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**RATIFICATION OF THE PROTOCOL TO ELIMINATE ILLICIT TRADE
IN TOBACCO PRODUCTS**

Information Document

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BACKGROUND

1. Illicit trade in tobacco products increases the accessibility and affordability of, tobacco, thus undermining tobacco control policies. On 12 November 2012 at the Fifth session of the Conference of the Parties to the WHO Framework Convention on Tobacco Control (WHO FCTC), the Protocol to Eliminate Illicit Trade in Tobacco Products (the Protocol)¹ was adopted. It is the first protocol to the WHO FCTC and a new legal instrument in the domain of public health.

2. The objective of the Protocol is to eliminate all forms of illicit trade in tobacco products. It builds upon Article 15 of the WHO FCTC, which addresses elimination of illicit trade in tobacco products, and is a key provision of tobacco control policy. It supplements the WHO FCTC with a comprehensive tool to counter illicit trade in tobacco products and to strengthen international health cooperation.

3. In order to ensure effective implementation of the Protocol, it is imperative that Parties to the WHO FCTC, including those in the African Region,² ratify or accede to the Protocol. This is the first report which highlights the progress made and proposes next steps in the ratification of the Protocol in the African Region.

PROGRESS MADE

4. The Protocol was open for signature from 10 January 2013 until 9 January 2014, and during this period, 14 Member States³ from the African Region signed it. This represents 26% of the total signatures affixed by 53 Member States and the European Union.

5. The Protocol is currently open for ratification, acceptance, approval or accession by Member States and to formal confirmation or accession by regional economic integration organizations. The WHO Regional Office for Africa, in close collaboration with the WHO FCTC Secretariat, has provided technical support to Member States to accelerate the ratification of, and accession to, the Protocol. Multi-country and national capacity-building workshops to accelerate the ratification of, and accession to, the Protocol were conducted in the Region. Support letters were also sent to Member States reminding them of the need to ratify or accede to the Protocol before the deadline of 2 July 2018.

6. As of 30 April 2018, thirteen Parties⁴ from the African Region had ratified or acceded to the Protocol. This represents 36% of the total ratification by 36 Parties globally. For the Protocol to enter into force, additional ratifications from five Member States are currently required. Accordingly, WHO is supporting Member States in the African Region to take necessary steps towards ratification of the Protocol. Member States in the African Region would benefit from the Protocol given that the growing illicit trade in tobacco products poses a serious but preventable threat to public health.

¹ WHO, The Protocol to Eliminate Illicit Trade in Tobacco Products, Geneva, World Health Organization, 2013

² Algeria, Angola, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Cabo Verde, Central African Republic, Chad, Comoros, Congo, Côte d'Ivoire, Democratic Republic of the Congo, Equatorial Guinea, Ethiopia, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Kenya, Lesotho, Liberia, Madagascar, Mali, Mauritania, Mauritius, Mozambique, Namibia, Niger, Nigeria, Rwanda, Sao Tome and Principe, Senegal, Seychelles, Sierra Leone, South Africa, Eswatini, Togo, Uganda, United Republic of Tanzania, Zambia and Zimbabwe.

³ Benin, Botswana, Burkina Faso, Côte d'Ivoire, Democratic Republic of the Congo, Gabon, Ghana, Guinea Bissau, Kenya, Madagascar, Mali, South Africa, Togo and United Republic of Tanzania.

⁴ Burkina Faso, Comoros, Congo, Côte d'Ivoire, Gabon, Gambia, Guinea, Madagascar, Mali, Niger, Senegal, Eswatini and Togo.

NEXT STEPS

7. Member States that are Parties to the WHO FCTC and have signed the Protocol⁵ should ratify it.
8. Member States that are Parties to the WHO FCTC but have not signed the Protocol⁶ should accede to it.
9. Member States that are not Parties to the WHO FCTC⁷ are encouraged to urgently join. All Member States, that are Parties to the WHO FCTC, should fully comply with its requirements and take concrete steps to implement them.
10. WHO and partners should continue to promote the Protocol in the African Region and support its ratification or accession by the Parties to the WHO FCTC.
11. The Regional Committee took note of the progress report and the proposed next steps.

⁵ Benin, Botswana, Democratic Republic of the Congo, Ghana, Guinea-Bissau, Kenya, South Africa and United Republic of Tanzania.

⁶ Algeria, Angola, Burundi, Cameroon, Cabo Verde, Central African Republic, Chad, Equatorial Guinea, Ethiopia, Lesotho, Liberia, Mauritania, Mauritius, Mozambique, Namibia, Nigeria, Rwanda, Sao Tome & Principe, Seychelles, Sierra Leone, Uganda, Zambia and Zimbabwe.

⁷ Eritrea, Malawi and South Sudan.