



WORLD HEALTH ORGANIZATION

CONFERENCE OF THE PARTIES TO THE
WHO FRAMEWORK CONVENTION
ON TOBACCO CONTROL
First session

(Draft) A/FCTC/COP/1/13
17 February 2006

Fourth report of Committee A

(Draft)

Agenda item 5.1 **Reporting (Article 21 *Reporting and exchange of information*)**

Committee A recommends to the Conference of the Parties the adoption of the attached decision on Reporting and exchange of information.

Reporting and exchange of information

The Conference of the Parties,

Considering Article 21.1 of the WHO Framework Convention on Tobacco Control, which requires Parties to submit periodic reports on specified issues to the Conference of the Parties;

Considering also that Article 21.2 mandates the Conference of the Parties to determine the frequency and format of the reports, and requires each Party to make its initial report within two years of the entry into force of the Convention for that Party;

Mindful that in accordance with Article 21.2, a number of Parties will be required to submit their initial reports prior to the second meeting of the Conference of the Parties;

Considering that national reporting should, in light of limited experience and resources, not be unduly burdensome;

Considering also that national reports should enable Parties to benefit from each others' experience through an effective feedback mechanism,

DECIDES:

- (1) to provisionally adopt the format for the submission of national reports as set out in the Annex, pending further consideration at its next session;
- (2) to require national reports to be submitted in a graduated/progressive manner, as set out in the format contained in the Annex;
- (3) to request those Parties that are required to submit their initial report in 2007, under the provision of Article 21.2, to use the provisional format in completing their initial reports;
- (4) to define three groups of issues on which national reports must be submitted, as specified in the Annex;
- (5) to request each Party to submit its initial report on Group 1, and optional questions if desired, within two years of entry into force for it;
- (6) to elaborate formats for Groups 2 and 3 at its second session;
- (7) to request each Party to submit its second report on Group 2 within five years of entry into force for it;
- (8) to request each Party to submit its third report on Group 3 within eight years of entry into force for it;
- (9) to conduct an independent assessment of the reporting arrangements in 2009;
- (10) to further consider the matter of reporting in 2010.

ANNEX

SCOPE

This paper outlines a proposed approach to reporting by Parties to the Conference of the Parties on progress in implementing the WHO Framework Convention on Tobacco Control. It covers broadly the first five years and it is expected that this will be reviewed by the Conference of the Parties prior to 2010.

Article 21

Reporting and exchange of information

1. Each Party shall submit to the Conference of the Parties, through the Secretariat, periodic reports on its implementation of this Convention, which should include the following:
 - (a) information on legislative, executive, administrative or other measures taken to implement the Convention;
 - (b) information, as appropriate, on any constraints or barriers encountered in its implementation of the Convention, and on the measures taken to overcome these barriers;
 - (c) information, as appropriate, on financial and technical assistance provided or received for tobacco control activities;
 - (d) information on surveillance and research as specified in Article 20; and
 - (e) information specified in Articles 6.3,13.2,13.3,13.4(d), 15.5 and 19.2.
2. The frequency and format of such reports by all Parties shall be determined by the Conference of the Parties. Each Party shall make its initial report within two years of the entry into force of the Convention for that Party.
3. The Conference of the Parties, pursuant to Articles 22 and 26, shall consider arrangements to assist Parties, at their request, in meeting their obligations under this Article.
4. The reporting and exchange of information under the Convention shall be subject to national law regarding confidentiality and privacy. The Parties shall protect, as mutually agreed, any confidential information that is exchanged.

OBJECTIVE

Our objective in reporting is to enable Parties to understand and learn from each others' experience in implementing the WHO Framework Convention on Tobacco Control by providing details of the progress being made by member countries in implementation.

The Parties' reports will form the basis for consideration on implementation of the Convention consistent with Article 23(5)(d).

GRADUATED REPORTING ARRANGEMENTS

It is suggested that reporting arrangements be graduated with the first report covering core items of data, legislation, taxation, and funding for implementation activities with more complex questions or more detail included in later reports. To facilitate this, questions could be clustered into three groups.

FREQUENCY AND TIMING OF REPORTS

It is proposed that Parties report initially two years after ratifying the Convention as required by the WHO Framework Convention on Tobacco Control, and then in every subsequent three years as follows:

- Parties report against all core Group 1 questions within two years of entry into force of the Convention for that Party. This would form the minimum reporting arrangements. Parties may also report against selected optional questions if they wish to do so. (See Annex.)
- Parties report against all Group 2 questions within five years of entry into force of the Convention for that Party. This would form the minimum reporting requirements. Parties may also report against selected optional questions if they wish to do so. (Yet to be determined.)
- Parties report against all Group 3 questions within eight years of entry into force of the Convention for that country. (Yet to be determined.)

These reports will be complemented by Parties' annual country implementation plans.

This process will allow reports to be received by the Secretariat incrementally, rather than have all Parties' reports due at the same time.

In preparing reports, Parties should be mindful of the opportunities for shared learning and, where appropriate, should include examples of best practice or e-mail contact details for someone who would be able to provide further information on an aspect of implementation.

ASSISTANCE TO DEVELOPING ECONOMY COUNTRIES AND COUNTRIES WITH ECONOMIES IN TRANSITION

In this section of the report, Parties should report on:

- their ability to provide assistance, both financial and technical, in the case of development partners, as well as assistance already provided; or
- their assessed areas of need and the extent to which these are or are not being met, and estimates of assistance, both technical and financial required to enable them to move to the next reporting group, in the case of developing economies and economies in transition. This could also include any constraints or barriers to implementation as well as the assistance already received/provided.

In addition, the Secretariat should consider, in particular, this section of Parties' reports and operate as a clearinghouse seeking to facilitate coordination of available skills and resources with identified needs. In the first instance, the Secretariat should seek to manage this process within regions, to allow more efficient operation and greater understanding within regions.

EXISTING SURVEILLANCE DATA AND RESEARCH

The Secretariat should use its more detailed knowledge and understanding of existing data sets including the following WHO and Tobacco Free Initiative data and any other relevant data:

- WHO/United States Centers for Disease Control (CDC) and Prevention Global Youth Tobacco Survey
- WHO/United States CDC and Prevention Global School Personnel Survey
- WHO/United States CDC and Prevention Global Health Professional Survey
- World Health Survey
- WHO Mortality Database
- The Regional Database on Tobacco Control
- WHO STEPwise (Surveillance)

TRANSLATION

Parties will provide reports in one of the six designated languages, and shall not expect the Secretariat to provide translations. However, it is expected that the Secretariat, in considering the reports, will make available summaries or analysis of reports which focus on significant achievements or areas where information sharing could be valuable.

FEEDBACK ARRANGEMENTS

To facilitate access to examples of best practice in specific areas of tobacco control, it is proposed that all Parties' reports are to be available on a web site and arranged under the headings – Two Year Reports, Five Year Reports and Eight Year Reports to enable Parties to understand the progress being made internationally in implementing the WHO Framework Convention on Tobacco Control. It is expected that this web site will allow access by non-ratifying countries which may be seeking information to allow them to take effective steps in tobacco control. This is consistent with the objective to learn from each others' experience.

It is expected that the Secretariat will provide feedback to each reporting Party. It is further expected that the Secretariat will provide an analysis of the progress being made internationally in implementation of the Convention. Such a summary should be provided annually commencing in 2007 and should seek to:

- reflect international and regional progress;
- highlight significant achievements; and
- reflect the spirit of shared learning.

It is further suggested that existing WHO regional group meetings provide an opportunity to share learning and obtain feedback from other Parties on their progress in implementing the WHO Framework Convention on Tobacco Control.

Progress will be assessed by the Conference of the Parties regionally and globally based on reports received and analysed by the Secretariat.

It should be noted that the items identified in the Annex are not exhaustive, but reflect the spirit and intent of the Convention.

FUTURE DIRECTIONS

It is further proposed that an independent assessment of the reporting arrangements be undertaken in 2009 with the matter to be further considered by the Conference of the Parties in 2010.

REPORTING INSTRUMENT

1. Origin of the report

(a) Name of Contracting Party	
(b) Information on National Contact/Focal Point	
Name and title of contact officer	
Mailing address	
Telephone number	
Fax number	
E-mail	
(c) Information on contact officer submitting the national report if different from the above	
Name and title of contact officer	
Mailing address	
Telephone number	
Fax number	
E-mail	
(d) Signature of the officer responsible for submitting report	
Name and title of officer	
Full name of the institution	
Mailing address	
Telephone number	
Fax number	
E-mail	
Web page	
(e) Period reported	
(f) Date the report was submitted	

2. Demographics

(a) Age and sex:

Year (latest available)					
Age groups					
Percentage of <i>male</i> population					
Percentage of <i>female</i> population					
Percentage of <i>total</i> population					

(b) Ethnicity (optional):

Name of ethnic group					
Percentage of total population					

3. Tobacco use

i. Prevalence (ref. Article 19.2(a), Article 20.2 and Article 20.3(a))

(a) Smoking tobacco:

	Age groups ¹ (adults)	Tobacco products included	Year of data (latest available)	Prevalence (%)
Males				
Daily smokers ²				
Occasional smokers ²				
Females				
Daily smokers ²				
Occasional smokers ²				
Total (males and females)				
Daily smokers ²				
Occasional smokers ²				

¹ Preferably by 10-year categories; e.g. 25-34, 35-44, etc.

² Definitions to be provided by the Parties.

If available, please provide the average number of cigarettes smoked per day by the smoking population:

	Age groups ¹ (adults)	Tobacco products included	Year of data (latest available)	Average number of cigarettes smoked per day
Male smokers²				
Female smokers²				
Total smokers²				

(b) Smokeless tobacco, including snuff and chewing tobacco (optional):

	Age groups ¹ (adults)	Tobacco products included	Year of data (latest available)	Prevalence (%)
Male				
Daily users				
Occasional users ²				
Female				
Daily users				
Occasional users ²				
Total				
Daily users				
Occasional users ²				

(c) If prevalence data is appropriate and available for ethnic groups, please provide.

	Ethnic group	Tobacco products included	Year of data (latest available)	Prevalence (%)
Daily users				
Occasional users ²				

¹ Preferably by 10-year categories, e.g. 25-34, 35-44, etc.

² Definitions to be provided by the Parties.

(d) If prevalence data is appropriate and available for youth groups, please provide.

	Youth groups ¹	Tobacco products included	Year of data (latest available)	Prevalence ² (%)
Males				
Females				

ii. Supply

(a) Licit supply of tobacco (ref. **Article 20.4(c)** and **Article 15.4(a)** in accordance with **Article 15.5**)

	Domestic production	Exports	Imports
Year (latest available)			
Quantity (specify product and unit; e.g. millions of cigarettes)			

Note: licit supply = domestic production + (imports - exports)

(b) Please provide information regarding duty-free sales volumes, if available.

(c) Seizures of illicit tobacco (ref. **Article 15.4(a)** in accordance with **Article 15.5**)

	Cigarettes	Other tobacco products (optional; please specify product)
Year (latest available)		
Quantity seized (specify unit; e.g. millions of pieces)		

(d) Please provide information regarding illicit or smuggled tobacco (optional)? (Ref. **Article 15.4(a)** in accordance with **Article 15.5**)

¹ Definitions to be provided by the Parties.

² Parties should provide definition for youth smoking; e.g. at least one cigarette in the past 30 days.

4. Taxation

- (a) Please provide your rates of taxation for tobacco products for all levels of government, and be as specific as possible (specify the type of tax: excise, VAT or sales, import duties). (Ref. **Article 6.3**)

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- (b) Please attach the relevant documentation. (Please provide documentation in one of the six official languages, if available.) (Ref. **Article 6.3**)
- (c) Please provide retail prices for the three most popular brands of domestic and imported tobacco products in your jurisdiction, and the relevant year. (Ref. **Article 6.2(a)**)

5. Legislative, executive, administrative and other measures

i. Core questions

It should be noted that the measures identified below are not exhaustive, but reflect the spirit and intent of the Convention.

Please check yes or no. For affirmative answers, you are asked to attach a brief summary and the relevant documentation. (Please provide documentation in one of the six official languages, if available.)

Article	Pursuant to Article 21.1(a) , have you adopted and implemented legislative, executive, administrative and/or other measures on:	Yes (please attach a brief summary and relevant documents)	No
Price and tax measures			
6.2(b)	Prohibiting or restricting sales to and/or importations by international travellers of tax- and duty-free tobacco products?		
Protection from exposure to tobacco smoke		Full/Partial/None	
8.2	in indoor workplaces?		
	- government buildings		
	- health care facilities		
	- educational facilities		
	- private workplaces		
	- other		

	in public transport?			
	in indoor public places?			
	- cultural facilities			
	- bars and night clubs			
	- restaurants			
	- other			
If you responded "Partial" to the measures outlined in Article 8.2, please provide specific details of the partial ban here:				
Regulation of tobacco product disclosures				
10	Requiring manufacturers and/or importers of tobacco products to disclose to governmental authorities information about contents?			
Illicit trade in tobacco products				
15.2(a)	Requiring marking of packaging to assist in determining the origin of the product?			
	and to assist in determining whether the product is legally for sale on the domestic market?			
15.3	Requiring that marking is in legible form and/or appear in its principal language or languages?			
15.4(b)	Enacting or strengthening legislation against illicit trade in tobacco products?			
15.4(e)	Enabling the confiscation of proceeds derived from the illicit trade?			
15.7	Licensing or other actions to control or regulate production and distribution?			
Sales to and by minors				
16.1	Prohibiting the sales of tobacco products to minors?	Specify legal age:		
16.2	Prohibiting or promoting the prohibition of the distribution of free tobacco products to the public and especially minors?			
16.3	Prohibiting the sale of cigarettes individually or in small packets?			
16.6	Providing for penalties against sellers and distributors?			
16.7	Prohibiting the sales of tobacco products by minors?			
Liability				
19.1	Dealing with criminal and civil liability, including compensation where appropriate?			

ii. Optional questions

It should be noted that responses to these questions are not required at the time of Group 1 reports, but may be answered at this time if applicable.

Article	Have you adopted and implemented legislative, executive, administrative and/or other measures on:	Yes (please attach a brief summary and relevant documents) ¹	No
Regulation of the contents of tobacco products			
9	Testing and measuring the contents of tobacco products?		
	Testing and measuring the emissions of tobacco products?		
	Regulating the contents of tobacco products?		
	Regulating the emissions of tobacco products?		
Packaging and labelling of tobacco products			
11.1(a)	Requiring that packaging and labelling do not promote a product by any means that are false, misleading, deceptive or likely to create an erroneous impression?		
11.1(b)	Requiring that packaging and labelling also carry health warnings describing the harmful effects of tobacco use?		
11.1(b)(i)	Ensuring that the health warnings are approved by the competent national authority?		
11.1(b)(ii)	Ensuring that the health warnings are rotating?		
11.1(b)(iii)	Ensuring that the health warnings are large, clear, visible and legible?		
11.1(b)(iv)	Ensuring that the health warnings occupy no less than 30% of the principal display areas?		
	Ensuring that the health warnings occupy 50% or more of the principal display areas?		
11.1(b)(v)	Ensuring that the health warnings are in the form of, or include, pictures or pictograms?		
11.2	Requiring that packaging and labelling contains information on relevant constituents and emissions of tobacco products?		
11.3	Requiring that the warnings and other textual information appear on each unit package, and on any outside packaging and labelling in your principal language or languages?		

¹ Please provide these documents in one of the six official languages, if available, and please specify sections of your legislation related to each yes response.

Tobacco advertising and sponsorship			
13.2	Instituting a comprehensive ban of all tobacco advertising, promotion and sponsorship?		
	including on cross-border advertising, promotion and sponsorship originating from its territory?		
13.3	Applying restrictions, in the absence of a comprehensive ban, on all tobacco advertising, promotion and sponsorship?		
	Restricting or instituting a comprehensive ban on cross-border advertising, promotion and sponsorship originating from its territory?		
13.4(a)	Prohibiting all forms of tobacco advertising, promotion and sponsorship that promote a tobacco product by any means that are false, misleading, deceptive or likely to create an erroneous impression?		
13.4(b)	Requiring that health or other appropriate warnings or messages accompany all tobacco advertising and promotion and sponsorship?		
13.4(c)	Restricting the use of direct or indirect incentives that encourage the purchase of tobacco products by the public?		
13.4(d)	Requiring the disclosure to relevant governmental authorities of expenditures by the tobacco industry on advertising, promotion and sponsorship not yet prohibited?		
13.4(e)	Restricting tobacco advertising, promotion and sponsorship on radio, television, print media and other media, such as the Internet?		
13.4(f)	Prohibiting or restricting tobacco sponsorship of international events, activities and/or participants therein?		

If you have any additional legislation or other measures not covered in Question 5, you may provide additional details here:

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6. Programmes and plans

i. Core questions

It should be noted that the measures identified below are not exhaustive, but reflect the spirit and intent of the Convention.

	Yes (please attach the relevant documents) ¹	No
Have you developed and implemented comprehensive multisectoral national tobacco control strategies, plans and programmes? (Article 5.1)		
If no, have some partial strategies, plans and programmes been developed and implemented? (Article 5.1)		

If you responded yes to either of the first two questions, which of the following do these strategies, plans and programmes cover? Please check, and provide a brief summary. (Please provide the summary in one of the six preferred languages.)

General obligations		
5.2(a)	A national coordinating mechanism or focal point(s) for tobacco control?	
5.3	Protection of policies from the commercial and other vested interests of the tobacco industry?	
Education, communication, training and public awareness		
12(a)	Broad access to effective and comprehensive educational and public awareness programmes on the health risks?	
	... targeted at adults and/or the general public?	
	... targeted at children and youth?	
12(b)	Public awareness about the health risks of tobacco consumption and exposure to tobacco smoke, and about the benefits of the cessation of tobacco use and tobacco-free lifestyles?	
12(c)	Public access to a wide range of information on the tobacco industry?	
12(e)	Awareness and participation of public and private agencies and nongovernmental organizations not affiliated with the tobacco industry in developing and implementing intersectoral programmes and strategies for tobacco control?	

¹ Please provide these documents in one of the six official languages, if possible.

Demand reduction measures concerning tobacco dependence and cessation		
14.1	Comprehensive and integrated guidelines based on scientific evidence and best practices to promote cessation of tobacco use and adequate treatment for tobacco dependence?	
14.2(d)	Facilitation of accessibility and affordability for treatment of tobacco dependence including pharmaceutical products?	
Provision of support for economically viable alternative activities		
17	Promotion of economically viable alternatives for tobacco workers, growers and, as the case may be, individual sellers?	
Research, surveillance and exchange of information		
20.1(a)	Research that addresses the determinants and consequences of tobacco consumption and exposure to tobacco smoke as well as research for identification of alternative crops?	
20.4(b)	Updated data from national surveillance programmes?	

ii. **Optional questions**

Education, communication, training and public awareness		
12(d)	Appropriate training or awareness programmes on tobacco control addressed to persons such as health, community and social workers, media professionals, educators, decision-makers, administrators and other concerned persons?	
12(f)	Public awareness of and access to information regarding the adverse health, economic, and environmental consequences of tobacco production and consumption?	
Demand reduction measures concerning tobacco dependence and cessation		
14.2(a)	Design and implementation of programmes aimed at promoting the cessation of tobacco use, in such locations as educational institutions, health care facilities, workplaces and sporting environments?	
14.2(b)	Diagnosis and treatment of tobacco dependence and counselling services on cessation of tobacco use in national health and education programmes, plans and strategies, with the participation of health workers, community workers and social workers?	
14.2(c)	Establishment in health care facilities and rehabilitation centres of programmes for diagnosing, counselling, preventing and treating tobacco dependence?	
Protection of the environment and the health of persons		
18	Due regard to the protection of the environment and the health of persons in relation to the environment in respect of tobacco cultivation and manufacture within its territory?	

Research, surveillance and exchange of information		
20.1(b)	Training and support for all those engaged in tobacco control activities, including research, implementation and evaluation?	
20.2	Programmes for national, regional and global surveillance of the magnitude, patterns, determinants and consequences of tobacco consumption and exposure to tobacco smoke?	
20.3(a)	A national system for epidemiological surveillance of tobacco consumption and related social, economic and health indicators?	
20.4	The exchange of publicly available scientific, technical, socioeconomic, commercial and legal information, as well as information regarding practices of the tobacco industry and the cultivation of tobacco?	
20.4(a)	An updated database of laws and regulations on tobacco control, and information about their enforcement, as well as pertinent jurisprudence?	

7. Technical and financial assistance

The goal of this section is to assist the Secretariat in facilitating the coordination of available skills and resources with identified needs.

Pursuant to **Article 21.1(c)**, have you either provided or received financial or technical assistance (be it through unilateral, bilateral, regional, subregional or other multilateral channels, including relevant regional and international intergovernmental organizations and financial and development institutions) for the development and strengthening of multisectoral comprehensive tobacco control programmes of developing country Parties and Parties with economies in transition in any of the following areas:

	Assistance provided (please give details below)	Assistance received (please give details below)
Development, transfer and acquisition of technology, knowledge, skills, capacity and expertise related to tobacco control? (Article 22.1(a))	<input type="checkbox"/> Yes / <input type="checkbox"/> No	<input type="checkbox"/> Yes / <input type="checkbox"/> No
Provision of technical, scientific, legal and other expertise to establish and strengthen national tobacco control strategies, plans and programmes? (Article 22.1(b))	<input type="checkbox"/> Yes / <input type="checkbox"/> No	<input type="checkbox"/> Yes / <input type="checkbox"/> No
Appropriate training or sensitization programmes for appropriate personnel in accordance with Article 12? (Article 22.1(e))	<input type="checkbox"/> Yes / <input type="checkbox"/> No	<input type="checkbox"/> Yes / <input type="checkbox"/> No
Provision of the necessary material, equipment and supplies, as well as logistical support, for tobacco control strategies, plans and programmes? (Article 22.1(d))	<input type="checkbox"/> Yes / <input type="checkbox"/> No	<input type="checkbox"/> Yes / <input type="checkbox"/> No
Identification of methods for tobacco control, including comprehensive treatment of nicotine addiction? (Article 22.1(e))	<input type="checkbox"/> Yes / <input type="checkbox"/> No	<input type="checkbox"/> Yes / <input type="checkbox"/> No

Promotion of research to increase the affordability of comprehensive treatment of nicotine addiction? (Article 22.1(f))	<input type="checkbox"/> Yes / <input type="checkbox"/> No	<input type="checkbox"/> Yes / <input type="checkbox"/> No
Other. Specify:		
Additional details: If you answered no to any of the above, please identify any financial or technical assistance that may be under consideration. If you answered yes to any of the above, please identify the country or countries from/to which assistance was received/provided.		

Pursuant to **Article 21.3**, have you either provided or received financial or technical assistance to support developing country Parties and Parties with economies in transition in meeting reporting obligations?

Assistance provided	<input type="checkbox"/> Yes / <input type="checkbox"/> No (please give details below)	Assistance received	<input type="checkbox"/> Yes / <input type="checkbox"/> No (please give details below)
Additional details: If you answered no to any of the above, please identify any financial or technical assistance that may be under consideration. If you answered yes to any of the above, please identify the country or countries from/to which assistance was received/provided.			

Have you identified any specific gaps between the resources available and the needs assessed, for the financial and technical assistance provided or received?

<input type="checkbox"/> Yes (please give details below)	<input type="checkbox"/> No
Additional details:	

8. Priorities for implementation of the Framework Convention on Tobacco Control

What are the priority areas for implementation of the Framework Convention on Tobacco Control in your jurisdiction? (**Article 21.1(b)**)

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What, if any, are the constraints or barriers you have encountered in implementing the Convention? (Ref. **Article 21.1(b)**)

9. Additional comments

Please provide any relevant information not covered elsewhere that you feel is important.

10. Questionnaire feedback

(a) Please provide feedback for improvement of the Group 1 questionnaire.

(b) Please provide input for the future development of the Group 2 questionnaire.

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