



**FCTC**

WHO FRAMEWORK CONVENTION  
ON TOBACCO CONTROL

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

(Draft) FCTC/COP/10/B/R/3  
8 February 2024

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

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## Third report of Committee B

**(Draft)**

Committee B held its fourth and fifth meetings on 8 February 2024, under the chairmanship of Dr Alqahtani Zafer Mansour (Saudi Arabia).

Committee B recommends to the Conference of the Parties the adoption of the attached decision relating to the following agenda items:

7. Reporting, implementation assistance and international cooperation (continued)

7.3 Contribution of the WHO FCTC to the promotion and fulfilment of human rights  
(item proposed by a Party)

One decision as amended entitled:

– Contribution of the WHO FCTC to the promotion and fulfilment of human rights

### **Agenda item 7.3**

#### **Contribution of the WHO FCTC to the promotion and fulfilment of human rights**

The Conference of the Parties,

Guided by the purpose and principles of the Charter of the United Nations;

Recalling the Universal Declaration of Human Rights, proclaimed by the General Assembly of the United Nations in 1948, including Article 25, which declares that everyone has the right to a standard of living adequate for their health and well-being;

Reaffirming the objective of the WHO Framework Convention on Tobacco Control (WHO FCTC) to protect present and future generations from the devastating health, social, environmental and economic consequences of tobacco consumption and exposure to tobacco smoke;

Recalling the International Covenant on Economic, Social and Cultural Rights, in particular Article 12, which recognizes the right of everyone to the enjoyment of the highest attainable standard of physical and mental health;

Recalling also the Preamble to the Constitution of the World Health Organization, which establishes that the enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being without distinction of race, religion, political belief, economic or social condition;

Recalling further the Convention on the Elimination of All Forms of Discrimination against Women, which provides that States Parties to that Convention shall take appropriate measures to eliminate discrimination against women in the field of health care;

Mindful of the Convention on the Rights of the Child, and in particular Articles 24 and 32 of the Convention, recognizing the right of the child to the enjoyment of the highest attainable standard of health and the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development;

Recalling United Nations General Assembly Resolution 72/245, urging Member States to take immediate and effective measures to secure the prohibition and elimination of the worst forms of child labour and to end child labour in all its forms by 2025 at the latest;

Mindful of Article 4.2 of the WHO FCTC, which emphasizes the need to take measures to promote the participation of indigenous individuals and communities in the development, implementation and evaluation of tobacco control programmes that are socially and culturally appropriate to their needs and perspectives;

Taking note of the work of the human rights treaty bodies that is relevant to the WHO FCTC;

Recalling that the right to the enjoyment of the highest attainable standard of physical and mental health is a driving force for the implementation of the WHO FCTC;

Recalling also decision FCTC/COP7(26) concerning international cooperation for implementation of the WHO FCTC, including on human rights, which emphasized the WHO FCTC as an evidence-based treaty that reaffirms the right of all people to the highest attainable standard of health, as well as decision FCTC/COP7(29), which re-emphasized that the enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being;

Recalling further the Guidelines for implementation of Articles 8 and 12 of WHO FCTC, grounding these obligations in fundamental human rights and freedoms;

Mindful of the 2030 Agenda for Sustainable Development, which states that the Sustainable Development Goals “seek to realize the human rights of all” and “are integrated and indivisible”, as well as Sustainable Development Goal target 3.a; and the *Global Strategy to Accelerate Tobacco Control: Advancing sustainable development through the implementation of the WHO FCTC 2019–2025*;

Recognizing the obligation of States to respect, protect, promote and fulfil the human rights of everyone, including by preventing and addressing the health, social, environmental and economic consequences resulting from the tobacco consumption and exposure to tobacco smoke, as well as its supply, including with regard to Article 5.3 of the WHO FCTC;

Recognizing also the obligation of States to respect, protect, promote and fulfil the right to the enjoyment of the highest attainable standard of health when implementing the WHO FCTC;

Recalling Article 2 of the WHO FCTC, and emphasizing that nothing in this decision shall affect other rights, obligations and responsibilities, including any declarations or reservations made under other treaties, of Parties under international law,

1. ENCOURAGES Parties to consider including WHO FCTC principles and implementation efforts when engaging with the United Nations human rights mechanisms;
2. REQUESTS the Convention Secretariat to foster coordination and collaboration with entities in the United Nations system pursuing human rights mandates in order to raise awareness of the importance of the WHO FCTC implementation in the fulfilment of human rights.

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