



**FCTC**

WHO FRAMEWORK CONVENTION  
ON TOBACCO CONTROL

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

Sixth session  
Moscow, Russian Federation, 13–18 October 2014

**18 October 2014**

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## **DECISION**

**FCTC/COP6(19) Trade and investment issues, including international agreements,  
and legal challenges in relation to implementation of the  
WHO FCTC**

The Conference of the Parties,

Reiterating its determination to give priority to the right of Parties to protect public health;

Noting the increasing number of free-trade agreements and investment agreements that are designed to further foster international trade and investment;

Conscious that the tobacco industry has used and might use international trade and investment rules to challenge tobacco control measures taken to implement the WHO FCTC;

Taking note of the burden in terms of time and resources caused by the tobacco industry's challenges to government efforts in tobacco control through the use of international trade or investment rules;

Recognizing that measures to protect public health, including measures implementing the WHO FCTC and its guidelines fall within the power of sovereign States;

1. ENCOURAGES Parties to cooperate in exploring possible legal options to minimize the risk of the tobacco industry making undue use of international trade and investment instruments to target tobacco control measures;
2. URGES Parties to promote multisectoral collaboration in the area of trade and investment to take the public health dimension of tobacco consumption into account, in accordance with the WHO FCTC and other international obligations, while in the course of trade negotiations;
3. In the context of the WHO FCTC REMINDS Parties of the possibility to take into account their public health objectives in their negotiation of trade and investment agreements;

4. REQUESTS the Convention Secretariat to continue to strengthen its efforts to cooperate with the relevant international organizations, and to encourage communication and information sharing on trade and investment related issues;

5. FURTHER REQUESTS the Convention Secretariat to prepare a report on the potential impact of new trade and investment provisions on WHO FCTC implementation in developing countries.

(Fifth plenary meeting, 18 October 2014)

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