

5th December 2002

Mission of Brazil
17 B, Ancienne Route
1218 Grand-Saconnex
Geneva – Switzerland



To: Ambassador Luiz Felipe de Seixas Correa

Dear Mr. Ambassador

We write on behalf of the Framework Convention Alliance, a coalition of over 180 NGOs from more than 70 countries working for a strong FCTC. We would like to thank you for taking the time to meet with us twice during INB-5. We believe these meetings are a valuable means of communication and we hope that you will continue to keep the channel open.

As you prepare a new text for INB-6, we would like to make a few points below that we hope you will consider as you go about your difficult and important task in the weeks ahead.

The Effort to Reach Consensus Could Seriously Weaken the FCTC: We believe that a treaty agreed by an overwhelming majority of Member States would be of much greater public health value than a treaty that attempts to find consensus among all participants. While we respect your determination to find consensus amongst all of the Member States, there is a danger in making too many concessions to achieve it, particularly when a clear majority of Member States favour a treaty with strong provisions. A consensus treaty which reflects the wishes of a small minority of Member States would not advance public health and would be a disservice to countries which have participated in the negotiations in good faith. Our advice to countries favouring a strong convention will be to refuse to participate in a consensus that is too weak. The effort to find consensus must be subject to a 'floor', below which those that have worked to achieve a meaningful treaty will not allow the text to sink.

Retain the progressive options. We believe that the Chair's text is the wrong place to remove options favoured by the majority of Member States, such as a complete ban on tobacco advertising in all its forms; warning labels covering 50% of the pack; bans on misleading branding such as 'light' and mild; and placing health before trade. We urge you therefore to keep these options on the table instead of limiting language to that which would be acceptable to the small number of countries that simply do not support the overall aim of the FCTC. At the same time, there is no reason for the Chair to be seen to be depriving the majority of options that they believe would make a meaningful treaty. Once your next text is produced, we will produce specific comments on the text and circulate these to delegates.

Avoid soft language. The last text attracted some criticism for introducing too much 'soft' language such as 'appropriate', 'endeavour to' and so on. We would like to suggest against the introduction of such words in a new Chair's text as they strip the text of meaning and should be

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used only as a last resort when there is no agreement among the majority of delegates and are needed to effectuate a compromise.

INB-6 should be the final negotiating deadline. Experience from all negotiations shows that a final deadline is essential to bring focus to the discussions. We hope you will use your authority to continue to insist that INB-6 is the last negotiating session and that the FCTC should be completed in final form by the end of the two weeks of negotiation in February. There should be no suggestion of INB-7, and no suggestion that negotiations should be able to spill over to the World Health Assembly in May.

NGO participation. The NGOs that have been active in the negotiations have very considerable experience in the public health, legislative and governmental fields. Many Member States have turned to NGOs for technical input and advice during the negotiations, and we wish to continue play a full and constructive role. We urge you therefore to ensure that NGOs are not routinely excluded from the proceedings where there is no need for it. There is plenty of scope for truly informal negotiations to take place but we urge you to allow civil society to be present in larger meetings at INB-6. The FCTC will be a stronger treaty for improved transparency and NGO engagement.

Thank you for your consideration of these views, and we look forward to working with you and the Member States to fashion an effective treaty which promotes public health.

Sincerely,
The Members of the Framework Convention Alliance

(in alphabetical order)

Action Council Against Tobacco (India)
Action on Smoking and Health (Australia)
Action on Smoking and Health (Finland)
Action on Smoking and Health (Ireland)
Action on Smoking and Health (London)
Action on Smoking and Health (New Zealand)
Action on Smoking and Health (Papua New Guinea)
Action on Smoking and Health (Scotland)
Action on Smoking and Health (USA)
Action on Smoking and Health Foundation (Thailand)
Adventist Development and Relief Agency
Adventist Development and Relief Agency Cambodia
Adventist Development & Relief Agency Mongolia
Adventist Development & Relief Agency Uzbekistan
Advocacy Institute (USA)

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Aer Pur Romania
African Centre for Empowerment and Gender Advocacy (Kenya)
Airspace Action on Smoking and Health (Canada)
Alcohol and Drug Information Centre (Sri Lanka)
Alcohol and Drug Information Centre (Ukraine)
American Cancer Society
American Heart Association
American Lung Association
American Public Health Association
Apārangi Tautoko Auahi Kore (Maori Smokefree Coalition)
Argentine Union Against Tobacco
Asociacion Espanola contra el Cancer (Spain)
Association for Consumers Action on Safety and Health (ACASH) (India)
Association of the European Cancer Leagues
Association pour la Defence des Droits des Consommateurs (Chad)
Association Togolaise pour la Defense du Consommateur/Togolaise
Association ViSa (Mauritius)
Association Women Against Tobacco (Bulgaria)
Bahrain Anti-Smoking Society
Bangladesh Anti-Tobacco Alliance
Bons Templiers Congolais
British Medical Association
British Medical Association - Tobacco Control Project
Campaign Against Foreign Control of Aotearoa (NZ)
Campaign for Tobacco Free Kids (USA)
Canadian Cancer Society
Cancer Council Australia
Cancer Foundation of Western Australia
Cancer Institute (India)
Cancer Society of Finland
Cancer Society of New Zealand
Centre for Tobacco Education and Development (CTFED) (Kenya)
Centre of Information and education for Drug Abuse Prevention (Peru)
Chinese Progressive Association (USA)
CNCT (French Committee for Smoking Prevention)
Coalition For A Tobacco Free Palau
Coalition for Tobacco-Free Trinidad and Tobago
Commonwealth Medical Association
Consumers Association (ASTODEC) (Togo)
Consumers Association of Penang (Malaysia)
Community Health Cell (India)
Conselho de Prevencao do Tabagisme (Portugal)
Consumers Association of Malawi

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Consumer Education and Research Centre (India)
Consumer Watch (Kenya)
Consumers International Regional Office for Asia and the Pacific (CI-ROAP)
CorpWatch (USA)
Croix Bleue de la Republique Democratique Du Congo
Czech Committee of European Medical Association Smoking OR Health
Czech Coalition Against Tobacco
Environmental Rights Action (Nigeria)
Environmental Action Network (Uganda)
Essential Action (USA)
European Heart Network
European Medical Association on Smoking and Health
European Network for Smoking Prevention
European Respiratory Society
European Union of Non-Smokers
FCTC Alliance, Philippines
FDI World Dental Federation
Georgian Medical Association
Georgian National Counter Tobacco Center
German Cancer Research Centre
German Coalition Against Smoking
German Medical Action Group Smoking and Health
German Medical Association
Grupo Universitario Anti-Tobaquico (Uruguay)
Health 21 Hungarian Foundation
Health Related Information Dissemination Amongst Youth (HRIDAY) (India)
Heart and Stroke Foundation (Canada)
Heart Foundation of Barbados
Heart Foundation of Jamaica
Hellenic Cancer Society (Greece)
Hong Kong Council on Smoking and Health
Hungarian National Tobacco Control Forum
Indonesian Association of Pulmonologist
Indonesian Smoking Control Foundation
INFACT (USA)
InterAmerican Heart Foundation
Interfaith Center on Corporate Responsibility (USA)
International Council of Women
International Agency on Tobacco or Health
International Federation of Medical Students Association
International Network of Women Against Tobacco
International Union Against Cancer (UICC)
International Union Against Tuberculosis and Lung Disease

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International Union for Health Promotion and Education
IOGT Regional Council for South and South East Asia
Isfahan Cardiovascular Research Centre (Iran)
Islamic Medical Association of North America
Iranian Heart Foundation
Iranian Anti-Tobacco Association
Israel Cancer Association
Jamaica Coalition for Tobacco Control (Jamaica)
Janak Memorial Services Centre (Nepal)
Japan Association Against Tobacco
Japan Coalition on a Smokefree Environment
Japan Medical-Dental Association on Tobacco Control
Kaunas Abuse Help Centre for Youth - "socius sansus" (Lithuania)
Korean Association on Smoking and Health (KASH)
Lithuanian Association of Non-smokers
London School of Hygiene and Tropical Medicine
Medical Women's International Association
Mouvement National des Consommateurs (MNC)
Mozambican Public Health Association/Associação Moçambicana de Saúde Pública (AMOSAPU)
Mrigendra Samjhana Medical Trust (Nepal)
Mutuelle Sociale de Sante (MSS) (Cameroon)
National Council Against Smoking (South Africa)
National Research Institute of Tuberculosis and Lung Disease (Iran)
National Heart Foundation (Australia)
Network for Consumer Protection (Pakistan)
New South Wales Cancer Council (Australia)
Non-Smokers' Rights Association (Canada)
OxyGenève (Switzerland)
Pakistan Society for Cancer Prevention
PATH (Canada)
People Against Drug Dependence and Ignorance (PADDI) (Nigeria)
Philippine Cancer Society
Physicians for a Smoke Free Canada
Public Health Initiative (Philippines)
Public Services International
REDEH-CEMINA - The Network in Defense of Humankind (Brazil)
Reseau Sante Sida Population/Con seil des ONG d"Appui au Development (Senegal)
Resource Centre for Primary Health Care (Nepal)
Robert Wood Johnson Foundation (USA)
Russian Public Health Association
San Francisco Tobacco Free Coalition (USA)
Saudi Charitable Anti-Smoking Society

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School of Preventative Oncology, Patna (India)
Senegal Anti-Tobacco Movement
Sindicato Médico del Uruguay (Medical Syndicate of Uruguay)
Smokefree Air For Everyone (SAFE) (USA)
Smokefree Coalition (New Zealand)
Smoke free Pacific Action Network - S.P.A.N
Social Needs Network (Kenya)
Society for Research on Nicotine and Tobacco (USA)
SOS Tabagisme (Mali)
Soul City (South Africa)
Southeast Asian Tobacco Control Alliance
Spanish Association Against Cancer
St. Lucia Cancer Society
Stop Smoking (Slovakia)
Sudan Committee for the Control of Tobacco Consumption
Swarna Hansa Foundation (Sri Lanka)
Swiss Association for Smoking Prevention
Swedish Dentistry against Tobacco
Tanzania Public Health Association
Tobacco-Free (Norway)
Tobacco Free Coalition (USA)
Tobacco-Free Las Cruces Coalition (USA)
Tobacco Law Project (USA)
Toombak and Smoking Research Centre (Sudan)
Togolese Association of Campaign Against Alcoholism and other Drugs/Association Togolaise
De Lutte Contre L'Alcoolisme et les Autres Toxicomanies (ATLAT)
Turkish Committee on Tobacco or Health
UICC Globalink
Unitat de Tabaquisme Cooperacio Sanitaria Clinic (Spain)
Uruguay Antitobacco Comission
Vietnam Standard and Consumer Association
Women's Environment and Development Organisation
Work for a Better Bangladesh
Working Group or Prevention and Treatment of Tobacco Dependence, Czech Medical
Association
World Assembly of Youth
World Federation of Public Health Associations
World Heart Federation
World Vision International
Youth Association for Population and Development (Egypt)
Zambia Consumers Association
Zuna Women's Operation Green (Zimbabwe)

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