



## Draft decision and the proposed Specific Guidelines to Address Cross-Border Tobacco Advertising, Promotion and Sponsorship (TAPS) and the Depiction of Tobacco in the Entertainment Media

This document relates to item 6.2 of the provisional COP agenda and corresponds to documents [FCTC/COP/10/8](#)

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### **Key recommendation**

- GATC supports the draft decision and the proposed Specific Guidelines and recommends that Parties should adopt them as they are currently written.

### **Key messages**

- Nearly 140 countries or jurisdictions prohibit tobacco advertising via the internet. Despite this, the advertising, promotion and sponsorship of tobacco products (TAPS), including heated tobacco products, ENDS/ENNDS and other nicotine products, is saturating digital media, including social media and streaming content.
- Technological advances in cross-border channels and digital media, together with the market expansion of emerging products, have resulted in new ways for the tobacco industry to target youth. Consequently, existing legal measures aimed at controlling conventional TAPS may need to be updated to keep pace with changes in tobacco industry marketing tactics and the media landscape.
- The draft decision and proposed Specific Guidelines will help Parties to take further action to effectively and comprehensively ban or restrict TAPS and enforce these measures.

### **What is being proposed**

In the **draft decision**, Parties are asked to:

- **Adopt** the proposed Specific Guidelines;
- **Agree** that the specific guidelines apply in addition to, and do not replace or amend, Article 13 of the Convention and the existing Article 13 guidelines;
- **Request** the Convention Secretariat to continue to provide technical assistance to support Parties in the implementation of Article 13; and
- **Fully implement Article 13, monitor and evaluate** the effectiveness of their current measures, and **collaborate** with each other on cross-border enforcement.

The proposed **Specific Guidelines** also calls for **greater collaboration** among Parties that would include:

- **Increased monitoring of cross-border marketing** of all tobacco products, ENDS/ENNDS and other nicotine products;
- **Increased monitoring of advances in technology and diversification of platforms** that tobacco companies use to market their products;
- The development of **mechanisms for regular notification** between Parties;
- The development of **technologies** and other means necessary to eliminate or restrict cross-border TAPS;

- The **strengthening of legal and policy measures**, where needed, which could include a comprehensive definition of ‘**digital media communication platforms**’ to ensure that all forms of TAPS are covered in domestic legislative, executive, administrative and/or other measures;
- The creation and enforcement of **legal obligations on digital media communication platforms**, including social media companies, to identify and remove TAPS content;
- Further implementation of measures to **reduce tobacco depictions** that constitute TAPS in entertainment media, including streaming content, which could include requiring health warnings on entertainment media content that contains tobacco depictions;
- The **withdrawal** of existing tax concessions, production incentives, or subsidies for any entertainment products or services that violate TAPS measures; and
- The **recognition** of the crucial role that civil society plays in monitoring all forms of cross-border TAPS.

### Why this is important

Evidence shows that current tobacco marketing successfully continues to recruit new tobacco users, maintains, or increases use among current users, reduces a tobacco user’s willingness to quit, and encourages former users to start using tobacco again. Data also shows that exposure to TAPS, including smoking imagery in films, increases use among young people. A growing body of research suggests a similar association exists between exposure to ENDS/ENNDS imagery and susceptibility to take up those products.

Comprehensively banning TAPS remains an essential policy to reduce tobacco consumption, particularly among young people. Partial TAPS bans and a lack of enforcement of TAPS measures, including cross-border measures, are ineffective at controlling TAPS.

Tobacco companies are engaging in the same marketing tactics they have used for decades to reach young people and now use digital media communication platforms to reach an even wider unlimited audience of all ages to promote their highly addictive products and re-normalize tobacco use. While tobacco companies claim that their products are intended for and only marketed to current adult smokers, the social media marketing of these products, including the use of social influencers, special events, promotions, and their own social media accounts to equate highly addictive products with aspirational lifestyle content. Tobacco, END/ENNDS, and nicotine pouch product imagery is also increasingly popularized on streaming platforms.

Comprehensively banning and effectively enforcing bans on all TAPS, including cross-border TAPS, is crucial to protect young people online and to promote a safer internet.

### Evidence

WHO Report on the Global Tobacco Epidemic, 2023. World Health Organization; 2023.  
<https://apps.who.int/iris/rest/bitstreams/1523141/retrieve>

Allem JP, Van Valkenburgh SP, Donaldson SI, Dormanesh A, Kelley TC, Rosenthal EL. E-cigarette imagery in Netflix scripted television and movies popular among young adults: A content analysis. *Addictive Behaviors Reports*. 2022;16:100444. doi:[10.1016/j.abrep.2022.100444](https://doi.org/10.1016/j.abrep.2022.100444)

Bennett M, Hair EC, Liu M, Pitzer L, Rath JM, Vallone DM. Exposure to tobacco content in episodic programs and tobacco and E-cigarette initiation. *Preventive Medicine*. 2020;139:106169. doi:[10.1016/j.ypmed.2020.106169](https://doi.org/10.1016/j.ypmed.2020.106169)

Hassanein ZM, Barker AB, Murray RL, Britton J, Agrawal S, Leonardi-Bee J. Impact of Smoking and Vaping in Films on Smoking and Vaping Uptake in Adolescents: Systematic Review and Meta-Analysis. *Health Educ Behav*. 2022;49(6):1004-1013. doi:[10.1177/10901981221086944](https://doi.org/10.1177/10901981221086944)