

ILLICIT TRADE: TRACKING AND TRACING OF TOBACCO PRODUCTS AND THE WORLD TRADE ORGANIZATION

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ABSTRACT

The development of an international system for the tracking and tracing of tobacco products is likely to form a core component of any future Framework Convention on Tobacco Control protocol to govern illicit trade in tobacco products. Despite this, the application of the World Trade Organization (WTO) Agreement to tracking and tracing measures has largely escaped attention. This paper examines the implications of the WTO Agreement for tracking and tracing measures and the question of how those implications should be addressed in protocol negotiations. It is argued that the WTO Agreement should provide sufficient policy space for protocol parties to develop and implement an effective international tracking and tracing system.

KEYWORDS: *Framework Convention on Tobacco Control protocol, WTO, GATT, Tracking measures*

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