



**ΠΑΡΑΡΤΗΜΑ ΠΡΩΤΟ**  
**ΤΗΣ ΕΠΙΣΗΜΗΣ ΕΦΗΜΕΡΙΔΑΣ ΤΗΣ ΔΗΜΟΚΡΑΤΙΑΣ**  
Αρ. 4000 της 3ης ΙΟΥΝΙΟΥ 2005  
**ΝΟΜΟΘΕΣΙΑ**

**ΜΕΡΟΣ ΙΙΙ**

**Ο περί της Σύμβασης Πλαίσιο για τον Έλεγχο του Καπνού (Κυρωτικός) Νόμος του 2005 εκδίδεται με δημοσίευση στην Επίσημη Εφημερίδα της Κυπριακής Δημοκρατίας σύμφωνα με το Άρθρο 52 του Συντάγματος.**

Αριθμός 12(III) του 2005

**ΝΟΜΟΣ ΠΟΥ ΚΥΡΩΝΕΙ ΤΗ ΣΥΜΒΑΣΗ ΠΛΑΙΣΙΟ ΤΗΣ ΠΑΓΚΟΣΜΙΑΣ  
ΟΡΓΑΝΩΣΗΣ ΥΓΕΙΑΣ ΓΙΑ ΤΟΝ ΕΛΕΓΧΟ ΤΟΥ ΚΑΠΝΟΥ**

ΕΠΕΙΔΗ το Υπουργικό Συμβούλιο με την Απόφασή του με Αρ. 59.539 και Προοίμιο, ημερομηνία 25.2.2004 εξουσιοδότησε το Μόνιμο Αντιπρόσωπο της Κυπριακής Δημοκρατίας στον Οργανισμό Ηνωμένων Εθνών να υπογράψει εκ μέρους της Κυπριακής Δημοκρατίας τη Σύμβαση Πλαίσιο της Παγκόσμιας Οργάνωσης Υγείας για τον Έλεγχο του Καπνού και

ΕΠΕΙΔΗ στις 24 Μαΐου 2004 ο Μόνιμος Αντιπρόσωπος της Κυπριακής Δημοκρατίας στον Οργανισμό Ηνωμένων Εθνών έχει υπογράψει εκ μέρους της Κυπριακής Δημοκρατίας τη Σύμβαση Πλαίσιο της Παγκόσμιας Οργάνωσης Υγείας για τον Έλεγχο του Καπνού και

ΕΠΕΙΔΗ με την ίδια πιο πάνω Απόφασή του, το Υπουργικό Συμβούλιο αποφάσισε να εξουσιοδοτήσει τον Υπουργό Υγείας να καταθέσει σε συνεργασία με το Γενικό Ειταγγελέα της Δημοκρατίας το σχετικό κυρωτικό νομοσχέδιο στη Βουλή των Αντιπροσώπων, με σκοπό την επικύρωση της εν λόγω Σύμβασης.

Γι' αυτό η Βουλή των Αντιπροσώπων ψηφίζει τα ακόλουθα:

1. Ο παρών Νόμος θα αναφέρεται ως ο περί της Σύμβασης Πλαίσιο για τον Έλεγχο του Καπνού (Κυρωτικός) Νόμος του 2005. Συνοπτικός τίτλος.
2. Στον παρόντα Νόμο— Ερμηνεία.

«Σύμβαση» σημαίνει τη Σύμβαση Πλαίσιο της Παγκόσμιας Οργάνωσης Υγείας για τον Έλεγχο του Καπνού, που υπέγραψε εκ μέρους της Κυπριακής Δημοκρατίας ο Μόνιμος Αντιπρόσωπος της Κυπριακής Δημοκρατίας στον Οργανισμό Ηνωμένων Εθνών στις 24 Μαΐου 2004.

Κύρωση της  
Σύμβασης.  
Πίνακας  
Μέρος Ι.  
Μέρος ΙΙ.

**3.** Με τον παρόντα Νόμο κυρώνεται η Σύμβαση, της οποίας το κείμενο στο αγγλικό πρωτότυπο παρατίθεται στο Μέρος Ι του Πίνακα και σε ελληνική μετάφραση στο Μέρος ΙΙ του Πίνακα:

Νοείται ότι σε περίπτωση διαφοράς μεταξύ του κειμένου του Μέρους Ι και του κειμένου του Μέρους ΙΙ του Πίνακα, υπερισχύει το κείμενο που παρατίθεται στο Μέρος Ι αυτού.

ΠΙΝΑΚΑΣ  
(άρθρο 3)

ΜΕΡΟΣ Ι

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ANNEX

**WHO Framework Convention on Tobacco Control**

***Preamble***

The Parties to this Convention,

*Determined* to give priority to their right to protect public health,

*Recognizing* that the spread of the tobacco epidemic is a global problem with serious consequences for public health that calls for the widest possible international cooperation and the participation of all countries in an effective, appropriate and comprehensive international response,

*Reflecting* the concern of the international community about the devastating worldwide health, social, economic and environmental consequences of tobacco consumption and exposure to tobacco smoke,

*Seriously concerned* about the increase in the worldwide consumption and production of cigarettes and other tobacco products, particularly in developing countries, as well as about the burden this places on families, on the poor, and on national health systems,

*Recognizing* that scientific evidence has unequivocally established that tobacco consumption and exposure to tobacco smoke cause death, disease and disability, and that there is a time lag between the exposure to smoking and the other uses of tobacco products and the onset of tobacco-related diseases,

*Recognizing also* that cigarettes and some other products containing tobacco are highly engineered so as to create and maintain dependence, and that many of the compounds they contain and the smoke they produce are pharmacologically active, toxic, mutagenic and carcinogenic, and that tobacco dependence is separately classified as a disorder in major international classifications of diseases,

*Acknowledging* that there is clear scientific evidence that prenatal exposure to tobacco smoke causes adverse health and developmental conditions for children,

*Deeply concerned* about the escalation in smoking and other forms of tobacco consumption by children and adolescents worldwide, particularly smoking at increasingly early ages,

*Alarmed* by the increase in smoking and other forms of tobacco consumption by women and young girls worldwide and keeping in mind the need for full participation of women at all levels of policy-making and implementation and the need for gender-specific tobacco control strategies,

*Deeply concerned* about the high levels of smoking and other forms of tobacco consumption by indigenous peoples,

*Seriously concerned* about the impact of all forms of advertising, promotion and sponsorship aimed at encouraging the use of tobacco products,

*Recognizing* that cooperative action is necessary to eliminate all forms of illicit trade in cigarettes and other tobacco products, including smuggling, illicit manufacturing and counterfeiting,

*Acknowledging* that tobacco control at all levels and particularly in developing countries and in countries with economies in transition requires sufficient financial and technical resources commensurate with the current and projected need for tobacco control activities,

*Recognizing* the need to develop appropriate mechanisms to address the long-term social and economic implications of successful tobacco demand reduction strategies,

*Mindful* of the social and economic difficulties that tobacco control programmes may engender in the medium and long term in some developing countries and countries with economies in transition, and recognizing their need for technical and financial assistance in the context of nationally developed strategies for sustainable development,

*Conscious* of the valuable work being conducted by many States on tobacco control and commending the leadership of the World Health Organization as well as the efforts of other organizations and bodies of the United Nations system and other international and regional intergovernmental organizations in developing measures on tobacco control,

*Emphasizing* the special contribution of nongovernmental organizations and other members of civil society not affiliated with the tobacco industry, including health professional bodies, women's, youth, environmental and consumer groups, and academic and health care institutions, to tobacco control efforts nationally and internationally and the vital importance of their participation in national and international tobacco control efforts,

*Recognizing* the need to be alert to any efforts by the tobacco industry to undermine or subvert tobacco control efforts and the need to be informed of activities of the tobacco industry that have a negative impact on tobacco control efforts,

*Recalling* Article 12 of the International Covenant on Economic, Social and Cultural Rights, adopted by the United Nations General Assembly on 16 December 1966, which states that it is the right of everyone to the enjoyment of the highest attainable standard of physical and mental health,

*Recalling also* the preamble to the Constitution of the World Health Organization, which states that the enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being without distinction of race, religion, political belief, economic or social condition,

*Determined* to promote measures of tobacco control based on current and relevant scientific, technical and economic considerations,

*Recalling* that the Convention on the Elimination of All Forms of Discrimination against Women, adopted by the United Nations General Assembly on 18 December 1979, provides that States Parties to that Convention shall take appropriate measures to eliminate discrimination against women in the field of health care,

*Recalling further* that the Convention on the Rights of the Child, adopted by the United Nations General Assembly on 20 November 1989, provides that States Parties to that Convention recognize the right of the child to the enjoyment of the highest attainable standard of health,

*Have agreed*, as follows:

## PART I: INTRODUCTION

### *Article 1* *Use of terms*

For the purposes of this Convention:

- (a) "illicit trade" means any practice or conduct prohibited by law and which relates to production, shipment, receipt, possession, distribution, sale or purchase including any practice or conduct intended to facilitate such activity;
- (b) "regional economic integration organization" means an organization that is composed of several sovereign states, and to which its Member States have transferred competence over a range of matters, including the authority to make decisions binding on its Member States in respect of those matters;<sup>1</sup>
- (c) "tobacco advertising and promotion" means any form of commercial communication, recommendation or action with the aim, effect or likely effect of promoting a tobacco product or tobacco use either directly or indirectly;
- (d) "tobacco control" means a range of supply, demand and harm reduction strategies that aim to improve the health of a population by eliminating or reducing their consumption of tobacco products and exposure to tobacco smoke;
- (e) "tobacco industry" means tobacco manufacturers, wholesale distributors and importers of tobacco products;
- (f) "tobacco products" means products entirely or partly made of the leaf tobacco as raw material which are manufactured to be used for smoking, sucking, chewing or snuffing;
- (g) "tobacco sponsorship" means any form of contribution to any event, activity or individual with the aim, effect or likely effect of promoting a tobacco product or tobacco use either directly or indirectly;

### *Article 2*

#### *Relationship between this Convention and other agreements and legal instruments*

1. In order to better protect human health, Parties are encouraged to implement measures beyond those required by this Convention and its protocols, and nothing in these instruments shall prevent a Party from imposing stricter requirements that are consistent with their provisions and are in accordance with international law.
2. The provisions of the Convention and its protocols shall in no way affect the right of Parties to enter into bilateral or multilateral agreements, including regional or subregional agreements, on issues relevant or additional to the Convention and its protocols, provided that such agreements are compatible with their obligations under the Convention and its protocols. The Parties concerned shall communicate such agreements to the Conference of the Parties through the Secretariat.

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<sup>1</sup> Where appropriate, national will refer equally to regional economic integration organizations.