Duty Free Industry Associations Welcome Agreement on Illicit Trade Protocol

Consensus has been reached by the Parties to the Framework Convention on Tobacco Control to tackle the smuggling of tobacco through the adoption of a Protocol on illicit trade. The fifth meeting of the Intergovernmental Negotiating Body took place in Geneva at the beginning of April where the Parties agreed a way forward to tackle this criminal activity.

Although the final text will not be released for some weeks, it is understood that the Protocol does not call for a ban on duty free sales of tobacco but does still subject the duty free industry to scrutiny in the years to come. The duty free representative organisations welcomed the news stating they were confident that the industry would stand up to any scrutiny.

We are especially pleased that spurious claims that the duty free industry was itself involved in illicit trade have been rejected by Parties to the FCTC. Illicit trade in tobacco products is a criminal activity that also hurts the duty free industry. It is good news for the industry that this long running process has now come to a positive conclusion.

The decision brings to a close a negotiating process that has spanned five years. In 2008 a proposal was made during the negotiations to ban duty free sales claiming they contributed to illicit trade. The duty free industry associations immediately moved to respond and since then have been promoting a strong illicit trade Protocol while resisting the claims that duty free was part of the problem.

The Protocol will now be submitted to the next meeting of the Conference of the Parties of the Framework Convention on Tobacco Control to be held in Seoul in November when it is expected to be adopted. This will then begin the process of the Protocol being ratified by individual states. Once the Protocol has been ratified by at least 40 countries, it will go into effect and become binding on signatory Parties.

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