



Evidence submission to the APPG for Vaping inquiry into COP 9

About We Vape

We Vape is a consumer organisation standing up for the rights of vapers in the UK. We provide vapers with information about what is going on in the world of vaping and how regulation affects them. Helping them engage in the political process and support policies that maintain their right to improve their health through vaping. We Vape also works to help change the narrative around vaping in the UK, away from unscientific scare stories and back to the individuals behind the statistics who have managed to successfully quit smoking through vaping and in the process vastly improved their health.

We Vape is supportive of the rights of consumers to be informed about the relative risks around vaping when compared to smoking. We believe that a scientifically led regulatory approach is best, taking into account harm reduction. With the belief that the ultimate goal is to reduce the circa 80,000 people a year who die from smoking-related illnesses.

Our submission of evidence to the inquiry aims to suggest policies that support vaping consumers in the UK. Our submission has been assisted by our members who came forward to tell us what was important to them. We Vape and its members feel strongly that the individual vaper who has improved their lives by their own fruition is often ignored at both a national and international level. We believe the UK Government should be a leader at the COP 9 meeting encouraging others to follow the British approach to smoking cessation. They should encourage the WHO to consider real-world evidence of those that have quit smoking through vaping. As well as re-affirming that the FCTC clearly stated in Article 4d the importance of harm reduction.

Key recommendations

1. The UK Government should use its newfound independence from the EU to stand up for its domestic policies that have led to a dramatic drop in the number of smokers as they have switched to vaping.
2. Prevent punitive regulations of ENDS products at COP9 either by encouraging a continuation of the COP7&8 policy of allowing individual member states to decide their own policies.
3. Table on the agenda for COP 9 a discussion of the positive effect that ENDS products can have in improving public health, using scientific evidence and UK examples.
4. Work with other member states who share the UK's scientific and harm reduction approach to reduce the harm caused by combustible cigarettes.
5. Represent the circa 3 million UK vapers who rely on access to well regulated vaping products to consume a safer alternative to smoking.

To what extent will these proposed measures impact upon health policy in the UK?

ENDS have had a profound effect on public health in the UK over the last 10 years. They have played a major part in reducing the smoking rate in the UK to 14.1%¹. As of yet, ENDS have not fallen under the remit of the FCTC and the COP process. This has meant that Britain could develop its regulations for reduced-risk products.

Any decisions made at the FCTC in regards to ENDS are not legally binding and member states are allowed to introduce them in a manner that suits individual countries' circumstances. However, the wording of the Frameworks suggests countries should refrain in good faith from deviating from the purpose of the convention. Therefore, if the FCTC at COP9 created an

1

<https://www.ons.gov.uk/peoplepopulationandcommunity/healthandsocialcare/healthandlifeexpectancies/bulletins/adultsmokinghabitsingreatbritain/previousReleases>

unsupportive position on ENDS then it would make it very difficult for the UK to change its regulations in a manner that the WHO may deem to deviate from the convention.

This is an area of concern because the UK is one of the most supportive of a harm reduction approach. Whereas other member states have either enacted or are considering such measures as flavour bans, taxes, and outright bans. In practice, this could mean policies such as increasing

This only stresses the importance of COP9 to the UK and is why the Government should put every effort into working towards an outcome at this year's meeting which doesn't end up hindering domestic policy in the future.

To what extent has the WHO moved away from the FCTC protocol given its original commitment to Harm Reduction and is it fit for purpose now we have new reduced risk products?

Both COP 7 & 8 decided that in regards to reduced-risk products and ENDS individual member countries could pursue their own regulations how they saw fit. We Vape believes this was a good decision and one that should be maintained at COP 9 because there is a real risk for the UK that the FCTC could call on the UK to introduce stringent measures against ENDS as we are the most supportive country of a scientifically led harm reduction approach in the world.

There is clear evidence that the WHO has begun making statements outside the remit of the current FCTC and is actively positioning itself as being against ENDS. These have come in the form of tweets ², press releases ³ and reports ⁴ in which the WHO calls on countries to 'ban or regulate [ENDS] like tobacco'.

² <https://twitter.com/WHOSEARO/status/1174283643843268609>

³

<https://www.who.int/fctc/mediacentre/news/2019/remain-vigilant-towards-novel-new-nicotine-tobacco-products/en/>

⁴ <https://iris.wpro.who.int/handle/10665.1/14503>

This is very concerning as it suggests a path of the trajectory towards which the WHO would like to take the COP9 agreement.

The fact that consensus agreements are encouraged at COP meetings suggests that if the UK Government properly argues for its domestic policies it may be able to prevent such a move from taking place.

The wide variety of reduced-risk products available to consumers has grown remarkably since 2003, from vaping devices, heat not burn technology to the more recent nicotine pouches consumers now have a wide variety of options to choose from to help them quit smoking. These were not considered when the FCTC was first drawn up, rather the only option to policymakers it seemed was a tobacco control approach.

The current position that individual countries should make their own policy decisions in regards to reduced is preferable to one in which reduced-risk products are drawn into the scope of the FCTC.

The UK Government should re-assert that the FCTC should be focused on combustible cigarettes, If it needs to it should argue that The FCTC should recognise that all nicotine products are not equal in the harm that they cause. Even within tobacco products, there is a large difference in risk between combustible cigarettes, heat not burn, and Swedish snus. The two latter products contain only a fraction of the risk that smoking does.

Conclusions

Britain is new territory as it is for the first time able to vote independently of the EU at a COP, it should use this to show leadership in the world in the same way it does in regards to climate change.

Smoking related deaths are reaching 8 million per annum worldwide and over this century are set to lead to a total of a billion being shortened from combustible cigarettes. If the world were to fully embrace harm reduction strategies then huge numbers of lives could be extended and health improved. Britain should not shy away from promoting internationally the policies that have been successful in the UK at helping millions of people quit smoking.

