



26 November 2025

FCTC/MOP4(6)

Decision

FCTC/MOP4(6) Evidence-based research (Article 6.5 of the Protocol)

The Meeting of the Parties (MOP),

Recognizing that the Protocol to Eliminate Illicit Trade in Tobacco Products requires that the MOP, five years after entry into force of the Protocol, shall ensure that evidence-based research is conducted according to Article 6.5 on key inputs essential to the manufacture of tobacco products that can be subject to an effective control mechanism, and according to Article 13.2 on the extent of illicit trade in tobacco products related to duty free sales of such products;

Recalling decision FCTC/MOP3(16), in which the MOP adopted the road map to conduct evidence-based research in accordance with Articles 6.5 and 13.2 of the Protocol;

Noting the report of the Convention Secretariat contained in document FCTC/MOP/4/5;

Noting that report FCTC/MOP/4/5 states that, with regard to Article 13.2, most of the Parties consulted for the case studies did not identify duty free sales channels as a significant channel for the illicit trade in tobacco products;

Taking into account that most of the Parties have implemented measures to control the sale of duty free tobacco products and prevent their diversion into illicit trade channels;

Considering the experience of Parties to the WHO Framework Convention on Tobacco Control (WHO FCTC) in implementing control measures for key inputs essential to the manufacture of tobacco products,

1. DECIDES:

- (a) to establish a Working Group on Article 6.5 of the Protocol;
- (b) to mandate the Working Group to present conclusions, including, where appropriate, to propose recommendations on appropriate actions for the MOP to consider in relation to Article 6.5 of the Protocol and to promote the exchange of experiences in relation to control measures, best practices, related case studies, technology and capacity-building – including, but not limited to, those outlined in document FCTC/MOP/4/5;

(c) to adopt the draft terms of reference for the Working Group on Article 6.5 of the Protocol, as set out in the Annex to this decision; and

(d) to request the Working Group to report on the outcome of its work at the Fifth session of the MOP;

2. REQUESTS the Convention Secretariat to make the necessary arrangements, in consultation with the Bureau, including budgetary arrangements for the Working Group to complete its work, in accordance with the terms of reference annexed to this decision and using electronic means of communication to as great an extent as possible.

Annex

Terms of reference for the Working Group on Article 6.5 of the Protocol

Background

1. Article 6.5 of the Protocol to Eliminate Illicit Trade in Tobacco Products requires that five years following the entry into force of this Protocol, the Meeting of the Parties (MOP) shall ensure at its next session that evidence-based research is conducted to ascertain whether any key inputs exist that are essential to the manufacture of tobacco products, are identifiable and can be subject to an effective control mechanism. On the basis of such research, the MOP shall consider appropriate action.
2. The MOP decided to establish a Working Group on Article 6.5 of the Protocol.

Objectives

3. In accordance with the mandate articulated in the decision establishing the Working Group, the Working Group will:
 - (a) present conclusions, including, where appropriate, to propose recommendations on appropriate actions for the MOP to consider in relation to Article 6.5 of the Protocol, with the aim of further strengthening control over the identified key inputs that are essential to the manufacture of tobacco products; and
 - (b) promote the exchange of good practices, technology and capacity building in relation to control measures for the key inputs that are essential to the manufacture of tobacco products.

Composition and selection of members of the Working Group

4. The provisions of Article 4.2 of the Protocol and Article 5.3 of the WHO Framework Convention on Tobacco Control (WHO FCTC) shall apply fully to the Working Group.
5. All Parties to the Protocol wishing to participate may join the Working Group and take part in its deliberations at their own expense.
6. Each region shall nominate up to two members representing the Parties in their respective regions through their regional coordinators. These nominees may benefit from assistance in accordance with the travel policy established in the Workplan and Budget adopted by the MOP subject to the availability of funding.
7. The Working Group shall welcome Parties to the WHO FCTC that are not Parties to the Protocol to participate as observers. No travel support would be made available to these WHO FCTC Parties, in line with previous practice.

8. Additionally, the Convention Secretariat, in consultation with the members of the Working Group, may invite as observers up to three representatives of nongovernmental organizations that are observers to the MOP, and up to three representatives of intergovernmental organizations, based on relevant expertise and sound knowledge of matters considered by authorities working to combat illicit trade in tobacco, tobacco products or manufacturing equipment. No travel support would be made available to these observers, in line with previous practice.

9. Parties willing to act as key facilitators should identify themselves at any time during the process.

Assistance from the Convention Secretariat

10. The Working Group shall endeavour to use web-based technologies or hybrid modalities for communicating when conducting its work. Notwithstanding, subject to the availability of funds, at least one in-person meeting of the Working Group is envisaged between the Fourth and Fifth sessions of the MOP.

11. The Working Group's key facilitator(s) should assist the Convention Secretariat in organizing these meetings.

(Fourth plenary meeting, 26 November 2025)
