WHO FCTC COP8 concludes with new strategy to accelerate tobacco control efforts

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The Conference of the Parties to the WHO Framework Convention for Tobacco Control (FCTC) closed its eighth session (COP8) after adopting a Medium-Term Strategic Framework (MTSF) outlining a new action plan to scale up the global tobacco control agenda over the next few years.

According to the Framework Convention Alliance (FCA), “the most important decision taken during the week – and FCA’s top priority headed into the COP – was arguably the adoption of the first ever strategic plan for the FCTC. Titled the Global Strategy to Accelerate Tobacco Control, this plan provides a roadmap to reach the overarching target to reduce tobacco prevalence use by 30% by 2025.

The Strategy will be an important tool to streamline work under the Convention, to raise funds to address the global funding gap for tobacco control, and to facilitate international cooperation and raise the visibility of the treaty.
In adopting the Strategy, the COP also agreed to set up a peer-led FCTC Implementation Review Mechanism (IRM) by 2020. Common under other treaties, this mechanism involves a review of the implementation reports that Parties provide to the FCTC Secretariat every two years.

The six-day COP8 gathering brought together over 1,200 participants comprising delegations from 148 Parties to the global tobacco control treaty and included representatives of United Nations agencies, other intergovernmental organizations and civil society.

COP8 also achieved significant progress on agreeing to implement mechanisms to increase the transparency of COP sessions and to reduce the ability of industry-influenced delegates to interfere in COP discussions.

For future COP sessions, each Party delegation will be required to declare that they have observed Article 5.3 its guidelines in selecting their delegation to the COP. IGO and NGO observers will be required to submit declarations of any conflict of interest in order to be accredited to attend the COP. COP8 also amended policies to encourage media access to COP discussions, and established screening procedures for media and public attendees to prevent tobacco industry representatives from infiltrating the COP through these badges.

There were a number of other decisions taken at COP8 on treaty instruments and technical matters, including:

- On novel tobacco products, where Parties re-affirmed that Heated Tobacco Products are indeed tobacco products and that, as such, are subject to regulation under the FCTC. COP8 also requested a report on these products for COP9.

- E-cigarettes were also discussed again at COP8, though much more calmy than at past COP sessions. The Secretariat has been encouraged to pursue the idea of an IARC monograph, but no formal decision was adopted.

- On Article 13 (tobacco advertising, promotion, and sponsorship), a working group will draft an addendum to the Article 13 guidelines to deal with the changing media landscape and cross-border advertising. The Secretariat will also establish an online information hub to facilitate exchange between Parties on tobacco advertising activities.

The recent entry into force on 25 September of the Protocol to Eliminate Illicit Trade on Tobacco Products marked another key milestone in global tobacco control efforts. To date, the Protocol has 48 Parties. The first session of the Meeting of the Parties (MOP1) to the Protocol was held on 8-10 October, following the close of COP8.

**Sources:** WHO FCTC Press release and notes of the FCA policy team.
More and more countries adopt
tobacco plain packaging legislation

An international report released by the Canadian Cancer Society shows that there is tremendous international momentum for tobacco plain packaging. There are now 25 countries and territories moving forward with plain packaging, with 9 having adopted the measure and 16 working on it.

The number of countries requiring plain packaging is expected to accelerate further because of the World Trade Organization (WTO) decision on June 28, 2018 that Australia’s plain packaging requirements are consistent with WTO’s international trade agreements. The WTO Panel dismissed the claims that Australia’s tobacco plain packaging laws unjustifiably infringe intellectual property protections and are unnecessarily trade restrictive.

The Canadian Cancer Society report – Cigarette Package Health Warnings: International Status Report – documents global progress on plain packaging, ranks 206 countries and territories on the size of their health warnings on cigarette packages, and lists countries and territories that require graphic picture warnings.
“There is an unstoppable worldwide trend for countries to use graphic pictures on cigarette packages to show the deadly health effects of smoking, and to require plain packaging,” says Rob Cunningham, senior policy analyst, Canadian Cancer Society. “For plain packaging, Australia was the first country to implement the measure, in 2012, and now the dominoes are falling.”

Guidelines under the international tobacco treaty, the WHO Framework Convention on Tobacco Control (FCTC), recommend that countries consider implementing plain packaging. Plain packaging includes health warnings on packages, but prohibits tobacco company branding, such as colours, logos and design elements, and requires the brand portion of each package to be the same colour, such as an unattractive brown. The brand name would still appear in a standard font size, style and location. The package format is standardized. Plain packaging puts an end to packaging being used for product promotion, increases the effectiveness of package warnings, curbs package deception, and decreases tobacco use.

Plain packaging has been implemented in Australia (2012), France (2016), the United Kingdom (2016), Norway (2017), Ireland (2017), New Zealand (2018) and Hungary (2018), will be implemented in Uruguay (2019) and Slovenia (2020), and is in process or under consideration in Canada, Belgium, Thailand, Georgia, Singapore, Nepal, Sri Lanka, South Africa, Romania, Jersey, Guernsey, Taiwan, Chile, Finland, Turkey, and Saudi Arabia.
The tobacco industry had 110 registered lobbyists in Brussels in 2017

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The latest Smoke Free Partnership infographic on tobacco industry presence in the EU policy-making environment is out.

Tobacco industry interference remains the largest obstacle to the implementation of effective tobacco control policies worldwide. When tobacco industry interference results in delays or policies being blocked, this translates into real lives being put at higher risk of disease and death.

SFP has been monitoring the EU Transparency Register to identify and measure the representation of tobacco industry interests. The objective is to shed light on the human and economic resources of the tobacco industry and its allies, who are lobbying the EU institutions.

The infographic focuses on 4 key aspects of tobacco industry spending, namely: direct spending, consultancy spending, full-time staff and accreditations to the EU institutions. In 2017 the tobacco industry had 110 registered lobbyists compared to 85 in 2015. Tobacco lobbying remains big business in Brussels.
Tobacco industry presence in the EU policy-making environment

2018 update (2017 data)

Direct tobacco industry spending

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017</td>
<td>€ 8-10.1 million</td>
</tr>
<tr>
<td>2016</td>
<td>€ 8-10 million</td>
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<tr>
<td>2015</td>
<td>€ 7-8.7 million</td>
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Spending on consultancy

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<tr>
<th>Year</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>2017</td>
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<tr>
<td>2016</td>
<td>€ 1.5-2.7 million</td>
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<tr>
<td>2015</td>
<td>€ 0.3-1.9 million</td>
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</table>

Full-time staff

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017</td>
<td>52.7 FTE (110 people)</td>
</tr>
<tr>
<td>2016</td>
<td>53.9 FTE (106 people)</td>
</tr>
<tr>
<td>2015</td>
<td>49.5 FTE (85 people)</td>
</tr>
</tbody>
</table>

Accredited to EU institutions

<table>
<thead>
<tr>
<th>Year</th>
<th>Accreditations</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017</td>
<td>37</td>
</tr>
<tr>
<td>2016</td>
<td>29</td>
</tr>
<tr>
<td>2015</td>
<td>32</td>
</tr>
</tbody>
</table>

Why is this important?

Tobacco industry interference remains the largest obstacle to the implementation of effective tobacco control policies worldwide. When tobacco industry interference results in delays or policies being blocked, this translates into real lives being put at higher risk of disease and death.

SFP has been monitoring the EU Transparency Register to identify and measure the representation of tobacco industry interests. The objective is to shed light on the human and economic resources of the tobacco industry and its allies, who are lobbying the EU institutions.

How did we conduct the search?

1. Search tobacco manufacturers
2. Search trade associations
3. Search affiliations (other EU/national trade associations, consultancies)
4. Free text search for ‘tobacco’ and ‘cigarette’ in 8 languages (EN, FR, ES, IT, DE, NL)
5. Constant cross referencing, elimination of non-relevant results and cross checking of ambiguities by desk research

Is this estimate exhaustive?

No. This is a conservative estimate of lobbying resources of the tobacco industry for three reasons:

1. Because it is based on the voluntary EU transparency register, it only reflects what is declared in the register.
2. The limited number of languages of the search may mean that interest representatives may not have been included in the results.
3. The register also does not cover law firms, many of which might be representing tobacco industry clients.

SFP MAIN PARTNERS:

- Cancer Research UK
- Ehn
- Foundation against Cancer
- Dutch Cancer Society
- Eureopan Heart Network
- European Cancer Society
- European lung Cancer Association
- European health Coalition

SFP ASSOCIATE PARTNERS:

- ASH
- LA Ligue

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www.smokefreepartnership.eu
During an event on illicit tobacco trade on 29 January 2019 in the European parliament, hosted by MEP Busoi, several speakers were invited: European Commission, SFP, ENSP, ECL, University of Bath and the International Tax Stamp Forum. Luk Joossens outlined the importance of improving the EU system for traceability of tobacco products and made the following statement.

1. We welcome that the EU has adopted a traceability system for tobacco products. My statement on behalf of ECL is also endorsed by SFP, CNCT, and ASH(UK).

2. MS should specify the Unique Identifier (UID) and all five Security Features are independent of the tobacco industry in order to ensure compliance with the requirements of the ITP. This stricter requirement is permitted by the EU delegated and implementing Acts.

3. MS should specify that the UID and all the security features are either on the tax stamp, if a tax stamp is already required, or on a label/stamp affixed to the packet and impossible to remove without damaging it.
4. The EU tracking and tracing system is based on the 2014 Tobacco Products Directive which stipulates that the tobacco companies choose and pay the data storage providers and auditors for implementing and controlling the EU tracking and tracing system. This partnership between the EU and tobacco companies is in conflict with the obligations of the WHO FCTC Protocol on tracking and tracing which will come into force on 25 September 2023.

5. The primary repositories which contain individual industry data were selected by tobacco companies and it is not surprising that several of them had close interaction with the tobacco companies. It is disappointing that this is also true for the secondary data repository, containing all the data, which was selected by the EU.

6. Several of the data storage providers approved by the EU have links with the design, implementation and development of the industry's solution and do not meet the independence obligations required by the WHO FCTC ITP.

7. Independence rules are subject Under Article 28 of the TPD this review is required to be no later than 20 May 2021 but can be in advance of that. Given that the TPD will need revision in advance of 25 September 2023 this process should be commenced without delay.

8. There is emerging evidence that the tobacco industry is promoting a cherry-picked version of the EU system in other parts of the world to promote versions of the industry solution. Ratification of the ITP and implementation according to its letter and spirit is crucial and all Parties must be vigilant.
On 1 February 2019, the World Bank published a very extensive report (over 700 pages): *Confronting Tobacco Illicit Trade: A Global Review of Country Experiences*. According to the World Bank, illicit trade in tobacco products undermines global tobacco prevention and control interventions, particularly with respect to tobacco tax policy. Additionally, tobacco illicit trade often depends on and can contribute to weakened governance.

Confronting Tobacco Illicit Trade: A Global Review of Country Experiences, prepared in collaboration with a multisectoral team across different institutions, demonstrates that reducing illicit trade in tobacco products is critical whether viewed from the perspective of public health, public finance, governance, or equity.

This publication presents country and regional case studies, covering over 30 countries, and provides practical input regarding how to address tobacco illicit trade. It also summarizes the good practices and recommendations that emerge from the country cases and draws on guidance from the WHO Framework Convention on Tobacco Control’s (FCTC) Protocol to Eliminate Illicit Trade in Tobacco Products, as well as from the European Union (EU), and the International Monetary Fund (IMF).
Key messages from this report include the following:

- Tobacco taxes play only a minor role in illicit trade.
- To reduce illicit trade in tobacco products, it is both crucial and feasible for all countries to strengthen tax administration and enforcement.
- The strengthening of tax administration and tobacco tax reform should be viewed as mutually complementary.

This report demonstrates the importance - and feasibility - of addressing illicit trade in tobacco products as an integral part of tobacco tax reform and comprehensive tobacco control. The full World Bank report is available at the following link.
Tobacco taxes remain the most cost-effective measure to reduce tobacco consumption

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Both Belgium and France increased the price of fine cut tobacco. Belgian fine cut tobacco sales decreased by 39% from 9926 tons in 2015 to 6057 tons in 2018. In France, fine cut tobacco decreased by 26% from 8975 tons to 7620 tons in the same period. The tax increases in France had also an impact on the cigarette market: 9.3% less cigarette sales in France in 2018 as result of an increase of one euro per cigarette pack last year.

The Smoke Free Partnership has been offering argumentation, key facts and figures that disprove six misconceptions on tobacco taxation.

- Myth 1: Higher tobacco tax does not reduce consumption
- Myth 2: Higher tobacco tax results in more illicit trade
- Myth 3: Higher tobacco tax hurts the poor the most
- Myth 4: Tobacco tax is a tool of the ‘Bully-state’
- Myth 5: The tobacco industry pays excises and contributes largely to national budgets
- Myth 6: Tobacco tax destroys jobs and harms farmers

Interested to know how to counter false arguments? The SFP Mythbster is available here.
More and more countries are adopting legislation to introduce plain packaging for tobacco products.

Six more countries, including Turkey, Israel and Belgium, have introduced plain packaging.

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The aim of plain packaging is to (1) eliminate promotional aspects of packaging; (2) reduce the appeal of tobacco products; (3) curb deceptive messages conveyed through packaging; (4) enhance the effectiveness of health warnings.

There are 29 countries and territories moving forward with plain packaging, with 15 having adopted the measure and 14 working on it. Plain packaging has been implemented in Australia (2012), France (2016), the United Kingdom (2016), Norway (2017), Ireland (2017) and New Zealand (2018)), will be implemented in Saudi Arabia (2019), Turkey (2019), Thailand (2019), Canada (2019), Uruguay (2019), Slovenia (2020), Israel (2020), Belgium (2020) and Hungary (2021), and is under formal consideration in Singapore, Netherlands, Mauritius, Sri Lanka, Nepal, Malaysia, Romania, Chile, Georgia, Jersey, Guernsey, Taiwan, Finland, and South Africa. We are making progress.

Sources: Canadian Cancer Society, Plain packaging - International overview, 19 May 2016 & Belgian Ministry for Health, 17 May 2019.

Interested to learn more ? Read more here & here.
Interesting results from the survey on food, beverage and tobacco prices carried out in 2018 in 37 participating countries.

*Increasing tobacco taxes is a win-win for health and the economy.*

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Price level indices (PLIs) provide a comparison of countries’ price levels relative to the European Union average: if the price level index is higher than 100, the country concerned is relatively more expensive than the EU average, while if the price level index is lower than 100, then the country is relatively cheaper than the EU average. For tobacco, the price levels were four times higher in the most expensive Member State than in the cheapest in 2018. The lowest price levels were observed in Bulgaria (49% of the EU average), Poland (60%) and Croatia (62%), and the highest in the United Kingdom (204%), Ireland (201%) and France (141%). Outside the EU, price levels were the highest in Norway (222%), Iceland (187%) and Switzerland (121%).

Just a reminder that, according to the World Bank group, increasing tobacco taxes is a win-win for public health outcomes and mobilising domestic resources. Higher taxes on tobacco products reduce tobacco consumption and improve public health, while also increasing government revenues that can be used to fund priority investments and programmes that benefit the whole population.