



UNITED NATIONS AD HOC INTERAGENCY TASK FORCE ON TOBACCO CONTROL

REPORT OF THE THIRD SESSION GLOBAL VIDEOCONFERENCE FRIDAY 8 DECEMBER 2000

Agenda Item 1: Opening and welcome from the Chairperson

Dr Bill Kean, Chairperson of the United Nations Ad Hoc Interagency Task Force on Tobacco Control welcomed the participants to the third session of the UN Task Force, and provided an overview of the agenda. Dr Kean, chairing the session from the Western Pacific Regional Office of WHO, explained that a global videoconference format had been organized for this particular session. A total of ten sites, including Geneva, Brussels, Manila, Montreal, Nairobi, New Delhi, New York, Rome, Washington D.C, and Vienna were connected together for this Videoconference; 8 different United Nations agencies, as well as participants from the World Bank and the World Trade Organization were linked together during this videoconference session. In addition, two other agencies, the World Customs Organization (WCO) and the United Nations Industrial Development Organization (UNIDO) participated as observers to this particular session.

Agenda Item 2: Introduction of participants, and brief update on agency activities:

Dr Douglas Bettcher, WHO introduced the various participants, and Dr Kean subsequently invited the participating agencies to report on their recent activities pertaining to tobacco and tobacco control:

◆ *Food and Agriculture Organization of the United Nations (FAO):*

FAO noted that their team would update the Task Force on the FAO project, "World tobacco supply, demand, and trade by 2010: policy options and adjustment", later under Agenda Item 4. FAO welcomes cooperation with all other UN agencies in the Task Force, and seeks input from other agencies relating to the FAO project on supply and demand.

◆ *International Civil Aviation Organization (ICAO):*

Beginning in 1992, ICAO initiated measures to encourage its Member States to restrict smoking on all air travel. ICAO adopted resolutions urging States and airlines to act to prohibit smoking on all flights. Since 1992, ICAO has dispatched four Member State letters to encourage States to comply with

ICAO's smoke-free airlines resolution. As a result, most airlines are now smoke-free. Other factors that have contributed to this success include: safety concerns, health concerns, and consumer preference in travel. No further new actions are planned, other than continuing with the implementation of current activities.

◆ ***International Labour Organization (ILO):***

A study on the bidi industry in 5 States in India was completed, and as a consequence, 2 workshops are planned early in 2001 to discuss the findings of the desk and field research. Further, over the next 6 months, research and information is being carried out as a prelude to further tobacco-related activities at ILO. A sectoral meeting on the future of employment in tobacco is planned for 2003.

The ILO has initiated action on the topic of smoking in the workplace. A literature review has been drafted and will be finalized shortly. A one-week training course "Improving the small and medium size enterprises by combatting new health hazards at work" is being developed and will be piloted at the ILO Training Centre in Turin, Italy 19-23 March 2001. The course will present an integrated approach to addressing the issues of alcohol and drugs, violence, stress, tobacco and HIV/AIDS in the workplace. An issue paper on smoking in the workplace will be prepared which will include recommendations for establishing an ILO policy statement and guidelines for consideration by the Director General.

The ILO will be developing its workplace tobacco initiatives in parallel with the development of the Framework Convention on Tobacco Control (FCTC).

◆ ***The United Nations:***

a) Department of Economic and Social Affairs (DESA)

The Department of Economic Cooperation and Social Affairs work on tobacco is situated in the Division for the Advancement of Women, which is responsible for tobacco through the monitoring and implementation of the Beijing Platform of Action. Numerous paragraphs of the Beijing Platform for Action, including paragraphs 100, 107.0, 107k mention tobacco; also, the outcome document of the General Assembly Special Session, Beijing Plus 5, addressed tobacco issues under the Women and Health section. The health risks to women are considered along with drugs and alcohol, and there is a reference to the rising incidence of tobacco use, particularly the health risks to young women. There is also an expressed need to emphasize the health risks to adolescent girls and pregnant women.

In 2001 the theme of the high-level segment of ECOSOC is "Sustainable Development in Africa". Considering that the Secretary-General's report on

the work of the Ad Hoc Interagency Task Force on Tobacco Control (Document E/2000/21) clearly demonstrates an increased gradient of tobacco use in the lower socio-economic groups, this topic might be considered for a panel discussion during this year's high-level segment of ECOSOC.

It was also noted that at the Substantive Session of ECOSOC , in July 2000, a decision (Decision E/2000/L.19 adopted on 27 July 2000) was taken for the Secretary-General to submit a report on Task Force's work to the ECOSOC Substantive Session in 2002.

b) *The Office of Human Resources and Management and the Medical Service:*

The Office of human resources, management, and medical service have continued the struggle against tobacco use within the United Nations system.

◆ ***United Nations Conference on Trade and Development (UNCTAD):***

UNCTAD is interested in working on crop substitution options for tobacco in developing countries.

◆ ***United Nations Drug Control Programme (UNDCP)***

The UNDCP has the specific international mandate for drug control under the drug control treaties. Presently, UNDCP is focusing on the follow-up to the 1998 session of the General Assembly session, and is implementing strategies to combat illicit drugs, in particular opium poppy and coca bush. UNDCP has extensive experience in treaty monitoring and is willing to share this experience with WHO.

Also, UNDCP is developing a programme to limit the use and demand for drugs. UNDCP would also like to share its experience with WHO in the field use and regulation of psychoactive drugs. A memorandum of understanding already exists between UNDCP and WHO and other UN agencies.

◆ ***United Nations Environment Programme (UNEP):***

UNEP has now moved from a sectoral to a functional programme approach, which will allow the organization to look at the inter-linkages between lifestyles and pure environmental issues. UNEP has a long-standing collaboration with WHO and has recently signed a MOU of cooperation with WHO. UNEP has already collaborated with WHO on pesticides and chemicals, some of which are used to control tobacco pests. UNEP is also willing to extend the ongoing collaboration with WHO to the area of environmental tobacco smoke (ETS).

◆ **World Health Organization (WHO):**

Several areas of overlap between WHO's global tobacco control work and the mandates of Task Force agencies is either ongoing or will be pursued in the future. These areas of overlap include, *inter alia*:

- FAO's work on supply and agricultural policy issues and alternative livelihoods;
- ILO's work on alternative livelihoods and employment, research collaboration following up on the recently completed bidi study, as well as the enactment of initiatives focusing on smoke-free workplaces;
- ICAO: environmental tobacco smoke/second hand smoke programmes;
- United Nations/DESA/ECOSOC: ongoing coordination for the Task Force, smoke-free policies in the United Nations system, and women and tobacco work;
- UNDCP: a WHO team visited UNDCP in May 2000 to exchange experiences on monitoring and demand reduction issues, and to brief the International Narcotics Control Board on work related to the Framework Convention on Tobacco Control (FCTC);
- UNICEF: issues of youth access, and the links between the Convention on the Rights of the Child and the FCTC;
- World Bank: numerous points of interaction related to the economics of tobacco and privatization;
- World Trade Organization: expert WTO Secretariat advice regarding the implications of the WTO trade agreements for negotiation of the FCTC.

For the past 18 months, WHO, the Centers for Disease Control and Prevention (CDC, Atlanta), the American Cancer Society, and the World Bank, have worked on collecting data on tobacco and compiling this information into a database. The initial database was launched by the American Cancer Society this past summer during the World Conference on Tobacco or Health, Chicago. Work is now progressing on enlarging the scope of the database, which will cover prevalence, trade, production, health impact, and employment data. The first version of this enlarged database will be placed on the web in early 2001.

The European Union office of WHO is presently consulting with the World Customs Organization in Brussels on the development of a Memorandum of Understanding with the World Customs Organization. Collaboration between the two organizations is especially important in the area of smuggling. The European Office also maintains close links with the European Union (EU). The EU initiated a Directive on tobacco advertisement and sponsorship which entered into force in 1998; this directive was recently annulled by the European Court of Justice for reasons connected to its legal basis. There is optimism that another advertising directive may be promulgated in the future. Also, an additional EU Directive focusing on tobacco sales and product

regulation, which is a re-casting of three pre-existing directives, is in the advanced stages of negotiation. The Tobacco Regulation Directive is in the 2nd reading in the European parliament and the Council of the European Union could adopt the directive by the end of 2000.

The WHO New York office is collaborating with New York City health authorities and the medical services of the United Nations to develop a workplace health promotion programme for the 10,000 employees of the United Nations.

◆ ***The World Bank:***

The World Bank study "Curbing the Epidemic, the Economics of Tobacco Control" has now been translated into 12 different languages, and the report is being widely disseminated. If Task Force agencies are aware of countries that would like to translate the report into other languages please contact the World Bank.

As part of disseminating the results of the report, the World Bank has organized two high profile meetings on tobacco, one in Indonesia and another in China; each of these meetings involved senior officials from the Ministry of Finance as well as other interested ministries. Strong interest in pursuing stronger tobacco control measures in China has been expressed, and the analytic work being conducted in China is currently being extended to more provinces. Discussions are also proceeding to determine the scope of follow-up work in China.

A tool kit is being developed to provide guidelines to researchers who wish to analyze certain economic issues related to tobacco control. The first tool will focus smuggling, in particular how to measure the extent of smuggling and how smuggling arises. Interest has been expressed to develop an economic tool on how to measure the healthcare costs related to tobacco. Analytical work in various countries is proceeding well. The World Bank will compile a more comprehensive update of its tobacco-related analytic work, and will issue this report in late December 2000.

◆ ***World Trade Organization (WTO):***

WTO values interagency coordination, and thanked WHO for leading the Task Force. The WTO participates in the Task Force on the sole responsibility of the WTO Secretariat and not on behalf of WTO members. The role of the Secretariat is to explain the rules of WTO as they relate to the FCTC, and to clarify any misunderstandings that may exist with respect to these trade rules. It is hoped that WTO's work in the Task Force will be transmitted to the Members of WHO, the sole negotiators of the FCTC. WTO does not do any tobacco-specific work per se, but the rules of the WTO do intersect with tobacco in a number of areas. The WTO Secretariat could provide documentation on WTO rules, as well as clarify and explain these rules that are relevant for the FCTC.

Agenda Item 3: Summary of the ECOSOC Substantive Session, July 2000

Dr Bill Kean reported that the Secretary General's Report on the Task Force's first year of work was presented to the ECOSOC Substantive Session (Coordination session) in July 2000. As the Chair of the Task Force, Dr Kean introduced the report, and focused initially on the economic evidence, estimates of demand and supply over the next decades, and the social context of tobacco control. Since these issues have constituted ECOSOC discussions in the past, it was important to show how the work of the Task Force was addressing these issues, and to demonstrate some of the evidence, rather than making exaggerated claims. Also, Dr Kean explained how the work of the Task Force was supporting the negotiation of the FCTC.

Following Dr Kean's introduction to the Substantive Session of ECOSOC, FAO and the World Bank made important interventions on their work and how this work linked with the work of other agencies comprising the Task Force. FAO provided a summary and update of the FAO project. The World Bank reiterated that an adjustment in tobacco sales attributable to demand reduction strategies will be gradual and slow, and thus, any economic effects for farmers and producing countries will likely be very delayed. The delegations of the European Union and Bangladesh made positive interventions in support of the FCTC and the work of the Task Force. Two major tobacco producing countries from Africa also made interventions focusing on the need for compensation for tobacco farmers in the poorest countries for loss of production foreseen in the future.

As noted above, the Council decided that the Secretary-General should report again on the work of this Task Force in the summer of 2002. The Task Force will be responsible for drafting the Secretary-General's report to the ECOSOC Substantive in 2002.

In discussions on this agenda item, UNDCP commented that it would be prepared to share information on its substitution initiatives with the Task Force, in particular relating to alternative development programmes for opium poppy in Southeast Asia, and coca bush in Latin America.

Agenda Item 4: Update on the FAO project:

Dr Shangnan Shui, FAO reported that the primary aim of the project is explore various strategic policy options arising from a reduction in demand for tobacco leaves while taking into account certain countries dependence on tobacco. The work will provide detailed information on the underlying economic and social factors affecting demand and supply of raw tobacco. It will analyze the effect that reduction in demand for raw tobacco will have on agricultural production, employment, household income, and food security , and will also project world tobacco supply, demand, and trade under different scenarios.

This study will be of value to various national and international organizations concerned with the health implications of tobacco consumption, as well as those countries involved in the production of and trade in tobacco.

Progress on the study is being made, and the accomplishments relating to the project so far include: completion of a review of tobacco economics and trade, demand for cigarettes, advertising, taxes, and social costs. There are two major components of the project: country case studies and modelling work.

The project has closely followed the work plan. Country visits to China and India have been undertaken, and the first drafts of the China and India case studies have now been completed. The case study for Turkey will be finished by the end of the year (led by FAO consultants), and the study for Zimbabwe is being undertaken by consultants contracted by the World Bank. A FAO/WHO mission to Malawi and Zimbabwe is scheduled for January 2001, and a visit to Brazil is planned for late February or early March 2001. Both country computable general equilibrium (CGE) modelling and global leaf supply and demand modelling work are ongoing. There are plans to finalize the Malawi report by March 2001. The World Bank is working on the Zimbabwe report, which will likely be completed by March 2001.

A Steering Committee/expert review meeting will be held in March/April 2001 to review the case study reports. It is possible that some of the modelling results may be ready for consideration by the Steering Committee meeting.

In the final report, each country case study will have a CGE model component. The microeconomic and trade divisions of FAO have contributed to the CGE country models.

On the projection side, work has commenced, and the basic data has been collected. The empirical model has already been tested in China.

FAO is confident that that all work relating to the project can be completed by end 2001.

Several specific questions about the study methodology and timetable were posed to the FAO team. Dr Kean recommended that FAO address these detailed questions separately following the videoconference.

It was noted by WHO that the conference planned for Kobe in 2001 focusing on economic and agricultural transition from tobacco could provide an important opportunity to discuss and disseminate the FAO Report. This consultation was discussed further under agenda item 8.

Agenda item 5: Summary of the First Session of the FCTC Intergovernmental Negotiating Body and the Public Hearings on the FCTC:

a. FIRST SESSION OF THE INTERGOVERNMENTAL NEGOTIATING BODY

Dr Bettcher noted that by resolution WHA52.18 the Fifty-second World Health Assembly in 1999, for the first time in its history, established an Intergovernmental Negotiating Body, open to all Member States, to draft and negotiate the proposed WHO Framework Convention on Tobacco Control (FCTC) and possible related protocols.

With World Health Assembly resolution WHA 53.16, adapted in May 2000, the Member States have undertaken to negotiate the Framework Convention first, and then to consider the negotiation of initial related protocols in a sequential fashion. If sufficient political will exists it is conceivable that the Framework Convention could be adopted earlier than the target date of 2003. It is proposed that sessions of the Negotiating Body will be held at approximately six month intervals until the text of the Framework Convention has been finalized.

The Intergovernmental Negotiating Body on the WHO Framework Convention on Tobacco Control held its first session in Geneva from 16 to 21 October 2000. The participants included the representatives of 148 Member States, as well as observers from six international organizations, the European Community, three other intergovernmental organizations, and 25 nongovernmental organizations.

The Negotiating Body decided to begin its substantive work with a first reading of the proposed draft elements for the Framework Convention (document A/FCTC/INB1/2), as prepared during the pre-negotiation phase at two meetings of a preparatory working group on the Framework Convention, which were held in October 1999 and March 2000.

The first reading of the core obligations and guiding principles helped to determine what provisions should be included in the Framework Convention itself and those that might be deferred to subsequent protocols. The first reading also provided guidance for the future work of three technical Working Groups established by the Negotiating Body on the Chair's recommendation. The objective of the Working Groups will be to advance negotiations by way of developing clear texts and compromise solutions and thereby reducing the number of options. The themes of these Working Groups will be of interest to the other Task Force members, and it is hoped that several Task Force members will participate in the ongoing negotiations. The major topics to be considered by each Working Group are as follows:

- **Working Group 1:**
 - Research;
 - Regulation of tobacco product disclosures;
 - Tobacco sales to youth;
 - Packaging and labelling;
 - Treatment of tobacco dependence;

Media, communications, and education;
Exposure to tobacco smoke;
Regulation of the contents of tobacco products;
Advertising, promotion, and sponsorship.

□ **Working Group 2:**

Surveillance;
Information exchange;
Tobacco taxes and duty-free sales;
Subsidies;
Measures to eliminate smuggling;
Other trade-related issues;
Economic and agricultural transition.

□ **Working Group 3:**

Institutions;
Implementation, including settlement of disputes;
Liability and compensation;
Development of the convention;
Final clauses;
Financial mechanisms and financial resources;
Cooperation in the scientific, technical, and legal fields.

With regard to work between sessions, the Negotiating Body agreed that a draft text based on Member State interventions and written submissions made at the first session should be prepared by the Chair of the Negotiating Body, Ambassador Amorim of Brazil. Member States also called for the Secretariat to continue technical work on such issues as trade, technical assistance to countries, compensation and liability, monitoring and implementation, and financial mechanisms.

The Negotiating Body decided to hold its second session from 30 April to 5 May 2000, shortly before the Fifty-fourth World Health Assembly.

b. The Voice of Civil Society: PUBLIC HEARINGS ON THE FRAMEWORK CONVENTION

Ms Chitra Subramaniam, WHO noted that in March of this year Dr Brundtland announced that WHO, for the first time in its history, would host global public hearings, and that the hearings would focus on the FCTC. To prepare for negotiations on the proposed Framework Convention all parties with a material interest in the Convention, in particular private sector and nongovernmental organizations and institutions, were invited by Dr Brundtland to transmit written submissions and to deliver oral testimonies at public hearings held in Geneva on 12 and 13 October 2000.

All major tobacco producers, several tobacco farming groups, and various public health organizations provided written testimony. In total, WHO received an extraordinary response: 514 submissions meeting the established

requirements were received and immediately made accessible for public scrutiny on WHO's website (<http://www.genevahearings.who.int>). During the two-day hearings, testimonies were given by representatives of 144 organizations, covering all regions of the world.

Extreme concern about the impact of tobacco use on current and future health, especially in developing countries, was expressed by all public health and related groups. Tobacco companies concentrated instead on defining the boundaries of reasonable and appropriate action, and questioned the role of WHO and the Framework Convention process in reducing the public health impact of tobacco. In general, the companies supported measures and policies known to have a very limited impact on youth and adult consumption, but opposed interventions known by WHO, the World Bank, and the public health community to have a measurable and sustained impact on tobacco use. A detailed summary was circulated at the first session of the Intergovernmental Negotiating Body (document A/FCTC/INB1/INF.DOC./1).

Dr Vera Costa e Silva, WHO also noted that national public hearings on the FCTC took place in Brazil in August 2000, and included the voices of farmers groups, producers, and public health groups. She encouraged other countries to embark on public hearings in their respective nations.

Comments on this agenda item:

Comments by the WTO Secretariat Representative: The WTO representative Ms Doaa Abdel Motaal, speaking in her personal capacity, noted that WTO has been, for many years, looking at the relationship between the WTO rules and various other international agreements, in particular the Multilateral Environmental Agreements (MEAs). This discussion has been conducted under the auspices of the Committee on Trade and Environment (CTE); many of the issues discussed in the CTE are relevant to the FCTC. Considering that many of the questions pertaining to the relationship between the MEAs and the WTO trade agreements pertain to the FCTC, it was suggested by WTO that WHO should consider applying for membership in the Committee on Trade and Environment.

Certain trade-related issues were discussed at the first session of the Negotiating Body which the WTO made specific reference to, such as the guiding principles, duty-free sales, taxes, and smuggling. Other WTO issues could arise with respect to advertising, packaging and labelling, and savings clauses providing for the relationship with other international conventions. At this early stage in the negotiations it is, however, difficult to judge the level of consistency or lack of consistency of FCTC provisions with WTO rules.

How does the WTO look at measures to protect health and the environment, and how does it evaluate measures to protect health or environmental objectives? It was noted that the WTO has never put into question the level of health or environmental protection that its members have chosen to pursue. What is sometimes put into question in the WTO is the approach that a

country takes to achieve a certain level of protection – but not the level itself. It was observed that WTO rules provide significant leeway for countries to put measures in place to protect human health and the environment. The members of WTO police each other and ensure the implementation of WTO rules.

Two common threads exist in the WTO agreements to evaluate measures taken to protect public health or the environment: non-discrimination and the necessity test.

Non-discrimination has two components:

- The most favoured nation component states that a country must give equivalent treatment to imported products regardless of their source of importation;
- The national treatment component refers to the treatment of domestic products *vis-à-vis* imported products. WTO members are obligated to treat imported products in a manner equivalent to domestically produced ones.

The non-discrimination principle is important to consider in the context of trade-related measures being looked at under the FCTC.

The other recurrent theme in various WTO agreements is that of “necessity” – which is known as the necessity test of the WTO. It has to do with the extent to which a measure that is taken by a country to achieve a certain objective is truly necessary. Necessity in GATT and WTO has frequently been interpreted in the context of dispute settlement to mean “least-trade restrictiveness.” If a measure is taken by a country to achieve a certain objective (which could be health-related) is challenged in the WTO, the WTO may try to determine the extent to which other less trade-restrictive approaches were available to the country through which it could have met its same objective.

Only one tobacco-related dispute exists in GATT/WTO jurisprudence, namely the 1990 dispute between Thailand and the USA under GATT 1947. Restrictions were put on imported cigarettes by Thailand, but not on domestically produced cigarettes; the dispute also involved certain taxes that were imposed by Thailand on cigarettes. These restrictions and taxes were challenged by the USA. A WHO expert was consulted to comment and elaborate on the scientific aspects of the dispute. Thailand's defence of its measures was that USA cigarettes were more harmful to human health than Thai cigarettes. The WHO expert stated that it was not possible to determine if any cigarette was more harmful than another. The Panel came to a ruling that Thailand had acted inconsistently with GATT rules because it had imposed a quantitative restriction which was not necessary to achieve its health objective. In other words, it was not the least trade restrictive measure that could have been taken to achieve Thailand's stated health objective. As an example, the Panel suggested a less trade restrictive approach could have included the restriction of advertising for cigarettes or advertisements for other tobacco products. The Thailand case is worth examination by the WHO negotiators and the WHO Secretariat.

In her personal capacity, the WTO representative suggested the following recommendations with regards to the FCTC:

- The more specific the drafting of trade-related obligations, the less likely there will be disputes arising on how to interpret the FCTC;
- Regarding specific measures with an impact on trade informal and formal coordination between WHO and WTO Secretariats would be valuable.
- An effective dispute settlement mechanism under the FCTC would be very important, as it would reduce the possibility of disputes migrating to the WTO in areas where there would be dual jurisdiction.
- The WTO Secretariat would welcome, at any stage, receiving questions from the WHO Secretariat, or by WHO Member States. The WTO Secretariat would, on its responsibility, be willing to respond to questions on WTO rules in order to explain and clarify them, and would agree to have its replies be circulated. However, account should be taken of the fact that only WTO members themselves can provide an authoritative interpretation of WTO rules. Such clarifications by the WTO Secretariat could contribute to the work of the second technical working group of the Negotiating Body (see above).

Additional comments: The WHO Brussels office noted that the European Commission has been given the mandate to negotiate the FCTC, in areas of its competence, on behalf of the Member States of the European Community.

This also represents the first time that an EU parliamentarian is part of EU delegation to a treaty-making process. The European Commission is considering the financing of developing country participation in the ongoing FCTC negotiations. The FCTC has been consistently referred to in the preamble on the European Union's tobacco sales directive. Further, it is hoped that additional EU tobacco legislation will be elaborated during the course of the FCTC negotiations; conversely, the FCTC could also act as a springboard for the development of EU legislation in areas where there is no existing legislative framework.

Finally, FAO noted that it is keen to offer ideas for Working Group 2 of the Negotiating Body. The partial and general equilibrium economic analysis undertaken by the FAO would be pertinent to the economic and agricultural adjustment deliberations of Working Group 2.

Agenda Item 6: WHO Update on the Inquiry and Product Regulation:

a. Report of the Committee of Experts on Tobacco Industry Documents:

Dr Derek Yach noted that in the summer of 1999 the Tobacco Free Initiative (TFI) began gathering documentary evidence which suggested that the World Health Organization's (WHO) global tobacco control policies may have been adversely affected by tobacco company practices aimed at influencing its funding, policies, and research priorities. Based on this emerging evidence, Dr

Brundtland assembled a *Committee of Independent International Experts* to verify if those fears were justified, and what, if any, was the extent of damage done to the Organization's public health policies. She asked the head of the Swiss Office of Public Health Dr Thomas Zeltner to chair this committee which included Dr David Kessler, Dean of the School of Medicine at Yale University; Ms Anke Martiny who was nominated by the President of the World Bank and is head of Transparency International in Germany; and Mr Fazel Rander, currently Inspector General of Intelligence Services in South Africa and previously a member of the Truth and Reconciliation Committee. On August 2, 2000, the Committee's 260-page report was publicly released on the internet (www.tobacco.who.int).

The report showed, through irrefutable documentary evidence, that the tobacco companies viewed WHO as one of their leading enemies and saw themselves in a battle against the organization. The documents further demonstrated that the tobacco companies planned and implemented global strategies to discredit and impede WHO's efforts to carry out its mission. Their campaign was rarely directed at the merits of the public health issues raised by tobacco use. Instead, the Inquiry results provide information that the tobacco companies sought to divert attention from the public health issues, to reduce budgets for scientific and policy activities carried out by WHO, and to pit other UN agencies against WHO. They sought to convince developing country governments that tobacco control was a first world agenda foisted on them. These actions were planned at the highest levels of decision-making and were carried out secretly.

These industry documents have helped WHO gain more insights into why tobacco control has been so neglected in the United Nations system. Tobacco companies have, over decades, influenced policies with varying degrees of success, and in some cases actually constructed the logic of public health in settings where critical decisions on funding and research are made. There is evidence that some of this influence still continues.

The Inquiry Committee made 58 recommendations that relate to people, processes, and institutions. Of these 58 recommendations the following are particularly relevant to the work of the Task Force and its participating agencies:

- **Recommendation 6** suggested that other United Nations agencies should carry out similar investigations.
- **Recommendation 7** calls for advocating and enforcing consistent conflict of interest and ethics policies throughout the United Nations system. WHO has just put in place conflict of interest policies which apply to all consultants and externally contracted employees. Discussions are taking place with regards to applying this policy to all full-time staff members; this is currently a subject of negotiation with our staff association and other relevant groups in the UN system. Dr Yach proposed that a small group could review different conflict of interest policies in the UN and suggest how to achieve better coherence.

- **Recommendation 10** proposed that that WHO should develop a sophisticated communications system in support of the FCTC. Dr Yach noted that WHO is on target to strengthen information at the country-level, and to counter tobacco company comments which appear in the media.
- **Recommendation 52** suggests that there should be a policy on partnerships and contributions from tobacco companies. This recommendation is particularly relevant to the global compact recently launched by the Secretary-General.
- **Recommendation 54** relates to addressing legitimate economic issues. Dr Yach noted that these issues are already being addressed by the work of FAO and ILO and other groups looking at economic and social transition issues.
- **Recommendation 57** proposed that there should be better UN coherence in tobacco control efforts. Dr Yach observed that this is one of the principal reasons for the existence of the Task Force, and noted that the UN agencies are already working as a group towards achieving this objective.
- **Recommendation 58** advised that a monitoring system be put in place to monitor tobacco industry activities. The first monitoring report should be available in January 2001, and as it develops will become more sophisticated with time. The monitoring system will cover the marketing and advertising practices of tobacco companies on a worldwide basis, so that it becomes possible to compare what the companies say they are prepared to undertake in one country and what they are actually doing on a worldwide basis.

b. Scientific Advisory Committee on Tobacco Products Regulation

Dr Yach recalled that a meeting held in Oslo in February 2000 focused on tobacco product regulation. This expert consultation recommended that WHO should take notice that tobacco companies are in the business of altering their products. One of the major outcomes of the tobacco litigation in the USA is that companies now have a reason to compete on health grounds or alleged health grounds. Tobacco companies are stepping up their research and development into new products, and will start making health claims or quasi-health claims as they try to develop some of these new products.

As a result of the recommendations from Oslo, the Director-General of WHO, Dr Brundtland appointed a scientific advisory committee on tobacco product regulation, which held its first meeting in October 2000. The committee is composed of international and national experts. The committee's work focuses on product modification, disclosure of contents, measurement of contents, nicotine regulation, and the communication of risk that comes out of looking at data on tar and nicotine levels. The committee's work will be closely aligned with the European Union in its implementation of the new directive on product regulation, which is currently being discussed in Brussels.

As part of the Scientific Advisory Committee's initial meeting, WHO extended an invitation to selected tobacco companies to provide information on their

perspective on product modification, and their efforts to reduce the harm caused by tobacco products. WHO wanted to hear from the tobacco companies about the possible effect of changes to the design and manufacture of tobacco products. How would these changes affect toxicity, addictiveness, satisfaction, initiation of tobacco use, relapse in former smokers, and impact on non-smokers? How could these changes and their effects be measured? Two tobacco companies, Philip Morris and British American Tobacco (BAT), chose to address the first meeting of the Scientific Advisory Committee to present their perspectives. Prior to the presentations, WHO indicated that the presentations should in no way be interpreted as an endorsement of any of their products, nor should it reflect a partnership, collaboration, or dialogue. The committee will continue to draw upon external expertise in its work in future.

At the next meeting of the Scientific Advisory Committee to be held in Atlanta in January 2001, Star tobacco and RJ Reynolds will be presenting their scientific perspectives on how they are trying to reduce the health impact of their products.

The International Organization on Standardization (ISO) will also be invited to participate in the work of this committee.

The inputs of the Scientific Advisory Committee will be important for the regulatory components of the FCTC, and for a possible protocol on tobacco product regulation. Also, Dr Yach suggested the possibility of linking the work of the Committee to the regulatory work of UNDCP.

c. Survey of tobacco use in the Geneva-based United Nations agencies

Finally, Dr Yach summarized the results of the survey looking at tobacco use in the UN agencies based in Geneva. The full survey is now being finalized, and can be made available to Task Force participants.

Overall, the participation was average for WHO, ILO, and ITU; the participants in these three agencies did not differ from the non-participants in any major demographic factor or in their smoking status. The percentage of smokers in WHO is less than the surrounding population, but is still high at 21%. This compares with prevalence rates of 25% at ILO and 26% at ITU. Even though WHO's prevalence rate is low by Geneva standards, there is still a long way to go to match the low rate at the World Bank, which has reported a tobacco use prevalence rate of only 8%.

There was generally a high level of support for the smoking policy in WHO, and less enthusiasm in ILO and ITU. 70% of smokers in WHO stated that they would like to quit, compared with 58% in ILO and 53% at ITU who want to quit. The Joint Medical Services in Geneva are presently looking at how they can provide good information on quitting.

Overall, the Palais des Nations, WMO, UNHCR, and UNAIDS participation levels in the survey were very low. This work was completed by a team at the

University of Lausanne, and the researchers are keen to see if they can complete the work in Geneva. Also, WHO would be keen to see if a similar survey of the United Nations agencies in New York could be carried out. The New York WHO office agreed to follow up in the near future on the possibility of conducting a survey.

Agenda Item 7: World No Tobacco Day 2001

Ms Chitra Subramaniam observed that last year's World No Tobacco Day focused on the duping of science in the settings of film, sports, and music industry. One of the primary objectives of tobacco companies is to frame tobacco use as an individual and behavioural decision. The problem with this casting is that it leaves the tobacco companies activities and practices completely out of the equation. It assumes that people make decisions in a state of vacuum, completely uninfluenced by their environment, including industry advertising and marketing. Tobacco advertising and use in the entertainment and sports industry projects images of smokers as fun loving and glamorous and, most insidiously, healthy. Attractive images and people suggest that smoking is a powerful tool for enhancing self-image. The Tobacco Kills-Don't be Duped theme challenged these "everyday" images with the aim of injecting truth into the equation.

This year's theme is "Let's clear the Air" which is both relevant to the move to clear indoor air policy, and clearing the air about the deception promulgated by the tobacco companies. A communications strategy further to the recommendations of the Industry Inquiry focuses on 7 different modules, or areas to monitor the tobacco companies. An initial monitoring report will be ready for the WHO Executive Board, January 2001.

The theme of second-hand smoke has been chosen for this year's World No Tobacco Day because of the public health damage associated with this health determinant. Second-hand smoking has been causally associated with a range of life-threatening health effects, including lung cancer and heart disease. In the case of children, involuntary exposure to tobacco smoke has been identified as a cause of respiratory disease, middle ear disease, asthma attacks, and sudden infant distress syndrome (SIDS). Tobacco smoke is also an important source of indoor air pollution, contributing to a noxious environment, and causing eye irritation, sore throat, and headaches.

Ms Subramaniam noted that despite decades of scientific evidence that second-hand smoke is toxic, and despite confirmation of the industry's own scientists, the tobacco companies have been publicly denying that second-hand smoke causes death and disease. In private though, the tobacco companies, as early as the 1970s, had identified second-hand smoke as a crucial battleground, one that could threaten the viability of the companies.

For these reasons WHO and its partners have a responsibility to ensure that the truth about second-hand smoke emerges. Actions will not be limited to the

global level: WHO is urging mayors of cities all over the world to launch "Clean the Air" campaigns and to address the persistent problem of second-hand smoke.

Ms Subramaniam stressed the need for Task Force agencies to cooperate to declare the United Nations and other premises smoke-free.

Agenda Item 8: Planning for the Task Force Meeting in Kobe in 2001:

Dr Bettcher reported that plans are underway to organize an international consultation focusing on "Economic transition in tobacco manufacturing and agriculture" in Kobe, Japan in December 2001.

Considering the relevance of this topic to the Task Force's ongoing work it is proposed that a Task Force meeting would also be held in conjunction with this meeting. The Task Force meeting could, for instance, be held at the conclusion of the workshop/consultation in order to determine implications of the workshop outputs for the Task Force's future programme of work.

The proposed objective of the meeting is to explore economic transition issues related to the global reduction in demand for manufactured tobacco products, and specifically to investigate alternative livelihoods for tobacco farmers and workers. In addition, the impacts of privatization in the tobacco sector will be examined.

Specific issues to be considered during this consultation could include:

- Agricultural diversification: moving away from tobacco growing:
 - Review alternative crop opportunities;
 - Examine the infrastructure necessary to move to alternative crops (for example, micro-lending for pesticide purchases);
 - Studies of transition costs and benefits to move to alternative crops and livelihoods.

- Alternative livelihoods to tobacco manufacturing:
 - Review the size the significance of this industrial sector in the overall economy;
 - Review alternative investment opportunities;
 - Examine other sectors where disinvestment has already occurred.

- Privatization:
 - Costs and benefits of privatization;
 - Development of guidelines for tobacco privatization (for example, a review of the structure of taxation on tobacco products; review of tobacco industry influence)
 - Review experiences of privatization within national economies.

The participants will include UN Task Force members and key national policy makers from tobacco producing and consuming countries. Possible roles for Task Force Members could include the following:

- FAO: present the results of the FAO agriculture and supply study;
- ILO: present the results of the ILO bidi study, and other research work related to alternative livelihoods;
- World Bank: present the results of demand-side country case studies and the privatization study.

Dr Bettcher stressed that we are only in the early stages of planning for this international consultation, and that WHO would value the participation and input of the other Task Force members in shaping the agenda and format of the consultation.

During the discussion on this agenda item, the WHO European Union office mentioned that it would be important to invite EU research partners. ILO stressed that it would be important to include job training issues for those engaged in tobacco, especially farmers. The Department of Economic and Social Affairs, United Nations, New York expressed a willingness to participate in the consultation. FAO stated that the agency will be keen to present their report during the Kobe meeting. Finally, the World Bank also remarked that they are keen to participate and present findings on privatization and country case studies.

Agenda Item 9: Closure of the Third Session

The Chair, Dr Bill Kean thanked all the Task Force members for their active participation, and for making this videoconference a success, and the third session was closed.

Summary of Points for Future Action by Task Force Members:

The following action points were identified in the Third Session of the Task Force:

Organization of a Task Force panel during the high-level segment of ECOSOC 2001 which will focus on "Sustainable Development in Africa". The Task Force members will need to draft a report to the 2002 Substantive Session of ECOSOC.

Collaboration of project participants to complete the FAO project by the end of 2001.

Contact FAO colleagues, Rome with any outstanding queries regarding the FAO study/methodology.

Suggestions for Kobe workshop to be sent to Dr Bettcher, TFI/WHO by 28 February 2001.

The Brussels office of WHO to suggest names of participants from the European Community for the upcoming Kobe Workshop.

New York office of WHO, in collaboration with the United Nations, will plan and execute a tobacco prevalence survey at the United Nations, New York.

Contact Ms Chitra Subramaniam, TFI/WHO by 15 February 2001 concerning inter-agency collaboration for the 2001 World No Tobacco Day, "Let's clear the air."

Contact Dr Derek Yach, NMN/WHO, concerning the implementation of the Inquiry Committee's recommendations as they pertain to interagency issues.

Contact Dr Joy de Beyer, World Bank, Washington D.C. to suggest additional translations of "Curbing the Epidemic, the Economics of Tobacco Control", as well as suggestions for additional economic tools to be added to the economic toolkit.

TFI/WHO to liaise with WTO Secretariat staff on trade-related questions related to the Framework Convention on Tobacco Control.

Task Force participants will consider participating in the Second Session of the Intergovernmental Negotiating Body on the FCTC, 30 April to 5 May 2001. In this regard, participants will follow-up, within their respective agencies, the letters of invitation for the FCTC negotiations to be sent by the Director-General of WHO to all heads of agencies in early March 2001.