

MOP2 BULLETIN

MONDAY, 15 NOVEMBER 2021



REMINDER!



**FCA MOP2 Policy
Brief documents
are available on our
website and can be
[accessed here](#).**

PREPARING FOR MOP2: OPPORTUNITIES FOR PROGRESS ON THE PROTOCOL IN THE WEEK AHEAD

So much has changed in the global landscape since the first Meeting of the Parties to the Protocol was held in 2018, in large part due to the COVID-19 pandemic. This major disruptor in global public health has had and continues to have significant, long-lasting effects on the social and economic environments in which we live and work. Its effects are particularly salient for us this week as we attend a virtual MOP, working together to facilitate continued progress on ITP implementation in the midst of continued pandemic-related challenges.

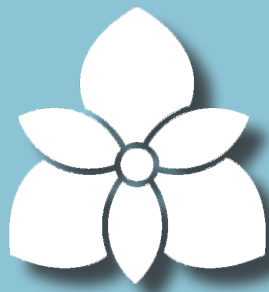
We should all be encouraged by the successes of the virtually-run COP9 held last week, which many of us attended and from which we can all learn valuable lessons on holding effective discussions and negotiations in a virtual environment. The extensive preparations and consultations run by the Convention Secretariat in advance of MOP create a strong foundation for our work. We are well-versed in using Zoom and navigating the special procedures. We know from experience that we can collaborate virtually to make important decisions, as Parties to the COP did with the adoption of the Investment Fund as one example.

Parties should recall, however, that MOP2 includes an agenda with greater scope for technical discussions. The inclusion of such discussions in the agenda makes sense, given the need for such discussions at a key moment of growth for the ITP and given the functionality of discussions with a much smaller group of Parties. Accordingly, Committee A will need to discuss the reports of two Working Groups (one on tracking and tracing, and the other on assistance and cooperation) as well as the proposed implementation assistance strategy. Committee B will be discussing Assessed Contributions, the proposed MOP Investment Fund, and the workplan and budget for the upcoming biennium.

We have a lot of important work ahead of us at MOP2. Given the nature of holding technical discussions in a virtual setting, it will be particularly important for us to use our time wisely and to approach negotiations with a spirit of collaboration.

WATCH THIS SPACE!

We will be looking out for nominees for the Orchid and Dirty Ashtray awards daily. You can nominate Parties throughout the day for either award through your FCA Regional Lead. Nominees will be compiled daily and voted on by members of the FCA COP/MOP listserv after the daily session ends.



ORCHID AWARD



DIRTY ASHTRAY

THE PROTOCOL REQUIRES MORE TECHNICAL ASSISTANCE AND FINANCIAL RESOURCES

Luk Joossens, International consultant on illicit tobacco trade, Belgium

Claire Clement, Smoke Free Partnership, Belgium

On 23 October 2002, more than 1,000 health and other officials gathered in Geneva to negotiate the FCTC. It's important to note that the content of Article 15, on eliminating illicit trade, was agreed on at that meeting not by health officials but three law enforcement agencies. The adoption of Article 15 of the FCTC would later lead to the Protocol to Eliminate Illicit Trade in Tobacco Products. Illicit cigarettes continue to be a leading tobacco control issue, costing governments valuable tax revenue and undermining public health efforts to reduce smoking rates.

“ WE NEED TO FURTHER STRENGTHEN THE CONVENTION SECRETARIAT STAFF WITH DEDICATED SENIOR STAFF TO ENSURE HIGH-LEVEL SUPPORT FOR PARTIES. ”

The Protocol is the first protocol to the WHO Framework Convention on Tobacco Control (FCTC) and it requires a different set of expertise, which may not be common in health agencies. The Protocol is primarily a law enforcement, customs, and tax administration treaty, and therefore requires relevant expertise, especially regarding the assistance for low- and middle-income countries. This was true in 2002 and is still true 20 years later. The Convention Secretariat staff have been reinforced with such relevant expertise and, in order to further support Protocol implementation, we need to further strengthen the Convention Secretariat staff with dedicated senior staff to ensure high-level support for Parties.

The future of the Protocol requires more technical assistance and financial resources. In October 2021, 64 Parties had ratified the Protocol. One third of those Parties don't have the financial resources required to implement the Protocol, and the pandemic has contributed to deepening this funding gap.

When it comes to Protocol deadlines, they must be followed. For instance, under Article 12 effective control in free zones

should be implemented by September 2021, and under Article 8 a global tracking and tracing regime should be set up by September 2023. So far, 14 Parties have indicated that they prohibit the intermingling of tobacco and non-tobacco products and 17 respondents in their official implementation reports indicated that they have authorization to administer controls in free zones. To date, the deadline for implementing effective controls in free zones has not been met. When it comes to tracking and tracing, it remains unclear whether the deadline of 2023 will be honoured. As it stands now, it is expected that the establishment of the global information-sharing focal point will be delayed, as not enough Parties have their track and trace system in place yet. This is a serious problem, especially for low- and lower middle-income countries as they are now faced with a choice of relying on international cooperation and support from the Secretariat or accepting “free” solutions suggested by Big Tobacco. As the latter solution is not really an option, it is up to Parties now at MOP2 to come up with decisions on technical assistance and financial resources to support the Protocol and make it successful.



FRAMEWORK CONVENTION
ALLIANCE

FOLLOW US AT:

