The Framework Convention on Tobacco Control: promising start, uncertain future

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Will the first global health treaty be allowed to live up to expectations?

On 21 May 2003, to the sound of thunderous applause, the 192 member states of the 56th World Health Assembly unanimously adopted the first global health treaty, the Framework Convention on Tobacco Control (FCTC). A groundbreaking treaty which aims to curb tobacco use worldwide, the FCTC holds the potential to help reverse the global tobacco epidemic, particularly in low income countries. With tobacco projected to claim a billion lives this century,1 the stakes could hardly be higher. According to the World Bank, tobacco is responsible for half the diseases and deaths in developing countries.2

Although described by the tobacco industry as a “developed world obsession being foisted on the developing world”*, many countries to re-examine their domestic tobacco policies and begin to pay attention to those cross-border aspects, such as advertising and smuggling, which have long been neglected.

**NGO COMMUNITY**

In addition, the negotiations provided an opportunity for negotiators—many of whom represented tobacco control units within their health ministries—to exchange information with each other on global best practices and tobacco industry tactics. The non-governmental organisation (NGO) community—which maintained an active presence at all of the negotiating sessions—assisted in this capacity by organising issue briefings for delegates and distributing a daily newsletter. These helped cut through the diplomatic niceties, discouraging the negotiators from embracing “feel good” measures favoured by the tobacco industry, and meting out public shame to recalcitrant countries through the daily giving of a “dirty ashtray award”.

NGOs also benefited from the negotiations, both through their increased contacts with governments and the sharing of information among a growing number of NGOs grouped under the umbrella of the Framework Convention Alliance, a coalition of more than 180 groups from over 70 countries (www.fctc.org). This highlights the reality that in many poor countries it is NGOs which are in the forefront of tobacco control efforts. The FCTC helped to build the confidence and knowledge of these non-state actors and brought new groups into the tobacco control movement, such as environmental, human rights, and women’s organisations. The negotiations process also helped spur the formation of national coalitions in countries such as Bangladesh, India, and the Philippines, a development which bodes well for efforts to move governments quickly along the road to ratification and implementation.

The treaty should prove particularly useful to countries that have yet to enact stringent tobacco control legislation. Countries such as Cambodia and Indonesia, with male smoking prevalence rates of over 60%,7 currently have weak tobacco control measures. The momentum of the treaty not only empowers governments to act, but gives them little excuse not to.

So far, the global tobacco industry has been relatively mute about the final outcome of the negotiations. Most likely it is gearing up for fights at the national level where it believes it will have more leverage. It will certainly try to ensure that implementing legislation is weak and full of loopholes and will continue to promote self-regulation as the answer to the tobacco pandemic.

It remains to be seen whether the political will can be generated to ensure that implementing legislation in countries encapsulates the maximum measures contemplated in the FCTC (for

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†For a current list of countries that have signed and/or ratified, go to www.fctc.org
example, 50% pack warnings rather than 30%, bans rather than restrictions on public smoking, etc). It also is unclear how the provisions of the FCTC would withstand trade based challenges through the World Trade Organization. The relationship between the FCTC provisions and international trade agreements—one of the most contentious issues in the negotiations—was left ambiguous in the final document, again a result of developed country pressure.

The end of the FCTC negotiations marks a defining moment in the effort to combat the tobacco epidemic. Without swift and concerted action to bring the FCTC into force and ensure that countries implement it to the fullest, there is the danger that the treaty will end up as just another well intentioned resolution. Too many lives are at stake to allow that to happen.

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3 Framework Convention for Tobacco Control. Full text can be found at: http://www.who.int/gb/fctc/PDF/inb6/inb65.pdf
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