Towards a WHO framework convention on tobacco control

The Fifty-second World Health Assembly,

Being deeply concerned by the escalation of smoking and other forms of tobacco use worldwide, which resulted in the loss of at least 3.5 million human lives in 1998 and is expected to cause at least 10 million deaths a year by 2030 if the pandemic is not controlled, with 70% of these deaths occurring in developing countries;

Having considered the report of the Director-General to the Health Assembly on the Tobacco Free Initiative, and the outline of expected activities (annexed);

Recognizing the leadership of the Director-General and WHO in the field of tobacco control;

Recalling and reaffirming resolution WHA49.17 requesting the Director-General to initiate development of a WHO framework convention on tobacco control in accordance with Article 19 of the WHO Constitution;

Recognizing the need for multisectoral strategies, including the involvement of other multilateral organizations and nongovernmental organizations, to foster international consensus and action on development of the WHO framework convention on tobacco control and possible related protocols;

Being mindful of the many constraints, including resource constraints, faced by a number of countries in the development and implementation of the WHO framework convention on tobacco control and possible related protocols;

Being also mindful of the fact that tobacco production is a significant source of earnings in many developing countries;

Being aware of the urgent need to speed up work on the proposed WHO framework convention on tobacco control and possible related protocols so that they may serve as a basis for multilateral cooperation and collective action on tobacco control;

Desiring to complete preparation of the draft text of the framework convention for consideration by the Fifty-sixth World Health Assembly,
1. DECIDES:

   (1) in accordance with Rule 42 of its Rules of Procedure, to establish an intergovernmental negotiating body open to all Member States to draft and negotiate the proposed WHO framework convention on tobacco control and possible related protocols;

   (2) to establish a working group on the WHO framework convention on tobacco control open to all Member States in order to prepare the work of the body referred to above. This group will prepare proposed draft elements of the WHO framework convention on tobacco control. The working group will report on progress to the Executive Board at its 105th session. It will complete its work and submit a report to the Fifty-third World Health Assembly;

   (3) that regional economic integration organizations constituted by sovereign States, Members of the World Health Organization, to which their Member States have transferred competence over matters governed by this resolution, including the competence to enter into treaties in respect to these matters, may actively participate, in accordance with Rule 55 of the Rules of Procedure of the Health Assembly, in the drafting and negotiations of the intergovernmental negotiating body referred to under paragraph (1) and in the preparatory work of the working group referred to under paragraph (2);

2. URGES Member States:

   (1) to give high priority to accelerating work on development of the WHO framework convention on tobacco control and possible related protocols;

   (2) to provide resources and cooperation necessary to accelerate the work;

   (3) to promote intergovernmental consultations to address specific issues, for example, public health matters and other technical matters relating to negotiation of the proposed WHO framework convention on tobacco control and possible related protocols;

   (4) to establish, where appropriate, relevant structures, such as national commissions, for the WHO framework convention on tobacco control and mechanisms to examine the implications of a framework convention on tobacco control within the context of health and economic issues, especially its effects on the economy of agriculturally dependent States;

   (5) to facilitate and support the participation of nongovernmental organizations, recognizing the need for multisectoral representation;

   (6) to consider further development and strengthening of national and regional tobacco policies, including the appropriate application of regulatory programmes to reduce tobacco use, as contributions to development of the framework convention and possible related protocols;
3. REQUESTS the Director-General:

(1) to promote support for development of the WHO framework convention on tobacco control and possible related protocols among Member States, organizations of the United Nations system, other intergovernmental, nongovernmental and voluntary organizations, and the media;

(2) to complete the technical work required to facilitate negotiations on the WHO framework convention on tobacco control and possible related protocols;

(3) to convene the working group on the WHO framework convention on tobacco control, and the first meeting of the intergovernmental negotiating body on the basis of progress achieved by the working group;

(4) to provide the working group on the WHO framework convention on tobacco control and the intergovernmental negotiating body with the necessary services and facilities for the performance of their work;

(5) to facilitate the participation of the least developed countries in the work of the working group on the WHO framework convention on tobacco control, in intergovernmental technical consultations, and in the intergovernmental negotiating body;

(6) to invite, as observers at the sessions of the working group on the WHO framework convention on tobacco control and the intergovernmental negotiating body, representatives of non-Member States, of liberation movements referred to in resolution WHA27.37, of organizations of the United Nations system, of intergovernmental organizations with which WHO has established effective relations, and of nongovernmental organizations in official relations with WHO, who will attend the sessions of those bodies in accordance with the relevant Rules of Procedure and resolutions of the Health Assembly.
### Annex

**OUTLINE OF EXPECTED ACTIVITIES**

January 1999 to May 2000 (completion of pre-negotiation phase), and targets for negotiation and adoption of the WHO framework convention on tobacco control and possible related protocols (May 2000 to May 2003)

<table>
<thead>
<tr>
<th>Milestones</th>
<th>Governing and subsidiary bodies</th>
<th>Decision and actions by governing and subsidiary bodies</th>
<th>Action by the Secretariat</th>
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</thead>
<tbody>
<tr>
<td>January 1999</td>
<td>Executive Board</td>
<td>Recommend for adoption by the Fifty-second World Health Assembly the resolution “Towards a WHO framework convention on tobacco control”</td>
<td>After the 103rd session of the Executive Board • Disseminate information on the process for developing the framework convention • For the Fifty-second World Health Assembly, prepare briefing document(s) on the process • Hold consultations with Member States</td>
</tr>
<tr>
<td>May 1999</td>
<td>Fifty-second World Health Assembly</td>
<td>Consider the draft resolution “Towards a WHO framework convention on tobacco control” Establish the intergovernmental negotiating body and the working group on the framework convention on tobacco control</td>
<td>Hold briefing sessions on the framework convention during the Fifty-second World Health Assembly</td>
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<tr>
<td>May 1999 to January 2000</td>
<td>Working group on the framework convention</td>
<td>Initiate preparation of proposed draft elements of the WHO framework convention on tobacco control</td>
<td>Convene the working group on the WHO framework convention on tobacco control Provide technical support</td>
</tr>
<tr>
<td>January 2000</td>
<td>Working group on the framework convention Executive Board</td>
<td>Submit progress report of the working group on the framework convention to the Executive Board at its 105th session Consider the progress of the working group</td>
<td>Provide technical support</td>
</tr>
<tr>
<td>January 2000 to May 2000</td>
<td>Working group on the framework convention</td>
<td>Continue work based on direction from the Executive Board</td>
<td>Provide technical support</td>
</tr>
<tr>
<td>May 2000</td>
<td>Fifty-third World Health Assembly</td>
<td>Submit report of the working group on the framework convention to the Fifty-third World Health Assembly</td>
<td>Hold technical briefing during the Health Assembly on alternative negotiation processes</td>
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<tr>
<td>May 2000 (target date)</td>
<td>Intergovernmental negotiating body</td>
<td>Hold the first organizational session</td>
<td>Convene the first meeting of the intergovernmental negotiating body based on progress achieved by the working group</td>
</tr>
<tr>
<td>May 2000 to May 2003 (Target date for adoption)</td>
<td>Intergovernmental negotiating body</td>
<td>Negotiate the draft framework convention and possible related protocols</td>
<td>Provide technical support</td>
</tr>
</tbody>
</table>
Note: Process and content will be driven primarily by Member States, but will also include input from bodies of the United Nations system, other international, regional, or intergovernmental organizations, and nongovernmental organizations.

Ninth plenary meeting, 24 May 1999
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