

Press Release

Deal on illicit tobacco maintains barrier between tobacco industry and global public health

GENEVA, April 4 – A deal agreed Wednesday to fight the global trade in illicit tobacco maintains the essential barrier between public health and the tobacco industry, and paves the way for governments to ratchet up the fight against the tobacco epidemic by raising taxes.

The agreement on a Protocol on the Illicit Trade in Tobacco Products, made in Geneva by the 174 Parties to the WHO Framework Convention on Tobacco Control (FCTC), was finalised after four years of talks, and is expected to be adopted at the Conference of the Parties to the FCTC in November.

“We congratulate the Parties, the Chair of the negotiating session and the Framework Convention Secretariat for all the hard work that went into this Protocol. It is particularly appropriate that this deal comes in the same year as Parties will also be considering guidelines on tax and price measures,” said Paula Johns, Chair of the Framework Convention Alliance (FCA), a global civil society alliance that has participated in ITP talks from the first meeting in February 2008.

She added, “The illicit trade in tobacco feeds the worldwide tobacco epidemic by flooding markets with cheap products.”

Illicit trade in cigarettes costs governments \$40.5 billion in lost revenue yearly, with losses falling disproportionately on low and middle-income countries. It also undermines attempts to reduce tobacco consumption through price increases – which has proven to be the most effective measure to curb tobacco use. The trade also fuels organised crime and terrorism.

The tobacco industry, which in the past has been complicit in the illicit tobacco trade, has been working relentlessly to insert itself into the fight against the trade, by signing deals with governments to train their Customs officials, for example. Such agreements open the door to industry interference with public health policy, a violation of FCTC Article 5.3 and its Guidelines.

“We were encouraged during these final negotiations to see numerous Parties insist that public health interests take precedence over those of the tobacco industry,” added Johns. “For instance, they rejected strong pressure to include wording that would have supported the industry’s intellectual property claims; rightly so – that is not the role of an international public health agreement.”

Parties also roundly rebuffed language that would have subjected international legal obligations between countries to private agreements made by states with non-state actors – in this case, the tobacco industry.

The Parties unanimously adopted a new obligation of “maximum possible transparency” in their interactions with the tobacco industry, which civil society organisations around the world will be vigilant in helping them fulfil.



Agreement on the protocol will be only the first of many steps required to curb illicit trade. 'Tracking and tracing' tobacco products is central to the ITP, and it is essential that FCTC Parties begin planning capacity building and technical assistance for low-resourced countries on this topic as quickly as possible.

Assistance could involve establishing an expert group to look at the areas in which capacity building and technical assistance are likely to be necessary and how they can best be provided. This could include looking at options for which international organisations might be best placed to provide which type of technical assistance.

Tobacco use killed 100 million people in the 20th century. Its toll in this century is expected to hit 1 billion people, unless current trends change.

Since coming into force in 2005, the FCTC has become one of the most ratified international conventions. It now has 174 Parties, representing 87.4 percent of the world's population.

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