Performance report for the 2014–2015 workplan and budget

Report by the Convention Secretariat

INTRODUCTION

1. The workplan and budget for the financial period 2014–2015 was adopted by the Conference of the Parties (COP) in decision FCTC/COP5(19) at its fifth session (Seoul, Republic of Korea, 2012).

FCTC/COP5(19) also requested the Secretariat to submit to the Conference of the Parties:

   a) an interim performance report on the workplan and budget for the financial period 2014–2015, along with a final performance report on the workplan and budget for the financial period 2012–2013, at its sixth session; and

   b) a final performance report on the workplan and budget for the financial period 2014–2015 at its seventh session.

2. An interim performance report on implementation of the workplan and budget was presented to the COP at its sixth session (FCTC/COP/6/22).

3. The report follows the structure of the workplan and budget approved by the COP for the financial period 2014–2015. The proposed workplan and budget presented in document FCTC/COP/5/23 included six main areas of work, following, in general, the composition of the workplan for the 2012–2013 biennium.

CONFERENCE OF THE PARTIES

Preparing and convening the sixth session of the COP

4. The sixth session of the COP (COP6) was convened in Moscow, where all pre-session documents were made available and support was provided to the proceedings. The official records of COP6 were finalized and published shortly after the closure of the conference: the final report of the session was issued and communicated to the Parties in the six official languages, as were the verbatim records. The official records of COP6 have been published on the website of the WHO FCTC at http://www.who.int/fctc/publications.

Preparing for the seventh session of COP and MOP1

5. In November 2015, the Head of the Secretariat travelled to India for a successful site visit to accelerate preparations for COP7. The arrangements included the option of the first session of the
Meeting of the Parties (MOP1) taking place immediately following COP7, should the Protocol to Eliminate Illicit Trade in Tobacco Products (the Protocol) be in force by that time.

Support for the work of the Bureau of the COP

6. During 2014, the Convention Secretariat supported the work of the Bureau elected by COP5 and organized its third and the fourth intersessional meetings. The Convention Secretariat also provided support for the work of the Bureau elected by COP6 at its first and second intersessional meetings in 2015.

PROTOCOL TO ELIMINATE ILLICIT TRADE IN TOBACCO PRODUCTS

The Convention Secretariat continues to promote ratification, acceptance, approval, formal confirmation and accession to the Protocol and to that end, the Convention Secretariat successfully conducted a number of initiatives1.

Protocol Specific Workshops

7. Six Protocol-specific regional and subregional workshops were organized in 2014–20152, and three more such events are currently planned. In addition, the Convention Secretariat participated in a number of tobacco-related regional meetings organized by WHO, and conducted sessions on the Protocol.

Panel of experts on the Protocol

In accordance with decisions FCTC/COP6(6) and FCTC/COP6(20), the Convention Secretariat has established a panel of experts on the Protocol3, composed of a maximum of two members per WHO region, to work with the Convention Secretariat in offering assistance and advice to Parties.

Other activities for the entry into force of the Protocol

8. The Convention Secretariat participated in the preparation and launch of World No Tobacco Day (WNTD) 2015 to raise awareness of that year’s theme, “Stop illicit trade of tobacco products4”. The Head of the Secretariat contributed a foreword to the WNTD brochure. The Secretariat attended the global celebration of the WNTD event in Spain.

9. The Convention Secretariat developed and continues to promote the self-assessment checklist and to disseminate an overview of the Protocol that is available in the six official languages, as well as additional supporting background material on legal procedures to become Parties to the Protocol. A detailed question-and-answer paper on the key aspects of the Protocol has been published to serve as an essential guidance tool. An expert paper on industry interference with the Protocol has also been published. These activities were made possible thanks to a grant from the government of Panama.

10. The Head of the Convention Secretariat participated at the European Union (EU) partnership health ministers meeting in Tbilisi, Georgia, in response to an invitation from EU Health

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1 A full overview of the activities is provided in Document FCTC/COP/7/5.
4 http://www.who.int/campaigns/no-tobacco-day/2015/event/en/.
Commissioner. Ministers and high level officials from Armenia, Azerbaijan, Belarus, Georgia, the Republic of Moldova and Ukraine participated in this meeting.

11. The Convention Secretariat has provided direct support to the EU to ratify the Protocol and has strongly advocated for a non-renewal of an EU agreement with the tobacco industry.

INTERSESSIONAL GROUPS WITH EXTENDED MANDATE

12. The Convention Secretariat has provided the assistance required for the organization of work of the intergovernmental working group on Articles 9 and 10. This working group met in Geneva in January 2014, the key facilitators met in September 2015 in Geneva and again on 8 December 2015 before the TobReg meeting in Brazil, with full assistance from the Convention Secretariat.

13. The Convention Secretariat has provided full assistance to the working group on sustainable measures for strengthening implementation of the WHO FCTC which held its second meeting in Geneva in April 2014.

14. The final meeting of the expert group on Article 19 (Liability) was planned for 19–21 April 2016, in accordance with decision FCTC/COP6(7).

REPORTING ARRANGEMENTS UNDER THE CONVENTION AND ASSESSING IMPLEMENTATION OF THE WHO FCTC


16. The Convention Secretariat developed, with input from the WHO Department of Prevention and Control of Noncommunicable Diseases (WHO/PND), a limited number of questions for inclusion in the core questionnaire, and three new sections (on the Article 6 guidelines, on Article 17 and 18 policy options and recommendations adopted by COP6 and on new and emerging tobacco products) to be integrated into the additional questions (optional module). The Convention Secretariat informed Parties, in a note verbale sent on 11 May 2015, about the next reporting cycle (from 1 January–15 April 2016), calling on all Parties to submit implementation reports to COP7 in this period.

New expert groups on impact assessment and on reporting arrangements under the WHO FCTC

17. COP6 decided to establish two new groups, one expert group to conduct an impact assessment of the WHO FCTC (decision FCTC/COP6(13)) and another expert group to review reporting arrangements under the WHO FCTC (decision FCTC/COP6(15)). The expert group on impact assessment met for the first time in Geneva on 10–11 August 2015. The first meeting of the expert group on reporting arrangements took place in Geneva on 7–9 December 2015.

ASSISTANCE TO PARTIES IN IMPLEMENTING SPECIFIC PROVISIONS OF THE CONVENTION

Advice and support in compiling and communicating information on treaty matters and promoting the transfer of expertise and technology

18. The Convention Secretariat has organized, in collaboration with WHO regional offices, the following regional/subregional workshops: Fiji, April 2014; Cairo, September 2014; Panama, September 2014; Cairo, September 2015; and Fiji, November 2015.
19. The Secretariat participated, at the invitation of the WHO Regional Committee for South-East Asia (WHO SEARO), at an experts’ meeting concerning Articles 17 and 18 on 30–31 July 2015 in New Delhi. During this meeting, gaps in the implementation of these articles in the region were identified and remedies discussed.

20. A technical publication in collaboration with the United Nations Development Programme (UNDP) on implementation of Article 5.2 has now been published. A publication on international investment law and the WHO FCTC in collaboration with UN Conference on Trade and Development (UNCTAD) has also been finalized. Another publication in collaboration with UNCTAD on the tobacco global value chain in low-income countries is in its final stages prior to publication.

21. The Convention Secretariat has continued to facilitate the granting of licences to use pictorial health warnings by Parties upon request. The Convention Secretariat initiated the development of a pictorial health warning database for WHO Eastern Mediterranean Region and the Pacific Island countries in collaboration with the WHO EMRO and WPRO regional offices.

22. The first three knowledge hubs were established at the McCabe Centre in Australia, at the National Public Health Institute in Finland and at the Centro de Cooperación Internacional en Control de Tabaco in Montevideo. Two other institutions were identified as potential knowledge hubs: the American University of Beirut (Lebanon) and the University of Cape Town (South Africa).

23. The Convention Secretariat has provided assistance to a number of Parties on an ad-hoc basis in reviewing existing laws, providing technical support, conducting study support visits and encouraging governments to advance the implementation of the WHO FCTC, for instance the Islamic Republic of Iran, Republic of Korea, Thailand, United Kingdom (Scotland) and Vietnam.

24. A panel on plain packaging convened by the Minister of Health from France and attended by ministers of health from six countries was moderated by the Head of the Convention Secretariat in 2015.

25. A meeting of experts on Article 5.3 took place in Bangkok, Thailand on 23–25 November 2015. This meeting aimed to assist the Convention Secretariat in implementation of decision FCTC/COP6(14).

Needs assessments and promotion of access to available resources

26. In 2014, the Convention Secretariat conducted needs assessment missions in the Congo, Jamaica, Lao and Togo. In 2015, missions were conducted to Belarus, Benin, the Democratic Republic of Congo, Ethiopia, Mongolia and Tonga. Post-needs assessment assistance has been provided to these Parties and Parties that conducted in exercise in 2012-2013. The reports of these missions have been officially sent to the Parties and can also be accessed on the Secretariat webpage: http://www.who.int/fctc/implementation/needs/en/

Tobacco litigation

27. At the request of Parties who were challenged in court proceedings by the tobacco industry, the Secretariat provided assistance in the form of technical reports or statements. In the reporting period, such assistance was provided to Colombia, Uruguay, Peru (with support from the McCabe Centre) and to the United Kingdom (jointly with WHO). In early October 2015, the Convention Secretariat together with WHO made a non-party submission in the case before the World Trade Organization (WTO) Panel against Australia.

COORDINATION WITH INTERNATIONAL AND REGIONAL INTERGOVERNMENTAL ORGANIZATIONS AND OTHER BODIES

29. In late August 2015, discussions took place between the Secretariat, the World Bank and the International Monetary Fund on the format of advice to Parties regarding their taxation systems.

30. Meetings between the Head of the Secretariat and other intergovernmental organizations from the United Nations system included the Director-General of the Food and Agriculture Organization (FAO) and the Secretary-General of the World Customs Organisation (WCO). Joint projects and potential memoranda of understanding were discussed.

31. The Convention Secretariat has been closely collaborating with UNDP in several activities, including south-south and triangular collaboration and tobacco control governance at country level.

32. The Secretariat also participated, at the invitation of the WHO Regional Office for Europe (WHO EURO), in a meeting on the “Roadmap of actions for full implementation of the WHO FCTC in the Region”, which took place in Moscow on 24–25 February 2015.

33. In accordance with the mandate given by the COP, the Secretariat worked with interested Parties, as well as WHO, UNDP and civil society organizations, to promote inclusion of the WHO FCTC as a target in Sustainable Development Goal (SDG). A document on tobacco taxes and funding opportunities for the post-2015 development agenda was jointly prepared with WHO and has linked the treaty and tobacco tax increases as a funding mechanism.

34. Engagement with NGOs included a visit at the invitation of Bloomberg Philanthropies and the Campaign for Tobacco-Free Kids. Regular contacts are in place with the Framework Convention Alliance, Corporate Accountability International, the European Network for Smoking Prevention and other representatives from civil society.

35. The Convention Secretariat participated at the World Conference on Tobacco and Health in Abu Dhabi during March 2015 and organized a number of preconference workshops. The Secretariat organized a special plenary session dedicated to the celebration of the 10th Anniversary of the entry into force of the WHO FCTC and participated in numerous sessions during the conference.

**Promotion of south–south cooperation in the exchange of scientific, technical and legal expertise relevant to the implementation of the Convention**

36. The Convention Secretariat and the United Nations Development Programme (UNDP) jointly convened a meeting on 29 September–1 October 2015 in Montevideo, Uruguay on south-south and triangular collaboration. This meeting was generously hosted by the Government of Uruguay. Representatives from 22 countries from six WHO regions participated in the meeting. Seven south-south and triangular projects were proposed. Four projects have already been initiated under the coordination of the Convention Secretariat and are available on a protected website.

**Review of accreditation of nongovernmental organizations**

37. As requested by the COP, the outcome of the NGO accreditation review, undertaken by the Secretariat in consultation with the Bureau, was presented to COP6 (FCTC/COP/6/26) which decided on the observer status of each of the 26 NGOs. COP6 also adopted the proposed standard reporting questionnaire for use by the NGOs in future reporting cycles. The Secretariat informed all NGOs of
the COP’s decision (Decision FCTC/COP6(23)) and relevant information was posted on the website of the WHO FCTC.

ADMINISTRATION AND MANAGEMENT AND OTHER ARRANGEMENTS AND ACTIVITIES

Tasks related to general administration and management

38. The Secretariat’s workplan and administrative arrangements are fully integrated and customized, where necessary, within WHO’s global management system.

39. By 31 August 2015, the collection of voluntary assessed contributions (VAC) for this biennium had reached 83%, compared with 33% as reported in the interim performance report presented to COP6 (FCTC/COP/6/22). In line with decision FCTC/COP6(21), the Secretariat sent letters to the ministers of health of Parties in arrears of their VAC payments for the financial period 2006–2013 and also to Parties with an outstanding payment of their VAC for the financial period 2014–2015. The Secretariat will follow up with the Parties in line with the COP5 decision (FCTC/COP5(17)).

40. With regard to resource mobilization, the Secretariat has been actively seeking resources to support the work of the Secretariat, according to the approved workplan and budget for 2016–2017 and to promote implementation of the treaty.

41. In line with document FCTC/COP/6/INF.DOC./1 and related decision FCTC/COP6(27) on the workplan and budget for the financial period 2016–2017, action has been taken to implement the restructuring of the Secretariat including with the WHO Roadmap Review Committee. With the approval of the Office of the WHO Director-General, two posts (one P-6 and one G-5) were abolished with costs of entitlements being principally covered by the 2014–2015 budget, thereby limiting related expenditures unforeseen in the 2016–2017 biennium.

Tasks related to advocacy, communication and participation in professional meetings

42. The Secretariat regularly communicates with national focal points and Permanent Missions in Geneva. Raising awareness at a high political level continues to be an important element of promoting the work of the Convention and the Protocol. Bilateral meetings were held with high-level officials from 12 Parties during the World Conference on Tobacco or Health (WCTOH) and the Sixty-eighth World Health Assembly.

43. During the Sixty-eighth World Health Assembly, the Secretariat supported a side event entitled “Strengthening the synergy between the World Health Assembly (WHA) and the Conference of the Parties to the WHO FCTC (COP)”, organized by the delegations of Brazil, Panama and the Russian Federation. Parties emphasized the need to strengthen the synergy between the two governing bodies and proposed, as a first step, that an agenda item should be included at the 138th session of the WHO Executive Board.

Coordination with relevant departments and offices of WHO

44. The Secretariat continues to collaborate with relevant departments at WHO headquarters and in regional and country offices. To streamline collaboration and increase synergy with WHO headquarters, in particular with the Cluster on Noncommunicable Diseases and Mental Health, a retreat involving WHO/PND and the Secretariat took place from 30–31 March 2015. Staff meetings to coordinate activities, and maintain regular communication with WHO headquarters and regional offices, are scheduled on a monthly and ad hoc basis if necessary.
45. To improve understanding of the role and mandate of the Secretariat, a document is being prepared for distribution by WHO to Heads of WHO Country Offices (HWOs) and regional offices explaining the issues. At the same time, a section about the work of the Secretariat is being included in the Handbook for HWOs.

FINANCIAL IMPLEMENTATION

46. The budget approved by COP5 amounts to US$ 17 290 000, from which US$ 9 100 000 was to be covered by the Parties’ voluntary assessed contributions (VACs) and US$ 8 190 000 by extrabudgetary funds. In addition, US$ 793 270 was received from the Russian Federation to cover the additional costs incurred by the Secretariat because COP6 was held in Moscow.


48. The future commitment by the EU of US$ 671 825 which will be released on final and successful implementation of the grant, is included in the total amount of funds receivable from the EU award in the future, and does not affect total available funds.

49. The actual payment by Parties of VAC for 2014–2015 from 1 January–31 December 2015 amounted to US$ 7 853 005. This represents 86% of the total VAC for the biennium. Ninety-two Parties out of 180 for which the Convention was in force on 31 December 2015 had paid their respective contributions (either in full for the biennium, or partially).

50. Extrabudgetary contributions amount to US$ 4 320 341. This represents 25% of total revenue. The major part of this revenue, US$ 2 062 167, is the 2014–2015 instalment of the no cost extended six-year grant from three-year grant being provided by the EU to support implementation of the Convention, in particular in developing countries, according to the donor agreement signed in December 2011 (out of the total of 5.2 million Euros, which is equivalent to US$ 6 718 346). Funds also include payment of a contribution received from the Russian Federation to cover additional costs for hosting COP6 (US$ 793 270), two contributions from Norway to cover activities on the impact assessment exercise (US$ 293 384 and US$ 235 405), a contribution from Australia to cover impact assessment, review of FCTC reporting requirements and support for the legal work of the Secretariat in implementing the FCTC (US$ 656 115), a contribution from Panama to strengthen implementation of the WHO FCTC (US$ 200 000) and a contribution from Brazil towards the establishment of tobacco industry monitoring centres in the BRICS countries in support of implementation of Article 5.3 of the Convention and its guidelines (US$ 80 000).

51. Expenditures amount to a total of US$ 10 826 548, including staff costs of US$ 5 302 651, activity costs of US$ 4 355 319 and programme support costs, payable to WHO, of US$ 1 168 578.

ACTION BY THE CONFERENCE OF THE PARTIES

The COP is invited to note this report and provide further guidance.

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