Applications for the status of observer to the Conference of the Parties

1. The following organizations have submitted their applications to the Convention Secretariat for the status of observer to the Conference of the Parties (COP):

**Intergovernmental organization:**
- the East African Community.

**Nongovernmental organizations:**
- the Zimbabwe Framework for Tobacco Control Trust;
- the World Farmers’ Organization; and
- the Southeast Asia Tobacco Control Alliance.

2. A brief summary of the background information and supporting documentation submitted by the above organizations in support of their applications is provided below.

**Procedures of the COP for review of applications for observer status**

3. New applications by international intergovernmental organizations (IGOs) are governed by Rule 30.1 of the Rules of Procedure of the COP, namely: “Any international intergovernmental organization may apply to the Secretariat for observer status, which may be granted by the Conference of the Parties, taking into account the 17th and 18th preambular paragraphs as well as Article 5.3 of the Convention”.

4. The Secretariat informs the Bureau of the COP of applications received from IGOs. However, the COP has not established a procedure similar to that adopted for applications by nongovernmental organizations (NGOs) by which the Secretariat and the Bureau are mandated to review or make recommendations on such applications.
5. Rule 31.2 of the Rules of Procedure of the COP stipulates that international and regional NGOs “whose aims and activities are in conformity with the spirit, purpose and principles of the Convention, may apply for observer status, which may be granted by the Conference of the Parties, based on the report of the Secretariat, and taking into account the 17th and 18th preambular paragraphs as well as Article 5.3 of the Convention. Such applications should be submitted to the Secretariat not later than ninety days before the opening of the session”.

6. New applications by NGOs for the status of observer to the COP are governed by Rule 31 of the Rules of Procedure of the COP as well as by decisions FCTC/COP2(6), FCTC/COP5(20) and FCTC/COP5(22).¹

7. Furthermore, the COP adopted at its fifth session a standard application form² to be used by NGOs wishing to apply for observer status. In accordance with Rule 31.2 of the Rules of Procedure of the COP and decision FCTC/COP2(6), the Convention Secretariat examines the information and the supporting documentation provided by applying NGOs and prepares a report to enable the Bureau to make a recommendation to the COP, as mandated by the COP in accordance with decision FCTC/COP5(20).

**Application by intergovernmental organizations**

**East African Community**

8. The application by the East African Community (EAC) was submitted by its Secretariat. EAC is a regional **intergovernmental organization**, established on 30 November 1999, with headquarters in Arusha, United Republic of Tanzania. Its membership is composed of five Partner States: Burundi, Kenya, Rwanda, Uganda and the United Republic of Tanzania (website: http://www.eac.int.).

9. The organs of the EAC are: (a) the Summit, composed of Heads of State, whose main function is to give general directions for the development and achievement of EAC’s objectives; (b) the Council, which is the policy organ and is composed of relevant ministers and attorneys general of each Partner State; (c) the Coordination Committee; (d) the Sectoral Committees; (e) the East African Legislative Assembly; and (f) the Secretariat. The Summit may establish other organs. EAC established a Customs Union in 2005 and a Common Market in 2010 and is aiming at establishing a monetary union in the future.

10. The objectives of EAC, as defined in Article 5 of its Treaty, are “to develop policies and programmes aimed at widening and deepening cooperation among the Partner States in political, economic, social and cultural fields, research and technology, defence, security and legal and judicial affairs, for their mutual benefit”.

11. EAC is funded by equal contributions from its five Partner States with support from its development partners.

12. With regard to health activities, Article 118 of the EAC’s Treaty describes the cooperation activities that EAC’s Partner States should undertake, which include: taking joint action towards the prevention and control of communicable and noncommunicable diseases; promoting the management of health delivery systems in the Partner States; developing a common drug policy and harmonizing drug registration procedures; harmonizing national health policies and regulations and promoting the exchange of information; cooperating in the promotion of research and the development of traditional alternatives or herbal medicines and in the development of specialized health training, health research, reproductive health, pharmaceutical products and preventive medicine; promoting the development of good nutritional standards; and developing a common approach through the education of the general public.

¹ Available at http://who.int/fctc/publications
² Available at http://www.who.int/fctc/cop/ngo_application
public and law enforcement agencies for the control and eradication of the trafficking and consumption of illicit or banned drugs.

13. EAC did not declare in its application any formal relations with other organizations and bodies of the United Nations system.

14. EAC’s application for the status of observer to the COP is submitted to the COP for its consideration, in accordance with Rule 30.1 of the Rules of Procedure of the COP.

Applications by nongovernmental organizations

Zimbabwe Framework for Tobacco Control Trust

15. The application by the Zimbabwe Framework for Tobacco Control Trust (ZFTCT) was submitted by its founder and director. From the information provided in the application form, ZFTCT appears to be a civil society organization established in 2012 and formally registered in June 2013. At the time of writing, ZFTCT did not have a website.

16. The aims and objectives of ZFTCT, as described in the application form, indicate that the organization’s work mainly relates to the following activities in Zimbabwe: advocacy for anti-tobacco advertising, promotion and sponsorship, including addressing the health and economic impacts of tobacco farming, processing and sale in Zimbabwe; advocacy for the WHO FCTC and World No Tobacco Day; seeking funding mechanisms for the education and training of farmers; and advocacy work with regard to the growing of alternative crops.

17. ZFTCT indicated that it currently had no external sources of funding and that its activities were financed by its own members with the support of volunteers.

18. ZFTCT did not indicate that it has any formal relations with other organizations and bodies of the United Nations system.

19. The Bureau reviewed the Secretariat’s report and would like to recommend that consideration of the application of ZFTCT be deferred until such time as the organization has fully established itself and conducted activities internationally or regionally that would support an application in the future.

World Farmers’ Organization

20. The application of the World Farmers’ Organization (WFO) was submitted by letter of 12 May 2014 signed by its Executive Director. WFO is a nongovernmental organization established in 2011 with its Secretariat based in Rome, Italy (website: http://www.wfo-oma.com).

21. WFO operates in the agriculture sector. According to Article III of its Statutes, WFO’s mission is to bring together national agricultural producer organizations and national cooperative organizations of agricultural producers, to create policies and advocate on their behalf to improve the economic and social conditions of producers, their families and communities.

22. WFO has 64 members from 45 countries, which constitute its General Assembly. The members are grouped by region: Africa, North America, Latin America, Asia, Europe and Oceania. WFO also has nine affiliate members. In addition to the Secretariat (four people), WFO’s structure includes a Board of Directors (seven members) and a Board of Auditors (three people), elected by the General Assembly. WFO does not have regional offices.

23. WFO is funded through membership fees paid annually by its members and which are determined by its General Assembly. According to its Statutes, it may also receive contributions from the public and private sectors subject to the Rules of Procedure established by its Board of Directors. In particular, according to Rule 9 of its Rules of Procedure, the basic principle for funding is that the
core activities of WFO (advocacy, functioning of the Committees, the General Assembly and the Board) should be wholly financed through membership fees, whereas travel expenses and all costs incurred in relation to specific WFO projects could be funded from non-members. Further, the same Rules of Procedure stipulate that “the Board shall ensure that funding shall in no way affect the Organization’s independence, image and credibility and/or affect WFO policy positions, decisions and/or action and/or affect WFO’s institutional activities”.

24. With regard to WFO’s partnerships with organizations of the United Nations and other international organizations, WFO indicates that it is in formal relations, through a Memorandum of Understanding, with the International Co-Operative Alliance (ICA) and the Food and Agriculture Organization of the United Nations (FAO) signed in July 2012 for an initial period of two years. The MoU concerns administrative and financial arrangements for the use by ICA and WFO of office space at FAO headquarters in Rome. WFO also has a Memorandum of Understanding with the World Meteorological Organization (WMO), which relates to cooperation on exchanges of information, publications, representation and consultation. The MoU with WMO was signed in December 2012 for an initial period of four years. WFO is a member of the Committee for the Promotion and Advancement of Cooperatives and of the International Year of Family Farming.

25. In its application, WFO indicates that it believes that it can make a valuable contribution within the context of the WHO FCTC to the work on identification of alternative crops to tobacco in view of its broad membership base with experience across all agricultural sectors, in particular by providing training and technical assistance to farmers switching to other crops and in exchanging best practices. WFO states in its application that one of its concerns is improving farmers’ position in the food chain.

26. WFO declared in its application that it does not receive any support from the tobacco industry.

27. The Bureau reviewed the application of WFO and the Secretariat’s report and would like to recommend to the COP that observer status be granted to WFO, in accordance with Rule 31.2 of the Rules of Procedure of the COP.

Southeast Asia Tobacco Control Alliance

28. The Convention Secretariat received the application of the Southeast Asia Tobacco Control Alliance (SEATCA) by letter of 12 June 2014 signed by its Executive Director. SEATCA is a regional alliance established in 2006 and registered as a foundation in Thailand. SEATCA works through representatives of civil society, governments and academia in South-East Asia (website: http://www.seatca.org).

29. SEATCA is supported by an administrative team based in Bangkok, Thailand. It is headed by an Executive Director and is comprised of 12 members from various countries in the region. SEATCA is governed by a Board of Directors which consists of senior public health experts, university professors and tobacco control experts.

30. SEATCA is funded through various sources including Thaihealth, Bloomberg Philanthropies, Rockefeller Foundation, Bill and Melinda Gates Foundation, the International Development Research Centre (IDRC), and National Institutes of Health.

31. SEATCA states that it applying for status of observer to the COP in order to promote regional and interregional collaboration and implementation of the WHO FCTC in various regional forums such as the Association of Southeast Asian Nations (ASEAN).

32. According to its Regulations, SEATCA’s scope of work is mainly within the ASEAN countries and has the following main objectives: to enhance and promote tobacco control policy; to coordinate and provide evidence and expertise to support tobacco control policy development; to strengthen capacity to advance tobacco control policy; to cooperate with government agencies and NGOs for public health; and not to engage in any political movement.
33. The main activities reported by SEATCA in its application are summarized below:

- SEATCA has been active in promoting tax policies throughout the region and has contributed significantly to a series of tobacco tax increases in the region and in activating major policy reform in tobacco taxation systems.

- SEATCA has also actively increased awareness of trade-related challenges to tobacco control and has recently been awarded an IDRC grant (January 2014–June 2015) to conduct research and undertake capacity building on tobacco and trade issues.

- SEATCA has strengthened programmes to monitor and counter tobacco industry tactics and interference, through, among other activities: training tobacco control campaigners in each country, establishing a network for tobacco control surveillance, and producing toolkits for implementing Article 5.3.

- SETCA maintains a partnership with the ASEAN Secretariat and provides technical support to the ASEAN Focal Points on Tobacco Control (AFPTC). SEATCA also has collaboration with the WHO Regional Office for the Western Pacific on tobacco control issues.

34. SEATCA provided a list of publications related to implementation of specific articles of the WHO FCTC (e.g. Articles 5.3, 6, 8, 11, 13, 15, 17 and 18).

35. With regard to Article 5.3 of the WHO FCTC, SEATCA declares in its application that tobacco industry affiliations are not tolerated among its members or members of its Board of Directors. SEATCA also indicates that the majority of its contracts include a clause which ensures that persons or entities it contracts with do not have a relationship with or interests in the tobacco industry and have not received tobacco industry funding. SEATCA indicates that background checks are carried out before engaging with new partners.

36. The Bureau reviewed the application of SEATCA and the Secretariat’s report and would like to recommend to the COP that observer status be granted to SEATCA, as the organization could make a valuable contribution to promoting implementation of the WHO FCTC in the South-East Asia Region and as its aims and activities appear to be in conformity with the spirit, purpose and principles of the Convention, in accordance with Rule 31.2 of the Rules of Procedure of the COP.

**Action by the Conference of the Parties**

37. The COP is invited to consider the application submitted by EAC for the status of observer to the COP, in accordance with Rule 30.1 of the Rules of Procedure of the COP.

38. The COP is also invited to consider the applications submitted by ZFTCT, WFO and SEATCA for the status of observer to the COP in accordance with Rule 31.2 of the Rules of Procedure of the COP, taking into account the recommendations of the Bureau of the COP contained in paragraphs 19, 27 and 36 above.