



## **SUPPLEMENT TO THE FCA BRIEFING PAPER: REPORTING AND EXCHANGE OF INFORMATION**

The first reports submitted by Parties to the WHO Framework Convention on Tobacco Control pursuant to their obligations under Article 21 of the Convention were made publicly available on 15 June 2007 on the website of the Interim Secretariat: [http://www.who.int/tobacco/framework/cop/party\\_reports/en/index.html](http://www.who.int/tobacco/framework/cop/party_reports/en/index.html). The majority of these reports were submitted to the Secretariat in February 2007 or earlier.

Having now had the opportunity to review the reports made available on 15 June, the FCA has three recommendations to add to those proposed in our briefing paper, 'Reporting and exchange of information'.

- 1. The Conference of the Parties should decide that all materials referred to by Parties in their periodic reports submitted under Article 21 be placed on a publicly accessible website together with the reports themselves.**

While many Parties' reports included attachments containing explanations of the answers given and supporting documentation, only one such attachment was made available on the website of the Interim Secretariat. The utility of the reporting exercise in allowing Parties to 'learn from each others' experience' in implementing the Convention, in accordance with decision FCTC/COP1(14), depends on the provision of ready access to Parties' reports, including explanations of answers provided, documentation and supplementary information. In the absence of such material, reporting can be reduced to simple 'Yes'/'No' responses, with very little real information being communicated. Lack of access to the information contained in the attachments to Parties' reports significantly diminishes the capacity of Parties to learn from each others' experience, as well as the capacity of civil society to understand Parties' experiences and contribute to the achievement of the objectives of the Convention, as outlined in Article 4.7 and preambular paragraph 17. To ensure that the reporting exercise can perform the functions ascribed to it, it is essential that all reports submitted periodically by Parties be made available in full, meaning that all attachments and other documents referred to in Parties' reports be made available together with the reports themselves.

- 2. The Conference of the Parties should revise the provisional reporting instrument adopted at its first session to require Parties to report, in part 7 (Technical and financial assistance), on technical and financial assistance sought or requested, not only on technical and financial assistance provided and received.**

While it is important that Parties report on technical and financial assistance provided and received, the adequacy of available assistance and the difficulties caused by any lack of available assistance can only be evaluated if Parties also report on technical and financial assistance sought or requested. Currently, the provisional reporting instrument contains only a general question regarding gaps identified by Parties between resources available and needs assessed for financial and technical assistance provided or received. To better understand whether existing needs are being met, and, if not, why they are not being met and how they may better be met in future, the reporting instrument should include a third column for the questions on Articles 21.1(c) and 21.3, in which Parties should indicate whether or not they have sought or requested assistance for the activities listed.

- 3. The Conference of the Parties should remind Parties that they are required to report on the full periods covered by the reporting requirements agreed to in decision FCTC/COP1(14).**

The capacity for collective learning from the reporting exercise is enhanced by consistency in the period upon which Parties' reporting is based. By decision FCTC/COP1(14), the Parties established a system of 'graduated/progressive' reporting, with Parties to report within two years, five years, and then eight years after entry into force of the Convention for each Party. This system of reporting enables Parties to learn from each others' experience at various stages of implementation of the Convention. Under the heading 'Frequency and timing of reports', the Annex to decision FCTC/COP1(14) states that Parties are to 'report initially *two years after ratifying* the Convention' (emphasis added). That is, Parties' initial reports should cover their experiences in implementing the Convention across the first two years after ratification. It is thus concerning that some Parties have submitted their initial reports significantly earlier than two years after their ratification of the Convention, or have indicated in the 'period reported' section of part 1 of the reporting instrument that they are reporting on a period significantly shorter than two years. To ensure that Parties can best learn from each others' experiences in implementing the Convention during the time periods decided upon in decision FCTC/COP1(14), Parties should be requested, in their periodic reporting, to follow the timing referred to in the decision as closely as possible.