



fighting heart disease
and stroke

european heart network

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The European Commission on the FCTC's Article 5.3

In October 2015, the European Ombudsman took the view that parties to the Framework Convention on Tobacco Control (FCTC) are required to take *active* measures both to limit the extent of interactions with the tobacco industry and to ensure transparency where such interactions occur. She recommended to the Commission that all of its Directorates should ensure proactive transparency as is already the case with DG SANTE.

Today, the European Commission has published its opinion on the Ombudsman's recommendation.

The European Commission maintains that the ethical and transparency rules in place for all staff in all the Directorates and departments of the Commission ensure the integrity of policy- and law-making and prevent undue influence in all areas. The Commission concludes that it continues to believe that it complies in full with its obligations under the FCTC and therefore does not agree with the findings and the recommendation of the European Ombudsman.

EHN Director Susanne Løgstrup says: *"In the European Commission, policies to protect people's health against tobacco use emanate from many different Directorates and departments, not just from DG SANTE. Therefore, we believe that the European Commission's opinion on the European Ombudsman's recommendation adopts a far too narrow approach. We also agree with the Ombudsman's interpretation that full compliance with Article 5.3 of the FCTC require active measures. Our recommendation to the European Commission is that it should apply a gold standard compliance with FCTC Article 5.3 – it should not limit itself to a minimum standard."*