



**FCTC**

WHO FRAMEWORK CONVENTION  
ON TOBACCO CONTROL

**Conference of the Parties to the  
WHO Framework Convention  
on Tobacco Control**

Eighth session  
Geneva, Switzerland, 1–6 October 2018

**6 October 2018**

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## **DECISION**

**FCTC/COP8(17) Tobacco advertising, promotion and sponsorship:  
depiction of tobacco in entertainment media**

The Conference of the Parties (COP),

Recalling Article 13 of the WHO Framework Convention on Tobacco Control (WHO FCTC);

Recalling also the WHO FCTC Guidelines for implementation of Article 13 approved by the Third session of the COP;

Recalling further decision FCTC/COP7(5) on Tobacco Advertising, Promotion and Sponsorship: Depiction of Tobacco in Entertainment Media, through which the COP requested the Convention Secretariat to establish an Expert Group mandated to provide recommendations and to report back to the COP;

Having considered the Report by the Expert Group on Tobacco Advertising, Promotion and Sponsorship: Depiction of Tobacco in Entertainment Media that was established under decision FCTC/COP7(5);

Recalling the proposed actions set out in document FCTC/COP/4/10;

Recognizing the challenge Parties face in addressing and controlling cross-border advertising, including tobacco advertising, promotion and sponsorship (TAPS) in entertainment media;

Acknowledging the need for further guidance to Parties on how Article 13 of the WHO FCTC and the Article 13 Guidelines can be comprehensively implemented to address both cross-border advertising and TAPS in entertainment media, particularly in the light of technological advancements in the way that media is delivered;

Acknowledging the need for a global voluntary platform for information exchange to help Parties with cross-border enforcement;

Reaffirming the need for international coordination and collaboration to successfully address and control cross-border advertising and TAPS in entertainment media, and the role that

South–South and Triangular cooperation might play in advancing the implementation of Article 13 of the WHO FCTC;

Recognizing the importance of addressing cross-border advertising in a comprehensive manner that bridges all existing implementation gaps at the national, regional and global levels;

Mindful that there is a variation among Parties in terms of the existence of cross-border advertising and TAPS in entertainment media;

Recognizing that there are successful national experiences in prohibiting cross-border advertising and TAPS in entertainment media;

Recalling that Article 13.8 of the WHO FCTC provides for Parties to consider the elaboration of a protocol setting out appropriate measures that require international collaboration for a comprehensive ban on cross-border advertising, promotion and sponsorship;

Recalling also decisions FCTC/COP1(16) and FCTC/COP2(8) relating to consideration of the elaboration of a protocol setting out appropriate measures that require international collaboration for a comprehensive ban on cross-border advertising, promotion and sponsorship, as set out in WHO FCTC Article 13.8,

1. CALLS ON Parties to consider:

- (a) actions necessary to fully implement Article 13 of the WHO FCTC in accordance with the time-bound obligations under Article 13.2 of the WHO FCTC;
- (b) continuing the implementation of actions in decision FCTC/COP7(5), including monitoring cross-border TAPS and the depiction of tobacco in the entertainment media;
- (c) the recommendations made by the Expert Group on Tobacco Advertising, Promotion and Sponsorship: Depiction of Tobacco in Entertainment Media in their report referenced in document FCTC/COP/8/7;
- (d) assessing the current situation relating to cross-border TAPS and the depiction of tobacco in the entertainment media and the readiness of the regulatory framework to stop such forms of TAPS within their jurisdictions;
- (e) engaging in South–South and Triangular cooperation to share effective measures to address TAPS, including cross-border TAPS and the depiction of tobacco in the entertainment media,

2. DECIDES:

- (a) to establish an intersessional Working Group to develop specific guidelines to address cross-border TAPS and the depiction of tobacco in the entertainment media under Article 13 of the WHO FCTC, taking account of technological advances over the past decade such as the Internet and mobile communications. The existing guidelines for the implementation of Article 13 remain fully relevant and shall not be examined by the Working Group;
- (b) to request the Working Group to take into account the report of the Expert Group on Tobacco Advertising, Promotion and Sponsorship: Depiction of Tobacco in the Entertainment Media (FCTC/COP/8/7) and other previous work, notably documents FCTC/COP/4/10 and FCTC/COP/3/9;
- (c) that the Working Group shall be composed of up to 12 members, and to ensure regional balance, Parties from each of the six WHO regions may nominate up to two members

from their region and that such regional nominations shall be coordinated by Regional Coordinators;

- (d) that priority for membership of the Working Group should be afforded to Parties with specific expertise and appropriate technical experience relevant to the mandate of the Working Group;
- (e) that the Convention Secretariat shall invite up to two other international intergovernmental organizations with specific expertise in the matter, such as the International Telecommunication Union, to participate in the Working Group as observers and should also invite the relevant expert from WHO to participate in the Working Group as an observer;
- (f) that the Convention Secretariat may invite up to three additional observers to the Working Group to represent civil society organizations that are observers to the COP;
- (g) that the Convention Secretariat may invite as necessary up to three additional experts to contribute to the work of the Working Group;
- (h) that the Working Group shall work mainly through electronic means; however, the Working Group shall have, subject to financial resources, at least one face-to-face meeting;
- (i) that the Working Group shall submit for consideration of the Ninth Session of the COP a draft text for specific guidelines to address cross-border TAPS and the depiction of tobacco in the entertainment media under Article 13 of the WHO FCTC;

3. REQUESTS the Convention Secretariat:

- (a) to make the necessary arrangements, including budgetary arrangements, for the Working Group to complete its work;
- (b) to establish an information hub in the form of a dedicated website, in at least the six official United Nations languages, on cross-border tobacco advertising, promotion and sponsorship as recommended in document FCTC/COP/4/10;
- (c) to continue efforts to provide technical assistance and materials to support Parties to implement Article 13.

(Ninth plenary meeting, 6 October 2018)

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