it by the WHO FCTC Secretariat contained in document FCTC/MOP/1/16, and took note in particular of rule 24 ter of the Rules of Procedure of the COP, according to which the Bureau of the COP would consult with the Bureau of the MOP concerning the recommendation that it would submit to the WHO Director-General regarding the appointment of the Head of the Convention Secretariat.

38. At the request of the Committee, a draft decision was prepared, reflecting the decision taken by COP8 (FCTC/COP8(8)) regarding the process for selecting the new Head of the Convention Secretariat, and including an annex stating the criteria for selection, as also adopted by COP8. The draft received broad support and was approved and transmitted to the MOP for adoption.

39. At its second plenary meeting, on 10 October 2018, the MOP adopted decision FCTC/MOP1(12), as appended to the second report of Committee B (document FCTC/MOP/1/B/R/2).

7. BUDGETARY AND INSTITUTIONAL MATTERS

7.1. Code of conduct for the Bureau of the Meeting of the Parties and proposed measures to prevent and address potential conflicts of interest (perceived or existing) among staff of the Convention Secretariat

Document FCTC/MOP/1/17

40. At its first meeting, Committee B took note of the report prepared by the Convention Secretariat, as contained in document FCTC/MOP/1/17, on the code of conduct of the Bureau of the Meeting of the Parties and the proposed measures to prevent and address potential conflicts of interest, in particular the signing of declarations of interest. The Meeting considered a draft decision, which mirrored the equivalent decision adopted by the COP (FCTC/COP8(4)).

41. At its second meeting on Tuesday 9 October, Committee B considered and approved amendments to the code of conduct proposed by a Party representing a group of countries from one region, incorporating the protection from vested interests of economic and commercial actors, not only the tobacco industry, following which it approved the draft decision annexed to document FCTC/MOP/1/17 for transmission to the plenary.

42. At its second plenary meeting, on 10 October 2018, the MOP adopted decision FCTC/MOP1(13), as appended to the second report of Committee B (document FCTC/MOP/1/B/R/2).

7.1 bis Maximizing transparency of delegations from Parties and observers to the Meeting of the Parties, its subsidiary bodies and other meetings of the Protocol to Eliminate Illicit Trade in Tobacco Products.

43. At the request of one Party, maximizing the transparency of delegations from Parties and observers to the Meeting of the Parties, its subsidiary bodies and other meetings of the Protocol to Eliminate Illicit Trade in Tobacco Products was added to the agenda of MOP1. Committee B considered a draft decision on the matter. The Committee approved the draft decision to accelerate implementation of Article 5.3 of the WHO FCTC, adopting new screening and accreditation processes for representatives attending the MOP, as well as requesting declarations of interest from IGOs, NGOs, members of the media and the public.

44. At its second plenary meeting, on 10 October 2018, the MOP adopted decision FCTC/MOP1(15), as appended to the third report of Committee B (document FCTC/MOP/1/B/R/3).

45. The representative of Nicaragua expressed its concern and position, requesting their declaration to be reflected in the MOP1 report: “Nicaragua actively supports all the efforts for the health of our people and for this reason we were one of the first countries in America to sign and ratify the Illicit Tobacco Protocol. Because of the principle of self-determination and national sovereignty, we cannot join this draft decision to maximize transparency of delegations of the Parties and observers at the Conference of the Parties, its subsidiary bodies and other meetings in relation to the MOP1. Our state policy is tripartite, and this is part of our Constitution and constitutional principles of sovereignty and self-determination. Therefore, unfortunately, we do not accept the draft decision because it contravenes our principles and our constitutionalizing of tripartite”.

7.2. Scale and mechanism of assessed contributions and other resources

Document FCTC/MOP/1/18

46. In taking up the item, at its first meeting, Committee B considered a version of document FCTC/MOP/1/18, on the scale and mechanism of assessed contributions and other measures, in which the information set out in annex 2 (Table of the scale of assessment for the Protocol and assessed contributions 2018–2019) amended to reflect decisions adopted by the Conference of the Parties at its Eighth session, such as the adoption of the process and methodology established in decision FCTC/COP(23), and the adjustment of the scale and level of Parties' contribution in the annexes.

47. Subsequently, a draft decision was prepared, with input from Parties in one Region, on the scale and mechanism of assessed contributions. In response to concerns raised by participants regarding the use of the term "assessed contributions" and the description thereof as "mandatory", given that the Protocol referred to "voluntary assessed contributions", the draft was revised to reflect decision FCTC/COP7(23) on the designation of assessed contributions in the Treaty and its interpretation by the COP with a view to applying a similar approach to the Protocol and the MOP. One Party noted that its implementation of the decision would be contingent on the completion of certain domestic legal and formal procedures.

48. At its fifth meeting on Wednesday 10 October, the Committee approved the draft decision, which it transmitted to the plenary.

49. At its second plenary meeting, on 10 October 2018, the MOP adopted decision FCTC/MOP1(18), as appended to the third report of Committee B (document FCTC/MOP/1/B/R/3). The representative of Saudi Arabia expressed his Government's reservation to the decision.

7.3. Proposed workplan and budget for the financial period 2018–2019

Document FCTC/MOP/1/19 and Document FCTC/MOP/1/INF.DOC/1

50. In taking up the item, also at its second meeting, Committee B had before it document FCTC/MOP/1/19, which contained a report by the Convention Secretariat outlining the proposed workplan and budget for the financial period 2018–2019 and included three annexes. Annex 1 set out the cost of proposed activities relating to implementation of the Protocol, Annex 2 provided a breakdown of gross staff costs, while Annex 3 detailed the proposed total budget for 2018–2019. The Committee likewise had before it document FCTC/MOP/1/INF.DOC/1, which contained an explanatory note describing the structure of the proposed workplan; the distribution of activities under core and

extrabudgetary funding; the rationale and assumptions used in costing those activities; and efforts by the Convention Secretariat to enhance efficiency and savings. The MOP was invited to provide further guidance and to consider adoption of the proposed workplan and budget, taking note in that context of the additional information provided in the explanatory note.

51. In the ensuing discussion, Committee B considered newly proposed sets of figures, presented and explained by a representative of the Convention Secretariat, which related to the budgetary provision for staff engaged in activities aimed at promoting the implementation of the Protocol. The Head of the Convention Secretariat added, inter alia, that the size of assessed contributions was expected to diminish in line with future increases in the number of Parties to the Protocol. Several Parties, however, including some speaking on behalf of others in their regions, expressed concerns about the potential impact of those figures on assessed contributions.

52. In response to those concerns, the Convention Secretariat revised the figures it had proposed – primarily by accounting for various expenditures under extrabudgetary funding instead of under assessed contributions – and presented the outcome to Committee B for its further consideration. In expanding on the revised figures, the Head of the Convention Secretariat emphasized that the resulting budget proposed for 2018–2019 was comparatively low for commencing work on the implementation of a new treaty. One Party suggested that further reductions could be achieved in future by holding some of the MOP Bureau meetings through teleconferencing and another, speaking on behalf of those in his region, said that, as a general rule and in the interest of informed decision-making, Parties should be provided with full details pertaining to any new budget-related proposals presented at short notice, as well as adequate time to reflect on their implications.

53. Following additional clarifications provided by the Convention Secretariat, including with respect to staffing and activities, the calculation of assessed contributions and the timeline for their payment, Committee B considered and approved for transmission to the plenary a draft decision relating to the workplan and budget for the financial period 2018–2019. One Party noted, however, that its implementation of the decision would be contingent on the completion of certain domestic, legal and formal procedures.

54. At its second plenary meeting, on 10 October 2018, the MOP adopted decision FCTC/MOP1(16), as appended to the third report of Committee B (document FCTC/MOP/1/B/R/3).

7.4. Proposed workplan and budget for the financial period 2020–2021

Document FCTC/MOP/1/20 Document FCTC/MOP/1/INF.DOC/2

55. In taking up the item, at its second meeting, Committee B had before it document FCTC/MOP/1/20, which contained a report by the Convention Secretariat outlining the proposed workplan and budget for the financial period 2020–2021 and included three annexes. Annex 1 set out the cost of proposed activities relating to implementation of the Protocol, Annex 2 provided a breakdown of gross staff costs, while Annex 3 detailed the proposed total budget for 2020–2021. The Committee likewise had before it document FCTC/MOP/1/INF.DOC/2, which contained an explanatory note describing the structure of the proposed workplan; the distribution of activities under core and extrabudgetary funding; the rationale and assumptions used in costing those activities; and efforts by the Convention Secretariat to enhance efficiency and savings. The MOP was invited to provide further guidance and to consider adoption of the proposed workplan and budget, taking note in that context of the additional information provided in the explanatory note.

56. Following on from a discussion in which it was explained that the figures set out in the respective documents would eventually be amended to reflect decisions taken by COP8 and MOP1, Committee B considered a draft decision relating to the workplan and budget for the financial period 2020–2021. Various amendments to the text were proposed, including with the aim of averting a potential issue raised by one Party, specifically the fact that the MOP would be effectively authorized at its second session, pursuant to Article 33, paragraph 7, of the Protocol, to adjust the budget for 2021.

57. Subsequently, Committee B considered and approved for transmission to the plenary a revised draft decision incorporating the proposed amendments. One Party noted, however, that its implementation of the decision would be contingent on the completion of certain domestic, legal and formal procedures.

58. At its second plenary meeting, on 10 October 2018, the MOP adopted decision FCTC/MOP1(17), as appended to the third report of Committee B (document FCTC/MOP/1/B/R/3).

7.5. Visual identity of the Protocol

Document FCTC/MOP/1/21

59. Committee B, at its third meeting, was presented with the results of a study conducted into the visual identity of the Protocol and was invited to consider some suggestions for the incorporation of the Protocol into the WHO FCTC logo, and an informal short name for the Protocol, following the common practice of other international treaties. In approving a draft decision in that regard, the Committee agreed to incorporate the full name of the Protocol into the WHO FCTC logo and agreed that, while the informal short name "the Seoul Protocol" was fitting, its use should be contingent on the Republic of Korea ratifying the Protocol. The Secretariat would inform all Parties when the Republic of Korea had become a Party to the Protocol, following which the logo of the Protocol with the informal short name would come into usage. The MOP mandated the Convention Secretariat to commission and to propose to the Bureau of the MOP options for the logo of the Protocol and to mandate the Bureau to decide on the final design of the logo.

60. The representative of the Republic of Korea expressed his Government's commitment to the Protocol and assured the Meeting that every effort was being made to expedite ratification.

61. The Committee transmitted the draft decision to the plenary in its second report (document FCTC/MOP/1/B/R/2).

62. At its second plenary meeting, on 10 October 2018, MOP1 adopted decision FCTC/MOP1(14).

8. DATE AND PLACE OF THE SECOND REGULAR SESSION OF THE MEETING OF THE PARTIES

Document FCTC/MOP/1/22

63. At its second plenary meeting on 10 October 2018, the MOP adopted decision FCTC/MOP1(20), in which it agreed to hold its second session in the Netherlands immediately following COP9 in November 2020, with the exact dates to be confirmed.

64. The representative of the Netherlands expressed his Government's commitment to tobacco control efforts and said it would be honored to host MOP2.

9. ADOPTION OF THE PROVISIONAL REPORT OF THE FIRST SESSION OF THE MEETING OF THE PARTIES

Document FCTC/MOP/1/23

65. At its second plenary meeting, on 10 October 2018, the MOP adopted decision FCTC/MOP1(21) on the provisional report of its first session, as contained in document FCTC/MOP/1/23.

10. CLOSURE OF THE SESSION

66. On the afternoon of Wednesday 10 October 2018, following the customary exchange of courtesies, the President declared the First session of the Meeting of the Parties to the Protocol to Eliminate Illicit Trade in Tobacco Products closed.

ANNEX 1

PROVISIONAL AGENDA

1. Organizational matters (closed meeting)

1.1. Rules of Procedure and Financial Rules

Document FCTC/MOP/1/1

1.2. Election of officers of the Meeting of the Parties

Document FCTC/MOP/1/2

1.3. Adoption of the agenda and organization of work

Documents FCTC/MOP/1/3 and FCTC/MOP/1/3(annotated)

1.4. Credentials of participants

Document FCTC/MOP/1/4

1.5. Attendance of observers to the First session of the Meeting of the Parties

Document FCTC/MOP/1/5

2. Opening of the session

2.1. Opening remarks

2.2. Keynote address by the Head of the Convention Secretariat

Document FCTC/MOP/1/DIV/4

3. Progress towards the entry into force of the Protocol to Eliminate Illicit Trade in Tobacco Products

Document FCTC/MOP/1/6

4. Reporting, implementation assistance and international cooperation

4.1. Reporting and information sharing under the Protocol

Document FCTC/MOP/1/7

4.2. Cooperation with competent international and regional intergovernmental organizations, including financial and development institutions (Article 35)

Document FCTC/MOP/1/8

5. Protocol instruments and technical matters

5.1. Report of the Panel of Experts on the Protocol to Eliminate Illicit Trade in Tobacco Products

Document FCTC/MOP/1/9

5.2. Establishment of tracking and tracing systems, including the global information-sharing focal point (Article 8)

Document FCTC/MOP/1/10

- 5.3. Timelines for evidence-based research (Articles 6.5 and 13.2)
Document FCTC/MOP/1/11
- 5.4. Financial resources and mechanisms of assistance
Document FCTC/MOP/1/12
- 5.5. International assistance and cooperation
Document FCTC/MOP/1/13
- 5.6. Mutual administrative and legal assistance
Document FCTC/MOP/1/14
- 6. Coordination between the Conference of the Parties to the WHO FCTC and the Meeting of the Parties to the Protocol**
 - 6.1. Coordination among the governing bodies of the WHO Framework Convention on Tobacco Control and the Protocol to Eliminate Illicit Trade in Tobacco Products
Document FCTC/MOP/1/15
 - 6.2. Selection of the new Head of the Convention Secretariat
Document FCTC/MOP/1/16
- 7. Budgetary and institutional matters**
 - 7.1 Code of Conduct for the Bureau of the Meeting of the Parties and proposed measures to prevent and address potential conflicts of interest (perceived or existing) among staff of the Convention Secretariat
Document FCTC/MOP/1/17
 - 7.2 Scale and mechanism of assessed contributions and other resources
Document FCTC/MOP/1/18
 - 7.3 Proposed workplan and budget for the financial period 2018–2019
Document FCTC/MOP/1/19 and Document FCTC/MOP/1/INF.DOC/1
 - 7.4 Proposed workplan and budget for the financial period 2020–2021
Document FCTC/MOP/1/20 Document FCTC/MOP/1/INF.DOC/2
 - 7.5. Visual identity of the Protocol
Document FCTC/MOP/1/21
- 8. Date and place of the second regular session of the Meeting of the Parties**
Document FCTC/MOP/1/22
- 9. Adoption of the provisional report of the First session of the Meeting of Parties**
Document FCTC/MOP/1/23
- 10. Closure of the session**

ANNEX 2

LIST OF DOCUMENTS

FCTC/MOP/1/1	Rules of Procedure and Financial Rules
FCTC/MOP/1/2	Election of officers of the Meeting of the Parties
FCTC/MOP/1/3	Provisional agenda
FCTC/MOP/1/3 (annotated)	Provisional agenda (annotated)
FCTC/MOP/1/4	Credentials of participants
FCTC/MOP/1/5	Attendance of observers to the First session of the Meeting of the Parties and rules for its subsequent sessions
FCTC/MOP/1/6	Progress towards the entry into force of the Protocol to Eliminate Illicit Trade in Tobacco Products
FCTC/MOP/1/7	Reporting and information sharing under the Protocol
FCTC/MOP/1/8	Cooperation with competent international and regional intergovernmental organizations, including financial and development institutions
FCTC/MOP/1/9	Report of the Panel of Experts on the Protocol to Eliminate Illicit Trade in Tobacco Products
FCTC/MOP/1/10	Establishment of a tracking and tracing system, including the global information sharing focal point
FCTC/MOP/1/11	Timelines for evidence-based research (Articles 6.5 and 13.2)
FCTC/MOP/1/12	Financial resources and mechanisms of assistance
FCTC/MOP/1/13	International assistance and cooperation
FCTC/MOP/1/14	Mutual administrative and legal assistance (Articles 28 and 29)
FCTC/MOP/1/15	Coordination among the governing bodies of the WHO Framework Convention on Tobacco Control and the Protocol to Eliminate Illicit Trade in Tobacco Products
FCTC/MOP/1/16	Selection of the new Head of the Convention Secretariat
FCTC/MOP/1/17	Code of Conduct of the Bureau of the Meeting of the Parties and proposed measures to prevent and address potential conflicts of

	interest (perceived or existing) among the staff of the Convention Secretariat
FCTC/MOP/1/18	Scale and mechanism of assessed contributions and other resources
FCTC/MOP/1/19	Proposed budget and workplan for the financial period 2018-2019
FCTC/MOP/1/20	Proposed budget and workplan for the financial period 2020-2021
FCTC/MOP/1/21	Visual identity of the Protocol
FCTC/MOP/1/22	Date and place of the second regular session of the Meeting of the Parties

ANNEX 3

LIST OF DECISIONS

FCTC/MOP1(1)	Adoption of the Rules of Procedure and Financial rules of the MOP
FCTC/MOP1(2)	Election of the President and the five Vice-Presidents of the Meeting of the Parties to the Protocol to Eliminate Illicit Trade in Tobacco Products
FCTC/MOP1(3)	Adoption of the agenda
FCTC/MOP1(4)	Attendance of States Parties to the WHO FCTC, States non-Parties to the WHO FCTC, regional economic integration organizations, international intergovernmental organizations and nongovernmental organizations to the First session of the Meeting of the Parties to the Protocol to Eliminate Illicit Trade in Tobacco Products
FCTC/MOP1(5)	Cooperation with competent international and regional intergovernmental organizations, including financial and development institutions
FCTC/MOP1(6)	Tracking and tracing systems, including the global information-sharing focal point and unique identification markings for cigarette packets and packages
FCTC/MOP1(7)	Timelines for evidence-based research (Articles 6.5 and 13.2)
FCTC/MOP1(8)	Financial resources and mechanisms of assistance
FCTC/MOP1(9)	Progress towards the entry into force of the Protocol to Eliminate Illicit Trade in Tobacco Products
FCTC/MOP1(10)	Working Group on assistance and cooperation
FCTC/MOP1(11)	Coordination among the governing bodies of the WHO Framework Convention on Tobacco Control and the Protocol to Eliminate Illicit Trade in Tobacco Products
FCTC/MOP1(12)	Appointment of the Head of the Convention Secretariat and renewal of the term of office
FCTC/MOP1(13)	Code of Conduct and Declaration of Interest for the Members of the Bureau and the Regional Coordinators of the Meeting of the Parties to the Protocol to Eliminate Illicit Trade in Tobacco Products and on proposed measures preventing and addressing possible conflicts of interest at the Convention Secretariat

Geneva, Switzerland, 8-10 October 2018

FCTC/MOP1(14)	Visual identity of the Protocol to Eliminate Illicit Trade in Tobacco Products
FCTC/MOP1(15)	Maximizing transparency of delegations from Parties and observers to the Meeting of the Parties, its subsidiary bodies and other Protocol meetings
FCTC/MOP1(16)	Workplan and budget for the financial period 2018-2019
FCTC/MOP1(17)	Workplan and budget for the financial period 2020-2021
FCTC/MOP1(18)	Scale and mechanism of assessed contributions and other resources
FCTC/MOP1(19)	Credentials of Participants
FCTC/MOP1(20)	Date and place of the Second regular session of the Meeting of the Parties to the Protocol to Eliminate Illicit Trade in Tobacco Products

FCTC/MOP1(1) Adoption of the Rules of Procedure and financial rules of the MOP

The Meeting of the Parties (MOP),

Taking into account Article 33.4 of the Protocol to Eliminate Illicit Trade in Tobacco Products (Protocol), which states that the Rules of Procedure (ROP) and the Financial Rules of the Conference of the Parties (COP) to the WHO Framework Convention on Tobacco Control shall apply, *mutatis mutandis*, to the Meeting of the Parties (MOP) to the Protocol unless the MOP decides otherwise;

Recalling that the ROP had been adopted by the COP at its First session held in 2006 and amended respectively during its Sixth session held in 2014 and its Seventh session held in 2016;

Considering that the Financial Regulations and Rules of the World Health Organization¹ had been adopted by the COP at its first session to serve as the financial rules of the COP;

Having considered the proposals contained in documents FCTC/MOP/1/1 and Annex: Rules of procedure of the meeting of the parties to the protocol to eliminate illicit trade in tobacco products,²

1. ADOPTS the Rules of Procedure set out in the Annex to this decision;
2. DECIDES to use the Financial Regulations and Rules of the World Health Organization as the financial rules referred to in Article 33.4 of the Protocol.

ANNEX

RULES OF PROCEDURE OF THE MEETING OF THE PARTIES TO THE PROTOCOL TO ELIMINATE ILLICIT TRADE IN TOBACCO PRODUCTS

APPLICABILITY

Rule 1

The sessions of the Meeting of the Parties shall be governed by these Rules of Procedure in accordance with Article 33.4 of the Protocol to Eliminate Illicit Trade in Tobacco Products and as decided by the Meeting of the Parties.

DEFINITIONS

Rule 2

For the purposes of these Rules:

1. “Convention” means the WHO Framework Convention on Tobacco Control, adopted at Geneva, Switzerland, on 21 May 2003;
2. “Protocol” means the Protocol to Eliminate Illicit Trade in Tobacco Products, adopted at Seoul,

¹ Financial Regulations of the World Health Organization, Basic documents, 45th edition, Geneva, World Health Organization, 2005; Financial Rules effective 2001.

² http://www.who.int/fctc/protocol/mop/FCTC_MOP_1_1_Annex_EN.pdf.

Republic of Korea, on 12 November 2012;

3. “Parties” means Parties to the Protocol;
4. “Conference of the Parties” means the Conference of the Parties to the WHO Framework Convention on Tobacco Control established by Article 23 of the Convention;
5. “Meeting of the Parties” means the Meeting of the Parties to the Protocol to Eliminate Illicit Trade in Tobacco Products established by Article 33 of the Protocol;
6. “session” means any regular or extraordinary session of the Meeting of the Parties convened in accordance with Article 33 of the Protocol and these Rules;
7. “regional economic integration organization” means an organization as defined in Article 1.11 of the Protocol;
8. “President” means the President of the Meeting of the Parties elected in accordance with Rule 21, paragraph 1 of these Rules;
9. “Secretariat” means the Secretariat of the WHO Framework Convention on Tobacco Control, established under Article 24 of the Convention, and of the Protocol to Eliminate Illicit Trade in Tobacco Products, as provided for in Article 34 of the Protocol;
10. “subsidiary body” means anybody established by the Meeting of the Parties;
11. “Parties present and voting” means Parties present at the meeting in which voting takes place and casting a valid affirmative or negative vote. Parties abstaining from voting shall be considered as not voting;
12. “public” sessions or meetings means sessions or meetings that are open to attendance by Parties, States and regional economic integration organizations that are not Parties to the Protocol but are Parties to the WHO Framework Convention on Tobacco Control, States non-Parties to the WHO Framework Convention on Tobacco Control that are Associate Members of the World Health Organization (WHO) or any other Member State of the United Nations, the Secretariat, intergovernmental and nongovernmental organizations accredited by the Meeting of the Parties pursuant to Rules 30 and 31, respectively, accredited media and members of the public;
13. “open sessions or meetings” means sessions or meetings that are open to attendance by Parties, States and regional economic integration organizations that are not Parties to the Protocol but are Parties to the WHO Framework Convention on Tobacco Control, States non-Parties to the WHO Framework Convention on Tobacco Control that are Associate Members of WHO or any other State that is a Member of the United Nations, the Secretariat, and intergovernmental organizations and nongovernmental organizations that have observer status to the Meeting of the Parties pursuant to Rules 30 and 31, respectively;
14. “restricted” sessions or meetings means sessions or meetings held for a specific purpose and under exceptional circumstances that are open to attendance by Parties and essential Secretariat staff.

SESSIONS

Rule 3

The sessions of the Meeting of the Parties shall be held at the seat of the Secretariat, unless the Meeting of the Parties decides otherwise.

Rule 4

Report of the First session of the Meeting of the Parties to the Protocol to Eliminate Illicit Trade in Tobacco Products

1. Unless otherwise decided by the Meeting of the Parties, regular sessions of the Meeting of the Parties shall be held every two years.
2. At each regular session, the Meeting of the Parties shall decide on the date and duration of the next regular session. The Meeting of the Parties should endeavour not to hold such a session at a time that would make the attendance of a significant number of delegations difficult.
3. To the extent possible, regular sessions of the Meeting of the Parties shall be held in the second half of a financial biennium.
4. Extraordinary sessions of the Meeting of the Parties shall be held at such other times as may be deemed necessary by the Meeting, or at the written request of any Party, provided that, within six months of the request being communicated to them by the Secretariat of the Convention, it is supported by at least one third of the Parties.
5. Extraordinary sessions held at the written request of a Party shall take place not more than ninety days after the date at which the request is supported by at least one third of the Parties in accordance with paragraph 3 above.

Rule 5

The Secretariat shall notify all Parties of the dates and venue of regular and extraordinary sessions at least sixty days in advance.

AGENDA

Rule 6

In consultation with the Bureau of the Meeting of the Parties, the Secretariat shall prepare the provisional agenda for each session.

Rule 7

The provisional agenda for each regular session shall include, as appropriate:

- (a) items arising from the Articles of the Protocol;
- (b) items the inclusion of which has been decided at a previous session;
- (c) items referred to in Rule 13;
- (d) the proposed budget and all questions pertaining to the accounts and financial arrangements;
- (e) the reports of the Parties, which shall be presented in accordance with the modalities approved by the Meeting of the Parties;
- (f) reports from the subsidiary bodies; and
- (g) any other item relevant to the implementation of the Protocol proposed by a Party and received by the Secretariat prior to circulation of the provisional agenda.

Rule 8

For each regular session, the provisional agenda, together with other meeting documents, shall be distributed in the official languages by the Secretariat to the Parties, and to observers invited to attend the session in accordance with Rules 29, 30 and 31, at least sixty days before the opening day of the session.

Rule 9

The Secretariat shall, in consultation with the Bureau of the Meeting of the Parties, include in a supplementary provisional agenda any item proposed by a Party that reaches the Secretariat between the dispatch of the provisional agenda for a regular session and 30 days before the opening day of the session, provided that it falls within the scope of Rule 7 of the Rules of Procedure.

Rule 10

The Meeting of the Parties shall examine the provisional agenda together with any supplementary provisional agenda. When adopting the agenda for a regular session, the Meeting of the Parties may decide to add, delete, defer or amend items.

Rule 11

The provisional agenda for each extraordinary session shall include only those items proposed for consideration by the Meeting of the Parties at a regular session or in a Party's written request for the holding of the extraordinary session. It shall be distributed to the Parties at the same time as the notification of the extraordinary session.

Rule 12

1. The Secretariat shall report to the Meeting of the Parties on the administrative, financial and budgetary implications of all substantive agenda items submitted to the session, before they are considered by the Meeting.
2. Unless the Meeting of the Parties decides otherwise, no such substantive agenda item shall be considered until at least forty-eight hours after the Meeting of the Parties has received a report from the Secretariat on its administrative, financial and budgetary implications.

Rule 13

Any item on the agenda of a regular session that has not been considered or completed at the session shall automatically be included in the provisional agenda of the next regular session, unless otherwise decided by the Meeting of the Parties.

SECRETARIAT

Rule 14

1. The Head of the Secretariat, or the representative of the Head of the Secretariat, shall act in that capacity in all sessions of the Meeting of the Parties and of its subsidiary bodies.
2. The Head of the Secretariat shall arrange for the provision of staff and services required by the Meeting of the Parties and its subsidiary bodies, within available resources, and shall manage and direct such staff and services and provide appropriate support and advice to the Bureau of the Meeting of the Parties and its subsidiary bodies.

Rule 15

In addition to the functions specified in the Protocol, in particular in Article 34, the Secretariat shall, in accordance with these Rules:

- (a) arrange for interpretation at the session;
- (b) collect, translate, reproduce and distribute the documents of the session;
- (c) publish and distribute the official documents of the session;
- (d) prepare and keep the records of the session;
- (e) arrange for the custody and safekeeping of the documents of the session;
- (f) prepare formal agendas, papers and summary records of intersessional meetings of the Bureau, to be made available to the Parties, in a timely manner; and
- (g) perform all other tasks that may be required by the Meeting of the Parties.

REPRESENTATION AND CREDENTIALS

Rule 16

Each Party participating in a session shall be represented by a delegation consisting of a head of delegation and such other accredited representatives, alternate representatives and advisers as it may require.

Rule 17

An alternate representative or an adviser may act as a representative upon designation by the head of delegation.

Rule 18

The credentials of representatives, as well as the names of alternates and advisers, shall be submitted to the Secretariat if possible no later than twenty-four hours before the opening of the session. Any subsequent change in the composition of the delegation shall also be submitted to the Secretariat. Credentials shall be issued by the Head of State or Government, the Minister for Foreign Affairs, the Minister of Health or any other competent government authority or, in the case of a regional economic integration organization, by the competent authority of that organization.

Rule 19

The Bureau of the Meeting of the Parties shall examine the credentials and report thereon to the Meeting of the Parties.

Rule 20

Representatives shall be entitled to participate provisionally in the session, pending a decision by the Meeting of the Parties to accept their credentials.

OFFICERS

Rule 21

1. At the first regular session of the Meeting of the Parties, a President and five Vice-Presidents, one of whom shall act as Rapporteur, shall be elected from among the representatives of the Parties present at the session. These officers shall constitute the Bureau of the Meeting of the Parties. Each of the WHO

regions shall be represented by one Bureau member. The President and Vice-Presidents shall remain in office until the closure of the second regular session of the Meeting of the Parties, including for any intervening extraordinary session.

2. Before the end of the second and subsequent regular sessions of the Meeting of the Parties, officers shall be elected from among the Parties to constitute the Bureau for the following session. These officers shall commence their term of office at the closure of the session and shall serve until the closure of the following regular session of the Meeting of the Parties, including for any intervening extraordinary session.

3. The offices of the President and Rapporteur shall be subject to rotation among the WHO regions.

3bis. No Party shall be represented on the Bureau for more than two consecutive terms, unless the Parties of the relevant WHO region decide otherwise.

4. The President shall participate in sessions of the Meeting of the Parties in that capacity and shall not at the same time exercise the rights of a representative of a Party. The Party concerned shall designate another representative to represent the Party in the sessions and to exercise its right to vote.

5. The Chairperson of a subsidiary body may be invited by the Bureau for a specific purpose.

Rule 22

1. In addition to exercising the powers that are conferred upon him or her elsewhere by these Rules, the President shall declare the opening and closing of the session, preside over the meetings, ensure observance of these Rules, accord the right to speak, put questions to the vote and announce decisions. He or she shall rule on points of order and, subject to these Rules, shall control the proceedings and maintain order thereat.

2. The President may propose to the Meeting of the Parties the closure of the list of speakers, a limitation of the time to be allowed to each speaker and of the number of times a representative may speak on a question, the adjournment or closure of the debate and the suspension or adjournment of a meeting.

3. The President, in exercising the functions of that office, remains subject to the authority of the Meeting of the Parties.

Rule 23

1. The President, if temporarily absent from a session or any part thereof, shall designate a Vice-President to act as President in his or her place. A Vice-President so designated shall not at the same time exercise the rights of a representative of a Party.

2. A Vice-President acting as President shall have the same powers and duties as the President.

Rule 24

1. If an officer of the Bureau resigns or is otherwise unable to complete the assigned term of office or perform the functions of that office, a representative of the same Party shall be designated by the Party concerned in his or her place for the remainder of the original term of office. If no representative from the same Party can be identified, a representative of a Party from the same WHO region shall be designated.

2. If the President is unable to act during the intersessional period, one of the Vice-Presidents shall

act in his or her place. The order in which the Vice-Presidents shall be requested to serve shall be determined by lot at the session at which the election takes place.

Rule 24bis

1. The intersessional meetings of the Bureau shall be attended by its members and essential staff of the Secretariat, unless the Meeting of the Parties or the Bureau decides otherwise. Regional coordinators shall be allowed to observe the meetings of the Bureau.
2. Each officer of the Bureau may be accompanied during meetings of the Bureau by not more than one adviser; the President may be accompanied by additional advisers as necessary to support the exercise of his or her function.
3. Where an officer of the Bureau is unable to attend a meeting of the Bureau, an alternate of the same Party shall be designated by the Party concerned.
4. Should an officer of the Bureau fail to attend two consecutive meetings of the Bureau, that fact shall be reported by the Head of the Secretariat to the next session of the Meeting of the Parties. Unless the Meeting of the Parties decides otherwise, that Party shall be deemed to have forfeited its right to have a representative serve on the Bureau.
5. Joint intersessional meetings of the Bureau of the Conference of the Parties and the Bureau of the Meeting of the Parties shall be held to deal with any matters for which a coordinated decision of both Bureaux or of the Conference of the Parties and the Meeting of the Parties is required.
6. The joint intersessional meetings of the Bureaux shall be held at the request of either the Bureau of the Conference of the Parties or the Bureau of the Meeting of the Parties, or when it is mandated by the Rules of Procedure of the Conference of the Parties or the Rules of Procedure of the Meeting of the Parties or by a decision of the Conference of the Parties or Meeting of the Parties.

Rule 24ter

1. In addition to the functions that the Meeting of the Parties may assign to it from time to time, and in addition to those described in Rules 6, 9, 19 and 21–24, the functions of the Bureau shall include the following:
 - (a) to consult with the Bureau of the Conference of the Parties, in relation to the recommendation the latter shall do to the Director-General of WHO regarding the appointment of the Head of the Secretariat;
 - (b) to facilitate the process for nominations to subsidiary bodies of the Meeting of the Parties;
 - (c) to provide guidance to the Secretariat on implementation of the work plans and budgets adopted by the Meeting of the Parties;
 - (d) to provide guidance to the Secretariat, as necessary, in the preparation of reports, recommendations and draft decisions to be submitted to the Meeting of the Parties;
 - (e) to propose the date and venue of sessions of the Meeting of the Parties and its subsidiary bodies;
 - (f) to review the applications of nongovernmental organizations that apply for the status of observer to the Meeting of the Parties and make recommendations in that regard to the Meeting of the Parties;

- (g) to review the applications of international intergovernmental organizations that apply for the status of observer to the Meeting of the Parties and make recommendations in that regard to the Meeting of the Parties; and
- (h) to provide other guidance to the Secretariat as requested by the Meeting of the Parties.

2. Officers of the Bureau, in collaboration with their respective regional coordinators, shall liaise and consult with the Parties of their respective regions between the sessions of the Meeting of the Parties with a view to informing the work of the Bureau and keeping Parties informed of the Bureau's work.

Rule 24quater

1. At each regular session of the Meeting of the Parties, the Parties in each WHO region shall elect a regional coordinator, whose term will extend to the closing of the next session of the COP.
2. The regional coordinator shall perform the following functions:
 - (a) liaise with the officer of the Bureau representing the region and facilitate consultations with the Parties in the region between the sessions of the Meeting of the Parties with a view to informing the work of the Bureau and keeping Parties informed of the Bureau's work;
 - (b) receive working documents or proposals of the Bureau and ensure that they are circulated to the Parties in the region;
 - (c) collect and send comments on such documents or proposals to the officer of the Bureau; and
 - (d) act as a channel for the exchange of information, including a copy of invitations to the meetings for the implementation of the Protocol, and coordination of activities with other regional coordinators.
3. Where a regional coordinator resigns or is unable to complete the assigned term of office or perform the functions of that office, a representative of the same Party shall be designated by the Party concerned. Such designation shall take place within three months following the resignation of the regional coordinator.
4. Where a regional coordinator is unable to attend a meeting, an alternate of the same Party shall be designated by the Party concerned.

COMMITTEES OF THE MEETING OF THE PARTIES

Rule 24quinquies

1. The committees of the Meeting of the Parties shall be:
 - (a) Committee A, generally entrusted with work on treaty instruments and technical matters;
 - (b) Committee B, generally entrusted with work on reporting, implementation assistance, international cooperation and institutional and budgetary matters.

In addition to these two committees, the Meeting of the Parties may establish other committees as it may consider necessary.

2. Each delegation shall be entitled to be represented on each committee by one or more of its representatives and advisers.

3. At the beginning of each session, the plenary, at the recommendation of the Bureau, shall allocate items of the agenda to the two committees in such a way that they thematically group the issues and ensure a proper balance in the work. Thereafter, the Bureau, at the recommendation of the Chairpersons of the committees, may make adjustments as required.
4. Each committee shall elect a Chairperson and two vice-Chairpersons, with due regard to representation from each WHO region. The Bureau shall facilitate the process for nominations in this respect.
5. The Chairpersons shall have, in relation to the meetings of the committee concerned, the same powers and duties as the President of the Meeting of the Parties in relation to plenary meetings.
6. The meetings of the committees shall be held in public unless the committee concerned decides that they shall be open or restricted. This rule shall be implemented in accordance with Article 5.3 of the Convention.
7. Subject to any decision of the Meeting of the Parties, the procedure governing the conduct of business and voting by the committees shall conform *mutatis mutandis* to the rules relative to the conduct of business and voting in plenary meetings.
8. Each committee may establish such drafting groups as it considers necessary. The Chairperson of each drafting group shall apply the rules applicable to committees to the work of such drafting groups only insofar as he or she considers it advisable with a view to expediting the dispatch of business.

SUBSIDIARY BODIES

Rule 25

1. In accordance with Article 34 of the Protocol, the Meeting of the Parties may establish such subsidiary bodies, working groups and other bodies as are necessary to achieve the objective of the Protocol.
2. The Meeting of the Parties shall determine the matters to be considered by each such subsidiary body, including its mandate, objectives, duration and budget, and may authorize the President, upon the request of the Chairperson of a subsidiary body, to make appropriate adjustments in the allocation of work.
3. Except as provided in Rules 26-28, these Rules shall apply *mutatis mutandis* to the proceedings of any subsidiary bodies, subject to any modifications decided by the Meeting of the Parties.

Rule 26

When a subsidiary body is not open-ended, a majority of the Parties designated by the Meeting of the Parties to participate therein shall constitute a quorum. When the subsidiary body is open-ended, one quarter of the Parties shall constitute a quorum.

Rule 27

1. The Meeting of the Parties shall decide the dates and venue of the sessions of the subsidiary bodies, with due regard for the desirability of holding such sessions in parallel with the sessions of the Meeting of the Parties.
2. Sessions or meetings of subsidiary bodies shall be open, unless the Meeting of the Parties or the subsidiary body concerned decides that they shall be public or restricted. This rule shall be implemented in conformity with Article 5.3 of the Convention.

Rule 28

1. Unless the Meeting of the Parties decides otherwise, the Chairperson of a subsidiary body shall be elected by that subsidiary body. Each subsidiary body shall elect its own officers with due regard for the principle of equitable geographical representation, balanced representation of developing and developed countries and gender balance. Officers shall not serve for more than two consecutive terms.
2. Neither the Chairperson of the subsidiary body, nor the Vice-Chairperson while chairing, shall vote, unless they are the only members of their respective delegations. In that case, they may exercise the right to vote in accordance with Rule 49.1.

OBSERVERS

Rule 29

1. Any Party to the WHO Framework Convention on Tobacco Control that is not Party to the Protocol, any Member State of WHO that is not a Party to the Convention, any Associate Member of WHO, or any other State that is not a Party to the Convention but that is a Member of the United Nations, or its specialized agencies or of the International Atomic Energy Agency, and any regional economic integration organization, as defined in Article 1(b) of the Convention, that is not a Party to the Protocol, may attend the public or open sessions of the Meeting of the Parties or meetings of its subsidiary bodies as an observer.
2. Observers under this Rule may participate without the right to vote in the public or open meetings of the Meeting of the Parties and its subsidiary bodies and may speak only after the Parties. Regional economic integration organizations may speak only on matters within their competency.

Rule 30

1. Any international intergovernmental organization may apply, in accordance with its internal rules, to the Secretariat for observer status, which may be granted by the Meeting of the Parties, on the basis of the report from the Secretariat, taking into account the 17th and 18th preambular paragraphs as well as Article 5.3 of the Convention. Such applications, duly endorsed by the governing body of the organization concerned, should be submitted to the Secretariat not later than ninety days before the opening of the session.
2. Observers under this Rule may participate without the right to vote in public or open meetings of the Meeting of the Parties and its subsidiary bodies and may speak after the observers referred to in Rule 29.

Rule 31

1. International and regional nongovernmental organizations whose aims and activities are in conformity with the spirit, purpose and principles of the Protocol may apply for observer status, which may be granted by the Meeting of the Parties, on the basis of the report of the Secretariat, and taking into account the 17th and 18th preambular paragraphs as well as Article 5.3 of the Convention. Such applications should be submitted to the Secretariat not later than ninety days before the opening of the session.
2. The Meeting of the Parties shall review the accreditation of each nongovernmental organization at any of its regular sessions and thus determine the desirability of maintaining its observer status.
3. Observers under this Rule may participate without the right to vote in public or open meetings of the Meeting of the Parties and of its subsidiary bodies and may speak after the observers referred to in Rules 29 and 30.

CONDUCT OF BUSINESS

Rule 32

Sessions of the Meeting of the Parties shall be held in public, unless the Meeting of the Parties decides that they shall be open or restricted. Unless the Parties decide otherwise, accredited media shall be entitled to attend the open sessions of the Meeting of the Parties. This rule shall be implemented in accordance with Article 5.3 of the Convention.

Rule 33

Proposals and amendments to proposals shall normally be introduced by the Parties in writing, in one of the official languages, and handed to the Secretariat, which shall circulate copies to delegations. Proposals and amendments shall not be considered if they have been circulated, in all official languages of the Meeting of the Parties, less than three days before the meeting. The Meeting of the Parties may, however, permit the discussion and consideration of proposals, amendments to proposals or procedural motions, even though such proposals, amendments to proposals or motions have not been circulated, or have been circulated only the same day.

Rule 34

1. A majority of the States Parties shall constitute a quorum for the conduct of business at plenary meetings of the Meeting of the Parties. The presence of two thirds of the States Parties shall be required for any decision to be taken.
2. For the purposes of determining a quorum for a decision to be taken on a matter within the competence of a regional economic integration organization, that organization shall be counted to the extent of the number of votes it is entitled to cast in accordance with Article 42.2 of the Protocol.

Rule 35

1. No representative may address a session without having previously obtained the permission of the President. Subject to Rules 36, 38 and 42, the President shall call upon speakers in the order in which they signify their desire to speak. The Secretariat shall maintain a list of speakers. The President may call a speaker to order if his or her remarks are not relevant to the subject under discussion.
2. During a debate, the President may announce the list of speakers and, with the consent of the Meeting of the Parties, declare the list closed. The President may, however, accord the right of reply to any representative if a speech delivered after the list has been closed makes this desirable.
3. The Meeting of the Parties may, on a proposal by the President or by any Party, limit the time allowed to each speaker and the number of times a representative may speak on a question. Before a decision is taken, two representatives may speak in favour of and two against the proposal to set such limits. When a limit has been set, and a speaker exceeds the allotted time, the President shall call the speaker to order without delay.

Rule 36

1. The Chairperson or Rapporteur of a subsidiary body may be accorded precedence for the purpose of explaining the conclusions arrived at by that subsidiary body.

2. The Head of the Secretariat or any member of the Secretariat designated by him or her may upon the invitation of the President make either oral or written statements concerning any question under consideration in order to provide information and clarification or explanation.

Rule 37

The right of reply shall be accorded by the President to any representative who requests it. Representatives should, in exercising this right, attempt to be as brief as possible and preferably deliver their statements at the end of the meeting at which this right is requested.

Rule 38

During the discussion of any matter, a representative may at any time raise a point of order, on which the President shall immediately rule in accordance with these Rules. A representative may appeal against the ruling of the President. Such appeal shall immediately be put to the vote and the ruling shall stand unless overruled by a majority of the Parties present and voting. A representative raising a point of order may not speak on the substance of the matter under discussion.

Rule 39

1. During the discussion of any matter, a representative may move the suspension or the adjournment of the meeting. Such motions shall not be debated, but shall immediately be put to the vote.

2. For the purpose of these Rules, “suspension of the meeting” means the temporary postponement of the business of the meeting and “adjournment of the meeting” the termination of all business until another meeting is convened.

Rule 40

During the discussion of any matter, a representative may move the adjournment of the debate on the question under discussion. In addition to the proposer of the motion, two speakers may speak in favour of, and two against, the motion, after which the motion shall immediately be put to the vote.

Rule 41

A representative may at any time move the closure of the debate on the question under discussion, whether or not any other representative has signified the wish to speak. If a request is made for permission to speak against closure, it may be accorded to not more than two speakers, after which the motion shall immediately be put to the vote. If the Meeting of the Parties decides in favour of closure, the President shall declare the debate closed. The Meeting of the Parties shall thereafter vote only on proposals moved before the closure.

Rule 42

The following motions shall have precedence in the order indicated below over all other proposals or motions, except a point of order:

- (a) to suspend the meeting;
- (b) to adjourn the meeting;
- (c) to adjourn the debate on the question under discussion;
- (d) to close the debate on the question under discussion.

Rule 43

Subject to Rule 42, any motion calling for a decision on the competence of the Meeting of the Parties to discuss any matter, or to adopt a proposal or an amendment to a proposal submitted to it, shall be put to the vote before a vote is taken on the proposal or amendment in question.

Rule 44

A representative may move that parts of a proposal or of an amendment shall be voted on separately. If an objection is made to the request for a division, the President shall permit two representatives to speak, one in favour of and the other against the request, after which it shall be put immediately to the vote. The President may limit the time allowed to each speaker. If the motion for division is carried, those parts of the proposal, or of the amendment which are subsequently approved, shall be put to the vote as a whole. If all operative parts of the proposal or the amendment have been rejected, the proposal or the amendment shall be considered to have been rejected as a whole.

Rule 45

1. When an amendment to a proposal is moved, the amendment shall be voted on first. When two or more amendments to a proposal are moved, the Meeting of the Parties shall first vote on the amendment deemed by the President to be furthest removed in substance from the original proposal, and then on the amendment next removed therefrom, and so on, until all the amendments have been put to the vote. Where, however, the adoption of one amendment necessarily implies the rejection of another amendment, the latter amendment shall not be put to the vote.

2. If one or more amendments are adopted, the amended proposal shall then be voted upon. If an amendment to a proposal has been accepted by the original proposer, such an amendment shall be deemed to be an integral part of the original proposal and no separate vote shall be required thereon. A motion is considered an amendment to a proposal if it merely adds to, deletes from or revises part of the proposal.

3. A motion which constitutes a substitution for a proposal shall be considered as a proposal.

Rule 46

If two or more proposals relate to the same question, the Meeting of the Parties, unless it decides otherwise, shall vote on the proposals in the order in which they have been submitted. The Meeting of the Parties may, after each vote on a proposal, decide whether to vote on the next proposal.

Rule 47

A proposal or motion may be withdrawn by its proposer at any time before voting on it has commenced, provided that the proposal or motion has not been amended. A proposal or motion thus withdrawn may be reintroduced by any Party.

Rule 48

When a proposal has been adopted or rejected, it may not be reconsidered at the same session, unless the Meeting of the Parties, by a two thirds majority of the Parties present and voting, so decides. Permission to speak on a motion to reconsider shall be accorded only to the proposer, to one speaker in favour of and two speakers opposing the motion, after which it shall immediately be put to a vote. The correction of a clerical or arithmetical error in any document concerning a proposal that has already been adopted shall not be considered as requiring the reopening of the debate on such a proposal by a two thirds majority vote.

VOTING

Rule 49

1. Each Party shall have one vote, except as provided for in paragraph 2.
2. Regional economic integration organizations, in matters within their competence, shall exercise their right to vote with a number of votes equal to the number of their Member States that are Parties to the Protocol. Such an organization shall not exercise its right to vote if any of its Member States exercises its right, and vice versa.

Rule 50

1. Decisions on budgetary and financial matters shall be taken by consensus and in conformity with the financial rules referred to in Article 33 of the Protocol.
2. For all other decisions, the Meeting of the Parties shall make every effort to reach agreement by consensus.
3. If all efforts to reach consensus on decisions referred to in paragraph 2 have been exhausted and no agreement has been reached, the Meeting of the Parties shall proceed as a last resort as follows:
 - (a) decisions on substantive matters shall be taken by a three fourths majority vote of the Parties present and voting, unless otherwise provided by the Protocol, or by these Rules;
 - (b) decisions on procedural matters shall be taken by a majority vote of the Parties present and voting.
4. The President shall rule on any question of whether a matter is procedural or substantive. Any appeal against this ruling shall immediately be put to the vote. The President's ruling shall stand unless overruled by a majority of the Parties present and voting.

Rule 51

1. Voting, except for elections, shall normally be by show of hands. A roll-call vote shall be taken at the request of any Party. The roll-call shall be taken in the English alphabetical order of the names of the Parties. The name of the Party to vote first shall be determined by lot.
2. The Meeting of the Parties may vote on any matter by secret ballot if it has previously so decided by a majority of the Parties present and voting, provided that no secret ballot may be taken on budgetary questions. A decision under this Rule whether or not to vote by secret ballot may only be taken by a show of hands; if the Meeting of the Parties has decided to vote on a particular question by secret ballot, no other mode of voting may be requested or decided upon.
3. When the Meeting of the Parties votes by mechanical means, a non-recorded vote shall replace a vote by show of hands and a recorded vote shall replace a roll-call.
4. The vote of each Party participating in a roll-call or recorded vote shall be included in the records of the session.

Rule 52

1. After the President has announced the beginning of voting, no representative shall interrupt the voting except on a point of order in connection with the actual conduct of the voting.

2. After the voting has been completed, the President may permit Parties to make a brief statement, consisting solely of an explanation of vote. A sponsor of a proposal shall not speak in explanation of vote thereon, except if it has been amended. The President may limit the time to be allowed for such explanations.

Rule 53

Elections shall be held by secret ballot, except that, in the absence of any objection, the Meeting of the Parties may decide to proceed without taking a ballot on an agreed candidate or list of candidates. Where a ballot is required, two tellers appointed by the President from among the delegations present shall assist in the counting of votes.

Rule 54

1. When only one person or one Party is to be elected and no candidate obtains in the first ballot a majority of the votes cast by the Parties present and voting, a second ballot restricted to the two candidates obtaining the largest number of votes shall be taken. If in the second ballot the votes are equally divided, the President shall decide between the candidates by drawing lots.

2. When two or more elective places are to be filled at one time under the same conditions, those candidates obtaining in the first ballot the largest number of votes and a majority of the votes cast by the Parties present and voting shall be elected.

3. If the number of candidates obtaining such majority is less than the number of persons or Parties to be elected, there shall be additional ballots to fill the remaining places, the voting being restricted to the candidates obtaining the greatest number of votes in the previous ballot to a number not more than twice the places remaining to be filled; provided that, after the third inconclusive ballot, votes may be cast for any eligible person or Party.

4. If three such unrestricted ballots are inconclusive, the next three ballots shall be restricted to the candidates who obtained the greatest number of votes in the third of the unrestricted ballots, to a number not more than twice the places remaining to be filled, and the following three ballots thereafter shall be unrestricted, and so on until all the places have been filled.

Rule 55

In an election each representative, unless he or she abstains, shall vote for that number of candidates equal to the number of elective places to be filled. Any ballot paper on which there are more or fewer names than there are elective places to be filled shall be null and void.

Rule 56

If during an election one or more elective places cannot be filled by reason of an equal number of votes having been obtained by two or more candidates, a ballot shall be held among such candidates to determine which of them will be elected. This procedure may be repeated if necessary.

LANGUAGES AND RECORDS

Rule 57

Arabic, Chinese, English, French, Russian and Spanish shall be both the official and the working languages of the Meeting of the Parties.

Rule 58

1. Statements made in an official language shall be interpreted into the other official languages.
2. A representative of a Party may speak in a language other than an official language if the Party provides for interpretation into one of the official languages. Interpretation into the other official languages by interpreters of the Secretariat may be based on the interpretation given in the first such language.

Rule 59

All official documents of the Meeting of the Parties shall be made available in all the working languages.

Rule 60

Verbatim records of plenary meetings of the Meeting of the Parties and reports of each session of the Meeting of the Parties and each session of its subsidiary bodies shall be made in the six working languages. Reports shall reflect the proceedings and incorporate any decisions and resolutions and shall be prepared by the Rapporteur with the support of the Secretariat, and provisionally adopted before the close of the session.

Rule 61

Recordings of the meetings of the Meeting of the Parties, and, whenever possible, of the subsidiary bodies, shall be kept by the Secretariat.

Rule 62

The provisional version of the reports referred to in Rule 60 shall be sent as soon as possible to delegations, who shall inform the Secretariat in writing not later than fifteen days after the date of receipt of any corrections they wish to have made.

Rule 63

As soon as possible after the close of a public or open session or meeting, the Secretariat shall transmit the report to all Parties and observers. The reports of restricted meetings shall be transmitted to participants only.

Rule 64

The reports of all public and open sessions or meetings and verbatim records of plenary meetings of the Meeting of the Parties shall be published.

Rule 65

The Head of the Secretariat shall issue in the working languages for the convenience of participating delegations, in the form of a daily *Journal* of the session, a summary account of the proceedings of plenary meetings, and of public meetings of committees and subcommittees.

AMENDMENT OF RULES OF PROCEDURE

Rule 66

These Rules of Procedure may be amended by consensus by the Meeting of the Parties.

OVERRIDING AUTHORITY OF THE PROTOCOL

Rule 67

In the event of any conflict between any provision of these Rules and any provision of the Protocol, the Protocol shall prevail.

(First plenary meeting, 8 October 2018)

FCTC/MOP1(2) Election of the President and the five Vice-Presidents of the Meeting of the Parties to the Protocol to Eliminate Illicit Trade in Tobacco Products

The Meeting of the Parties (MOP),

Pursuant to Rule 21 of the Rules of Procedure of the Meeting of the Parties to the Protocol to Eliminate Illicit Trade in Tobacco Products,

1. ELECTS the following officers to constitute the Bureau of the MOP at its First and Second sessions:

President: Mr Carlos Cisneros (Ecuador)

Vice-Presidents: Dr Khoold Al-Mutawaa (Qatar)
Dr Leausa Take Naseri (Samoa)
Dr Lakshmi Somatunga (Sri Lanka)
Mrs Elisa Fantidou (Cyprus)
Dr Oumar Ba (Senegal)

2. DECIDES that, of the five Vice-Presidents, the following should act as Rapporteur:

Rapporteur: Dr Leausa Take Naseri (Samoa)

(First plenary meeting, 8 October 2018)

FCTC/MOP1(3) Adoption of the agenda

The First session of the Meeting of the Parties to the Protocol to Eliminate Illicit Trade in Tobacco Products adopted the provisional agenda, with the addition of one item: 7.1bis Maximizing transparency of delegations from Parties and observers to the Meeting of the Parties, its subsidiary bodies and other Protocol meetings.

(First plenary meeting, 8 October 2018)

FCTC/MOP1(4) Attendance of States Parties to the WHO FCTC, States non-Parties to the WHO FCTC, Regional Economic Integration Organizations, International Intergovernmental Organizations and Nongovernmental Organizations to the First session of the Meeting of the Parties to the Protocol to Eliminate Illicit Trade in Tobacco Products

The Meeting of the Parties (MOP),

Recalling Rules 29, 30 and 31 of the Rules of Procedure of the Conference of the Parties (COP) to the WHO Framework Convention on Tobacco Control (WHO FCTC) on the status of observers,

1. DECIDES to invite the following categories of actors to attend its open and public sessions of its first session:

- (a) States Parties to the WHO FCTC that are not Parties to the Protocol;
- (b) Member States of WHO that are non-Parties to the WHO FCTC;
- (c) international intergovernmental organizations with observer status to the COP to the WHO FCTC;
- (d) nongovernmental organizations with observer status to the COP to the WHO FCTC;

2. FURTHER DECIDES to invite regional economic integration organizations, international intergovernmental organizations and nongovernmental organizations to apply for observer status to the Second and subsequent sessions of the MOP, bearing in mind the following:

- (a) any such organization must have the endorsement of its governing body in applying for observer status to the MOP;
- (b) any such organization must be free of any association with or influence from the tobacco industry, in line with Article 5.3 of the WHO FCTC and its guidelines as adopted by COP, including not partnering with or receiving funds from the tobacco industry or any other commercial entity with a vested interest.

(First plenary meeting, 8 October 2018)

FCTC/MOP1(5) Cooperation with competent International And Regional Intergovernmental Organizations, including financial and development institutions

The Meeting of the Parties (MOP),

Recalling Article 34.2(e) of the Protocol to Eliminate Illicit Trade on Tobacco Products (the Protocol) on the Convention Secretariat's function to ensure coordination with competent international and regional intergovernmental organizations (IGOs) and other bodies;

Recognizing that Article 35 of the Protocol provides that the Meeting of the Parties (MOP) may request the cooperation of competent international and regional IGOs, including financial and development institutions;

Recognizing also that the participation of representatives of the Convention Secretariat in the meetings of the governing bodies of other IGOs will help to raise the profile of the Protocol and will enhance cooperation to achieve the Protocol's objectives,

1. REQUESTS the Convention Secretariat:
 - (a) to conduct a comprehensive review of IGOs that can contribute to the implementation of the Protocol;
 - (b) to seek to establish formal cooperative relations with relevant IGOs and to seek to participate in the meetings of the governing bodies of these organizations in order to promote the visibility of the Protocol and the activities related to it;
 - (c) to actively participate in international or regional meetings related to illicit trade in tobacco products in order to promote the Protocol and the activities related to it;
 - (d) to report back to the Second session of the MOP on progress;
2. INVITES competent international and regional IGOs, including financial and development institutions:
 - (a) to support the implementation of the Protocol in accordance with their mandates and expertise and, in line with Article 5.3 of the WHO Framework Convention on Tobacco Control, to prevent undue interference from the tobacco industry and industries with other vested interests;
 - (b) to apply for observer status to the MOP on the basis of their expertise and according to the rules of their own governing bodies as well as the Rules of Procedure of the Meeting of the Parties;

(Second plenary meeting, 10 October 2018)

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)
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(Second plenary meeting, 10 October 2018)

FCTC/MOP1(7) Timelines for evidence-based research (Articles 6.5 and 13.2)

The Meeting of the Parties (MOP),

Considering the report contained in document FCTC/MOP/1/11 prepared by the Convention Secretariat;

Recognizing that the Protocol to Eliminate Illicit Trade in Tobacco Products (the Protocol) requires that the MOP, five years after entry into force of the Protocol, ensures that evidence-based research is conducted according to Article 6.5 on key inputs essential to the manufacture of tobacco products that can be subject to an effective control mechanism, and according to Article 13.2 on the extent of illicit trade in tobacco products related to duty free sales of such products,

1. DECIDES to request the Convention Secretariat:
 - (a) to identify research needs and gaps relevant to Articles 6.5 and 13.2 of the Protocol;
 - (b) to present at the Second session of the MOP a detailed road map setting out the timelines and steps to conduct the evidence-based research foreseen by Articles 6.5 and 13.2 of the Protocol, fully respecting Article 4.2 of the Protocol and Article 5.3 of the WHO Framework Convention on Tobacco Control.

(Second plenary meeting, 10 October 2018)

FCTC/MOP1(8) Financial resources and mechanisms of assistance

The Meeting of the Parties (MOP),

Noting the information provided in document FCTC/MOP/1/13;

Recognizing the urgent need for all Parties to implement fully the Protocol to Eliminate Illicit Trade in Tobacco Products (Protocol);

Recognizing also the urgent need for assistance to developing country Parties and Parties with economies in transition to support them in their implementation of the Protocol;

Considering the technical and financial assistance and capacity-building needed to support implementation of the Protocol;

Acknowledging that technical and financial assistance and capacity-building are crucial for the success of the Protocol, especially in developing countries and countries with economies in transition;

Mindful of the need to further develop and to adopt standards and best practices in the implementation of the provisions of the Protocol,

- a. URGES Parties:
- (a) to engage in international cooperation and share best practices in the implementation of the Protocol with other Parties, especially with developing countries and countries with economies in transition;
 - (b) to encourage international financial institutions, and other intergovernmental organizations, to identify resources, based on specific requests, for developing Parties and Parties with economies in transition for the implementation of the Protocol;
- b. REQUESTS the Convention Secretariat, under the guidance of the Bureau of the MOP, to develop a strategy to present to the Second session of the Meeting of the Parties that includes, among other things:
- (a) technical and financial support needed by the Parties for implementing the Protocol;
 - (b) available capacity-building and technical resources to the Parties for implementing the Protocol;
 - (c) recommendations on the development of new mechanisms of assistance;
 - (d) mechanisms for cooperation with international financial and development organizations

(Second plenary meeting, 10 October 2018)

FCTC/MOP1(9) Progress towards the entry into force of the Protocol to Eliminate Illicit Trade in Tobacco Products

The Meeting of the Parties (MOP),

Recognizing the work carried out by the Convention Secretariat to promote the entry into force of the Protocol to Eliminate Illicit Trade in Tobacco Products (Protocol) since its adoption by decision FCTC/COP5(1);

Recalling decision FCTC/COP6(6) mandating the Convention Secretariat to establish a panel of experts on the Protocol to Eliminate Illicit Trade in Tobacco Products (Panel of Experts);

Recalling also decision FCTC/COP7(6) requesting the Panel of Experts to intensify its work and establishing priorities for its work;

Noting with satisfaction and appreciation the outcome of the work of the Panel of Experts and welcoming the reports in documents FCTC/MOP/1/6 and FCTC/MOP/1/7,

- a. CALLS UPON all Parties to the WHO Framework Convention on Tobacco Control (WHO FCTC) that have not done so to ratify, accept, approve, formally confirm or accede to the Protocol at the earliest opportunity, with a view to a more comprehensive membership of the Protocol;
- b. CALLS UPON all Parties to the WHO FCTC to advocate and support the implementation of the Protocol, including at appropriate forums of the World Customs Organization (WCO), the United Nations Office on Drugs and Crime (UNODC), the World Trade Organization (WTO), World Bank and other relevant international organizations of which they are members;
- c. REQUESTS the Convention Secretariat:

- (a) to continue to promote, as a priority, the ratification or accession of the Protocol as well as its implementation;
- (b) to develop a database of experts, including from Parties, and institutions that can provide Parties, upon request, with technical and legal advice, including on customs, free zones and international transit (Article 12), tax administration and enforcement, and facilitate exchanges of information, experiences and challenges among Parties, as well as through coordination with IGOs and other relevant organizations in accordance with Article 5.3 of the WHO FCTC, to implement effective coordination on these issues, including on existing best practices and opportunities in implementation of the provisions of the Protocol;
- (c) to continue its engagement with WHO and other relevant international intergovernmental and nongovernmental organizations to support the implementation of the Protocol;
- (d) to support the Working Group established by decision (FCTC/MOP1(6)), specifically with a view to put into place a road map for the setting up and implementation of tracking and tracing systems as outlined in Article 8, including the global information-sharing focal point (Article 8.1) and unique identification markings on packets and packages of cigarettes and other tobacco products (Article 8.3) in order to specify follow-up steps;
- (e) to report on the activities carried out to the Second session of the Meeting of the Parties to the Protocol to Eliminate Illicit Trade in Tobacco Products.

(Second plenary meeting, 10 October 2018)

FCTC/MOP1(10) Working group on assistance and cooperation

The Meeting of the Parties (MOP),

Noting the reports prepared by the Convention Secretariat contained in documents FCTC/MOP/1/7, FCTC/MOP/1/13 and FCTC/MOP/1/14;

Recalling Article 32.1 of the Protocol to Eliminate Illicit Trade in Tobacco Products (Protocol), which stipulates that “each Party shall submit to the Meeting of the Parties, through the Convention Secretariat, periodic reports on its implementation of this Protocol”;

Considering that information sharing, in accordance with Articles 20, 21 and 22 of the Protocol, will contribute to the strengthening of implementation of the Protocol by its Parties;

Recalling Article 32.4, of the Protocol, which stipulates that “the Meeting of the Parties, pursuant to Articles 33 and 36, shall consider arrangements to assist developing-country Parties and Parties with economies in transition, at their request, in meeting their obligations under this Article”;

Recognizing the need to further advance the utilization of information received through the Parties’ reports for, among other things, establishing implementation trends and promoting the implementation of the Protocol by individual Parties;

Considering that enforcement information sharing in accordance with Article 21, and mutual administrative assistance, in accordance with Article 28, can make key contributions to reaching the core objective of the Protocol;

Highlighting in that perspective the critical role that assistance and cooperation, in accordance with Articles 12, 23, 24 and 29 of the Protocol, can play in strengthening implementation of the Protocol among all Parties;

Noting the importance of implementing the various mechanisms for cooperation foreseen by the Protocol in a coordinated fashion,

1. ENCOURAGES Parties to the Protocol to comply with their reporting obligations under the Protocol and provide as complete and timely reports as possible;
2. DECIDES:
 - (a) to establish a working group to deal with matters related to enforcement information sharing (in accordance with Article 21), assistance and cooperation (in accordance with Article 23), mutual administrative assistance (in accordance with Article 28), investigation and prosecution of offences (in accordance with Article 24) and mutual legal assistance (in accordance with Article 29) in accordance with the terms of reference annexed to this decision;
 - (b) to request the Working Group to report on the outcome of its work to the Second session of the MOP;
 - (c) to request the Working Group to promote the exchange of good practice to implement Article 12, and to report on the outcome of its work to the Second session of the MOP;
3. REQUESTS the Convention Secretariat:
 - (a) to make the reporting module available to the Parties to the Protocol until 1 June 2019;
 - (b) to develop a reporting module for the Protocol, drawing from the experience and structure of the reporting instrument for the WHO Framework Convention on Tobacco Control (WHO FCTC), and a set of step-by-step instructions to support the Parties in their utilization of the module;
 - (c) to announce the first reporting cycle for the Protocol for 2020, according to the same timeline as for the WHO FCTC;
 - (d) to make arrangements to provide assistance, upon request, to the Parties in meeting their reporting obligations under the Protocol;
 - (e) to allow for the broad dissemination of reported data to the extent possible, subject to domestic laws regarding confidentiality and privacy, to ensure that the reporting and information exchange processes result in shared learning and a better understanding of the effective interventions under the Protocol;
 - (f) to submit a report to the Second session of the MOP based on the initial experience with the reporting and information sharing arrangements under the Protocol;
 - (g) to make the necessary arrangements for the Working Group in accordance with the terms of reference annexed to this decision, including budgetary arrangement for the Working Group to complete its work.

ANNEX

**Terms of reference for the working group on
assistance and cooperation**

Background

Article 12 of the Protocol to Eliminate Illicit Trade in Tobacco Products (Protocol) stipulates obligations to Parties regarding free zones and international transit.

Article 21 of the Protocol stipulates that Parties shall, subject to domestic law or any applicable international treaties, where appropriate, exchange, on their own initiative or on the request of a Party that provides due justification that such information is necessary for the purpose of detection or investigation of illicit trade in tobacco, tobacco products or manufacturing equipment the information referred to in subparagraphs (a) to (e) to Article 21.

Article 23 of the Protocol requires that Parties cooperate with one another in providing training, technical assistance and cooperation in scientific, technical and technological matters. This involves expertise sharing, as well as the possible development of multilateral, regional or bilateral arrangements.

Article 24 of the Protocol stipulates that Parties shall, in accordance with their domestic law, take all necessary measures, where appropriate, to strengthen cooperation by multilateral, regional or bilateral arrangements for the prevention, detection, investigation, prosecution and punishment of natural or legal persons engaged in illicit trade in tobacco, tobacco products or manufacturing equipment.

Article 28 of the Protocol stipulates that Parties should cooperate with each other on mutual administrative assistance. This involves the exchange of information for the prevention, detection, investigation, prosecution and combating illicit trade in tobacco, tobacco products or manufacturing equipment.

Article 29 of the Protocol stipulates that Parties shall afford one another the widest measure of mutual legal assistance in investigations, prosecutions and judicial proceedings in relation to criminal offences established in accordance with Article 14 of the Protocol.

Objectives

To develop options for the exchange of enforcement-related information in order to have detection and enforcement (Article 21); training, technical assistance and cooperation (Article 23); investigation and prosecution of offences (Article 24); the implementation of mutual administrative assistance (Article 28); and mutual legal assistance (Article 29) for consideration by Parties at the Second session of the MOP.

To promote the exchange of good practices with regard to free zones and international transit (Article 12).

Mandate

The working group should develop options – including relevant practical, legal and IT aspects – in view of setting up a framework allowing Parties to exchange enforcement information and to provide mutual administrative assistance, with due consideration to requirements of confidentiality of information, data protection and adequate legal bases.

The working group should develop options for advancing implementation of Article 23, proposing priority areas for consideration at the Second session of the MOP.

The working group will also promote the exchange of good practice in accordance with MOP decision MOP1(10).

The working group shall propose priorities for assistance and cooperation (Article 24) and for mutual legal assistance (Article 29).

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.

Assistance from the Convention Secretariat

Pending availability of funds, at least two face-to-face meetings of the working group are envisaged between the First and Second sessions of the MOP; in addition, the group shall use web-based technologies for communication during the conduct of its work and for consulting the other Parties to the Protocol on the draft guidelines that the group has developed.

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

Timetable

Develop the draft guidelines, as requested, accessible by 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 Conference of the Parties)

(Second plenary meeting, 10 October 2018)

FCTC/MOP1(11) Coordination among the Governing Bodies of the WHO Framework Convention on Tobacco Control and the Protocol to Eliminate Illicit Trade in Tobacco Products

The Meeting of the Parties (MOP),

Recognizing the important role of the governing bodies of the WHO Framework Convention on Tobacco Control (WHO FCTC) and of the Protocol to Eliminate Illicit Trade in Tobacco Products (the Protocol) to provide guidance and policy directions on the implementation of the two treaties;

Reaffirming the need to ensure policy coherence through a coordinated policy-making process between the governing bodies under the two treaties;

Acknowledging the need to restructure the Convention Secretariat to better serve the two treaties and their governing bodies, building on the existing structure of the Convention Secretariat;

Mindful that learning from the experience of other conventions and treaties on the coordination among governing bodies under the conventions and their protocols and agreements will be beneficial to governing bodies of the WHO FCTC and the Protocol;

Taking note of the report contained in the Conference of the Parties (COP) document FCTC/COP8/28 and the report contained in the MOP document FCTC/MOP/1/15,

1. DECIDES to establish as a formal requirement for Parties hosting a regular session of the COP to also host a session of the MOP immediately following the COP at the same geographical location and under the same circumstances, regardless of whether the host Party is a Party to the Protocol;
2. REQUESTS the Convention Secretariat:
 - (a) to gather experience from other treaty governing bodies of the conventions and their protocols and update the Bureaus of the COP and the MOP on the findings;
 - (b) to explore and implement possible approaches to facilitate coordination, as presented in the document, under the guidance of the Bureaus elected by the COP and the MOP;
 - (c) to report on progress at the Second session of the MOP and the Ninth session of the COP;
3. INVITES the Director-General of WHO to note recommendations of the Bureaus elected by the COP and the MOP and to facilitate the proposal for restructuring of the Convention Secretariat, including but not limited to human resources issues and related matters.

(Second plenary meeting, 10 October 2018)

FCTC/MOP1(12) Appointment of the Head of the Convention Secretariat and renewal of the Term of Office

The Meeting of the Parties (MOP),

Recalling decisions FCTC/COP1(10) on the establishment of a permanent secretariat of the Convention, FCTC/COP4(6) on the Head of the Convention Secretariat, FCTC/COP5(20) on the role of the Bureau of the Conference of the Parties (COP) and FCTC/COP5(21) on the appointment and renewal of the term of office of the Head of the Convention Secretariat;

Taking note of the recommendations by the Bureau of the COP contained in document FCTC/COP/6/25 and of decision FCTC/COP6(22) on the establishment of a process for the appointment of the Head of the Convention Secretariat, term of office and possible renewal of the term of office;

Noting decision FCTC/COP8(8) by which the COP established a process for the selection of the Head of the Convention Secretariat and renewal of the term of office;

Underscoring the importance of a rigorous, transparent and merit-based process to attract the best candidates, and ensure the selection of the most qualified individual;

Considering the report in document FCTC/MOP/1/16 prepared by the Convention Secretariat,

1. DECIDES to endorse the process for the selection and appointment of the Head of the Convention Secretariat adopted by COP through decision FCTC/COP8(8), and the following conditions for the renewal of the term of office:

- (a) the Bureau of the COP – in consultation with the regional coordinators of the COP and of the Meeting of the Parties to the Protocol to Eliminate Illicit Trade in Tobacco Products (MOP), the Bureau of the MOP and the WHO Secretariat – shall prepare a job description for the position of Head of the Convention Secretariat and the selection criteria for the selection of candidates, taking into consideration the provisional selection criteria as contained in the Annex to this decision. The job description shall be based on the existing job description, Article 24.3 and other relevant Articles of the WHO FCTC and its Protocol, taking into account deliberations made by the COP at its Eighth session;
- (b) the Bureau of the COP shall submit the job description to the WHO Director-General no later than eight months before the contract of the incumbent ends;
- (c) the COP shall invite the WHO Director-General: to advertise the post of Head of the Convention Secretariat, as submitted by the Bureau, no later than 30 days after receiving it; to ensure wide circulation of the advertised post, including by informing and inviting Parties to the WHO FCTC to encourage qualified candidates to apply using the WHO standard form for a curriculum vitae, limited to 3500 words, and to utilize the WHO Secretariat services to screen applications and perform reference checks;
- (d) the WHO Secretariat services shall forward to the COP Bureau and the MOP Bureau a complete list of all applications received, along with recommendations as to which candidates should be shortlisted and brief reasons for the recommendations;
- (e) the COP Bureau, in consultation with the MOP Bureau and with the support of one representative of the WHO Director-General, shall decide on an initial shortlist of no more than six candidates to be interviewed whom it considers to be the most qualified taking into account the job description and the criteria set out in the Annex to this decision;
- (f) the WHO Secretariat services shall, for transparency purposes, communicate the list of candidates and the shortlist of candidates to be interviewed to the Parties of the WHO FCTC, through a dedicated and protected website to ensure at the same time the confidentiality of the process;
- (g) following the interviews, the COP Bureau in consultation with the MOP Bureau, shall select the suitable candidate and recommend to the WHO Director-General a single candidate;
- (h) the COP regional coordinators, as referred to in Rule 24quater of the Rules of Procedure of the Conference of the Parties, and MOP regional coordinators will be invited to observe the complete selection process and will facilitate two-way communication with the Parties in their respective regions;
- (i) the appointment of the Head of the Convention Secretariat shall be made by the WHO Director-General, in consultation with the President of the COP and the President of the MOP;

- (j) the term of office of the third and subsequent Heads of the Convention Secretariat shall be for a period of four years, with the possibility of a single renewal for a further four years following the process described above in operative paragraphs 1(a) to 1(h);

2. FURTHER DECIDES to mandate the MOP Bureau to make recommendations to the MOP at its Second session on the above-mentioned appointment process based on the experience gained and comments received from Parties intersessionally and on any other matters that should be considered for future appointments.

ANNEX

CRITERIA FOR THE SELECTION OF CANDIDATES FOR THE POSITION OF HEAD OF THE CONVENTION SECRETARIAT

1. A strong technical, policy background and knowledge, as well as substantive experience, in public health and international cooperation.
2. Experience in international health, including working with international organizations and Member States, and maintaining strong links with the international tobacco control community, and preferably working experience in developing countries.
3. Demonstrable leadership skills and experience, including the ability to translate into action the COP's and MOP's vision for the Convention and the Protocol to Eliminate Illicit Trade in Tobacco Products.
4. Proven ability to deal effectively with the media, academic groups, United Nations entities, industry, political leaders, civil society, as well as public health and anti-illicit trade specialists.
5. Excellent communication and advocacy skills, including the ability to build consensus and the commitment to improve coordination with relevant United Nations entities.
6. Demonstrable competence in organizational management and financing for complex health-related organizations, including the ability to analyse organizational problems and find adequate solutions as well as to effectively mobilize resources to support the implementation of the Convention and the Protocol.
7. Sensitivity to cultural, social and political differences.
8. A strong commitment to the objectives and implementation of the Convention and the Protocol as well as to evidence-based promotion and protection of public health, in accordance with the principles of the Convention and the Protocol.
9. A health record compatible with carrying out the duties of the post.
10. Proven integrity and independence, including the ability to protect the Convention and the Protocol from commercial and other vested interests of the tobacco industry.
11. Proficiency in at least one of the six official languages of WHO and sufficient skills in a second official language.

(Second plenary meeting, 10 October 2018)

FCTC/MOP1(13) Code of conduct and Declaration of Interest for the Members of the Bureau and the Regional Coordinators of the Meeting of the Parties to the Protocol to Eliminate Illicit Trade in Tobacco Products and on proposed measures preventing and addressing possible Conflicts of Interest at the Convention Secretariat

The Meeting of the Parties (MOP),

Taking into account the 18th preambular paragraph and Article 5.3 of the WHO Framework Convention on Tobacco Control (WHO FCTC);

Taking also into account Rules 6, 9, 19, 21–24, 24bis, 24ter and 24quater of the Rules of Procedure of the Meeting of the Parties to the Protocol to Eliminate Illicit Trade in Tobacco Products (Protocol);

Recognizing the central role Members of the Bureau of the MOP and Regional Coordinators play during the intersessional periods;

Acknowledging that Members of the Bureau of the MOP and Regional Coordinators, by virtue of their role in providing guidance to the Convention Secretariat on the implementation of the workplans and budgets adopted by the MOP, have access to privileged information in relation to the work of the Convention Secretariat and the implementation of the Protocol;

Recognizing the central role of the staff members of the Convention Secretariat in supporting the implementation of the Protocol and their access to privileged information needed for this task;

Having considered the report contained in document FCTC/MOP/1/17 submitted by the Convention Secretariat,

URGES Parties:

- a) to accelerate and strengthen implementation of Article 5.3 of the WHO FCTC and its guidelines;
- b) to remain vigilant of tobacco industry efforts to undermine implementation of the Protocol;
- c) to nominate the candidates to be elected as Members of the Bureau of the MOP and Regional Coordinators, in line with Article 5.3 and recommendations 4.9 and 8.3 of its Guidelines;

DECIDES:

- d) to adopt the Code of Conduct for the Members of the Bureau and Regional Coordinators of the MOP and the Declaration of Interest form therein contained, as proposed in document FCTC/MOP/1/17;
- e) that, upon their election, Members of the Bureau and Regional Coordinators of the MOP shall abide by the provisions of the above-mentioned Code of Conduct during their tenure;
- f) that, upon their election, Members of the Bureau and Regional Coordinators of the MOP shall submit, on a mandatory basis, the Declaration of Interest form contained in document FCTC/MOP/1/17;

REQUESTS the Convention Secretariat:

- g) to keep the Parties to the Protocol informed on the status of implementation of this decision by members of the Bureau and Regional Coordinators;
- h) to work and consult with WHO on the development of a Declaration of Interest form or appendix to the existing form applicable to all Convention Secretariat staff and personnel and agree on measures to be taken with respect to potential or actual conflicts of interest with the tobacco industry and its front groups and other vested commercial interests as appropriate;
- i) to keep records of the submitted Declaration of Interest forms and report to the Bureau any potential conflict of interest emerging from the Declaration of Interest forms;
- j) to report to the Ninth session of the Conference of the Parties and Second session of the MOP on the progress of the implementation of this decision.

Annex

Code of Conduct for the Members of the Bureau and the Regional Coordinators of the Meeting of the Parties to the Protocol to Eliminate Illicit Trade in Tobacco Products

I Objective

1. The objective of this Code of Conduct (Code) is to ensure the effective execution of the Bureau's functions and duties as set out in the Rules of Procedure (Rules 6, 9, 19 and 21–24 quater) of the Meeting of the Parties (MOP) to the Protocol to Eliminate Illicit Trade in Tobacco Products.
2. The exercise of these functions should be in line with the objectives and provisions of the WHO Framework Convention on Tobacco Control (hereinafter WHO FCTC), with particular regard to Article 5.3 and the Guidelines for its implementation.
3. To this end, this Code establishes a set of operational principles and ethical standards to guide the functions and duties of the Members of the Bureau and the Regional Coordinators of the MOP to the Protocol who participate in the intersessional meetings of the Bureau, in accordance with Rule 24bis of the Rules of Procedure of the MOP (hereinafter referred to as "Members").
4. For the purposes of this text, the reference to "the functions and duties" of the Members shall be considered to exclusively refer to the functions and duties the Members exercise as Members of the Bureau and as Regional Coordinators, respectively.

II Guiding principles

5. To achieve the objective of this Code in performing their functions and duties, the Members shall be guided by the purpose, objectives and provisions of the WHO FCTC and its protocols:
 - (a) Members shall be aware of all efforts of the tobacco industry to oppose and challenge implementation of the Protocol at the national, regional and global levels;
 - (b) Members shall, in accordance with Article 5.3 of the WHO FCTC and its Guidelines, act to protect the setting and implementation of health policies from commercial and other vested interests;
 - (c) Members shall perform their functions and duties in accordance with the objectives of the WHO FCTC as set out in Article 3, namely to protect present and future generations from the devastating health, social, environmental and economic

consequences of tobacco consumption and from exposure to tobacco smoke, while ensuring integrity and loyalty; and

- (d) Members shall not use their term of office or information gained from their functions as Members of the Bureau and Regional Coordinators for private gain, financial or otherwise, or for the private gain of any third party, including family, friends and those they favour.

III Duty of the Members

- 6. In carrying out their functions and duties, it shall be the duty of the Members:
 - (a) to protect the implementation of the Protocol against the influence of and interference by commercial and other vested interests of the tobacco industry or vested interests of economic and commercial actors whose main part of business is related to the implementation of the Protocol;
 - (b) to interact with the tobacco industry exclusively when it is strictly necessary for the effective carrying out of their functions;
 - (c) to ensure that there is transparency in their relations and interactions, as required, with the tobacco industry; and
 - (d) to promote, within their respective countries, strong measures to ensure full implementation of Article 5.3 of the WHO FCTC and its Guidelines.

IV Conflicts of interest

- 7. Conflicts of interest include, but are not limited to, personal, financial or other interests such as:
 - (a) having ownership or investment in the tobacco industry;
 - (b) being a member of the Board of Directors, an officer, employee or consultant of a tobacco corporation, or a partner in a partnership in the tobacco industry; and
 - (c) receiving a financial contribution from the tobacco industry as set out in Section VII of this document.
- 8. The Members shall prevent any actual, potential or apparent conflict of interest from arising, which may arise where a Member:
 - (a) deals with a matter conflicting with the spirit, objectives and provisions of the WHO FCTC and its protocols, and where he or she is in a position to influence the matter, directly or indirectly;
 - (b) holds an official position or offers services to another person or private body that conflicts with the functions of the Bureau as set out in Rules 6, 9, 19 and 21–24quater and any other relevant rules of the Rules of Procedure; or
 - (c) accepts any favour, gift or remuneration to influence his or her actions as Member of the Bureau.

V Declaration of Interest

- 9. Each Member shall complete and sign the Declaration of Interest (DOI) form upon accepting their appointment and shall commit to adhering to the present Code, informing the Bureau of any links with the tobacco industry that may give rise to an actual or

perceived conflict of interest. The Member shall keep the Bureau updated of any changes to their DOI.

VI Confidentiality

10. Members are responsible for exercising discretion in all matters of official business and must refrain from divulging confidential information. All information and documentation Members have access to by virtue of their tenure are the intellectual property of WHO acting in representation of the Convention Secretariat and are protected by the immunities and the inviolability of archives granted to WHO under the Convention on the Privileges and Immunities of the Specialized Agencies, relevant host agreements and principles of international law.
11. Confidentiality obligations will surpass the Members appointment with the Bureau and no disclosures may be made without express and written authorization from the Head of the Convention Secretariat.

VII Relations with the tobacco industry

12. Members shall not participate in, support, endorse or accept:
 - (a) a partnership of any kind with the tobacco industry, including initiatives or activities of the tobacco industry described, characterized, implied or likely to be perceived as socially responsible;
 - (b) any non-binding or non-enforceable agreement, memorandum of understanding, voluntary arrangement or tobacco industry code of conduct in the place of legally enforceable tobacco control measures; and
 - (c) proposals, drafts or offers of assistance with the development or implementation of any tobacco control policies.
13. Members shall avoid the creation of any perception of partnership or cooperation with the tobacco industry, and shall publicly correct any perception of partnership that may have been created as soon as they become aware of it.
14. Members shall not demand or receive any contribution from the tobacco industry or any partner in a partnership with the tobacco industry for themselves, their families, relatives, friends, or any other persons or organizations. Contributions shall include, but are not limited to, payments, gifts and services, monetary or in kind, research funding, financial aid, policy drafts and legal advice.

VIII Post-mandate and protection of confidential information

15. Members shall not engage in any relationship with the tobacco industry or with any partner in a partnership with the tobacco industry, including any relationships set out in this Code, whether gainful or not, within 24 months following the end of his or her tenure with the Bureau.
16. Members are advised not to engage in any relationship with the tobacco industry or with any partner in a partnership with the tobacco industry beyond 24 months in the spirit of the treaty and of the relevant functions they exerted in the past as Members.

IX Breach of Code

17. Any Member who is found to be in breach of this Code:

- (a) shall resign from the Bureau or as Regional Coordinator with immediate effect, with provision of Section VIII, Clause 15 applicable; and
- (b) may be subject to any penalties as may be provided by the national legislation of the Party that he or she represents.

Declaration of Interest Form for Members of the Bureau and Regional Coordinators of the Meeting of the Parties to the Protocol to Eliminate Illicit Trade in Tobacco Products

I hereby declare that I have read and understood the Code of Conduct, and commit to adhere to the fundamental principles, operational principles and ethical standards set out therein.

I confirm that I have

- Never**
- Not within the past ___ years**

had any professional relationship with, or received any form of funding or support from, an entity directly involved in the manufacture, wholesale distribution or importation of tobacco products or representing the interests of any such entity. (It should be noted that the notion of “professional relationship” as used in this paragraph should be understood as not including a public officeholder’s interactions with the tobacco industry required for setting and implementing public health policies with respect to tobacco control.)

If you are not a position to make this confirmation, please provide an explanation below:

I also acknowledge that I shall make another Declaration to state any change in any matter contained in this Declaration within one month after the change occurs and shall provide further information on the contained in this Declaration if so required by the Bureau elected by the Meeting of the Parties to the Protocol to Eliminate Illicit Trade in Tobacco Products.

Signed by: *(full name and title)*

Date:

Signature:



DECLARATION OF INTERESTS FOR DESIGNATED WHO STAFF¹

In compliance with Staff Rule 110.7 and WHO eManual III.1.2, designated staff are required to complete this form in respect of themselves, their spouses and any dependent children.²

What type of interest needs to be declared?

Designated staff must report any interest in (including association with) any entity with which they may be required, directly or indirectly, to have official dealings on behalf of the Organization,³ or which has a commercial interest in the work of WHO, or a common area of activity with WHO. In addition, as a result of WHO's strong stance against tobacco use, and the need to ensure impartiality in relation to commercial pharmaceutical entities, it is considered relevant for designated staff to disclose to the Organization whether they, their spouses or dependent children have any relationship with any part of what may be called "the tobacco industry" and/or "the pharmaceutical industry".

Different *types of interests* can be envisaged. The following non-exhaustive list is provided for guidance:

1. a proprietary interest in a substance, technology or process (e.g., ownership of a patent), relevant to WHO's work;
2. a financial interest, e.g., shares or bonds, in a commercial entity with which a staff member may be required, directly or indirectly, to have official dealings on behalf of the Organization, or which has a commercial interest in the work of WHO, or a common area of activity with WHO (except share holdings through general mutual funds or similar arrangements where the staff member has no control over the selection of shares⁴);
3. an employment, consultancy, directorship, or other position or association, whether or not paid, in any entity with which a staff member may be required, directly or indirectly, to have official dealings on behalf of the Organization, or which has a commercial interest in the work of WHO, or a common area of activity with WHO, or an ongoing negotiation concerning prospective employment or other association with such entity;
4. performance of any paid work or research commissioned by an entity with which a staff member may be required, directly or indirectly, to have official dealings on behalf of the Organization, or which has a commercial interest in the work of WHO, or a common area of activity with WHO; and
5. a family interest in which, for example, a spouse or dependent child is employed by an entity from which goods and/or services are purchased on behalf of WHO.

How to complete this Declaration: Please answer questions 1, 2 and 3 of the form and submit under confidential cover, for headquarters staff, to the Office of Compliance, Risk Management and Ethics and for staff members in regional and country offices to the Director, Administration and Finance (DAF).

Assessment and outcome: The Director-General decides on the compatibility of any interest declared by a staff member with Article I of the Staff Regulations, and on any action to be taken. Information disclosed on this Declaration by staff members may be made available to their supervisor when the Director-General considers this to be in the interests of the Organization. This information may be made available to persons outside of WHO only when the objectivity of the work of WHO has been questioned such that the Director-General considers disclosure to be in the best interests of the Organization, and then only after the staff member concerned has had an opportunity to comment.

¹ Nothing in this Declaration should be interpreted as suggesting that serving staff are entitled to be employed by, or have other types of associations with, outside entities, when such employment/association might otherwise be prohibited under the Staff Regulations and Rules.

² For the purposes of this Declaration, "spouse" includes a legally recognized domestic partner (see Information Note 22/2006). "Dependent children" is defined in Staff Rule 310.5.2. As a rule of thumb, if a dependency allowance is received for children, they should be included in the Declaration.

³ When identifying entities with which a staff member "may be required" to have dealings, any entities in which it is reasonably possible during the course of the staff member's official duties that he/she might be called upon to have contact, even though no such contact is immediately foreseen, should be included. Of course, if what was reported as a mere possibility of future contact actually materializes as an impending contact, the staff member should immediately report this fact to the Director-General in advance of undertaking any actual contact.

⁴ This exception would not apply to funds or similar arrangements which focus on industries which have commercial interests in the work of WHO or common areas of activity with WHO.

Please respond to the following three requests for information:

Declaration:

1) Have you, your spouse or dependent child(ren)⁵ any interest in (including association with) any entity with which you may be required, directly or indirectly, to have official dealings on behalf of the Organization, or which has a commercial interest in the work of WHO, or common area of activity with WHO, including any interest in a pharmaceutical company/product?

Yes: No: **If yes, please give details in the box below.**

2) Do you, your spouse or dependent child(ren)⁶ have an employment or other professional relationship with any entity: (i) directly involved in the production, manufacture, distribution or sale of tobacco or any tobacco products or pharmaceutical products; or (ii) directly representing the interests of such an entity?

Yes: No: **If yes, please give details in the box below.**

(If additional space is needed, please continue on a separate page.)

Type of interest, e.g. patent, shares (including number and current market value); employment, association, payment (including details on any compound, work, etc.);	Name of entity	Indicate whether held by you, or your spouse, or your dependent child(ren)?

3) Is there anything else that could affect your objectivity or independence in the performance of your duties for WHO, or the perception by others of your objectivity and independence?

Yes: No: **If yes, please give details below or on a separate page.**

I hereby declare that the disclosed information is correct and complete. I recognize that the completion of this Declaration is without prejudice to my obligations under the WHO Staff Regulations and Rules, in particular Article 1 of the Regulations setting forth the duties, obligations and privileges of staff members. I undertake to update this Declaration in the event of any material change in these circumstances⁷ and, in any event, at least annually.

Signature

Date

Name (please print)

Title (please print)

⁵ For the purposes of this Declaration, "spouse" includes a legally recognized domestic partner (see Information Note 22/2006). "Dependent children" is defined in Staff Rule 310.5.2. As a rule of thumb, if a dependency allowance is received for children, they should be included in the Declaration.

⁶ See footnote 5 above.

⁷ The concept of "material change" allows for some flexibility of interpretation, thus in the event of any doubt the staff member should consult the Office of Compliance, Risk Management and Ethics. However, as an example, any change in the companies in which stocks are held should be reported, but it is safe to assume that any change of less than 20% in the number of a stock of a company already held would not be a material change. An increase in the value of stock, without a change in the number, would not by itself be a material change.

FCTC/MOP1(14) Visual identity of the Protocol to Eliminate Illicit Trade in Tobacco Products

The Meeting of the Parties (MOP),

Noting the report prepared by the Convention Secretariat contained in document FCTC/MOP/1/21;

Acknowledging the importance of having a specific visual identity of the Protocol to Eliminate Illicit Trade in Tobacco Products (Protocol);

Recognizing the necessity of obtaining suitable legal protection for the visual identity,

1. DECIDES to mandate the Convention Secretariat to commission and to propose to the Bureau of the MOP options for the logo of the Protocol and to mandate the Bureau to decide on the final design of the logo;
2. DECIDES to adopt for this logo the term “Seoul Protocol”, in association with the logo of the WHO FCTC, as well as the full name of the Protocol, which is “Protocol to Eliminate Illicit Trade in Tobacco Products”, in all six official languages of the MOP;
3. DECIDES that the use of the term “Seoul Protocol”, mentioned in paragraph 2 above, shall be contingent upon the Republic of Korea becoming a Party to the Protocol;
4. DECIDES that, in view of the necessity of obtaining suitable legal protection:
 - (a) appropriate measures should be taken by the Convention Secretariat with a view to preventing the unauthorized use, in particular for commercial purposes by means of trademarks or commercial labels, of the logo, abbreviation and name of the Protocol;
 - (b) each Party to the Protocol, pending the coming into effect within its territory of any such measure or prohibition, should endeavour to prevent any unauthorized use of the logo, abbreviation and name of the Protocol, in particular for commercial purposes by means of trademarks or commercial labels.
5. DECIDES to mandate the Convention Secretariat to continue to use its stamp in all Protocol documentation.

(Second plenary meeting, 10 October 2018)

FCTC/MOP1(15) Maximizing transparency of delegations from Parties and Observers to the Meeting of the Parties, its subsidiary Bodies and other Protocol meetings

The Meeting of the Parties (MOP),

Reaffirming the determination of the Parties to protect their public health policies with respect to tobacco control from commercial and other vested interests of the tobacco industry in accordance with national law;

Emphasizing the need to be alert to any efforts by the tobacco industry to undermine or subvert strategies to combat illicit trade in tobacco products and the need to be informed of activities of the tobacco industry that have a negative impact on strategies to combat illicit trade in tobacco products;

Recognizing the importance of protecting sessions of the MOP and its subsidiary bodies while also upholding the WHO Accountability Framework to “make available reliable and timely information about existing conditions, decisions and actions relating to its activities, in an accessible, visible and understandable fashion, unless the information is deemed confidential”;

Recalling recommendation 4.9 of the Guidelines for the implementation of Article 5.3 of the WHO FCTC (Guidelines), which states that Parties should not nominate any person employed by the tobacco industry or any entity working to further its interests to serve on delegations to meetings of the Conference of the Parties (COP), its subsidiary bodies or any other bodies established pursuant to decisions of the COP;

Recalling recommendation 8.3 of the Guidelines, which states that Parties should ensure that representatives of State-owned tobacco industry do not form part of delegations to any meetings of the COP, its subsidiary bodies or any other bodies established pursuant to decisions of the COP;

Recalling document FCTC/COP/6/27 on attendance of members of the public in meetings of the COP and its subsidiary bodies, noting document FCTC/COP/7/30 on maximizing transparency of Parties’ delegations, intergovernmental organizations (IGOs), nongovernmental organizations (NGOs) and civil society groups during sessions of the COP and meetings of its subsidiary bodies, and also noting document FCTC/COP/8/15 presenting a set of measures proposed by the Bureau elected by the Seventh session of the COP to maximize transparency of delegations from Parties and observers to the COP, its subsidiary bodies and other WHO FCTC meetings;

Noting decision FCTC/COP8(12) by which the COP adopted a set of measures to maximize transparency of delegations from Parties and observers to the COP, its subsidiary bodies and other WHO FCTC meetings,

1. URGES the Parties:

- (a) to accelerate and strengthen implementation of Article 5.3 of the WHO FCTC and of its Guidelines;
- (b) to remain vigilant towards tobacco industry, and other vested interests, strategies and tactics to interfere in the setting and implementation of the Parties’ public health policies with respect to tobacco control and policies to combat illicit trade in tobacco products;
- (c) to consider recommendations 4.9 and 8.3 of the Guidelines when designating members of their delegations to meetings of the MOP, its subsidiary bodies or any other bodies established pursuant to decisions of the MOP;

2. DECIDES:

- (a) to request the Convention Secretariat to remind Parties, in the invitations to the meetings of the MOP, its subsidiary bodies or any other bodies established pursuant to decisions of the Meeting of the Parties, of their obligations under Article 5.3 of the WHO FCTC and to be mindful of recommendations 4.9 and 8.3 of the Guidelines. For this purpose, the Convention Secretariat shall include the following sentence in its invitations:

“The Convention Secretariat respectfully reminds Parties to observe Article 5.3 of the WHO FCTC and to be mindful of the recommendations 4.9 and 8.3 of the Guidelines for the implementation of Article 5.3 of the WHO FCTC when designating their representatives to the meetings of the Meeting of the Parties, its subsidiary bodies or any other bodies established pursuant to decisions of the Meeting of the Parties”;

- (b) to require Parties, when designating their representatives to the meetings of the MOP, its subsidiary bodies or any other bodies established pursuant to decisions of the MOP, to indicate, by any means or format of their preference (e.g. in the accreditation document or in a separate letter), that they have observed Article 5.3 of the WHO FCTC and have been mindful of the recommendations 4.9 and 8.3 of the Guidelines. In this regard, the Parties shall indicate the following:

“When designating its representatives to the [name of the meeting], [name of the Party] has observed Article 5.3 of the WHO FCTC and has been mindful of the recommendations 4.9 and 8.3 of the Guidelines for the implementation of Article 5.3 of the WHO FCTC”;

- (c) in accordance with their internal procedures and domestic legislation, Parties may determine the procedures outlined in paragraph 2(b) that they deem appropriate and are in line with Article 5.3 of the WHO FCTC, as well as recommendations 4.9 and 8.3 of the Guidelines. Parties may utilize the declaration of interest forms as part of this internal process;
- (d) the procedures set forth in paragraphs 2(a) to 2(c) apply *mutatis mutandis* to the designation of delegations from States non-Parties to the Protocol to Eliminate Illicit Trade in Tobacco Products (Protocol);

3. DECIDES to adopt:

- (a) the screening and accreditation process for representatives of IGOs, as described in Annex 1 to the present decision, and to require all individuals to complete and submit declaration of interest forms 14 days in advance of the session or meeting they wish to attend;
- (b) the screening and accreditation process for representatives of NGOs, as described in Annex 2 to the present decision, and to require all individuals to complete and submit declaration of interest forms 14 days in advance of the session or meeting they wish to attend;
- (c) the screening and accreditation process for members of the media, as described in Annex 3 to the present decision, and to require all individuals to complete and submit declaration of interest forms 30 days in advance of the session or meeting they wish to attend;
- (d) the screening and accreditation process for members of the public, as described in Annex 4 to the present decision, and to require all individuals to complete and submit declaration of interest forms 30 days in advance of the session or meeting they wish to attend;
- (e) the documents contained in Annexes 5 to 7 to the present decision as the declarations of interest forms to be completed and submitted to the Convention Secretariat by representatives nominated by IGOs and NGOs, as well as by members of the media and the public;
- (f) that official guest speakers shall not be subject to these procedures;

4. REQUESTS the Convention Secretariat, taking into account its capacities to complete these tasks in line with past practice:

- (a) to collect and review all declaration of interest forms in reference to in paragraphs 3(a) to 3(e) for future sessions of the MOP and meetings of its subsidiary bodies in order to avoid any actual, potential or apparent conflict of interest;
- (b) to inform the Bureau of the MOP of its findings to take appropriate actions to ensure compliance with Article 5.3 of the WHO FCTC;
- (c) to report its findings to the MOP.

ANNEX 1

PROCEDURES FOR SCREENING AND ISSUANCE OF BADGES TO MEMBERS OF THE DELEGATION OF INTERNATIONAL INTERGOVERNMENTAL ORGANIZATIONS THAT ARE ACCREDITED AS OBSERVERS

1. Each member of the delegation of an intergovernmental organization (IGO) that has been accredited as an observer will be required to complete a declaration of interest form in conjunction with their nomination as a delegate to the Meeting of the Parties (MOP) and submit the form to the Convention Secretariat at least 14 days in advance of the session of the MOP, meeting of a subsidiary body or meeting convened by the Convention Secretariat to which they have been nominated.
2. The declaration of interest form would require applicants to declare whether they are affiliated with or have received funds from the tobacco industry, or any other industry with vested interests, in the past five years or entities working to further its interests, in addition to providing their affiliation and contact details. In the absence of the declaration of interest, the member of the delegation would not be eligible to attend any session of the MOP or meetings of subsidiary bodies.
3. The Convention Secretariat within its capacities will screen the declarations received before the deadline, taking into account the 17th and 18th preambular paragraphs of the WHO FCTC, the 16th preambular paragraph of the Protocol, as well as Article 5.3 of the WHO FCTC and the guidelines for its implementation, and inform the Bureau of the MOP of its findings in order to take appropriate action to ensure compliance with Article 5.3 of the WHO FCTC.
4. Delegates who attend a session of the MOP, a meeting of subsidiary bodies or meetings convened by the Convention Secretariat will be issued a badge for the duration of the session or meeting that includes their name, photograph and affiliation.
5. The delegate will be required to show a valid form of identification, such as passport or similar national ID, before collecting their badge, which will include their name, country and photograph.
6. The declaration of interest forms of all members of the delegation of the IGO that are accredited observers shall be made available to the Parties and accredited observers prior to the session of the MOP, a meeting of subsidiary bodies or meetings convened by the Convention Secretariat.

ANNEX 2

PROCEDURES FOR SCREENING AND ISSUANCE OF BADGES TO MEMBERS OF THE DELEGATION OF NONGOVERNMENTAL ORGANIZATIONS THAT ARE ACCREDITED AS OBSERVERS

1. Each member of the delegation of the nongovernmental organization (NGO) that has been accredited as an observer will be required to complete a declaration of interest form in conjunction with their nomination as a delegate to the Meeting of the Parties (MOP) and submit the form to the

Convention Secretariat at least 14 days in advance of the session of the MOP, meeting of a subsidiary body or meeting convened by the Convention Secretariat to which they have been nominated.

2. The declaration of interest form would require applicants to declare whether they are affiliated with or have received funds from the tobacco industry, or any other industry with vested interests, in the past five years or entities working to further its interests, in addition to providing their affiliation and contact details. In the absence of the declaration of interest, the member of the delegation would not be eligible to attend any session of the MOP or meetings of subsidiary bodies.
3. The Convention Secretariat within its capacities will screen the declarations received before the deadline, taking into account the 17th and 18th preambular paragraphs of the WHO FCTC, the 16th preambular paragraph of the Protocol, as well as Article 5.3 of the WHO FCTC and the guidelines for its implementation, and inform the Bureau of the MOP of its findings to take appropriate actions to ensure compliance with Article 5.3 of the WHO FCTC.
4. Delegates who attend a session of the MOP, a meeting of subsidiary bodies or meetings convened by the Convention Secretariat will be issued a badge for the duration of the session or meeting that includes their name, photograph and affiliation.
5. Delegates will be required to show a valid form of identification, such as passport or similar national ID, before collecting their badge, which will include their name, country and photograph.
6. The declaration of interest forms of all members of the delegation of the NGO that are accredited as observers shall be made available to the Parties and accredited observers prior to the session of the MOP, a meeting of subsidiary bodies or meetings convened by the Convention Secretariat.

ANNEX 3

PROCEDURES FOR SCREENING AND ISSUANCE OF BADGES TO MEMBERS OF THE MEDIA

1. Credentials for representatives of the media who wish to attend sessions of the Meeting of the Parties (MOP), meetings of subsidiary bodies or meetings convened by the Convention Secretariat shall be issued in line with current United Nations policies and WHO policies for media accreditation to the World Health Assembly.
2. Specifically, members of the media shall be required to submit to the Convention Secretariat at least 60 days in advance a letter from their editor-in-chief or equivalent supervisor, the date and event for which accreditation is required, and presentation of a press identification card and national passport.
3. In addition, members of the media shall be required to complete and submit a declaration of interest form 30 days in advance of the session of the MOP, the meeting of a subsidiary body or meetings convened by the Convention Secretariat. The Convention Secretariat shall inform the Bureau of the MOP of its findings to take appropriate actions to ensure compliance with Article 5.3 of the WHO FCTC.
4. Accredited members of the media shall be granted entry into sessions of the MOP, meetings of subsidiary bodies or meetings convened by the Convention Secretariat with badges unique to the media, and which will include their name, country, position and title, and photograph.
5. The Convention Secretariat within its capacities will screen the applications received before the deadline, taking into account the 17th and 18th preambular paragraphs of the WHO FCTC, the

16th preambular paragraph of the Protocol, as well as Article 5.3 of the WHO FCTC and the guidelines for its implementation, and inform the Bureau of the MOP of its findings in order to take appropriate action to ensure compliance with Article 5.3 of the WHO FCTC.

Distribution of the list of members of the media

6. The list of names and status/affiliations of members of the media will be communicated to the Bureau before the opening of a MOP session and will be made available to the Parties and accredited observers in advance of the session to which they are accredited.

ANNEX 4

PROCEDURES FOR SCREENING AND ISSUANCE OF BADGES TO MEMBERS OF THE PUBLIC

1. Members of the public shall be required to submit to the Convention Secretariat at least 60 days in advance a letter of intent to attend, with the date and event convened by the Convention Secretariat for which accreditation is required, together with a résumé describing their professional background and affiliations over the past five years.

2. In addition, members of the public shall be required to complete and submit a declaration of interest form 30 days in advance of the event convened by the Convention Secretariat for which accreditation has been approved. The Convention Secretariat shall inform the Bureau of the MOP of its findings to take appropriate actions to ensure compliance with Article 5.3 of the WHO FCTC.

3. Members of the public shall be granted entry into the event convened by the Convention Secretariat for which accreditation has been approved with badges unique to the public, and which will include their name, country, position and title, and photograph.

4. The Convention Secretariat within its capacities and in line with past practice will screen the applications received before the deadline, taking into account the 17th and 18th preambular paragraphs of the WHO FCTC, the 16th preambular paragraph of the Protocol, as well as Article 5.3 of the WHO FCTC and the guidelines for its implementation, and inform the Bureau of the MOP of its findings in order to take appropriate action to ensure compliance with Article 5.3 of the WHO FCTC.

Distribution of the list of members of the public

5. The list of names of members of the public will be communicated to the Bureau before the opening of the event convened by the Convention Secretariat for which accreditation has been approved and will be made available to the Parties and accredited observers in advance of the session to which they are accredited.

ANNEX 5

**Second session of the Meeting
of the Parties to the Protocol to Eliminate Illicit Trade in Tobacco Products (MOP2)**

**Declaration of interest for observers to MOP2, meeting of a subsidiary body,
or meeting convened by the Convention Secretariat**
All fields below must be completed

Country/Organization:

International intergovernmental organization (IGO), please specify:

Nongovernmental organization (NGO), please specify:

Declaration of interest (please tick if applicable):

I declare that I and/or the organization(s) that I am representing do/does not receive any direct or indirect financial assistance, funding, other than taxes, or other fiscal duties, court-mandated payments, or settlements from the tobacco industry, any entity working to further its interests, or any other industry with vested interests, nor have I/we within the past five years.

I declare that I am not and have not been employed in the past five years by the tobacco industry, any entity working to further the interests of the tobacco industry, or any other industry with vested interests.

I declare that I am not affiliated with, or do not have a professional relationship with, the tobacco industry, any entity working to further its interests, or any other industry with vested interests. (NOTE: the notion of “professional relationship” used in this paragraph is to be understood as not including a public office holder’s interactions with the tobacco industry required for setting and implementing public health policies with respect to tobacco control.)

I declare that the above information is true to the best of my knowledge, and understand that my accreditation may be rejected or revoked if the information is inaccurate.

If you are unable to tick either one or both boxes, please explain below:

Signed by: *(full name and title)*

Date:

Signature:

Second session of the Meeting of the Parties to the Protocol to Eliminate Illicit Trade in Tobacco Products (MOP2)		
Declaration of interest for members of the media <i>All fields below must be completed</i>		
Date: <i>(to be completed by the Registration Desk officer)</i>		Badge No.:
Title:	Family Name:	First Name:
Home address: Email: Tel: Fax:		
Media company represented: Your position and title: Your supervisor: Address: Tel: Fax:		
Address during session:		
<p>Declaration of interest (please tick if applicable):</p> <p><input type="checkbox"/> I declare that I and/or the organization(s) that I am representing do/does not receive any financial assistance, funding, other than taxes, or other fiscal duties, court mandated payments, or settlement from the tobacco industry, any entity working to further its interests, or any other industry with vested interests, nor have I/we within the past five years.</p> <p><input type="checkbox"/> I declare that I am not and have not been employed in the last five years by the tobacco industry or any entity working to further the interests of the tobacco industry, or any other industry with vested interests.</p> <p><input type="checkbox"/> I declare that I am not affiliated with, or have a professional relationship with, the tobacco industry, or any entity working to further its interests, or any other industry with vested interests. (NOTE: the notion of “professional relationship” used in this paragraph is to be understood as not including a public office holder’s interactions with the tobacco industry required for setting and implementing public health policies with respect to tobacco control.)</p> <p><input type="checkbox"/> I declare that the above information is true to the best of my knowledge, and understand that my accreditation may be rejected or revoked if the information is inaccurate.</p> <p>If you are unable to tick either one or both boxes, please explain below:</p> <p>Signed by: <i>(full name and title)</i></p> <p>Date:</p> <p>Signature:</p>		

**Second session of the Meeting
of the Parties to the Protocol to Eliminate Illicit Trade in Tobacco Products (MOP2)**

Declaration of interest for members of the public
All fields below must be completed

Country:

Organization:

Declaration of interest (please tick if applicable):

I declare that I and/or the organization(s) by which I am employed do/does not receive any financial assistance, funding, other than taxes, or other fiscal duties, court mandated payments, or settlement from the tobacco industry, any entity working to further its interests, or any other industry with vested interests, nor have I/we within the past five years.

I declare that I am not and have not been employed in the last five years by the tobacco industry, any entity working to further the interests of the tobacco industry, or any other industry with vested interests.

I declare that I am not affiliated with, or have a professional relationship with, the tobacco industry, any entity working to further its interests, or any other industry with vested interests. (NOTE: the notion of “professional relationship” used in this paragraph is to be understood as not including a public office holder’s interactions with the tobacco industry required for setting and implementing public health policies with respect to tobacco control.)

I declare that the above information is true to the best of my knowledge, and understand that my accreditation may be rejected or revoked if the information is inaccurate.

If you are unable to tick either one or both boxes, please explain below:

Signed by: *(full name and title)*

Date:

Signature:

(Second plenary meeting, 10 October 2018)

The Meeting of the Parties,

Having considered the workplan and budget for the financial period 2018–2019 submitted by the Convention Secretariat contained in document FCTC/MOP/1/19;

Taking into consideration decision FCTC/MOP1(1) by which the Parties to the Protocol decided to use the Financial Rules and Regulations of the World Health Organization as the financial rules referred in Article 33.4 of the Protocol to Eliminate Illicit Trade in Tobacco Products (Protocol);

Taking into consideration decision FCTC/MOP1(18) by which the Parties to the Protocol decided to use WHO's scale of assessments taking into account the difference in membership of WHO and that of the Protocol,

1. DECIDES:

- (a) to adopt the workplan and budget for the financial period 2018–2019, as indicated in Annex 1 to this decision;
- (b) to establish the total amount of assessed contributions of Parties to the Protocol for the financial period 2018–2019 at the level of US\$ 3 170 241;
- (c) to finance the travel and per diem of least-developed countries from assessed contributions until and including the Second session of the MOP;
- (d) to finance, moreover, travel for low- and lower-middle income countries from assessed contributions and to cover the cost of the corresponding per diem with resources available in the extrabudgetary funds until and including the Second session of the MOP;
- (e) to authorize the Convention Secretariat to request the payment of assessed contributions, including from countries that may become a Party to the Protocol in between invoice periods;
- (f) to request the Head of the Secretariat to implement the budget and workplan adopted by the MOP1 (Annex 1 to the present decision), and to submit to the MOP at its Second session a final performance report on the workplan and budget for the financial period 2018–2019;

2. DECIDES to mandate the Convention Secretariat to seek and receive voluntary extrabudgetary contributions for activities in line with the workplan;

3. REQUESTS the Head of the Secretariat:

- (a) to keep the Bureau regularly updated on the status of budgets and workplans agreed by the MOP;
- (b) to informally consult Parties prior to presenting the budget and workplan to the next session of the MOP;

4. URGES Parties to the Protocol to provide extrabudgetary contributions for meeting the objectives of the workplan.

ANNEX 1

WORKPLAN AND BUDGET FOR FINANCIAL PERIOD 2018–2019 PROTOCOL ACTIVITY COSTS

1 Preparing for the implementation of the Protocol to Eliminate Illicit Trade in Tobacco Products (Protocol)					
	Main components/Activities	Expected results and indicators	Activity costs (in US\$)		
			Assessed contributions	Extrabudgetary	Total
1.1	Promoting the ratification of the Protocol				
(a)	Hold multisectoral, regional workshops to promote the ratification of the Protocol by additional WHO FCTC Parties	Participation of at least 30 WHO FCTC Parties in two regional workshops	0	120 000	120 000
(b)	Promote the Protocol at high-level meetings with ministers	Participation in high-level meetings to make case for the Protocol	0	30 000	30 000
(c)	Engage with potentially relevant international organizations	High-level meetings with selected international intergovernmental organizations (IGOs) to make case for the Protocol	0	30 000	30 000
1.2	Technical assistance for the implementation of the Protocol				
(a)	Hold three multisectoral, regional workshops to assist in preparation for the implementation of the Protocol	Participation of at least 45 Protocol Parties in three regional workshops	0	180 000	180 000
(b)	Provide technical assistance to Parties on Protocol-specific topics, upon request	Technical assistance provided upon specific requests	0	75 000	75 000

1.3 Intergovernmental working/experts groups					
(a)	Working Group on tracking and tracing systems, including the global information-sharing focal point (Article 8.1) and unique identification markings for cigarette packets and packages (Article 8.3)	12 members. One meeting of the Working Group on tracking and tracing systems, including the global information-sharing focal point (Article 8.1) and unique identification markings for cigarette packets and packages (Article 8.3), held and progress report available.	50 000	20 000	70 000
(b)	Working Group on assistance and cooperation (Articles 12, 21, 23, 24, 28 and 29)	12 members. One meeting of the Working Group on international assistance and cooperation (Articles 21, 23, 24, 28 and 29) held and progress report available.	50 000	20 000	70 000
Subtotal for Area of work 1			100 000	475 000	575 000
2 Meeting of the Parties (MOP)					
	Main components/Activities	Expected results and indicators	Activity costs (in US\$)		
			Assessed contributions	Extrabudgetary	Total
2.1	First session of the Meeting of the Parties (MOP1)				
(a)	Logistics – overall organization				
	(i) Rentals, services, salaries of short-term conference staff and overtime of staff	MOP1 prepared and convened on time, overtime paid	183 980	0	183 980
	(ii) Interpreters' salaries	Interpretation provided	87 000	0	87 000
	(iii) Security	Security provided	25 747	0	25 747
	(iv) Travel support for eligible Parties	High participation of Parties	31 581	0	31 581
	(v) Per diem for lower-middle-income countries	High participation of Parties	21 065	0	21 065
	(vi) Reception	Reception hosted	0	0	0

Report of the First session of the Meeting of the Parties to the Protocol to Eliminate Illicit Trade in Tobacco Products

(b)	Evening session (two evening sessions)	Two evening sessions convened	32 500	0	32 500
(c)	Documentation (pre-, in- and post-session)				
	<i>(i) Editing and translation of MOP1 official documentation (pre-session)</i>	Official documentation made available to Parties in the six languages no later than 60 days before the opening of the session	200 000	0	200 000
	<i>(ii) Editing, translation and printing of MOP1 official documentation (in-session)</i>	Report, decisions, other documents prepared	185 000	0	185 000
	<i>(iii) Salary of précis writers</i>	MOP1 report finalized	13 000	0	13 000
	<i>(iv) Editing and translation of MOP1 report and verbatim report (post-session)</i>	MOP1 report finalized and published; verbatim report published	25 000	0	25 000
(d)	Invited speakers	Travel support provided for one invited speaker	0	0	0
(e)	<i>MOP1 campaign and media</i>				
	<i>(i) Creative idea, campaign strategy, visuals, booth, promotion materials, website, two photographers, videographers and exhibition</i>	Campaign and materials produced	0	0	0
	<i>(ii) Six months of communication/media relations services</i>	Campaigned successfully implemented, and media accreditation, media relations and coverage of MOP1 ensured	0	0	0
	<i>(iii) MOP1 software application (App)</i>	Design and set up of the App ensured and App launched	3 500	3 500	7 000
(f)	<i>Screening of Declaration of Interest (DoI) forms for delegates as appropriate</i>	Registrations screened for DoIs completion	20 000	0	20 000
2.2	Bureau of the MOP including Regional Coordinators where appropriate				
(a)	Prepare and support the work of the Bureau and convene meetings	Two meetings convened, including through video conferences/teleconferences, and summary records prepared	14 000	0	14 000

	(i) <i>Travel support and per diem for the Bureau Members</i>	Bureau Members attended Bureau meetings and MOP session	67 200	0	67 200
	(ii) <i>Interpretation (three languages)</i>	Good comprehension among the Bureau Members ensured	36 000	0	36 000
	(iii) <i>Set up and maintenance of the secured online platform</i>	Access given to the Bureau Members and Regional Coordinators	3 000	0	3 000
	Subtotal for Area of work 2		948 573	3 500	952 073
3	Reporting and exchange of information				
	Main components/Activities	Expected results and indicators	Activity costs (in US\$)		
			Assessed contributions	Extrabudgetary	Total
3.1	Development of the reporting instrument of the Protocol, support for Parties in fulfilling their reporting obligations, and analysis of reports on the Protocol				
(a)	Prepare and disseminate the Protocol reporting module	The reporting module prepared and sent to Parties Engaged with a small number of interested Parties for input and guidance on the finalization of the content of the module	20 000	0	20 000
(b)	Strengthen capacity of Parties to report	Capacity in the Parties to collect and report information related to the implementation of the Protocol strengthened; three regional or subregional training workshops in the regions most in need, if possible, in conjunction with Protocol implementation workshops held.	30 000	30 000	60 000
3.2	Exchange of information, including transfer of expertise and technology				
(a)	Conduct and disseminate studies and good practices on Protocol-specific topics.	Up to five country visits and five studies on good practices conducted	20 000	20 250	40 250

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(b)	Promote information sharing with regard to the Protocol	A subsection of the WHO FCTC implementation database to disseminate resources on the Protocol established	7 500	7 500	15 000
Subtotal for Area of work 3			77 500	57 750	135 250
4	Coordination with international and regional IGOs and other bodies				
	Main components/Activities	Expected results and indicators	Activity costs (in US\$)		
			Assessed contributions	Extrabudgetary	Total
4.1	Promoting international cooperation with emphasis on observers (IGOs & nongovernmental organizations (NGOs)) to the MOP				
(a)	Enhance cooperation and communication with IGOs, including awareness raising and dissemination of information about Protocol-related activities of IGO observers to the MOP through a designated space on the information platform	IGOs invited to participate in relevant Convention Secretariat activities, Convention Secretariat participation in at least three major global and regional meetings organized by IGOs to make case for the Protocol, collaboration with IGOs strengthened, report submitted to the Second session of the MOP (MOP2)	0	20 000	20 000
(b)	Enhance cooperation and communication with NGOs, especially observers to the MOP, in relevant activities to reach national, regional and global organizations	Civil society groups invited to participate in relevant Convention Secretariat activities, Convention Secretariat participation in at least three major global and regional Protocol-related meetings organized by NGOs, collaboration with NGOs strengthened, report submitted to MOP2	0	10 000	10 000
4.2	Promotion of international cooperation in the implementation of the Protocol				
(a)	Develop a strategy to support the implementation of the Protocol	Strategy to support the implementation of the Protocol developed, and report submitted to MOP2	30 000	30 000	60 000
Subtotal for Area of work 4			30 000	60 000	90 000

5 Administration and management and other arrangements and activities					
	Main components/Activities	Expected results and indicators	Activity costs (in US\$)		
			Assessed contributions	Extrabudgetary	Total
5.1	General administration and management				
(a)	Resource mobilization	Between 40% and 60% of extrabudgetary funds raised	20 000	0	20 000
(b)	General administration, staff and finance management	Workplans and administrative arrangements customized within WHO's global management system (GSM)	15 000	0	15 000
5.2	Awareness-raising, publications, website and web applications and implementation of communications plan				
(a)	Prepare and implement a communications plan for promoting implementation of the Protocol	At least one meeting per year held with permanent missions of Protocol Parties in Geneva, publications disseminated, and presentations given in at least six international meetings during the biennium	15 800	0	15 800
(b)	Monitor and evaluate the dedicated Protocol webpage and redesign accordingly	Increased number of hits on the Protocol webpage	10 000	0	10 000
(c)	Update Protocol pages on the WHO FCTC website in the six WHO official languages	Protocol pages and documents in six languages on WHO FCTC website updated	12 500	0	12 500
	Subtotal for Area of work 5		73 300	0	73 300
	Total activity cost for all areas of work		1 229 373	596 250	1 825 623

ANNEX 2

GROSS STAFF COSTS BREAKDOWN (in US\$)¹

Fixed-term staff

Number	Position	US\$
3	P5 (two posts to be covered by the MOP budget at 20% and one post at 75%)	380 650
1	P4	274 000
2	P3	443 000
2	P2	350 000
1	G3	128 500
Total for staff covered by assessed contributions (10 posts)		1 576 150

Extrabudgetary

3	P2	525 000
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Total for staff (12 posts)

2 101 150

¹ Indicative costs for core Convention Secretariat staff based on WHO's latest available standard gross salary costs for 2018–2019. As indicated above, current staff contracts are funded through voluntary assessed contributions; costs for additional proposed staff positions would be financed through extrabudgetary contributions. The fulfilment of the staff plan, and possible adjustments, will depend on the actual availability of funds and the evolving workload. The staff plan does not include possible short-term assignments and secondments that would be based on actual needs and resources available.

TOTAL PROPOSED BUDGET 2018–2019 (in US\$)

Type of cost	Covered by assessed contributions	Covered by extrabudgetary funds	Total
1. Activity costs	1 229 373	596 250	1 825 623
2. Staff costs	1 576 150	525 000	2 101 150
3. Total direct costs	2 805 523	1 121 250	3 926 773
4. Programme support costs (13%)	364 718	145 763	510 480
5. Grand total	3 170 241*	1 267 013	4 437 253

* COP7 approved a budget under assessed contributions of US\$ 306 000 for the organization of MOP1. This amount is to be deducted from the total assessed contribution budget, resulting in US\$ 2 864 241.

(Second plenary meeting, 10 October 2018)

FCTC/MOP1(17) Workplan and budget for the financial period 2020–2021

The Meeting of the Parties (MOP),

Having considered the workplan and budget for the financial period 2020–2021 submitted by the Convention Secretariat contained in document FCTC/MOP/1/20;

Taking into consideration decision FCTC/MOP1(1) by which the Parties to the Protocol to Eliminate Illicit Trade in Tobacco Products (Protocol) decided to use the Financial Rules and Regulations of the World Health Organization as the financial rules referred in Article 33.4 of the Protocol;

Taking into consideration decision FCTC/MOP1(18) by which the Parties to the Protocol decided to use WHO's scale of assessments taking into account the difference in membership of WHO and that of the Protocol,

1. DECIDES:

- (a) to adopt the workplan and budget for the financial period 2020–2021, as indicated in Annex 1 to this decision;
- (b) to establish the total amount of assessed contributions of Parties to the Protocol for the financial period 2020–2021 at the level of US\$ 4 999 719;
- (c) at the Second session of the MOP the Parties should, respecting obligations acquired by the Convention Secretariat to implement the approved workplan and budget, duly reflect any changes to the volume of activities and work required from the Convention Secretariat, in order to adopt the budget for the next biennium;
- (d) to finance the travel and per diem of least-developed countries from voluntary assessed contributions until and including the Second session of the MOP;

- (e) to finance, moreover, travel for low- and lower-middle income countries from voluntary assessed contributions and to cover the cost of the corresponding per diem with resources available in the extrabudgetary funds until and including the Second session of the MOP;
 - (f) to authorize the Convention Secretariat to request the payment of assessed contributions, including from countries that may become a Party to the Protocol in between invoice periods;
 - (g) to request the Convention Secretariat to inform WHO FCTC and Parties' Protocol focal points of the opening of posts to serve the implementation of the Protocol;
 - (h) to request the Head of the Secretariat to implement the budget and workplan adopted by the MOP, and to submit to the MOP:
 - (i) at its Second session, an interim performance report on the workplan and budget for the financial period 2020–2021, along with a final performance report on the workplan and budget for the financial period 2018–2019;
 - (ii) at its Third session, a final performance report on the workplan and budget for the financial period 2020–2021;
2. DECIDES to mandate the Convention Secretariat to seek and receive voluntary extrabudgetary contributions for activities in line with the workplan;
3. REQUESTS the Head of the Secretariat:
- (a) to keep the Bureau regularly updated on the status of budgets and workplans agreed by the MOP;
 - (b) to informally consult Parties prior to presenting the budget and workplan to the next session of the MOP;
4. URGES Parties to provide extrabudgetary contributions for meeting the objectives of the workplan.

ANNEX 1

WORKPLAN AND BUDGET FOR FINANCIAL PERIOD 2020-2021 PROTOCOL ACTIVITY COSTS

1 Preparing for the implementation of the Protocol to Eliminate Illicit Trade in Tobacco Products (Protocol)					
	Main components/Activities	Expected results and indicators	Activity cost (in US\$)		
			Assessed contributions	Extrabudgetary	Total
1.1	Promoting the ratification and implementation of the Protocol				
(a)	Hold multisectoral, regional workshops to promote the ratification of the Protocol by additional WHO FCTC Parties	Participation of at least 60 WHO FCTC Parties in four regional workshops	0	240 000	240 000
(b)	Promote the Protocol at high-level meetings with ministers	Participation in high-level meetings to make case for the Protocol	0	60 000	60 000
(c)	Engage potential relevant international organizations	High-level meetings with selected international intergovernmental organizations (IGOs) to make case for the Protocol	0	60 000	60 000
1.2	Technical assistance in preparation for the implementation of the Protocol				
(a)	Provide technical assistance to the Parties on Protocol-specific topics on request	Technical assistance provided on request	55 000	95 000	150 000
1.3	Intergovernmental working/experts groups				
(a)	Working Group on tracking and tracing systems, including the global information-sharing focal point (Article 8.1) and unique identification markings for cigarette packets and packages (Article 8.3)	12 members. One meeting of the Working Group on tracking and tracing systems, including the global information-sharing focal point (Article 8.1) and unique identification markings for cigarette packets and packages (Article 8.3), held and progress report available.	50 000	20 000	70 000

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(b)	Working Group on assistance and cooperation (Articles 12,21, 23,24,28 and 29)	12 members. One meeting of the Working Group on assistance and cooperation (Articles 12,21, 23,24,28 and 29) held and progress report available.	50 000	20 000	70 000
(c)	Identify research needs and gaps relevant to Articles 6.5 and 13.2 of the Protocol and prepare a report for the second session of the Meeting of the Parties (MOP2)	A detailed road map setting out the timelines and steps to conduct the evidence-based research foreseen by Articles 6.5 and 13.2 of the Protocol available and progress report prepared	0	100 000	100 000
Subtotal for Area of work 1			155 000	595 000	750 000
2 Meeting of the Parties (MOP)					
	Main components/Activities	Expected results and indicators	Activity cost (in US\$)		
			Assessed contributions	Extrabudgetary	Total
2.1	Pre-MOP arrangements: 6 preparatory MOP regional meetings				
(a)	Two Staff members' travel and per diem to each region and travel support and per diem for eligible Parties	Questions in regard to MOP documents and procedures clarified and support provided to regional discussions to better prepare for the MOP and eligible Parties' participation ensured	20 000	38 000	58 000
2.2 Second session of the Meeting of the Parties (MOP2)					
(a)	Logistics – overall organization				
	(i) Rentals, services, salaries of short-term conference staff and overtime of staff	MOP2 prepared and convened on time, overtime paid	183 980	0	183 980
	(ii) Interpreters' salaries	Interpretation provided	170 000	0	170 000
	(iii) Security	Security provided	30 000	0	30 000
	(iv) Travel support for eligible Parties	High participation of Parties	60 000	0	60 000

Geneva, Switzerland, 8-10 October 2018

	(v) Per diem for least-developed countries	High participation of Parties	35 000	0	35 000
	(vi) Reception	Reception hosted	0	15 000	15 000
(b)	Evening session (three evening sessions)	Three evening sessions convened	48 750	0	48 750
(c)	Documentation (pre-, in- and post-session)				
	(i) Editing and translation of MOP2 official documentation (pre-session)	Official documentation available to Parties in the six languages no later than 60 days before the opening of the session	200 000	0	200 000
	(ii) Editing, translation and printing of MOP2 official documentation (in-session)	Report, decisions, other documentation	185 000	0	185 000
	(iii) Salary of précis-writers	Salaries paid and MOP2 report finalized	13 000	0	13 000
	(iv) Editing and translation of MOP2 report and verbatim report (post-session)	MOP2 report finalized and published; verbatim report published	25 000	0	25 000
(d)	Invited speakers	Travel support for one invited speaker	0	5 500	5 500
	(i) Travel and per diem for one VIP and one entourage per region	Attendance of high-level participants ensured with costs covered for high-level participants from least-developed countries	0	27 500	27 500
	(ii) Security	Security of the high-level participants ensured	0	10 000	10 000
(e)	MOP2 campaign and media				
	(i) Creative idea, campaign strategy, visuals, booth, promotion materials, website, two photographers, videographers and exhibition	Campaign and materials produced.	5 000	40 000	45 000
	(ii) Six months of communication/media relations services	Campaign successfully implemented, and media accreditation, media relations and coverage of MOP1 ensured	0	13 700	13 700
	(iii) MOP2 software application (App)	Design and set up of the App ensured and App launched	7 000	0	7 000

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(f)	Screening of Declaration of Interest (DoI) forms for delegates as appropriate	Registrations screened for DoIs completion	10 000	10 000	20 000
2.3	Bureau of the MOP including Regional Coordinators where appropriate				
(a)	Prepare and support the work of the Bureau and convene meetings	Two meetings convened, including through video conferences/teleconferences and summary records prepared	14 000	0	14 000
(b)	Travel support and per diem for the Bureau Members	Bureau Members attended Bureau meetings and MOP session	124 665	0	124 665
(c)	Interpretation (three languages)	Good comprehension among the Bureau Members ensured	72 000	0	72 000
(d)	Set up and maintenance of the secured online platform	Access given to the Bureau Members and regional coordinators	3 000	0	3 000
	Subtotal for Area of work 2		1 205 730	159 700	1 365 430
3	Reporting and exchange of information				
	Main components/Activities	Expected results and indicators	Activity cost (in US\$)		
			Assessed contributions	Extrabudgetary	Total
3.1	Support for Parties in fulfilling their reporting obligations and global progress reports on implementation of the Protocol				
(a)	Ongoing improvements of the reporting module	The reporting module updated and disseminated	10 000	10 000	20 000
(b)	Strengthen capacity of Parties to report on the Protocol	Capacity in the Parties to collect and report information related to the implementation of the Protocol strengthened. Hold four regional or subregional training workshops in the regions most in need, if possible, in conjunction with Protocol implementation workshops	10 000	70 000	80 000
3.2	Exchange of information, including transfer of expertise and technology				

(a)	Conduct and disseminate studies and good practices on Protocol-specific topics.	Up to 10 country visits and 10 studies on good practices identified, documented and disseminated	10 000	70 500	80 500
(b)	Promote coordination and information sharing with regard to the Protocol through the forum for exchange and other means	The subsection of the WHO FCTC implementation database maintained and updated with new available resources related to the Protocol	0	10 000	10 000
Subtotal for Area of work 3			30 000	160 500	190 500
4	Coordination with international and regional intergovernmental organizations and other bodies				
	Main components/Activities	Expected results and indicators	Activity cost (in US\$)		
			Assessed contributions	Extrabudgetary	Total
4.1	Promoting international cooperation with emphasis on observers (IGOs and nongovernmental organizations (NGOs)) to the MOP				
(a)	Enhance cooperation and communication with IGOs, including awareness-raising and dissemination of information about Protocol-related activities of IGO observers to the MOP through a designated space on the information platform	IGOs invited to participate in relevant Convention Secretariat activities, Convention Secretariat participation in at least three major global and regional meetings organized by IGOs to make case for the Protocol, collaboration with IGOs strengthened, and report progress to MOP2 submitted	5 000	26 200	31 200
(b)	Enhance cooperation and communication with NGOs (especially observers to the MOP) in relevant activities to reach national, regional and global organizations	Civil society groups invited to participate in relevant Convention Secretariat activities, Convention Secretariat participation in at least three major global and regional Protocol-related meetings organized by NGOs, collaboration with NGOs strengthened, and report progress to MOP2	0	15 000	15 000
4.2	Promotion of international cooperation in the implementation of the Protocol				
(a)	Assist and facilitate cooperation and sharing of best practices in the implementation of the Protocol following the strategy adopted by MOP2	Parties engaged in international cooperation and best practices in the implementation of the Protocol shared	25 000	75 000	100 000
Subtotal for Area of work 4			30 000	116 200	146 200

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5 Administration and management and other arrangements and activities					
	Main components/Activities	Expected results and indicators	Activity cost (in US\$)		
			Assessed contributions	Extrabudgetary	Total
5.1 General administration and management					
(a)	Resource mobilization	60% of extra-budgetary funds raised.	10 000	10 000	20 000
(b)	General administration, staff and finance management.	Workplans and administrative arrangements customized within WHO's global management system (GSM)	30 000	0	30 000
5.2 Awareness raising, publications, website and web applications and implementation of communications plan					
(a)	Monitor and evaluate the dedicated Protocol webpage and redesign accordingly	Increased number of hits on the Protocol webpage	10 000	0	10 000
(b)	Update Protocol pages on the WHO FCTC website in the six WHO official languages	Protocol pages in six languages on the WHO FCTC website updated	5 000	7 500	12 500
Subtotal for Area of work 5			55 000	17 500	72 500
Total activity cost for all areas of work			1 475 730	1 048 900	2 524 630

ANNEX 2

GROSS STAFF COSTS BREAKDOWN (in US\$)¹

Fixed-term staff (assessed contributions)

Number	Position	US%
1	D2 (20% covered by the MOP budget and 80% by the budget of the Conference of the Parties (COP))	160 600
3	P5 (three posts at 20%)	397 200
1	P4	548 000
2	P3	886 000
2	P2	700 000
1	G3	257 000
Total for staff covered by assessed contributions (10 posts)		2 948 800

Extrabudgetary

3	P2	1 050 000
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Total for staff (13 posts)

3 998 800

¹ Indicative costs for core Convention Secretariat staff based on WHO's latest available standard gross salary costs for 2016–2017; possible changes in 2018–2019 will be reflected once they become available in a revised staff cost breakdown to be communicated to the Parties by a note verbale. As indicated above, current staff contracts are funded through voluntary assessed contributions; costs for additional proposed staff positions would be financed through extra-budgetary contributions. The fulfilment of the staff plan, and possible adjustments, will depend on the actual availability of funds and the evolving workload. The staff plan does not include possible short-term assignments and secondments that would be based on actual needs and resources available.

ANNEX 3

TOTAL PROPOSED BUDGET 2020–2021 (in US\$)

Type of cost	Covered by assessed contributions	Covered by extrabudgetary funds	Total
1. Activity costs	1 475 730	1 048 900	2 524 630
2. Staff costs	2 948 800	1 050 000	3 998 800
3. Total direct costs	4 424 530	2 098 900	6 523 430
4. Programme support costs	575 189	272 857	848 046
5. Grand total	4 999 719	2 371 757	7 371 476

(Second plenary meeting, 10 October 2018)

FCTC/MOP1(18) Scale and mechanism of Assessed Contributions and other resources

The Meeting of the Parties (MOP),

Considering the report prepared by the Convention Secretariat of the WHO Framework Convention on Tobacco Control (WHO FCTC) in document FCTC/MOP/1/18;

Recognizing also the urgent need for all Parties to implement the Protocol to Eliminate Illicit Trade in Tobacco Products (Protocol) to the maximum level;

Welcoming with appreciation the overall spirit of commitment by Parties to meet their financial obligations to support the implementation of the Protocol;

Recalling decision FCTC/COP7(23) on payment of the voluntary assessed contributions and measures to reduce Parties in arrears;

Emphasizing that the assessed contributions are the mandatory financial contribution of each Party to the Protocol in accordance with the agreed scale of assessments;

Taking into account Article 33.6 of the Protocol, which provides that “The Meeting of the Parties shall decide on the scale and mechanism of the voluntary assessed contributions from the Parties to the Protocol for the operation of this Protocol as well as other possible resources for its implementation”;

Considering that the scale of assessed contributions should be technically updated on an annual basis to reflect the growing membership of the Protocol, based on the WHO scale and adjusted to reflect the difference in membership of the WHO and that of the Protocol,

1. DECIDES that for future years, Parties' contributions shall be designated as assessed contributions, and that references to voluntary assessed contributions shall include assessed contributions and vice versa;
2. DECIDES to use the WHO scale of assessments taking into account the difference of membership of WHO and that of the MOP;
3. DECIDES to mandate the Bureau of the Protocol to adjust, in consultation with the Convention Secretariat, the scale of assessed contributions endorsed by the MOP in line with Article 33.6, reflecting the full membership of the Protocol as of 1 October 2019 and on an annual basis thereafter;
4. DECIDES that this adjusted scale would apply to existing Parties from 1 January of the year following the adjustment;
5. REQUESTS every new Party joining the Protocol to provide budgetary contributions in line with the first available scale of assessed contributions that takes account of that Party joining the Protocol, applicable to that Party as from the moment that the Protocol enters into force for it;
6. REQUESTS the Convention Secretariat, in coordination with the Bureau, to communicate the scale of assessed contributions for 2020–2021 to Parties following adoption of the scale of assessments by the United Nations General Assembly in late 2019;¹
7. REQUESTS the Convention Secretariat to prepare and present an annual financial statement to Parties two months in advance of the beginning of the invoice period;
8. DECIDES to review the adjustment of the scale of assessments at the Second session of the MOP, based on a proposal from the Secretariat;
9. REQUESTS the Convention Secretariat to inform WHO FCTC and Protocol focal points about the opening of posts to support the implementation of the Protocol within the Secretariat;
10. URGES the Parties to pay assessed contributions in full, at their earliest convenience, in order to ensure adequate resources to implement both the workplan and budget adopted by the MOP;
11. DECIDES to adopt the process and methodology established in operative paragraph 3 of decision FCTC/COP7(23);
12. REQUESTS the Convention Secretariat:
 - (a) to invite the WHO Secretariat, in particular through its established regional and country representative office structure, to support the Convention Secretariat in following up with Parties to collect the assessed contributions;
 - (b) to report at each MOP session the status of the assessed contributions.

¹ Based on the corresponding WHO scale of assessments for 2018–2019 and taking into account the difference in membership of WHO and that of the WHO FCTC.

ANNEX 1

SCALE OF ASSESSMENTS FOR THE PROTOCOL TO ELIMINATE ILLICIT TRADE IN TOBACCO PRODUCTS AND ASSESSED CONTRIBUTIONS 2018–2019

	Party to the Protocol	Protocol scale (%)	Contribution by Parties (US\$)
1	Austria	2.4592	70 439
2	Benin	0.0102	293
3	Brazil	13.0568	373 978
4	Burkina Faso	0.0137	391
5	Chad	0.0171	489
6	Comoros	0.0034	98
7	Congo	0.0205	587
8	Costa Rica	0.1605	4 597
9	Côte d'Ivoire	0.0307	880
10	Cyprus	0.1469	4 206
11	Ecuador	0.2288	6 554
12	Eswatini	0.0068	196
13	European Union	2.5000 ^a	71 606
14	France	16.5949	475 317
15	Gabon	0.0581	1 663
16	Gambia	0.0034	98
17	Germany	21.8200	624 979
18	Guinea	0.0068	196
19	India	2.5170	72 092
20	Iran (Islamic Republic of)	1.6085	46 072
21	Iraq	0.4406	12 619
22	Latvia	0.1708	4 891
23	Lithuania	0.2459	7 043
24	Madagascar	0.0102	293
25	Mali	0.0102	293
26	Malta	0.0546	1 565
27	Mauritius	0.0410	1 174
28	Mongolia	0.0171	489
29	Montenegro	0.0137	391

	Party to the Protocol	Protocol scale (%)	Contribution by Parties (US\$)
30	Nicaragua	0.0137	391
31	Niger	0.0068	196
32	Norway	2.8998	83 057
33	Pakistan	0.3176	9 097
34	Panama	0.1161	3 326
35	Portugal	1.3387	38 345
36	Qatar	0.9187	26 313
37	Samoa	0.0034	98
38	Saudi Arabia	3.9141	112 109
39	Senegal	0.0171	489
40	Serbia	0.1093	3 130
41	Slovakia	0.5464	15 651
42	Spain	8.3435	238 979
43	Sri Lanka	0.1059	3 032
44	Togo	0.0034	98
45	Turkey	3.4770	99 588
46	Turkmenistan	0.0888	2 543
47	United Kingdom of Great Britain and Northern Ireland	15.2425	436 581
48	Uruguay	0.2698	7 728
	TOTAL	100	2 864 241

^a The European Union has been allocated 2.5% of the contribution as a maximum amount following the European Union contribution to other international treaties.

ANNEX 2

SCALE OF ASSESSMENTS FOR THE PROTOCOL TO ELIMINATE ILLICIT TRADE IN TOBACCO PRODUCTS AND ASSESSED CONTRIBUTIONS, 2020–2021

	Party to the Protocol	Protocol scale (%)^a	Contribution by Parties (US\$)
1	Austria	2.4592	122 955
2	Benin	0.0102	512
3	Brazil	13.0568	652 802
4	Burkina Faso	0.0137	683
5	Chad	0.0171	854
6	Comoros	0.0034	171
7	Congo	0.0205	1 024
8	Costa Rica	0.1605	8 025
9	Côte d'Ivoire	0.0307	1 537
10	Cyprus	0.1469	7 342
11	Ecuador	0.2288	11 440
12	Eswatini	0.0068	341
13	European Union	2.5000 ^b	124 993
14	France	16.5949	829 697
15	Gabon	0.0581	2 903
16	Gambia	0.0034	171
17	Germany	21.8200	1 090 941
18	Guinea	0.0068	341
19	India	2.5170	125 841
20	Iran (Islamic Republic of)	1.6085	80 422
21	Iraq	0.4406	22 026
22	Latvia	0.1708	8 537
23	Lithuania	0.2459	12 294
24	Madagascar	0.0102	512
25	Mali	0.0102	512
26	Malta	0.0546	2 732
27	Mauritius	0.0410	2 049
28	Mongolia	0.0171	854
29	Montenegro	0.0137	683
30	Nicaragua	0.0137	683
31	Niger	0.0068	341
32	Norway	2.8998	144 982
33	Pakistan	0.3176	15 880
34	Panama	0.1161	5 805

	Party to the Protocol	Protocol scale (%) ^a	Contribution by Parties (US\$)
35	Portugal	1.3387	66 933
36	Qatar	0.9187	45 931
37	Samoa	0.0034	171
38	Saudi Arabia	3.9141	195 694
39	Senegal	0.0171	854
40	Serbia	0.1093	5 464
41	Slovakia	0.5464	27 320
42	Spain	8.3435	417 154
43	Sri Lanka	0.1059	5 293
44	Togo	0.0034	171
45	Turkey	3.4770	173 838
46	Turkmenistan	0.0888	4 439
47	United Kingdom of Great Britain and Northern Ireland	15.2425	762 081
48	Uruguay	0.2698	13 489
	TOTAL	100	4 999 717

^a This scale is based on the scale of assessments adopted by the United Nations General Assembly in late 2017.

^b The European Union has been allocated 2.5% of the contribution as a maximum amount following the European Union contribution to other international treaties.

(Second plenary meeting, 10 October 2018)

FCTC/MOP1(19) Credentials of participants

The Meeting of the Parties (MOP),

RECOGNIZES the validity of the credentials of the representatives of the following Parties:

Austria, Benin, Brazil, Burkina Faso, Chad, Comoros, Congo, Costa Rica, Côte D'Ivoire, Cyprus, Ecuador, Eswatini, European Union, France, Gabon, Gambia, Germany, India, Iraq, Latvia, Lithuania, Madagascar, Mali, Mauritius, Mongolia, Montenegro, Nicaragua, Niger, Norway, Pakistan, Panama, Portugal, Qatar, Samoa, Saudi Arabia, Senegal, Serbia, Slovakia, Spain, Sri Lanka, Togo, Turkey, United Kingdom of Great Britain and Northern Ireland, Uruguay.

(Second plenary meeting, 10 October 2018)

FCTC/MOP1(20) Date and place of the second regular session of the Meeting of the Parties to the Protocol to Eliminate Illicit Trade in Tobacco Products

The Meeting of the Parties (MOP),

Taking into account Article Rule 3 of the Rules of Procedure, which provides that the sessions of the Conference of the Parties shall be held at the seat of the Secretariat, unless the Meeting of the Parties decides otherwise;

Considering that the following option has been proposed for the convening of the Second regular session of Meeting of the Parties to the Protocol to Eliminate Illicit Trade in Tobacco Products (MOP2):

1. DECIDES that MOP2 will be held in the Netherlands with dates to be confirmed after agreement between the hosting Party and the incoming Bureau, in consultation with the Convention Secretariat.

(Second plenary meeting, 10 October 2018)

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