When WHO was established in 1948, its Member States incorporated the power to negotiate treaties into its Constitution. This power remained dormant until 1996, when the World Health Assembly adopted a resolution requesting the WHO Director-General to initiate development of a framework convention for global tobacco control in accordance with the WHO Constitution. This unprecedented request was made in response to the rapid globalization of the tobacco epidemic and the growing magnitude of the health burden associated with tobacco use, which kills nearly 6 million people and causes hundreds of billions of dollars in economic damage worldwide every year.

Today, the WHO Framework Convention on Tobacco Control (WHO FCTC) (1) is one of the most rapidly embraced treaties in the history of the United Nations, with 173 Parties covering 87% of the world’s population. It contains legally binding obligations for its Parties, addresses the need to reduce both demand for and supply of tobacco, and provides a comprehensive direction for implementing tobacco control policy at all levels of government. The treaty’s governing body is the Conference of the Parties (COP), an intergovernmental entity composed of all Parties with responsibility for guiding and promoting effective implementation of the WHO FCTC. As part of this responsibility, the COP considers the reports submitted periodically by each Party, in accordance with Article 21 of the treaty, and the global summary prepared by the Convention Secretariat to review the progress, successes and challenges of implementation.

To reflect the complexities of the tobacco epidemic, as well as the challenge of countering a very well-funded and powerful multinational industry, WHO FCTC negotiators included broad, encompassing treaty provisions to address demand reduction and supply reduction issues in Articles 6 and 8–17:

- Article 6. Price and tax measures to reduce the demand for tobacco.
- Article 8. Protection from exposure to tobacco smoke.
- Article 9. Regulation of the contents of tobacco products.
- Article 10. Regulation of tobacco product disclosures.
- Article 11. Packaging and labelling of tobacco products.
- Article 12. Education, communication, training and public awareness.
Many countries can easily improve policies by increasing the size of warning labels, strengthening the wording of warnings and making them more specific, and including pictures rather than text-only warnings.
Article 11 – Packaging and labelling of tobacco products

The WHO FCTC is an evidence-based treaty: nowhere is this more clear than in Article 11, which sets out strong, clear and legally obligatory standards for health warning labels on tobacco packaging. These standards are derived from strong data that health warnings encourage tobacco users to quit and help keep young people from starting. Article 11 forms the basis for international action to communicate the health risks of tobacco, and requires all Parties to implement compliant warning labels on all tobacco products sold or otherwise distributed within their jurisdictions within three years after entry into force of the treaty for that Party.

Article 11 of the WHO FCTC requires that health warning labels on tobacco packaging:
- be approved by the competent national authority;
- should cover 50% or more of the principal pack display areas, but should be no less than 30%;
- be large, clear, visible and legible;
- not use misleading terms like “light” and “mild”;
- be rotated periodically to remain fresh and novel to consumers;
- display information on relevant constituents and emissions of tobacco products as defined by national authorities;
- appear in the principal language(s) of the country.

The strength of the language and of the obligations set forth in Article 11 have led to measurable global progress in providing people with effective warnings about the dangers of tobacco, although there is still work to be done in most countries and in all regions. Many countries can easily improve policies by increasing the size of warning labels, strengthening the wording of warnings and making them more specific, and including pictures rather than text-only warnings.

WHO FCTC health warnings database

In order to promote international cooperation, the COP requested that WHO’s Tobacco Free Initiative (TFI) establish and maintain a central database of pictorial health warnings and messages. TFI, in collaboration with the WHO FCTC Convention Secretariat, has established such a database to facilitate sharing of pictorial health warnings and messages among countries and Parties.* This type of assistance and support are part of WHO’s larger tobacco control programme driven by the WHO FCTC. To provide technical assistance to help Member States fulfil some of their commitments to the treaty, WHO has proposed the MPOWER package of measures. MPOWER supports the implementation of six effective tobacco control measures proven to reduce tobacco use. Each measure reflects one or more provisions of the WHO FCTC, and the package of six measures is an important entry point for scaling up efforts to reduce the demand for tobacco. MPOWER is an integral part of the WHO Action Plan for the Prevention and Control of Noncommunicable Diseases (3), which was endorsed at the 61st World Health Assembly in 2008 and reflects the commitment of WHO Member States to the implementation of the WHO FCTC.

* The health warnings database is freely accessible to the public at: http://www.who.int/tobacco/healthwarningsdatabase/en/index.html
Guidelines for implementation of Article 11

The purpose of the Article 11 guidelines is to assist Parties in meeting their WHO FCTC obligations and to suggest means by which Parties can increase the effectiveness of their packaging and labelling measures. The substance of the Article 11 guidelines is separated into seven sections (2).

Developing effective packaging and labelling requirements

The Article 11 guidelines articulate recommendations on design elements of effective warning labels and display of information on constituents and emissions, and encourage the following measures to increase the effectiveness of packaging and labelling (2).

- Warning labels should cover as much of the principal display areas as possible.
- If used, pictures should be in full colour.
- Warnings should appear on the front and back of packs, as well as at the top of principal display areas, to maximize their visibility and in such a way that the opening of the package does not permanently damage or conceal the warning.
- Parties should consider printing warnings on cigarette filters and/or on other related materials (e.g. packages of cigarette tubes, filters and papers) as well as other instruments (e.g. those used for water pipe smoking).
- Warnings should address different issues related to tobacco use, in addition to harmful health effects and the impact of second-hand tobacco smoke exposure (e.g. Advice on cessation, the addictive nature of tobacco, adverse economic and social outcomes such as the annual cost of purchasing tobacco products, the impact of tobacco use on others, adverse environmental outcomes, and tobacco industry practices).
- Warnings may be designed to target subgroups (e.g. youth).
- Warnings should not contain quantitative or qualitative statements about tobacco constituents and emissions (e.g. tar, nicotine and carbon monoxide figures) that might imply that one brand is less harmful than another.
- Where possible, warnings should undergo pre-market testing to assess their effectiveness with the intended target population.
- Parties should look to pack warnings used elsewhere for best-practice examples on how to implement this intervention.
- Where quit line services are available, quit line numbers can be included on warning labels to improve linkage to cessation services.
- Parties should consider legislation to mandate plain, generic packaging and prohibit or restrict the use of logos, colours, brand images or promotional information.

Process for developing effective packaging and labelling requirements

Warning labels should appear on all tobacco packaging, and those labels should be effective in accurately conveying the health risks of smoking. This section of the guidelines addresses considerations that each Party must take into account to accomplish this.

Developing effective packaging and labelling restrictions

Tobacco packaging should not be misleading. The guidelines specifically recommend that figures for emission yields not be included on tobacco packages, and that Parties consider plain, generic packaging that restricts the use of logos, brand images and promotional information by limiting packaging only to brand names and product names displayed in a standard colour and font style.

Legal measures

To assist Parties in generating and implementing enforceable measures that satisfy WHO FCTC requirements, the guidelines include a number of specific recommendations on drafting legislation to ensure that effective warning labels are included on all tobacco products.

Enforcement

Appropriate infrastructure and budget are critical to enforcement. Parties should ensure that all stakeholders are aware of new labelling measures and use inspectors or agents to conduct spot checks at import, export and retail facilities. Reactions to noncompliance must be rapid and, if possible, the public should be empowered to report noncompliance and file complaints.

Monitoring and evaluating packaging and labelling measures

Monitoring and evaluating the effects of tobacco control measures are critical to assess their impact, identify where improvements are needed, and add to the body of best-practice evidence. The guidelines note that monitoring and evaluation are ongoing processes.

International cooperation

The guidelines note that international cooperation is needed to maximize the effectiveness of packing and labelling provisions. The WHO FCTC provides for and promotes cooperation, information and expertise exchange, and support between and among Parties in several areas.
Article 12 – Education, communication, training and public awareness

Understanding that even the most effective warning labels are not sufficient, Article 12 of the WHO FCTC contains obligations for Parties to promote and strengthen public awareness of tobacco control issues through other means. Article 12 requires Parties to provide the public with widely accessible and comprehensive information on the addictiveness of tobacco and the risks and harms of tobacco consumption and exposure to tobacco smoke, as well as the adverse health, economic and environmental consequences of tobacco production. Parties are also required to give the public access to a wide range of information on the tobacco industry.

Education, communication and training are most effective when incorporated into a comprehensive tobacco control programme.
Guidelines for implementation of Article 12

The objectives of the Article 12 guidelines are to identify key measures needed to successfully educate, communicate with and train people on the health, social, economic and environmental consequences of tobacco production and consumption and of exposure to tobacco smoke, and to guide Parties in establishing a sustainable infrastructure needed to support these measures. As with other WHO FCTC guidelines, these draw on the best available evidence, best practices and experience. The guidelines also articulate a set of guiding principles for implementation. The substance of the Article 12 guidelines falls into six sections (4):

Providing an infrastructure to raise public awareness
The guidelines emphasize that effectively raising public awareness requires solid, sustainable infrastructure that should include a tobacco control focal point within the national government to catalyse, coordinate and facilitate delivery of tobacco-related education, communication and training programmes, and to monitor and evaluate these programmes.

Running effective education, communication and training programmes
The guidelines provide definitions of key terms relevant to awareness raising as well as tactics for Parties to implement effective strategies. These definitions emphasize that education, communication and training are most effective when incorporated into a comprehensive tobacco control programme, and that they require a sustainable approach to maintain effectiveness.

Involving civil society
Parties are encouraged to actively involve civil society in planning, developing, implementing, monitoring and evaluating tobacco control education, communication and training programmes. Governments should also identify and involve key community tobacco control leadership and consider providing direct financial or other support to tobacco control efforts undertaken by civil society.

Ensuring wide access to information on the tobacco industry
The guidelines outline the many strategies employed by the tobacco industry to undermine tobacco control, and reference the obligation under WHO FCTC Article 5.3 to ensure that policies are free from tobacco industry influence. To be effective, tobacco control education, communication and training require accurate and truthful information about the tobacco industry; in turn, Parties are required to make such information freely and readily accessible to the public.

Strengthening international cooperation
The guidelines recognize the importance of sharing information and best practices between and among countries as well as the importance of collaborating to raise global public awareness of tobacco control.

Monitoring of implementation and revision of the guidelines
The guidelines emphasize the need for Parties to monitor, evaluate and revise their communication, education and training measures to facilitate comparisons, observe trends and provide clear goals for implementation. Evaluation should also include determination of need, formulation of objectives and identification of resources required before initiating awareness raising programmes.

Additionally, 10 annexes are appended to the Article 12 guidelines that provide practical ideas for implementation. These annexes are a series of lists, including checklists for an action plan for implementation of education, communication and training activities within a comprehensive tobacco control programme, and for research-based strategies and programmes. Eight additional lists follow these checklists and cover specific public awareness, education and training topic areas.