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**NOTE**

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From: General Secretariat of the Council  
To: Council

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Subject: WHO Framework Convention on Tobacco control (FCTC): Ninth session of the Conference of the Parties (COP9) (virtual, 8 - 13 November 2021)  
*- Information from the Presidency and the Commission*

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Delegations will find an information note from the Commission on the Ninth session of the Conference of the Parties (COP9) on the WHO Framework Convention on Tobacco control in the Annex to this note.

This note is intended to be presented under "Any Other Business" at the meeting of the EPSCO Council (Health) on 7 December 2021.

**Information note on COP9 of the WHO FCTC**

The Ninth Session of the Conference of the Parties (COP9) to the WHO Framework Convention on Tobacco Control (WHO FCTC), having been postponed from 2020, was held virtually from 8 to 13 November 2021. Representatives of 161 Parties to the Convention took part.

The meeting followed a set of special procedures for the conduct of a virtual session. COP9 adopted an abridged agenda and deferred a series of items to the tenth Session of the Conference of the Parties (COP10), to be held in 2023. Main discussions were carried out in two Committees, A and B.

**Committee A: Treaty instruments and technical matters**

Committee A engaged in a discussion of the reports on implementation of Articles 9 and 10 of the WHO FCTC (Regulation of contents and disclosure of tobacco products). Parties endorsed the time extension of the mandate of the Expert Group tasked to examine the reasons for low implementation of these Articles until COP10. Some Parties stressed the need for further research – especially on design features of tobacco products and on novel and emerging products – in order to strengthen the evidence base and to inform Parties’ decision- and policy-making concerning regulation of tobacco products. Other suggestions for work in the intersessional period included the establishment of a potential new Knowledge Hub on Articles 9 and 10.

Committee A also discussed the reports on novel and emerging tobacco products prepared by WHO and by the Convention Secretariat. Some Parties stressed the need to regulate these products, in particular heated tobacco products, which are being misleadingly marketed as less harmful and as aids for smoking cessation. Such products were reported to also be heavily marketed to young people. Speakers noted that regulations must be based on scientific evidence, and highlighted the need for ongoing research during the intersessional period.

The last report discussed was the report prepared by the Convention Secretariat on the pilot project exercise for an Implementation Review Mechanism. Parties considered the Mechanism as an important tool for identifying gaps and bottlenecks in the implementation of the Convention, facilitating support to Parties and sharing lessons learned.

Substantial discussions of the above reports were deferred to COP10, along with related decisions on further actions.

### **Committee B: Budgetary and institutional matters**

Committee B discussed and took note of the performance report for the 2018–2019 work plan and budget and the interim performance report for the 2020–2021 work plan and budget.

Committee B was invited to consider the work plan and budget for the financial period 2022–2023. It was noted that the total budget for the period 2022–2023, amounting to US\$ 19.1 million, financed with assessed contributions from Parties and extra-budgetary contributions from donors, represented an overall decrease of 12.75% compared with the work plan and budget for the previous period, and that no increase was foreseen in the amount due of assessed contributions. The work plan and budget for 2022-23 was adopted by COP9. However, the Convention Secretariat mentioned that it would be necessary in the foreseeable future to consider the feasibility of maintaining the zero nominal growth of the assessed contributions.

Committee B was invited to take note of the progress made in the payment of assessed contributions and the current status of Parties in arrears. Given the exceptional circumstances related to the outbreak of the COVID pandemic, the COP agreed not to apply punitive measures, such as suspension of the right to vote.

The COP considered a report prepared by the Convention Secretariat, which summarised the developments relating to the proposed creation of an Investment Fund and provided recommendations for the establishment and operation of such a fund. Participation in the Fund will be voluntary. This new funding initiative is intended to supplement existing funding sources by adding to the assessed and extra-budgetary contributions, to expand the reach of tobacco control efforts. The World Bank was proposed as trustee of the Fund and an oversight committee is planned to be established. The COP adopted the decision on the establishment of the Fund.

### **Declaration on the WHO FCTC and recovery from COVID-19 pandemic**

The declaration sponsored by the Islamic Republic of Iran and cosponsored by various other Parties was intended to acknowledge the unprecedented circumstances in which Parties were currently implementing the Convention. It embodies the spirit of previous COP decisions, reaffirming Parties' resolve to work together to strengthen tobacco control, while focusing on current challenges and reflecting on how to “build back better” after the pandemic, in particular by increasing taxes on tobacco products to provide revenue for post-pandemic recovery. The COP endorsed the declaration by consensus.

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