



WHO FRAMEWORK CONVENTION
ON TOBACCO CONTROL

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

Seventh session
Delhi, India, 7–12 November 2016

12 November 2016

DECISION

FCTC/COP7(9) Electronic nicotine delivery systems and electronic non-nicotine delivery systems

The Conference of the Parties (COP),

Recalling its decision FCTC/COP4(14) to request the Convention Secretariat to prepare jointly with WHO's Tobacco Free Initiative a comprehensive report based on the experience of Parties on the matter of electronic nicotine delivery systems (ENDS) for consideration at the fifth session of the COP;

Recalling its decision FCTC/COP5(10) to request the Convention Secretariat to invite WHO to identify options for the prevention and control of ENDS and examine emerging evidence on the health impacts of the use of such electronic systems; and report on the outcome to the sixth session of the COP;

Recalling its decision FCTC/COP6(9) to request the Convention Secretariat to invite WHO to prepare an expert report for the seventh session of the COP with an update on the evidence of the health impacts of ENDS/ENNDS;

Noting that the report by WHO to the COP at its seventh session (document FCTC/COP/7/11) covers updates on the evidence of the health impact of ENDS/ENNDS, their potential role in tobacco cessation and impact on tobacco control efforts, and assesses policy options (i.e. preventing the initiation of ENDS/ENNDS by non-smokers and youth, minimizing as far as possible potential health risks to ENDS/ENNDS users and protect non-users from exposure to their emissions, preventing unproven health claims from being made, and protecting tobacco-control activities from all commercial and other vested interests related to ENDS/ENNDS, including interests of the tobacco industry);

Noting that regional and international standards-development organizations have begun work on methods for the testing and measuring of contents and emissions of ENDS/ENNDS with an expected completion over the next three to five years;

Recognizing that some Parties have adopted various regulatory strategies with respect to ENDS/ENNDS, such as an outright ban on their manufacturing, importation, distribution and sale, the

adoption of regulation similar to that applicable to medicines, their control as tobacco products, or their control as consumer products with tobacco control-like measures, while other Parties have adopted no control at all;

1. WELCOMES the report contained in document FCTC/COP/7/11;
2. INVITES Parties to consider applying regulatory measures such as those referred to in document FCTC/COP/7/11 to prohibit or restrict the manufacture, importation, distribution, presentation, sale and use of ENDS/ENNDS, as appropriate to their national laws and public health objectives;
3. REQUESTS the Convention Secretariat to invite Parties to monitor and report on scientific, regulatory and market developments such as initiation, cessation, advertising and promotion and WHO to report on the development of methods by regional and international standards-development organizations for the testing and measuring of contents and emissions of these products, at either the eighth or the ninth session of the COP, as applicable;
4. FURTHER REQUESTS the Convention Secretariat to invite WHO to continue to provide technical and scientific assistance on ENDS/ENNDS upon request by the Parties or the Convention Secretariat.

(Fifth plenary meeting, 12 November 2016)

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