

**FCTC**WHO FRAMEWORK CONVENTION  
ON TOBACCO CONTROL**CONFERENCE OF THE PARTIES TO THE  
WHO FRAMEWORK CONVENTION ON TOBACCO CONTROL****FCTC/COP10(12)  
10 February 2024****Tenth session (resumed)  
Panama City, Panama, 5–10 February 2024**

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## DECISION

### **FCTC/COP10(12) Forward-looking tobacco control measures (in relation to Article 2.1 of the WHO FCTC)**

The Conference of the Parties (COP),

Recalling that Article 2.1 of the WHO Framework Convention on Tobacco Control (WHO FCTC) encourages Parties to implement measures beyond those required by this Convention and its protocols, noting that nothing in these instruments shall prevent a Party from imposing stricter requirements that are consistent with their provisions and in accordance with international law;

Noting that Article 3 of the Convention articulates the objective of the treaty in the context of a framework for tobacco control measures to be implemented by the Parties at the national, regional and international levels in order to reduce continually and substantially the prevalence of tobacco use and exposure to tobacco smoke;

Recalling that Article 5 of the Convention calls on Parties to adopt and implement measures and cooperate, as appropriate, with other Parties in developing appropriate policies for preventing and reducing tobacco consumption, nicotine addiction and exposure to tobacco smoke;

Recalling also the commitment of Parties to the WHO FCTC in the Seoul Declaration, adopted in decision FCTC/COP5(5), to accelerate implementation of the Convention in order to reduce continually and substantially the prevalence of tobacco use and exposure to tobacco smoke, as well as the Moscow Declaration and the Delhi Declaration, adopted in decisions FCTC/COP6(26) and FCTC/COP7(29);

Mindful that Parties have achieved different levels of implementation of tobacco control measures, including forward-looking tobacco control measures;

Recalling that Article 4 of the Convention highlights the need for comprehensive multisectoral tobacco control measures, and that Article 5 provides that each Party shall develop, implement, periodically update and review comprehensive multisectoral national tobacco control strategies, plans and programmes in accordance with this Convention;

Noting with concern that the strategies and tactics used by the tobacco industry evolve constantly as the industry attempts to interfere with the setting and implementing of tobacco control measures;

Recognizing that forward-looking tobacco control measures and measures that expand approaches to tobacco control had been developed since the Convention was adopted and that Parties may find it challenging to identify those that relate to tobacco products;

Welcoming the fact that a number of Parties have implemented tobacco product-related measures that may be considered to relate to implementation of Article 2.1,

1. DECIDES:

- (a) to establish an expert group on tobacco control measures that are forward-looking and could be contemplated within the scope of Article 2.1 of the WHO FCTC;
- (b) to mandate the expert group:
  - (i) to identify and describe forward-looking tobacco control measures and measures that expand or intensify approaches to tobacco control as they apply to tobacco products, and that may be contemplated by the expert group within the scope of Article 2.1, taking into account the Guidelines for implementation of the WHO FCTC;
  - (ii) to consider, in conducting its research and elaborating its findings, Party experience and published literature, as well as any other source of information that it may find appropriate, and properly reference all sources; and
  - (iii) to prepare a report to be submitted to the Eleventh session of the COP on the above matters;

2. REQUESTS the Convention Secretariat:

- (a) under the guidance of the Bureau, to set out the terms of reference of the expert group in accordance with the above mandate and to facilitate the establishment of the expert group, to be composed of:
  - (i) up to 12 members, with appropriate technical experience relevant to the mandate of the expert group and ensuring regional balance to as great an extent as possible; and
  - (ii) up to two observers with relevant expertise that represent civil society organizations that are accredited observers to the COP;
- (b) to invite the Knowledge Hubs to provide relevant information to the expert group;
- (c) to invite the World Health Organization to provide technical support to the expert group;
- (d) to make the necessary arrangements, including budgetary arrangements, for the expert group to complete its work using electronic means of communication to as great an extent as possible.

(Seventh plenary meeting, 10 February 2024)

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