

FRAMEWORK CONVENTION
ALLIANCE*Bulletin***Building Support for
Global Tobacco Control****Inside this issue**

Confiscation	2
Protocol funding	2
Company complicity	3
Cooperación	4
Duty free	5
Tabac sur internet	6
Counterfeit	7
Did you see?	7
Strong Protocol	8
Thanks	8

Today**14.00****Concluding press
conference****Salle 4****DEATH
CLOCK**

Since the opening of the first
working group for the Frame-
work Convention on Tobacco
Control on 25 October 1999,

36,092,480

people have died from tobacco-
related diseases.

(At 9am 15 February 2008)

So far so good

As the first session of the INB draws to a close, FCA looks back on a week of constructive discussions. There was consensus among the Parties on the need for strong measures to address the global problem of illicit trade in tobacco products. This is reflected in the mandate provided to the Chair to prepare a draft text incorporating provisions on all elements of the expert group's protocol template, including measures dealing with the control of the tobacco supply chain, criminalisation and enforcement and international co-operation.

While this week was a productive one, we all know that, in the end, the devil is in the detail. FCA looks forward to seeing the Chair's text and we hope that once the text is before Parties at INB-2, they continue to work constructively towards the adoption, and ultimately implementation, of the strongest possible Protocol.

There are two overarching issues raised this week on which FCA will be watching the discussions at the upcoming INBs closely.

The first concerns the question of 'flexibility'. A number of Parties commented this week on the need for flexibility in the Protocol. While the FCA recognises that in areas dealing with principles of liability, law enforcement practices and legal and judicial processes, some flexibility is required in the way that Parties implement their obligations, we trust that, in the negotiations at subsequent INBs, that remains the way in which flexibility is understood.

The Protocol should contain strong obligations, with some flexibility in relation to *how* these obligations are implemented by Parties, but the Protocol should not allow flexibility as to whether

provisions are implemented. Flexibility is sometimes used as a code word for weak obligations, and we trust that this is not the way in which Parties will seek to use the term in the negotiations at the upcoming INBs.

Second, there have been a number of interventions from Parties about the need to ensure that the Protocol takes account of other relevant agreements and arrangements. While the FCA agrees with Parties that it is essential that the INB looks to the work being done in other fora, and liaises with relevant bodies to ensure that it benefits from their experience and expertise, it is important to recognise that the question of where international matters are best dealt with is ultimately a political matter.

The political support and momentum for strong action on illicit trade in tobacco products is here in *this* forum, in this INB established by the WHO FCTC Conference of the Parties. So, while it is important that there be synergy between the Protocol and the work of other relevant bodies, Parties should not seek to shift substantive matters out of the Protocol and into other fora, in which no similar political support or momentum for action against illicit trade in tobacco products has been developed.

The FCA cautiously congratulates Parties on the progress they have made this week. If the constructive spirit seen this week continues through the upcoming INBs, we can expect to see the adoption of a strong protocol by 2010, as envisaged by the COP, with the results being lives saved and billions in extra revenue collected by governments. FCA looks forward to seeing delegates again at INB-2, and to working with you in the inter-sessional period.

Why confiscate the proceeds of crimes?

Greed is the cause of many crimes. Many criminals are willing to serve prison sentences but the loss of wealth and the associated life-style is deeply disturbing to them.

The primary means of confiscation in many nations is based upon the conviction of the offenders for certain crimes, but some nations also have non-conviction based confiscation that has a lower standard of proof. Both methods have proven successful in the fight against the illicit trade in tobacco.

One of the largest conviction-based confiscations related to the illicit trade in tobacco occurred in the prosecution of a criminal organisation in the United States that smuggled tobacco and liquor products into Canada in the 1990s. The indictment in this case identified more than US\$687 million in criminal transactions.

One of the defendants in this investigation, Northern Brands International, a subsidiary of RJ Reynolds Tobacco Company, pleaded guilty to violating Customs laws and forfeited US\$10 million and paid a fine of US\$5 million. The indictment in this case called for the confiscation of cash, real property, boats, motor vehicles, and other items.

The largest and best-known example of non-conviction based confiscation cases was the action by the European Community (EC) against the major tobacco manufacturers.

This action was civil, rather than criminal or conviction based. The laws of the United States allowed the European Community to utilise a legal system whereby a lower standard of proof could be used to seek a court-ordered judgement against the defendants for the money laundering related to

cigarette smuggling into the European Union.

As we all know, the major manufacturers decided to settle the matter rather than risk further litigation and perhaps face much larger, judicially-ordered payments to the EC.

The issue of non-conviction confiscation is sometimes controversial because of the burden placed upon the defendant and the lower standard of proof, but the



confiscation is reviewed and authority granted by judicial authorities.

The lower standard of proof in non-conviction based confiscations sometimes allows for more timely action to restrain or confiscate proceeds. International application of non-criminal confiscation is limited, since many countries with confiscation legislation require a criminal conviction.

At the recent Convention for Corruption Conference of the Parties, in Bali, Indonesia, the issue of non-conviction based confiscation was widely discussed in several forums. Non-conviction based confiscation was used in the United Kingdom and the United States to recover funds stolen by government officials in other nations and laundered in the United Kingdom and the United States. Some parties advocated that more nations adopt non-conviction based confiscation, where compatible

with their legal systems.

In addition to depriving criminals of their ill-gotten gains, confiscation of proceeds can provide a funding mechanism for law enforcement agencies to combat the illicit trade in tobacco.

Many nations have organised national funds where criminal proceeds are deposited after the court orders their forfeiture. These national funds can provide an alternative means for resources where law enforcement agencies make application for specific operational needs such as travel expenses or equipment. Much of what was confiscated in the joint United States and Canadian investigation was shared among the investigative partners to fund or facilitate other investigations.

John Colledge.

Former US Customs and law enforcement officer

Protocol needs funding

Some interventions yesterday opposed funding for the Protocol on the basis that existing funding arrangements for the FCTC Secretariat and its Conferences of the Parties could cover the Protocol as well.

This is simply a misconception.

The Parties to the Protocol will be a subset of the Parties to the FCTC; the FCTC Parties that are not (or not yet) Parties to the Protocol would be entitled to insist that the money not be used to support a protocol to which they are not Parties.

Unfortunately, if we really want the Protocol we're going to have to pay for it.

Tobacco smuggling: complicity of the cigarette manufacturers

Documenting a rogue industry



The cigarette manufacturers are implicated as prominent players in tobacco smuggling. They deny involvement, of course. These same companies also long denied that their products kill people. Or are addictive. Ultimately, tobacco duplicity was exposed on the health issues. The evidence of their complicity in smuggling is

similarly overwhelming.

Millions of pages of internal documents were obtained in lawsuits against major tobacco companies. Within this cache are numerous pages that point to the complicity of the manufacturers in smuggling their own products.

While most of the documents come from British American Tobacco, BAT kept close watch and reported on the activities of their competitors. Using the term 'GT' (a common BAT euphemism for contraband), in 1992 top BAT executives were told of Japan Tobacco's actions in Taiwan:

"GT product, which has always played an important role in the market, increased significantly during 1989 driven mainly by the JTI in an effort to develop a franchise denied them within the legal market.", 500032095

Overall, the documents point toward a rogue industry. Having previously rationalised selling products that kill people, using smuggling to help market those products, it turns out, was quite a small ethical step.

Why would they smuggle?

It's not just about tax avoidance. Industry documents suggest that smuggling is also an important distribution and marketing tool, interchangeable with the components of the marketing mix for achieving overall goals.

We all know that the same cigarette brands often simultaneously appear in both the legal and illegal market. What you may be unaware of, however, is that the documents suggest in many instances the industry

viewed each as integral to the marketing success of the other, and business plans were predicated upon the appearance of contraband.

"Both [legal and contraband] versions will have a role to play in the further building of the brand and the 'system' profitability.", 203472755

The documents also suggest that the objective of the cigarette companies is not to maximise short-term profits from contraband activities, but to maximise overall profits and advance company interests that ultimately benefit long-term profitability and opportunities. Smuggling, the documents suggest, is simply one more marketing mechanism in the manufacturers' arsenal, not an end in itself.

In addition to tax evasion, smuggling could enable tobacco companies to:

- access an otherwise closed market
- pressure government into reducing taxes
- pressure government to permit legal imports
- replace poorly-made local versions while the manufacturing line is being retooled
- supplement local production when demand exceeds supply
- undertake a fast test of the viability of the brand in the market
- dump otherwise unusable cigarettes

The industry's documents suggest that the companies would like to operate entirely in a legal (if lucratively permissive) environment, if only because there is less risk and volatility. Nevertheless, the companies appear to feel compelled to smuggle, even at risk to their legal sales, for competitive reasons and as leverage to force the market toward conditions they view as most beneficial for their overall profitability.

Mechanics of smuggling

While there are regional differences and changes through time, numerous industry documents suggest the following as a typical organisational hierarchy:

- tobacco manufacturers** set the policy, oversee activities from afar, and at times assert more direct control over specific smuggling routes;
- middlemen** with ongoing relationships with the manufacturer organise the ground personnel and oversee day-to-day operations;
- transiteers** transfer brands across borders, at the direction of or in response to incentives created by the middlemen in furtherance of the manufacturer's policy objective.

This arrangement is consistent with structures the
(Continued on page 4)

(Continued from page 3)

manufacturers are familiar with for their legal cigarettes: selling to distributors who in turn sell onward to others closer to retail distribution. Distribution of contraband cigarettes thus fits readily into pre-existing structures.

Of particular import, the documents suggest that British American Tobacco viewed duty free sales, including specialised duty free trading zones, as an enormously important conduit for contraband. Exploitation was rampant.

Using middlemen, the manufacturers benefit from the legal cover created by distancing themselves from day-to-day operations, the part of the smuggling enterprise most likely to be discovered by authorities. This is a double-edged sword with an inevitable trade-off between control and legal protection. Indeed, BAT documents frequently show company officials vacillating on the degree of control they should be exercising.

Co-ordination is important for smooth functioning of the distribution line and marketing efforts needed to drive sales. The manufacturer controls the timing and volumes of flow of specific brands in order that promotional campaigns, ostensibly in support of a small volume of legal sales ("umbrella sales," to use the jargon BAT uses in their documents) actually yield far greater benefits for a flood of contraband that supplies most of the market.

The relationship between the manufacturers and the middlemen is key. Transiteers come and go, as do specific routes in a volatile environment. If successful, however, tobacco companies have longstanding associations with their middlemen.

The documents suggest that BAT's middlemen most often developed their institutional capacity in legal sales and then branched out into contraband distribution. In the Far East, documents suggest that smuggling

of BAT brands was operated by a Singapore-based Singapura United Tobacco Ltd., or SUTL, a trader in longstanding association with BAT. In North and West Africa, documents suggest that BAT used a similar trading company, Lichtenstein-based Sorexex. In the Middle East and East Africa, documents suggest that BAT used a Dubai-based trading company, the Easa Saleh Al Gurg Group.

Senior Executives Implicated

Denying company-sanctioned involvement in smuggling, the manufacturers accept only that there may be some low-level employee that smuggles unbeknown to senior executives. That position, however, is untenable given the weight of documentary evidence currently available.

Dozens of senior BAT executives appear in a large number of internal company documents as either receiving information about contraband activities being undertaken on behalf of BAT, or providing direction for the execution of those plans.

Lessons for the INB

With an enormous pile of internal documents implicating tobacco companies in cigarette smuggling, the industry is and will remain a significant part of the problem. Slick public relations campaigns and corporate social responsibility programmes cannot erase the damning evidence now on display in all those once-secret memos and internal reports.

A workable protocol must envision that some significant smugglers will be straddling the boundary between legal and illegal sales, being able to move between the two with rapidity, as economic or enforcement circumstances change. Moreover, products can be designed right from the factory floor to be destined for contraband channels.

Eric LeGresley

Es necesario definir prioridades de cooperación internacional en el tema de comercio ilícito de cigarrillos

De la misma manera que los estudios de prevalencia de consumo de tabaco han permitido seleccionar países y regiones prioritarios para la cooperación internacional, es importante ajustar las cifras y actuar en consonancia para enfrentar la problemática del comercio ilícito de cigarrillos.

Se estiman en aproximadamente 600.000 millones los cigarrillos que circulan en el comercio ilícito. Considerando algunas investigaciones periódicas, 10% de estos negocios ilegales al nivel mundial sale por la frontera de Paraguay hacia los países vecinos y de allí al mundo, aprovechando las debilidades estructurales y de capacidad en un país en vías de desarrollo. Hay también resultados de otras investigaciones que sugieren que existe el mismo grave problema en Europa Central y del Este.

Consideramos que un fuerte y decidido apoyo internacional a estas regiones, es la única vía para corregir esta situación.



Incautación de cigarrillos de contrabando del lado argentino de la frontera con Paraguay

Gustavo Piñeiro, ONG Vida Saludable (Paraguay)

Duty-free tobacco sales contribute to smuggling

In some countries, supposed “duty-free” sales are a major source of illicit trade, with duty-free channels often a conduit through which smuggling flows. Cigarettes purportedly intended for “duty-free” sale end up being diverted into illegal smuggling distribution channels.

For example, a single standard retail store in Alexandria, Egypt, in 2007, sold smuggled cigarettes with packages marked as intended “duty-free” for a wide range of countries: “duty-free Levant” (which includes Lebanon, Syria, etc.); Jordan; Egypt Air tax-free shops; South Korea; and the United Kingdom.



Package intended for South Korea, marked “duty-free” on side

Similarly, street vendors in Manila, the Philippines, in 2007, sold smuggled cigarettes that had originally been intended for duty-free sale in many countries, with the “duty-free sales only” indication again marked directly on packages. This is a situation common in many countries.

Legal duty-free sales might be available at land border crossings, airports, water ports, and on-board air stores and ships stores. In some countries, this may extend to duty-free tobacco sales in Free Trade Zones.

Duty-free sales encourage illegal and legal importation by individuals, although the total

volume of such activity is typically much less than organised diversion. Some individuals will bring back to their country (illegally) more cigarettes than allowed by the duty-free limit.

In addition to being a conduit through which contraband flows, duty-free sales provide cigarettes legally at inexpensive sale prices, which increase overall consumption. Duty-free sales also increase the social acceptability of tobacco products, and associate cigarettes with international travel, an association desired by tobacco companies.

The tobacco industry is very much aware of the connection between duty-free sales and smuggling. As tobacco industry document specialist Eric LeGresley wrote to the Canadian Minister of Finance in 2000, just as FCTC negotiations were about to begin:

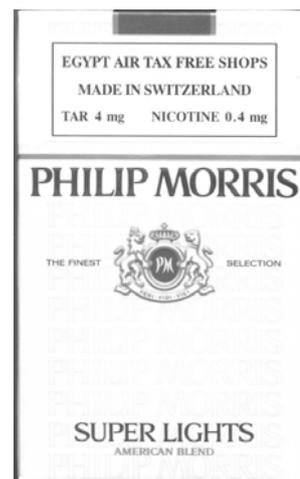
Duty free as a vehicle for contraband flows

“Transit Supply in most areas generally good, in Bangkok leakage of duty-free stocks is high.” 500205893

“The ‘Available at Duty Free’ cover for extensive media coverage needs to be very carefully used, as it can easily become antagonistic and will draw attention to the source of market supply, which we would rather did not come under scrutiny.” 500045757

“A new route [for contraband] is being developed by BATUKE through a small duty free island in the Persian Gulf, Kish Island. Goods are transferred by motor launch to the mainland.” 300051651

“supply will continue to be a major problem in Bangladesh during 1994... SUTL will strive to improve this situation by developing land routes via Myanmar and optimizing duty-free leakage.” 500282756



Package intended for duty-free sale on Egypt Air; marked “Egypt Air Tax Free Shops”

“Around the world, duty free sales are exploited by tobacco smugglers. Duty free provides excellent cover and a convenient conduit for smuggled cigarettes, particularly in developing countries. Indeed, in many countries purported duty-free sales appear to be the single largest smuggling mechanism. I know this through the tobacco industry’s own documents.”

This week during INB-1, at least four Parties called for a ban on duty-free sales.

Singapore has already banned duty-free tobacco sales. Canada requires that federal tobacco taxes apply in duty-free stores. In the European Union, duty-free sales generally are banned for individuals travelling within the EU. Duty-free stores continue to exist in the EU and Canada, with their sales emphasis shifted to products other than tobacco.

Rob Cunningham
Canadian Cancer Society

Tabac sans frontières sur internet

Un observatoire internet a été mis en place en France avec le soutien du Ministère de la Santé. Il porte sur l'occurrence des marques et des produits du tabac sur internet. Cet observatoire s'appuie sur l'examen de données collectées au moyen d'une centaine de mots clés en langue française, dont 25 correspondent à la démarche d'achat en ligne de produits du tabac.

Cette veille a permis d'identifier un certain nombre de pratiques récurrentes et de modes d'approvisionnements.

Le premier constat est que l'on peut très facilement se procurer du tabac sur internet, pour beaucoup moins cher que sur le marché réglementé et ce de diverses manières.

Les propositions commerciales peuvent être diffusées via les forums de discussion. Sur ces sites, la publicité et le commerce sont théoriquement interdits et les régulateurs des forums font respecter la règle en proscrivant tout lien hypertexte vers un site ou la publication de toute adresse internet. Mais ce contrôle sommaire est très facilement contourné par les vendeurs, professionnels ou amateurs, qui recrutent leurs clients sur ces interfaces et continuent la transaction en privé, loin de toute régulation.

La vente de tabac en ligne ne se limite pas à ces échanges plus ou moins improvisés, avec des vendeurs à la sauvette ne proposant qu'une ou deux marques de cigarettes.

De véritables entreprises spécialisées ont vu le jour et proposent une large sélection de cigarettes, cigares et tabac à rouler des marques les plus prisées dans les pays d'Europe occidentale où le tabac est fortement taxé.

La vente de tabac sur internet, une activité présentée comme légale aux internautes

Il s'agit de bureaux de tabac en ligne ayant, pour ainsi dire,

« pignon sur toile ».

Tous prétendent exercer une activité parfaitement légale, dans le strict respect de la législation européenne, selon laquelle « les achats de tabac réalisés par des particuliers au sein de l'Union Européenne, destinés à leur consommation personnelle et ramenés par leurs soins dans leur pays de résidence ne sont soumis à aucune taxe supplémentaire à partir du moment où des droits d'accise ont été acquittés dans le pays d'achat » (http://www.mesclopes.com/index.php?option=com_content&task=view&id=37&Itemid=58). D'autres font référence à « la législation internationale sur la vente de cigarettes et aux standards postaux internationaux qui prévoient l'acquisition d'une seule cartouche par jour pour une personne ». (<http://www.euro-cig.com/?lang=fr&loc=sales>).

Déculpabilisé, le client est aussi rassuré. Non seulement, on lui garantit que la qualité des cigarettes – souvent indiquées comme étant d'origine européenne (Luxembourg, Andorre, Suisse) ou américaine – est équivalente à celles qu'il achète dans son bureau de tabac traditionnel, mais on s'engage à garder son identité secrète.

Enfin, certaines entreprises poussent le « légalisme » jusqu'à « interdire » leur site aux mineurs, sans pour autant mettre en place la moindre sécurité pour s'assurer de l'âge légal de leurs clients.

Un excellent moyen pour contourner les législations en matière de lutte contre le tabagisme

Ces paquets mis en ligne constituent en fait un moyen de détourner les taxes mais aussi les législations en vigueur. Les photos des paquets de cigarettes en ligne constituent en premier lieu de véritables infractions à la législation interdisant la publicité en faveur des marques de tabac.

Ces détournements ne

concernent pas seulement la France, comme l'atteste un observatoire similaire réalisé en Uruguay. On constate en effet que de nombreux paquets de cigarettes uruguayennes sont proposés sur les sites internet, sans avertissements sanitaires, avec les mentions mensongères de « légères », « ultra légères » ... interdites par la législation de ce pays. L'ensemble de ces paquets, très bon marché, peuvent être vendus dans le monde entier sans aucune difficulté.

La difficulté d'identifier et de sanctionner les vendeurs de tabac sur internet appelle à une coopération internationale

Si de nombreux sites s'adressent à des particuliers soucieux de leur pouvoir d'achat, certains proposent donc des quantités manifestement dédiées à la revente, et portent sur de plus grosses quantités.

L'activité illicite de ces sites représente également une source d'approvisionnement des réseaux de contrebande sur les territoires nationaux.

Conscients que leur succès risque d'attirer l'attention des services de douanes nationaux, ces sites tentent de se protéger en se domiciliaient à l'étranger ou tout simplement en dissimulant l'identité et la nationalité de leurs propriétaires.

Les difficultés créées par ces pratiques illicites transnationales rendent nécessaire une action coordonnée au niveau international, comme le préconise le projet de protocole sur le commerce illicite.

Christelle Touré et Emmanuelle Béguinot, Comité national contre le tabagisme (France); Eduardo Bianco, FCA (Uruguay)

Counterfeit cigarettes

There has been a great deal of discussion surrounding counterfeit cigarettes. Exactly what are we talking about? What is the role of the industry in the process? How are counterfeit cigarettes identified?

The packaging, icons, and the cigarette names are trademarks of the manufacturer that are protected by national law and various international conventions. Trademark and copyright laws are frequently referred to as intellectual property rights. For instance, the Marlboro Red packaging and the name "Marlboro" are protected trademarks.

In some instances, the tobacco blend may also be protected by one or more intellectual property rights laws. Trafficking in counterfeit merchandise is a serious offence in many countries that includes penal sanctions and may also form a basis for proceeds of crimes confiscations.

Counterfeit cigarettes began appearing in about 1999. Initially, Marlboro cigarettes comprised the majority of the counterfeit cigarettes that were seized by law enforcement agencies. In the United States, counterfeit tax stamps were seized in hand-carried baggage and in shipments through express carriers such as FedEx and UPS.

In the United States, distributors affix tax stamps as agents of the various states. As a result, counterfeit cigarettes were found in the supply chain with authentic tax stamps affixed to the packages.

Phillip Morris immediately

sought law enforcement assistance to protect their trademark. Seizures of suspect cigarettes rose dramatically. Phillip Morris hired retired or former law enforcement investigators and revenue officers into their Brand Integrity unit. These efforts were eventually expanded globally and BAT began a similar programme to address counterfeit merchandise.



*Genuine – Roto Gravure.
Notice straight, flat ends of bars*

Field detection of counterfeit Marlboros was a simple process utilising an ultraviolet light and a 10-power jeweller's loop. Phillip Morris did not use brighteners in their board or paper products. When ultraviolet light is applied to paper or board with brighteners it glows. Counterfeit packaging glowed under ultraviolet light.

Phillip Morris also utilised Roto Gravure printing on their packages and cartons which has a distinct serrated-appearing edge that is easily detected with a 10-power loop. Further magnified, visual examination of the packaging

revealed certain marks and numbers that would identify the manufacturing location, date, and time of manufacture.

The techniques identified in the previous paragraph are not all-inclusive but they serve to illustrate that the forensic examination of suspect cigarettes is not a difficult process. A laboratory following commonly established forensic examination protocols can conduct many of these examinations. That said, a certain level of co-operation with the trademark holder is required, such as the data needed to decipher the marking schemes.

Given the history of the major manufacturers and their role in the illicit trade, law enforcement agencies should either be conducting the forensic examination in agency laboratories or at least spot-checking industry forensic examination before introducing this evidence into legal trials against traffickers of counterfeit cigarettes.

Law enforcement agencies should not be dependent on the industry to identify counterfeit products. Law enforcement agencies need the co-operation of the industry to protect the trademarks but must control the investigative process. Investigative reports, sources and investigative methods should not be shared with industry.

John Colledge

Did you see?

Hands up how many delegates noticed the sudden disappearance from Wednesday to Thursday of smoking wares from the café a few steps up from the documents desk?

(Not bad for a conference centre which has "No Smoking" warnings emblazoned on its entrance).

If only negotiating a protocol on combating illicit trade could be achieved so quickly.



Strong, effective Protocol needed

The highest importance should be attached to the successful outcome of the negotiations for the Illicit Trade Protocol.

Through addiction, disease and death, the global tobacco epidemic is a scourge of unprecedented magnitude, causing untold suffering among the world's nations, communities and families.

Higher tobacco taxes and prices are a highly effective means to reduce consumption: by preventing adolescents from starting, reducing daily consumption, encouraging quitting, and discouraging relapse by those who have already quit.

Illicit tobacco trade results in consumer access to inexpensive products, which undermines the benefits of a high tobacco tax strategy, and which can dissuade governments from further tobacco tax increases.

While curbing the illicit tobacco trade protects public health, there are other significant benefits of note: protecting

government revenue; preventing crime; and enhancing public safety and security.

The illicit tobacco trade is an enormous threat that must be attacked by governments with a sense of urgency and determination. As these negotiations proceed, the governments of the world should pursue a Protocol that is comprehensive, that is effective, and that has maximum impact on reducing the illicit tobacco trade.

At stake – literally – are the health and lives of vast numbers of people from every corner of the world.

*Rob Cunningham
Canadian Cancer Society*



If you can't stay up all night don't stay up all day

To all of those who distributed the *Bulletin* first thing in the morning, thank you. To all those who took the time to write, thank you. And thanks - to you - the readers.

The editorial team of Andrew Kerr and Margarida Silva were sterling, brave, and patient in learning a new system, dealing with a new editor-in-chief, and remaining ever professional regardless of the conditions.

Thank you to Deborah, Alison and Francis, and others who came in late to help out. Thank you to Andrew for doubling up as 'snapper' extraordinaire.

Thank you to those who contributed fulsomely to the debates over the Orchid and Ashtray Awards – opinions were often heart felt and argued persuasively by the members, only to be studiously ignored by the editor-in-chief.

Thank you, it's been a blast.

FRAMEWORK CONVENTION ALLIANCE

The Framework Convention Alliance (FCA) is a global alliance of NGOs working to achieve the strongest possible Framework Convention on Tobacco Control. Views expressed in the *Alliance Bulletin* are those of the writers and do not necessarily represent those of the sponsors.

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Dirty Ashtray Award

None today—hooray!



Orchid Award

To the European Union for providing a clear rationale and good examples to support the key elements of the Protocol.

