

GTNF 2016

Brussels

Sept. 27-29

Session 2: FCTC Conference of the Parties: Scope and opportunities

From Nov. 7–11, 2016, India is scheduled to host the seventh session of the Conference of the Parties (COP7) to the World Health Organization's (WHO) Framework Convention on Tobacco Control (FCTC).

During the gathering, representatives of the FCTC's 180 parties will review the implementation of the guidelines and the status quo of the Protocol to Eliminate Illicit Trade in Tobacco Products.

The parties will also debate the "implementation" of FCTC Article 5.3, which has become a mantra on the national and international level, being interpreted as stipulating the exclusion of the tobacco industry from dialogue in order to protect public health policies from the industry's commercial and other vested interests.

The further regulation of tobacco products will be high on the agenda, nicotine reduction above all. Introduced at the previous COP as a measure to reduce addictiveness, it is now in COP7 for adoption despite lack of scientific evidence that nicotine reduction will lead to the desired effect.

The international convention is the only way to create legally binding regulations in international public law. Currently, the average implementation rate of FCTC recommendations stands around 59 percent; although the FCTC is binding to its signatories, some countries are not fully compliant.

Concluded in 2003, the convention appears to be frozen in time and has difficulties with new issues; however, the Conference of the Parties could not ignore electronic nicotine-delivery systems (ENDS), which will also be debated during COP7.

Remarkably, the approach regarding ENDS within the COP has changed significantly, away from an ideology-based approach of a nicotine-free world toward a science-based approach. This indicates that the COP will have to look at other developments in the field of tobacco harm reduction as well, such as heat-not-burn products, meaning, as one of the panel discussants remarked, that the FCTC could eventually move into the real world.

Apart from discussing trade and investment issues, such as whether World Trade Organization rules should apply when it comes to health policy, COP7 will also deal with the status of the FCTC secretariat within the WHO and the UN system and at the national level. Since the current system doesn't give the FCTC enough access, it might aspire to becoming an independent UN organization with direct access to governments and no formal link with the WHO, a proposal that was not well-received.

With 35 papers, the agenda of COP7 will be full. Due to extreme regulation and lack of dialogue and openness, a panelist compared the FCTC's strategy to the prohibition of alcohol in the U.S. in the 1920s. However, in contrast to the FCTC, the U.S.—which is no signatory to the convention—allows participation of the tobacco industry in the shaping of new regulations insofar that the industry is represented in the Tobacco Products Scientific Advisory Committee.

How consumers react to increasing regulation of tobacco products becomes clear in China: Here, the sales volume of slim cigarettes grew to 35.5 billion units in 2015 from 6.9 billion sticks in 2013, which reflects consumers' need for a faster smoke in times of omnipresent smoking bans.