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ANNEX

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to the

Proposal for a COUNCIL DECISION

on the positions to be taken on behalf of the European Union at the third session of the Meeting of the Parties to the Protocol to Eliminate Illicit Trade in Tobacco Products

ANNEX

Union position on the agenda points 7.6 ‘possible amendments to the rules of procedure’ and 7.7 ‘appointment of the Head of the Convention Secretariat’, to be discussed at the third session of the Meeting of the Parties (‘MOP’) to the Protocol to Eliminate Illicit Trade in Tobacco Products (‘the Protocol’), in Panama from 27 to 30 November 2023.

I. Possible amendments to the rules of procedure of the Meeting of Parties (document FCTC/MOP/3/13)

The Union shall:

1. Support amendments proposed to simplify and rationalise the work at the MOP, such as accepting the approval of the verbatim records after the close of the session (Rule 60) or introducing the general possibility of live webcasting of agenda items of MOP sessions, subject to an approval by the MOP at the beginning of each session (Rule 15, new b).

2. Agree to clarify, without amending the Rules of Procedure of the MOP, that verbatim records of plenary meetings are understood to include audio files (Rule 60).

3. Support the amendment related to arranging for virtual sessions of the MOP (Rule 15, new c); however, virtual sessions should not be strictly limited to exceptional circumstances, thereby taking into consideration also the need to balance the environmental costs of in-presence sessions whenever possible.

4. Support the amendment to define more clearly the participation of the members of the Bureau of the MOP in the appointment of the Head of the Secretariat, as well as the amendment providing for the possibility of designating an acting Head of the Secretariat, when required (Rule 24 ter).

5. Support the amendment related to the presence of accredited media in public sessions (rule 2, paragraph 13), as this amendment leads to better consistency between Rules 2 and 32.

6. Support the correction of inconsistencies, including the deletion of the word ‘resolution’ (Rule 60) and the alignment of provisions regarding ‘economic regional organisations’ (Rules 2 and 29).

7. Propose an amendment of Rule 8 that currently obliges the Secretariat to distribute the provisional agenda, together with other conference documents, to the Parties at least sixty days before the opening day of the session. This period should be extended to up to 120 days before the opening of the session in order to enable regional economic integration organizations and federal countries to properly prepare and establish their positions. A period of 90 days should at the least be ensured for conference documents for MOP decisions that are legally binding on the Parties or have important policy or legal implications.

   [fall-back position: The European Union can agree with any extension of the distribution period beyond current 60 days before the opening of the session, and at least for conference documents for MOP decisions that are legally binding on the Parties or have important policy or legal implications.]

II. Appointment of the Head of the Convention Secretariat: report by the Bureau (document FCTC/MOP/3/14)

The Union shall:

(1) Thank the Bureau for the report, containing joint recommendations of the Bureau of the COP and Bureau of the MOP to improve the process of selection and appointment of the Head of the Secretariat and criteria for the selection of candidates for the position of the Head of the Secretariat.

(2) Support the proposed improvements of the process for the selection and appointment of the Head of the Secretariat, established by decisions FCTC/COP8(8) and FCTC/MOP1(12), including modifications to simplify a single renewal of the term of office of the Head of the Secretariat for a further four years, provided that his/her performance is beforehand evaluated and assessed positively.

(3) Support the improved criteria for the selection of the candidates for the position of the Head of the Secretariat; the Union should, however, request that aspects related to the Protocol to the FCTC are added to the selection criteria. In particular, documentary criteria 1 should include strong background, knowledge and substantive experience in fight against illicit trade, and documentary criteria 2 should include experience in fight against illicit trade and strong links with the international anti-fraud community.

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