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18th Congress

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29 January 2021

MARK PAWSEY, MP

Chairman

All-Party Parliamentary Group for Vaping
House of Commons, London, SW1A 0AA

Dear Honorable Pawsey:

I hope this finds you well amidst the circumstances we are all facing around the world.

As part of our continuing efforts of advancing public discourse on the on-going debate on smoking and alternative nicotine products, I write your good office on behalf of the Northern Luzon Alliance (NLA), a group of forty-eight (48) lawmakers from the tobacco-growing provinces in the Philippines with regard to the upcoming 9th Conference of Parties (COP 9).

As we all know, COP 9 is an important meeting between member states to the Framework Convention on Tobacco Control (FCTC), of which the Philippines is a signatory. Numerous proposals on tobacco control and health initiatives will be extensively discussed and deliberated upon. The commitments we make in COP 9 could potentially influence our domestic policies, impact the way we regulate affected stakeholders and create new international obligations that could significantly alter economic conditions here at home. As such, we cannot overemphasize the significance of a country's position and participation during these meetings.

In the Philippines, for example, it is important that our country position for COP 9 is one that would accurately reflect the various, and sometimes competing, multi-sectoral concerns that are unique to the Philippines, a country with a substantial number of tobacco-growing regions that relies heavily on excise tax collections for funding various government health programs. As such, we cannot afford to implement very restrictive and unreasonable proposals on tobacco and alternative nicotine products that may lead to dwindling public coffers, loss of job opportunities for our tobacco farmer constituents, and the proliferation of illicit cigarettes, e-cigarettes, and heated tobacco products.

However, the NLA is not also oblivious to the protection of the health of our current 16 million Filipino smokers.¹ During the 17th Congress, we rallied our members to support the House Resolution urging our Ministry of Health to adopt harm reduction measures particularly the use of electronic cigarettes as an alternative for smokers as part of its national tobacco control strategy. The final preamble clause of that resolution stated: *"WHEREAS, the Philippines can benefit from learning from the experience and studies in the United Kingdom which is at the forefront of the harm reduction exercise"*.² This was

¹ 2015 WHO Global Adult Tobacco Survey for the Philippines

² Copy of the House Resolution available at https://www.congress.gov.ph/legisdocs/basic_17/HR00973.pdf

eventually adopted by the House of Representatives and we continue to support tobacco harm reduction as another tool for tobacco control. More importantly, we also support the continued use of tobacco as a source of nicotine albeit in a delivery system that is less harmful to users. This will not only protect the welfare of our tobacco farmers who rely on tobacco farming, but also the health of our current cigarette smokers in the Philippines.

However, recent actions from the World Health Organization including international and local interest groups seem to not recognize the overwhelming evidence on the potential of alternative nicotine products on switching smokers away from combusted cigarettes. The recommendation on regulating these products restrictively like cigarettes as contained in the 2019 WHO Report on the Global Tobacco Epidemic³ is concerning and we are worried that COP 9 might be used as a venue to push for this agenda.

In the past COPs, while we were impressed with the way our Philippine delegation ultimately collaborated in presenting and defending a balanced and unified Philippine country position, we cannot remain complacent and must exercise the same vigilance to ensure that draft declarations/resolutions calling for extreme proposals to ban or strictly regulate e-cigarettes, heated tobacco products and other novel tobacco product be frustrated.

In sending our support to initiatives such as APPG for Vaping Inquiry, we would like to take this opportunity to share our learnings leading to and during COP:

1. Tobacco harm reduction or the use of less harmful alternatives to cigarettes is not inconsistent with the FCTC's objectives.

Article 1(d) of the FCTC defines tobacco control as a range of supply, demand and harm reduction strategies that aim to improve the health of a population by eliminating or reducing the consumption of tobacco products and exposure to tobacco smoke. This provision is a recognition that harm reduction can complement existing tobacco control strategies. With the advent of technological innovations, smokers who cannot quit are provided with other options that can reduce their exposure to the risks of tobacco smoke.

So far, previous FCTC Conferences have focused on demand and supply reduction strategies but much remains to be desired in terms of reaching its avowed goals. If the member-states are serious in accelerating the reduction of cigarette use then they should focus on the third tobacco control strategy which is harm reduction, a position that we must defend and protect against interest groups whose main objective is to sow fear and confusion as well as undermine the ability of regulators to distinguish fact from fiction.

2. In the discussions leading to the actual conference itself (i.e., Working Groups, Regional Committee Meetings), many of the recommendations proffered have failed to consider the broader effects of certain resolutions, recommendations or proposals to a country's overall

³ Copy of the Report available at <https://www.who.int/teams/health-promotion/tobacco-control/who-report-on-the-global-tobacco-epidemic-2019>

economy and/or trading relationships. Additionally, the measures advocated therein aims to preempt any domestic policy that adopts evidence-based regulation.

It is critical that we guard against this approach or excessive regulation would also lead to the unintended consequence of promoting black market and more importantly, preventing innovation and access of new products in the market.

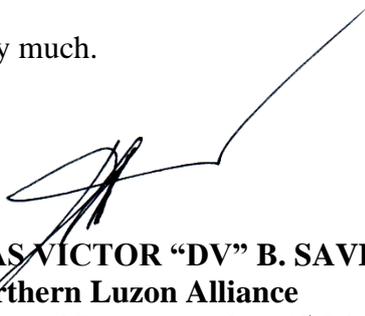
3. Inasmuch as the issues tackled during COP are myriad, it is key that we nominate a balanced delegation consisting of a variety of technical experts from various government agencies/departments of a country. Despite pushback, we recognize that no one department is best-placed to represent the country on an issue that relates to regulation, farming, health as well as domestic and foreign trade of tobacco and tobacco products hence, various departments or agencies of a country must be enlisted. In addition, because agreements in COP may lead to indirect amendments of our existing laws, it is also important that representatives from Congress be part of the delegation.
4. In the past COPs, we have had the unfortunate experience of information being withheld, intentional or otherwise, from other government agencies thereby depriving them of the opportunity to participate in discussions and submit their agency's position on time. A system that ensures the proper and timely sharing of information must, therefore, be established in order to promote transparency and accountability within the country delegation.

In light of the foregoing and considering that the United Kingdom remains to be one of the world's most advanced countries in terms of supporting the principle of harm reduction, we earnestly hope that your government will actively participate in this year's COP and be the beacon of science and genuine public health. It is also my hope that we work together or that you help us create a counterpart alliance in the Philippines in order to open vital conversations on public health.

I genuinely believe that what we have here is an opportunity to address the prevalence of use of combusted cigarettes while avoiding the FCTC's stifling approach which is counter-productive for public health and consumer welfare and can even result to unintended consequences such as the proliferation of illicit products. Finally, let me state that I am more than willing to participate during your public hearings and consultations to provide the perspective of a law maker from a low-to-middle income country (LMIC) like the Philippines.

Thank you very much.

Sincerely,



DEOGRACIAS VICTOR "DV" B. SAVELLANO

President, Northern Luzon Alliance

Deputy Speaker and Representative, 1st District, Province of Ilocos Sur