

Submission of the President of the Conference of the Parties to the WHO Framework Convention on Tobacco Control to the thematic review of the 2020 United Nations High-level Political Forum

“Accelerated action and transformative pathways: realizing the decade of action and delivery for sustainable development”

1. Key policies and measures to ensure “accelerated action and transformative pathways” for realizing the decade of action and delivery for sustainable development

In 2018, the Eighth Session of the Conference of the Parties (COP8) to the WHO Framework Convention on Tobacco Control (WHO FCTC) adopted the *Global Strategy to Accelerate Tobacco Control: Advancing Sustainable Development through the Implementation of the WHO FCTC 2019–2025 (GS2025)*. GS2025 will guide implementation of the WHO FCTC through 2025, including the activities of the Parties, the Secretariat of the WHO FCTC and its Protocol (Convention Secretariat) and other stakeholders in support of progress at all levels towards the achievement of Target 3.a of Goal 3 of the Sustainable Development Goals (SDGs).

To ensure an accelerated action and transformative pathways for realizing the decade of action and delivery for sustainable development, and taking into accounts that Parties have identified tobacco industry interference as the greatest challenge for the implementation of tobacco control policies, the Conference of the Parties (COP) in 2018 adopted a series of measures for preventing further interference by the tobacco industry in public health policies and maximizing transparency of delegations from Parties and observers to the COP, its subsidiary bodies and other WHO FCTC meetings. To fulfill in its entirety the mandates of Article 13 on banning tobacco advertisement, promotion and sponsorship, it also acknowledged the need to address both national and cross-border tobacco advertisement, promotion and sponsorship in entertainment media, particularly in the light of technological advancements in the way media is delivered. With that purpose a Working Group to develop specific Guidelines to provide further guidance to Parties, was established.

Tobacco industry interference

a. Critical gaps in implementing the 2030 Agenda within the area of responsibility of the intergovernmental body (bearing in mind interrelations with other goals and targets)

The WHO FCTC recognizes the need to be alert to any efforts by the tobacco industry, and by those who work to further its interests, to undermine or subvert tobacco control efforts and the need to be informed of activities of the tobacco industry and its allies that have a negative impact on tobacco control efforts.

b. Priority measures

i. Accelerate action: Raise awareness about the irreconcilable conflict between the tobacco industry, and the interests of public health policy and the achievement of many other goals, and to ensure coherence in the United Nations System towards tobacco industry interference.

ii. Ensure transformative pathways to realize the decade of action for achieving the 2030 Agenda: Emphasize the need for a political commitment from Parties to ensure policy coherence among government sectors in their representation in governing body meetings of different international

intergovernmental organizations (IGOs). Encourage IGOs to implement resolutions from the United Nations Economic and Social Council (ECOSOC) and the *Model Policy for Agencies of the United Nations System on Preventing Tobacco Industry Interference*, and to put strong measures in place to stop any actions the tobacco industry and/or those who work to further its interests, might undertake.

Lack of resources

a. Critical gaps in implementing the 2030 Agenda within the area of responsibility of the intergovernmental body (bearing in mind interrelations with other goals and targets)

As reported in the *2018 Global Progress Report on Implementation of the WHO Framework Convention on Tobacco Control*, of all the reporting Parties, 60% (108) identified specific gaps in implementation, and 101 Parties commented on implementation needs and gaps. Of those, almost two thirds – including several high-income countries – indicated that the financial resources available for national tobacco control do not match the need. Around one third of Parties reported the same shortfall for human resources, or both financial and human resources.

b. Priority measures

i. Accelerate action: GS2025 contains Strategic Objective 3.2 that calls for the need to “support and encourage Parties in their efforts to remove barriers to country-level tobacco control efforts”. Specific objective (3.2.3) calls for mobilization of sustainable resources for tobacco control. In addition, two indicators in GS2025 measure the gap in global funding for WHO FCTC implementation and the number of Parties that fully fund their costed national tobacco control plans or strategies.

ii. Ensure transformative pathways to realize the decade of action for achieving the 2030 Agenda: The 2015 Addis Ababa Action Agenda of the Third International Conference on Financing for Development notes the enormous burden that non-communicable diseases place on developed and developing countries and recognizes, in particular, that, as part of a comprehensive strategy of prevention and control, can be an effective and important means to reduce tobacco consumption and health-care costs, and represents a revenue stream for financing for development in many countries. It reaffirms that Parties to the WHO FCTC will also strengthen implementation of the Convention in all countries, as appropriate, and will support mechanisms to raise awareness and mobilize resources Tax and price measures for tobacco as one of the most effective demand reduction measures as stipulated in Article 6 of the WHO FCTC.

Lack of multisectoral collaboration at the country level and policy coherence at the international level

a. Critical gaps in implementing the 2030 Agenda within the area of responsibility of the intergovernmental body (bearing in mind interrelations with other goals and targets)

As reported in the 2018 Global Progress Report, one of the most common challenges faced by Parties was the lack of or insufficient coordination among sectors. In 2018, some 67% (122) of all Parties had comprehensive, multisectoral tobacco control strategies, plans and programmes. The WHO FCTC recognizes that some of the biggest gains in tackling tobacco can be achieved through direct involvement of sectors other than health, for example finance to tax tobacco products, agriculture to support alternative economic activities to tobacco growing, justice and law enforcement to approve and enforce tobacco control legislation, and tourism and hospitality authorities to help implement smoke-free places. But the efficacy of these interventions is matched only by their complexity. Getting various sectors of government to share a national vision for tobacco control is neither straightforward nor easy. Furthermore, the mere existence

of a national coordination mechanism, on paper, does not guarantee a high degree of functionality. Driving under-implementation of Article 5.2(a) are challenges such as limited understanding across government sectors that the WHO FCTC is an obligation for entire governments (not just ministries of health), low levels of awareness on how strengthened tobacco control would advance – rather than impede – other sectors’ core accountabilities, persistent industry interference in policy-making (covered under Article 5.3), and lack of financial and human resources.

b. Priority measures

i. Accelerate action: GS2025 contains Strategic Objective 3.2. which calls for the need to “support and encourage Parties in their efforts to remove barriers to country-level tobacco control efforts”. Specific objective 3.2.2 calls for promotion of multisectoral collaborative efforts, including collaboration with civil society organizations. In addition, an indicator in GS2025 measures the number of Parties having an operational national multisectoral coordinating mechanism for tobacco control.

ii. Ensure transformative pathways to realize the decade of action for achieving the 2030 Agenda: The WHO FCTC explicitly recognizes the challenge; Article 5.2a obliges Parties to strengthen governance for tobacco control. A toolkit for Parties to implement Article 5.2(a) of the WHO FCTC was jointly developed by the Convention Secretariat and the United Nations Development Programme (UNDP).

Illicit trade in tobacco products

a. Critical gaps in implementing the 2030 Agenda within the area of responsibility of the intergovernmental body (bearing in mind interrelations with other goals and targets)

Illicit trade in tobacco products is contributing to the spread of the tobacco epidemic, undermining tobacco control policies and the implementation of the WHO FCTC (Target 3.a), with serious consequences for public health (Targets 3.4, 3.5).¹ The availability and affordability of tobacco products play a great role in promoting or disincentivizing consumption. A low-tax regime and illicit trade are linked to higher consumption by making tobacco products more affordable, especially impacting young people and socially disadvantaged populations, and also impacting targets related to the reduction of poverty (Objective 1, Targets 1.3, 1.b). Finally, in the financial sphere, tax evasion associated with the illegal tobacco market reduces government tax revenues may instead be used to invest in national health-care systems and the prevention of tobacco use (Objective 3, task 3.a; Objective 17, target 17.1).

b. Priority Measures

i. Accelerate action: Promote the ratification and implementation globally of the Protocol to Eliminate Illicit Trade in Tobacco Products (Protocol), accelerate the implementation of the package of multisectoral measures to be taken by countries and enhance cooperation among countries. In addition, increase cooperation to enhance the effectiveness of law enforcement action to combat illicit trade; encourage international collaboration to provide technical assistance, financial support and capacity-building in countries for the effective implementation of the Protocol; increase revenue collection; and protect public health through implementation of the WHO FCTC.

ii. Ensure transformative pathways to realize the decade of action for achieving the 2030 Agenda: By implementing the global tracking and tracing regime to securing the supply chain and assisting in

¹ According to World Customs Organization (2018), nearly 10% of the global cigarette trade is illicit and it is significantly higher in low- and middle-income countries.

the investigation of illicit trade in tobacco products, in accordance with the deadlines established by the Protocol (Article 8). In addition, encourage overall implementation of the Protocol as part of the 2030 Agenda and to support countries to incorporate its implementation into their national health and development agendas.

Lack of regulations of the novel products

a. Critical gaps in implementing the 2030 Agenda within the area of responsibility of the intergovernmental body (bearing in mind interrelations with other goals and targets):

An increasing number of Parties indicated that the arrival of new and emerging tobacco products in their markets was a growing challenge for both regulators and enforcers of tobacco regulations. These products are creating another layer of interference by the tobacco industry and related industries, as tobacco companies include new products in their marketing and lobbying strategies.

b. Priority measures

i. Accelerate action: The COP has recognized the importance and urgency of this matter and has discussed this specific issue during its past four biennial sessions. The COP at its last session in 2018 reminded Parties of their commitments under the WHO FCTC when addressing the challenges posed by novel and emerging tobacco products, such as heated tobacco products and devices designed for consuming such products, and urged them to consider prioritizing the following measures in accordance with the WHO FCTC and national law. These include: 1) preventing initiation of such products; 2) protecting people from exposure to their emissions; 3) explicitly extending the scope of smoke-free legislation to these products in accordance with Article 8 of the WHO FCTC; 4) preventing health claims from being made about such products; 5) applying measures regarding advertising, promotion and sponsorship of novel and emerging tobacco products in accordance with Article 13 of the WHO FCTC; 6) regulating the contents and the disclosure of the contents of such products; 7) protecting tobacco control policies and activities from all commercial and other vested interests related to such products; and 8) regulating, including restricting, or prohibiting, as appropriate, the manufacture, importation, distribution, presentation, sale and use of novel and emerging tobacco products, as appropriate to their national laws, taking into account a high level of protection for human health.

ii. Ensure transformative pathways to realize the decade of action for achieving the 2030 Agenda: The Ninth Session of the Conference of the Parties in November 2020 will discuss a comprehensive report prepared by the Convention Secretariat and WHO on research and evidence on novel and emerging tobacco products, in particular heated tobacco products, including their health impacts on non-users; their addictive potential, perception and use; attractiveness, potential role in initiating and quitting smoking; marketing including promotional strategies and impacts; claims of reduced harm; variability of products; regulatory experience and monitoring of Parties; and impact on tobacco control efforts and research gaps, with a view to subsequently propose potential policy options to achieve the objectives and measures outlined above.

2. Contribution of the intergovernmental body to accelerated action and transformative pathways and realizing the decade of action and delivery for achieving the 2030 Agenda within its area of responsibility (including its cooperation with ECOSOC and other intergovernmental bodies)

United Nations Interagency Task Force on Prevention and Control of Non-communicable

Diseases: The Convention Secretariat is a member of the United Nations Interagency Task Force on Prevention and Control of Non-communicable Diseases (UNIATF) established by ECOSOC. The Thematic Group on Tobacco Control of the UNIATF was established in 2017. The Convention Secretariat chairs the group and coordinates the work with the assistance of the Secretariat of the UNIATF and other members of the group. The work of the thematic group has been guided by GS2025, adopted by COP8. Current activities of the thematic group include: (i) promoting the *Model Policy for Agencies of the United Nations System on Preventing Tobacco Industry Interference*; (ii) promoting a smoke-free United Nations campus; (iii) working on a joint project on economically viable alternative livelihoods that includes the Convention Secretariat, the Food and Agriculture Organization of the United Nations (FAO), the International Labour Organization (ILO), the World Health Organization (WHO), the United Nations Environment Programme (UNEP), and UNDP; and (iv) promoting implementation of SDG 3.a as an accelerator for achieving the overall SDGs.

Model Policy: The United Nations Secretary-General sent a memo to the members of the Chief Executives Board for Coordination and encouraged them to implement the *Model Policy for Agencies of the United Nations System on Preventing Tobacco Industry Interference* endorsed by ECOSOC in 2017 and emphasized that tobacco industry has no place in the 2030 Agenda for Sustainable Development. Preliminary results of a survey conducted by the Convention Secretariat suggest that most United Nations agencies have yet to develop or implement the Model Policy. However, nine members indicate they do not engage with tobacco industry.

UN Global Compact: The United Nations Global Compact still has at least two organizations, namely, Eliminating Child Labour in Tobacco Growing Foundation and the Transnational Alliance to Combat Illicit Trade (TRACIT), that are directly funded by the tobacco industry, which continues to co-sponsor meetings and events with the organization under the United Nations Secretariat.

International Labour Organization Governing Body: As part of promoting implementation of the *Model Policy for Agencies of the United Nations System on Preventing Tobacco Industry Interference*, an historic decision was made on 31 October 2019 by the 337th ILO Governing Body, following three years of discussions: (a) to authorize the Director-General to publish the Note on the Proceedings of the Technical Meeting to Promote an Exchange of Views on the Further Development and Implementation of the Integrated Strategy to Address Decent Work Deficits in the Tobacco Sector (Kampala, 3–5 July 2019); and (b) to endorse the time-bound and costed integrated strategy to address decent work deficits in the tobacco sector and directed the Office to implement the strategy, which was to be financed by voluntary contributions from multilateral and bilateral aid for development cooperation and/or by ILO resources, in order to operationalize the integrated strategy in the four former public–private partnership countries working in close cooperation with governments and social partners, and in line with previous Governing Body decisions on the issue. The Convention Secretariat and WHO have followed the debate of the sessions of the ILO Governing Body.

Smoke-free policy: With regards smoke-free policy, among those that responded to the survey conducted by the UNIATF Secretariat among the members of the Task force, most had implemented indoor smoke-free policies in line with the United Nations smoke-free policy, and more work remains to be done to make the whole campus smoke free. WHO, the Convention Secretariat and UNIATF jointly published a guidance document to support United Nations agencies in the implementation of the resolution on Smoke-free United Nations premises and encourage them to go beyond the provisions of the resolution by establishing smoke-free campuses. A guide, *How to Make Your*

Campus Smoke-Free, provides step-by-step instructions based on the experience of WHO headquarters in establishing a smoke-free environment.²

International cooperation: The Convention Secretariat participated in the 41st Session of the FAO Conference in June 2019 and called for cooperation on promoting alternative livelihoods for tobacco growing and protection of the environment. A working group consisting of the Convention Secretariat, FAO, ILO, WHO, UNEP and UNDP has been established to develop a toolkit to assist countries in promoting alternative livelihoods for tobacco growing.

3. Selected recommendations for accelerating progress and moving on transformative pathways for realizing the decade of action, for possible use in drafting the High-level Political Forum Declaration.

Recommendation 1. Mobilize efforts at the global, regional and national levels to prevent tobacco industry interference in any public policies.

Recommendation 2: The United Nation system to fully implement the Model Policy to prevent tobacco industry interference to ensure that efforts to protect tobacco control from commercial and other vested interests of the tobacco industry are comprehensive, effective and consistent across the United Nations system including the UN itself and its funds, programmes, specialized agencies, other entities and related organizations.

Recommendation 3. Follow the recommendation of the Addis Ababa Action Agenda and promote tobacco taxation and price policies to increase domestic streams of revenue to support the achievement of the SDGs and achieve better health outcomes.

² <https://apps.who.int/iris/bitstream/handle/10665/330766/WHO-NMH-PND-2019.8-eng.pdf?ua=1>.