

Summary report on the

**Intercountry regional
pre-WHO Framework
Convention on Tobacco
Control seventh session of
the Conference of Parties
meeting**

WHO-EM/TFI/153/E

Cairo, Egypt
20–22 September 2016



**World Health
Organization**

Regional Office for the Eastern Mediterranean

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1. Introduction

The intercountry regional pre-WHO Framework Convention on Tobacco Control (FCTC) seventh session of the Conference of the Parties (COP7) meeting took place at the WHO Regional Office for the Eastern Mediterranean in Cairo, Egypt, on 20–22 September 2016. The meeting was attended by 30 participants from 14 countries of the Region, along with international experts and staff from the FCTC Secretariat and WHO.

The objectives of the meeting were to:

- introduce key COP7 documents;
- review and discuss the recommendations of the relevant COP documents;
- discuss the status of the entry into force of the Protocol and review possible mechanisms for activating the ratification process at national level; and
- agree on a common regional position for each topic presented for COP7.

The meeting was divided into four sessions: review of documents in technical areas where substantive decisions are expected; review of documents in technical areas where a decision needs to be taken that is expected to be fairly uncontroversial; issues where the COP is merely expected to take note of the work done and take regular decisions; and the status of the Protocol to Eliminate Illicit Trade in Tobacco Products. Each session and each COP7 document was introduced by either a representative of the Convention Secretariat (in person or through a recorded message), or by a member of the COP working or expert groups or WHO, before being discussed by participants.

In his opening message, Dr Ala Alwan, Regional Director for the Eastern Mediterranean, acknowledged the commitment of countries to

advancing the tobacco control agenda and shaping the future of tobacco control and health in the Region. Dr Alwan pointed out that the regional Parties to the Convention had taken a lead in COP7 with an agenda item proposed by Egypt on tobacco advertising, promotion and sponsorship in drama. He stressed the need to stand firm in the face of attempts by the tobacco industry to undermine the advance of tobacco control both regionally and globally. The Regional Director pledged WHO's commitment to continuing its support to countries in the implementation of the WHO FCTC and the ratification of the Protocol to Eliminate Illicit Trade in Tobacco Products.

During the introductory session, countries heard a recorded message from Dr Vera Luiza da Costa e Silva, Head of the WHO FCTC Secretariat, who drew their attention to the increasing interference of the tobacco industry, alongside other important issues in the area of tobacco control and developments related to the Convention.

Dr Tibor Zoltan Szilagyi, Team Leader, Reporting and Knowledge Management, WHO FCTC Secretariat, gave an overview of the COP7 preparations, including an introduction to the documents prepared for the COP to be negotiated by WHO FCTC Parties during COP7. He also presented on the role of the two committees (A and B) during COP7 and informed Parties about the side events taking place during COP7 and other plans of the Secretariat.

In the comments that followed, countries indicated the importance of a balanced approach in presenting different country materials and experiences during side events and in the "market place".

2. Summary of discussions

Review of documents in technical areas where substantive decisions are expected

The following documents were discussed:

- Implementation of Article 5.3 of the WHO FCTC (FCTC/COP/7/7).
- Further development of the partial Guidelines for implementation of Articles 9 and 10: report by the working group and report by WHO (FCTC/COP/7/8 and FCTC/COP/7/9).
- Region-specific challenges to implementation of Articles 9 and 10 (FCTC/COP/7/INF.DOC/1).
- Reporting arrangements under the WHO FCTC: report of the expert group (FCTC/COP/7/15).
- Proposed workplan and budget for the financial period 2018–2019 (FCTC/COP/7/25; FCTC/COP/7/INF.DOC./2).
- Maximizing transparency of Parties' delegations, IGOs, NGOs and civil society groups during sessions of the COP and meetings of its subsidiary bodies (FCTC/COP/7/30).
- Strengthening synergy between the Conference of the Parties and the World Health Assembly (FCTC/COP/7/32).

The Parties supported the document related to the implementation of Article 5.3 of the WHO FCTC (document FCTC/COP/7/7). However, they noted obstacles to the protection of public health policies from commercial and other vested interests of the tobacco industry. These issues will be raised by regional Parties so as to be reflected in the decision reached by COP7.

In relation to the development of guidelines for implementation of Articles 9 and 10 (documents FCTC/COP/7/8 and FCTC/COP/7/9), the Parties agreed to support the reports presented by the working

group and WHO. The Parties requested WHO, in collaboration with the Convention Secretariat, to develop a step-by-step document on the implementation of Articles 9 and 10.

Regarding region-specific challenges to implementation of Articles 9 and 10 (document FCTC/COP/7/INF.DOC/1), the Parties pointed out the dilemma regarding national tobacco monopolies and the impact of tobacco control. Indeed, many governments in the Region are the owners of tobacco companies, which creates a considerable conflict of interest when it comes to tobacco control decisions and policies. Even where tobacco companies are not owned by governments, they have great influence on governments because of their financial capacities. Participants therefore indicated that it will be important for the COP7 decision to call upon governments to prioritize the interests of public health over tobacco industry investment.

In relation to the reporting arrangements under the WHO FCTC, the Parties supported the report of the expert group (document FCTC/COP/7/15). This was an opportunity to underline the importance of having the flexibility to insert more questions in the tool if needed.

Regarding financial issues (documents FCTC/COP/7/25; FCTC/COP/7/INF.DOC./2), countries had not yet approved the proposed workplan and budget, as they felt there was a need for further discussion.

The Parties agreed to support the document on maximizing transparency of Parties' delegations, intergovernmental organizations, nongovernmental organizations and civil society during sessions of the COP and meetings of its subsidiary bodies (document FCTC/COP/7/30).

In relation to strengthening synergies between the COP and the World Health Assembly, the Parties agreed with the presented document

(FCTC/COP/7/32). It was noted that since COP is mainly attended by tobacco control focal points, while World Health Assembly has much bigger delegations from countries, it is important that COP participants participate in a briefing mechanism for World Health Assembly delegations to ensure consistency and good sharing of information.

Review of documents in technical areas where a decision needs to be taken that is expected to be fairly uncontroversial

The following documents were discussed:

- Impact assessment of the WHO FCTC: report by the expert group (FCTC/COP/7/6).
- International cooperation for implementation of the WHO FCTC, including the implementation of the 2030 Agenda for Sustainable Development, the global NCD targets and human rights (FCTC/COP/7/16).
- South-south and triangular cooperation (FCTC/COP/7/17).
- Sustainable measures to strengthen implementation of the WHO FCTC: report by the working group (FCTC/COP/7/18).
- Trade and investment issues (FCTC/COP/7/21).
- Payment of the voluntary assessed contributions and measures to reduce Parties in arrears (FCTC/COP/7/24).
- Financial resources and mechanisms of assistance (FCTC/COP/7/19).
- Convention Secretariat's fundraising efforts and collaborative work (FCTC/COP/7/26).

No consensus was reached regarding the report of the expert group on the impact assessment of the WHO FCTC (document FCTC/COP/7/6). Some Parties felt there was a need to continue the working group with different terms of reference, while others felt the group should be discontinued. A third group of Parties thought there was a need for more

focus at the national level. It was agreed to resume this discussion during COP7 in coordination with other regions.

The Parties agreed to support the document on international cooperation for implementation of the WHO FCTC, including the implementation of the 2030 Agenda for Sustainable Development, the global noncommunicable disease targets and human rights (document FCTC/COP/7/16). However, the Parties want the COP decision to reinforce commitment to achieving the global noncommunicable disease voluntary tobacco use reduction target reflected in decision FCTC/COP/6/16. The Parties suggested the need for a separate decision that would consider reviewing data availability and conducting a focused consultation on how the COP can contribute to achieving the noncommunicable disease voluntary tobacco use reduction target. It was agreed that Oman will prepare a document on this matter to open discussion during COP7.

Parties agreed on the documents related to south-south and triangular cooperation, sustainable measures to strengthen implementation of the WHO FCTC, trade and investment issues and the Convention Secretariat's fundraising efforts and collaborative work, without raising any particular issues (documents FCTC/COP/7/17, FCTC/COP/7/18, FCTC/COP/7/21, FCTC/COP/7/26).

The Parties did not fully support the recommendations regarding the payment of voluntary assessed contributions and measures to reduce Parties in arrears (document FCTC/COP/7/24). They expressed their willingness to consider changing the word "voluntary" to a more compulsory word, and some of the Parties expressed their disagreement with any fines and repercussions for non-payment.

Regarding financial resources and mechanisms of assistance (document FCTC/COP/7/19), Parties expressed the need for further deliberations at national level before COP7.

Issues where COP7 is merely expected to take note of the work done and take regular decisions

The following documents were discussed:

- Control and prevention of waterpipe tobacco products: report by WHO and Electronic nicotine delivery systems and electronic non-nicotine delivery systems: report by WHO (FCTC/COP/7/10 and FCTC/COP/7/11).
- Economically sustainable alternatives to tobacco growing (in relation to Articles 17 and 18 of the WHO FCTC) (FCTC/COP/7/12).
- Tobacco advertising, promotion and sponsorship: depiction of tobacco in entertainment media (FCTC/COP/7/38).

Regarding control and prevention of waterpipe tobacco products, and electronic nicotine delivery systems and electronic non-nicotine delivery systems (documents FCTC/COP/7/10 and FCTC/COP/7/11), the Parties expressed concerns about both waterpipe and e-cigarettes, particularly about the way the industry is promoting both through the use of flavours and making them sound less harmful than cigarettes. It was agreed that Islamic Republic of Iran and Lebanon would work together to draft a decision on this matter and share it with regional Parties prior to COP7.

Regarding e-cigarettes more specifically, the position of the Parties is either to not have a decision at all at COP7 or to retain within any new decision the option of banning or regulating them, based on the findings of the report.

The Parties expressed their willingness to join efforts to reach common economically-sustainable alternatives to tobacco growing (document FCTC/COP/7/12). The Parties requested a regional meeting on the issue.

Regarding tobacco advertising promotion and sponsorship: depiction of tobacco in entertainment media (document FCTC/COP/7/38), Egypt has circulated a draft decision for feedback. The establishment of a working or expert group to address cross-border advertising was discussed and concerns were raised over the document imposing too much on the Secretariat. Egypt will revise the draft decision based on the discussions and circulate it among the Parties. The Secretariat will further examine the draft decision and share the outcome. Egypt will take the lead on behalf of the Region in negotiating the decision during COP7. It was noted that the issue could be linked to recommendations on Article 5.3.

Status of the Protocol to Eliminate Illicit Trade in Tobacco Products

Regarding the status of the Protocol to Eliminate Illicit Trade in Tobacco Products (document FCTC/COP/7/5), the Parties discussed the role of different sectors in implementing the Protocol and the next steps at the regional level. They expressed their willingness to share the status of the Protocol with decision-makers at the national level. The Parties committed to sending requests to the WHO FCTC Secretariat for engagement with the panel of experts. The Parties also requested WHO, jointly with the WHO FCTC Secretariat, to hold a regional meeting on the Protocol to support its entry into force.

3. Conclusion and next steps

The meeting facilitated better understanding of the technical content of COP documents. Apart from the documents related to financial and

budgetary issues (FCTC/COP/7/25 and FCTC/COP/7/INF.DOC./2), and the impact assessment of the WHO FCTC (FCTC/COP/7/6), all documents were supported by the Parties in the Region.

The Parties will be specifically proactive in the following areas:

- Tobacco advertising, promotion and sponsorship in entertainment media. Egypt will take the lead on behalf of the Region in negotiating this decision during COP7.
- International cooperation for implementation of the WHO FCTC, including the implementation of the 2030 Agenda for Sustainable Development, the global noncommunicable disease targets and human rights. Oman will prepare a document to open discussion during COP7, focusing on the global noncommunicable disease tobacco use reduction target.
- Control and prevention of waterpipe tobacco use. Islamic Republic of Iran and Lebanon will work together to draft a decision and will share it with regional Parties prior to COP7.



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