GLOBAL STRATEGY AND IRM – LET’S SHIFT GEARS

Amid the excitement of yesterday’s opening ceremonies, the WHO FCTC Secretariat presented its 2018 report on global progress in implementing the FCTC.

A shocking statistic from the report that was not mentioned in the Secretariat’s presentation is that just 13 per cent of Parties to the FCTC are likely to achieve the agreed global targets to reduce tobacco use prevalence by 30 per cent by 2025.

In the past two years, 9 per cent of Parties actually saw increases in tobacco use in their countries, and 60 per cent identified specific gaps in implementation of the treaty. It is fifteen years now since the FCTC was endorsed, and these trends are just not acceptable.

The good news is that today, as the first order of business in Committee A, Parties will be invited to adopt a plan that will allow us all to shift gear. The proposed Global Strategy to Accelerate Tobacco Control calls for coordinated action on a small number of high-impact interventions in order to reduce tobacco use prevalence between now and 2025. If endorsed, it will be an important tool to raise the visibility of the treaty and to help mobilise funding for tobacco control at the global and national levels.

The Implementation Review Mechanism, as proposed in Objective 3.1.2 of the Strategy, is critical to the success of the Global Strategy. A peer-led Implementation Review Committee would look at Parties’ existing implementation reports, identify where they face problems, and make suggestions about what can be done to help fix them.

The Committee would report back to the COP every two years - allowing the COP to develop a clearer picture of what the most common challenges to FCTC implementation are. The report back would also inform a broader discussion about how best to overcome these challenges, and what support should be provided to Parties.

This kind of problem-solving and knowledge exchange is truly valuable and will support implementation of the FCTC. We encourage Parties to adopt the Global Strategy as it is, and to give the proposed pilot of the IRM a chance to prove its worth.

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Governments have consistently reported that a major obstacle to progress on tobacco control has been a lack of sustainable resources to implement key measures. National budgets for tobacco control are often miniscule, particularly in low-income countries. In recent years some philanthropies and development agencies have made substantial contributions of international assistance for tobacco control efforts, though it is clear these are not yet adequate in scale to respond to the enormous need.

Though tobacco control measures are among the most cost-effective public health interventions, an analysis conducted by RTI International on behalf of Cancer Research UK and the Framework Convention Alliance suggests that these measures are chronically under-resourced.

Our study estimates that the size of the gap between the amount of domestic and international funding spent on tobacco control and what would be required to fully implement a subset of core WHO FCTC policies - those focused on demand-reduction- is a huge US$ 27.4 Billion.

The analysis also found that:

- The estimated average cost per country to scale up a subset of tobacco control policies to FCTC-compliant levels is US$ 34 million
- The average amount of existing domestic funding for tobacco control per country is US$ 15 million - less than half of what’s needed
- At the domestic level, the funding gap is largest for low and middle-income countries
- International funding (from philanthropic sources and overseas development assistance) provides just four per cent of the overall resources that would be needed

The Global Strategy provides an opportunity to shift gear. At the global level, the Global Strategy can help to make a more convincing case for investment in FCTC implementation by providing funders with a clear, outcome-oriented plan for how funds will be used and what results they will help to achieve.

At the national level, Parties can use the Global Strategy to help in the development of their own national tobacco control plans and strategies. It will help to articulate and cost out key priorities. Tobacco control efforts have been under-resourced for far too long. The time is now to address the funding gap!

Ryan Forrest, Framework Convention Alliance and Laura Hucks, Cancer Research UK

WHAT’S ON TODAY: COP8 SIDE EVENTS AT CICG

TUESDAY, 2 OCTOBER, 13:30 - 14:30

ROOM 3
THE MEDIUM-TERM STRATEGIC FRAMEWORK
The purpose of this side event is to present the Global Strategy to accelerate tobacco control and its implications for the Parties to the WHO FCTC. Discussion will also determine the next steps for the implementation of the Strategy.

ROOM 4
GENDER-RESPONSIVE TOBACCO CONTROL POLICIES
The event will highlight evidence-informed policies and strategies - in line with the mandates of the WHO FCTC - that will accelerate progress on gender-responsive tobacco control policies. Examples will be used to illustrate concrete actions that policymakers, NGOs, women and youth groups, health professionals and other stakeholders can take.

TUESDAY 2 OCTOBER 2018
In low- and middle-income countries (LMICs), health indicators among women are worsening because of a failure to acknowledge their social and biological differences. Although tobacco use rates among men are beginning to plateau and— in some cases— decline, there is a rising trend in tobacco use among women. Epidemiologists believe that the number of women using tobacco in LMICs will increase at a faster rate than men (as a proportion of new initiations).

Women are also passive consumers of tobacco and have been shown to have the highest exposure to secondhand smoke, at home and in the workplace, in part as a result of their limited ability to negotiate their domestic roles, unequal power relationships, and restricted living circumstances. Women’s social environments leave them more vulnerable to the negative impacts of tobacco use. Income inequality, family and social responsibilities based on gendered roles, and changing opinions and perception among peers, are major influences on how women initiate into or sustain tobacco use.

The promotion of tobacco use by the industry undermines the principle of women and children’s right to health. The tobacco industry has capitalised on gender norms and differences to enhance product development and marketing techniques and broaden its market. The industry perpetuates the false image of women and girls in mass media, who smoke as emancipated, successful, sophisticated, glamorous, enjoyable, sexually attractive, romantic, and slim. Women’s tobacco use also has an indirect impact on children and disrupts family life.

The lack of equity in society, and in policy responses fails to target the problem of women’s health risks associated with smoking. If women’s tobacco use rates continue to increase, we will find ourselves moving backwards instead of forwards in the effort to reduce the burden of tobacco-related disease.

Globally tobacco control policies are effectively reducing overall smoking rates. However, the development of more equitable policies is necessary to meet the needs of women. Only 17 countries have made explicit efforts to devise strategies that reduce smoking among women and teenage girls.

Without a change of direction, policies will continue to reinforce gender inequalities. Protecting the health of half the world’s population is not something that we can compromise.

"The promotion of tobacco use by the industry undermines the principle of women and children’s right to health. The tobacco industry has capitalised on gender norms and differences to enhance product development and marketing techniques and broaden its market. The industry perpetuates the false image of women and girls in mass media, who smoke as emancipated, successful, sophisticated, glamorous, enjoyable, sexually attractive, romantic, and slim. Women’s tobacco use also has an indirect impact on children and disrupts family life."

Mira Aghi,
International Network of Women Against Tobacco (INWAT)
DEMYSTIFYING THE IMPLEMENTATION REVIEW MECHANISM

Today Parties at COP8 have the opportunity to take a significant step towards shifting the WHO FCTC towards results-based management.

The proposed Medium-Term Strategic Framework — also known as the Global Strategy to Accelerate Tobacco Control — would allow for greater alignment between the FCTC and national tobacco control efforts, as well as help raise funds for national activities. If adopted, the Global Strategy will also leverage funding from international agencies and civil society to further advance towards full implementation.

However, the Global Strategy cannot be successful without a review mechanism. That is why the proposed two-year pilot of the Implementation Review Mechanism (IRM) is so vital.

Implementation review processes are common among multilateral treaties—for good reason. They allow systematic reviews of implementation activities, contribute to learning about challenges and identify strong points in treaties’ operations. They provide a basis for maximizing the effectiveness of a treaty.

The proposed pilot of the IRM would provide these same benefits to the Global Strategy. It would allow parties to assess the success of the Strategy and revise key indicators as necessary. It also allows the COP to experiment with implementation review without burdening Parties that are undecided about the utility of such mechanisms. Only Parties that volunteer for the IRM will participate.

As Parties embark on this exciting step of adopting the Global Strategy and moving towards stronger result-based management, it is crucial to make sure these efforts are effective at furthering FCTC implementation. Approval of the pilot IRM is an opportunity not to be missed.

Tom McInerny, Director of the Treaty Effectiveness Initiative
University of Illinois, Chicago

MAKING THE MOST OF COP’S SCARCE RESOURCES

In yesterday’s opening plenary a number of WHO regions and Parties requested that the discussion on the proposed Global Strategy to Accelerate Tobacco Control (Agenda item 7.1) be the first item considered by Committee A. This makes very good sense because, if adopted, the Global Strategy will have implications for many other agenda items discussed here in Geneva — in particular, the discussion on budgets and workplans in Committee B.

Committee B will review two budget documents this week: an interim progress report on the 2018-19 Budget and Workplan; and a proposed Budget and Workplan for 2020-21.

One of the main benefits of the proposed Global Strategy is that it can help to ensure effective use of limited funds. It can inform decisions about spending, ensuring that resources are being directed to agreed priority, high-impact activities, and away from non-priority activities. The Global Strategy should determine the key functions and activities of the Convention Secretariat.

The Working Group that developed the Global Strategy made it clear that, if adopted, it should be the basis for making choices about how to allocate existing funds. Committee B will therefore need to ensure that the agreed priorities outlined in the Global Strategy are reflected in the proposed 2020-2021 workplan and budget. The workplan and budget for the remaining period of the 2018-19 biennium also needs to be re-worked to align with the Global Strategy.

A number of COP8 agenda items will consider ways in which additional funds can be raised. This is welcome, but in the meantime, adoption of the Global Strategy and alignment of pre-existing workplans and budgets provide a unique opportunity to make the best of the scarce resources we have.

Cancer Council Victoria, Australia
DRIVING NATIONAL TOBACCO CONTROL PROGRAMMES IN AFRICA

The Global Strategy to Accelerate Tobacco Control is a great opportunity for the African region. The African region is currently the most vibrant region in tobacco control, blessed with a good dose of political will, some external financing and a vibrant civil society. On the downside, Africa has also seen an increase in the tobacco industry interference driven by the potential offered by a young population and increasing incomes.

Although many African countries have ratified and signed the WHO FCTC and have gone ahead to enact tobacco control laws, most of the countries have weak policy implementation characterized by piecemeal, disjointed, and uncoordinated activities, weak human resource capacity, and limited domestic financing. National tobacco control programmes would need a more comprehensive approach and greater impact.

The Global Strategy is therefore timely in driving the African continent towards establishing national tobacco control programmes that will support Ministries of Health to:

1. Integrate tobacco control in national development agendas
2. Build the essential human resource capacity
3. Secure sustainable domestic financing for tobacco control
4. Oversee and track progress

African civil society is in support of the Global Strategy as an important step change in the implementation of the FCTC.

Kellen Nyamurungi
Center for Tobacco Control in Africa (CTCA)

TRANSPARENCY, TRANSPARENCY, TRANSPARENCY!

Most countries are moving at a glacial pace when it comes to implementing WHO FCTC Article 5.3 guidelines. The first Asian Tobacco Industry Interference Index released recently by the Southeast Asia Tobacco Control Alliance (SEATCA) showed that tobacco industry interference is blocking effective tobacco control.

There is a need for much greater transparency in dealing with the industry. Article 5.3 guidelines recommend that when governments must interact with the industry regarding regulation, these meetings shall be publicly disclosed. The guidelines also recommend that governments establish rules for the disclosure or registration of industry entities, affiliate organisations and individuals acting on their behalf, including lobbyists.

Most countries do not have mechanisms in place to disclose their meetings and interactions with the tobacco industry. In general, non-health sectors appear to view the tobacco industry as a ‘stakeholder’, just like any other industry. While minutes of these meetings may exist, they are not made public.

The Philippine Civil Service Commission - Department of Health Joint Memorandum Circular requires officials to report their meetings with the industry, but no such reports were filed for 2017. However, news reports suggested that the Department of Agriculture collaborated and participated in programmes sponsored by Philip Morris Fortune Tobacco Corporation and the American Chamber of Commerce in 2017.

In the case of Thailand and Vietnam, since the Tobacco Authority of Thailand (formerly the Thai Tobacco Monopoly) and VINATABA are state-owned enterprises, meetings and interactions with government officials and these entities are regarded as normal.

No Asian country has a register of industry affiliates and organisations, nor is there any record of the lawyers and consultants who act on their behalf, even though the latter increasingly communicate with governments.

Civil society groups, both national and international have already identified some of these individuals and groups, and governments can start by referring to information that organisations like SEATCA provide.

Big Tobacco won’t give up ambitions to undermine health policy any time soon. A whole-of-government approach is vital for FCTC Article 5.3 implementation. Governments need to be proactive and vigorous in putting in place safeguards and measures to prevent unnecessary interactions with the tobacco industry and limit the necessary ones. Establishing and enforcing disclosure procedures will help protect public health policies.


Mary Assunta
Southeast Asia Tobacco Control Alliance (SEATCA)
Tobacco has long been considered a public health problem. A development problem. An environmental problem. But it is also a human rights problem. The human rights system provides a relevant and robust set of global mechanisms that can assist the COP and Parties in accelerating FCTC implementation. The global tobacco control community should do more to ensure that tobacco is integrated into human rights systems, starting with COP8.

Tobacco products are the only product that kill when used exactly as intended. The corporate behavior that leads to these preventable deaths is a violation of the rights to health and life recognized in human rights instruments, including the International Covenant on Economic, Social and Cultural Rights, which recognizes “the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.” Numerous other rights, and therefore other human rights treaties, are implicated, including the right to a healthy environment, right to information, right to education, and children’s rights.

The connection between tobacco and human rights is beginning to be recognized by international treaty bodies and courts. For example, the Universal Periodic Review, the UN Committee on Economic, Social and Cultural Rights and the Convention on the Elimination of All Forms of Discrimination Against Women Committee, have all recommended that Argentina adopt stronger tobacco control measures, including calling on the government to ratify the FCTC. High courts in both Costa Rica and Peru have addressed the FCTC as a human rights treaty which protects the right to health. The time is ripe to further link tobacco and human rights.

The downsides to addressing tobacco control through a human rights framework are minimal. Including human rights in the COP adds no additional responsibilities for governments; Governments are already obligated to uphold their obligations to the treaties they are party to, including the FCTC.

On the other hand, the potential benefits are great. Including tobacco control in human rights efforts promotes policy coherence and brings additional resources to both endeavours. This synergy should be encouraged and nurtured.

COP7 adopted a decision on international cooperation for implementation of the WHO FCTC, including on human rights. Unfortunately, this was not a robust mandate, so despite this decision, the tobacco control community has missed opportunities over the last two years. A COP8 decision can give a clearer mandate to the Secretariat and will help ensure that the FCTC is highlighted in human rights processes in 2019-2020.

“Tobacco is deeply harmful to human health, and there can be no doubt that the production and marketing of tobacco is irreconcilable with the human right to health. -Danish Institute of Human Rights

Laurent Huber
ASH USA
The discussions at the beginning of the session yesterday highlighted interesting tensions between the desire to be transparent and the need to protect health policy from the tobacco industry.

On the agenda for discussion today are measures proposed by the WHO FCTC Secretariat to improve the transparency of COP sessions, including voluntary declaration of interest forms. The guidelines of Article 5.3 are clear in stating that delegations of Parties to COP sessions must not include persons who have affiliations with the tobacco industry or with any entity that promotes their interests. This practice weakens the capacity of the COP to make effective decisions.

The tobacco industry and its front groups have consistently infiltrated the meetings of the COP. Industry representatives manipulate, intimidate and lobby delegates while collecting information on proposed policies. Tobacco industry representatives infiltrate COP meetings not only by obtaining ‘public’ and ‘media’ accreditation, but also by using tactics to ensure that official delegations are supportive of industry interests.

In the third round of negotiations on the Protocol to Eliminate Illicit Trade in Tobacco Products in 2009, civil society discovered that representatives of British American Tobacco, Japan Tobacco International, Philip Morris International and Imperial Tobacco were observing the negotiations with ‘public’ accreditation. Twenty-three of these 28 people who identified as the ‘public’ and observed negotiations, were tobacco industry employees.

This kind of interference in tobacco control policies violates Article 5.3. There is a fundamental and irreconcilable conflict between the interests of the tobacco industry and the interests of public health policies. This has been further emphasised by the United Nations Economic and Social Council (UNESCO) and the UN Inter-Agency Task Force on non-communicable diseases to develop and implement policies to prevent industry interference.

From COP9 onwards, FCA encourages all Parties to complete voluntary declarations to confirm that they are not affiliated with the tobacco industry. In this way, we can ensure that policy decisions are driven by public health interests alone.

[Translated and edited from Spanish]

Gianella Severini
Campaign for Tobacco Free Kids
The Framework Convention Alliance (FCA) is a global alliance of NGOs working to achieve the strongest possible Framework Convention on Tobacco Control. Views expressed in the Alliance Bulletin are those of the writers and do not necessarily represent those of the sponsors.

BRITISH AMERICAN TOBACCO KENYA WINS BEST EMPLOYER AWARD...

During the 2018 annual award ceremony by the Federation of Kenyan Employers (FKE), British American Tobacco (BAT) was recently fêted as the best employer of the year. The event was reported by a popular newspaper, Business Daily (Wednesday, 26 September 2018). This was the conclusion of Price Waterhouse Coopers - a global accounting firm - which considered 127 firms in Kenya. Apparently, BAT excelled in the workplace environment and industrial relations category. This is all well and good, but what FKE has failed to realise is that the award supports the normalisation of the industry.

BAT is currently at the Supreme Court challenging the tobacco control regulations that were proposed by the Ministry of Health and approved by the Parliament to protect the health of Kenyans. When the tobacco control law was being discussed in Parliament, it is widely known that the industry took legislators to a luxurious hotel on the Kenyan coast to lobby them to water down the provisions.

A recent study conducted by Centre for Tobacco Control Africa in partnership with other organisations, unmasks the strategies that have been deployed by the tobacco industry to delay, dilute, and defeat domestic tobacco control measures.

While FKE cannot be condemned for its initiative to promote best corporate practices, it is critical that such initiatives provide the full picture of an industry that undermines productivity and the Kenyan economy through disease and death caused by its products.

Vincent Kimosop
Tax Justice Network–Africa