



WHO FRAMEWORK CONVENTION
ON TOBACCO CONTROL

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

FCTC/COP/10/1(annotated)
10 July 2023

Tenth session
Panama City, Panama, 20–25 November 2023
Provisional agenda item 1.1

Provisional agenda annotated¹

1. Opening of the session*

1.1 Adoption of the agenda and organization of work

Documents FCTC/COP/10/1 and FCTC/COP/10/1(annotated)

The provisional agenda was prepared by the Convention Secretariat in consultation with the Bureau of the Conference of the Parties (COP) to the WHO Framework Convention on Tobacco Control (WHO FCTC), in accordance with Rule 6 of the Rules of Procedure of the COP.

In considering the method and organization of its work, the COP may wish to keep the existing approach by establishing two committees, A and B, working in parallel. Committee A could be entrusted with work on treaty instruments and technical matters under provisional agenda item 6, and reporting, implementation assistance and international cooperation under provisional agenda item 7. Committee B could work on budgetary and institutional matters under provisional agenda item 8. Provisional agenda items 1–5 and 9–12 would be considered in the plenary session.

The COP is invited to review and consider adopting the provisional agenda and to decide on the organization of work of the session.

1.2 Credentials of participants

Document FCTC/COP/10/2

In accordance with Rule 18 of the Rules of Procedure of the COP, credentials shall be submitted to the Convention Secretariat if possible no later than 24 hours after the opening of the session. In accordance with Rule 19 of the Rules of Procedure of the COP, the Bureau of the COP, with the assistance of the Convention Secretariat, shall examine the credentials and report thereon to the COP in document FCTC/COP/10/2, which will be prepared during the session. Pursuant to Rule 20 of the Rules of Procedure of the COP, representatives shall be entitled to participate provisionally in the session, pending a decision by the COP to accept their credentials.

¹ At the recommendation of the Bureau of the COP, it is proposed that the agenda items marked with an asterisk be webcast.

2. Applications for the status of observer to the Conference of the Parties

Document FCTC/COP/10/3

The COP is invited to review the applications for the status of observer, in accordance with Rules 30 and 31 of the Rules of Procedure of the COP. Document FCTC/COP/10/3 contains, in its annex, a draft decision for consideration by the COP.

3. High-level segment*

The Bureau of the COP has identified the opportunity to raise the visibility of the WHO FCTC this year, which marks the 20th anniversary of the adoption of the treaty. The high-level segment will promote a discussion and examine initiatives, best practices and potential avenues for cooperation, including intersectoral collaboration, in the area of tobacco control.

4. Invited speaker(s), if any*

High-level speakers will share their experience and insights in relation to achievements since the adoption of the WHO FCTC and opportunities to accelerate implementation of the treaty.

5. Global progress in implementation of the WHO FCTC, followed by a general debate*

Document FCTC/COP/10/4

The Head of the Convention Secretariat will provide an overview of global progress in implementation of the WHO FCTC. The COP is invited to note document FCTC/COP/10/4. A general debate on the theme “Together, promoting healthier lives” will follow the introduction of this agenda item.

Delegations wishing to speak in the general debate are invited to notify the Convention Secretariat as soon as possible by email with the subject line “Request for general debate statement” to cop10-mop3@who.int. Delegations are encouraged to opt for group or regional statements, in lieu of individual statements.

6. Treaty instruments and technical matters

- 6.1 Implementation of Articles 9 and 10 of the WHO FCTC (Regulation of contents and disclosure of tobacco products): reports by the Bureau, by the Expert Group and by WHO

Documents FCTC/COP/10/5, FCTC/COP/10/6 and FCTC/COP/10/7

In accordance with decision FCTC/COP9(2), document FCTC/COP/10/5 is submitted to the COP as one of the items that were deferred from the Ninth session of the COP (COP9). The document contains a report with the recommendations of the Bureau with respect to the future work of the Working Group on the implementation of Articles 9 and 10 of the WHO FCTC, in accordance with decision FCTC/COP8(21). The COP is invited to note document FCTC/COP/10/5 and consider adopting the draft decision annexed to it.

In accordance with decision FCTC/COP9(2), document FCTC/COP/10/6 is resubmitted to the COP without change from document FCTC/COP/9/6. It provides an overview of the work, key observations and recommendations of the Expert Group established to examine the reasons for low implementation

of Articles 9 and 10 of the Convention, pursuant to decision FCTC/COP8(21). The COP is invited to note document FCTC/COP/10/6 and provide further guidance.

In accordance with decision FCTC/COP9(2), document FCTC/COP/10/7 is an updated version of document FCTC/COP/9/8. It reports on progress made by the World Health Organization (WHO) in work related to tobacco product regulation, in pursuance of implementation of Articles 9 and 10 of the WHO FCTC. The COP is invited to note document FCTC/COP/10/7 and provide further guidance.

- 6.2 Tobacco advertising, promotion and sponsorship: depiction of tobacco in entertainment media: report by the Working Group

Document FCTC/COP/10/8

In accordance with decision FCTC/COP9(2), document FCTC/COP/10/8 is submitted to the COP as one of the items that were deferred from COP9. The document provides an overview of the work of the Working Group established by decision FCTC/COP8(17) to develop specific guidelines to address cross-border tobacco advertising, promotion and sponsorship and the depiction of tobacco in the entertainment media under Article 13 of the WHO FCTC. In accordance with decision FCTC/COP8(17), the Guidelines for implementation of Article 13 of the WHO FCTC remain fully relevant. The COP is invited to note document FCTC/COP/10/8 and consider adopting the specific guidelines contained in its Annex 1.

- 6.3 Novel and emerging tobacco products: reports by the Convention Secretariat and by WHO

Documents FCTC/COP/10/9 and FCTC/COP/10/10

In accordance with decision FCTC/COP9(2), document FCTC/COP/10/9 is an updated version of document FCTC/COP/9/10. The document examines the challenges that novel and emerging tobacco products are posing for the comprehensive application of the WHO FCTC and provides information on the adequate classification of such products to support regulatory efforts, as requested in decision FCTC/COP8(22). The COP is invited to note document FCTC/COP/10/9 and provide further guidance.

In accordance with decision FCTC/COP9(2), document FCTC/COP/10/10 is an updated version of document FCTC/COP/9/9. It contains a report that summarizes *Technical Report Series 1029*, which was the eighth report of the WHO Study Group on Tobacco Product Regulation, and the outcomes of the Heated Tobacco Product (HTP) Expert meeting held in February 2020, both of which respond to paragraphs 2(a)–(d) of decision FCTC/COP8(22). It also reports on changes to the 2022 World Customs Organization Harmonized System codes for nicotine and tobacco products. The report also includes updated evidence, market developments and some recent updates related to HTPs, including policy measures adopted up to 31 December 2022. The COP is invited to note document FCTC/COP/10/10 and provide further guidance.

- 6.4 Forward-looking tobacco control measures (in relation to Article 2.1 of the WHO FCTC) (item proposed by a Party)

Document FCTC/COP/10/11

Document FCTC/COP/10/11 provides context for work that could be undertaken to strengthen the implementation of the WHO FCTC, taking into account Article 2.1 of the WHO FCTC. This agenda item was proposed by a Party. The COP is invited to note document FCTC/COP/10/11 and provide further guidance.

6.5 Implementation of Article 19 of the WHO FCTC: Liability (item proposed by Parties)

Document FCTC/COP/10/12

Document FCTC/COP/10/12 provides an overview of the work undertaken by the COP in relation to Article 19 (Liability) of the WHO FCTC and provides considerations for potentially expanding that work. This agenda item was proposed by Parties. The COP is invited to note document FCTC/COP/10/12 and provide further guidance.

7. Reporting, implementation assistance and international cooperation

7.1 Improving the reporting system of the WHO FCTC

Document FCTC/COP/10/13

Document FCTC/COP/10/13 describes the work carried out under the guidance of the Bureau to improve the reporting system of the WHO FCTC. The report contains a proposal to improve the reporting system, including in relation to the reporting instrument of the WHO FCTC. The COP is invited to note document FCTC/COP/10/13, consider the proposed revised reporting instrument for the WHO FCTC contained in Annex 2 and adopt the draft decision contained in Annex 3 of the report.

7.2 Implementation Review Mechanism

Document FCTC/COP/10/14

In accordance with decision FCTC/COP9(2), document FCTC/COP/10/14 is resubmitted to the COP without change from document FCTC/COP/9/11. The document describes the pilot project exercise for an Implementation Review Mechanism for the WHO FCTC carried out in accordance with decision FCTC/COP8(16) and Specific Objective 3.1.2 of the *Global Strategy to Accelerate Tobacco Control: Advancing Sustainable Development through the Implementation of the WHO FCTC 2019–2025*. The COP is invited to note document FCTC/COP/10/14 and consider adopting the draft decision contained in Annex 3 of the report.

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

Document FCTC/COP/10/15

Document FCTC/COP/10/15 highlights the mutually supportive nature of the WHO FCTC and human rights, provides additional considerations on the nexus between tobacco control and human rights, and outlines the work of the Convention Secretariat on human rights. This agenda item was proposed by a Party. The COP is invited to note document FCTC/COP/10/15 and provide further guidance.

8. Budgetary and institutional matters

8.1 Performance and progress reports

Document FCTC/COP/10/16

- (a) Performance report for the 2020–2021 Workplan and Budget
- (b) Interim performance report for the 2022–2023 Workplan and Budget
- (c) Global Strategy to Accelerate Tobacco Control: Advancing Sustainable Development through the Implementation of the WHO FCTC 2019–2025

The COP is invited to note the performance and progress reports for the reported periods contained in document FCTC/COP/10/16. Further, the COP is invited to consider adopting the draft decision contained in Annex 5 of document FCTC/COP/10/16 to adopt an extension to 2030 of the *Global Strategy to Accelerate Tobacco Control: Advancing Sustainable Development through the Implementation of the WHO FCTC 2019–2025*, as recommended by the Bureau.

8.2 Proposed Workplan and Budget for the financial period 2024–2025

Documents FCTC/COP/10/17 and FCTC/COP/10/INF.DOC./1

The COP is invited to consider the report and adopt the Workplan and Budget for the financial period 2024–2025 contained in Annexes 1, 2 and 3 of document FCTC/COP/10/17, and to note the additional information contained in the Explanatory note FCTC/COP/10/INF.DOC./1.

8.3 WHO FCTC Investment Fund

Document FCTC/COP/10/18

Document FCTC/COP/10/18 describes the arrangements made to launch the WHO FCTC Investment Fund, in accordance with decision FCTC/COP9(13). The report proposes the establishment of a single Oversight Committee, which would serve the WHO FCTC Investment Fund and the Investment Fund to support implementation of the Protocol to Eliminate Illicit Trade in Tobacco Products, under the direction of the separate governing bodies of the treaties. The COP is invited to note document FCTC/COP/10/18, to consider the terms of reference for a single Oversight Committee contained in Annex 1 and to adopt the draft decision contained in Annex 2 of the report.

8.4 Payment of Assessed Contributions and measures to reduce Parties in arrears

Document FCTC/COP/10/19

The COP is invited to note the report providing information on the progress made on the payment of Assessed Contributions and the current status of Parties in arrears, contained in document FCTC/COP/10/19, and consider adopting the draft decision annexed to it, as recommended by the Bureau.

- 8.5 Review of accreditation of nongovernmental organizations with the status of observer to the Conference of the Parties

Document FCTC/COP/10/20

The COP is invited to note the report reviewing the accreditation of nongovernmental organizations (NGOs) with the status of observers to the COP, contained in document FCTC/COP/10/20, and to consider adopting the draft decision annexed to it to maintain the observer status of the reviewed NGOs.

- 8.6 Possible amendments to the Rules of Procedure of the Conference of the Parties

Document FCTC/COP/10/21

The COP is invited to consider possible amendments to the Rules of Procedures of the COP, as recommended by the Bureau, contained in Annex 1 of document FCTC/COP/10/21, and to adopt the draft decision contained in Annex 2 of the document.

- 8.7 Strengthening synergies between the Conference of the Parties and the World Health Assembly: report by the WHO Director-General on resolutions and decisions of the World Health Assembly

Document FCTC/COP/10/22

The COP is invited to note the report by the Director-General of WHO on the outcomes of the Seventy-fifth and Seventy-sixth World Health Assembly and the WHO regional committees relevant to the implementation of the WHO FCTC, as presented in document FCTC/COP/10/22.

- 8.8 Appointment of the Head of the Convention Secretariat: report by the Bureau

Document FCTC/COP/10/23

Document FCTC/COP/10/23 contains the joint recommendations of the Bureau elected by COP9 and the Bureau elected by the Second session of the Meeting of the Parties to the Protocol to improve the process of appointment of the Head of the Convention Secretariat, in accordance with decisions FCTC/COP9(9) and FCTC/MOP2(9). The COP is invited to note document FCTC/COP/10/23 and consider adopting the draft decision annexed to it.

9. Date and place of the Eleventh session of the Conference of the Parties*

Document FCTC/COP/10/24

In accordance with Rules 3 and 4 of the Rules of Procedure of the COP, the COP shall decide on the date and duration of its next regular session. The report contained in document FCTC/COP/10/24 proposes a date and place for the conduct of the Eleventh session of the COP (COP11). It also makes reference to the basic requirements for Parties to host future sessions of the COP and the Meeting of the Parties to the Protocol. The COP is invited to note document FCTC/COP/10/24 and consider adopting the draft decision annexed to it to decide the date and place of COP11.

10. Election of the President and Vice-Presidents of the Conference of the Parties*

Document FCTC/COP/10/25

The election of officers of the COP is governed by Rule 21 of the Rules of Procedure of the COP. Each regional group of Parties is invited to put forward a candidate for membership of the Bureau and to inform its respective current Bureau Member and the Convention Secretariat of its nomination, if possible before the opening of the session. The procedure is described in document FCTC/COP/10/25. The COP is invited to note document FCTC/COP/10/25 and elect the officers that constitute the Bureau of the COP.

11. Provisional report of the Tenth session of the Conference of the Parties*

Document FCTC/COP/10/26

The COP is invited to adopt the provisional report of the Tenth session of the COP contained in document FCTC/COP/10/26.

12. Closure of the session*

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