


**FCTC**

 WHO FRAMEWORK CONVENTION  
ON TOBACCO CONTROL

ISSUE: N°1-2009

**Status of the Convention**

<b>Number of Parties :</b> (as of 31 March 2009)	<b>164</b>
<b>New ratifications :</b> (1 January - 31 March 2009)	<b>2</b> (Republic of Moldova, Gabon)
<b>New entry into force :</b> (1 January - 31 March 2009)	<b>2</b> (Guinea-Bissau, Suriname)

 Regularly updated list of Parties: [http://www.who.int/fctc/signatories\\_parties](http://www.who.int/fctc/signatories_parties)
**Editorial**

It is our privilege to introduce the first issue of the Convention News, the newsletter of the Secretariat of the WHO Framework Convention on Tobacco Control. We plan to issue it regularly every three months and it aims at reflecting on substantial developments in the implementation of the Convention - the first global treaty negotiated under the auspices of WHO. There are several processes that are currently active at the intergovernmental level, particularly the negotiations for the first protocol to the Convention and the development of draft guidelines and recommendations on different Articles of the treaty. This Newsletter will cover and regularly update readers on all these processes.

The Newsletter will also highlight activities whose purpose is to support the implementation of decisions of the Conference of the Parties and inform readers on major upcoming events. It will also provide an update on national legislation aimed at the implementation of the Convention and opportunities for Parties and Observers to share experiences and views. Your cooperation and feedback to make the Newsletter a useful tool for promoting the implementation of the Convention internationally will be highly appreciated.

Convention Secretariat

**Conference of the Parties (COP) highlights**
**COP3 decisions published**

The decisions of the third session of the Conference of the Parties (COP3) are now accessible in all six official languages at the Secretariat's website: [http://www.who.int/fctc/cop/third\\_session\\_cop](http://www.who.int/fctc/cop/third_session_cop)  
The document was also sent to Parties and Observers during the last week of February 2009.

**COP Bureau**

The Bureau elected at COP3 met for the first time on 3-4 March 2009 in Geneva and covered a wide agenda, reflecting on the outcome of COP3 and outlining directions and timeline for intersessional work.

Members of the Bureau are:

President:

Mr Thamsanqa Dennis Mseleku – South Africa

Vice-Presidents:

Prof. Dr Syed Modasser Ali – Bangladesh  
Mr Jos G. H. Draijer – Netherlands  
Dr Caleb Tyndale O. Otto – Palau  
Mr Carlos Chocano Burga – Peru  
Dr Abdullah Ben Mohamed Al-Bedah – Saudi Arabia

For further information on the Bureau of the Conference of the Parties please see: [http://www.who.int/fctc/cop/bureau\\_cop](http://www.who.int/fctc/cop/bureau_cop)

**Intergovernmental Negotiating Body on a Protocol on Illicit Trade in Tobacco products (INB) - highlights**
**INB3**

COP3 decided that the third session of the INB shall be held in Geneva, 28 June – 5 July 2009. The meeting is organized in cooperation with and co-financed by the European Community.

The meeting of the Bureau of the INB was convened in Geneva on 5 February 2009 where a broad range of issues were reviewed, discussed and agreed upon concerning further work of the INB.

**Expert reviews requested by INB2**

The Convention Secretariat organized the elaboration of five expert reviews as requested by the INB. The reviews cover the following areas:

- The scope of the protocol
- The feasibility of an international track and trace regime for tobacco products
- A possible ban on duty-free sales of tobacco products
- A possible ban on Internet sales of tobacco products
- Relationship of the protocol to other international instruments

The expert reviews are available on the following website: [http://www.who.int/fctc/inb/third\\_session\\_inb](http://www.who.int/fctc/inb/third_session_inb)

## Regional intersessional consultations

Regional consultation meetings will be held prior to INB3 in May-June 2009. The schedule of these meetings can be found in the "Calendar of events" section.

## Working groups

There are four working groups (WGs) currently mandated by the Conference of the Parties to elaborate guidelines and recommendations for implementation of Articles 9&10; 12; 14 and 17&18 of the Convention.

The mandate of the working groups on Articles 9&10 and Article 12 was extended by COP3 and their membership remained the same.

The deadline for Parties to announce that they wish to join the two new working groups (on Articles 14 and 17&18, respectively), was 31 January 2009. The list of members of the working groups as it currently stands is as follows (Key Facilitators **in bold**):

- **Articles 9&10**: Algeria, Australia, Brazil, Bulgaria, **Canada**, China, Congo, Denmark, **European Community**, Finland, Ghana, Hungary, India, Jordan, Kenya, Mali, Mexico, Netherlands, **Norway**, Singapore, Thailand, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland.
- **Article 12**: Algeria, Bahrain, Barbados, Benin, Cameroon, Canada, Chad, Congo, Estonia, **Germany**, Guatemala, Honduras, Hungary, India, Ireland, Kenya, Malaysia, Mauritius, Namibia, **Palau**, Republic of Korea, Spain, Sri Lanka, Swaziland, **Sweden**, **Turkey**, United Republic of Tanzania, Thailand, Togo, Uruguay.

- **Article 14**: Bahrain, Botswana, Brazil, Burkina Faso, Burundi, Canada, Djibouti, European Community, France, Germany, Georgia, Ghana, Greece, India, **Iran (Islamic Republic of)**, Lesotho, Malaysia, Mali, Mexico, Namibia, New Zealand, Nigeria, Republic of Korea, Russian Federation, Saudi Arabia, Singapore, Solomon Islands, South Africa, Syrian Arab Republic, Thailand, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, **Uruguay** and Venezuela (Bolivarian Republic of).
- **Articles 17&18**: Bangladesh, **Brazil**, China, Djibouti, European Community, Georgia, **Greece**, **India**, Iran (Islamic Republic of), Lao People's Democratic Republic, Mali, **Mexico**, Philippines, Syrian Arab Republic, Thailand, Turkey, United Republic of Tanzania and Zambia.

Meetings of Key Facilitators of all four WGs, face to face or via teleconference, were organized in February and early March 2009; these were aimed at planning the continuation or initiation of the work of the working groups, including scheduling of forthcoming meetings. Please see the schedule of these meetings in the "Calendar of events" section.

For more details on the working groups please check our website at:

[http://www.who.int/fctc/cop/working\\_groups](http://www.who.int/fctc/cop/working_groups)

The **guidelines already adopted** by the COP can be accessed at:

<http://www.who.int/fctc/guidelines>

## Implementation news

### Reports of the Parties

Between the 1 January 2009 and 31 March 2009 the Secretariat received reports on the implementation of the Convention from: Burkina Faso, Burundi, Lithuania, Mali, Niger, Pakistan, Paraguay, United Arab Emirates and Venezuela (Bolivarian Republic of). All Party reports are available at:

[http://www.who.int/fctc/reporting/party\\_reports](http://www.who.int/fctc/reporting/party_reports)

Overall, 143 Parties were due to have reported by 31 March 2009; the Secretariat received 109 reports (76%) so far.

### New legislation to implement the Convention

This section contains legislation news based on information available in the Convention Secretariat by

the end of March 2009. The newsletter will regularly reflect on the news received from Parties.

In **Austria**, the Parliament passed the amendment of the national Tobacco Law, introducing a partial smoking ban in bars and restaurants effective from 1 January 2009. The law and the decree regulating the marking of smoking and non-smoking areas can be found at:

<http://www.bmg.gv.at/cms/site/standard.html?channel=CH0756&doc=CMS1157719354616>

Details on the new regulation concerning smoking in public places can be found at:

<http://www.bmg.gv.at/cms/site/standard.html?channel=CH0756&doc=CMS1157723700705>

In **Guatemala**, new smoke-free legislation entered into force on 20 February 2009 requiring that indoor workplaces and public places, including restaurants

and bars, be 100 percent smoke-free. The new law prohibits smoking in enclosed public places, workplaces and all modes of public transport. The text of the new legislation can be accessed at: [http://www.congress.gov.gt/gt/mostrar\\_ley.asp?id=13094](http://www.congress.gov.gt/gt/mostrar_ley.asp?id=13094)

New health warnings are displayed on all cigarette packaging in **Mauritius** as of 1 March 2009, based on the Public Health Act adopted in November 2008. According to the regulation every health warning shall consist of a text and a picture or pictogram and occupy 40 percent of the front principal display area of the package and 90 percent of the back principal display area of the package. The new regulation also introduced a complete ban on smoking in all public places, including workplaces, premises where food is prepared, served or sold and also in private vehicles when carrying passengers. The text of the regulation can be accessed at: <http://www.gov.mu/portal/goc/moh/file/tobacco1.pdf>

The short list of public places still open to smokers in **Singapore** shrank further from 1 January 2009 when a nationwide smoking ban was extended to hotel lobbies and carparks, non-air conditioned offices, lift lobbies and anywhere within five meters from the entrances and exits of buildings. The full list of premises and buildings covered by legislation can be found at:

[http://app.nea.gov.sg/cms/htdocs/category\\_sub.asp?cid=215](http://app.nea.gov.sg/cms/htdocs/category_sub.asp?cid=215).

As another development, from 1 January 2009 every cigarette imported into or manufactured in Singapore shall be marked by the abbreviation "SDPC" (which stands for Singapore Duty Paid Cigarette). The new regulation has been adopted as part of the Customs Act (Chapter 70) and is aimed at curbing the illicit trade in tobacco products. More information: <http://www.customs.gov.sg/topNav/leg/act/Customs+Act.htm>

## Secretariat news

### Agreement on license sharing

In February 2009 the Convention Secretariat concluded an agreement with the European Commission on the copyright-free promotion of the use of the EU library of pictorial warnings by interested Parties. This is the first agreement under the implementation of COP3 decision that called on the Secretariat to facilitate the granting of licenses between the Parties for the use of pictorial warnings and messages.

### Coordination and cooperation

The Convention Secretariat visited the UNODC in Vienna in January 2009 for a joint review of areas of common interest and cooperation. Particular attention was given to cross-cutting issues between treaties administrated by UNODC and the process for a protocol on illicit trade under the WHO FCTC, as requested by the INB. One immediate outcome was the support received from the Secretariat of the UN Convention on Transnational Organized Crime (UNTOC) for the work on the revised Chairperson's text on a protocol on illicit trade.

The Secretariat also invited the Tobacco Free Initiative of WHO (TFI) to undertake the work requested by COP, such as for the report on price and tax policies in relation to Article 6; for the work concerning Articles 9 and 10, and for developing a central international database of pictorial warnings and messages in line with Article 11 of the Convention. The Secretariat also requested TFI's technical input in relation to the work of different working groups established by COP, as well as for other support that TFI may provide for implementation of decisions

of COP3, with particular focus on the needs of developing country Parties and Parties with economies in transition. A joint one-day coordination meeting was organized on 12 January 2009 between the Convention Secretariat and TFI, also involving representatives of WHO's Regional Offices.

### Reporting

The Convention Secretariat prepared the first draft of the step-by-step instructions for Group 2 questions of the reporting instrument as requested by COP, and this is now reviewed by experts and international partners before the expected finalization by the end of May 2009.

The Secretariat also initiated the work related to standardization and harmonization of data and data collection mechanisms as per the decision of COP3. Work will be finalized by summer 2010.

The Secretariat also sent a Note Verbale to Parties on the issue of pending implementation reports.

### Database on international resources

The Convention Secretariat is in the process of finalizing the first draft of the database on available resources for promoting the implementation of the Convention internationally. It will now be pilot tested with interested Parties. Work on the database will be ongoing and an updated version will be shared with Parties during the fourth session of the COP.

### Voluntary assessed contributions (VAC)

The Secretariat sent a Note Verbale to Parties in late February 2009 informing them, in advance, of the distribution of VACs for the financial period 2010-2011 as adopted by COP3. In the same Note the

Secretariat informed the Parties of the outstanding payments of VAC for the current (2008-2009) and prior (2006-2007) financial periods, as well as of the COP request for extrabudgetary contributions, when possible, to meet the objectives of the work plan adopted by COP.

### Website re-launched

The Secretariat re-designed and substantially updated the WHO FCTC website <http://www.who.int/fctc>. The site was launched in English in late February 2009; it will also be available in the other five languages of the COP.

### Observers

The Secretariat organized a meeting of nongovernmental organizations (NGOs) accredited as observers to the Conference of the Parties on 28 January 2009, with the objective to discuss and promote the role of NGOs in supporting the implementation of the FCTC. Seventeen NGOs participated and made valuable comments and proposals that are now being taken into account by the Secretariat in promoting the implementation of the Convention. It was also agreed to organize similar meetings on a regular basis in future, taking the advantage of the presence of NGOs at global meetings such as the sessions of COP and INB and the WHO Executive Board.

### Calendar of events

Regional intersessional consultations prior to INB3		
12–13 May 2009	Tehran, Islamic Republic of Iran	For the Eastern Mediterranean Region
2 June 2009	WHO Headquarters, Geneva, Switzerland	For the European Region
4–5 June 2009	Mexico City, Mexico	For the Region of the Americas
8–9 June 2009	Beijing, China	For the Western Pacific Region
11–12 June 2009	Dhaka, Bangladesh	For the South-East Asia Region
26–27 June 2009	International Conference Centre (CICG), Geneva, Switzerland	For the African Region
Intergovernmental Negotiating Body		
28 June – 5 July 2009	International Conference Centre (CICG), Geneva, Switzerland	Third session of the Intergovernmental Negotiating Body on a Protocol on Illicit Trade in Tobacco Products (INB3)
Working group meetings		
2–4 September 2009	Seoul, Republic of Korea	First meeting of the Working Group on Article 14
Late September or early October 2009 (dates to be confirmed)	New Delhi, India	First meeting of the Working Group on Articles 17 & 18
20–22 October 2009	Amman, Jordan	Sixth meeting of the Working Group on Articles 9 & 10
18–20 November 2009	Turkey (location to be confirmed)	Second meeting of the Working Group on Article 12

### Contact us

The principal email address of the Convention Secretariat is: [fctcsecretariat@who.int](mailto:fctcsecretariat@who.int). All messages sent to this address will be directed to respective officers for follow up.

For specific functions, the Secretariat also operates other generic email addresses as follows:

[conventionnews@who.int](mailto:conventionnews@who.int) - can be used when communicating on or providing input for the newsletter edited by the Convention Secretariat.

[copreporting@who.int](mailto:copreporting@who.int) - can be used for the submission of implementation reports of Parties or any enquiry related to reporting under the Convention.

[fctcpartnerships@who.int](mailto:fctcpartnerships@who.int) - can be used for questions related to technical assistance in the implementation of the Convention.

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