



Submission of the President of the Meeting of the Parties to the Protocol to Eliminate Illicit Trade in Tobacco Products to the thematic review of the 2021 United Nations High-level Political Forum

“Sustainable and resilient recovery from the COVID-19 pandemic that promotes the economic, social and environmental dimensions of sustainable development: building an inclusive and effective path for the achievement of the 2030 Agenda in the context of the Decade of Action and delivery for sustainable development.”

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Introduction

The Protocol to Eliminate Illicit Trade in Tobacco Products is the first protocol and innovative international treaty to the WHO Framework Convention on Tobacco Control (WHO FCTC). Its objective is the elimination of all forms of illicit trade in tobacco products by fostering the progressive adoption and implementation of different legislative, executive, administrative (I.A.) measures to be taken by countries acting in cooperation with one another. The Protocol was negotiated by the Parties to the WHO FCTC over several years, and it entered into force on 25 September 2018. It currently comprises 62 Parties.

As countries cautiously move to the recovery phase of the COVID-19 pandemic, implementation of the Protocol should be included in recovery plans, considering that the control of the illicit trade in tobacco products can increase government revenues in a moment when resources are sorely needed, while at the same time reducing tobacco consumption and saving lives.

(a) Impacts of the COVID-19 pandemic on the implementation of the SDGs under review in the 2021 HLPF from the vantage point of your intergovernmental body, bearing in mind the interlinkages with other SDGs

The COVID-19 pandemic caused the postponement of the Second Session of the Meeting of the Parties to the Protocol (MOP2) that was scheduled for November 2020. As the Protocol is a new treaty, the postponement of MOP2 undoubtedly has had a significant impact on the progress of its implementation, since basic elements of the Protocol had a due date for completion that were awaiting approval by the Meeting of the Parties (MOP), which is the governing body of the Protocol.

Given the economic impacts of tobacco-related diseases to individuals that consume tobacco products, eliminating illicit trade also impacts targets related to the reduction of poverty, such as **Sustainable Development Goal (SDG) 1 (No poverty)**, as well as SDG Targets 1.3 and 1.b. In the financial sphere, illicit trade in tobacco products is recognized as a significant source of illicit financial flows that undermine sustainable development. Research estimates that governments would gain US\$ 31 billion annually by

eliminating illicit trade in tobacco products.¹ The illegal tobacco market reduces government tax revenues that could be used to invest in national health-care systems, the prevention of tobacco use and broader sustainable development initiatives, contributing to **SDG 8 (Decent work and economic growth)**, as well as SDG Target 8.1, among others.

The implementation of the Protocol is also linked to the **SDG 3 (Good health and well-being)**, since it combats illicit trade in tobacco products that undermine measures of the WHO FCTC. Cheap, illicit products also fuel tobacco use, usually among the poorest populations, undermining **SDG 10 (Reduced inequalities)** since tobacco use increases inequalities in society.

The Protocol is also linked to **SDG 16 (Peace, justice and strong institutions)** and SDG Targets 16.3, 16.5 and 16.6 as illicit trade of tobacco products is just another form of illicit trade that fosters bribery and criminal activity and also generates financial profits that fund transnational criminal activity.

In addition, implementation of the Protocol supports **SDG 17 (Partnerships for the Goals)** since effective action to prevent and combat illicit trade in tobacco products requires a comprehensive domestic – but also regional and international – approach and close cooperation in order to achieve its objectives.

(b) Actions, policy guidance, progress, challenges and areas requiring urgent attention in relation to the SDGs and to the theme within the area under the purview of your intergovernmental body

In the realm of SDGs 8, 12 and 16, the MOP in 2018 decided to establish two working groups: 1) one on the development of the requirements for the establishment of a global information-sharing focal point to exchange information on the movements of tobacco products (tracking and tracing), and thus further securing the supply chain of tobacco products; and 2) a working group to further elaborate mechanisms of assistance and cooperation that would benefit law enforcement, customs and the judiciary in their efforts against illicit trade in tobacco products.

(c) An assessment of the situation regarding the principle of “ensuring that no one is left behind” at the global, regional and national levels against of background of the COVID-19 pandemic in achieving the 2030 Agenda and the SDGs, within the respective area addressed by your intergovernmental bodies

Illicit trade in tobacco products contributes to the spread of the tobacco epidemic, undermining implementation of the WHO FCTC (SDG Target 3.a), with serious consequences for public health (SDG Targets 3.4 and 3.5).²

It is well recognized that the consumption of tobacco products is price sensitive; therefore, delays in the implementation of the Protocol allow illicit products, which are usually cheaper and particularly attractive to lower-income and younger segments of the population, to keep entering the market. This perpetuates the health inequalities that these groups face.

¹ Joossens, Luk & Merriman, David & Ross, Hana & Raw, Martin. (2010). The Impact of Eliminating the Global Illicit Cigarette Trade on Health and Revenue. *Addiction* (Abingdon, England). 105. 1640-9. 10.1111/j.1360-0443.2010.03018.x.

² According to World Customs Organization (2018), nearly 10% of the global cigarette trade is illicit and it is significantly higher in low- and middle-income countries.

Eliminating illicit trade in tobacco products ensures the market is composed of taxed tobacco products subject to health regulations and thus reduces tobacco consumption, as lower-income and younger people find tobacco more expensive and less attractive. The public health implications are immense, ranging from lowering rates of chronic diseases to saving considerable funds that would otherwise have been spent on health care, as well as maintaining health equalities if the tobacco epidemic is not halted.

(d) Cooperation, measures and commitments at all levels in promoting sustainable and resilient recovery from the COVID-19 pandemic

Illicit trade in tobacco products is a cross-border problem that affects multiple Parties simultaneously. The countries developing the Protocol recognized this aspect and decided to include an extensive chapter in the Protocol to ensure the international cooperation among law enforcement agencies, customs authorities and the judiciary.

Furthermore, it remains very relevant to cooperate with other international and regional intergovernmental organizations (IGOs) that are involved in international criminal matters. In line with SDG 17, the MOP has mandated the Convention Secretariat, which serves as the secretariat of the WHO FCTC and the Protocol, to increase efforts to establish relationships with the World Customs Organization and the United Nations Office on Drugs and Crime. The Protocol seeks to establish formal cooperative relations with relevant IGOs and nongovernmental organizations in order to promote its visibility and the activities related to it. Forging partnerships with organizations with a strong commitment to eliminate illicit trade in tobacco products will ensure its implementation and support a sustainable recovery from the COVID-19 pandemic.

(e) Various measures and policy recommendations on building an inclusive and effective path for the achievement of the 2030 Agenda in the context of the Decade of Action and delivery for sustainable development;

Measures and policy recommendations:

1. **Promote the ratification and implementation of the Protocol to Eliminate Illicit Trade in Tobacco Products** as part of the *2030 Agenda for Sustainable Development* and to support countries to incorporate its implementation into their national health, law enforcement, customs and judiciary development agendas.
2. **Develop and implement the global tracking and tracing regime** to secure the supply chain and assist in the investigation of illicit trade in tobacco products, in accordance with the deadlines established by the Protocol.
3. **Promote cooperation among key partners** at the regional and international levels to strengthen the impact of the various provisions of the Protocol and mandates from the MOP, with a special emphasis on the SDG 16 and its targets.