

Guidelines for Responding to Requests Made By the Tobacco Industry to Meet with WHO

The purposes of these guidelines are as follows:

- 1) to inform all WHO staff worldwide that any meetings with representatives of the tobacco industry should be avoided, and if unavoidable, should occur only when necessary;
- 2) that meetings are only deemed necessary when their purpose as assessed by WHO staff, is to promote public health;
- 3) to set appropriate meeting guidelines between WHO staff and those closely related to, or directly/indirectly representing the tobacco industry, and;
- 4) to inform all WHO staff that TFI/HQ should be informed in a timely manner when such a meeting request is received from the tobacco industry.

Tobacco use is one of the most significant preventable causes of premature death and disease in the world. The goals of tobacco control are to reduce tobacco-related morbidity and mortality through sustained reductions in tobacco use initiation and consumption; through a reduction in exposure of non-smokers to tobacco smoke; and through a denormalization of tobacco use. As the tobacco industry uses its power to oppose any measures that might limit its activity, the WHO FCTC warns of the threat posed by the industry to global tobacco control. This need to be wary of subversive industry efforts is both recognized in the Preamble of the Convention and in Article 5(3), which actually obligates WHO FCTC parties to protect their public tobacco control policies from industry manipulation. As befits the special gravity of this situation, the WHO FCTC is the only international Convention to explicitly address the potential for corporate undermining of the objectives of the Convention.

For the above reasons, paragraph 9 of WHO's "Guidelines on interaction with commercial enterprises to achieve health outcomes" (EB107/20, ANNEX) provides that relationships with the tobacco industry should be avoided. Furthermore, paragraph 1 of Resolution WHA54.18 urges WHO and Member States to be alert to any efforts by the tobacco industry to subvert government and WHO implementation of anti-tobacco public health policies, and to ensure the integrity of WHO and government policy making processes.

The following guidelines should apply to the fullest extent possible, though it is recognized that all prescriptions/proscriptions cannot apply in all situations. For instance, in furtherance of public health it may sometimes be appropriate to receive certain information from the tobacco industry, and to present the industry with WHO's policy on tobacco control and WHO's views on tobacco related health issues, provided always that the interaction is strictly limited to an exchange of this nature.

For the purposes of these guidelines, and taking into account Article 1 of the WHO FCTC, the term "tobacco industry" means tobacco manufacturers, wholesale distributors, and importers of tobacco products. In addition, the term "tobacco industry" includes tobacco growers, associations or other entities representing any of the above, as well as industry lobbyists.

Guidelines

1. In order to comply with Resolution WHA54.18, which calls on the Director-General to continue to inform Member States of activities of the tobacco industry that have a negative impact on tobacco control efforts, all WHO staff worldwide should report to WHO TFI/HQ any requests by the tobacco industry to meet with WHO staff – in the case of Regional Directors, the Assistant Director General of NMH should be made aware of any requests and/or meetings between the tobacco industry and respective Regional Directors.
2. Where possible, all such meeting requests should be denied. In order to establish a consistent response and to limit WHO exposure to the tobacco industry, those who by

necessity have to meet with the industry have to do so in a manner consistent with these guidelines. WHO staff meetings with the tobacco industry should only take place for the purpose of health-related information exchange, i.e. to receive certain information relevant for public health from the tobacco industry, and to present to the tobacco industry WHO's policy on tobacco control and WHO's views on tobacco related health issues. An example of such a meeting is when representatives from the tobacco industry are invited to speak during meetings of the WHO Study Group on Tobacco Product Regulation. All other interaction with the tobacco industry should be avoided.

3. The types of acceptable interactions with the tobacco industry can be divided into two general categories:
 - a. *National level third-party mediated exchanges*: those where both national organizations and the tobacco industry are present. Such meetings can arise when WHO staff at country or regional offices meet in a common forum with tobacco monopoly representatives, and the meeting occurs with the aid of a third-party "mediator", such as a national multisectoral coordinating committee. National or regional stakeholders' meetings are an example of these types of exchanges.
 - b. *International mediated face-to-face exchanges*: those where WHO staff interact with tobacco industry representatives. For example where WHO staff participate in technical meetings of international bodies such as the International Standardization Organization (ISO).

At the types of meetings described in 3(a) and 3(b), the following guidelines apply to the maximum extent possible:

- i.) The goals of the meeting, and how the meeting will advance the goals of WHO, should be determined in advance via an internal WHO consultation.
 - ii.) There should be a minimum of two WHO staff at these meetings.
 - iii.) Before the meeting, WHO staff should clearly indicate in writing to the tobacco industry representatives that they may not mischaracterize the nature of the meeting, such that it implies that there is any relationship, collaboration or partnership between WHO and the tobacco industry.
 - iv.) Official minutes should be taken and shared afterwards to ensure transparency. WHO staff should prepare and distribute the only official minutes of the meeting. This should be agreed upon in writing in advance of the meeting.
 - v.) The meeting should not take place in any WHO premises, but rather, should occur at a neutral venue selected by WHO. WHO staff may terminate the meeting anytime they deem appropriate unless a unilateral termination is not feasible. Under no circumstances should a meeting take place in the offices of the tobacco industry (including the offices of the groups, persons or entities included in the definition of "tobacco industry" for the purposes of these guidelines). And, under no circumstances should a WHO staff member accept any offers of hospitality from tobacco industry representatives, for example, dinners, tickets to shows, etc.
4. All non-mediated exchanges (in person, phone or email) between WHO staff and the tobacco industry should be avoided.
 5. Regardless of the type of interaction as mentioned above, once the meeting is concluded, the WHO staff should:

- a) re-emphasize that the tobacco industry representatives may not mischaracterize the nature of the meeting such as to imply that there is any relationship, collaboration or partnership between WHO and the tobacco industry;
 - b) decide on follow-up questions that may have to be answered after the meeting;
 - c) correct via official letter any public misconception or misinformation regarding the meeting; and
 - d) provide a copy of the meeting minutes or report to the Director of TFI,¹ along with any necessary briefing notes, and contact information in the event that a follow-up or de-briefing is deemed desirable.
6. No WHO programme should accept any direct or indirect funding from the tobacco industry.
 7. No WHO programme should endorse projects which are funded directly or indirectly by the tobacco industry.
 8. All WHO staff should inform TFI/HQ² in a timely manner when a meeting request is received from the tobacco industry.
 9. These guidelines are subject to annual review in order to continuously assist WHO staff worldwide to respond appropriately to tobacco industry requests to interact with WHO.

¹ In the case of a meeting between a Regional Director and industry representatives, a copy of the meeting minutes or report should be given to the Assistant Director-General of NMH.

² In the case of a meeting request for a Regional Director to meet with industry representatives, the Assistant Director-General of NMH should be informed.