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

Eighth session
Geneva, Switzerland, 1–6 October 2018

Provisional agenda item 1.1

Provisional agenda (annotated)

1. Opening of the session

1.1. Adoption of the agenda and organization of work

Documents FCTC/COP/8/1/REV.1 and FCTC/COP/8/1(annotated)

The provisional agenda was prepared by the Convention Secretariat in consultation with the Bureau of the Conference of the Parties (COP), in accordance with Rule 6 of the Rules of Procedure (RoP) of the COP.

In considering the method and organization of its work, the COP may wish to keep the existing approach by establishing two Committees, A and B, working in parallel. Committee A could be entrusted with work on treaty instruments and technical matters under provisional Agenda item 6 and reporting, implementation assistance and international cooperation under provisional Agenda item 7, while Committee B could work on budgetary and institutional matters under provisional Agenda item 8. Provisional Agenda items 1 to 5 and 9 to 12 would be considered in plenary.

The COP is invited to review and consider adopting the provisional agenda and to decide on the organization of work of the session.

1.2. Credentials of participants

Document FCTC/COP/8/2

In accordance with Rule 18 of the RoP, Credentials shall be submitted to the Convention Secretariat if possible no later than 24 hours after the opening of the session1. The Bureau of the COP, with the assistance of the Convention Secretariat, will examine delegates’ credentials and will report thereon to the COP, in accordance with Rule 19 of the RoP (document FCTC/COP/8/2, Report on credentials of participants which will be produced during the session). It should be noted that, pursuant to Rule 20 of the RoP, representatives shall be entitled to participate provisionally in the session, pending a decision by the COP on acceptance of their credentials.

1 An electronic copy of the credentials, submitted through the online registration system, is valid for official registration.
1.3. **Keynote address by the Head of the Convention Secretariat**

*Documents FCTC/COP/8/DIV/3*

The Head of the Convention Secretariat will address the COP and highlight the main achievements of the Convention Secretariat since the Seventh session, in accordance with Article 24.3(d) of the Convention. She will also outline the work and challenges ahead.

2. **Applications for observer status to the Conference of the Parties**

*Document FCTC/COP/8/3*

The COP is invited to review the applications, in accordance with Rules 30 and 31 of the RoP, as well as an indicative list of criteria for the Bureau of the COP to analyse applications for observer status.

The document contains, in annex 2, a draft decision for the COP’s consideration.

3. **Invited speakers**

The Attorney-General of Brazil, Minister Grace Maria Fernandes Mendonça, will share, with the delegates, her experience in the successful battle to uphold the constitutionality of the ban on flavoured tobacco products.

4. **High-level segment**

*Document FCTC/COP/8/INF.DOC./1*

The COP Bureau has identified in the 2030 Agenda for Sustainable Development a number of opportunities that could bring greater visibility to some provisions of the WHO FCTC and could provide opportunities for intersectoral collaboration. One such example is tobacco and its impact on climate change.

The High-level Segment aims promoting a discussion and examine initiatives, best practices and potential avenues for cooperation, including intersectoral collaboration, focusing on tobacco control and global climate action. The outcome of the discussions will be documented and might be considered by COP8 as the “Geneva declaration” in line with similar declarations prepared by hosting governments in the last COPs.

5. **Global progress in implementation of the WHO FCTC, followed by a general debate**

*Document FCTC/COP/8/4*

The Head of the Secretariat will summarise the global progress in implementation of the WHOFCTC with emphasis on the implementation of SDG target 3.a. The COP is invited to note the report, document FCTC/COP/8/4, on the initial results from the analysis of data received in the 2018 reporting period and to provide further guidance.

A general debate on the theme “The WHO FCTC inclusion in national plans for the Sustainable Development Goals (SDGs)” will follow the Convention Secretariat’s introduction of this agenda item.

Delegations wishing to speak in the general debate are invited to notify the Convention Secretariat as soon as possible by email to copfctc@who.int or by telephone to +41 22 791 2276. Delegations are encouraged to opt for group or regional statements, in lieu of individual statements.
6. Treaty instruments and technical matters

6.1. Protocol to Eliminate Illicit Trade in Tobacco Products

Documents FCTC/COP/8/5, FCTC/COP/8/6

The COP is invited to note, document FCTC/COP/8/5: Progress towards the entry into force of the Protocol to Eliminate Illicit Trade in Tobacco Products, summarizing the main activities conducted by the Convention Secretariat in relation to the Protocol to Eliminate Illicit Trade in Tobacco Products (the Protocol) between the seventh and eighth sessions of the Conference of the Parties to the WHO FCTC.

The COP is also invited to take note of document FCTC/COP/8/6: Report of the Panel of Experts on the Protocol to Eliminate Illicit Trade in Tobacco Products, on its work conducted by the Panel of Experts on the Protocol to Eliminate Illicit Trade in Tobacco Products between the Seventh and Eighth sessions of the Conference of the Parties (COP) as mandated by the Seventh session (COP7).

6.2. Tobacco advertising, promotion and sponsorship: depiction of tobacco in entertainment media: report by the expert group

Document FCTC/COP/8/7

COP7 adopted decision FCTC/COP7(5) that requested the Convention Secretariat to establish an Expert Group to consider tobacco advertising, promotion and sponsorship: depiction of tobacco in entertainment media. The Expert Group has prepared a report for COP8 with recommendations.

The COP is invited to note this report and consider adopting the annexed draft decision.

6.3. Progress report on technical matters related to Articles 9 and 10 (Regulation of contents and disclosure of tobacco products, including waterpipe and smokeless tobacco and heated tobacco products): report by WHO

Document FCTC/COP/8/8

The COP is invited to note the report prepared by WHO on technical matters related to Articles 9 and 10. It discusses tobacco addictiveness reduction measures, market monitoring of novel tobacco products, building country testing capacity, and development of chemical methods for analysing cigarettes, waterpipe tobacco and smokeless tobacco.

6.4. 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

This report provides information on the progress made 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). The COP is invited to note the report.

6.5. Progress report on regulatory and market developments on electronic nicotine delivery systems (ENDS) and electronic non-nicotine delivery systems (ENNDS)

Document FCTC/COP/8/10

This report aims to update the COP on the progress reported by Parties on regulatory and market developments on electronic nicotine delivery systems and electronic non-nicotine delivery systems.

7. Reporting, implementation assistance and international cooperation

7.1. Measures to strengthen implementation of the Convention through coordination and cooperation: report by the working group

Documents FCTC/COP/8/11

This report presents a proposed draft medium-term strategic framework for the WHO Framework Convention on Tobacco Control (WHO FCTC), developed by the Working Group
to Strengthen the Implementation of the Convention through Coordination and Cooperation. The COP is invited to note this report and consider adopting the annexed draft decision.

7.2. Progress report implementation assistance and international cooperation

Document FCTC/COP/8/12

a. Trade and investment issues, including agreements, and legal challenges in relation to the implementation of the WHO FCTC; and
b. International cooperation including the Sustainable Development Goals, global NCD targets, human rights and South–South and Triangular cooperation for the implementation of the WHO FCTC.

The COP is invited to note the progress made in implementation assistance and international cooperation and provide further guidance.

7.3. WHO FCTC Implementation during complex emergency situations (item proposed by a Party)

Document FCTC/COP/8/13

This agenda item was proposed by a Party and supported by a few others in the Eastern Mediterranea Region. The COP is invited to take note of the content of document FCTC/COP/8/13 and to provide guidance on the way forward.

8. Budgetary and institutional matters

8.1. Performance and Progress reports

Document FCTC/COP/8/14

a. Performance report for the 2016–2017 workplan and budget,
b. Interim performance report for the 2018–2019 workplan and budget,
c. Progress report on hosting terms between the Convention Secretariat and WHO.

The COP is invited to note the progress report, document FCTC/COP/8/14, describing (a) the implementation of the workplan and budget for the past full biennium (2016-2017), including implementation of activities mandated by the COP through various decisions of the COP that were not directly referred to in the workplan. The report also provides details of financial implementation; (b) The COP is invited to note the progress report for the first six months of the workplan and budget 2018-2019 that describes the progress made in each area of work including information on financial implementation, and to provide further guidance; (c) The COP is invited to note the information contained in the progress report on the hosting terms between the Convention Secretariat and WHO.

8.2. Maximizing transparency of delegations from Parties and observers to the Conference of the Parties, its subsidiary bodies and other WHO FCTC meetings

Document FCTC/COP/8/15

The report presents a set of measures proposed by the Bureau elected by the seventh session of the COP to maximize transparency of delegations from Parties and observers to the Conference of the Parties, its subsidiary bodies and other WHO FCTC meetings. The COP is invited to note this report and consider adopting the draft decision and its annexes.

8.3. Proposed workplan and budget for the financial period 2020–2021

Documents FCTC/COP/8/16; FCTC/COP/8/INF.DOC./2

This document includes a proposed workplan and budget for the financial period 2020–2021, as well as four annexes. Annex 1 contains proposed activities and the budget, Annex 2 presents the composition of the Convention Secretariat team and staff costs, Annex 3 details the total budget for 2020–2021 including activity costs, staff costs and programme support costs, and Annex 4 shows a cost comparison with the previous biennium. A more detailed description of activities, the rational and assumptions made in calculating the cost of various activities, and efforts by
the Convention Secretariat to achieve greater efficiency and savings are described in the explanatory note FCTC/COP/8/INF.DOC./2.

The COP is invited to consider and adopt the proposed workplan and budget for 2020–2021\(^2\) contained in document FCTC/COP/8/16, and to note the detailed information contained in the explanatory note to the workplan and budget, document FCTC/COP/8/INF.DOC./2.

8.4. Payment of the assessed contributions and measures to reduce Parties in arrears

Document FCTC/COP/8/17

The COP is invited to consider the Bureau’s proposed draft decision in Annex to document FCTC/COP/8/17, which contains recommended measures to incentivize Parties to comply with their treaty obligations to enable the Convention Secretariat to implement the workplan and budget adopted by the COP.

8.5. Convention Secretariat’s fundraising strategies: Investment fund concept

Document FCTC/COP/8/18

This report presents a conceptual framework for the development of a voluntary financial investment fund, from which the annual interest earned would be directed to the Convention Secretariat to support the implementation of the WHO Framework Convention on Tobacco Control (WHO FCTC) and related activities.

The COP is invited is invited to note this report, provide further guidance and consider adopting the annexed draft decision.

8.6. Review of accreditation of observers to the Conference of the Parties

Document FCTC/COP/8/19

a. Review of accreditation of international intergovernmental organizations with the status of observers to the Conference of the Parties; and

b. Review of accreditation of nongovernmental organizations with the status of observers to the Conference of the Parties.

The report aims to review the accreditation of international intergovernmental organizations (IGO) and nongovernmental organizations (NGO) with the status of observers to the Conference of the Parties. Part (a) on IGO will focus on the survey conducted by the Convention Secretariat in accordance with decision FCTC/COP/6(23). Part (b) on NGOs will focus on the results of the standard online questionnaire in accordance with decision FCTC/COP/6(23).

The COP is invited to note this report, provide further guidance and consider adopting the annexed draft decision.

8.7. Relationship of the Convention Secretariat with other international entities: observer status

Document FCTC/COP/8/20

The COP is invited to take note of the report of the Convention Secretariat on the outcome of the discussions between the Convention Secretariat and the relevant organizations on the applications for observer status to relevant international organizations. The COP is furthermore invited to provide further guidance.

8.8. Possible amendments to the Rules of Procedure of the Conference of the Parties

Document FCTC/COP/8/21

The COP is invited to adopt the possible amendments to the Rules of the Procedure (RoP) proposed by the Bureau in document FCTC/COP/8/21.

\(^2\) In accordance with Article 23 of the Convention, the COP shall adopt, at each ordinary session, a budget for the financial period until the next ordinary session
8.9. Strengthening synergies between the Conference of the Parties and the World Health Assembly: report by the WHO Director-General on resolutions and decisions of the Seventieth and Seventy-first World Health Assembly

Document FCTC/COP/8/22

The COP is invited to note the report by the WHO Director-General, contained in document FCTC/COP/8/22, on the outcome of the Seventieth and Seventy-first World Health Assembly which is relevant to the implementation of the WHO FCTC for information purpose.

8.10. Code of Conduct of the Bureau to the Conference of the Parties and proposed measures to prevent and address possible conflicts of interest (perceived or existing) among the staff of the Convention Secretariat

Document FCTC/COP/8/23

This report introduces the draft Code of Conduct and Declaration of Interest for members of the Bureau of the Conference of the Parties (COP) and the regional coordinators. It also proposes inviting WHO Director General to consider specific bolder procedures for the Convention Secretariat staff to prevent and address perceived or existing conflicts of interest among the staff of the Convention Secretariat.

The COP is invited to provide further guidance and consider adopting the draft decision in annex 2, contained in document FCTC/COP/8/23.

8.11. Procedure for the selection and evaluation of the new Head of the Convention Secretariat (item proposed by a Party)

Document FCTC/COP/8/27

At its sixth session, the Conference of the Parties (COP) adopted Decision FCTC/COP6(22) by which a “process for the appointment of the Head of the Convention Secretariat” was established. In 2020 a new Head of the Convention Secretariat will be appointed. Following Rule 24ter of the Rules of Procedure of the COP, the Bureau of the COP shall make a recommendation for the appointment of the new Head of the Convention to the WHO Director-General. Since the entry into force of the Protocol on 25 September 2018, the COP is invited to decide on an amended procedure, so as to provide for a role of the Bureau of the Meeting of the Parties. The COP is invited to provide guidance on this process.

8.12. Coordination among the governing bodies of the WHO Framework Convention on Tobacco Control and the Protocol to Eliminate Illicit Trade in Tobacco Products (item proposed by a Party)

Document FCTC/COP/8/28

As the Secretariat will serve both the WHO FCTC and the Protocol and support their respective governing bodies, the document examines the areas of potential coordination among the governing bodies to ensure all the core function of the Secretariat are coordinated. The Conference of the Parties is invited to note this report and provide further guidance. The proposal will also be submitted to the Meeting of the Parties for its guidance, taking into account the deliberation and decision made by the COP.
9. **Date and place of the ninth session of the Conference of the Parties**  
*Document FCTC/COP/8/24*

In accordance with Rules 3 and 4 of its RoP, the COP shall decide on the date and duration of its next regular session. This report proposes a date for the ninth session of the Conference of the Parties (COP9) should COP9 be held in Geneva, Switzerland. It also makes reference to the basic requirements for Parties to host future COPs.

The COP is invited to decide the date and place of its Ninth session and provide further guidance on requirements for Parties to host future COPs.

10. **Election of the President and Vice-Presidents of the Conference of the Parties**  
*Document FCTC/COP/8/25*

The election of officers of the COP is governed by Rule 21 of the RoP. Each regional group of Parties is invited to put forward a candidate for membership of the Bureau and to inform its respective current Bureau member and the Convention Secretariat of its nomination, if possible before the opening of the session. The procedure is described in *document FCTC/COP/8/25*.

The COP is invited to elect, according to Rule 21 of the ROP, the officers that constitute the Bureau of the COP.

11. **Adoption of the provisional report of the eighth session of the Conference of the Parties**  
*Document FCTC/COP/8/26*

The COP is invited to adopt the provisional report of its Eight session, in *document FCTC/COP/8/26*.

12. **Closure of the session.**

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3 As agreed by the Bureau, the provisional report will be adopted in English during the session, translation into all official language will be done as soon as the inputs from the Parties have been received and the full report is finalized.