

Key Points: Connecting the WHO FCTC with the Plastics Treaty at INC-5

1. As stated in the [FCTC COP10 Article 18 Decision](#): “plastic cigarette filters are unnecessary, avoidable and problematic, single-use plastics that are widely spread in the environment, killing microorganisms and marine life, as well as polluting oceans.” The Decision goes on “to urge Parties to take into account the environmental impacts from cultivation, manufacture, consumption and waste disposal of tobacco products and related electronic devices”. Furthermore, the [WHO listed cigarette filters as the example of problematic and avoidable plastics to ban in its statement to INC2](#).

As such we call on countries to ensure that the text:

- **Classifies cigarette filters as hazardous plastic waste; and**
- **Maintains cigarette filters in the list of Products subject to Elimination under [Annex X - Products Option 1]**

2. The FCTC has been recognized by the UN Development Programme as an [accelerator for the environmental goals in the UN Sustainable Development Goals](#) and the [FCTC COP10 Art 18 Decision](#) urges countries “to coordinate their efforts to address plastic waste of tobacco products and related electronic devices with the objectives of the WHO FCTC in relation to national policies and international treaties and forums dealing with plastics and hazardous waste”.

As such, **the FCTC must remain** alongside other relevant treaties in the Preamble of the Plastic Treaty. Accordingly:

“Reaffirming the importance of cooperation, coordination and complementarity among relevant regional and international conventions and instruments...the Convention on Biological Diversity; **[the WHO Framework Convention on Tobacco Control;]** and other international organizations, regional instruments and programmes, and recognizing efforts led by non-governmental organizations and the private sector...”

3. As the [FCTC COP 10 Article 18 Decision](#) reminds us, the “tobacco industry is increasingly using actions related to environmental and sustainability claims to mask the damage it causes and to promote itself through extended producer responsibility systems” in violation with [Art 13 of the WHO FCTC](#) which obliges Parties to undertake a comprehensive ban of all tobacco advertising, promotion and sponsorship and “calls on countries to align with “WHO FCTC Article 5.3, to protect tobacco-related environmental policies from the commercial and vested interests of the tobacco industry and those working to further its interests”.

Parties to the FCTC must ensure that Article 5.3 is upheld in environmental policy making related to tobacco. The tobacco industry must not be treated as a “stakeholder” or “responsible producer”.

Furthermore, cigarette filters are manufactured by non tobacco companies, and numerous plastic companies may have corporate interests that are not aligned with the aims of the plastic treaty. We call on countries to ensure that adequate firewalls are put in place to guarantee that corporate conflicts of interests do not undermine the outcomes of the negotiations of the treaty to end plastic pollution or its implementation. This could be included in the Preamble or Principles:

- **Determined to give priority to their right to protect the environment, public health and human rights**
- **“... environmental and public health policies shall be protected from commercial and vested interests of industries.”**
- **“Parties shall prioritize the environment, public health and human rights in the implementation of environmental measures herein and shall protect these from vested interests of the industry.”**

We also strongly encourage further addressing conflicts of interest in the operative articles of the treaty.

4. The treaty draft text includes tobacco as a sector under the proposed Dedicated Programme of Work (DPW) that lists all the sectors with specific concerns. It is imperative that this section clearly states that **the tobacco industry must not be treated as a “stakeholder” or “responsible producer” and be excluded in alignment with FCTC Article 5.3**. If this cannot be achieved, we call for the removal of tobacco as a Dedicated Programme of Work as it could be an entry point for the tobacco industry to engage in the plastic treaty.