CALL FOR EXPRESSION OF INTEREST
TO PARTICIPATE IN A RESEARCH PILOT PROJECT ON ILLICIT TRADE IN TOBACCO PRODUCTS IN THE EUROPEAN UNION

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CALL FOR EXPRESSION OF INTEREST

This call is issued by the Convention Secretariat - the Secretariat to the WHO Framework Convention on Tobacco Control (WHO FCTC) - to identify and select 10 academic researchers based in selected EU countries (Bulgaria, Czech Republic, Estonia, Finland, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia, Sweden) to participate in a pilot project, co-funded by the EU Commission, to raise awareness of illicit trade in tobacco products and promote ratification of the Protocol to Eliminate Illicit Trade in Tobacco Products.

THE SECRETARIAT TO THE WHO FCTC

The WHO FCTC has been in force since 2005 and has 181 Parties. The Convention Secretariat is an entity hosted by the World Health Organization in Geneva and it cooperates with WHO and other relevant international organizations in promoting the treaty implementation. It is a global authority concerning the implementation of the WHO FCTC and is responsible for assisting Parties in meeting their obligations under the Convention, its protocols, and its guidelines.

BACKGROUND TO THE PROJECT

Tobacco consumption remains the largest avoidable health risk in the European Union. It is responsible for 700,000 deaths in the European Union each year. About 50% of smokers die prematurely, equalling a loss on average of 14 years of life. Alarmingly, over half (52%) of regular smokers start to smoke tobacco before the age of 18. Of those regular smokers, 15% started before the age of 15 and 37% started between the ages 15 and 17.

According to the European Anti-Fraud Office (OLAF), cigarette smuggling and other forms of illicit trade in tobacco products causes an estimated €10 billion loss to the EU and national budgets every year. As a result of its overall activities, OLAF estimates that it has seized more than 1 billion cigarettes between 2015 and 2017.

Many efforts are being undertaken at national, regional and global levels to protect lives by advancing tobacco control measures, including the fight against illicit tobacco trade. At the global level, the European Union has been a committed Party to the WHO FCTC since 2005. All Member States of the European Union are also Parties to the Convention.

In response to the serious threats that illicit tobacco trade poses to public health, public finance - including substantial losses to government revenues - and the contribution to funding international criminal activities, Parties to the WHO FCTC decided that a protocol - a new international treaty - was needed to specifically address illicit tobacco trade. The Protocol is based on Article 15 of the WHO FCTC, which contains obligations with regard to illicit trade in tobacco products, and is the first protocol to the WHO FCTC. It is an international treaty aimed at eliminating all forms of illicit trade in tobacco products through a suite of measures, to be implemented by countries acting in cooperation with each other: it is a global solution to a global problem.

The Protocol is not yet in force since it has not been ratified by 40 WHO FCTC Parties. To date, the Protocol has 37 Parties. An additional 4 WHO FCTC Parties have to ratify or accede to the Protocol to enable its entry into force (in accordance with Article 45.3 of the Protocol, as both the EU and its Member States are eligible to become Protocol Parties, the EU’s ratification does not count towards the entry into force).

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1 Special Eurobarometer 458 “Attitudes of Europeans towards tobacco and electronic cigarettes”, March 2017
4 http://www.who.int/fctc/protocol/illicit_trade/protocol-publication/en/
5 For the status of the Protocol, please see: http://www.who.int/fctc/protocol/en/
On 24 June 2016, the European Union formally confirmed the Protocol and thereby became a Party to it. Nine EU Member States (Austria, Cyprus, France, Germany, Latvia, Lithuania, Portugal, Slovakia and Spain) are also Parties to the Protocol. In addition, nine EU Member States (Belgium, Denmark, Finland, Greece, Ireland, Netherlands, Slovenia, Sweden and the United Kingdom) have signed the Protocol.

In order to prevent illegal trade, the Protocol aims to make the supply chain of tobacco products secure through a series of measures to be implemented by governments.

A key requirement to secure the supply chain of tobacco products is the establishment of a global tracking and tracing regime within five years of entry into force of the Protocol (for the initial 40 Parties, and subsequently five years after entering into force for the respective Party), comprising national and regional tracking and tracing systems and a global information sharing focal point located in the Secretariat of the WHO FCTC⁶.

The successful implementation of measures related to combatting illicit trade under the Protocol depends on the ability of parties to exchange information in an institutionalized environment designed to contribute to the timely and efficient achievement of the objectives of Article 8 of the Protocol and the general reduction of illicit trade in tobacco products.

The project will in this context provide an important step forward towards the creation of a global information-sharing focal point, its system design, technical requirements, documentation and assessment of the costs connected to its development. In addition, the outcome of the research studies could be further used as a source of guidance for other Parties to the Protocol, in the European region or in other sub-regions, in identifying the key issues and implementing best practices to combat illicit tobacco trade.

DESCRIPTION OF THE PROJECT

The project aims at raising awareness of illicit trade in tobacco products and promoting ratification or accession to the Protocol as a new instrument of international law.

The establishment of a global tracking and tracing regime, as provided for by Article 8 of the Protocol, will have to be coordinated at regional and national level. The Protocol will also function as a platform for law enforcement cooperation and information sharing among Parties, by establishing the legal basis for it.

The involvement of academic researchers is a key aspect of the project and is specifically aimed at (i) stimulating discussion in the academic community on the impact of illicit tobacco trade on society, particularly in the European Union; (ii) facilitating exchange of views and sharing of experiences and expertise among academic researchers; (iii) increasing the understanding of the Protocol and its potential in the fight against illicit tobacco trade; (iv) encouraging the publication of academic research studies on the issue in international and national peer reviewed journals (v) providing examples in the selected EU MSs of strategies to raise awareness about the Protocol, challenges and potential approaches that can be used or serve as example to other Parties to the Protocol either in the European region or elsewhere.

To achieve these objectives, the selected academic researchers will be invited to participate in the following activities:

1. Conducting a study-visit to national customs agencies to gain first-hand understanding of the challenges faced by law enforcement officers in fighting illicit tobacco trade. Study visits will be conducted in selected EU Member States countries (Bulgaria, Czech Republic, Estonia, 

⁶ Article 8 of the Protocol
Finland, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia, Sweden).

2. Participating in a 2-day workshop on the international dimensions of the fight against illicit tobacco trade and on the potential of the Protocol, as a new legal instrument, to address the issue.

3. Participation of a selected number of academic researchers (4) in a 2-day workshop for government officials, to discuss the international and political dimensions of the fight against illicit tobacco trade and to present key findings of research on the issue (including best practices identified and lessons learnt during the study visits).

4. Preparation of research studies on legal, technical and multidisciplinary aspects relating to the implementation of the Protocol. Research topics will have to be agreed with the Convention Secretariat in advance based on the outcome of workshop discussions and consultations with government officials and will in any case be subject to approval by the Convention Secretariat. This approach aims at achieving complementarity between the research outputs and the practical needs of Parties who will have to implement the Protocol. Possible research topics may include:

   a. Legal studies on the implementation of specific provisions of the Protocol.
   b. Cost-benefit analyses of introducing national/regional tracking and tracing systems for tobacco products.
   c. Multidisciplinary analyses on the optimal use of instruments introduced with the Protocol in view of maximizing its socio-economic benefits.
   d. Technical studies on the recommended design of the technical infrastructure requirements, with particular attention to the functioning of the traceability system.
   e. Implications of the study of implementation of the Protocol in the selected EU countries to other European countries and other subregional group of countries.

Research grants will be offered to the limit of €3500. After confirmation on the final research topics each academic researcher will be requested to present a research proposal detailing the methodology and expected outcomes of the research, using the attached template (Annex).

5. Submission of research studies for publication in relevant international and national peer reviewed journals.

Participation in the project will provide an opportunity for selected academic researchers to enhance their knowledge of the topic of illicit tobacco trade, establish working relationships with key institutional actors in the field, and directly contribute to the development of a global cooperation and information sharing system on illicit tobacco products. Moreover, participants will contribute to the activities of the inter-governmental decision-making body of the Protocol and will have their research shared with key-decision makers.
QUALIFICATIONS AND EXPERIENCE REQUIRED

This grant is intended only for researchers and not for research institutions

Nevertheless, researchers must belong to research institutions

Eligibility and selection criteria

(1) Field of interest (law, economics, IT)
   a. Criminal law, international law, international trade law, health law or other relevant field of interest
   b. Public economics, health economics, international trade, customs administration or other relevant field of interest
   c. Information technology (including in particular expertise in the development and design of information sharing platforms for law enforcement/government agencies and global supply chain track and trace systems)

(2) Minimum level of expertise
   a. 3 to 5 years of research experience in the respective field of interest
   b. Previous research experience on illicit tobacco trade, illicit trade in general or tobacco control
   c. Research experience in the Eastern European and/or Scandinavian region
   d. Familiarity with the WHO Framework Convention on Tobacco Control and the Protocol to Eliminate Illicit Trade in Tobacco Products

(3) Academic affiliation
   a. Affiliation to an academic or research institution recognized by the government or accredited with the competent authority of the country in which it is established.

(4) Language requirements
   a. English (working knowledge)
   b. Official language of one or more of the selected EU Member States (in addition to English)

(5) Absence of conflicts of interest
   a. Candidates must not have any affiliation, funding ties or other relationships with the tobacco industry. Each selected candidate will be required to sign a declaration of interests form, displaying the absence of any possible conflict of interest.

REMUNERATION AND EXPENSES

Basic remuneration for participation in the project will be offered to the selected academic researchers. Travel expenses for the participation in the workshop(s) and to conduct study-visits will be covered and a per-diem offered, in line with applicable WHO travel policy (WHO is the hosting agency of the Convention Secretariat).

APPLICATION PROCEDURE

Academic researchers interested in participating in the project should submit a copy of their CV and a cover letter describing how their knowledge and experience could contribute to the project objectives to the Convention Secretariat for consideration. Once selected, candidates will be required to sign a declaration of interests form, displaying the absence of any possible conflict of interest.

The call is open for applications on a rolling basis. Expressions of interests should be addressed to the Secretariat of the WHO Framework Convention on Tobacco Control and submitted via e-mail to protocolfctc@who.int.
Annex

Research Proposal Template

Prepared for:

Secretariat to the WHO Framework Convention on Tobacco Control (WHO FCTC)

Author:

(title, academic affiliation, field of interest)

1. Title
2. Abstract
3. Literature review
4. Key assertions/research objectives
5. Expected outcomes
6. Research methods
7. Analysis
8. Research limitations/problems anticipated
9. References/bibliography