



# WORLD HEALTH ORGANIZATION

INTERGOVERNMENTAL NEGOTIATING BODY A/FCTC/INB2/WG1/Conf.Paper No.4 Add.1  
 ON THE WHO FRAMEWORK CONVENTION 5 May 2001  
 ON TOBACCO CONTROL  
 Second session  
 Agenda item 4

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## WHO framework convention on tobacco control

### Additional textual proposals from Working Group 1 on section K.2 of document A/FCTC/INB2/2

[Extract from document A/FCTC/INB2/2]

#### ***K. Surveillance, research and exchange of information***

2. The Parties undertake to develop, promote and coordinate as far as possible national, regional and global research programmes for the purpose of this convention. To this end, each Party shall, in accordance with the means at its disposal and its capabilities:

- (a) initiate and cooperate, directly or through competent international bodies, in the conduct of research and of scientific assessments, as detailed in Annex [INSERT];
- (b) promote and encourage research that contributes to reducing tobacco consumption and harm from tobacco use, particularly in developing countries, taking fully into account the recommendations of the Conference of the Parties.

[End of extract]

#### **Text proposed by Australia**

2. The Parties undertake to develop, promote and coordinate as far as possible national, regional and global research programmes for the purpose of this convention. To this end, each Party shall:

- (a) promote and encourage research that contributes to reducing tobacco consumption and harm from tobacco use;
- (b) initiate and cooperate, directly or through competent international bodies, in the conduct of research.

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INTERGOVERNMENTAL NEGOTIATING BODY A/FCTC/INB2/WG1/Conf.Paper No.1 Add.1  
ON THE WHO FRAMEWORK CONVENTION 5 May 2001  
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## WHO framework convention on tobacco control

### Additional textual proposals from Working Group 1 on sections G.1, G.1(a) and G.1(b) of document A/FCTC/INB2/2

[Extract from document A/FCTC/INB2/2]

#### ***G. Non-price measures to reduce the demand for tobacco***

1. Each Party shall, to the extent possible within the means at its disposal and its capabilities, adopt legislative, executive and administrative measures, and cooperate with other Parties in harmonizing appropriate non-price policies, in order to reduce tobacco consumption and exposure to tobacco smoke. Such measures and policies shall include the following:

[End of extract]

#### **Text proposed by Oman**

1. Each Party shall adopt effective measures and policies, and cooperate with other Parties concerned in order to reduce tobacco consumption and exposure to tobacco smoke. Such measures and policies shall include, *inter alia*, the following:

#### **Text proposed by Panama**

New title: *Public health measures to reduce the demand for tobacco*

1. Each Party shall, to the extent possible within the means at its disposal and its capabilities, adopt legislative, executive and administrative measures, and cooperate with other Parties in the development of appropriate public health policies to reduce the prevalence of smoking, nicotine dependence and exposure to tobacco smoke. Such measures and policies shall include the following:

[Extract from document A/FCTC/INB2/2]

*(Passive smoking)*

(a) implementation of legislation and other effective measures at the appropriate governmental level that provide for systematic protection from exposure to tobacco smoke in indoor workplaces, enclosed public places, and public transport, with particular attention to special risk groups such as children and pregnant women;

[End of extract]

**Text proposed by Australia**

(a) ensure that all persons are systematically protected from exposure to tobacco smoke in indoor workplaces, enclosed public spaces and public transport;

**Text proposed by Panama**

(a) implementation of legislation and other effective measures at the appropriate governmental level that provide for systematic protection, in accordance with established family health standards (especially those relating to children and pregnant women), from exposure to tobacco smoke in enclosed public places, and in crowded open spaces;

**Text proposed by Republic of Korea**

(a) implementation of legislation and other effective measures at the appropriate government level that provide for systematic protection from exposure to tobacco smoke in indoor workplaces, enclosed public parties and public transport, and prohibition of smoking in areas frequented by special risk groups such as children and pregnant women;

**Text proposed by Trinidad and Tobago**

New title: *Exposure to second-hand smoke*

(a) implementation of legislation, voluntary agreements or other effective measures that provide protection from exposure to second-hand smoke in workplaces, public places, educational institutions and public transport;

**Text proposed by the United States of America**

(a) implementation of legislation and other effective measures at the appropriate governmental level:

(i) prohibiting smoking in places providing services to children, such as schools, libraries and day care, health care and early childhood development settings;

- (ii) prohibiting smoking in the indoor premises of government agencies and authorities and comparable public bodies intended for the public and clients;
- (iii) promoting effective education campaigns on the subject of smoke-free homes and other environments, with special attention to the health effects of the most vulnerable, such as children and pregnant women;
- (iv) states should be encouraged to enforce second-hand smoke restrictions through innovative actions.

[Extract from document A/FCTC/INB2/2]

*(Regulation of contents of tobacco products)*

- (b) adoption of standards for the regulation of the contents of tobacco products, including standards for testing and measuring, designing, manufacturing and processing such products, and cooperation in the development and harmonization of such standards under the auspices of the World Health Organization;

[End of extract]

**Text proposed by Canada**

- (b) adoption of standards for the regulation of the testing and measures of tobacco product emissions. parties shall make every effort to ensure that standards and test methods be developed through internationally recognized standards-writing organization(s) utilizing experience gathered by Member States;

**Text proposed by China**

- (b) adoption of standards for the regulation of the contents of tobacco products, including standards for testing and measuring, designing, manufacturing and processing such products. Such standards should be formulated and harmonized through cooperation between WHO and ISO;

**Text proposed by the Côte d'Ivoire**

- (b) adoption of a maximum level of toxicity per unit of tobacco product for the regulation of the contents of tobacco products by the use of tests and analyses whose reliability is attested by the World Health Organization;

**Text proposed by Panama**

- (b) adoption of national and international standards for the regulation of the different products toxic to health used in the manufacture and processing of tobacco products, which

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provisions shall be included in the ISO standards, as provided for in the relevant protocol. The Parties shall establish mechanisms to facilitate tests and measurements to monitor the standards and protocols regulating the contents of tobacco products of concern to public health, which shall require the cooperation and auspices of the World Health Organization.

**Text proposed by Republic of Korea**

(b) adoption of standards for the regulation of the contents of tobacco products, including standards for testing, measuring and designing such products, and cooperation in the development and harmonization of such standards under the auspices of the World Health Organization;

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INTERGOVERNMENTAL NEGOTIATING BODY A/FCTC/INB2/WG2/Conf.Paper No.1 Add.2  
ON THE WHO FRAMEWORK CONVENTION 5 May 2001  
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## WHO framework convention on tobacco control

### Additional textual proposals from Working Group 2 on section F.2 of document A/FCTC/INB2/2

[Extract from document A/FCTC/INB2/2]

#### *F. Price and tax measures to reduce the demand for tobacco*

2. Each Party shall, to the extent possible within the means at its disposal and its capabilities, adopt legislative, executive and administrative measures, and cooperate with other Parties in harmonizing appropriate tax policies, in order to reduce tobacco consumption and exposure to tobacco smoke. Such measures and policies shall include the following:

- (a) prohibition of tax-free and duty-free sales of tobacco products;
- (b) imposition of taxes on tobacco products so as to achieve a stable and continuous reduction in tobacco consumption;
- (c) adoption of other price and tax measures that may be recommended by the Conference of the Parties.

[End of extract]

#### **Text proposed by Pakistan**

2. Each Party shall, to the extent possible within the means at its disposal and its capabilities, adopt legislative and administrative measures, in order to reduce tobacco consumption and exposure to tobacco smoke. Such measures and policies shall include the following:

- (a) Delete.

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INTERGOVERNMENTAL NEGOTIATING BODY  
ON THE WHO FRAMEWORK CONVENTION  
ON TOBACCO CONTROL

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## WHO framework convention on tobacco control

Textual proposals made in the third meeting of Working Group 2,  
Thursday, 3 May, 2001 on sections K.1, K.3, K.4, D.4-5, D.7,  
D.9-12(new) and E.3 of document A/FCTC/INB2/2

[Extract from document A/FCTC/INB2/2]

### *K. Surveillance, research and exchange of information*

1. The Parties shall establish joint or complementary programmes for national, regional and global surveillance of the magnitude, patterns, determinants and consequences of tobacco consumption. To the extent possible, the Parties shall integrate tobacco surveillance programmes into national, regional and global health surveillance programmes. To this end, each Party shall, in accordance with the means at its disposal and its capabilities:

(a) establish, progressively and as appropriate, a national system for the epidemiological surveillance of tobacco consumption, periodically updating economic and health indicators so as to monitor the evolution of the problem and the impact of tobacco consumption control;

(b) cooperate with international bodies, including the World Health Organization, in regional and global tobacco surveillance and exchange of information on the indicators specified in Annex [INSERT].

[End of extract]

### **Text proposed by Australia**

1. The Parties shall:

(a) establish an on-going national system for the epidemiological surveillance of tobacco consumption;

(b) cooperate with international bodies, including the World Health Organization, in regional and global tobacco surveillance, and exchange of information including on the common indicators specified in Annex [INSERT];

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- (c) ensure that their tobacco control laws and regulations, and information from their surveillance programmes, are made public and freely available.

**Text proposed by Bosnia and Herzegovina**

- (a) establish progressively and as appropriate, a national system for the epidemiological surveillance of tobacco consumption, periodically updating socio-economic and health indicators, so as to monitor the evolution of the problem and the impact of tobacco consumption control;

**Text proposed by Chile**

1. The Parties shall establish joint or complementary programmes for national, regional and global surveillance of the magnitude, patterns, determinants and consequences of tobacco consumption. The Parties shall integrate tobacco surveillance programmes into national, regional and global health surveillance programmes. To this end, each Party shall, with the cooperation of international organizations:

**Text proposed by El Salvador**

1. The Parties shall establish joint or complementary programmes for national, regional and global surveillance of the consequences of tobacco consumption. The Parties shall collaborate among themselves, as far as possible, to ensure that tobacco surveillance programmes are integrated into national, regional and global health surveillance programmes. To this end, each Party shall:

**Text proposed by Honduras**

1. The Parties shall establish joint or complementary programmes for national, regional and global surveillance of tobacco consumption. To the extent possible, the Parties shall integrate tobacco surveillance programmes into national, regional and global health surveillance programmes. To this end, each Party shall, in accordance with the means at its disposal and its capabilities:

**Text proposed by Israel**

New title: *K. Monitoring, research and exchange of information*

1. The Parties shall establish joint or complementary programmes for national, regional and global monitoring of the magnitude, patterns, determinants and consequences of tobacco consumption. To the extent possible, the Parties shall integrate tobacco monitoring programmes into national, regional and global health monitoring programmes. To this end, each Party shall, in accordance with the means at its disposal and its capabilities:

- (a) establish, progressively and as appropriate, a national system for the epidemiological monitoring of tobacco consumption, periodically updating economic and health indicators so as to monitor the evolution of the problem and the impact of tobacco consumption control;



- (b) cooperate with international bodies, including the World Health Organization, in regional and global tobacco monitoring and exchange of information on the indicators specified in Annex [INSERT].

**Text proposed by Jamaica**

- (a) establish, progressively and as appropriate, a national system for the epidemiological surveillance of tobacco consumption and its sequelae, periodically updating economic and health indicators so as to monitor the evolution of the problem and the impact of tobacco consumption control;

**Text proposed by Pakistan**

1. The Parties shall establish programmes for national surveillance of the magnitude, patterns, determinants and consequences of tobacco consumption. To the extent possible, the Parties shall integrate tobacco surveillance programmes into national health surveillance programmes. To this end, each Party shall, in accordance with the means at its disposal and its capabilities;

- (a) establish, progressively and as appropriate, a national system for the epidemiological surveillance of tobacco consumption, if required, periodically updating national economic and health indicators so as to monitor the evolution of the problem and the impact of tobacco consumption control;
- (b) delete.

**Text proposed by Panama**

(a) establish, progressively and as appropriate, a national system for the epidemiological surveillance of smoking, tobacco consumption and dependence, nicotine addiction, harm to health linked to tobacco consumption and which increases national and global morbidity and mortality, periodically updating economic and health indicators so as to monitor the evolution of the problem and the impact of tobacco consumption control;

(b) define the epidemiological surveillance system and set down the minimum epidemiological indicators for systematic analysis of the national, regional and global situation and trends in tobacco use, smoking, nicotine addiction and tobacco dependence, and other kinds of harm to health that scientific evidence has shown to be linked to tobacco consumption. The epidemiological surveillance system and indicators shall be defined in a protocol, which will not hinder countries from monitoring any other aspect of national interest not included in the former.

**Text proposed by Rwanda**

- (c) the Conference of the Parties shall determine indicators for different determinants of tobacco consumption and means of tobacco control, and a comparative report shall be submitted at each regular session.

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**Text proposed by South Africa (on behalf of Member States of the WHO African Region present at INB2) (see note at the end of the document)**

1. The Parties shall establish joint or complementary programmes for national, regional and global surveillance of the magnitude, patterns, determinants and consequences of tobacco consumption. To the extent possible, the Parties shall integrate tobacco surveillance programmes into national, regional and global health surveillance programmes. To this end, each Party shall:

**Text proposed by Syrian Arab Republic**

Title: *K. Monitoring, research and exchange of information*

**Text proposed by Trinidad and Tobago**

1. The Parties shall establish programmes for national, regional and global surveillance of the magnitude, patterns, determinants and consequences of tobacco consumption including exposure to second-hand smoke. To the extent possible, the Parties shall integrate tobacco surveillance programmes into national, regional and global health surveillance programmes. To this end, each Party shall:

- (a) establish and maintain a national system for the epidemiological surveillance of tobacco consumption and exposure to second-hand smoke and must include:
  - (i) periodic update of economic indicators to include loss of productivity;
  - (ii) periodic update of health indicators to include evaluations of public health communication campaign.

**Text proposed by the United States of America**

1. The Parties should establish joint or complementary information sharing programmes for national, regional and global surveillance of the magnitude, patterns, determinants and consequences of tobacco consumption. Taking into account the means at their disposal and their capabilities, the Parties should cooperate in their national tobacco surveillance programmes so that data is comparable and can be analysed at the regional and global level, as appropriate. To this end, each Party should:

- (a) establish, progressively and as appropriate, a national system for the epidemiological surveillance of tobacco consumption, periodically updating economic and health indicators so as to monitor the evolution of the problem and the impact of tobacco control measures;
- (b) cooperate with international bodies, including the World Health Organization, in regional and global tobacco surveillance and exchange of information on the indicators specified in Annex [INSERT];

**Text proposed by Venezuela**

- (c) promote and strengthen, with support from the international organizations, the training and preparation of multidisciplinary teams to gradually develop surveillance systems, research and programmes of intervention and control for tobacco control.

[Extract from document A/FCTC/INB2/2]

3. The Parties shall facilitate the exchange of information, taking into account the special needs of developing countries. To this end, the Parties, in accordance with their national legislation and without prejudice to their obligations under other applicable international agreements, shall, within the framework of the Conference of the Parties and bilaterally, promote and cooperate in the full, open and prompt exchange of scientific, technical, socioeconomic, commercial and legal information, as well as information regarding practices of the tobacco industry, relevant to this convention. Each Party shall, in accordance with the means at its disposal and its capabilities:

(a) compile and maintain a database of national and subnational laws and regulations on tobacco control and enforcement, and cooperate in the development of complementary programmes for national, regional and global tobacco control;

(b) compile and maintain a base of data from national surveillance programmes in accordance with Article [INSERT] above.

[End of extract]

**Text proposed by Algeria (on behalf of Member States of the WHO African Region present at INB2) (see note at the end of the document)**

(a) compile and maintain a database of national and subnational laws and regulations on tobacco control and enforcement, and cooperate in the development of complementary programmes for national, regional and global tobacco control;

**Text proposed by Australia**

3. Delete.

**Text proposed by Canada**

3. The Parties shall, in accordance with their domestic legislation and taking into account the special needs of developing countries, facilitate through the Secretariat of the Convention the exchange of scientific, technical, socioeconomic, commercial and legal information, as well as information regarding practices of the tobacco industry, relevant to this Convention. Each Party shall:

(a) compile and maintain a database of domestic laws and regulations on tobacco control and enforcement, and cooperate in the development of complementary programmes for national, regional and global tobacco control;

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- (b) compile and maintain a database from national surveillance programmes in accordance with Article [INSERT] above.

**Text proposed by Cuba**

3. The Parties shall facilitate the exchange of information, taking into account the special needs of developing countries. To this end, the Parties, in accordance with their national legislation, where appropriate and without prejudice to their obligations under other applicable international agreements, shall, within the framework of the Conference of the Parties and bilaterally promote and cooperate in the full, open and prompt exchange of publicly available scientific, technical, socioeconomic, commercial and legal information, as well as information regarding the practices of the tobacco industry relevant to this Convention. Each Party shall, in accordance with the means at its disposal and its capabilities:

**Text proposed by El Salvador**

3. The Parties shall promote and facilitate full, open and continuous exchange of scientific, technical, socioeconomic, commercial and legal information, and information on the practices of the industry and tobacco cultivation relevant to this Convention. The exchange of such information among the Parties shall proceed in accordance with its national legislation and taking into account the special needs of developing countries. To this end, each Party shall, in accordance with the means at its disposal and its capabilities:

- (a) compile and maintain an updated database of national laws and its regulations on tobacco control and enforcement, and cooperate in the development of complementary programmes for regional and global tobacco control;
- (b) compile and maintain an updated base of data from national tobacco surveillance, control and prevention programmes.

**Text proposed by India**

3. The Parties shall facilitate the exchange of information, taking into account the special needs of developing countries. To this end, the Parties, in accordance with their national legislation and without prejudice to their obligations under other applicable international agreements, shall, within the framework of the Conference of the Parties, promote and cooperate in the full, open and prompt exchange of scientific, technical, socioeconomic, commercial and legal information, as well as information regarding practices of the tobacco industry, relevant to this convention. Each Party shall, in accordance with the means at its disposal and its capabilities:

**Text proposed by Iran**

3. The Parties shall facilitate the exchange of information, taking into account the special needs of developing countries. To this end, the Parties, in accordance with their national legislation and without prejudice to their obligations under other applicable international agreements, shall, within the framework of the Conference of the Parties and bilaterally, promote and cooperate in the full, open

and prompt exchange of scientific, technical, socioeconomic, commercial and legal information, as well as information regarding practices of the tobacco industry and cultivation, relevant to this convention. Each Party shall, in accordance with the means at its disposal and its capabilities:

**Text proposed by Israel**

- (b) compile and maintain a base of data from national monitoring programmes in accordance with Article [INSERT] above.

**Text proposed by Pakistan**

- (b) Delete.

**Text proposed by the Russian Federation**

3. The Parties shall facilitate the exchange of information, taking into account the special needs of developing countries, and also countries needing assistance. To this end, the Parties, in accordance with their national legislation and without prejudice to their obligations under other applicable international agreements, shall, within the framework of the Conference of the Parties and bilaterally, promote and cooperate in the full, open and prompt exchange of scientific, technical, socioeconomic, commercial and legal information, as well as information regarding practices of the tobacco industry, relevant to this Convention. Each Party shall, in accordance with the means at its disposal and its capabilities:

**Text proposed by the United States of America**

3. Each Party should endeavour to foster, in accordance with its national laws and regulations, practices, and international obligations, and taking particular account of the needs of developing countries, to promote and facilitate the exchange of information relevant to this convention;

[Extract from document A/FCTC/INB2/2]

4. Information to be exchanged pursuant to Article [INSERT] above shall be provided to the Conference of the Parties.

[End of extract]

**Text proposed by Australia**

4. Delete.

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**Text proposed by Cuba**

4. Regional and international health organizations shall provide technical and financial support for developing countries to fulfil their commitments on information exchange, especially the establishment and maintenance of the database.
5. Information to be exchanged pursuant to Article [INSERT] above shall be provided to the Conference of the Parties.

**Text proposed by India**

4. Information to be exchanged pursuant to Article [INSERT] above shall be determined by and provided to the Conference of the Parties.

**Text proposed by Pakistan**

4. Delete.

[Extract from document A/FCTC/INB2/2]

**D. Guiding principles**

4. The importance of financial assistance to aid the economic transition of tobacco growers and workers that may be displaced as a future consequence of successful tobacco-control programmes should be recognized.

[End of extract]

**Text proposed by Algeria (on behalf of Member States of the WHO African Region present at INB2) (see note at the end of the document)**

4. The importance of financial and technical assistance to aid the economic transition of tobacco growers and workers that may be displaced as a future consequence of successful tobacco-control programmes should be recognized and taken into account.

**Text proposed by Argentina**

4. The importance of financial assistance to aid the economic transition of tobacco growers and workers that may be displaced as a future consequence of successful tobacco-control programmes, *particularly in the developing countries*, should be recognized.

**Text proposed by Bolivia**

4. The importance of financial assistance to aid the economic transition of tobacco growers and workers that may be displaced as a future consequence of successful tobacco-control programmes should be recognized, with policies for the absorption of labour in alternative or other activities, depending on regional requirements.

**Text proposed by Bosnia and Herzegovina**

4. The importance of financial assistance to aid the economic transition of tobacco growers and workers that may be displaced as a future consequence of successful tobacco-control programmes should be recognized. It will be better to organize "global agro lobby" to aid economic transition of tobacco growers, as World Bank, etc.

**Text proposed by Brazil**

4. The importance of assuring financial and technical assistance to aid the economic transition of tobacco growers and workers that may be displaced as a future consequence of successful tobacco-control programmes should be recognized.

**Text proposed by China**

4. The importance of international financial assistance (including technical and financial cooperation and support) to aid the economic transition of tobacco growers and workers that may be displaced as a future consequence of successful tobacco-control programmes should be recognized.

**Text proposed by Cuba**

4. The importance of financial assistance to meet the negative social and economic consequences for tobacco growers and workers that may occur in the future as consequence of successful tobacco-control programmes should be recognized.

**Text proposed by the Democratic Republic of Congo**

4. Creation of a fund to provide financial assistance to facilitate the economic transition of tobacco growers and workers that may be displaced as a future consequence of successful tobacco-control programmes and to finance young people who agree to give up the tobacco trade.

**Text proposed by India (on behalf of Member States of the WHO South-East Asia Region)**

4. The importance of financial assistance, including the creation of a Global Fund mechanism, to enable and aid the economic transition of persons engaged in tobacco farming and manufacture of tobacco products, in the developing countries, should be recognized.

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**Text proposed by Jamaica**

4. It is imperative that the necessary financial and technical support be provided to assist with the political, social, economic and cultural transition brought about by the decline in all aspects of the tobacco industry in the domestic setting.

**Text proposed by Nepal**

4. The importance of financial assistance, including the creation of a Global Fund mechanism, to enable and aid the economic transition of persons engaged in tobacco farming and manufacture of tobacco products, in the developing countries, especially in the least developed countries, should be recognized.

**Text proposed by Panama**

4. The importance of financial assistance to aid the economic transition of tobacco growers and workers that may be displaced as a future consequence of programmes for the control of tobacco consumption and for the development of public health actions for the effective implementation of this Convention.

**Text proposed by the Philippines**

4. The importance of technical assistance to aid the economic transition of tobacco growers and workers that may be displaced as a future consequence of successful tobacco-control programmes should be recognized. Developed industrialized countries have a responsibility to aid the economic transition of tobacco-dependent economies to other equally viable alternatives through the provision of adequate financial and technical assistance as well as access to markets and appropriate technology.

**Text proposed by Tunisia**

4. The importance of providing special financial assistance, through international cooperation, to encourage tobacco growers and workers to undertake alternative activities within the framework of tobacco-control programmes, should be recognized.

**Text proposed by the United States of America**

4. The importance of government assistance to aid the transition of tobacco growers and workers that may be displaced as a future consequence of successful tobacco control programmes should be recognized.



**Text proposed by Venezuela**

4. The importance is recognized of national and/or international financial assistance to aid the economic transition of growers and workers who may be displaced as a future consequence of successful tobacco-control programmes.

[Extract from document A/FCTC/INB2/2]

5. Tobacco-control measures should not constitute a means of arbitrary or unjustifiable discrimination in international trade.

[End of extract]

**Text proposed by China**

5. Delete.

**Text proposed by the European Community (and on behalf of its Member States), Czech Republic, Poland and Romania**

5. Priority should be given to public health protection when tobacco-control measures provided for in this Convention are examined for compatibility with other international agreements.

**Text proposed by India (on behalf of Member States of the WHO South-East Asia Region)**

5. Tobacco control measures taken to protect human health should not be deemed as constituting a means of arbitrary or unjustifiable discrimination in international trade.

**Text proposed by Iran**

5. Priority should be given to public health protection when tobacco control measures are examined for compatibility with other international agreement.

**Text proposed by Norway**

5. Delete.

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**Text proposed by Oman**

- 5.
- (i) the Parties agree to all necessary measures to ensure that no person acting on their behalf shall attempt to:
- (a) remove, weaken, undermine or otherwise interfere with tobacco control measures in force or under consideration in another state; or
- (b) promote tobacco exports or tobacco use in another state.
- (ii) in the event of a conflict between this Convention or any of its protocols and any other international agreement, this Convention and its protocols shall prevail. Lack of full scientific certainty regarding the efficacy of specific tobacco control measures shall not be used as a reason for postponing measures to control tobacco or for challenging such measures taken by other states.

**Text proposed by Panama**

5. Delete.

**Text proposed by the Russian Federation**

5. Tobacco-control measures must take into account the rules of international trade.

**Text proposed by South Africa (on behalf of Member States of the WHO African Region present at INB2) (see note at the end of the document)**

5. Priority should be given to public health protection when tobacco control measures are examined for compatibility with other international agreements.

**Text proposed by Thailand**

5. The Parties agree to take all necessary measures to ensure that no person acting on their behalf shall attempt to:
- (a) remove, weaken, undermine or otherwise interfere with tobacco control measures in force or under consideration in another state or;
- (b) promote, tobacco exports or tobacco use in another state.

In the event of a conflict between this Convention or any of its protocols and any other international agreements, this Convention and its protocols shall prevail.

It is scientifically certain that tobacco causes many diseases that result in needless disability and early death. Lack of full scientific certainty regarding the efficacy of specific tobacco control measures shall not be used as a reason for postponing measures to control tobacco or for challenging such measures taken by other states.

[Extract from document A/FCTC/INB2/2]

7. The participation of all elements of civil society is essential in achieving the objective of this Convention.

[End of extract]

**Text proposed by Algeria (on behalf of Member States of the WHO African Region present at INB2) (see note at the end of the document)**

7. The participation of all elements of civil society, with the exception of tobacco manufacturers, is essential in achieving the objective of this Convention.

**Text proposed by Argentina**

7. The Parties shall stimulate and take account of all elements of civil society as an essential factor for achieving the objective of this Convention.

**Text proposed by Chile**

7. The participation of all members of civil society and nongovernmental organizations together with international organizations is essential in achieving the objective of this Convention.

**Text proposed by the Democratic Republic of Congo**

7. The responsible support and participation of all, i.e. of governments, tobacco-growing companies and of civil society are essential in achieving the objective of this Convention.

**Text proposed by El Salvador**

7. The Parties undertake to promote the active and responsible participation of all sectors of civil society as an essential element in achieving the objective and fulfilling the basic principles of this Convention.

**Text proposed by the European Community (and on behalf of its Member States), Czech Republic, Poland and Romania**

7. The participation of civil society is essential in achieving the objective of this Convention.

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**Text proposed by the Philippines**

7. The active participation of all elements of civil society particularly the business sector is essential in achieving the objective of this Convention.

**Text proposed by Saint Lucia**

7. The active participation of all members of civil society is essential in achieving the [objective] goal of this convention.

**Text proposed by Switzerland**

7. The Member States shall facilitate the participation of all parts of civil society including the nongovernmental organizations in the implementation of this Convention as this is essential in achieving its objective.

[Extract from document A/FCTC/INB2/2]

**D. Guiding principles**

[End of extract ]

**Proposed new paragraphs**

**Text proposed by South Africa (on behalf of Member States of the WHO African Region present at INB2) (see note at the end of the document)**

9. Developed/Industrialized countries undertake to aid the economic transition of tobacco dependent economies to other economically viable alternatives through the provision of adequate financial and technical assistance as well as access to markets and appropriate technology.

10. The provision of political will and commitment by Member State parties in their highest possible offices is of utmost importance in ensuring the success of the objectives of this Convention.

11. Parties are urged to develop and implement in their respective countries an evaluation system to enable them to monitor the tobacco industry in order to improve health information relating to cardiovascular diseases, efficiency and efficacy of action undertaken in the fields of information, education, communication, economic and legislative measures.

12. Parties are urged to create within the respective countries intersectoral consultative bodies with the task of coordinating actions of various governmental and nongovernmental organizations.

[Extract from document A/FCTC/INB2/2]

**E. General obligations**

3. The Parties shall undertake to adopt legislative, executive and administrative measures to regulate and to prohibit the export of tobacco products that do not conform to the exporting country's own domestic standards.

[End of extract]

**Text proposed by Algeria (on behalf of Member States of the WHO African Region present at INB2) (see note at the end of the document)**

3. The Parties shall undertake to adopt legislative, executive and administrative measures to regulate and to prohibit the export and packaging of tobacco products that do not conform to the exporting country's own domestic standards.

**Text proposed by Brazil**

3. [The Parties shall undertake to adopt legislative, executive and administrative measures to regulate and to prohibit the export of tobacco products that do not conform to the exporting country's own domestic standards.]

**Text proposed by the European Community (and on behalf of its Member States), Czech Republic, Poland and Romania**

3. The Parties shall undertake to adopt legislative, executive and administrative measures to ensure that exported tobacco products conform either to the manufacturing country's own domestic standards, the importing country's domestic standards or the standards laid down in accordance with this Convention, whichever assures the highest level of public health protection. Transitional periods to allow for specific manufacturing situations may be envisaged.

**Text proposed by Iran**

3. The Parties shall undertake to adopt legislative, executive and administrative measures to regulate and to prohibit the export of tobacco products that:

(a) do not conform to the exporting country's own domestic standards, provided that the export would not be in conflict with the laws of the importing country; and

(b) that do not conform to the standards of the importing country.

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**Text proposed by Norway**

3. [The Parties shall undertake to adopt legislative, executive and administrative measures to regulate and to prohibit the export of tobacco products that do not conform to the exporting country's own domestic standards.]

**Text proposed by Paraguay**

3. The Parties shall undertake gradually and regularly to adopt legislative, executive and administrative measures to regulate and to prohibit the export of tobacco products intended for human consumption that involve the risk of tobacco dependence and that do not conform to the international standards of public health.

**Text proposed by the United States of America**

3. Delete.

**Text proposed by Switzerland**

3.bis The Parties shall adopt and ensure satisfactory implementation of measures to protect public health policy from undue interference by tobacco companies, their subsidiaries and affiliated parties.

Note. Member States of the WHO African Region present at INB2: Algeria, Angola, Benin, Burkina Faso, Botswana, Burundi, Cameroon, Cape Verde, Central African Republic, Chad, Comoros, Congo, Côte d'Ivoire, Democratic Republic of the Congo, Equatorial Guinea, Eritrea, Gabon, Gambia, Ghana, Guinea, Guinea Bissau, Kenya, Lesotho, Madagascar, Malawi, Mali Mauritania, Mozambique, Niger, Nigeria, Rwanda, São Tome and Principe, Senegal, Seychelles, Sierra Leone, South Africa, Swaziland, Togo, United Republic of Tanzania, Uganda, Zambia, Zimbabwe.

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# WORLD HEALTH ORGANIZATION

INTERGOVERNMENTAL NEGOTIATING BODY A/FCTC/INB2/WG1/Conf.Paper No.2 Add.1  
ON THE WHO FRAMEWORK CONVENTION 5 May 2001  
ON TOBACCO CONTROL  
Second session  
Agenda item 4

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## WHO framework convention on tobacco control

### Additional textual proposals from Working Group 1 on sections G.1(c), G.1(d)(i), G.1(d)(iv), G.1(d)(v)-(vi)(new) of document A/FCTC/INB2/2

[Extract from document A/FCTC/INB2/2]

#### *G. Non-price measures to reduce the demand for tobacco*

1. Each Party shall, to the extent possible within the means of its disposal and its capabilities, adopt legislative, executive and administrative measures, and cooperate with other Parties in harmonizing appropriate non-price policies, in order to reduce tobacco consumption and exposure to tobacco smoke. Such measures and policies shall include the following:

*(Regulation of tobacco-product disclosures)*

(c) implementation and taking of necessary steps to enforce measures for tobacco-product disclosures by all manufacturers, including all ingredients and additives, and major constituents;

[End of extract]

#### **Text proposed by Thailand (on behalf of Member States of the WHO South-East Asia Region)**

(c) Implementation and taking of necessary steps to enforce measures for tobacco-product disclosures by all manufacturers by brand, including all ingredients and additives, and all constituents of tobacco smoke where applicable and promotion of availability of such information to the public. Each Party shall apply these measures to all tobacco products manufactured or sold under its jurisdiction;

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[Extract from document A/FCTC/INB2/2]

*(Packaging and labelling)*

- (d) adoption of appropriate measures to ensure that:
- (i) the terms "low tar", "light", "ultra light", "mild" or any other similar term that has the aim or the direct or indirect effect of conveying the impression that a particular tobacco product is less harmful than others are not used on any unit packet or package of tobacco products;

[End of extract]

**Text proposed by the Republic of Korea**

- (i) terms that have the aim or the direct or indirect effect of conveying the impression that a particular tobacco product is less harmful than others are not used on any unit packet or package of tobacco products;

[Extract from document A/FCTC/INB2/2]

*(Packaging and labelling)*

- (d) adoption of appropriate measures to ensure that:
- (iv) each unit packet or package of tobacco products carries a general health warning, including a picture or pictogram illustrating the harmful consequences of tobacco consumption, in accordance with Annex [INSERT]; these warnings shall:
- (1) clearly indicate the prohibition of sales of tobacco products to persons under the age of 18;
- (2) provide clear information about the toxic contents of the tobacco product, specifically tar, nicotine and carbon monoxide, including actual measurements of smoke yields;
- (3) appear in the principal language or languages of the country in whose territory the product is placed on the market.

[End of extract]

**Text proposed by Chile**

- (iv) each unit packet or package of tobacco products carries a rotating health warning, including a picture or pictogram illustrating the harmful consequences of tobacco consumption; these warnings shall:



- (1) (unchanged)
- (2) provide clear information about the dangers of smoking for active and passive smokers and on the toxic contents of the tobacco products, specifically tar, nicotine and carbon monoxide, including actual measurements of smoke yields;

**Text proposed by the Republic of Korea**

- (2) provide clear information about the toxic contents of the tobacco products, including actual measurements of smoke yields;

[Extract from document A/FCTC/INB2/2]

*(Packaging and labelling)*

- (d) adoption of appropriate measures to ensure that:

[End of extract]

**Text proposed by Chile**

- (v) all the texts on the unit packets or packages shall be passed (authorized, in the first proposal) by the health authority;
- (vi) the sale of cigarettes not in packets shall be prohibited.

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# WORLD HEALTH ORGANIZATION

INTERGOVERNMENTAL NEGOTIATING BODY A/FCTC/INB2/WG1/Conf.Paper No.1 Add.1  
ON THE WHO FRAMEWORK CONVENTION 5 May 2001  
ON TOBACCO CONTROL  
Second session  
Agenda item 4

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## WHO framework convention on tobacco control

### Additional textual proposals from Working Group 1 on sections G.1, G.1(a) and G.1(b) of document A/FCTC/INB2/2

[Extract from document A/FCTC/INB2/2]

#### **G. *Non-price measures to reduce the demand for tobacco***

1. Each Party shall, to the extent possible within the means at its disposal and its capabilities, adopt legislative, executive and administrative measures, and cooperate with other Parties in harmonizing appropriate non-price policies, in order to reduce tobacco consumption and exposure to tobacco smoke. Such measures and policies shall include the following:

[End of extract]

#### **Text proposed by Oman**

1. Each Party shall adopt effective measures and policies, and cooperate with other Parties concerned in order to reduce tobacco consumption and exposure to tobacco smoke. Such measures and policies shall include, *inter alia*, the following:

#### **Text proposed by Panama**

New title: *Public health measures to reduce the demand for tobacco*

1. Each Party shall, to the extent possible within the means at its disposal and its capabilities, adopt legislative, executive and administrative measures, and cooperate with other Parties in the development of appropriate public health policies to reduce the prevalence of smoking, nicotine dependence and exposure to tobacco smoke. Such measures and policies shall include the following.

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[Extract from document A/FCTC/INB2/2]

*(Passive smoking)*

(a) implementation of legislation and other effective measures at the appropriate governmental level that provide for systematic protection from exposure to tobacco smoke in indoor workplaces, enclosed public places, and public transport, with particular attention to special risk groups such as children and pregnant women;

[End of extract]

**Text proposed by Australia**

(a) ensure that all persons are systematically protected from exposure to tobacco smoke in indoor workplaces, enclosed public spaces and public transport;

**Text proposed by Panama**

(a) implementation of legislation and other effective measures at the appropriate governmental level that provide for systematic protection, in accordance with established family health standards (especially those relating to children and pregnant women), from exposure to tobacco smoke in enclosed public places, and in crowded open spaces;

**Text proposed by Republic of Korea**

(a) implementation of legislation and other effective measures at the appropriate government level that provide for systematic protection from exposure to tobacco smoke in indoor workplaces, enclosed public parties and public transport, and prohibition of smoking in areas frequented by special risk groups such as children and pregnant women;

**Text proposed by Trinidad and Tobago**

New title: *Exposure to second-hand smoke*

(a) implementation of legislation, voluntary agreements or other effective measures that provide protection from exposure to second-hand smoke in workplaces, public places, educational institutions and public transport;

**Text proposed by the United States of America**

(a) implementation of legislation and other effective measures at the appropriate governmental level:

(i) prohibiting smoking in places providing services to children, such as schools, libraries and day care, health care and early childhood development settings;

- (ii) prohibiting smoking in the indoor premises of government agencies and authorities and comparable public bodies intended for the public and clients;
- (iii) promoting effective education campaigns on the subject of smoke-free homes and other environments, with special attention to the health effects of the most vulnerable, such as children and pregnant women;
- (iv) states should be encouraged to enforce second-hand smoke restrictions through innovative actions.

[Extract from document A/FCTC/INB2/2]

*(Regulation of contents of tobacco products)*

- (b) adoption of standards for the regulation of the contents of tobacco products, including standards for testing and measuring, designing, manufacturing and processing such products, and cooperation in the development and harmonization of such standards under the auspices of the World Health Organization;

[End of extract]

**Text proposed by Canada**

- (b) adoption of standards for the regulation of the testing and measures of tobacco product emissions. parties shall make every effort to ensure that standards and test methods be developed through internationally recognized standards-writing organization(s) utilizing experience gathered by Member States;

**Text proposed by China**

- (b) adoption of standards for the regulation of the contents of tobacco products, including standards for testing and measuring, designing, manufacturing and processing such products. Such standards should be formulated and harmonized through cooperation between WHO and ISO;

**Text proposed by the Côte d'Ivoire**

- (b) adoption of a maximum level of toxicity per unit of tobacco product for the regulation of the contents of tobacco products by the use of tests and analyses whose reliability is attested by the World Health Organization;

**Text proposed by Panama**

- (b) adoption of national and international standards for the regulation of the different products toxic to health used in the manufacture and processing of tobacco products, which

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provisions shall be included in the ISO standards, as provided for in the relevant protocol. The Parties shall establish mechanisms to facilitate tests and measurements to monitor the standards and protocols regulating the contents of tobacco products of concern to public health, which shall require the cooperation and auspices of the World Health Organization.

**Text proposed by Republic of Korea**

(b) adoption of standards for the regulation of the contents of tobacco products, including standards for testing, measuring and designing such products, and cooperation in the development and harmonization of such standards under the auspices of the World Health Organization;

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