



**COUNCIL OF
THE EUROPEAN UNION**

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**SAN 248
UD 123**

NOTE

from: General Secretariat of the Council
to: Council

Subject: **Framework Convention on Tobacco Control**
– Information from the Commission

Delegations will find in the annex a note from the Commission on the above-mentioned subject, which will be dealt with under "any other business" at the Council meeting (Employment, Social Policy, Health and Consumer affairs) on 5 and 6 December 2007.

**State of play of the Framework Convention on Tobacco Control
Information from the Commission**

The Framework Convention on Tobacco Control (FCTC) covers the whole range of tobacco-control related activities. Altogether 151 countries have ratified the FCTC up to now (23 November 2007). Among these there are 25 Member States and the European Community.

The outcomes of the second Conference of Parties

The second Conference of the Parties of the FCTC took place from 30 June to 6 July 2007 in Bangkok. In the negotiations, the EU achieved its main objectives.

From the Commission's point of view main issues in the conference were:

- 1) adopt the guidelines on environmental tobacco smoke;
- 2) to start a process to negotiate a protocol on illicit trade in tobacco products, setting up an intergovernmental negotiating body (INB);
- 3) initiate work on guidelines on tobacco advertising, promotion and sponsorship;
- 4) initiate work on guidelines on packaging and labelling of tobacco products;
- 5) initiate work on guidelines on the implementation of the obligation of the Parties to act to protect their public health policies from commercial and other vested interests of the tobacco industry;
- 6) initiate work on guidelines on education, communication, training and public awareness;
- 7) continue the work on contents and emissions of tobacco products and the related disclosure of information;
- 8) establish terms of reference for the study group on alternative crops;
- 9) mandate the Secretariat to elaborate a first report on tobacco dependence and cessation;
- 10) agree on the budget and programme of work.

Satisfactory outcome was achieved in all above issues.

Follow-up to the Conference of Parties

The new Bureau of the Conference of the Parties, elected at the closing session of the Conference in Bangkok, held its first meeting on 2 October in Geneva.

The Bureau decided, among other things, that the first session of the Intergovernmental Negotiating Body for the protocol on tobacco illicit trade will take place in Geneva from 11 to 16 February 2008.

The work of all the working groups has started or is already being planned as decided by the Conference of the Parties. The Commission is acting as a key facilitator in the group working on tobacco advertising, promotion and sponsorship, and in the group dealing with the regulation of the contents and disclosures of tobacco products. It is also partner in the groups working on packaging and labelling and the relations with the tobacco industry.

Authorisation from the Council to the Commission to negotiate

The authorisation given by the Council to the Commission in 1999 and 2001 covers the negotiation of the Convention itself and the related protocols. It also includes an annex providing negotiating directives. These negotiating directives were to be reviewed once the outline of the protocols became clear.

On 20 November 2007 the Commission adopted a recommendation to the Council on the addition of negotiating directives for a protocol on illicit trade in tobacco products and for a protocol on cross-border advertising, promotion and sponsorship.

RATIFICATION OF THE FCTC (Situation on 23 November 2007)

The European Community signed on 16 June 2003, on the first possible occasion, and deposited its instrument of ratification on 30 June 2005.

Member State	Signature	Ratification notified	Ratification expected
European Community	16/06/2003	30 June 2005	
Austria	23/08/2003	15 September 2005	
Belgium	22/01/2004	1 November 2005	
Bulgaria	22/12/2003	07 November 2005	
Cyprus	24/05/2004	26 October 2005	
Czech Republic	16/06/2003		Not yet ratified
Denmark	16/06/2003	16 December 2004*	
Estonia	08/06/2004	27 July 2005	
Finland	16/06/2003	24 January 2005	
France	16/06/2003	19 October 2004	
Germany	24/10/2003	16 December 2004	
Greece	16/06/2003	27 January 2006	
Hungary	16/06/2003	07 April 2004	
Ireland	16/09/2003	07 November 2005	
Italy	16/06/2003		Not yet ratified
Latvia	10/05/2004	10 February 2005	
Lithuania	22/09/2003	16 December 2004	
Luxembourg	16/06/2003	30 June 2005	
Malta	16/06/2003	24 September 2003	
Poland	14/06/2004	15 September 2006	
Portugal	09/01/2004	08 November 2005	
Romania	25/06/2004	27 January 2006	
Slovakia	19/12/2003	04 May 2004	
Slovenia	25/09/2003	15 March 2005	
Spain	16/06/2003	11 January 2005	
Sweden	16/06/2003	7 July 2005	
The Netherlands	16/06/2003	27 January 2005	
United Kingdom	16/06/2003	16 December 2004	

Complete list: <http://www.who.int/tobacco/framework/countrylist/en/>

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