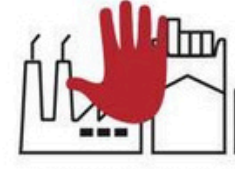




FCTC

WHO FRAMEWORK CONVENTION
ON TOBACCO CONTROL

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FOR ARTICLE 5.3

School of Global Studies, Thammasat University
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Voices of Local Advocates: Defending Article 5.3 in Action

November 2025



COP 11

Geneva, Switzerland, 2025



FCTC

WHO FRAMEWORK CONVENTION
ON TOBACCO CONTROL



Dr. Behzad Valizadeh

**Head of the National Tobacco
Control Secretariat**

SUMMARY

Dr. Behzad Valizadeh highlights that the tobacco industry in Iran strategically exploits the country's economic sanctions to portray itself as a vital contributor to employment and economic productivity. By overstating the impacts of tobacco control measures such as tax increases, flavor bans, and packaging restrictions, the industry argues these policies fuel illicit trade and harm the economy. This narrative has been used as a central tactic to weaken and delay effective tobacco control efforts.

Despite this interference, Iran has successfully resisted industry attempts in several cases. A notable example is the rejection of industry objections to the requirement of employing health experts within tobacco manufacturing facilities.

Regulatory bodies and judicial authorities have upheld such public-health-centered regulations by rejecting industry complaints supported by justifications prepared by the National Tobacco Control Headquarters and health sector authorities. This demonstrates that legal and institutional resistance, when informed and supported by evidence, can counter industry lobbying.



Dr. Valizadeh emphasizes that the Article 5.3 of the WHO Framework Convention on Tobacco Control (WHO FCTC) remains insufficiently institutionalized in Iran's legal framework. The current Comprehensive Tobacco Control Law predates the official executive guidelines of Article 5.3, resulting in the absence of explicit legal provisions prohibiting industry interference. While related laws, such as rules preventing government employees from simultaneously working in private-sector tobacco-related roles, provide partial safeguards, enforcement remains fragmented. Iran is currently drafting amendments to incorporate specific 5.3 protections and create an executive bylaw solely dedicated to preventing industry interference.

Inter-sectoral coordination is identified as essential. The ministerial-level Tobacco Control Coordination Structure engages multiple ministries and is expected to formally issue resolutions on industry interference, pending presidential approval. Strengthening this structure is a strategic step to elevate Article 5.3 enforcement to the highest level of national policymaking.

International cooperation is presented as a major enabling factor. Iran played a leading role at COP8 in advancing protections against industry interference and later in COP9 and COP10 through contributions such as supporting resolutions on liability. These engagements illustrate how global mechanisms can guide and reinforce domestic policy implementation.



Looking ahead, Dr. Valizadeh stresses the importance of intensified surveillance of industry tactics, particularly Corporate Social Responsibility (CSR) initiatives and related reputation-enhancement strategies.

He calls for greater support from NGOs, WHO regional offices, and the international community, especially for low- and middle-income countries facing intensified industry pressure. With stronger monitoring, legislative reform, and adherence to Article 5.3 globally, he envisions accelerated implementation of tobacco control measures and progress toward a tobacco-free future. With stronger monitoring, legislative reform, and adherence to Article 5.3 globally, he envisions accelerated implementation of tobacco control measures and progress toward a tobacco-free future.

Q1:

What are the most common tactics the tobacco industry uses to influence public health policies in Iran and the region?

The tobacco industry's most important tactic is to exploit Iran's economic sanctions to highlight its role in creating jobs and the country's economic cycle. By exaggerating the number of tobacco smuggling cases in the country and linking the implementation of key tobacco control policies, such as tax increases, plain packaging of tobacco products, and banning flavors and fragrances, to the increase in smuggling and economic consequences in the country, these industries play their role in preventing the effective implementation of tobacco demand and supply reduction strategies. These industries are increasingly trying to explain their position as a productive and influential industry in the country's economy and job creation.

In the region more broadly, several additional tactics are commonly observed. These include efforts to connect with decision-makers to undermine tobacco-control activities and the threat of using litigation to block stronger government actions. The industry consistently fights all tobacco control policies, including taxation, plain packaging, tobacco-free public places, and bans on tobacco advertising, promotion and sponsorship (TAPS). It also spreads false or misleading scientific information, especially about newer products such as e-cigarettes and heated tobacco, and targets young people with these products. Despite advertising bans, the industry continues to use both direct and indirect media channels to promote its products. All the details of the tobacco industry's efforts can be found in the following documents: WHO EMRO – Monitoring the tobacco industry.

Q2:

Can you describe a specific case where tobacco industry interference was successfully prevented or mitigated in Iran?

A recent successful example of preventing tobacco industry interference was the rejection of tobacco industry representatives' objections to the use of health inspectors in the tobacco manufacturing industries. These industries had objected to the regulation that the judiciary had imposed to require them to employ a health expert in the tobacco manufacturing industries, but fortunately, with the support of regulatory organizations, this objection was not approved, and the tobacco industries were required to employ health experts for their industries to increase supervision over the production process and comply with legal requirements.

There are also numerous other cases of tobacco industry complaints about the laws and regulations that have been imposed. Fortunately, the justifications prepared in the Secretariat of the National Tobacco Control Headquarters, health authorities, and NGOs have been considered by the judicial authorities, and the rejection of the tobacco industry complaints has been approved by these authorities.

Q3:

From your experience, why is Article 5.3 considered one of the most critical components of the WHO FCTC?

Article 5.3 in the health sector is considered one of the important components of the WHO FCTC, due to the interventions that we have had at the ministerial level with the universities of medical sciences under the Ministry of Health and Medical Education. Likewise, the emphasis placed on the implementation of this article and its executive guidelines in meetings and interactions with other relevant organizations in the implementation of the Tobacco Control Law and other executive guidelines for controlling the supply of tobacco by the Secretariat of the National Tobacco Control Headquarters is considered a key priority. However, at the level of other non-health agencies, it is not of great importance and requires strengthening legislation in this field.

Q4:

What are the main challenges governments face in fully implementing Article 5.3, and how can they overcome them?

In addition to the issue I raised in question number one, regarding the role of international sanctions in the lack of effective implementation of Article 5.3 of the Convention, one of the most important challenges in the effective implementation of Article 5.3 of the Convention is the lack of codification of a separate law for the implementation of this key article of the Convention.

The Comprehensive Tobacco Control Law was approved at the same time as the entry into force of the WHO FCTC in 2006, and at that time, no guidelines for this article had been approved by the Conference of the Parties to the Convention. For this reason, the text of the Comprehensive Tobacco Control Law does not specifically address this important issue.

Although the capacity of other laws, such as the prohibition of simultaneous employment of government employees in the private sector, is used to limit the interactions of government employees with the tobacco industry, considering these requirements in the text of the Comprehensive Law on National Tobacco Control will have a higher impact on implementation.

Q&A

WITH DR. BEHZAD VALIZADEH

Q5:

How has Iran incorporated Article 5.3 into its national laws, policies, and institutional practices, including enforcement?

Currently, Article 5.3 has not been structurally institutionalized in the country's general laws and policies. With the support of the Convention Secretariat through the FCTC2030 project and the efforts that have been made, the draft text of the amendment to the Comprehensive Tobacco Control Law has been prepared, considering a separate chapter to prevent tobacco industry interference, and we are also preparing a draft of the specific executive Bylaw for this key article of the Convention, and we hope that with the support of the Government and Parliament, we will be able to successfully submit these legal documents to the legislative authorities for approval.

Q6:

How important is inter-sectoral coordination (e.g., between health, finance, trade, and education sectors) in protecting policies from industry influence?

The Tobacco Control Coordination Structure, headed by the Minister of Health and the ministers of the relevant executive agencies, has been established in accordance with Article 1 of the Comprehensive Tobacco Control Law, and the capacity of this headquarters will be used to establish the necessary regulations to prevent tobacco industry interference.

A resolution in this regard has also been considered at the next meeting of the National Tobacco Control Headquarters, which will be communicated to all executive agencies for implementation after HQ's decision and getting approval from the President. Given the importance of inter-sectoral coordination for the effective implementation of the WHO FCTC and the Protocol, a report has been prepared to strengthen the tobacco control coordination structure so that we can promote this structure at the highest policy-making level.

Q&A

WITH DR. BEHZAD VALIZADEH

Q7:

How does international collaboration under the WHO FCTC help strengthen national responses to tobacco industry interference?

Obviously, the role of the WHO FCTC and the Conference of the Parties' decisions in strengthening legislation and establishing deterrent regulations against the tobacco industry interference is very important.

With the effective implementation of this article of the Convention in successful countries of the world and the formation of international experiences around Article 5.3 of the WHO FCTC and its executive guidelines in this regard, it is hoped that all Parties to the FCTC will gradually strengthen their laws to protect public health policies from vested interests of the tobacco industry.

Q8:

What lessons did you learn from the COP8 decision on protecting public health policies (FCTC/COP8(18) Protection of public health policies with respect to tobacco control from commercial and other vested interests of the tobacco industry)?

Fortunately, the Islamic Republic of Iran played a key role in the adoption of this resolution at the Eighth Conference of the Parties to the FCTC, and I am proud of this as the representative of my country.

Given the importance of confronting the tricks of the tobacco industry and preventing the measures that these industries use to change their image from a cause of death and disease to an organization that protects welfare, security and the environment, the statement of the Ninth Conference of the Parties to the FCTC, which was held under the presidency of the Islamic Republic of Iran, also addressed this very important issue and fortunately it was approved by the Conference. Also, at the 10th Conference of the Parties to the WHO FCTC, I, on behalf of the Republic of Iran, proposed a draft resolution on Liability to the COP10 to strengthen the accountability of tobacco industries towards public health, which was approved by the Conference with significant support from the Member States.

Q9:

Looking forward, what further steps are needed globally to ensure wider implementation and stronger enforcement of Article 5.3?

In my opinion, the WHO FCTC and the executive guidelines of Article 5.3, as well as the decisions of the Conference of the Parties in this regard, have provided an appropriate legal infrastructure for the exploitation of the Member States of the Convention. Given the importance of paying attention to the issue of preventing tobacco industry interference in tobacco control policies and limiting their Corporate Social Responsibility (CSR) and Extended Producer Responsibility (EPR) activities, which will help them prevent the change in the face of these industries, it is necessary for international NGOs and entities to increase their monitoring of the activities of multinational tobacco companies and to assist member states in identifying violations of these industries from Article 5.3 of the Convention, as well as sharing international experiences in this field. This support is certainly of greater importance in low- and middle-income countries. Also, the regional offices of the WHO can contribute significantly to the synergy of global approaches in the health sector by addressing this issue and raising its importance in regional committees and meetings of the World Health Assembly. An example of this type of initiative can be mentioned in the Eastern Mediterranean Region of the World Health Organization, with the formation of a high-level group of health ministers (HLM) in a number of member countries, which raises important regional priorities in the field of tobacco control every six months and makes decisions in this regard.

Finally, thanking the support of the Knowledge Hub for Article 5.3 of the Convention on Tobacco Control and the Global Center for Good Governance in Tobacco Control (GGTC) in monitoring and promoting Article 5.3 of the Convention on Tobacco Control; according to the explanations I have given earlier; I need to emphasize that the implementation of this key article in Iran in the current situation may be much more difficult than in other member countries of this treaty and thus, there is a need for more support in strengthening the laws for a more effective implementation of this article. Obviously, by raising awareness and supporting the international community and limiting the space for advertising; Lobbying, interference and tactics of the tobacco industry It is hoped that with the effective implementation of Article 5.3 and its implementing guidelines, other provisions of the Convention will be implemented more quickly and powerfully, and the forward-looking measures of member states will go far beyond the requirements of the Convention and will be expanded on a wider scale in the world for a healthy future, healthy planet and a tobacco-free generation.