PREPARATORY MEETING FOR THE TENTH SESSION OF THE COP TO THE WHO FCTC AND THE THIRD SESSION OF THE MOP TO THE PROTOCOL TO ELIMINATE ILLICIT TRADE IN TOBACCO PRODUCTS

18–21 September 2023
Putrajaya, Malaysia
MEETING REPORT

Preparatory Meeting for the Tenth Session of the COP to the WHO FCTC and the Third Session of the MOP to the Protocol to Eliminate Illicit Trade in Tobacco Products

Convened by:

WORLD HEALTH ORGANIZATION
REGIONAL OFFICE FOR THE WESTERN PACIFIC

Putrajaya, Malaysia
18–21 September 2023

Not for sale

Printed and distributed by:

World Health Organization
Regional Office for the Western Pacific
Manila, Philippines

December 2023
NOTE

The views expressed in this report are those of the participants of the Preparatory Meeting for the Tenth Session of the COP to the WHO FCTC and the Third Session of the MOP to the Protocol to Eliminate Illicit Trade in Tobacco Products and do not necessarily reflect the policies of the conveners.

This report has been prepared by the World Health Organization Regional Office for the Western Pacific for Member States in the Region and for those who participated in the Preparatory Meeting for the Tenth Session of the COP to the WHO FCTC and the Third Session of the MOP to the Protocol to Eliminate Illicit Trade in Tobacco Products in Putrajaya, Malaysia from 18 to 21 September 2023.
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Keywords

International cooperation/Tobacco control/Tobacco use cessation
**SUMMARY**

While tobacco use in the Western Pacific Region has shown a steady decline, only six countries in the Region are currently on track to meet the regional target of reducing tobacco use among adults aged 15 years and older by 30% by 2030. In addition to the persistent challenge of interference by the tobacco industry, there is mounting concern over the proliferation and uptake of emerging tobacco and related products, including heated tobacco products (HTPs) and electronic nicotine and non-nicotine delivery systems (ENDS/ENNDS).

The Western Pacific Region remains the only region of the World Health Organization (WHO) with 100% ratification of the WHO Framework Convention on Tobacco Control (FCTC), which entered into force in 2005. The WHO FCTC has guided Parties in introducing and strengthening comprehensive tobacco control policies. Currently, there are only three Parties in the Western Pacific Region to the Protocol to Eliminate Illicit Trade in Tobacco Products (the Protocol), which is an international treaty that entered into force in 2018 with the objective of eliminating all forms of illicit trade in tobacco products. The Conference of the Parties (COP) and the Meeting of the Parties (MOP) are the governing bodies that monitor and facilitate the implementation of the WHO FCTC and the Protocol, respectively.

The Preparatory Meeting for the Tenth Session of the Conference of the Parties to the WHO FCTC (COP10) and the Third Session of the Meeting of the Parties to the Protocol to Eliminate Illicit Trade in Tobacco Products (MOP3) was convened in Putrajaya, Malaysia from 18 to 21 September 2023.

The meeting was co-organized by the WHO FCTC Secretariat, WHO Regional Office for the Western Pacific and the Malaysian Ministry of Health. The face-to-face meeting was attended by 29 representatives and 12 observers representing 25 Parties, as well as seven representatives from five partner agencies based in the Region.
1. INTRODUCTION

1.1 Meeting organization

The Preparatory Meeting for the Tenth Session of the Conference of the Parties to the World Health Organization (WHO) Framework Convention on Tobacco Control (WHO FCTC) (COP10) and the Third Session of the Meeting of the Parties to the Protocol to Eliminate Illicit Trade in Tobacco Products (MOP3) was convened in Putrajaya, Malaysia from 18 to 21 September 2023.

Member States were represented by their national WHO FCTC focal point or a national representative of the COP10 delegation. Fiji, Mongolia and Samoa are Parties to the Protocol to Eliminate Illicit Trade in Tobacco Products (the Protocol) and were therefore invited to nominate one additional representative who would be part of the MOP3 delegation.

1.2 Meeting objectives

The objectives of the preparatory meeting were:

(1) to discuss and familiarize Parties with the agenda items and any relevant technical background for the COP10 and MOP3 and their implications for tobacco control in the Western Pacific Region; and

(2) to discuss potential coordination of Member States in the Western Pacific Region for planned action and contributions at the COP10 and MOP3.

2. PROCEEDINGS

2.1 Opening session

The opening session of the Preparatory Meeting for the Tenth Session of the Conference of the Parties to the WHO FCTC (Pre-COP10) began with opening remarks made on behalf of the Acting Regional Director for the WHO Regional Office for the Western Pacific, Dr Zsuzsanna Jakab, by the WHO Representative for Malaysia, Singapore and Brunei Darussalam, Dr Rabindra Abeyasinghe. This was followed by opening remarks from the Head of the Convention Secretariat, Dr Adriana Blanco Marquizo. The Honourable Minister of Health for Malaysia, Dr Zaliha Mustafa, delivered welcome remarks.

The list of participants is available in Annex 1. The programme of activities is available in Annex 2.

2.2 Designation of meeting officers

Dr Anita Suleiman, Director of Disease Control Division, Malaysia Ministry of Health, was nominated as Chair of the Pre-COP10, and Ms Karlie Brown, Acting Assistant Secretary, Tobacco and E-cigarette Control Branch, Australia Department of Health and Aged Care as Vice-Chair.

2.3 Review and adoption of COP10 agenda

Dr Blanco Marquizo introduced the COP10 agenda (Documents FCTC/COP/10/1 FCTC/COP/10/1(annotated)). There were no questions or interventions regarding this agenda item.

2.4 Global progress in the implementation of the WHO FCTC

Ms Leticia Martinez Lopez, Technical Officer for Reporting and Knowledge Management of the Secretariat of the WHO FCTC, presented the COP10 agenda item “Global progress in the implementation of the WHO FCTC” (Document FCTC/COP/10/4).
In response to a question about whether Parties would be allowed to make interventions on the global reports, the Convention Secretariat responded affirmatively indicating that, where possible, making regional statements would reduce time required for the session.

The Convention Secretariat also noted a recommendation that the report include quantitative details (for example, the number of Parties) when detailing progress.

2.5 Applications for the status of observer to the Conference of the Parties

Ms Sabina Timco Iacazzi, Treaty Officer for Convention and Programme Law of the Secretariat of the WHO FCTC, presented the COP10 agenda item “Applications for the status of observer to the Conference of the Parties” (Document FCTC/COP/10/3). There were no questions or interventions regarding this agenda item.

2.6 Performance report for the 2020−21 workplan and budget and Interim performance report for the 2022−23 workplan and budget

Mr Kelvin Khow, Programme Manager of the Secretariat of the WHO FCTC, presented the COP10 agenda items “Performance Report 2020−21 and interim Performance Report for 2022−23” (Document FCTC/COP/10/16). There were no questions or interventions regarding this agenda item.

2.7 Overview of the WHO Report on the Global Tobacco Epidemic, 2023

Dr Hebe Gouda, Project Officer for the No Tobacco Unit of the Department of Health Promotion in WHO headquarters, provided an overview of the WHO report on the global tobacco epidemic, 2023: Protect people from tobacco smoke (GTCR) released in July 2023. Her presentation described the current prevalence of tobacco use, progress in implementing the MPOWER measures and regulation of electronic nicotine delivery systems (ENDS).

The Western Pacific Region is making progress, but more slowly than other regions. Six countries (Australia, Cambodia, Kiribati, the Lao People’s Democratic Republic, Nauru and Vanuatu) improved their implementation of at least one MPOWER measure. The Western Pacific Region has shown no progress between 2018 and 2022 in implementing the measure on protecting people from tobacco smoke according to the GTCR categorizations, with only nine countries in the Region (Australia, Brunei Darussalam, Cambodia, the Lao People’s Democratic Republic, Marshall Islands, Nauru, New Zealand, Niue and Papua New Guinea) achieving the best-practice level of complete smoke-free indoor public places, workplaces and public transport. Nearly all countries (25 of 27) in the Western Pacific Region impose fines on either the patron (smoker) or the establishment for smoking ban violations, yet only nine countries have complaint mechanisms. Furthermore, only 10 countries (the Lao People’s Democratic Republic, Marshall Islands, Mongolia, Nauru, Palau, Philippines, the Republic of Korea, Singapore, Solomon Islands and Viet Nam) have dedicated funds for enforcement.

Dr Gouda also introduced the Global Health Observatory, which includes the latest MPOWER implementation status updates by country.

Asked if publications or tools from countries with best practice could be shared and if any gap analysis has been conducted for each MPOWER component, Dr Gouda clarified that the GTCR includes the criteria for “best-practice level” for each MPOWER measure.

2.8 Updates on the implementation of the Regional Action Plan for Tobacco Control in the Western Pacific (2020−2030)

Ms Xi Yin, Coordinator, Noncommunicable Disease Prevention and Health Promotion, WHO Regional Office for the Western Pacific, presented updates on the implementation of the Regional Action Plan for Tobacco Control in the Western Pacific (2020−2030). While there is a strong foundation for tobacco
control in the Region, further advocacy is needed to promote tobacco control as a development priority. Implementation of key demand reduction measures – such as Article 6 (tax measures to reduce the demand for tobacco), Article 8 (measures to protect people from exposure to tobacco smoke) and Article 13 (measures against tobacco advertising, promotion and sponsorship [TAPS]) – is variable. In some instances, even though laws are in place, there are gaps in implementation (that is, enforcement of the laws). Similarly, regulation of ENDS is variable, with some countries banning and others regulating ENDS as tobacco or consumer products, while some are not regulating these products at all. The presence of national multisectoral coordinating mechanisms in the Region is strong; however, subnational engagement in the Region is limited. The mid-term progress report will be submitted to the Regional Committee for the Western Pacific in 2025.

In response to a question about which aspect of Article 13 implementation is lagging, Ms Yin noted that among the least implemented measures are: tobacco advertisement ban measures, such as point-of-sale display and international television and magazine advertisement; tobacco promotion ban measures, such as “reverse brand stretching”; and tobacco sponsorship ban measures, such as “corporate social responsibility” and event sponsorship.

2.9 Global Strategy to Accelerate Tobacco Control: Advancing sustainable development through the implementation of the WHO FCTC 2019–2025

Mr Khow presented the COP10 agenda item “Global Strategy to Accelerate Tobacco Control: Advancing sustainable development through the implementation of the WHO FCTC 2019–2025” (Document FCTC/COP/10/16). There were no questions or interventions regarding this agenda item.

2.10 Proposed workplan and budget for the financial period 2024–2025

Mr Khow went on to present the COP10 agenda item “Proposed Workplan and Budget for the financial period 2024–2025” (Documents FCTC/COP/10/17 and FCTC/COP/10/INF.DOC./). There were no questions or interventions regarding this agenda item.

2.11 WHO FCTC Investment Fund

Mr Rob Tripp, Senior Adviser with the Secretariat of the WHO FCTC, presented the COP10 agenda item on the WHO FCTC Investment Fund (Documents FCTC/COP/10/18).

A question was raised on the rationale for the composition and representation of the WHO FCTC Investment Fund Oversight Committee in reference to the classification of skill set and knowledge as essential criteria while diverse (regional) representation is considered desirable but not essential. The Convention Secretariat noted that experts’ citizenship do not always match professional and geographical experience with financial markets.

Dr Blanco Marquizo reiterated that the Oversight Committee does not decide on how funds will be spent, but rather recommends how the funds should be invested.

2.12 Payment of assessed contributions and measures to reduce Parties arrears

Mr Rodrigo Santos Feijo, Programme Manager of the Secretariat of the WHO FCTC, presented the COP10 agenda item “Payment of Assessed Contributions and measures to reduce Parties arrears” (Document FCTC/COP/10/19). There were no questions or interventions regarding this agenda item.

2.13 Possible amendments to the Rules of Procedure of the Conference of the Parties

Ms Martinez Lopez presented the COP10 agenda item “Possible amendments to the Rules of Procedure of the Conference of the Parties” (Document FCTC/COP/10/21). It is proposed that the COP discontinue the practice of adopting the provisional report in session. Parties will continue to be able to
provide comments during the 15 days after the provisional report is communicated to them. The Convention Secretariat will integrate comments, following checking of the recording, and finalize the report. Further, it is also proposed to discontinue the practice of written verbatim records.

A question was raised on how discrepancies between Parties are reflected in COP meeting reports and whether there are any cost implications of shifting to audio-file-based verbatim records. The Convention Secretariat indicated that it facilitates the negotiation of consensus among Parties. The cost of audio recording for verbatim records is included in the hosting agreement with the host country. In response to an enquiry about the safeguards around the use of the audio files, the Convention Secretariat responded that disclaimers could be issued on the audio files indicating their purpose as verbatim record.

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

Ms Timco Iacazzi presented the COP10 agenda item “Review of accreditation of nongovernmental organizations with the status of observer to the Conference of the Parties” (Document FCTC/COP/10/20). There were no questions or interventions regarding this agenda item.

2.15 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

Ms Timco Iacazzi went on to present the COP10 agenda item “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). There were no questions or interventions regarding this agenda item.

2.16 Appointment of the Head of the Convention Secretariat: Report by the Bureau

Ms Kate Lannan, Senior Legal Affairs Officer, Secretariat of the WHO FCTC, presented the COP10 agenda item “Appointment of the Head of the Convention Secretariat: Report by the Bureau” (Document FCTC/COP/10/23). There were no questions or interventions regarding this agenda item.

2.17 COP10 and MOP3 General Information

Ms Lannan and Dr Sara Hitchman, Technical Officer for Reporting and Knowledge Management, Secretariat of the WHO FCTC, presented on the COP10 agenda items on “Committee Chair or Vice Chair for COP10, Bureau Member and Regional Coordinator”, and “Date and Place of the Eleventh Session of the COP” (Documents FCTC/COP/10/24 and FCTC/COP/10/25). There were no questions or interventions regarding these agenda items.

2.18 Improving the reporting system of the WHO FCTC

Dr Tibor Szilagyi, Team Leader for Reporting and Knowledge Management, Secretariat of the WHO FCTC, presented on the COP10 agenda item “Improving the reporting system of the WHO FCTC” (Document FCTC/COP/10/13). The Convention Secretariat is planning to change the online reporting platform and to address the previously identified limitations of the platform.

A question was raised on whether the reporting instrument of the WHO FCTC is “pre-filled” with other sources of data, such as those reported in the GTCR. The Convention Secretariat explained that since the data collection cycles of the two surveys overlap, the GTCR is not used for pre-filling systematically. However, the GTCR data will be used for some aspects of reporting.

A comment was made that for countries and areas with limited human resources, the current reporting mechanism is somewhat burdensome.
2.19 Implementation Review (and Support) Mechanism

Dr Szilagyi presented on the COP10 agenda item on the Implementation Review Mechanism (Document FCTC/COP/10/14). A costed strategy, including costs to support the Implementation Review and Support Mechanism (IRSM), is provided for consideration of the COP. Various actors should then be involved to provide tailored assistance to address gaps identified through the IRSM.

The Convention Secretariat noted a comment that the Implementation Review Mechanism requires the input of “expert reviewers” who understand local contexts. In response to questions regarding whether the IRSM report is publicly available and its purpose, the Convention Secretariat clarified that the IRSM report will only be shared with the relevant Party and not published for public consumption, and that funding support is for the IRSM process.

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

Ms Lannan presented on the COP10 agenda item “Implementation of Articles 9 and 10 of the WHO FCTC (Regulation of contents and disclosure of tobacco products): reports by the Bureau” (Document FCTC/COP/10/5); Dr Szilagyi presented on the Report by the Expert Group (Document FCTC/COP/10/6); and Dr Ranti Fayokun, Scientist, No Tobacco Unit, WHO headquarters, presented on the Report by WHO (Document FCTC/COP/10/7). The Convention Secretariat highlighted the recommendation made by the Expert Group to establish a Knowledge Hub on product regulation.

In response to questions on the reasons for low implementation of Articles 9 and 10 and for suspending the Working Group, the Convention Secretariat stated that there has been no specific mention of the reasons for suspension, but that its understanding is that the Working Group had made sufficient progress.

A concern was raised about the inconsistency between the background and the draft decision in document FCTC/COP/10/5 and the phrase “ensuring regional balance to as great an extent as possible.” The Convention Secretariat reminded the plenary that two subsidiary bodies exist: working groups and expert groups, with both reporting directly to the COP. However, while working groups are formed by Parties (political delegates representing Parties), expert groups are not a political body, but rather comprise individuals in their personal capacity with technical expertise on a subject matter (not representatives of Parties). Decisions will always ultimately be made by the COP, which is a political body. The Expert Group on Articles 9 and 10 was asked to examine the reasons for low implementation of these articles. Because not all Parties/regions have expertise, the recommendation on representation is described as “to as great an extent as possible”.

A request was made for information on the terms of reference for both the Working Group and the Expert Group and what the impetus would be for reactivating the Working Group. The Convention Secretariat noted that the COP is just suspending the Working Group until an Expert Group can provide necessary evidence (referencing COP7’s Decision 14).

In response to a request for details about the expertise the Convention Secretariat looks for in terms of Expert Group membership, it indicated that experts are those who can fulfil the mandate given by the COP, which is to be able to identify reasons for limited implementation of Articles 9 and 10.

The Convention Secretariat was asked about its plans to raise awareness about the Knowledge Hubs among Parties. It noted that there are currently nine Knowledge Hubs and their activities are shared
with Parties via email, newsletters and the WHO FCTC website. Parties are invited to reach out to the
Convention Secretariat or the Knowledge Hubs directly with any requests for support.

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

Ms Lannan presented on the COP10 agenda item “Novel and emerging tobacco products: reports by the Convention Secretariat” (Document FCTC/COP/10/9) and Dr Fayokun presented on the COP10 agenda item “Novel and emerging tobacco products: reports by the WHO” (Document FCTC/COP/10/10). Evidence on the immediate health effects of ENDS is available and mounting, but longer-term effects are unknown and require further study. Banning or strictly regulating ENDS is recommended. Heated tobacco products (HTPs), including the devices, are tobacco products and should be treated as such with all the provisions of the WHO FCTC applicable. WHO continues to monitor the evidence since there are so many different kinds of HTPs. The COP differentiates ENDS and HTPs since the latter are tobacco products and therefore should not be considered as a cessation tool. WHO considers “cessation” as the non-use of any tobacco product and, in addition, the stoppage of use of nicotine products. It was noted that nicotine replacement therapies (NRTs), unlike ENDS, are meant to “wean” smokers off tobacco and eventually off nicotine; they are not designed for ongoing use.

When asked whether there is any official recommendation on the proper disposal of ENDS, the Convention Secretariat stated that, while there is no recommended disposal methodology, countries may wish to consult their departments of environment about proper waste disposal options. Parties are encouraged to seek synergies between tobacco control and environmental protection efforts; the international legally binding instrument on plastics pollution currently being negotiated was referred to as an example.

On the issue of having a comprehensive, common and standard definition of ENDS to avoid regulatory loopholes, the Convention Secretariat noted that the scientific definition of ENDS and the regulatory (legal) definition are not the same. Making regulations broad, futuristic and fluid will enable amendments that account for evolving technology and market developments. Changes should be made to national regulations as Parties deem necessary.

Southeast Asia Tobacco Control Alliance (SEATCA) representative, Dr Ulysses Dorotheo, pointed out that some Parties regulate ENDS as “imitation tobacco products” and noted that the terms “novel and innovative” are used for marketing purposes, so perhaps there should be a move away from using these terms.

Temporary adviser Dr Judith MacKay reminded the plenary that Hong Kong SAR (China) banned ENDS and still achieved tobacco use prevalence in the single digits. This example proves that countries do not need ENDS to achieve tobacco-free targets.

Regarding whether ENDS emissions are considered “smoke”, the Convention Secretariat explained that the COP defines ENDS and HTPs differently, so while HTP emissions are considered “smoke” according to the COP, they have yet to do so with ENDS emissions.

The Convention Secretariat further noted that the reports are not intended to be a recommended text; rather, the documents provide supportive evidence and reference for regulating HTPs.

Concerns were raised about the statement, “Many toxicants found in tobacco smoke are at significantly lower levels in HTP aerosol, but higher than in ENDS”, potentially giving the tobacco and related vested industry ammunition. WHO has the obligation to report current evidence. The report was noted as stating that “HTP aerosol contains other toxicants found sometimes at higher levels than in tobacco smoke”. Parties are welcome to draft a decision on this and relevant aspects of other product regulation
papers to reflect what would assist them in effectively regulating these products and protect their population, especially young people.

2.22 Updates on WHO Tobacco Laboratory Network-related activities

WHO Temporary Adviser, Dr Nuan Ping Cheah, Laboratory Director, Health Sciences Authority of Singapore and Chair of the WHO Tobacco Laboratory Network, presented updates on WHO Tobacco Laboratory Network-related activities. WHO asked Parties how many have adopted the available testing methodologies in their national laws and regulations. It appeared that none have, although a few have used the standard operating procedures (SOPs). There are currently 15 SOPs available and WHO encouraged Parties to make use of these methods. While these testing methods may not have been incorporated nationally, they will be useful for enforcement.

2.23 Tobacco advertising, promotion and sponsorship: Depiction of tobacco in entertainment media: report by the Working Group

Dr Blanco Marquizo presented on the COP10 agenda item “Tobacco advertising, promotion and sponsorship: Depiction of tobacco in entertainment media: report by the Working Group” (Document FCTC/COP/10/8). Convention Secretariat expert Dr Becky Freeman presented virtually on the depiction of tobacco in entertainment media. A Q&A session was facilitated by Ms Lannan and Ms Timco Iacazzi of the Convention Secretariat. Key messages included the following:

- Commercial communications is a form of advertising.
- Declaration of tobacco industry’s expenditure on TAPS may be included in monitoring and contribute to enforcement.
- It is important for countries to ensure that their TAPS laws are up-to-date.
- Countries should apply the same stringent measures on TAPS for exports.
- There is a misconception that TAPS on social media cannot be addressed.
- The guidelines are intended to be considered for adoption in addition to the existing guidelines and not as replacement.
- Japan and the Philippines are the Parties in the Western Pacific that are on the technical working group for guideline development.

2.24 Tactics of the tobacco industry in the Western Pacific Region and actions to prevent interference

Dr Mary Assunta Kolandai, Senior Policy Adviser, SEATCA, presented on tactics used by the tobacco industry in the Western Pacific and actions to prevent their interference. Her presentation noted that the tobacco industry continues to and is expected to further intensify its interference with the upcoming COP10 and MOP3. Parties are encouraged to exercise due diligence in preventing industry interference in collaboration with civil society partners. When Parties receive information, it would behoove them to check who/where the information is from. Observer organizations to the COP can provide a list of known front groups. “Front groups” promote the message of the tobacco industry to the public and governments. It is necessary to examine the messages they are espousing and who they are truly representing. Parties should be aware of the source of invitations to participate in events during COP10 and MOP3.

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

Ms Timco Iacazzi presented on COP10 agenda item “Contribution of the WHO FCTC to the promotion and fulfilment of human rights” (Document FCTC/COP/10/15).
Regarding the reason the draft decision titled “Promotion of the WHO FCTC through human rights”, proposed by four Parties at COP8, was further deferred at COP9, the Convention Secretariat noted that the decision came in late and Parties therefore did not have sufficient time to discuss it. One issue highlighted by the WHO Eastern Mediterranean Region (regarding reservations made under other human rights treaties) seems to have been resolved.

It was proposed that reference to the United Nations Declaration on the Rights of Indigenous Peoples be made in the discussion under the item considering “human rights”. The Convention Secretariat noted that while it is not possible to change the technical report, the draft decision will be considered during open discussion at the COP and could accommodate this element.

### 2.26 Implementation of Article 19 of the WHO FCTC: Liability

Ms Timco Iacazzi presented on the COP10 agenda item “Implementation of Article 19 of the WHO FCTC: Liability” (Document FCTC/COP/10/12). It is important to consider the environmental aspect of liability and create synergies with international environmental law and the international legally binding instrument on plastics pollution that is currently under negotiation, in order to hold the tobacco industry accountable for environmental harms. The Convention Secretariat noted that the environmental aspect of liability is strengthened in the draft Decision. Regarding the establishment of fault and causation in the context of tobacco, a reference was made to the Report of the Expert Group on Liability (FCTC/COP/6/8), providing guidance in that regard.

### 2.27 Implementing Article 19 in the Western Pacific Region

WHO Temporary Adviser, Professor Jonathan Liberman, The University of Melbourne Law School, presented on implementing Article 19 in the Western Pacific Region. A request was made that the Convention Secretariat and WHO share country litigation examples, and that the Convention Secretariat raise awareness about the Civil Liability Toolkit.

### 2.28 Forward-looking tobacco control measures (in relation to Article 2.1 of the WHO FCTC)

Ms Lannan presented on the COP10 agenda item “Forward-looking tobacco control measures (in relation to Article 2.1 of the WHO FCTC)” (Document FCTC/COP/10/11). The scope of “forward-looking measures” is broad and includes measures that expand and intensify approaches to tobacco control. The Expert Group will review the experiences of Parties and the literature on relevant tobacco control practices to gain a better understanding of the landscape. The Convention Secretariat affirmed that Parties can contribute to the Expert Group.

### 2.29 Panama Declaration

Dr Blanco Marquizo presented on the Panama Declaration, which reaffirms and reiterates the COP’s commitments with an emphasis on Articles 6, 9, 10, 13 and 19, as well as Article 5.3. There were no questions or interventions regarding this agenda item.

### 2.30 Opportunities and benefits for Parties to accede to the Protocol to Eliminate Illicit Trade in Tobacco Products

Ms Evita Ricafort of the Convention Secretariat presented on opportunities and benefits for Parties to accede to the Protocol to Eliminate Illicit Trade in Tobacco Products. There were no questions or interventions regarding this agenda item.

Mr Vimal Deo, Chief of Environmental Health of the Ministry of Health and Medical Services in Fiji, representing the Western Pacific Region’s Regional Coordinator to the MOP, Dr James Fong, shared reflections on actions Fiji has taken since acceding to the Protocol.
2.31 Conclusions of Pre-COP10
Ms Yin provided a summary of the Pre-COP10 discussions and recommendations.

Preparatory Meeting of the Third Session of the Meeting of the Parties to the Protocol to Eliminate Illicit Trade in Tobacco Products (MOP3)
The Parties to the Pre-COP10 were invited by the Parties of the MOP3 to attend the Preparatory Meeting of the Third Session of the Meeting of the Parties to the Protocol to Eliminate Illicit Trade in Tobacco Products (Pre-MOP3) as observers. The three Parties of the MOP are: Fiji, Mongolia and Samoa.

2.32 Opening of the Preparatory Meeting of the Third Session of the Meeting of the Parties to the Protocol to Eliminate Illicit Trade in Tobacco Products
Opening remarks for the Pre-MOP3 were delivered by Dr Blanco Marquizo.

2.33 Designation of meeting officers
Dr Orgil Burentuvshin, Western Pacific Region Bureau Member to the Meeting of the Parties, opened the floor for nominations for the chair of the Pre-MOP3. Mr Vimal Deo of Fiji was nominated to the position of Chair and Dr Orgil Burentuvshin to the position of Vice Chair.

2.34 Review and adoption of MOP3 agenda
Ms Timco Iacazzi presented the MOP3 agenda item “Review and adoption of MOP3 agenda” (Documents FCTC/MOP/3/1 and FCTC/MOP/3/1 (annotated)). There were no questions or interventions regarding this agenda item.

2.35 Global progress in the implementation of the Protocol to Eliminate Illicit Trade in Tobacco Products
Mr Mohammad Ehteshamul Hoque, Technical Officer (Customs), Knowledge Management and Communications, Secretariat of the WHO FCTC, presented on the MOP3 agenda item “Global progress in the implementation of the Protocol to Eliminate Illicit Trade in Tobacco Products” (Document FCTC/MOP/3/4). The reports presented included a description of activities conducted by the Convention Secretariat and information on the financial implementation of the workplans and budgets adopted in MOP1 and MOP2. There were no questions or interventions regarding this agenda item.

2.36 Applications for the status of observer to the Meeting of the Parties
Ms Timco Iacazzi presented on the MOP3 agenda item “Applications for the status of observer to the Meeting of the Parties” (Document FCTC/MOP/3/3). In response to a query, the Convention Secretariat confirmed that there is no limit to the number of observers to the MOP. However, there is a strict deadline for application to be an observer to the MOP.

2.37 Performance report for the 2020–21 workplan and budget and Interim performance report for the 2022–23 workplan and budget
Mr Santos Feijo presented on the MOP3 agenda item “Performance report for the 2020–21 workplan and budget and Interim performance report for the 2022–23 workplan and budget” (Document FCTC/MOP/3/8). There were no questions or interventions regarding this agenda item.

2.38 Proposed workplan and budget for the financial period 2024–2025
Mr Santos Feijo presented on the MOP3 agenda item “Proposed Workplan and Budget for the financial period 2024–2025” (Documents FCTC/MOP/3/9 and FCTC/MOP/3/INF.DOC./1). In response to a query, the Convention Secretariat confirmed that the Oversight Committee for the Investment Fund is the same for the COP and the MOP.
2.39 Reporting and information sharing under the Protocol

Dr Szilagyi presented on the MOP3 agenda item “Reporting and information sharing under the Protocol” (Document FCTC/MOP/3/7). Agreement was voiced on the efforts to make the reporting more user-friendly considering the multisectoral nature of the instrument. The Convention Secretariat confirmed that all Articles are covered in the Reporting database.

2.40 Road map, timelines and steps to conduct evidence-based research

Ms Santos Feijo presented on the MOP3 agenda item “Road map, timelines and steps to conduct evidence-based research (Articles 6.5 and 13.2)” (Document FCTC/MOP/3/6).

On the issue of whether the draft decision on the road map “to actively seek and receive extra-budgetary contributions from Parties and other international donors” must be a Party to the COP and/or the MOP, the Convention Secretariat noted that it will be up to the MOP to decide.

2.41 Payment of assessed contributions and measures to reduce Parties in arrears

Mr Santos Feijo went on to present on the MOP3 agenda item “Payment of Assessed Contributions and measures to reduce Parties in arrears” (Document FCTC/MOP/3/10). In response to a question about whether any amount or percentage of arrears would prevent a country from being able to vote, the Convention Secretariat stated that this would be the case only if there is non-payment of the pre-2020–21 biennium assessed contribution, and that no part of the 2021–2022 contribution is in arrears.

2.42 Review of accreditation of nongovernmental organizations with the status of observer to the Meeting of the Parties

Dr Ehteshamul Hoque presented on the MOP3 agenda item “Review of accreditation of nongovernmental organizations with the status of observer to the Meeting of the Parties” (Document FCTC/MOP/3/12). There were no questions or interventions regarding this agenda item.

2.43 Possible amendments to the Rules of Procedure of the Meeting of the Parties

Ms Timco Iacazzi presented on the MOP3 agenda item “Possible amendments to the Rules of Procedure of the Meeting of the Parties” (Document FCTC/MOP/3/13).

In response to a question about who has access to the audio files, the Convention Secretariat noted that the previous verbatim records in written form were publicly available and therefore the audio files will be as well on the WHO FCTC website. These files are required as the transparent record-keeping of the meeting, similar to the process adopted by the World Health Assembly. Further, the Convention Secretariat noted that the audio files include the plenary sessions only.

2.44 Tracking and tracing systems, including the global information-sharing focal point (Article 8): report by the Working Group

Mr Santos Feijo presented on the MOP3 agenda item “Tracking and Tracing Systems, including the global information-sharing focal point (Article 8): report by the Working Group” (Document FCTC/MOP/3/5).

The Convention Secretariat shared that there are some MOP Parties that have operational tracking and tracing systems. Clarification was requested on the negotiations regarding the Global Sharing Focal Point and if any concerns about data and confidentiality were raised during negotiations. For example, whether there are any cases in which national laws prevent data-sharing with the Global Sharing Focal Point and if so, how this situation is being addressed. The Convention Secretariat noted that Protocol
accession would “allow” countries to exchange data and information. Further, Parties can opt to exchange information bilaterally. The Convention Secretariat also noted that all information is encrypted.

When asked whether there is any support for advice on legislative recommendations to accommodate a tracking and tracing system, the Convention Secretariat shared that the strategy on mechanisms for assistance includes exchange of information and experience among Parties, including legislative approaches.

2.45 Appointment of the Head of the Convention Secretariat: report by the Bureau

Ms Lannan presented on the MOP3 agenda item “Appointment of the Head of the Convention Secretariat: report by the Bureau” (Document FCTC/MOP/3/14). There were no questions or interventions regarding this agenda item.

2.46 MOP Panama Declaration

Ms Timco Iacazzi presented on the MOP Panama Declaration. There were no questions or interventions regarding this agenda item.

2.47 MOP3 General Information

Dr Hitchman presented on the MOP3 General Information including the election of the Committee Chair and Vice Chair for MOP3, and of Bureau Member and Regional Coordinator. There were no questions or interventions regarding this agenda item.

2.48 Conclusions

Dr Ada Moadsiri, Technical Officer, Tobacco Free Initiative, WHO Regional Office for the Western Pacific, provided a summary of the Pre-MOP3 discussions and recommendations.

3. CONCLUSIONS AND RECOMMENDATIONS

3.1 Conclusions

The following were conclusions from the meeting:

- While commendable progress has been made on several articles of the WHO FCTC, acceleration is imperative if the Western Pacific Region is to meet the reduction targets of tobacco use prevalence set out in the global targets for noncommunicable diseases for 2025 and the Regional Action Plan for Tobacco Control in the Western Pacific (2020–2030).

- The IRSM would benefit from the involvement of reviewers who are familiar with local contexts. A costed strategy, including costs to support the IRSM, is provided for consideration of the COP.

- An Expert Group was mandated by the COP to examine the reasons for the low implementation of Articles 9 and 10 and to make recommendations, which will be reported to the COP. The Bureau of the COP will present its report to the COP in respect of the Working Group on implementation of Articles 9 and 10 and develop a long-term plan for furthering guidance on these articles.

- The proliferation of newer and emerging tobacco and nicotine products poses significant regulatory challenges, particularly in terms of defining these products. Parties recognize that regulations (including definitions) will be determined by national/domestic contexts, but experience-sharing among Parties is helpful.
• The WHO Tobacco Laboratory Network is a global tobacco testing laboratory network which aims to build and strengthen tobacco product testing and research capacity, including the development and validation of methods and SOPs which have been applied in the Western Pacific Region for testing the contents and emissions of nicotine and tobacco products. Parties are encouraged to utilize the SOPs.

• The tobacco industry often uses cross-border enforcement challenges as a threat to deter countries from adopting stronger regulations. Parties welcomed the draft specific guidelines on cross-border TAPS and the depiction of tobacco in the entertainment media for implementation of Article 13.

• The tobacco industry continues and is expected to further intensify its interference in the upcoming COP10 and MOP3.

• A suggestion was made to include a reference to the United Nations Declaration on the Rights of Indigenous Peoples in consideration of the item “Contribution of the WHO FCTC to the promotion and fulfilment of human rights” proposed by a Party and pursuant to decision FCTC/COP9(2).

• The environmental impact of tobacco may be a conduit through which to explore how liability regimes could be used to strengthen tobacco control efforts, particularly considering the international legally binding instrument on plastics pollution currently being negotiated.

• Illicit trade in tobacco products is a global problem acutely affecting the Western Pacific Region; Parties to the COP in the Region that have not yet ratified/acceded to the Protocol are encouraged by Parties to the MOP to do so.

### 3.2 Recommendations

#### 3.2.1 Recommendations for Member States

Member States are encouraged to consider the following:

1. Prepare joint statement(s) to highlight regional progress in the implementation of the WHO FCTC and the Protocol as appropriate.

2. Prepare a joint statement by Parties with representatives of Indigenous communities who have expressed support for framing the discussions at the COP under the item “Contribution of the WHO FCTC to the promotion and fulfilment of human rights”, in a manner that reflects the invaluable strengths of Indigenous communities in promoting tobacco control and human rights.

3. Exercise due diligence in preventing industry interference in collaboration with civil society partners.

4. Share existing resources (for example, case studies and implementation tools) with other Parties through the Convention Secretariat and WHO as appropriate.

5. Seek synergies between tobacco control and environmental protection efforts (for example, international legally binding instrument on plastics pollution currently being negotiated).
3.2.2 Recommendations for WHO

The WHO FCTC Secretariat and WHO are requested to:

(1) Facilitate the sharing of good practices of countries that have achieved the highest level of MPOWER implementation.

(2) Share examples of laws and policies regulating newer and emerging tobacco and nicotine products, including definitions of terms.

(3) Explore options for handling the waste generated by newer and emerging tobacco and nicotine products (for example, HTPs and ENDS/electronic non-nicotine delivery systems [ENNDS]).

(4) Identify options for regulatory integration of liability measures to address the environmental waste from tobacco products (for example, plastics in cigarette filters) and newer and emerging tobacco and nicotine products (for example, ENDS/ENNDS and HTPs).

(5) Share the experiences of countries with operational tracking and tracing systems.

(6) Support Parties in their preparation for COP10 and MOP3.
ANNEXES

Annex 1. List of participants

1. PARTICIPANTS

Ms Karlie Ellen BROWN, Assistant Secretary (Acting), Tobacco and E-Cigarette Control Branch, Department of Health and Aged Care, AUSTRALIA

Ms Gunjan SHARMA, Assistant Director, Tobacco and E-cigarette Control Branch, Department of Health and Aged Care, AUSTRALIA

Dr Siti Rosemawati binti Haji Md YUSSOF, Department of Health and Aged Care, BRUNEI DARUSSALAM

Dr Sovann SIN, Deputy Director, National Center for Health Promotion, Ministry of Health, CAMBODIA

Dr Lin XIAO, Executive Director, Tobacco Control Office Center for Disease Control and Prevention, CHINA

Mrs Roana MATAITINI, Director of Planning and Funding, Ministry of Health, COOK ISLANDS

Ms Kasanita KALISOQO, Manager Tobacco Control Enforcement Unit, Ministry of Health and Medical Services, FIJI

Mr Vimal Vikash DEO, Chief Health Inspector, Environmental Health Unit, MOH and Medical Services, FIJI

Dr Hajime OI, Tobacco Free Initiative Officer, Health Service Bureau, Ministry of Health, Labour and Welfare, JAPAN

Mr Enoka ARABUA, Health Promotion Officer, Ministry of Health and Medical Services, KIRIBATI

Dr Khampasith PHOMMACHACK, Deputy head of Health Promotion Division, Hygiene and Health Promotion Department, Ministry of Health, LAO PDR

Dr Noraryana binti HASSAN, Deputy Director, Non Communicable Diseases, Ministry of Health, MALAYSIA

Dr Norliana binti ISMAIL, Senior Principal Assistant Director Tobacco Control & FCTC Secretariat Sector, Disease Control Division, Ministry of Health, MALAYSIA

Ms Lillian Roxanne JURELANG, Tobacco Control Coordinator, Public Health-Health Promotion, Ministry of Health and Human Services, MARSHALL ISLANDS

Dr Burentuvshin ORGIL, National Representative-MOP3 Delegation, Ministry of Health, MONGOLIA

Ms Christal Rosavilla TEABUGE, Health Promotion Officer, Health Promotion Unit, Department of Health, NAURU
Ms Michelle Patricia MAKO, Director-Maori Public Health, Public Health Agency, Ministry of Health, NEW ZEALAND

Ms Candace KOSHIBA, Program Manager Alcohol and Tobacco Control Focal Point, Prevention Unit, Ministry of Health and Human Services, PALAU

Ms Vicky WARIBELIE, Program Manager, Non communicable Diseases and Focal Officer-Tobacco Control, National Department of Health, PAPUA NEW GUINEA

Engr Ana Trinidad RIVERA, Director, Philippine Food and Drug Administration, PHILIPPINES

Dr Gil Yong KIM, Team Leader, Tobacco Control Policy Team, National Tobacco Control Center, Korea Health Promotion Institute, KOREA

Dr Durkeshwar ANBALAGAN-RAJ, Senior Assistant Director, NCDs Epidemiology & Disease Control Division Ministry of Health, SINGAPORE

Ms Christina ULBERG, Assistant CEO, Health Protection and Enforcement Division, Ministry of Health, SAMOA

Ms Nevalyn LAESANGO, Director NCD (Acting), Department of Non communicable Diseases, Ministry of Health and Medical Services, SOLOMON ISLANDS

Ms Folau Hola MAFI, Health Promotion Officer, Ministry of Health, TONGA

Mr Vine SOSENE, Acting Chief, Public Health Department, MOH, TUVALU

Ms Melaia Divinigaunalagilagi MISIKIVOSA, Risk Communication and Community Engagement Officer, Ministry of Health, VANUATU

Dr Thi Hai PHAN, Vice Director, Viet Nam Tobacco Control Fund Executive Office, Ministry of Health, VIET NAM

2. TEMPORARY ADVISERS

Dr CHEAH Nuan Ping, Chair, WHO Tobacco Laboratory Network Member, WHO Study Group on Tobacco Product Regulation Director, Pharmaceutical, Cosmetics and Cigarette Testing Laboratory Applied Sciences Group, Health Sciences Authority, SINGAPORE

Dr Ulysses DOROTHEO, Executive Director, Southeast Asia Tobacco Control Alliance, THAILAND

Dr Geoffrey KENILOREA, Regional Coordinator, Pacific Island Countries Tobacco Control Regional Coordinator, SOLOMON ISLANDS

Dr Mary Assunta KOLANDAI, Senior Policy Advisor Southeast Asia Tobacco Control Alliance, Bangkok, THAILAND

Professor Jonathan Daniel LIBERMAN, Associate Professor, University of Melbourne, AUSTRALIA

Dr Judith MACKAY, Special Advisor, WHO FCTC Secretariat’s Knowledge Hub on Article 5.3, HONG KONG SAR, CHINA.
3. OBSERVERS

Mr LIU Shixun, Second Secretary, Department of Treaty and Law, Ministry of Foreign Affairs, Beijing, CHINA

Mr SHANG Baoxi, Deputy Director, Department of Treaty and Law, Ministry of Foreign Affairs, Beijing, CHINA

Ms ZHANG Jiayun, Staff member, Department of Treaty and Law, Ministry of Foreign Affairs, Beijing, CHINA

Dr Tomoyasu HIRANO, Section Head, Tobacco Prevention and Control Section, Institute for Cancer Control Tokyo, JAPAN

Ms Yukina KOGURE, Health Promotion/Tobacco Prevention and Control Section Representative, Health Department, Ministry of Health, Labour and Welfare, JAPAN

Ms Yukako, MIZUNUMA, Deputy Director, Financial Bureau, Ministry of Finance, JAPAN

Ms Arisa OSAKO, Researcher, Global Health Strategy Division, International Cooperation Bureau, Ministry of Foreign Affairs, JAPAN

Dr Grace Fe BUQUIRAN, Medical Officer V, Bureau of International Health Cooperation, Department of Health, Manila, PHILIPPINES

Ms Carmela Ann UJANO, Attorney III, Legal Service, Department of Health, Manila, PHILIPPINES

Ms Sujin LIM, Officer, National Tobacco Control Center, Korea Health Promotion Institute, Seoul, KOREA

Dr Lit Fai CHAN, Assistant Director, Policy, Strategy, and Development, Health Promotion Board, SINGAPORE

Ms Sarah Huiwen XING, Manager (Noncommunicable Diseases), Epidemiology and Disease Control Division, Ministry of Health, SINGAPORE

Dr Domilyn VILLAREIZ, Smoke-free Program Manager, Southeast Asia Tobacco Control Alliance, and Regional Coordinator -Western Pacific Region, Global Alliance for Tobacco Control

Dr Madeleine ROSAS-VALERA, Senior Technical Advisor for Tobacco Control, Philippines

Ms Selai NASIGA, NCD Legal Adviser, Public Health Division, Pacific Community, Fiji

Dr Amerita RAVUVU, NCD Policy and Planning Adviser, Pacific Community, Fiji

Dr Anton Oliver JAVIER, FCTC Program Officer, Southeast Asia Tobacco Control Alliance, Thailand

Ms Irene Patricia REYES, Tobacco Industry Denormalization Program Officer, Southeast Asia Tobacco Control Alliance, Thailand

Mr Carlos GARCIA, Senior Communication Manager, Philippines and Southeast Asia Policy Advocacy and Communication, Vital Strategies, Inc., Philippines

4. SECRETARIAT (WHO FCTC SECRETARIAT)
Dr Adriana BLANCO MARQUIZO, Head of the Secretariat of the WHO FCTC, Secretariat of the WHO FCTC, World Health Organization, Geneva, SWITZERLAND

Dr Sara HITCHMAN, Technical Officer, Reporting and Knowledge Management, Secretariat of the WHO FCTC, World Health Organization, Geneva, SWITZERLAND

Mr Dominique NGUYEN, Technical Officer, Governance & International Cooperation, Secretariat of the WHO FCTC World Health Organization, Geneva, SWITZERLAND (Virtual)

Dr Tibor SZILAGYI, Team Lead, Reporting and Knowledge Management, Secretariat of the WHO FCTC, World Health Organization, Geneva, SWITZERLAND (Virtual)

Mr Kelvin KHOW CHUAN HENG, Programme Manager, Secretariat of the WHO FCTC, World Health Organization, Geneva, SWITZERLAND (Virtual)

Mr Rodrigo SANTOS FEIJO, Programme Manager, Secretariat of the WHO FCTC, World Health Organization, Geneva, SWITZERLAND (Virtual)

Ms Kate LANNAN, Senior Legal Affairs Officer, Secretariat of the WHO FCTC, World Health Organization, Geneva, SWITZERLAND (Virtual)

Ms Leticia MARTINEZ LOPEZ, Technical officer, Secretariat of the WHO FCTC, World Health Organization, Geneva, SWITZERLAND (Virtual)

Ms Evita RICAFORT, Technical Officer (Legal), Secretariat of the WHO FCTC, World Health Organization, Geneva, SWITZERLAND (Virtual)

Mr Mohammad Ehteshamul HOQUE, Technical Officer (Customs), Knowledge Management and Communications, Secretariat of the WHO FCTC, World Health Organization, Geneva, SWITZERLAND (Virtual)

Mr Robert TRIPP, Senior Adviser, Secretariat of the WHO FCTC World Health Organization (Virtual)

Dr Becky FREEMAN, Consultant, Secretariat of the WHO FCTC World Health Organization (Virtual)

Ms Sabina TIMCO IACAZZI, Treaty Officer (Convention and Programme Law), Secretariat of the WHO FCTC World Health Organization, Geneva, SWITZERLAND (Virtual)

5. SECRETARIAT (WHO)

Ms Xi YIN (Responsible Officer), Coordinator, Tobacco Free Initiative, World Health Organization for Western Pacific Region, Manila, PHILIPPINES

Dr Ada MOADSIRI, Technical Officer, Tobacco Free Initiative, World Health Organization for the Western Pacific Region, Manila, PHILIPPINES

Ms Lorna VILLAFLOR, Executive Associate, World Health Organization for the Western Pacific Region, Manila, PHILIPPINES
Ms Mina KASHIWABARA, Technical Officer, Division of Pacific Technical Support, World Health Organization, Suva, FIJI

Dr Daravuth YEL, Technical Officer, WHO Cambodia Country Office, World Health Organization, Phnom Penh, CAMBODIA

Dr Hebe GOUDA, Project Officer, No Tobacco Unit, World Health Organization, Geneva, SWITZERLAND (Virtual)

Dr Vinayak Mohan PRASAD, Unit Head No Tobacco Unit, World Health Organization, Geneva, SWITZERLAND

Dr Ranti FAYOKUN, Scientist, No Tobacco Unit, World Health Organization, Geneva, SWITZERLAND
### Annexe 2. Programme of activities

**WORLD HEALTH ORGANIZATION**

**REGIONAL OFFICE FOR THE WESTERN PACIFIC**

**BUREAU REGIONAL DU PACIFIQUE OCCIDENTAL**

Preparatory Meeting for the Tenth Session of the COP to the WHO FCTC and the Third Session of the MOP to the Protocol to Eliminate Illicit Trade in Tobacco Products

WPR/DHP/TFI(01)/2023.7

21 September 2023

Putrajaya, Malaysia

18-21 September 2023

**ENGLISH ONLY**

### ANNOTATED PROVISIONAL PROGRAMME OF ACTIVITIES

Preparatory Meeting for the Tenth Session of the Conference of the Parties to the WHO Framework Convention on Tobacco Control

18 September 2023

<table>
<thead>
<tr>
<th>Time</th>
<th>Activities</th>
<th>Speaker</th>
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<tr>
<td>07:00-08:00</td>
<td>Registration</td>
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<tr>
<td>08:00-9:30</td>
<td>Opening of the Preparatory Meeting for the Tenth Session of the Conference of the Parties to the WHO FCTC</td>
<td>Dr Rabindra Abeyasinghe, WHO Representative for Malaysia, Singapore, and Brunei Darussalam</td>
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<td></td>
<td>Welcome Remarks</td>
<td>Dr Adriana Blanco Marquizo, Head of Convention Secretariat</td>
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<td>Group photo</td>
<td>Hon. Dr Zaliha Mustafa, Minister of Health, Malaysia</td>
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<tr>
<td>09:30</td>
<td>Morning break</td>
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| 10:00-10:45  | Designation of Meeting Officers  
  Review and adoption of COP10 agenda  
  Documents FCTC/COP/10/1  
  FCTC/COP/10/1 (annotated)  
  Global progress in the implementation of the WHO FCTC  
  Document FCTC/COP/10/4  
  Applications for the status of observer to the Conference of the Parties  
  Document FCTC/COP/10/3 | Dr Noraryana Hassan, Regional Coordinator of the Conference of the Parties for the Western Pacific Region  
  Convention Secretariat |
| 10:45-12:00  | Performance report for the 2020-21 workplan and budget  
  Interim performance report for the 2022-23 workplan and budget  
  Overview of the WHO Report on the Global Tobacco Epidemic, 2023  
  Updates on the Implementation of the Regional Action Plan for Tobacco Control in the Western Pacific (2020-2030)  
  Global Strategy to Accelerate Tobacco Control: Advancing sustainable development through the implementation of the WHO FCTC 2019–2025  
  Document FCTC/COP/10/16 | Dr Hebe Gouda, Project Officer, No Tobacco Unit, WHO Headquarters  
  Ms Xi Yin, Coordinator, NCD prevention and Health Promotion, WHO/WPRO  
  Convention Secretariat |
| 12:00-13:00  | Proposed Workplan and Budget for the financial period 2024-25  
  Documents FCTC/COP/10/17 and FCTC/COP/10/INF.DOC./1  
  WHO FCTC Investment Fund  
  Document FCTC/COP/10/18  
  Payment of Assessed Contributions and measures to reduce Parties arrears  
  Document FCTC/COP/10/19  
  Possible amendments to the Rules of Procedure of the Conference of the Parties  
  Document FCTC/COP/10/21  
  Review of accreditation of nongovernmental organizations with the status of observer to the Conference of the Parties  
  Document FCTC/COP/10/20 | Convention Secretariat |
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<th>Time</th>
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<tbody>
<tr>
<td>13:00</td>
<td>Lunch</td>
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| 14:30-15:30 | 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 | Convention Secretariat          |
|          | Appointment of the Head of the Convention Secretariat: Report by the Bureau  
   Document FCTC/COP/10/23 | Convention Secretariat          |
|          | COP10 and MOP3 General Information                                         | Convention Secretariat          |
|          | Committee Chair or Vice Chair for COP10  
   Bureau Member and Regional Coordinator  
   Date and Place of the Eleventh Session of the COP  
   Document FCTC/COP/10/24, 25 |                                  |
| 15:30    | Afternoon break                                                           |                                  |
| 15:45-16:30 | Improving the reporting system of the WHO FCTC  
   Document FCTC/COP/10/13 | Convention Secretariat          |
|          | Implementation Review Mechanism  
   Document FCTC/COP/10/14 |                                  |
| 18:00    | Welcome reception                                                         | WHO                              |

19 September 2023

<table>
<thead>
<tr>
<th>Time</th>
<th>Activities</th>
<th>Speaker</th>
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| 09:00-11:00 | 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 | Convention Secretariat          |
|          | Dr Ranti Fayokun, Scientist, WHO Headquarters                            |                                  |
| 11:00    | Morning break                                                             |                                  |
| 11:15-12:40 | Novel and emerging tobacco products: reports by the Convention Secretariat and by WHO  
   Documents FCTC/COP/10/9 and FCTC/COP/10/10 | Convention Secretariat          |
<p>|          | Dr Ranti Fayokun, Scientist, WHO Headquarters                            |                                  |
| 12:40-12:15 | Updates on WHO Tobacco Laboratory Network-related activities | Dr Nuan Ping Cheah, Laboratory Director, Health Sciences Authority of Singapore; Chair of the WHO Tobacco Laboratory Network |</p>
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<tr>
<th>Time</th>
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<th>Organizer/Presenter</th>
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<tbody>
<tr>
<td>12:15-13:00</td>
<td><strong>Tobacco advertising, promotion and sponsorship:</strong> Depiction of tobacco in entertainment media: report by the Working Group</td>
<td>Convention Secretariat</td>
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<td><em>Document FCTC/COP/10/8</em></td>
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<tr>
<td>13:00</td>
<td>Lunch</td>
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<tr>
<td>14:00-14:30</td>
<td>Q&amp;A from morning sessions continued</td>
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<tr>
<td>14:30-16:00</td>
<td><strong>23 Tactics of the tobacco industry in WPR and actions to prevent interference</strong></td>
<td>Dr Mary Assunta Kolandai, Senior Policy Advisor, Southeast Asia Tobacco Control Alliance</td>
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<tr>
<td>20:00</td>
<td>Gala Dinner</td>
<td>Malaysia Ministry of Health</td>
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<td><strong>20 September 2023</strong></td>
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<tr>
<td>09:00-09:15</td>
<td>Contribution of the WHO FCTC to the promotion and fulfilment of human rights</td>
<td>Convention Secretariat</td>
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<td><em>Document FCTC/COP/10/15</em></td>
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<tr>
<td>09:15-09:45</td>
<td>Implementation of Article 19 of the WHO FCTC: Liability</td>
<td>Convention Secretariat</td>
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<td><em>Document FCTC/COP/10/12</em></td>
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<tr>
<td>09:45-10:20</td>
<td>Implementing Article 19 in the Western Pacific Region</td>
<td>Professor Jonathan Liberman, The University of Melbourne Law School</td>
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<td>10:20</td>
<td>Morning break</td>
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<td>10:35-11:00</td>
<td>Forward-looking tobacco control measures (in relation to Article 2.1 of the WHO FCTC)</td>
<td>Convention Secretariat</td>
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<td><em>Document FCTC/COP/10/11</em></td>
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<tr>
<td>11:00-11:30</td>
<td>Panama Declaration</td>
<td>Convention Secretariat</td>
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<td>11:30-12:15</td>
<td>Opportunities and Benefits for Parties to accede to the Protocol to Eliminate Illicit Trade in Tobacco Products</td>
<td>Convention Secretariat Regional Coordinator Meeting of the Parties for the Protocol to Eliminate Illicit Trade in Tobacco Products for the Western Pacific Region</td>
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<tr>
<td>12:15-12:40</td>
<td>Any other business</td>
<td>Convention Secretariat</td>
</tr>
<tr>
<td>12:40-13:00</td>
<td>Conclusions/Summary</td>
<td>Ms Xi Yin, Coordinator, Non-communicable disease</td>
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</tbody>
</table>
**Preparatory Meeting of the Third Session of the Meeting of the Parties to the Protocol to Eliminate Illicit Trade in Tobacco Products**

<table>
<thead>
<tr>
<th>Time</th>
<th>Agenda Item</th>
<th>Speaker</th>
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<tbody>
<tr>
<td>14:00-15:30</td>
<td>Opening of the Preparatory Meeting of the Third Session of the Meeting of the Parties to the Protocol to Eliminate Illicit Trade in Tobacco Products</td>
<td>Dr Adriana Blanco Marquizo, Head of Convention Secretariat</td>
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<td>Designation of Meeting Officers</td>
<td>Bureau Member and Regional Coordinator Meeting of the Parties for the Protocol to Eliminate Illicit Trade in Tobacco Products for WPR</td>
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<td>Review and adoption of MOP3 agenda</td>
<td>Traininan and coordinator for the meeting</td>
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<td>Global progress in the implementation of the Protocol to Eliminate Illicit Trade in Tobacco Products</td>
<td>Traininan and coordinator for the meeting</td>
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<td>Applications for the status of observer to the Meeting of the Parties</td>
<td>Traininan and coordinator for the meeting</td>
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<td>Performance report for the 2020-2021 workplan and budget and Interim performance report for the 2022-2023 workplan and budget</td>
<td>Traininan and coordinator for the meeting</td>
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<td>Group photo</td>
<td>Traininan and coordinator for the meeting</td>
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<td>15:30</td>
<td>Afternoon break</td>
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<tr>
<td>15:45-16:30</td>
<td>Proposed Workplan and Budget for the financial period 2024-2025</td>
<td>Convention Secretariat</td>
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<td>Reporting and information sharing under the Protocol</td>
<td>Traininan and coordinator for the meeting</td>
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<td>Road map, timelines and steps to conduct evidence-based research (Articles 6.5 and 13.2)</td>
<td>Traininan and coordinator for the meeting</td>
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</tbody>
</table>
21 September 2023

09:00-9:40  Payment of Assessed Contributions and measures to reduce Parties in arrears
            Document FCTC/MOP/3/10
            Review of accreditation of nongovernmental organizations with the status of observer to the Meeting of the Parties
            Document FCTC/MOP/3/12
            Possible amendments to the Rules of Procedure of the Meeting of the Parties
            Document FCTC/MOP/3/13

09:40-10:40  Tracking and Tracing Systems, including the global information-sharing focal point (Article 8): report by the Working Group
            Document FCTC/MOP/3/5

10:40  Morning break

11:00-11:45  Appointment of the Head of the Convention Secretariat: report by the Bureau
            Document FCTC/MOP/3/14
            Panama Declaration
            MOP3 General Information
            Committee Chair or Vice Chair for MOP3
            Bureau Member and Regional Coordinator

11:45-12:30  Conclusions/Summary
            Closure of meeting

12:30  Lunch

14:00-17:00  Bi-lateral meetings