

Summary report on the

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

Cairo, Egypt
14–15 August 2018



REGIONAL OFFICE FOR THE

**World Health
Organization**

Eastern Mediterranean

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1. Introduction

The intercountry regional pre-WHO Framework Convention on Tobacco Control (FCTC) eighth session of the Conference of the Parties (COP8) meeting took place at the WHO Regional Office for the Eastern Mediterranean in Cairo, Egypt, on 14–15 August 2018. The meeting was jointly organized by the Regional Office and the Secretariat of the WHO FCTC, and attended by participants from 13 countries of the Region, along with seven international experts, and staff from the FCTC Secretariat and WHO.

The objectives of the meeting were to:

- Introduce key COP8 documents to the Parties from the Region;
- Review and discuss recommendations of the relevant COP documents;
- Discuss developments after the entry into force of the Protocol and review possible mechanisms for activating the ratification process at national level;
- Exchange views and debate positions related to technical and administrative documents;
- Agree on one unified regional position for each agenda item discussed at the meeting;
- Discuss and elect: a nominee for the position of chair or vice-chair of committee A and B at COP8; a nominee to represent the Region in the COP Bureau in the next intersessional period; and a regional coordinator to chair the regional meetings at COP8 and help coordinate matters related to the FCTC in the next intersessional period.

The meeting was mainly divided into two parts: the first part to review and discuss matters related to the COP8 and the second part on

technical matters important for the Region, including Article 5.3 of the WHO FCTC.

In his opening message, Dr Ahmed Al-Mandhari, Regional Director for the Eastern Mediterranean, acknowledged the commitment of the Parties to advancing the tobacco control agenda and shaping the future of tobacco control and health in the Region. The Regional Director pledged WHO's commitment to continuing its support to Parties in the implementation of the WHO FCTC and the ratification of the Protocol to Eliminate Illicit Trade in Tobacco Products.

During the opening session, parties watched a video message from Dr Vera Luiza da Costa e Silva, Head of the WHO FCTC Secretariat, who drew their attention to the issues surrounding the transparency of the COP delegation given the increasing interference of the tobacco industry, alongside other issues in area of tobacco control and developments related to the Convention.

Ms Guangyuan Liu, Coordinator of the WHO FCTC Secretariat, gave an overview of the COP8 preparations, including an introduction to the documents prepared for the COP to be negotiated by WHO FCTC Parties during COP8. She also elaborated on the arrangement and programme of work of the plenary and committees of the COP and other practical information about registration, etc.

At the end of the opening session, Parties chose Dr Jawad Al Lawati, Senior Consultant and Noncommunicable Diseases Surveillance Control Rapporteur, National Tobacco Control Committee, Ministry of Health, Oman, as the chairperson of the intercountry regional pre-WHO Framework Convention on Tobacco Control (FCTC) eighth session of the Conference of the Parties (COP8) meeting based on his position as regional representative in the COP Bureau.

2. Summary of discussions

Section One

Treaty and technical matters of the COP8 agenda

Tobacco advertising, promotion and sponsorship: depiction of tobacco in entertainment media (document FCTC/COP/8/7): Parties supported the document to be presented at COP8 related to this topic and pointed out the challenges pertaining to online media outlets and cross-border regulation. With advancing technology and increasing globalization, tobacco advertisement and promotion nowadays transcends geographical boundaries, which warrants more innovative and preemptive thinking to counter the resistance from the industry. It was also noted that the issue could be linked to recommendations on Article 5.3 of the WHO FCTC, and the need for a full and comprehensive implementation of the Article 13 guidelines and the strengthening of existing legislation was highlighted. The Parties' attention was drawn to the importance of mobilizing civil society and engaging multisectorial stakeholders in future tobacco control endeavours.

Progress report on technical matters related to Articles 9 and 10 (regulation of contents and disclosure of tobacco products, including water pipe, smokeless tobacco and heated tobacco products) (document FCTC/COP/8/8): Parties supported the progress report on technical matters related to Articles 9 and 10 of the WHO FCTC and its recommendations regarding the requests made by the Conference of the Parties at its seventh session. Specifically, the report emphasized the need to bolster Parties' capacities in testing tobacco products and the use of the validated standard operating procedures by the WHO Tobacco Laboratory Network. Gaps in market monitoring of novel and emerging tobacco products were highlighted, and the importance of putting mechanisms in place to monitor these products, which the

industry has introduced into several markets, particularly in response to declining cigarette sales, was stressed. The discussion also stressed the need to make a wider range of validated methods available that Parties could use to monitor the priority toxicants recommended by the WHO Study Group on Tobacco Product Regulation, and relevant information was shared on recently published tobacco product regulation-related WHO resources, which can help Parties in the region strengthen tobacco product regulation. It was pointed out that disclosure of tobacco product information by the industry to regulators is relatively easy and could be exploited by Parties in the absence of laboratory capacity. Parties noted that Bahrain, Islamic Republic of Iran, Kuwait and United Arab Emirates have laboratories, and that WHO will engage with these laboratories to strengthen tobacco testing capacity.

Progress report on scientific, regulatory and market developments in electronic nicotine delivery systems and electronic non-nicotine delivery systems (document FCTC/COP/8/10): Parties supported the progress report on scientific, regulatory and market developments on electronic nicotine delivery systems and electronic non-nicotine delivery systems. They also emphasized the need for more guidance on how to regulate and disclose the contents of these products, and also on the sharing of experiences and knowledge among the Parties. Parties also expressed concerns about the growing prevalence of water pipes and e-cigarettes, and in particular about the industry's promotional tactics with regard to these products.

WHO FCTC implementation during complex emergency situations (document FCTC/COP/8/13): Regarding the challenge to implement effective tobacco control measures in emergency situations, Parties agreed with the existing document and underscored the importance of implementing Parties' initiatives. Parties also endorsed the inclusion of surveillance as one of the essential activities to be carried out

during emergencies. Consensus was reached on augmenting coordination with emergency Parties in the Region and providing feedback and regular updates on surveillance. Parties noted that a formidable gap remains regarding surveillance in countries affected by emergencies in the Region. It was recommended that Parties at least maintain a minimal level of surveillance in countries affected by emergencies to enable focal points to generate new data.

Progress towards the entry into force of the Protocol to eliminate illicit trade in tobacco products (documents FCTC/COP/8/5; FCTC/COP/8/6): Parties discussed the roles of different sectors in implementing the Protocol and the way forward at the regional level, and emphasized the importance of multisectorial collaboration. They expressed their willingness to share the status of the Protocol with decision-makers at the national level, and their commitment to sending requests to the WHO FCTC Secretariat for more engagement with the panel of experts. Parties also requested WHO, jointly with the WHO FCTC Secretariat, to hold a regional meeting on the Protocol to support its entry into force.

Parties also discussed the application and registration process for Member States who intend to participate in COP and the Meeting of the Parties (MOP). The Secretariat noted that Member States that are not Parties can be invited to MOP and COP as observers, and that Parties keen to participate in both MOP and COP must register on both the COP and MOP registration systems.

Budgetary and institutional matters of the COP8 agenda

Measures to strengthen the implementation of the Convention through coordination and cooperation: report by the working group (document FCTC/COP/8/11): The report and the medium-term strategic plan that the working group will submit at COP8 for consideration and adoption. Parties agreed on the need for a plan to guide the future direction and priorities of both the Parties and the work of the Convention Secretariat. Parties also raised the need for the alignment of the work plan and budget with the medium-term strategic plan after its adoption. Parties will further discuss this agenda with other regions during COP8.

Maximizing transparency of Party delegations and observers during sessions of the Conference of the Parties, meetings of its subsidiary bodies, and other WHO FCTC meetings (document FCTC/COP/8/15): COP7 deliberations and progress were reviewed and issues that remain unresolved were highlighted, including the use of standard sentences in invitation letters and the completion of declaration of interest forms. The COP Bureau now proposes a draft decision for consideration by COP8. It was noted that the draft decision urges Parties to accelerate and strengthen the implementation of Article 5.3 of the WHO FCTC and of its guidelines, as well as to remain vigilant of the industry's attempts to sabotage the implementation of the FCTC, especially through Party delegations. Attention was also drawn to the fact that the draft decision requests the WHO FCTC Secretariat to inform Parties and observers about the decision taken on declaration of interest to include standard sentences in all future letters of invitation, to make reference to the Parties that completed declaration of interest forms in any COP8 decision on credentials, to publish the list of voluntary declarations of state non-Parties and intergovernmental organizations on the internet, and to monitor any signs of conflict of interest among the delegations. The WHO FCTC Secretariat informed the Parties that no

agreement was reached regarding this agenda item at COP7, and requested that the Parties continue discussing it at COP8. The WHO FCTC Secretariat introduced the document, along with its draft decision and the declaration of interest forms. The Secretariat stated that broad regional consultation on the draft decision has been conducted, and that Parties in the Region supported the document and the proposed draft decision and emphasized that the Region also faces a similar problem with regard to representatives of the tobacco monopoly.

Proposed work plan and budget for the financial period 2020–2021, and payment of the assessed contributions and measures to reduce parties in arrears. (documents FCTC/COP/8/16; FCTC/COP/8/INF.DOC/2): Parties agreed that the Regional Office will share the assessed contribution table with all Parties and will update the WHO FCTC Secretariat on progress on payment.

WHO FCTC Secretariat's fundraising strategies: investment fund concept (document FCTC/COP/8/17): At this stage no decision has been made. Parties agreed it was important to have sustainable funding to support the implementation of the WHO FCTC. It was agreed that Parties should capitalize on the existing international budgets for sustainable development goals (SDGs) contributed by all other UN agencies for pushing for the implementation of the WHO FCTC. Parties also highlighted the importance of including SDG Target 3a in national plans. The WHO FCTC Secretariat also promised to share the contact information of the United Nations Development Project (UNDP) with Parties when requested.

Progress report on implementation assistance and international cooperation (document FCTC/COP/8/12): At this stage, no Party has been nominated to take the lead on this topic, and the Parties agreed that the Region should coordinate with other WHO regions during COP8.

Strengthening the synergy between the Conference of the Parties and the World Health Assembly: report by the WHO Director-General on the outcome of the Seventieth and Seventy-first World Health Assemblies (document FCTC/COP/8/22): Attention was drawn to the decisions of COP7 and the Seventieth and Seventy-first World Health Assemblies, and the resolutions from the Seventieth and Seventy-first World Health Assemblies, and discussions stressed the substantial collaborative efforts between these two governing bodies, and how the outcome decisions generated from one assembly support the work of the other. Parties endorsed the strong ongoing partnership and collaboration between the COP and the World Health Assembly.

In addition, Parties agreed that it is of paramount importance to prioritize the needs of Parties, who were advised to communicate directly with the WHO Regional Office on tobacco control matters.

Progress report on technical matters related to Articles 4.2.d (gender issues), 5.3 (tobacco industry interference), 17 and 18 (alternative livelihoods, and protection of the environment) and 19 (liability) (document FCTC/COP/8/9): The decision from COP7 that requests WHO to prepare and submit a report on this topic to COP8 was reviewed, and the reported differences in smoking prevalence among men and women and among different socio-economic groups were presented. Further discussion on this topic centred on gender-responsive tobacco control policies. Regarding alternative livelihoods and protection of the environment, attention was drawn to the global meeting in collaboration with Food and Agriculture Organization of the United Nations, the United Nations Development Programme and WHO, and the toolkit developed for Article 19, and Parties were encouraged to utilize the toolkit and share it with other key stakeholders. The Islamic Republic of Iran proposed the draft decision on Article 5.3 for the consideration of the COP Bureau and inclusion

in the COP 8 agenda. It was agreed by the Parties that Kuwait, Oman and Afghanistan would be the co-sponsors of this draft.

Code of conduct adopted by the COP Bureau and amendments to the rules of procedure of the Conference of the Parties (document FCTC/COP/8/21): The principles by which Bureau members should abide were outlined, and Parties endorsed the provisions in the code of conduct that proscribe Bureau members' acceptance of any request for partnership with or proposals and incentives from the tobacco industry within 24 months following the completion of their Bureau membership. Parties highlighted the challenges and gaps in enforcing the code of conduct and the lack of punitive mechanisms for noncompliance. Possible amendments to the rules of procedure of the Conference of the Parties were also discussed and agreed on by the Parties. In addition, Parties also agreed that coordination with other regions will take place during COP8.

Section two

Important tobacco control issues in the Region

Tobacco industry interference in the Region: Discussions highlighted tobacco industry activities that undermine global tobacco control efforts, and the enormous burden of countering industry interference in the Region. On a positive note, Parties' attention was drawn to the rise in tobacco control legislation in the Region, such as the ambitious anti-smoking campaign Egypt has launched that combines new taxes with plans to ban all indoor smoking in major cities. Nonetheless, Parties agreed that anti-smoking endeavours in the Region face great challenges from the smoking culture that is deeply rooted among the population. Furthermore, Parties pointed out the profound implications of the Arab Spring, which triggered tremendous pushbacks on existing smoking control regulations by the general

public. In addition, Parties in the Region discussed which Parties would take the lead in the agenda item and the decision points are annexed to this document.

Introduction to alternative products and their science, including strategies for the promotion of new products: alternative products were introduced, and it was explained that the term “alternative products” includes novel tobacco products such as heated tobacco products (HTPs), electronic nicotine delivery systems (ENDS) (the most well-known ENDS products are e-cigarettes), and electronic non-nicotine delivery systems (ENNDS). As cigarette smoking has generally decreased in high-income countries in the last decade, tobacco manufacturers have moved to introduce new products to the market, which are marketed as less harmful, in a move to reposition the tobacco industry as a responsible partner in tobacco control policy. A diverse array of new alternative products are constantly entering the market, which causes significant issues for regulators as the science and health impacts of these products are generally not yet well understood. In particular, claims that alternative products are less harmful than cigarettes are not substantiated by current independent science. It was noted that HTPs and ENDS are often confused with each other or categorized together. This can allow the tobacco industry to exploit regulatory loopholes to avoid HTPs being regulated as tobacco products (which they should be under the WHO FCTC) and to seek lighter or no regulation of HTPs, ENDS and ENNDS by distinguishing them from other tobacco products.

What do we know about ENDS and tobacco industry tactics? Discussions began by shedding light on the myriad terminologies that experts use to describe different tobacco products, as well as the anatomical features of newly developed technologies that have led to the perpetuation of smoking behaviour and the creation of a gateway

to cigarette smoking especially among youth. Discussions also demystified various promotional claims by the industry regarding the efficacy of ENDS in aiding smoking cessation and the health effects of toxic emissions from ENDS. Recognizing the dearth of scientific evidence, Parties agreed that adopting ENDS as a smoking cessation aid is at odds with current tobacco control efforts. As a response to the decline in global cigarettes sales, the industry has shifted to investing considerably in ENDS advertising. While ENDS is banned in 11 countries of the Region, a unified regulatory approach is lacking. Parties deliberated the WHO recommendations on controlling the use of ENDS, urging Parties to strengthen surveillance, gather robust evidence, and collaborate on formulating effective regulatory strategies to assist Parties in capacity building.

What do we know about Heated Tobacco Products (HTPs) and tobacco industry tactics? Discussions centred around providing an overview of HTPs and the available scientific evidence regarding these, identifying knowledge gaps and regulatory challenges, assessing the existing WHO resources/activities, and facilitating discussion on technical networks and publications on this topic. Parties recognized the challenge that lies in the paucity of studies on HTPs, and that the available scientific evidence all points to adverse effects on users and bystanders. Parties also discussed the Lausanne Working Group meeting on HTPs, emphasizing the need to harness research momentums and act on what is known to assist regulators with regulatory needs. Parties then shifted their attention to tobacco industry tactics and agreed on forging multi-sectorial collaborations with reach centres and governments, and promoting the sharing of information among regulators on a global level in an effort to realign their regulatory approaches with up-to-date scientific evidence. The key message from this discussion was that HTPs are tobacco products

and should be regulated in the same manner as other tobacco products in compliance with the WHO FCTC.

3. Conclusion and next steps

The meeting facilitated better understanding of the technical content of COP8 documents, and roles and responsibilities of regional Parties during COP8 and in the COP8–COP9 intersessional period were identified.

Parties requested that the Region continue to provide technical support and information to regional Parties and Non-parties in the following areas:

- tobacco advertising, promotion and sponsorship in entertainment media
- tobacco industry interference and the implementation of Article 5.3 of the FCTC
- the control and prevention of water pipe, tobacco, ENDS, and ENNDS use
- the achievement of global targets related to tobacco use reduction
- the mobilization of support for the WHO FCTC protocol.

Table 1 provides details on the positions of Parties regarding their support for the COP8 documents discussed. A Party was nominated as a focal point for each COP8 document.

Parties elected the Islamic Republic of Iran as the next regional Bureau member, and Oman as the next coordinator for the FCTC.

Table 1. Positions of regional Parties regarding COP8 documents

Number of document	Name of document	Position of Parties attending the Intercountry regional pre-WHO FCTC COP8 meeting	Country nominated as focal point
FCTC/COP/8/5; FCTC/COP/8/6	Progress towards the entry into force of the Protocol to eliminate illicit trade in tobacco products	<ul style="list-style-type: none"> • Parties supported the document. • The Region has 4 Parties to the Protocol (Iraq, Saudi Arabia, Pakistan and Qatar); Parties noted that there is a need to increase the number of regional Parties who are party to the Protocol. 	Iraq
FCTC/COP/8/7	Tobacco advertising, promotion and sponsorship: depiction of tobacco in entertainment media	<ul style="list-style-type: none"> • Pre-COP8 suggests that during the discussion in COP8, Parties include reference to “cross-border/online advertising” in any technical/expert group that will be established based on this agenda item. • Parties agreed on the outcome of the working group’s work. 	Egypt
FCTC/COP/8/8	Progress report on technical matters related to Articles 9 and 10 (regulation of contents and disclosure of tobacco products, including water pipe, smokeless tobacco and heated tobacco products)	<ul style="list-style-type: none"> • Parties requested that WHO send countries its implementation plans related to Articles 9 and 10. 	Bahrain

Number of document	Name of document	Position of Parties attending the Intercountry regional pre-WHO FCTC COP8 meeting	Country nominated as focal point
FCTC/COP/8/9	Progress report on technical matters related to Articles 4.2.d (gender issues), 5.3 (tobacco industry interference), 17 and 18 (alternative livelihoods, and protection of the environment) and 19 (liability)	<ul style="list-style-type: none"> • Parties requested the WHO Regional Office to work with Islamic Republic of Iran on finalizing the progress report. • Islamic Republic of Iran as the sponsor of the decision on Article 5.3 and the current Bureau member (Oman) will coordinate with other countries on their support for the decision. • Convention Secretariat needs to receive the final copy of the draft decision on Article 5.3 three weeks before COP8. 	Islamic Republic of Iran
FCTC/COP/8/10	Progress report on scientific, regulatory and market developments in electronic nicotine delivery systems and electronic non-nicotine delivery systems	<ul style="list-style-type: none"> • Keep the banning option in the COP8 decision. • Support the findings of the progress report. • More guidance on how to regulate these products and increased sharing of country experiences is necessary. 	Bahrain
FCTC/COP/8/11	Measures to strengthen the implementation of the Convention through coordination and cooperation: report by the working group	<ul style="list-style-type: none"> • The Region will coordinate with other WHO regions on its position during COP8. 	Islamic Republic of Iran

Number of document	Name of document	Position of Parties attending the Inter-country regional pre-WHO FCTC COP8 meeting	Country nominated as focal point
FCTC/COP/8/12	Progress report on implementation assistance and international cooperation	<ul style="list-style-type: none"> Parties' positions will be coordinated with other regions during COP8. 	No focal point nominated
FCTC/COP/8/13	WHO FCTC implementation during complex emergency situations	<ul style="list-style-type: none"> Include surveillance as part of essential activities during emergencies. Libya will coordinate with countries in emergency situations in the Region and provide feedback on the document. Libya will coordinate with other regions during COP. 	Libya
FCTC/COP/8/15	Maximizing transparency of Party delegations and observers during sessions of the Conference of the Parties, meetings of its subsidiary bodies, and other WHO FCTC meetings	<ul style="list-style-type: none"> There are no objections to the document. Kuwait will coordinate with other WHO regions during COP8. 	Kuwait
FCTC/COP/8/16; <i>FCTC/COP/8/INF.DOC/2</i>	Proposed work plan and budget for the financial period 2020–2021, and payment of the assessed contributions and measures to reduce Parties in arrears	<ul style="list-style-type: none"> Kuwait and Bahrain have already processed payment. WHO Regional Office will share the assessed contributions table with all Parties during 	Oman

Number of document	Name of document	Position of Parties attending the Intercountry regional pre-WHO FCTC COP8 meeting	Country nominated as focal point
FCTC/COP/8/17	Convention Secretariat's fundraising strategies: investment fund concept	<ul style="list-style-type: none"> • There are no objections to the document. • Coordination with other regions will take place during COP8. 	No focal point nominated
FCTC/COP/8/21	Code of conduct adopted by the COP Bureau and amendments to the rules of procedure of the Conference of the Parties	<ul style="list-style-type: none"> • Parties agreed on the amendments and no further decisions were made. • Coordination with other regions will take place during COP8. 	No focal point nominated
FCTC/COP/8/22	Strengthening the synergy between the Conference of the Parties and the World Health Assembly: report by the WHO Director-General on the outcome of the Seventieth and Seventy-first World Health Assemblies	<ul style="list-style-type: none"> • Parties recognized that this is an ongoing activity. Parties requested more clarity on the lines of communication to be used regarding this collaboration 	No focal point nominated



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