

Follow-up to the political declaration of the third high-level meeting of the General Assembly on the prevention and control of non-communicable diseases

Strengthening synergies between the World Health Assembly and the Conference of the Parties to the WHO Framework Convention on Tobacco Control

The Director-General has the honour to transmit to the Seventy-fifth World Health Assembly the report submitted by the Head of the Convention Secretariat on behalf of the Ninth session of the Conference of the Parties to the WHO Framework Convention on Tobacco Control (see Annex). The report also contains information on the outcomes of the Second session of the Meeting of the Parties to the Protocol to Eliminate Illicit Trade in Tobacco Products.

ANNEX

REPORT BY THE HEAD OF THE CONVENTION SECRETARIAT

1. Pursuant to decisions WHA69(13) (2016), WHA70(20) (2017) and FCTC/COP7(18) (2016), this report to the Health Assembly describes the main outcomes of the Ninth session of the Conference of the Parties to the WHO Framework Convention on Tobacco Control (WHO FCTC), which was held from 8 to 13 November 2021. It also describes the main outcomes of the Second session of the Meeting of the Parties to the Protocol to Eliminate Illicit Trade in Tobacco Products, which was held from 15 to 18 November 2021.
2. Because of the coronavirus disease (COVID-19) pandemic, the Conference of the Parties took place virtually. It was attended by more than 1200 participants representing 162 Parties, six States non-Parties, four international intergovernmental organizations, 16 nongovernmental organizations accredited as observers¹ and WHO.
3. The Conference of the Parties adopted 13 decisions,² of which seven related to the proceedings and general matters, five to budgetary and institutional matters, and one to a declaration.
4. In light of the restrictions made necessary as a result of the COVID-19 pandemic, the Conference of the Parties adopted special procedures to accommodate the conduct of the session in a virtual setting and considered an abridged agenda. It decided to defer for consideration at the Tenth session of the Conference of the Parties certain items as well as substantive discussion of a number of reports that were presented for information, relating in particular to treaty instruments and technical matters. In the latter category, it decided to defer substantive discussion on implementation of Articles 9 and 10 of the WHO FCTC, on novel and emerging tobacco products and on the Implementation Review Mechanism.
5. One key outcome was decision FCTC/COP9(7), whereby the Conference of the Parties adopted a workplan and budget for the financial period 2022–2023, which the Convention Secretariat, pursuant to decision FCTC/COP8(16) (2019), had drafted in line with the Global Strategy to Accelerate Tobacco Control: Advancing Sustainable Development through the Implementation of the WHO FCTC 2019–2025. The Conference of the Parties also adopted decision FCTC/COP9(8) urging Parties to pay their assessed contributions in full in order to ensure that adequate resources were available to implement the workplan and budget.
6. Another milestone was the decision FCTC/COP9(13) to launch the WHO FCTC Investment Fund, to support implementation of the Convention and global tobacco control efforts. The Fund is expected to provide sustainable and predictable funding, to supplement assessed contributions and extrabudgetary funds. In recognition of the unique skills required to manage it, the World Bank was designated as the Fund's Trustee. In addition, an Oversight Committee will be established to provide support to the Conference of the Parties and its Bureau in terms of the Fund's governance. The Oversight Committee will comprise representatives of Parties from the six WHO regions and observers from nongovernmental organizations accredited as observers to the Conference of the Parties. The Fund's operational and financial policies will include an explicit expectation of compliance with Article 5.3 of

¹ For the list of participants, see document FCTC/COP9/DIV/1.

² Available at <https://fctc.who.int/who-fctc/governance/conference-of-the-parties/ninth-session-of-the-conference-of-the-parties/decisions> (accessed 13 January 2022).

the WHO FCTC to protect it against commercial and other vested interests of the tobacco industry or those who work to further its interests.

7. In another significant outcome (decision FCTC/COP9(10)), the Conference of the Parties adopted a declaration on WHO FCTC and recovery from the COVID-19 pandemic in which it noted that tobacco use is a major risk factor for noncommunicable diseases and that both tobacco consumption and noncommunicable diseases contribute to developing worse COVID-19-related illness, placing an additional burden on health systems. The declaration stresses the need for appropriate measures to prevent tobacco industry interference and involvement in COVID-19-related public health policies and actions, and emphasizes that tobacco control measures, including tax measures and the elimination of illicit trade in tobacco products, should be an integral part of pandemic recovery efforts. It calls on the Parties to include actions to achieve Sustainable Development Goals Target 3.a on the implementation of WHO FCTC and Target 3.4 on noncommunicable diseases, as an integral component of national recovery from the COVID-19 pandemic. It also calls on them to explore health system adaptations to support alternative delivery options for tobacco dependence and cessation services consistent with Article 14 of the WHO FCTC.

8. The Conference of the Parties again emphasized the importance of international cooperation and the special contribution of nongovernmental organizations not affiliated with the tobacco industry to implementation of the WHO FCTC, and granted observer status to five new applicants in decision FCTC/COP/9(3).

9. The Conference of the Parties also took note of, and thanked the WHO Director-General for, the report on strengthening synergies between it and the World Health Assembly on the resolutions and decisions of the Seventy-second, Seventy-third and Seventy-fourth World Health Assemblies, and those of the WHO regional committees, as contained in document FCTC/COP/9/17.

10. The outcomes of the Second session of the Meeting of the Parties to the Protocol to Eliminate Illicit Trade in Tobacco Products, which was held immediately after the Conference of the Parties, in keeping with past practice, are outlined below. As of 11 March 2022, the Protocol has 64 Parties.

11. The Meeting of the Parties was attended by over 800 participants from 59 Parties to the Protocol, 58 States non-Parties, one international intergovernmental organization, seven nongovernmental organizations accredited as observers and WHO. The WHO Director-General and the Secretary General of the World Customs Organization addressed the opening ceremony.

12. The Meeting of the Parties adopted 15 decisions,¹ of which seven related to the conduct of business and general matters, two to Protocol instruments and technical matters, one to reporting, implementation assistance and international cooperation, and five to budgetary and institutional matters. The Meeting of the Parties also adopted special procedures to accommodate the conduct of its work in a virtual format and an agenda that adopted the recommendations of the Bureau to defer certain items for consideration at its Third session in light of the restrictions made necessary as a result of the COVID-19 pandemic.

13. The Meeting of the Parties adopted its workplan and budget for the financial period 2022–2023 in decision FCTC/MOP2(13). It outlined the approach that would be taken to encourage Parties to pay

¹ Available at <https://fctc.who.int/protocol/governance/meeting-of-the-parties/second-session-of-the-meeting-of-the-parties/decisions> (accessed 22 February 2022).

their assessed contributions, recognized as mandatory financial contributions, in decision FCTC/MOP2(12).

14. In relation to the subsidiary bodies it had established at its First session, the Meeting of the Parties adopted the recommendations of the Working Group on Tracking and Tracing Systems (decision FCTC/MOP2(6)) and extended the Working Group's mandate with a view *inter alia* to further developing the technical specifications needed to guide implementation of the global information-sharing focal point (Article 8).

15. In addition, the Meeting of the Parties adopted decision FCTC/MOP2(7), in which it noted with satisfaction the outcome of the Working Group on Assistance and Cooperation, which had completed its mandate, and invited the Parties to take further steps to deal with matters related to free zones and international transit (Article 12), enforcement information sharing (Article 21), assistance and cooperation (Article 23), investigation and prosecution of offences (Article 24), mutual administrative assistance (Article 28) and mutual legal assistance (Article 29).

16. In a landmark decision (FCTC/MOP2(11)), the Meeting of the Parties adopted the Strategy for mechanisms of assistance and mobilization of financial resources to support the implementation of the Protocol, including technical support. The Strategy was developed with input from Parties and key stakeholders to address the Parties' implementation needs and aims to provide a framework for the Convention Secretariat to support efforts to that end.

17. Like the Conference of the Parties, the Meeting of the Parties decided (FCTC/MOP2(8)) to launch an Investment Fund to support implementation of the Protocol, with a request for the Convention Secretariat to ensure management synergies with the Investment Fund to support implementation of the WHO FCTC.

18. In respect of institutional matters of joint interest, the Conference of the Parties and the Meeting of the Parties adopted the same decision, respectively FCTC/COP9(9) and FCTC/MOP2(9), on the appointment of the Head of the Convention Secretariat. The decisions mandate the Bureaus elected by the Ninth session of the Conference of the Parties and by the Second session of the Meeting of the Parties to agree on joint recommendations to improve the appointment process and to submit them to the Tenth session of the Conference of the Parties and the Third session of the Meeting of the Parties.

19. Lastly, the Conference of the Parties and the Meeting of the Parties adopted a decision (FCTC/COP9(12) and FCTC/MOP2(15), respectively) to hold their next sessions in Panama, on dates to be confirmed after agreement between the hosting Party and their respective Bureaus, with the support of the Convention Secretariat.

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