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

Fourth session
Punta del Este, Uruguay, 15–20 November 2010
Provisional agenda item 6.5

FCTC/COP/4/18
15 August 2010

South–South cooperation and implementation of the WHO Framework Convention on Tobacco Control

Report of the Convention Secretariat

Background

1. This report was requested by the Conference of the Parties at its third session (Durban, South Africa, 17–22 November 2008), as part of the workplan for the financial period 2010–2011,[1] in order to initiate an assessment of the potential of South–South cooperation to contribute to implementation of the WHO Framework Convention on Tobacco Control (WHO FCTC).

2. The Convention recognizes the importance of international cooperation in assisting developing countries and countries with economies in transition to carry out tobacco-control activities and the need to develop appropriate mechanisms to deal with the long-term social and economic implications of successful tobacco-control strategies. It further recognizes the need for technical and financial assistance to countries to support their implementation of national strategies for sustainable development.

3. In view of the above and the growing evidence that tobacco use is disproportionately affecting poor populations in developing countries, the Conference of the Parties, at its first session (Geneva, Switzerland, 6–17 February 2006), called for the promotion of South–South cooperation in the exchange of scientific, technical and legal expertise as relevant to the implementation of the Convention.[2] At its second session (Bangkok, Thailand, 30 June – 6 July 2007), the Conference of the Parties recalled the need to assist developing country Parties and Parties with economies in transition.[3] At its third session, the Conference of the Parties decided to include South–South cooperation in the

[1] See decision FCTC/COP3(19).

[2] See decision FCTC/COP1(13).

[3] See decision FCTC/COP2(10).

workplan for the biennium 2010–2011, in the overall context of assistance to Parties in the implementation of the Convention that had been outlined at earlier sessions. However, implementation of this item is subject to extrabudgetary contributions and the Convention Secretariat is making efforts to raise the necessary resources to implement it by the end of the biennium as planned.

4. The purpose of this report is to provide information to the Conference of the Parties as it reviews progress and provides guidance in this relatively new area of work under the Convention.

South–South cooperation: historical perspectives and trends

5. In the dynamic and volatile international environment of the 1950s and 1960s, there was a strong desire for mutual cooperation among newly independent developing countries. Such cooperation began in the 1950s, but it was only at the 1978 United Nations Conference on Technical Cooperation among Developing Countries in Buenos Aires, Argentina, that it was put into a strategic framework.

6. A 30-year report on the promotion of South–South cooperation by the United Nations Secretary-General[1] in 2009 found that developing countries as a group have built up a range of technical competencies; that many developing countries are becoming middle-income countries and are contributing significantly to South–South cooperation; that regional integration is providing further impetus to South–South cooperation; and that United Nations agencies and programmes have had a key role to play in promoting cooperation among developing countries.

7. The report also noted the significance of the Marrakesh Declaration on South–South Cooperation,[2] in which participants at the High-level Conference on South–South Cooperation held in Marrakesh, Morocco, in 2003 agreed to work on the "necessary interface between the modalities for North–South and South–South cooperation". This development led to the birth of what became known as "South–South and triangular cooperation". Interestingly, the Buenos Aires Plan of Action outlined five points with regard to the role of developed countries and highlighted the fact that intensified linkage with the North was "required", thus predicting the emergence of triangular cooperation.

8. Developed countries have endorsed efforts to boost South–South cooperation and it has featured increasingly in the deliberations of the Group of Eight. With the recent formation of the Group of 20, South–South and triangular cooperation are gaining new geopolitical meaning.

9. Japan was the first country to take practical steps to promote triangular cooperation in 1993 and, over the last decade, the European Union and the Nordic countries have provided substantial funding for many South–South cooperation initiatives. The Development Assistance Committee of the Organisation for Economic Co-operation and Development has established partnerships with a number of middle-income developing countries to provide development assistance to the least-developed countries. UNDP regularly updates and submits reports on South–South cooperation and on the assistance provided by developed countries in that field, to the High-level Committee on South–South Cooperation and to the United Nations General Assembly.

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[1] United Nations General Assembly document A/64/504.

[2] See United Nations General Assembly document A/58/683.

10. South–South cooperation consists of a range of activities, from the most basic to the most complex, including building electronic communications systems and conducting scientific research. In terms of resources and development assistance, South–South cooperation makes up approximately 10% of the total annual amount of Official Development Assistance (US$ 12.6 billion in 2006).[1]

11. Since the meeting of 25 pivotal countries convened by the Special Unit for South–South Cooperation in 1997, South–South cooperation has grown rapidly. Countries such as Brazil, China, India and South Africa, have shown that years of indigenous efforts to build technical competence can result in the capacity to provide assistance, technology transfer and funding.

12. Regional and interregional initiatives have provided further impetus to South–South cooperation. The work of regional groupings such as the Caribbean Community; the Andean Community; the Common Market of the South; the Common Market for Eastern and Southern Africa; the Southern African Development Community; the Association of South-East Asian Nations; economic cooperation organizations in Central and West Asia; and the South Asian Association for Regional Cooperation, among others, illustrates the benefits of South–South Cooperation and its rapid growth.

The WHO FCTC and South–South cooperation

Linkages and opportunities

13. Comprehensive measures for effective tobacco control enshrined in the WHO FCTC cover demand and supply; mechanisms for scientific and technical cooperation and exchange of information among Parties; and international cooperation more generally. By bringing provisions relating to international cooperation under an international legal instrument, the Convention has significantly increased the possibilities for cooperation not only in respect of its own implementation, but more generally for global cooperation in public health.

14. Against this background, it is pertinent that some developing countries have advocated South–South cooperation in the context of implementation of the Convention. Advocacy efforts in this regard have been strengthened by the fact that the growing burden of diseases in developing countries, particularly noncommunicable diseases, is directly linked to tobacco use. Studies have shown that 80% of the deaths attributable to tobacco use will take place in developing countries.[2] The burden that such illnesses will place on the already fragile health systems of poor countries that are underfunded, understaffed and underequipped is, therefore enormous.

15. Furthermore, the objective of the Convention, outlined in Article 3, “to protect present and future generations from devastating health, social, environmental and economic consequences of tobacco consumption and exposure to tobacco smoke by providing a framework for tobacco-control measures to be implemented by the Parties at the national, regional and international levels …” also clearly envisages a significant scope and scale of cooperation among Parties.

[1] United Nations Economic and Social Council document E/2009/85.

[2] See United Nations Economic and Social Council document E/2008/59.

16. The multisectoral and development dimensions of the Convention, defined in Article 5 (*General obligations*) and Article 7 (*Non-price measures to reduce the demand for tobacco*), transcend local boundaries and call for consolidation of international multisectoral expertise and cooperation to assist Parties in implementation of the Convention.

17. Some provisions of the Convention, for instance those on demand-side measures, would sooner or later warrant regional, subregional or interregional cooperation. Given the implementation trends and growing evidence found in Parties' reports, such cooperation is likely in areas of taxation policy, cross-border advertising, packaging and labelling and product regulation.

18. On the supply side, the importance of regional, subregional and interregional cooperation can hardly be overemphasized, particularly in relation to illicit trade in tobacco products. South–South cooperation trends in regional consolidation could prove to be critical in determining the efficacy of efforts by the Parties to curb illicit trade in tobacco products.

19. Similarly, in respect of Article 17 (*Provision of support for economically viable alternative activities*) and Article 18 (*Protection of the environment and the health of persons*) of the Convention, networks of experts and institutional support within United Nations specialized agencies will play a critical role in enabling Parties to adequately and appropriately address the needs for technical assistance that arise in implementing national strategies for sustainable development. These agencies include the Food and Agriculture Organization of the United Nations (FAO), the International Fund for Agricultural Development and the United Nations Industrial Development Organization. In this regard, cooperation between the Parties in the South will be crucial since they are the major tobacco growers and, in many instances, also major producers of tobacco products. Pilot studies, identification of best practices and successful introduction of alternative crops and related techniques and technology will be required to assist those Parties. More importantly, in addition to South–South cooperation, in order to be successful this work will need to be supplemented predominantly by financial, but also technical, assistance from the North, giving it a triangular dimension.

20. Another area of crucial importance, according to Parties' implementation reports, is the development of national legislation that complies with the Convention. This is a significant challenge to Parties, although there is evidence that better regional and subregional awareness and cooperation can remove many technical obstacles. It should be both practical and feasible to promote the establishment of "knowledge banks" in this area that would not only help at the regional and subregional levels but might also be used at the interregional level to help in the development of effective national tobacco-control legislation in compliance with the Convention.

21. As regards work already in progress in this area, the Conference of the Parties may wish to note that as part of the process of development of implementation guidelines, the Convention has successfully promoted triangular cooperation. The development of these guidelines has provided an opportunity to Parties from the South as well as from the North to come together on a common platform and to share experiences and expertise in shaping treaty implementation tools. During the pilot phase of the needs assessments, the Convention Secretariat coordinated closely with UNDP resident representatives at country level with a view to bringing Convention implementation within the United Nations Development Assistance Framework. The Convention Secretariat is also working with the Special Unit for South–South Cooperation in the UNDP to further coordinate and develop a joint strategy to incorporate the implementation of the Convention into their future action plans at global, regional and country levels. The Convention Secretariat will continue to promote such opportunities and to utilize lessons learnt in implementing South–South and triangular cooperation in the future.

Potential for utilization of existing South–South cooperation networks and mechanisms

22. The global evolution of South–South cooperation and its corresponding multisectoral and developmental focus, together with the emergence of related institutional and operational frameworks, have responded to development challenges. The institutional and operational frameworks concerned have assumed significance owing to their ability to trigger South–South cooperation at the country, regional, interregional and international levels. Since 2003, the UNDP has mainstreamed South–South cooperation in all of its six practice areas. It also hosts the Special Unit for South–South cooperation and oversees the Resident Coordinator system, which fosters South–South cooperation through the United Nations country teams. The Special Unit monitors, coordinates and promotes South–South cooperation in the United Nations development system. The services of various United Nations agencies, such as the FAO, the United Nations Educational, Scientific and Cultural Organization, the United Nations Conference on Trade and Development, the United Nations Population Fund, and the United Nations Industrial Development Organization, are available to support the South–South cooperation implementing mechanisms.

23. South–South cooperation has also resulted in the establishment of a network of centres of excellence for knowledge and technology transfers through the training of experts in many developing countries such as China, India, Egypt, South Africa and the United Republic of Tanzania. UNDP, in collaboration with the Government of Brazil, has established the International Poverty Centre in Brasilia. In addition UNDP has a number of knowledge networks that cover five of its practice areas and link staff and experts around the world. Specialized agencies also foster such networks and share information with the Special Unit for South–South Cooperation. For instance, WHO has “knowledge hubs”, which generate, adapt, distribute and exchange knowledge and experience through training and technical assistance. In addition, to address the development challenges, civil society throughout the South has played an active role. Given the scope of this report, it is not feasible to enumerate details of all South–South cooperation networks, although this will form part of the Convention Secretariat's future work.

24. The existence of opportunities to share information, evidence and research through already available or newly established networks facilitated by the United Nations would serve as an incentive to developing countries and, in most cases, these efforts would be supplemented by existing institutional networks across the globe, including in the North, thereby further promoting triangular cooperation. Therefore, the existing United Nations framework, together with the networks in the South, could be effectively utilized not only in the context of South–South cooperation, but also in the context of triangular cooperation.

25. In this regard, it should be noted that the UNDP is currently implementing its 2008–2011 strategic plan, following the 2007 triennial comprehensive policy review as well as other relevant decisions of the High-level Committee on South–South Cooperation and the United Nations General Assembly, promoting the coordination, efficiency and effectiveness of United Nations support to South–South cooperation, particularly at the country level.

26. Given the devastating effects of tobacco use, particularly in developing countries, it may be worthwhile for Parties to consider bringing forward implementation of the Convention as part of the fourth triennial review of South–South cooperation due to be held in late 2010. This would pave the way for a special focus on implementation of the treaty throughout the United Nations system.

Potential areas for South–South cooperation

27. Based on an analysis of information available in Parties' implementation reports, the following areas may be appropriate for initiating work to promote South–South cooperation and, where appropriate, triangular cooperation:

(i) best practices that lead to a decrease in smoking prevalence;

(ii) development of Convention-compliant national tobacco-control legislation;

(iii) development and operationalization of national multisectoral tobacco-control mechanisms;

(iv) tobacco taxation and the earmarking of tobacco taxes for the funding of tobacco-control activities;

(v) packaging and labelling of tobacco products; and

(vi) areas that may be seen as important in specific regions and groups of countries, such as smokeless tobacco.

28. Once work begins and on the basis of evidence that comes to light in the future, other areas may be identified.

Conclusions and recommendations

29. While the WHO FCTC may be a relatively new international legal instrument in global health, the existence of a well-crafted institutional and operational framework will play a catalytic role in promoting South–South and triangular cooperation. The Convention provides a comprehensive mandate to Parties to cooperate with each other and to provide mutual assistance from the perspective of "their individual, mutual and collective international obligations".

30. There are specific areas and provisions in the Convention that have significant potential to contribute to the realization of internationally agreed development goals, including the United Nations Millennium Development Goals. The multisectoral and development dimensions of the Convention are too crucial to be overlooked, whether in connection with the growing threat of noncommunicable diseases or the health expenditure incurred by poor households as a result of illnesses resulting from tobacco use. These have an impact, inter alia, on achievement of Millennium Development Goal 1.

31. Triangular cooperation is key to the long-term sustainability of international tobacco-control measures. While this is recognized in the Marrakesh Declaration (see above), the WHO FCTC brings a unique dimension to such cooperation. There are instances where both developing and developed countries have faced similar challenges, both legal and procedural, from the tobacco industry, with the latter trying to influence the policy outcomes of governmental interventions, such areas as packaging and labelling, in-store display and the banning of advertising and sponsorship.

32. In order to promote South–South cooperation as a means of supporting in implementation of the Convention, and in line with the decisions of the Conference of the Parties on this topic, it is proposed that the Convention Secretariat shall:

(i) continue to make efforts to raise the required extrabudgetary resources for implementation of item 4.4 of the workplan for the financial period 2010–2011 as defined by the Conference of the Parties at its third session;[1]

(ii) actively engage with UNDP and the Special Unit for South–South Cooperation in order to explore the possibility of utilizing the existing United Nations institutional framework for South–South cooperation, including under the "One United Nations" initiative and "Delivering as One" at the country level;

(iii) convene a meeting of experts from different regional groups in order to develop a plan of action to promote implementation of the Convention through South–South and triangular cooperation;

(iv) keep abreast of related developments in multilateral forums and continue to draw the attention of policy-makers to the importance of South–South and triangular cooperation in order to promote implementation of the Convention; and

(v) prepare a comprehensive implementation report on South–South and triangular cooperation to be presented to the Conference of the Parties at its next regular session.

ACTION BY THE CONFERENCE OF THE PARTIES

33. The Conference of the Parties is invited to note the report and provide further guidance.

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[1] See decision FCTC/COP3(19).