

# Aide-Mémoire

## Tenth session of the Conference of the Parties to the World Health Organization Framework Convention on Tobacco Control (COP10)

<b>Date due to MO:</b>	23 January 2024	<b>Action required by:</b>	N/A
<b>Security level:</b>	IN CONFIDENCE	<b>Health Report number:</b>	H2024035035
<b>To:</b>	Hon Casey Costello, Associate Minister of Health		
<b>Consulted:</b>	Health New Zealand: <input type="checkbox"/> Māori Health Authority: <input type="checkbox"/>		

### Contact for telephone discussion

Name	Position	Telephone
<b>Dr Andrew Old</b>	Deputy Director-General, Public Health Agency   Te Pou Hauora Tūmatanui	s 9(2)(a)
<b>Jane Chambers</b>	Group Manager, Public Health Policy and Regulation, Public Health Agency   Te Pou Hauora Tūmatanui	s 9(2)(a)

# Aide-Mémoire

## Tenth session of the Conference of the Parties to the World Health Organization Framework Convention on Tobacco Control (COP10)

**Date due:** 23 January 2024

**To:** Hon Casey Costello, Associate Minister of Health

**Security level:** IN CONFIDENCE **Health Report number:** H2024035035

**Details of meeting:** 5 – 10 February 2024, Panama City, Panama.

**Purpose of meeting/  
proposal:** New Zealand is a Party to the Framework Convention on Tobacco Control. All Parties are expected to attend the biennial conference of the parties (COP), which will be held this year from 5 to 10 February in Panama City.

**Comment:**

- This item provides you with information on the tenth session of the conference of the parties (COP 10) to the World Health Organization Framework Convention on Tobacco Control (FCTC).
- This aide-mémoire discloses all relevant information.
- Officials are available at your request to discuss this further.



Dr Andrew Old

Deputy Director-General

**Public Health Agency | Te Pou Hauora Tūmatanui**

# The tenth session of the Conference of the Parties to the World Health Organization Framework Convention on Tobacco Control (COP10)

## The Framework Convention on Tobacco Control

- The Framework Convention on Tobacco Control (FCTC) was adopted by the World Health Assembly on 21 May 2003, and came into force on 27 February 2005. The FCTC emphasises the importance of strategies to reduce both demand and supply of tobacco and provides a framework for tobacco control measures to be implemented at the national, regional, and international levels.
- New Zealand is a party to the FCTC and all Parties are expected to attend the conference of the parties (COP), which occurs every 2 years. A New Zealand delegation has attended all previous sessions of the COP, except for COP6 which was held in Moscow, Russian Federation in 2014.
- New Zealand's tobacco control programme is well aligned with the FCTC.

## The tenth conference of the parties to the World Health Organization FCTC (COP10)

### Scheduling of COP10

- COP10 was originally scheduled to be held from 20 to 25 November 2023 in Panama City. Due to the security situation in Panama late last year, COP10 was rescheduled and will now be held from 5 to 10 February 2024.
- The provisional agenda for COP10 is attached.

### Objectives

- The key objectives of the New Zealand delegation will be to present New Zealand's position on a range of tobacco control initiatives as well as to monitor international developments in these areas. The delegates will also participate in bilateral discussions with counterparts from other jurisdictions, particularly with Australia, Canada, Ireland, and the United Kingdom, as well as maintaining other networks at the meeting.
- As representatives of New Zealand, all comments and interventions made by the delegation will align with government policy.

### Delegation

- The New Zealand delegation is made up of the following four representatives:
  - Jane Chambers, Group Manager, Public Health Policy and Regulation, Public Health Agency | Te Pou Hauora Tūmatanui, Ministry of Health | Manatū Hauora

- Rebecca Ruwhiu-Collins, Pae Ora Programme Manager – Addictions, Public and Population Health, Māori Health Authority | Te Aka Whai Ora
- Hayden McRobbie, Regional Director Northern, National Public Health Service, Health New Zealand | Te Whatu Ora
- Matthew Allen, Director, Allen and Clarke (self-funded)<sup>1</sup>.
- We are not aware of any New Zealand Ministers attending any previous sessions of the COP.
- To attend COP, the delegation requires approval through a credentials letter issued by the Head of State or Government, Minister of Foreign Affairs, Minister of Health, or any other competent government authority. In recent years, and for COP10, the Director-General of Health has approved the credentials letter.
- All credentials letters need to be submitted through the online registration system no later than 6 February 2024.

## **Meeting of the parties (MOP) to the Protocol to Eliminate Illicit Trade in Tobacco Products**

- The third FCTC Meeting of the Parties (MOP3) will take place directly after COP10 in Panama. This meeting focusses on the Protocol to Eliminate Illicit Trade in Tobacco Products (the Protocol). The Protocol was finalised in 2012, and New Zealand was involved in its negotiation. The provisional agenda for MOP3 is attached..
- On 23 May 2017, the Government made the decision to defer consideration of New Zealand becoming a party to the Protocol and instead keep a watching brief on changes in circumstance that warrant reconsideration. The lodged Cabinet paper *Report back on the World Health Organization's Protocol to Eliminate the Illicit Trade in Tobacco Products* is attached.

### **Delegation**

- The delegation is not planning to attend MOP3 as New Zealand is not a signatory to this Protocol.
- States that are not Party to the Protocol may attend the public or open meetings of the MOP, without the right to vote. However, the deadline to register for MOP3 closed on 28 November 2023.

### **Other considerations**

- Non-governmental organizations (NGOs) that wish to apply for observer status at COP or MOP must be endorsed by its governing body and must also be free of any association with or influence from the tobacco industry. NGOs must apply to the COP or MOP Secretariat no later than 90 days before the opening of the session (that deadline has now passed). The

---

<sup>1</sup> Matthew Allen is a New Zealand expert on tobacco control and the FCTC and attended COP7, COP8 and COP9 with the New Zealand delegation. He chairs both the Medium-Term Strategic Framework working group and the panel of experts on the Protocol to Eliminate Illicit Trade in Tobacco Products as the New Zealand delegate. He has been involved in the FCTC since the negotiation phase of the treaty. We consider Matthew to be a valuable member of the delegation and a skilled negotiator on the international stage.

Bureau of COP/MOP reviews applications of NGOs that apply for observer status and makes recommendations in that regard to the COP/MOP.

### **Illicit trade in New Zealand**

- In October 2023, the Ministry of Health published a report from the University of Auckland into the illicit tobacco trade in New Zealand during 2022.
- This peer reviewed study used a range of methods including discarded pack surveys, interviews with NZ Customs, consumption gap analysis, and social media surveillance. Overall, it has found evidence from a range of sources of a downward trend in illicit trade in tobacco in New Zealand. The research is ongoing.
- The volume of illicit tobacco intercepted by NZ Customs has grown in recent years, which the University of Auckland report suggests is due to better detection of illicit tobacco at the border. NZ Customs received funding in Budget 2022 to address tobacco smuggling, and there have been recent changes to prohibit importation of tobacco products by air cargo and international mail.
- Customs suggests a key driver for the illicit market is that the price of tobacco in New Zealand has continued to increase in relation to the countries it is sourced from. Customs data shows the majority of seizures were made in Auckland and they are seizing more loose tobacco. Increasingly they are seeing evidence of the involvement of organised criminal groups.

PROACTIVELY RELEASED