



PROTOCOL
TO ELIMINATE
ILLICIT TRADE IN
TOBACCO PRODUCTS

**MEETING OF THE PARTIES TO THE PROTOCOL
TO ELIMINATE ILLICIT TRADE IN TOBACCO PRODUCTS**

**(Draft) FCTC/MOP/3/B/R/3
14 February 2024**

**Third session (resumed)
Panama City, Panama, 12–15 February 2024**

Third report of Committee B

(Draft)

Committee B held its fourth meeting on 14 February 2024, under the chairmanship of Mr Hugo Mayer (Austria).

Committee B recommends to the Meeting of the Parties the adoption of the attached decisions related to the following agenda items:

7 Budgetary and institutional matters

7.2 Proposed Workplan and Budget for the financial period 2024-2025

One decision as amended entitled:

- Workplan and Budget for the financial period 2024–2025

7.6 Possible amendments to the Rules of Procedure of the Meeting of the Parties

One decision as amended entitled:

- Amendments to the Rules of Procedure of the Meeting of the Parties

Agenda item 7.2

Workplan and Budget for the financial period 2024–2025

The Meeting of the Parties (MOP),

Taking into consideration decision FCTC/MOP1(1) by which the Parties to the Protocol to Eliminate Illicit Trade in Tobacco Products decided to use the Financial Rules and Regulations of the World Health Organization (WHO) as the financial rules referred in Article 33.4 of the Protocol;

Recalling decision FCTC/MOP2(13) on the Workplan and Budget for the financial period 2022–2023;

Having considered the Workplan and Budget for the financial period 2024–2025 submitted by the Convention Secretariat, as contained in document FCTC/MOP/3/9;

Recalling decision FCTC/MOP3(3) on the adoption, on an interim basis, of the Workplan and Budget for the financial period 2024–2025;

Having considered also the performance and progress reports contained in document FCTC/MOP/3/8,

DECIDES:

- (a) to adopt the Workplan and Budget for the financial period 2024–2025, as contained in Annexes 1, 2 and 3 of the present decision;
- (b) to establish the total amount of Assessed Contributions of Parties for the financial period 2024–2025 at US\$ 4 999 719;
- (c) to finance the travel and per diem of least-developed countries from Assessed Contributions until and including the Fourth session of the MOP (MOP4);
- (d) to finance, moreover, travel for low- and lower-middle-income countries from Assessed Contributions and to cover the cost of the corresponding per diem with resources available in the Extra-budgetary Contributions until and including MOP4;
- (e) to authorize the Convention Secretariat to request the payment of Assessed Contributions, including from countries that may become a Party to the Protocol between MOP3 and MOP4, in line with the scale of assessment as indicated in paragraph (b) of the present decision;
- (f) to request the Head of the Convention Secretariat to implement the workplan and budget adopted by the MOP and to report on implementation as part of the performance reports to MOP4;
- (g) to authorize the Convention Secretariat to seek and receive voluntary Extra-budgetary Contributions for activities in line with the workplan;
- (h) to request the Convention Secretariat to explore, in consultation with the Parties, as appropriate, a better and more efficient utilization of virtual means and resources, including by taking into consideration the environmental impact of in-person meetings;

- (i) to call on the Head of the Convention Secretariat to regularly update the Bureau on the status of workplans and budgets adopted by the MOP;
- (j) to encourage Parties to provide Extra-budgetary Contributions for meeting the objectives of the workplan;
- (k) to invite the Conference of the Parties (COP) to the WHO Framework Convention on Tobacco Control to cover the proportion of the shared core staff costs, including those of the Head of the Convention, in its respective workplan and budget;
- (l) to request the COP to consider adopting a workplan and budget consistent with the shared staff costs as identified in the Workplan and Budget of the MOP for the financial period 2024–2025.

ANNEX 1

WORKPLAN AND BUDGET FOR FINANCIAL PERIOD 2024–2025: ACTIVITY COSTS

PROTOCOL TO ELIMINATE ILLICIT TRADE IN TOBACCO PRODUCTS

STRATEGIC GOALS						
	Activity	Indicator	Target By the end of 2025, unless otherwise stated	Activity cost (in US\$)		
				Assessed Contributions	Extra- budgetary Contributions	Total
1	Strategic Goal 1. Understanding the problem and context of illicit trade in tobacco products					
1.1	Strategic Objective 1.1 Undertaking Party situation analyses					
1.1.1	Run the 2025 reporting cycle	Number of reports from Parties	Increased number of reports received (compared with 2023)	0	15 000	15 000
1.1.2	Regularly update the Protocol implementation database	Number of reports available in the database	All reports received are published in the database	0	5 000	5 000
1.1.3	Produce the 2025 Global Progress Report	Number of reports	One report published	0	55 000	55 000
1.1.4	Organize training or webinars on reporting	Number of Parties that attended the workshops	At least 30 Parties attended the workshops	0	30 000	30 000
1.1.5	Assist Parties to undertake needs assessment with regards to the implementation of the Protocol and develop country-focused action plans	Number of Parties assisted	At least 10 Parties assisted	0	400 000	400 000

STRATEGIC GOALS						
	Activity	Indicator	Target By the end of 2025, unless otherwise stated	Activity cost (in US\$)		
				Assessed Contributions	Extra- budgetary Contributions	Total
1.2	Strategic Objective 1.2 Linking illicit tobacco trade to the 2030 Agenda for Sustainable Development					
1.2.1	Develop a guide on how to include Protocol implementation within the national sustainable development plans	Number of guides developed	One guide developed and disseminated to Parties	0	15 000	15 000
1.2.2	Develop a methodology for conducting investment cases relating to Protocol implementation	Number of methodologies developed and of reports published	One methodology for investment cases relating to Protocol implementation developed and one report published	0	50 000	50 000
1.3	Strategic Objective 1.3 Generating research					
1.3.1	Implement the road map for conducting evidence-based research in accordance with Articles 6.5 and 13.2 of the Protocol	Number of reports developed	One report presented to the Fourth session of the Meeting of the Parties (MOP4)	0	140 000	140 000
Total for Goal 1				0	710 000	710 000
2	Strategic Goal 2. Full and sustainable implementation of the Protocol					
2.1	Strategic Objective 2.1 Building capacity and providing technical assistance					
2.1.1	Assist countries eligible to receive Official Development Assistance in the implementation of national/regional tracking and tracing systems	Number of Parties assisted	At least 20 Parties assisted to implement tracking and tracing systems	200 000	300 000	500 000
2.1.2	Further develop the legislative toolkit for the Protocol	Number of toolkits updated	Legislative toolkit updated with additional guidance on different provision of the Protocol	0	10 000	10 000

STRATEGIC GOALS						
	Activity	Indicator	Target By the end of 2025, unless otherwise stated	Activity cost (in US\$)		
				Assessed Contributions	Extra- budgetary Contributions	Total
2.1.3	Operate the Protocol Coordination Platform to facilitate the dissemination and exchange of information	Number of page views of the platform	Increased number of page views compared with the previous biennium	0	50 000	50 000
2.1.4	Organize multisectoral workshops to address challenges in the implementation of the Protocol according to priority areas identified in the Global Progress Report	Number of Parties that attended the workshops	At least 30% of Parties attended a workshop	0	300 000	300 000
2.2	Strategic Objective 2.2 Encouraging multisectoral action					
2.2.1	Develop sectoral briefs on what different departments of the government need to know about the Protocol	Number of sectoral briefs developed	At least 10 sectoral briefs developed	0	30 000	30 000
2.3	Strategic Objective 2.3 Mobilizing support from intergovernmental organizations (IGOs) and nongovernmental organizations (NGOs)					
2.3.1	Engage with relevant IGOs and NGOs to invite them to become observers to the MOP	Number of new observers to the MOP	At least two new relevant IGOs and two new relevant NGOs become observers	0	5 000	5 000
2.3.2	Develop joint projects or participate and organize side events during meetings of relevant IGOs	Number of joint projects implemented with relevant IGOs	At least two joint projects implemented	0	24 000	24 000
2.3.3	Organize an annual meeting with relevant NGOs that are observers to the MOP to discuss plans of cooperation	Number of annual plans and reports submitted by NGOs that are observers to the MOP	All NGOs that are observers to the MOP submitted annual plans and reports	0	5 000	5 000
2.3.4	Co-organize or invite relevant IGOs and NGOs to contribute to workshops or awareness-raising events	Number of relevant IGOs and NGOs that co-organized or were involved in workshops or awareness-raising events	At least four relevant IGOs or NGOs co-organized or were involved in workshops or awareness-raising events	0	10 000	10 000

STRATEGIC GOALS						
	Activity	Indicator	Target By the end of 2025, unless otherwise stated	Activity cost (in US\$)		
				Assessed Contributions	Extra- budgetary Contributions	Total
2.4	Strategic Objective 2.4 Supporting Parties to secure financial assistance for Protocol implementation					
2.4.1	Hold high-level meetings of the Head of the Secretariat with senior officials to build political support for the implementation of the Protocol	Number of high-level meetings of the Head of Secretariat	At least 20 high-level meetings held	0	30 000	30 000
Total for Goal 2				200 000	764 000	964 000
3	Strategic Goal 3. Encouraging regional and international cooperation to support implementation of the Protocol					
3.1	Strategic Objective 3.1 Facilitating regional and international cooperation					
3.1.1	Assist and facilitate international cooperation between Parties to the Protocol	Number of Parties cooperating with each other	At least 20 Parties cooperating with each other to implement the Protocol	0	200 000	200 000
3.1.2	Maintain the interim solution of the global information-sharing focal point	Number of reports prepared	One report prepared to MOP4 with quantitative and qualitative information on the usage of the global information-sharing focal point	75 000	75 000	150 000
3.2	Strategic Objective 3.2 Utilizing the Protocol to promote the rule of law and sharing best practices in controlling other forms of illicit trade					
3.2.1	Develop social communication materials on relationship between illicit trade in tobacco products and other types of international crimes	Number of social communication materials produced	At least four new social communications materials produced	0	70 000	70 000
Total for Goal 3				75 000	345 000	420 000

OPERATIONAL GOALS				
	Activity	Activity cost (in US\$)		
		Assessed Contributions	Extra-budgetary Contributions	Total
4	Operational Goal 4. Ensuring that the governing and subsidiary bodies can take the necessary decisions			
4.1	Operational Objective 4.1 Provide for the optimal operation of the MOP, the Bureau of the MOP, and working groups or expert groups established by MOP			
4.1.1	Organize the Fourth session of the Meeting of the Parties	360 000	260 000	620 000
4.1.2	Organize pre-MOP regional meetings, including through virtual meetings	0	150 000	150 000
4.1.3	Prepare and support the work of the Bureau and convene meetings, including through videoconferences and teleconferences	135 000	55 000	190 000
Total for Goal 4		495 000	465 000	960 000
5	Operational Goal 5. Ensuring the capacity and ability of the Convention Secretariat to perform its duties			
5.1	Operational Objective 5.1 Provide adequate staff and financial management			
5.1.1	Organize an annual strategic planning and team-building retreat for the Convention Secretariat	0	5 000	5 000
5.1.2	Provide general administration and management to the Convention Secretariat	17 895	0	17 895
5.2	Operational Objective 5.2 Mobilize resources to support the implementation of the Protocol			
5.2.1	Follow up on the collection of Assessed Contributions	5 000	0	5 000
5.2.2	Implement a fundraising plan	0	15 000	15 000
Total for Goal 5		22 895	20 000	42 895
Total activity cost for all Goals		792 895	2 304 000	3 096 895

ANNEX 2

GROSS STAFF COSTS BREAKDOWN (US\$)¹

Funded with Assessed Contributions (AC)				
		AC	EB	Total
1	D2 30% MOP AC/70% COP AC	245 700		245 700
4	P5 30% MOP AC/70% COP AC	776 160		776 160
1	P4 100% MOP AC	565 950		565 950
2	P3 100% MOP AC	947 100		947 100
1	P2 100% MOP AC	340 200		340 200
1	P2 50% MOP AC/50% COP AC	170 100		170 100
1	G5 100% MOP AC	349 650		349 650
Funded with Assessed Contributions (AC) and Extra-budgetary Contributions (EB)				
		AC	EB	Total
1	P3 50% MOP AC/50% MOP EB	236 775	236 775	473 550
1	P2 50% MOP AC/50% COP AC		170 100	170 100
Funded with Extra-budgetary Contributions (EB)				
		AC	EB	Total
2	P2 100% MOP EB		680 400	680 400
1	G5 100% MOP EB (12 months)		174 825	174 825
	Total staff costs	3 631 635	1 262 100	4 839 735

¹ Indicative costs for core Convention Secretariat staff based on WHO's latest available standard gross salary costs for 2022–2023 with a 5% increase; possible changes in 2024–2025 will be reflected once they become available. The fulfilment of the staff plan, and possible adjustments, will depend on the actual availability of funds and the evolving workload. The staff plan does not include possible short-term assignments that would be based on actual needs and resources available.

ANNEX 3

TOTAL BUDGET 2024–2025 (US\$)

	Covered by Assessed Contributions	Covered by Extra-budgetary Contributions	Total
1. Activity costs	792 895	2 304 000	3 096 895
2. Staff costs	3 631 635	1 262 100	4 893 735
3. Total direct costs	4 424 530	3 566 100	7 990 630
4. Recovery costs	575 189	463 593	1 038 782
5. Grand total	4 999 719	4 029 693	9 029 412

Total for Assessed Contributions (activities, salaries and recovery costs): **US\$ 4 999 719**.

Agenda item 7.6

Amendments to the Rules of Procedure of the Meeting of the Parties

The Meeting of the Parties (MOP),

Taking into account Article 33.4 of the Protocol to Eliminate Illicit Trade in Tobacco Products, which states that the Rules of Procedure of the Conference of the Parties (COP) to the WHO Framework Convention on Tobacco Control (WHO FCTC) shall apply, *mutatis mutandis*, to the MOP unless the MOP decides otherwise;

Recalling that its Rules of Procedure were adopted in decision FCTC/MOP1(1);

Considering that the Rules of Procedure of the COP were adopted in decision FCTC/COP1(8) and amended in decisions FCTC/COP6(24), FCTC/COP7(28), FCTC/COP8(11) and FCTC/COP10(24);

Noting the report of the Convention Secretariat submitted in document FCTC/MOP/3/13, containing possible amendments to the Rules of Procedure of the MOP, as recommended by the Bureau;

Recognizing the importance of updating the Rules of Procedure of the MOP to facilitate the effective functioning of the MOP;

Further recognizing the need to ensure coordination between the governing bodies of the Protocol and of the WHO FCTC,

1. ADOPTS the amendments to the Rules of Procedure of the MOP, as articulated in the Annex of this decision;
2. DECIDES:
 - (a) to apply with immediate effect the amendment of Rule 60 in relation to the provisional adoption of the report of each session of the MOP;
 - (b) to clarify that verbatim records of plenary meetings, as referred to in Rule 60 and Rule 64 of the Rules of Procedure of the MOP, are understood to include audio files;
3. REQUESTS the Bureau of the MOP to periodically review the need to amend the Rules of Procedure of the MOP and propose amendments to the MOP, as necessary, and to coordinate with the Bureau of the COP when those rules may relate to joint matters.

ANNEX

**AMENDMENTS TO THE RULES OF PROCEDURE
OF THE MEETING OF THE PARTIES**

Rule 2 (Definitions)	12. “Public” sessions or meetings means sessions or meetings that are open to attendance by Parties, States and regional economic integration organizations that are not Parties to the Protocol, States non-Parties to the WHO Framework Convention on Tobacco Control that are Associate Members of the World Health Organization (WHO) or any other Member State of the United Nations, the Secretariat, intergovernmental and nongovernmental organizations accredited by the Meeting of the Parties pursuant to Rules 30 and 31, respectively, accredited media and members of the public;
	13. “open” sessions or meetings means sessions or meetings that are open to attendance by Parties, States and regional economic integration organizations that are not Parties to the Protocol, States non-Parties to the WHO Framework Convention on Tobacco Control that are Associate Members of WHO or any other State that is a Member of the United Nations, the Secretariat, and intergovernmental organizations and nongovernmental organizations that have observer status to the Meeting of the Parties pursuant to Rules 30 and 31, respectively, and, unless the Meeting of the Parties decides otherwise, accredited media;
Rule 8 (Agenda)	For each regular session, the provisional agenda, together with other meeting documents, shall be distributed in the official languages by the Secretariat to the Parties, and to observers invited to attend the session in accordance with Rules 29, 30 and 31, at least seventy-five days before the opening day of the session.
Rule 15 (Secretariat)	<p>In addition to the functions specified in the Protocol, in particular in Article 34, the Secretariat shall, in accordance with these Rules:</p> <ul style="list-style-type: none">(a) arrange for interpretation at the session;(b) arrange for live webcasting of all agenda items considered in plenary meetings, unless the Parties decide otherwise, following a recommendation by the Bureau, at the beginning of each session, subject to resolution of any relevant technical issues and the availability of financial resources;(c) arrange for virtual sessions of the Meeting of the Parties, upon a coordinated decision of the Bureau of the Meeting of the Parties and the Bureau of the Conference of the Parties, when such exceptional measures are required by an extraordinary situation;(d) collect, translate, reproduce and distribute the documents of the session;(...)

Rule 24ter (Officers)	<p>1. In addition to the functions that the Meeting of the Parties may assign to it from time to time, and in addition to those described in Rules 6, 9, 19 and 21–24, the functions of the Bureau shall include the following:</p> <p>(a) to make a recommendation, in agreement with the Bureau of the Conference of the Parties, to the Director-General of WHO regarding the appointment of the Head of the Secretariat, including the designation of an acting Head of the Secretariat when required;</p> <p>(...)</p>
Rule 29 (Observers)	<p>Any Party to the Convention that is not a Party to the Protocol, any Member State of WHO that is not a Party to the Convention, any Associate Member of WHO, or any other State that is not a Party to the Convention but that is a Member of the United Nations, or its specialized agencies or of the International Atomic Energy Agency, and any regional economic integration organization, as defined in Article 1.11 of the Protocol, that is not a Party to the Protocol, may attend the public or open sessions of the Meeting of the Parties or meetings of its subsidiary bodies as an observer.</p>
Rule 60 (Languages and records)	<p>Verbatim records of plenary meetings of the Meeting of the Parties and reports of each session of the Meeting of the Parties and each session of its subsidiary bodies shall be made in the six working languages. Reports shall reflect the proceedings and incorporate any decisions and shall be prepared by the Rapporteur with the support of the Secretariat.</p>

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