



Third report of Committee B

(Draft)

Committee B held its sixth and seventh meetings on 21 November 2025 with Marcos Dotta (Uruguay) in the chair.

Committee B recommends to the Conference of the Parties the adoption of the attached decision related to the following agenda item:

4. Treaty instruments and technical matters

4.3 Protection of the environment and the health of persons (Article 18 of the WHO FCTC)

One decision as amended entitled:

– Implementation of Article 18 of the WHO FCTC

Agenda item 4.3

Implementation of Article 18 of the WHO FCTC

The Conference of the Parties (COP),

Recalling United Nations General Assembly Resolution 76/300, which recognizes access to a clean, healthy and sustainable environment as a human right;

Recalling further the report of the United Nations Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health to the United Nations General Assembly (A/79/177), which emphasized the environmental harms from tobacco products, including the threats posed by the production of batteries and electronic components generating waste that is hard to dispose of or recycle;

Reiterating decision FCTC/COP10(14), which urges Parties to take into account the environmental impacts from cultivation, manufacture, consumption and waste disposal of tobacco products and related electronic devices, and to strengthen the implementation of Article 18 of the WHO Framework Convention on Tobacco Control (WHO FCTC), including through national policies related to tobacco and/or protection of the environment;

Recognizing that implementation of Article 18 of the WHO FCTC contributes to achieving the Sustainable Development Goals (SDGs) – particularly SDG 3 (Good health and well-being), SDG 6 (Clean water and sanitation), SDG 11 (Sustainable cities and communities), SDG 12 (Responsible consumption and production), SDG 13 (Climate action), SDG 14 (Life below water), SDG 15 (Life on land) and SDG 16 (Peace, justice and strong institutions);

Mindful of the need to promote synergy between implementation of Article 18 of the WHO FCTC, whereby the Parties agreed to have due regard to the protection of the environment and the health of persons in relation to the environment, and Article 2.1, encouraging Parties to implement measures beyond those required by the Convention;

Recalling decision FCTC/COP8(19), which invites Parties to strengthen the implementation of Article 18 of the WHO FCTC to collaborate across sectors to mitigate the environmental damage caused by tobacco;

Considering the insufficient legal and regulatory infrastructure – including tools, guidelines, multisectoral collaboration and experience or technical capacity – of Parties to prevent and manage the waste generated by tobacco and nicotine products in a way that protects human health and the environment;

Recognizing that full implementation of Article 18 requires strengthened national capacities and emphasizing the need for the provision of resources, including training, tools and financial support, to assist Parties in this regard;

Recognizing that such technical support may be provided to the Parties by the Convention Secretariat, in coordination with WHO and WHO FCTC Knowledge Hubs, upon request by the Parties and subject to available resources;

Recognizing that policy development, implementation and evaluation under Article 18 of the WHO FCTC should be informed by evidence and data on pre-consumption stages of tobacco – including cultivation and primary processing, where applicable – to support

evidence-based decisions on environmental impacts, pesticide use, and prevention and management of waste management;

Mindful of the need for coherence with relevant multilateral environmental agreements, including the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal and the Stockholm Convention on Persistent Organic Pollutants;

Recalling decision FCTC/COP8(18), which encourages Parties to promote national and international cooperation to improve the implementation of Article 5.3 of the WHO FCTC in relation to Articles 17, 18 and 19 of the WHO FCTC to reduce tobacco industry interference in tobacco control policies, as well as decision FCTC/COP10(14), which urges Parties to protect tobacco-related environmental policies from tobacco industry interests, to counter the so-called corporate social responsibility activities of the tobacco industry, and to ensure that the WHO FCTC objectives are not undermined through implementation of extended producer responsibility systems;

Noting decision FCTC/COP10(13), which recognizes the devastating environmental consequences of tobacco consumption and exposure to tobacco smoke and the potential use of liability in protecting the environment from tobacco harms, and reiterating decision FCTC/COP10(14), which invited Parties, under Article 19, to hold the tobacco industry accountable for the damage it causes to the environment and the adverse health effects on workers involved in the cultivation and manufacture of tobacco products, and the disposal and treatment of waste resulting from their manufacture and consumption;

Noting also the report of the Convention Secretariat contained in document FCTC/COP/11/7,

1. ENCOURAGES Parties to continue raising awareness about the environmental harms caused by tobacco in relevant fora, as appropriate;
2. INVITES Parties to consider strengthening implementation of Article 18 of the WHO FCTC, as appropriate, in accordance with national laws and circumstances, by:
 - (a) establishing coordination mechanisms between health, environment and other competent agencies to consider the possible classification of tobacco product waste (such as that containing nicotine, heavy metals or other toxic substances) based on scientific evidence;
 - (b) developing evidence-based studies and research, as appropriate, about the environmental impacts of pre- and post-consumption stages of tobacco and nicotine products and related electronic devices, including economic costs and sustainable solutions on prevention and management of waste management;
 - (c) developing evidence-based studies and research, as appropriate, on the costs of preventing and managing the waste produced by tobacco and nicotine products and related electronic devices;
 - (d) developing awareness campaigns on the environmental damage caused by production and consumption of tobacco and nicotine products and related electronic devices;
 - (e) identifying, exposing and countering greenwashing practices that portray the tobacco industry as socially responsible for the environment;

- (f) developing or strengthening national databases and reporting mechanisms on the environmental impacts of tobacco;
- (g) promoting, as appropriate, evidence-based studies and research on the environmental impacts of tobacco's pre-consumption stages – including cultivation and primary processing where relevant – with attention to producer profiles, production systems, pesticide use, prevention and management of waste management, and key environmental, social and economic challenges; and
- (h) considering comprehensive regulatory options regarding tobacco and nicotine product components, as referred to in the Partial guidelines for implementation of Articles 9 and 10, and related external components that increase environmental harms, taking into consideration public health impacts;

3. DECIDES:

- (a) to request the Convention Secretariat, under the guidance of the Bureau, in coordination with the WHO FCTC Knowledge Hubs and with support from WHO, taking into account, as appropriate, the work and further development on environmental related matters in international fora, to develop a report including recommendations for Parties in considering policies and measures to prevent and manage the waste produced by tobacco and nicotine products and related electronic devices, including in relation to:
 - (i) legal and institutional pathways for possible classification of tobacco product waste under international environment and waste conventions, based in scientific evidence;
 - (ii) possible safeguards to prevent tobacco industry interference in environmental policy-making, including through extended producer responsibility systems;
 - (iii) possible measures, and other initiatives that could be applied to the tobacco industry to internalize environmental costs;
 - (iv) methodologies to identify the impact of the tobacco trade on the environment and to estimate the costs of environmental and associated health damage caused by the tobacco industry for the purposes of liability under Article 19 of the Convention; and
 - (v) methodological guidance, data-collection instruments (templates) and indicators to support Parties in conducting the studies referred to in paragraph 2, including those on tobacco cultivation, with a view to promoting comparability, transparency and technical quality of analyses; and
- (b) to prepare a report as outlined above, to be submitted to the Twelfth session of the COP and, as necessary, to continue consideration of this matter by the COP at a future session, taking into account further development on environmental related matters in international fora.