



**World Health
Organization**

WHO Framework Convention on Tobacco Control

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

Third session
Durban, South Africa, 17–22 November 2008

**FCTC/COP/3/1(annotated)
21 August 2008**

Provisional agenda (annotated)

1. Opening of the session

1.1 Adoption of the agenda and organization of work

Document FCTC/COP/3/1 contains the provisional agenda, prepared by the Convention Secretariat in consultation with the Bureau, in accordance with Rule 6 of the Rules of Procedure of the Conference of the Parties. The Conference is invited to consider and adopt as appropriate the provisional agenda.

In considering the organization of its work, the Conference may wish to decide to establish two Committees, A and B, working in parallel, to consider items 4, 5 and 6 of the provisional agenda, and, as appropriate, to elaborate draft decisions for consideration by the Conference in plenary. Committee A might be entrusted with work on the substantive issues, namely the elaboration of a protocol, guidelines and reports in relation to different articles of the Convention (provisional agenda item 4), and Committee B with work on the procedural, implementation, reporting and budgetary issues (provisional agenda items 5 and 6).

1.2 Credentials of participants

In accordance with Rule 19 of the Rules of Procedure of the Conference of the Parties, the Bureau, with the assistance of the Secretariat, will examine the credentials of the delegates and report to the Conference.

1.3 Invited speakers

2. Application for observer status to the Conference of the Parties to the WHO Framework Convention on Tobacco Control

Document FCTC/COP/3/2 contains a note of the Convention Secretariat concerning applications for observer status to the Conference received by the Secretariat from international intergovernmental organizations. The Conference is invited to consider granting observer status to the applying organizations in accordance with Rule 30 of its Rules of Procedure.

3. Report of the Convention Secretariat and status of the WHO Framework Convention on Tobacco Control

Document FCTC/COP/3/3 contains the report on activities under the Convention, in accordance with Article 24.3(b) of the Convention. The Conference is invited to note the report and provide further guidance.

4. Matters identified in decisions taken by the Conference of the Parties at its second session

4.1 Elaboration of a protocol on illicit trade in tobacco products – report of the Intergovernmental Negotiating Body (decision FCTC/COP2(12))

The Conference is invited to note the report in document FCTC/COP/3/4 and provide further guidance. The Conference in particular may wish to review the timeline of drafting and negotiating the protocol in reference to decision FCTC/COP2(12), paragraph 4.

4.2 Elaboration of guidelines for implementation of Article 5.3 of the Convention (decision FCTC/COP2(14))

Document FCTC/COP/3/5 contains information about the development of the draft guidelines for implementation of Article 5.3 and, as an annex, the draft guidelines as proposed by the working group. The Conference is invited to review and, as appropriate, adopt the guidelines. The Conference may also wish to reflect on recommendations in the draft guidelines that may require particular feedback and action, as for example, recommendations in the section *International collaboration and updating and revision of the guidelines*.

4.3 Elaboration of guidelines for implementation of Articles 9 and 10 of the Convention (decision FCTC/COP2(14)). Progress report of the working group

Document FCTC/COP/3/6 contains the progress report of the working group to elaborate guidelines for the implementation of Articles 9 and 10 of the Convention. The Conference is invited to note the report and provide further guidance.

4.4 Elaboration of guidelines for implementation of Article 11 of the Convention (decision FCTC/COP2(14))

Document FCTC/COP/3/7 contains information about the development of the draft guidelines for implementation of Article 11 and, as an annex, the draft guidelines as proposed by the working group. The Conference is invited to review and, as appropriate, adopt the guidelines. The Conference may

also wish to reflect on recommendations in the draft guidelines that may require particular feedback and action, as for example, on aspects contained in the section *International cooperation*.

4.5 Elaboration of guidelines for implementation of Article 12 of the Convention (decision FCTC/COP2(14)). Progress report of the working group

Document FCTC/COP/3/8 contains the progress report of the working group to elaborate guidelines for the implementation of Article 12 of the Convention. The Conference is invited to note the report and provide further guidance.

4.6 Elaboration of guidelines for implementation of Article 13 of the Convention (decision FCTC/COP2(8))

Document FCTC/COP/3/9 contains information about the development of the draft guidelines for implementation of Article 13 and, as an annex, the draft guidelines as proposed by the working group. There are two other annexes, on recommendations on key elements of a protocol on cross-border advertising, promotion and sponsorship, which would be complementary to these guidelines, and on any other measures that would contribute to the elimination of cross-border advertising, promotion and sponsorship, as requested by the Conference at its second session.

The Conference is invited to review and, as appropriate, adopt the guidelines. The Conference may also wish to reflect on recommendations contained in annexes 2 and 3 that may require particular feedback and action.

4.7 Report on tobacco dependence and cessation (in relation to Article 14 of the Convention (decision FCTC/COP2(14)))

Document FCTC/COP/3/10 contains the first report on tobacco dependence and cessation for the implementation of Article 14, prepared by the Convention Secretariat as requested by the Conference. The Conference is invited to note the report and provide further guidance. In particular, the Conference may wish to consider developing guidelines in this area in the spirit of decision FCTC/COP2(14), *Elaboration of guidelines for implementation of Articles 5.3, 9 and 10, 11, 12 and 14*.

4.8 Study group on economically sustainable alternatives to tobacco growing (in relation to Articles 17 and 18 of the Convention) (decision FCTC/COP2(13))

Document FCTC/COP/3/11 contains the report of the study group as requested by the Conference. The report follows the second meeting of the study group, held in Mexico City, 17–19 June 2008. The Conference is invited to note the report and provide further guidance. The Conference may also wish to reflect on the conclusions and recommendations of the study group.

5. Other matters identified in the Articles of the Convention and decisions of the Conference of the Parties

5.1 Financial resources and mechanisms of assistance – implementation of decisions FCTC/COP1(13) and FCTC/COP2(10) of the Conference of the Parties

Document FCTC/COP/3/12 details progress made in the implementation of decisions FCTC/COP1(13) and FCTC/COP2(10) of the Conference. This report was prepared in accordance

with decision FCTC/COP2(10), paragraph 4, requesting the Convention Secretariat to prepare and present an implementation report in this area at every session of the Conference. The Conference is invited to note the report and provide further guidance. The Conference may also wish to reflect on conclusions contained in the report.

5.2 Report of WHO's Tobacco Free Initiative on its activities undertaken specifically on the implementation of the WHO Framework Convention on Tobacco Control (decision FCTC/COP2(10))

Document FCTC/COP/3/13 contains a report by WHO's Tobacco Free Initiative on its activities undertaken specifically on the implementation of the WHO Framework Convention on Tobacco Control. The report was requested by the Conference at its second session (decision FCTC/COP2(10), paragraph 5). The Conference is invited to note the report.

5.3 Reporting and exchange of information

5.3.1 Reports of the Parties received by the Convention Secretariat and progress made internationally in implementation of the Convention (decision FCTC/COP1(14))

Document FCTC/COP/3/14, a report on progress in implementing the Convention, was prepared by the Convention Secretariat on the basis of the analysis of two-year implementation reports submitted by the Parties, in accordance with decision FCTC/COP1(14). Reports of the Parties submitted before 15 July 2008 were used for the analysis. The list of Party reports received after 15 July 2008 is presented as an addendum. The Conference is invited to note the report and provide further guidance, and may also wish to reflect on conclusions contained in the report. A particular issue is the organization of the independent assessment of the reporting arrangements in 2009, as envisaged in decision FCTC/COP1(14), paragraph 9.

5.3.2 Reporting instrument – revised format for Group 1 questions (decision FCTC/COP2(9))

Document FCTC/COP/3/15 presents the revised format of Group 1 questions as requested by the Conference at its second session. The document also contains an accompanying note reflecting the rationale, process and content of the revision. The revised format was accepted by the Bureau for provisional use by Parties, pending a decision of the Conference at its third session. The Conference is invited to consider and adopt, as appropriate, the revised format.

5.3.3 Reporting instrument - Group 2 questions (decision FCTC/COP2(9))

Document FCTC/COP/3/16 contains the Group 2 questions of the reporting instrument, as requested by the Conference at its second session. The document also contains an accompanying note reflecting the rationale, development and content of the proposed questionnaire. The Conference is invited to consider and adopt, as appropriate, the proposed Group 2 questions constituting the second phase of the reporting instrument. The Conference may also wish to provide guidance on the elaboration of Group 3 questions of the reporting instrument for consideration at its fourth session as envisaged in decision FCTC/COP2(9), paragraph 7.

5.4 Consideration of a logo of the WHO Framework Convention on Tobacco Control

Document FCTC/COP/3/17 contains the proposal of the Convention Secretariat, in consultation with the Bureau, for a logo of the WHO Framework Convention on Tobacco Control. The Conference is invited to review and take a decision on the proposal.

6. Budget and programme of work of the Conference of the Parties

**6.1 Performance report for the 2006–2007 budget and workplan
(decision FCTC/COP2(11))**

Document FCTC/COP/3/18 contains the performance report on the budget and workplan 2006–2007 as requested by the Conference at its second session. The Conference is invited to note the report and provide further guidance. The Conference may wish to reflect, *inter alia*, on lessons learnt and actions required contained in the report.

**6.2 Interim performance report for the 2008–2009 budget and workplan
(decision FCTC/COP2(11))**

Document FCTC/COP/3/19 contains the interim performance report on the 2008–2009 budget and workplan as requested by the Conference at its second session. The Conference is invited to note the report and provide further guidance.

6.3 The next budget and workplan of the Conference of the Parties

Document FCTC/COP/3/20 contains a note by the Convention Secretariat concerning the timeline of development and adoption of the next budget and workplan of the Conference. The document also contains proposed options for the timing of the next session(s) of the Conference. The Conference is invited to note the document and provide further guidance. The Conference may also wish to discuss this item in conjunction with agenda item 7.1. See below.

7. Fourth session of the Conference of the Parties

7.1 Date and venue

In accordance with Rule 4 of the Rules of Procedure of the Conference of the Parties, at each regular session, the Conference shall decide on the date and duration of the next regular session. Rule 4 also provides that after the third regular session, regular sessions shall be held every two years, unless the Conference decides otherwise. Considerations concerning possible timing of the fourth session, in relation to the adoption of the next budget and workplan of the Conference, are also contained in document FCTC/COP/3/20.

7.2 Election of officers

The election of officers of the Conference is governed by Rule 21 of the Rules of Procedure of the Conference of the Parties. The Conference is expected to elect officers before the end of the third session to constitute the Bureau for the following session.

8. Closure of the session

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