Implementing the FCTC in Developing Countries

Dr. Poonam Dhavan
Dr. K. Srinath Reddy
Public Health Foundation of India

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Learning Objectives

- Understand key elements of the Framework Convention on Tobacco Control (FCTC) implementation
- Understand opportunities and challenges in FCTC implementation in a developing-country context
- Learn about selected success stories and lessons learned on tobacco control implementation from developing-country experiences
- Develop a capacity to identify strategies for FCTC implementation in developing countries

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Section A
The FCTC and Developing Countries

- Total number of parties to ratify the FCTC: 146 (as of May 1, 2007)
- Total number of signatories to the FCTC: 168 (as of May 1, 2007)
- Approximately 70% of the parties are developing countries and countries with economies in transition
- Eight out of the eleven mega-countries are parties to the FCTC, representing 3.2 billion people (51% of the total population)
  - Of the eight, seven are developing countries (Brazil, Bangladesh, China, India, Mexico, Nigeria, Pakistan)
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FCTC and Developing Countries

- Role played by developing countries in negotiation and adoption of the FCTC:
  - Active participation in the entire negotiation process
  - Joint positions presented by representatives of countries from Africa, Asia, Middle East, Latin America, and Caribbean and Pacific Islands on key articles
  - Strong positions taken during negotiations dispelling myths propagated by tobacco industry
  - Even tobacco-producing and tobacco-exporting developing countries advocated for strong tobacco control measures in FCTC

What Does FCTC Implementation Entail?

- FCTC* provides a comprehensive strategy for tobacco control incorporating several measures for reduction of demand as well as supply

- Adoption and ratification of the FCTC represent a major milestone in the global tobacco control movement
  - The success of the FCTC lies in total and effective implementation of the provisions in the FCTC

- The impressively large number of parties to the FCTC includes countries from all income and development stages

## What Does FCTC Implementation Entail?

<table>
<thead>
<tr>
<th>Framework for national action</th>
<th>Framework for international cooperation</th>
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<td>- Comprehensive advertising ban</td>
<td>- Ban on cross-border advertising</td>
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<td>- Protection from secondhand smoke</td>
<td>- Prevention of illicit trade</td>
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<td>- Prohibition of youth access</td>
<td>- Scientific and legal cooperation</td>
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<td>- Prominent health warnings</td>
<td>- Technical assistance</td>
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<td>- Testing and regulation of content</td>
<td>- Financial support for FCTC implementation through bilateral and multilateral channels</td>
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<td>- Increase in tobacco taxes</td>
<td>- Monitoring</td>
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<td>- Cessation programs</td>
<td>Requires partnerships between countries</td>
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<td>- Alternate crops</td>
<td>Requires partnerships within countries</td>
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<td>- Surveillance</td>
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### What Does FCTC Implementation Entail?

- Full compliance with all provisions of the Convention
  - Countries are required to adopt and implement the various measures outlined in articles of the FCTC
  - Some articles, such as Article 11 on packaging and labeling of tobacco products and Article 13 on tobacco advertising, promotion, and sponsorship, specify a timeframe within which specific measures have to be adopted

- Protocols: negotiation and implementation
  - The FCTC makes a provision for elaboration of protocols to articles therein
  - Countries that are parties to the FCTC will negotiate protocols for adoption by the Conference of the Parties, to be followed by implementation of the protocol

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What Does FCTC Implementation Entail?

- General obligations
  - Establishment and financing of a national coordination mechanism
  - Focal points within ministries of health designated for tobacco control
  - Protection of tobacco control policies from commercial and other vested interests of the tobacco industry
  - Cooperation to raise financial resources for FCTC implementation through bilateral and multilateral funding mechanisms

What Does FCTC Implementation Entail?

- The first session of the Conference of Parties (COP), in February, 2006, attended by both developed- and developing-country parties, identified a common basis on implementing FCTC provisions

- Parties:
  - Adopted the rules of procedure for COP
  - Discussed development and negotiation of protocols on cross-border advertising and illicit trade
  - Mandated development of guidelines for implementation of various articles
  - Addressed the issue of financial resources for FCTC implementation
### Challenges to Implementation in Developing Countries

- As is the case with any international treaty, the crucial ingredient to the success of the FCTC is effective implementation of its provisions.

- Both developed- and developing-country parties face challenges in FCTC implementation.

- Challenges in developing countries are magnified and will be discussed with respect to selected articles of the FCTC.

### Economic arguments against tobacco control

- Adverse economic impact of reduction in smoking on government revenue, on livelihoods of tobacco farmers and workers.

- The tobacco industry dilutes and delays governmental action for tobacco control by claiming that tobacco control initiatives will cost jobs.

- Tobacco control is falsely portrayed as being “anti-poor” through arguments based on job losses among the poor who are engaged in the tobacco industry, in particular in the non-organized sector.
Challenges to Implementation in Developing Countries

- Economic arguments against tobacco control
  - The TRUTH is tobacco consumption is likely to decline slowly over the next 50 years and sudden job losses are very unlikely
  - The poor are the worst affected by tobacco consumption because they have . . .
    - The highest consumption rate
    - The highest disease burdens
    - Unaffordable health costs

- Influence of tobacco industry
  - Targeted marketing of tobacco products to special groups
  - “Corporate responsibility programs” (in Malawi) as well as tobacco product promotional activities (in Nepal) to counter attempts at tobacco control
  - Lobbying developing-country governments, politicians, and media to resist tobacco control policies in favor of economic benefits of tobacco trade
  - Pressuring governments to accept and apply the weakest interpretation of each of the key provisions of FCTC
Challenges to Implementation in Developing Countries

- Lack of capacity for development of tobacco control legislation and weakness of enforcement systems
  - Developing-country parties are faced with the task of developing a comprehensive tobacco control legislation in line with the FCTC provisions
  - Lack of technical capacity in the health sector for drafting such a legislation that incorporates a wide range of legal measures in multiple sectors such as economics, communications, marketing, etc.
  - Lack of national regulatory bodies that are undesignated or under-resourced implementation agencies poses a problem in enforcement

- Insufficient financial resources for FCTC implementation
  - Conflicting priorities in the health sector and a lack of dedicated funds or a regular budget for tobacco control programs
  - Overall investment in tobacco has been modest to date, especially in the context of a highly aggressive and well funded tobacco industry
  - In recent times, several international organizations have reduced or removed their funding for tobacco control
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Challenges to Implementation in Developing Countries

- Insufficient human resources for FCTC implementation
  - Tobacco control is not yet established as a separate program in the health sector
  - Very few or no dedicated staff working on tobacco control implementation at various levels of governance
  - Lack of strong networks of well funded nongovernmental organizations (NGOs)

Challenges to Implementation in Developing Countries

- Lack of operational research to inform implementation of FCTC measures
  - Lack of in-country data on the health and economic consequences of tobacco use, effects of specific national tobacco control policies and other regulatory approaches, and data on local tobacco industry strategies
  - Lack of local evidence supplementing external evidence
  - Lack of local research results available in multiple forms
  - Lack of research in areas such as economics of tobacco control and illicit trade
Challenges to Implementation in Developing Countries

- Poor monitoring and surveillance systems
  - Leads to a lack of up-to-date information on various indicators of tobacco control implementation
  - Insufficient evaluation of implementation and outcomes of existing interventions impedes evidence-based policy development as well as priority setting
  - Lack of effective surveillance which is necessary to document progressive reduction in prevalence of tobacco consumption—the objective of FCTC—as a measure of successful implementation

- Availability and use of a wide range of tobacco products other than cigarettes
  - Bidis, cheroots, kreteks, water-pipes (hookahs), smokeless tobacco products, etc., are used in several developing countries in the Americas, Asia, and the Middle East
  - FCTC provisions must be interpreted in the context of each of these products—making regulatory measures difficult in the context of these atypical products
  - Need to ensure that interventions address cigarettes and nation- or region-specific products
### Challenges to Implementation in Developing Countries

- **Inadequate coordination among multiple sectors relevant to tobacco control**
  - Multi-sectoral nature of tobacco control makes it crucial to have national coalitions with representation from multiple governmental agencies and NGOs to ensure effective implementation of the FCTC
  - However, health ministries in developing countries often function in isolation or with little support from other ministries

- **Price and tax measures (Article 6)**
  - As developing countries implement higher taxes on tobacco products, the potential challenge of illicit trade in tobacco products will require attention

- **Tobacco advertising, promotion and sponsorship (Article 13)**
  - As the country implements a complete ban on all forms of advertising, surrogate and cross-border advertising should be monitored to ensure effectiveness

- **Regulation of contents of tobacco product and tobacco products disclosures (Articles 9, 10)**
  - Testing of constituents and emissions of tobacco products poses technical difficulties for atypical products