



WHO FRAMEWORK CONVENTION  
ON TOBACCO CONTROL

CONFERENCE OF THE PARTIES TO THE  
WHO FRAMEWORK CONVENTION ON TOBACCO CONTROL

FCTC/COP10(22)  
10 February 2024

Tenth session (resumed)  
Panama City, Panama, 5–10 February 2024

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## DECISION

### FCTC/COP10(22) Voluntary Implementation Peer Review and Support Mechanism

The Conference of the Parties (COP),

Recalling Article 23.5 of the WHO Framework Convention on Tobacco Control (WHO FCTC), which stipulates that the COP shall keep under regular review the implementation of the Convention and take the decisions necessary to promote its effective implementation;

Recalling also decision FCTC/COP7(13), which established a working group to develop a medium-term strategic framework (MTSF) to guide the development of biennial workplans, budgets and implementation support;

Recalling further decision FCTC/COP8(16), which adopted the MTSF – referred to as the *Global Strategy to Accelerate Tobacco Control: Advancing Sustainable Development through the Implementation of the WHO FCTC 2019–2025* – and requested the Convention Secretariat to conduct, through the voluntary participation of up to 12 Parties, a pilot project exercise for an Implementation Review Mechanism, and the development of its terms of reference, as appropriate, and to report to the Ninth session of the COP on the outcome of the pilot project and present a costed strategy, and related terms of reference, for its further consideration;

Noting the report FCTC/COP/10/14, submitted without change from document FCTC/COP/9/11, pursuant to decision FCTC/COP9(2), and thanking Parties that participated in the pilot project exercise,

1. ESTABLISHES the Voluntary Implementation Peer Review and Support Mechanism in accordance with specific objective 3.1.2 of the Global Strategy and adopts the terms of reference for the WHO FCTC Voluntary Implementation Peer Review and Support Mechanism as contained in Annex 1 of this decision, to be reviewed as necessary;
2. ADOPTS the approach for the development of detailed costing to support the Voluntary Implementation Peer Review and Support Mechanism as contained in Annex 2 of this decision;
3. REQUESTS the Convention Secretariat:
  - (a) to make the necessary arrangements to launch the Voluntary Implementation Peer Review and Support Mechanism in an expedient manner, and facilitate, under the guidance of the Bureau, its implementation;

- (b) to assess the effectiveness of the Voluntary Implementation Peer Review and Support Mechanism, following consultation with all Parties, as well as, as appropriate, nongovernmental organizations accredited as observers to the COP, and propose any necessary revisions to the process and submit progress reports to the Eleventh session of the COP;
- (c) to facilitate, as necessary, the provision of assistance to the concerned Party.

## ANNEX 1

**WHO FRAMEWORK CONVENTION ON TOBACCO CONTROL VOLUNTARY IMPLEMENTATION PEER REVIEW AND SUPPORT MECHANISM: TERMS OF REFERENCE****I. OBJECTIVES**

1. The objective of the WHO Framework Convention on Tobacco Control (WHO FCTC) Voluntary Implementation Peer Review and Support Mechanism (VIPRSM) is to assist Parties to comply with their obligations under the WHO FCTC, in order to achieve comprehensive implementation of the Convention through individual reviews of the implementation by Parties to the Convention and further assisting Parties as an outcome of the review. To attain that objective, the VIPRSM aims to facilitate, promote and provide support to volunteer Parties seeking to better understand their status in implementing the Convention and to set priorities for the most efficient and effective way forward in their respective domestic implementation of the WHO FCTC.

2. The VIPRSM will be objective, transparent and cost-effective. It shall result in non-binding recommendations and be focused on assisting Parties to effectively implement the provisions of the WHO FCTC. It will pay particular attention to the special needs of low- and middle-income countries and will promote cooperation among all Parties and partners.

**II. WHO FCTC VOLUNTARY IMPLEMENTATION PEER REVIEW AND SUPPORT MECHANISM PROCESS**

The guidelines for conducting the voluntary Parties' review and support will be as follows:

**Prepare the Implementation Review cycle**

3. At the beginning of each biennial cycle – maximum of three months after the latest Conference of the Parties (COP) – the Convention Secretariat will call on Parties to the Convention to express interest to participate in the VIPRSM in order to generate a list of volunteer Parties. The communication should remind interested Parties of all the mandatory requirements and include an annex with questions and answers that Parties would be expected to complete.

4. Interested Parties are expected to commit to appoint, when submitting their expression of interest: (1) a focal point dedicated to the VIPRSM and available to respond to further communication and requests; and (2) an expert to be part of the group of reviewers. Focal points are responsible to source and gather all the necessary documents for the review, translate them (if necessary and appropriate) and provide them to the assigned reviewers. Expert reviewers are expected to carry out a review of all the documents provided to them by their respective Party focal point and produce the Party report. Ideally, and if numbers permit, each reviewer should be assigned a Party from the same region as a main reviewer and another Party from a different region as a secondary reviewer. The role of the secondary reviewer only should be to support the main reviewer in analysing documents, if needed, and proofreading the draft VIPRSM report.

5. In the exceptional case in which a Party is unable to provide a reviewer (due to capacity, competence or financial issues), the Convention Secretariat should be called on to identify and engage an international expert, preferably from the same region, in order to bridge the gap (on a case-by-case basis), mindful of Article 5.3 of the WHO FCTC and its Guidelines for implementation.
6. Once the list of volunteers is completed, the Convention Secretariat pairs Parties, taking into account regional affiliation and language criteria. Focal points and experts reviewers are introduced to one another, and the list of contacts for Party focal points and expert reviewers is shared among the corresponding participating Parties to facilitate communication.

### **Steps of the Voluntary Implementation Peer Review and Support Mechanism**

7. **Review of individual Parties:** Each volunteer Party's nominated expert reviewer undertakes the review of another participating Party (peer-to-peer mechanism). The Convention Secretariat provides administrative and logistical support to expert reviewers, and facilitates communication between expert reviewers and country focal points. Further contacts between expert reviewers and focal points can be organized directly between individuals. The review stage is finalized with a top-level individual review report generated by expert reviewers and validated by the respective focal points, which highlights good practices/strengths and gaps/needs identified through the analysis of the documents. For consistency across the process, reviews are carried out according to the following template structure:

- (a) Executive summary
- (b) Introduction
- (c) Assessment of articles included in the Global Strategy (5, 6, 8, 11 and 13)
  - (i) Implementation status
  - (ii) Gaps and challenges
  - (iii) Recommendations on implementation
  - (iv) Highlight of good practices
- (d) Assessment of all other articles (9, 10, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 26)
  - (i) Implementation status
  - (ii) Gaps and challenges
  - (iii) Recommendations on implementation
  - (iv) Highlight of good practices

- (e) Summary and observations
  - (i) Overall recommendations for action points (legislative, enforcement, etc.)
  - (ii) Qualitative analysis of the reporting (timeliness, consistency, completeness, quality)

Assistance to bridge the gap and resources proposed to the Parties.

The expert reviewers share the draft reports with their respective focal points for feedback and agreement. Once comments are received, the draft reports are finalized and sent to the Convention Secretariat.

The Convention Secretariat receives final draft VIPRSM reports, without providing any input on the technical content, as subject to independent review, handles formatting and potentially organizes translations. The Convention Secretariat then sends the VIPRSM reports to their respective volunteer Parties for their information and final agreement.

**8. Integrated analysis of all volunteer Parties' implementation review reports (optional):**

A final "volunteer Parties report analysis" is produced including the identified gaps and needs (for each of the WHO FCTC articles), as well as a particular emphasis on strengths/good practices from volunteer Parties within the group. General recommendations and sources of overall support for implementation work is also highlighted to facilitate mutual assistance and cooperation among volunteer Parties within the pool, with options for external provisions such as WHO FCTC Knowledge Hubs, if needed.

**9. Facilitation of mutual support and cooperation:** Support from champion Parties identified within the group of volunteers and beyond, if necessary, including WHO FCTC Knowledge Hubs and other tools available from the Convention Secretariat (WHO FCTC guidelines for implementation, information kits, good practices, training sessions, etc.) are then provided to volunteer Parties to progress in the implementation of the WHO FCTC. The Convention Secretariat facilitates contacts between Parties requesting assistance and champion Parties within the group, the WHO FCTC Knowledge Hubs and other non-volunteer Parties. Volunteer Parties are encouraged to contact each other for mutual support, assistance and cooperation, as well as sharing experiences and information. Alongside with these peer-to-peer support options, the Convention Secretariat organizes, as needed, further support for Parties, including webinars, e-learning sessions, workshops, study visits and expert missions, as well as an exchange of best practices and experiences. The WHO FCTC Knowledge Hubs may play a key role for specific requests and provide tailored assistance to Parties, if needed.

**Timeline of the review and support process**

10. Within two weeks from the starting date of the VIPRSM (with a final list of participating Parties confirmed by the Convention Secretariat), volunteer Parties that have done so, must nominate their focal point (mandatory) and expert reviewer (as capacity permits). If an individual Party is unable, after justification, to assign an expert reviewer, the Convention Secretariat will make appropriate arrangements to provide an expert reviewer to that Party (from a network of specialists and contracted by the Convention Secretariat), mindful of Article 5.3 of the WHO FCTC and its Guidelines for implementation.

11. Within the following two weeks, volunteer Parties are assigned a main expert reviewer (an expert from a Party from the same region) and a secondary reviewer (an expert from another region), taking into consideration language criteria.
12. Within the following month, the Convention Secretariat organizes a teleconference with all volunteer Parties for initial introduction and general orientation. Paired Parties are encouraged to contact each other for exchange of documents and information, and prepare for the review process.
13. Within the following two months, the paired focal points and expert reviewers undertake initial contact for the exchange of information and documents. They might also agree on the working language. If necessary and in exceptional cases, for example, when a reviewer with the same language cannot be paired, the Convention Secretariat could be asked to organize the translation of documents.
14. VIPRSM focal points are requested to provide expert reviewers the following mandatory documents to start the reviewing process:
  - (a) the last two official WHO FCTC implementation reports for the reviewed Party;
  - (b) the latest additional questions on the use of implementation guidelines;
  - (c) any national/regional or local legislation, decree, strategy, action plan, etc.;
  - (d) any WHO FCTC needs and/or impact assessment reports.

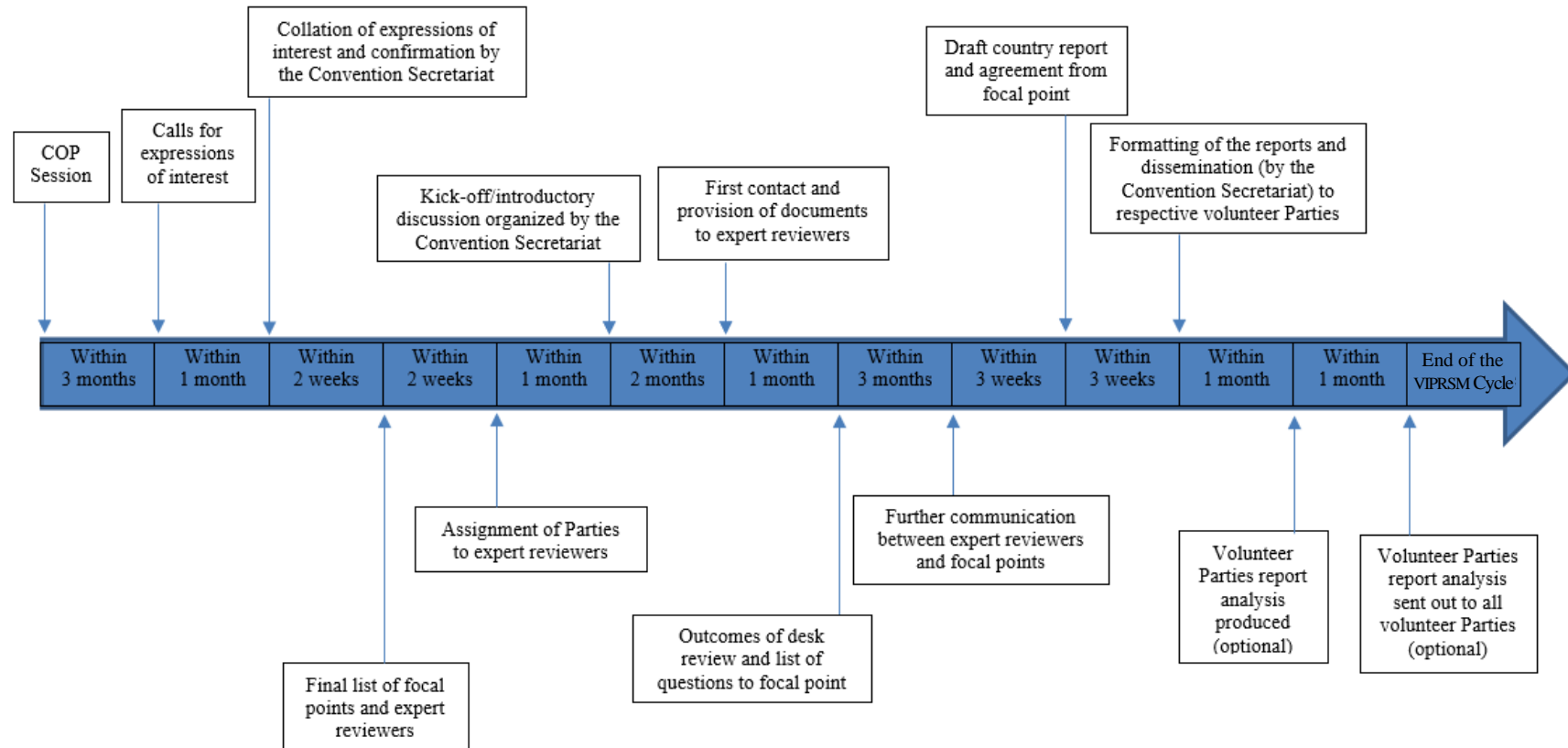
Official documents that the Convention Secretariat has in its records, including WHO FCTC implementation reports, additional questions on the use of implementation guidelines and WHO FCTC needs/impact assessment reports, could be shared with reviewers.

Other documents that should also be provided by the reviewed Party, if applicable, include and are not limited to:

- (a) research data;
- (b) prevalence studies;
- (c) Sustainable Development Goals reports (the so-called Voluntary National Reports or VNRs);
- (d) reports and information submitted to the World Health Organization (WHO);
- (e) shadow reports on implementation of the WHO FCTC and other resources from nongovernmental organizations (available in the public domain);
- (f) tobacco control legislation and regulations;
- (g) recent surveillance data;
- (h) national strategies or action plans;
- (i) academic papers;

- (j) research related to the WHO FCTC implementation;
  - (k) International Tobacco Control Policy Evaluation Project reports;
  - (l) list of other stakeholders (government departments and civil society) to be contacted; and
  - (m) any other document considered by the reviewed Party as useful to be reviewed.
15. Within the following month, the expert reviewer comes up with outcomes of the desk review, and a list of questions to be clarified or answered by the focal point.
16. Within the following three months, expert reviewers organize further means of direct dialogue with their paired focal points to respond to questions, clarify discrepancies and gather complementary documents. If the Party under review wishes to involve other stakeholders (different governmental departments, civil society, nongovernmental organizations, etc.), then the expert reviewer can also organize further contacts, as relevant. This can be discussed and agreed upon during this time. The Convention Secretariat can support in facilitating such contact by organizing (virtual) meetings and communications, if necessary.
17. Within the following three weeks, expert reviewers prepare a draft country report, assisted by the Convention Secretariat, as needed. Reviewed Parties agree to their final VIPRSM reports.
18. Within the following three weeks, the Convention Secretariat formats the reports and, if necessary, organizes the translation. Final reports are sent to volunteer Parties.
19. (Optional). Within the following month, the Convention Secretariat appoints an expert to conduct an independent overall review of the reviews, highlighting common gaps and needs, as well as strengths and good practices within the group of volunteer Parties. Such a high-level final report is intended to facilitate mutual assistance and cooperation among volunteer Parties within an VIPRSM cycle, with external tools and support provisions, if needed, including WHO FCTC Knowledge Hubs, non-volunteer Parties and the Convention Secretariat. Once finalized, the summary report is sent out within one month to all volunteer Parties for information and potential action to advance progress on the implementation of the WHO FCTC. It can also provide key information to be reported to the following COP, in specific areas that the Convention Secretariat is requested to report.

**MODEL SCHEDULE FOR PARTY REVIEWS BASED ON THE TERMS OF REFERENCE OF THE VOLUNTARY IMPLEMENTATION PEER REVIEW AND SUPPORT MECHANISM AND THE GUIDELINES FOR GOVERNMENT EXPERTS AND THE CONVENTION SECRETARIAT**





## Role of the expert reviewers

20. Each volunteer Party is required to appoint an expert reviewer, to whom a Party will be assigned, to conduct a review in the same region (when possible), with the expert acting as the lead reviewer, and another Party from a different region, where the expert will act as a secondary reviewer.

21. The lead reviewer is expected:

- (a) to make contact and remain in contact with the allocated focal point;
- (b) to receive the documents to be reviewed;
- (c) to conduct the Party review according to the structure stipulated in paragraph 8 of these terms of reference;
- (d) to keep regular and ongoing communication with the focal point regarding progress;
- (e) to discuss with the focal point any potential clarifications and complementary information;
- (f) to consult the secondary reviewer, as and when needed;
- (g) to send a draft report to the Convention Secretariat;
- (h) to organize (virtual) meetings with other stakeholders, if recommended by the focal point; and
- (i) to communicate directly with the Convention Secretariat for any specific needs for the volunteer Party review, including facilitation of meetings, potential translation of documents or reports, and further guidance.

22. The secondary reviewer provides support and guidance for the lead reviewer, if requested. He or she helps clarify discrepancies in findings and contradictory information. He or she may bring additional expertise on specific areas or national good practices to advance implementation of various aspects of the WHO FCTC. He or she also revises and proofreads the draft VIPRSM report before the lead reviewer sends it to the Convention Secretariat and the focal point.

23. Expert reviewers act objectively and in line with the objective of the Convention. They are expected to possess relevant expertise and sound knowledge of matters related to implementation of the WHO FCTC at the national and international levels, as well as expertise in areas including, but not limited to: (1) public health policy; (2) epidemiology, surveillance and monitoring; (3) health law, international treaties and national legislation; (4) health economics, tax and price policies for health; (5) matters related to the intersection between health and trade and investment policies; (6) international and development cooperation, multisectoral coordination for health; (7) public policy, planning and evaluation; and (8) specific areas addressed by the WHO FCTC, such as product regulation, cessation support, agricultural diversification and illicit trade.

24. Expert reviewers are nominated for one VIPRSM cycle, which corresponds to the period of a biennium between two COP sessions. For each new cycle, Parties that wish to participate need to send an expression of interest and appoint an expert reviewer, even though they have participated in previous cycles.

25. In accordance with Article 5.3 of the Convention, an expert reviewer shall “act to protect” its work “from commercial and other vested interests of the tobacco industry”. Additionally, each individual expert will be required to sign a declaration of interest form stating that he or she is free of any conflict of interest.

26. In the exceptional case where a Party is unable to appoint an expert reviewer, and after informing and providing reasons to the Convention Secretariat, an independent expert reviewer may be appointed and contracted by the Convention Secretariat to stand in for that volunteer Party, with particular attention to regional affiliation and language criteria.

27. Expert reviewers are encouraged to familiarize themselves with all aspects of the WHO FCTC, all applicable guidelines for implementation adopted by the COP, as well as the procedures and rules for the functioning of the VIPRSM and the terms of reference for conducting Party reviews. They shall also familiarize themselves with the legal system of the Party under review, including, where applicable, relevant judicial decisions issued by higher national courts of that respective Party. For that purpose, the expert reviewers may seek support from the volunteer Party under review or from the Convention Secretariat in enhancing their understanding of the legal system of that Party.

### **The role of the focal point**

28. Focal points nominated by volunteer Parties are expected to be specifically dedicated to the VIPRSM process to facilitate communication. He or she must be available to handle the various and potentially numerous information requests from expert reviewers, compile data and documents to be reviewed, organize (if necessary) virtual meetings with national stakeholders for further engagement, and disseminate the report internally to other colleagues and governmental departments.

29. Similarly to the expert reviewers, focal points are nominated for one VIPRSM cycle, which corresponds to the period of a biennium between two COP sessions. The nomination of a focal point for each VIPRSM cycle is a mandatory condition for a volunteer Party to be able to participate.

### **The role of the Convention Secretariat**

30. The VIPRSM is an independent peer-to-peer process, where a volunteer Party is being reviewed by experts – a lead reviewer and secondary reviewer – both appointed by other voluntarily participating Parties. The Convention Secretariat has no input to either the content of the reviews or to the VIPRSM report generated as a result of the process.

31. However, the Convention Secretariat plays a key role in the organizational, administrative and logistical process to facilitate and enable the VIPRSM for each biennium. Its tasks include:

- (a) sending out calls for expressions of interest;
- (b) collating formal letters of interest from volunteer Parties;
- (c) gathering the list of focal points and expert reviewers for each participating Party;
- (d) organizing stand-in expert reviewers in exceptional cases;
- (e) pairing of the country expert reviewers with Parties, taking into consideration regional affiliation (for lead reviewers) and language criteria;

- (f) arranging translation (if required, in exceptional cases);
- (g) organizing teleconferences/videoconferences for initial introduction and general orientation;
- (h) facilitating direct dialogue and communication between reviewers and focal points, if requested;
- (i) formatting VIPRSM reports to keep consistency and homogeneity among reports produced;
- (j) sending VIPRSM reports to volunteer Parties that have been reviewed;
- (k) appointing an expert to carry out the volunteer Parties' report analyses and produce a summary report (optional);
- (l) sending each volunteer Parties report analysis to all volunteer Parties (optional); and
- (m) reporting to COP, when requested.

32. The Convention Secretariat can also facilitate contacts between Parties requesting assistance and champion Parties within each cycle, as well as coordinating support from WHO FCTC Knowledge Hubs and other non-volunteer Parties. Parties may also contact each other for mutual support, assistance and cooperation without requesting the support of the Convention Secretariat. Alongside peer-to-peer support, the Convention Secretariat may organize, as and if needed, further support for Parties, including webinars, e-learning sessions, workshops, study visits and expert missions, as well as exchanges of best practices and experiences. WHO FCTC Knowledge Hubs remain an additional source of assistance and continue to provide tailored support to Parties according to their areas of expertise.

33. As and if requested by the COP, the Convention Secretariat shall report to the COP Bureau and the COP on the outcomes of its work for each VIPRSM biennium cycle.

### **Further points to consider**

34. Expert reviewers, the Convention Secretariat and any other person (other stakeholders and representatives of the civil society) involved in the VIPRSM shall commit to protect the confidentiality of information received and provided in absolute confidence. The reports generated by expert reviewers belong to their respective reviewed Parties. Findings from Party reviews may be shared solely within each of the VIPRSM group of volunteer Parties and top-level information may be used for reporting purpose.

35. The proposed model relies on the willingness of Parties to volunteer and engage in the process, as well as on their specific expertise in specific areas of the WHO FCTC implementation. Both limitations are addressed via effective Convention Secretariat coordination, as well as through the assignment of the expert reviewers. While collaboration and mutual peer-to-peer collaboration are the prerequisites for the successful implementation of the proposed model, enabling both rely on the key logistical and organizational role of the Convention Secretariat.

## ANNEX 2

**COSTED STRATEGY FOR THE WHO FCTC VOLUNTARY IMPLEMENTATION  
PEER REVIEW AND SUPPORT MECHANISM**

Detailed costing will be developed as proposed in Annex 1, taking into account the specifics outlined in the proposal.

The following costs are foreseen to be required to support a VIPRSM involving 25 Parties:

<b>Cost type</b>	<b>Explanation</b>
Staff time	A portion of the time of a Convention Secretariat technical staff member is required to coordinate work for the process, including managing the call for expressions of interest, managing the pool of experts/consultants, facilitating communication between focal points and experts, organizing meetings and translations of documentation, as needed.  Estimated budget – US\$ 192 675 (50% of P2 post)
Meeting costs	The majority of meetings will be conducted through virtual means. Some costs are still required in case of interpretation requirements. There could be one in-person meeting organized per biennium to gather all involved Parties to exchange lessons learned and experiences.  Estimated budget – US\$ 40 000
Expert/reviewer costs	Ten experts/reviewers to be engaged by the Convention Secretariat as per needs – US\$ 100 000
Consultant costs (as needed)	Three at-large consultants engaged by the Convention Secretariat who are subject-matter experts (e.g. in taxation, Article 5.3 and Article 19/other international legal matters) and who will review the reports/information in specific areas at the national level – US\$ 30 000.  One consultant engaged by the Convention Secretariat who will do a summary/review of all VIPRSM reports – US\$ 10 000
Documentation and translation costs	Estimated budget – US\$ 20 000
<b>Total cost for 25 Volunteer Parties</b>	<b>US\$ 392 675</b>
<b>Total cost per Volunteer Party</b>	<b>US\$ 15 707</b>

(Seventh plenary meeting, 10 February 2024)

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