

DEVELOPING A COUNTRY ACTION PLAN ON TOBACCO AND TRADE

Workbook for Participants

Consultation on Tobacco and Trade

19–21 March 2013

**Tobacco Free Initiative
WHO Eastern Mediterranean Regional Office**

Disclaimer

This workbook is a dynamic training document – an evolving work-in-progress that is designed to be used flexibly for group discussion and individual reflection.

At this stage, this workbook is not an official publication of WHO.

INTRODUCTION

Over recent decades, trade in tobacco and tobacco products has rapidly expanded with the liberalization of international trade. Usually, international trade agreements contain provisions permitting the restriction of trade in the pursuit of human health; the agreements, nevertheless, have remained open to exploitation. Recently, the governments of Australia, Canada, Norway and Uruguay have been challenged by the tobacco industry arguing that tobacco control policies run counter to international trade agreements.

There is a need for both the trade and health sectors to understand the linkages, interactions and interplay of tobacco control and trade policies. Discussions between these two sectors could shed light on controversies and enable both sectors to work together for the common good.

PURPOSE OF THE WORKBOOK

This workbook provides tools and worksheets to help a country team reflect on issues and concerns and to discuss ways of overcoming barriers for more effective collaboration between the trade and health sectors.

Feel free to write in the workbook to record your notes and questions throughout the workshop.

At the end of this consultation we will appreciate receiving feedback on the usefulness of this workbook and how it can be further improved.



Break out session 1

*National context
&
expectations*

National context

Purpose: To map issues of trade and health sectors separately and to reflect on common concerns

Methods: Worksheet exercise and brainstorming

Guiding question:

- What are the urgent issues related to trade and tobacco control in your country?

Instructions:

- As a team, complete the worksheet, identifying health and trade issues and jointly identifying the most important (“burning”) issues.

Health issues

Trade issues

Burning issues

Team expectations

Purpose: To discuss individual and team expectations

Methods: Brainstorming and discussion in teams

Guiding questions:

- What would you like to get out of this consultation?
- What additional knowledge would be useful for your work?

Instructions:

- As a team, complete the worksheet, identifying any separate health and/or trade sector expectations, and any shared expectations.

**Expectations from
health sector**

**Expectations from
trade sector**

**Shared
expectations**



Stay on the road

**Implement the WHO Framework Convention
on Tobacco Control**

Break out session 2

*Tobacco product regulation and
WTO law*

Tobacco Product Regulation and WTO Law

Purpose: To apply new knowledge on WTO law and its relationship to tobacco control

Method: Developing an answer to a question presented in the case study (case study includes: background, question and things to consider)

Instructions:

- Using the case study itself, the background materials from the consultation and your own and your colleagues knowledge of and experience in this area answer the questions the Minister of Health has posed.

There will be a resource person in each room to answer questions and provide guidance.

Case Study: Background

- The Minister of Health in your country has expressed concern about the public health impact of a number of emerging tobacco products. At a recent press conference, the Minister stated that authorities are "concerned that emerging tobacco products may be harmful to health, may be particularly attractive to children and may undermine attempts to de-normalize tobacco consumption, such as through the creation of smoke-free areas."
- The Minister has now approached you for advice on how these risks should be addressed. The Minister is particularly concerned about electronic cigarettes, nicotine water, dissolvable nicotine lozenges and fruit and confectionery flavored cigarettes, but is also concerned about other new or novel products.

Case study: Question

- The Minister has asked:
 - whether banning certain product categories (except where they satisfy laws governing nicotine replacement therapies) would be more trade restrictive than necessary under Article 2.2 of the TBT Agreement; and
 - whether banning certain products or constituents might result in discrimination contrary to Article 2.1 of the TBT Agreement.

Case study: Things to consider

- In evaluating whether the measure is more trade restrictive than necessary, consider:
 - What risks to health is the measure seeking to eliminate?
 - How will the measure you design contribute to elimination of that risk?
 - Are there reasonably available means that are less trade restrictive and that would achieve the same objective?
- In evaluating whether the measure is discriminatory, consider:
 - How the conditions of competition between different product categories will be altered i.e. which products will be favored?
 - Whether the disfavored products (those to be prohibited) are like the favored products (those permitted).
 - How altering the conditions of competition (prohibiting some but not other product categories) affects imported as compared to domestic products in your country.
 - Whether the distinctions you propose to draw between different product categories are legitimate.



Break out session 3
Tobacco industry interference

Types of tobacco industry interference

Purpose: To identify types of tobacco industry interference

Methods: Worksheet exercise and discussion in teams

Guiding questions:

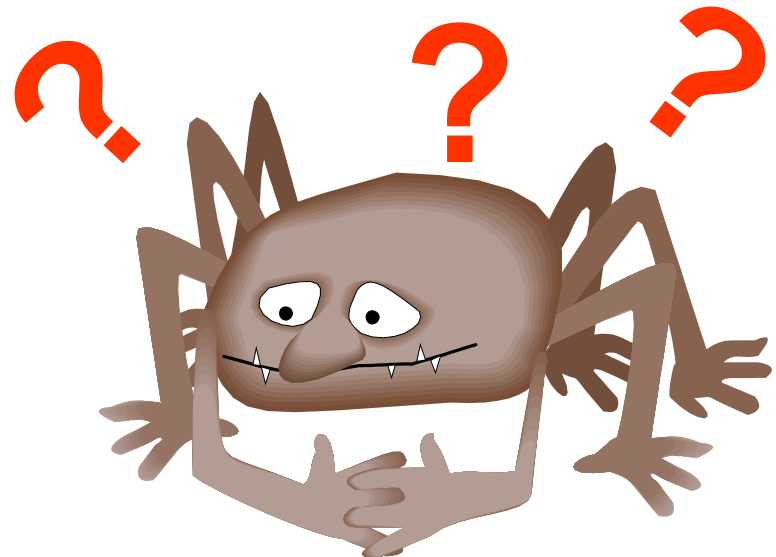
- What types of tobacco industry interference have you observed related to trade and tobacco control in your country?
- Are there some types of interference that are more dominant than others?

Instructions:

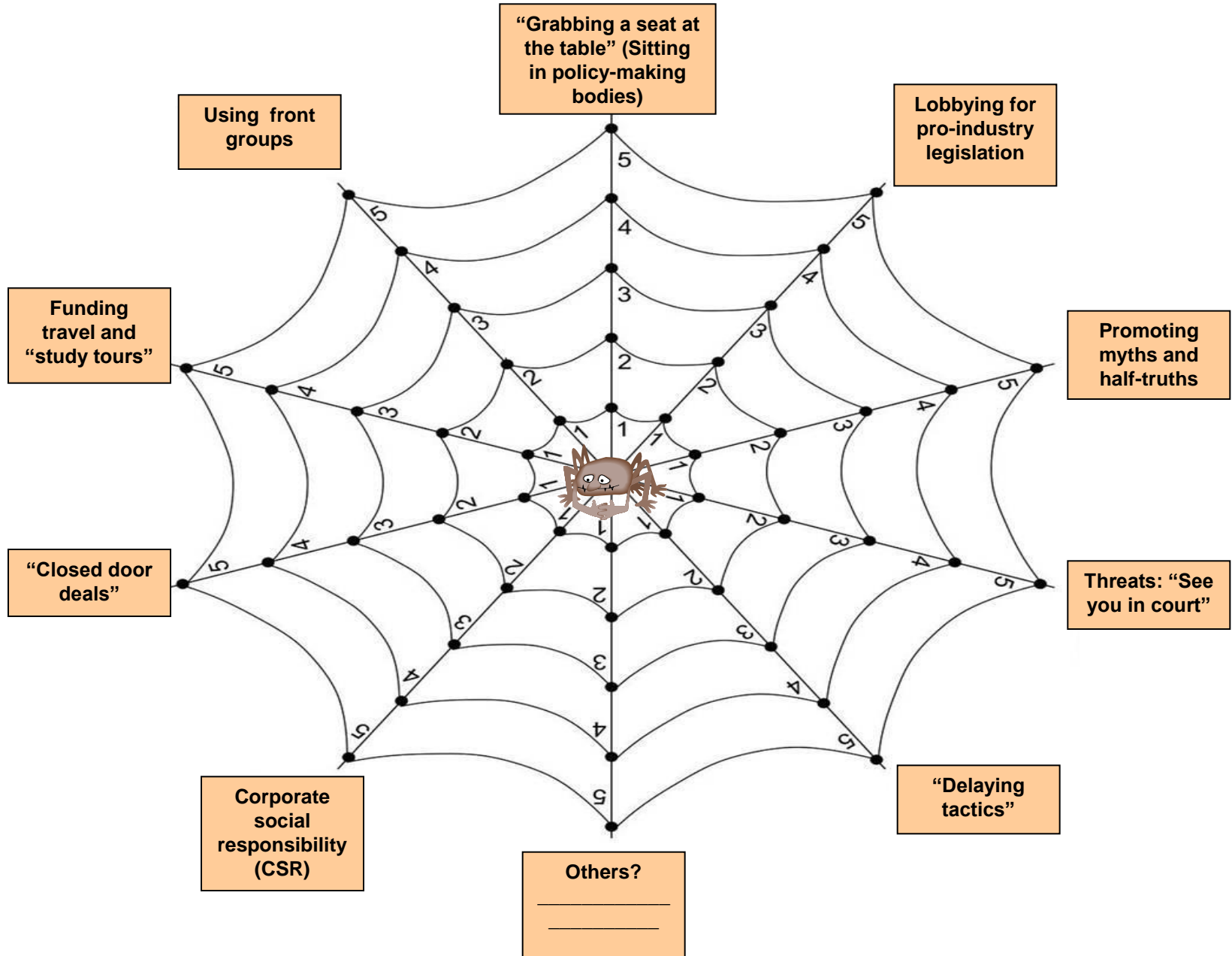
- Using the worksheet, identify and rank the different types of tobacco industry interference that you have observed.

A spider gram is provided on the next page. Using the scale below, rank how often you perceive this type of interference from the tobacco industry:

- 1 - This tactic is not used
- 2 - This tactic is rarely used
- 3 - This tactic is sometimes used and is somewhat of a problem in our country
- 4 - This tactic is often used and is a problem in our country
- 5 - This tactic is frequently used and is a chronic problem in our country



How has the tobacco industry interfered with tobacco control policy in your country?



Counteracting tobacco industry interference

Purpose: To identify actions to counteract tobacco industry interference in trade and tobacco control matters.

Methods: Worksheet exercise and discussion

Guiding questions:

- What can you do to prevent tobacco industry interference in trade and public health policy-making?
- What kind of support do you need to prevent interference from the tobacco industry in trade and public health policy-making?

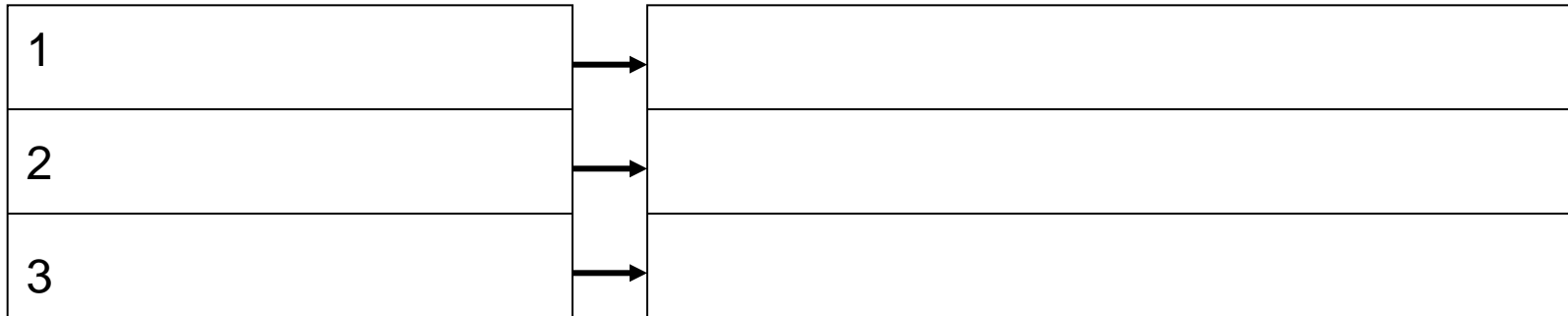
Instructions:

- Select the three most dominant types of interference from the tobacco industry in trade and public health policy-making. Identify key actions to countermeasure such interference.

Actions to counter tobacco industry interference

Dominant forms of Interference

Countermeasures



What kind of support do you need to make countermeasures more effective?

1

2

3



Break out session 4

The role of tobacco in a trade and investment negotiation

The role of tobacco in a trade and investment negotiation

Purpose: To apply new knowledge on Free Trade Agreements and their relationship to tobacco control

Method: Developing an answer to a question presented in the case study (case study includes: background and question)

Instructions:

- Using the case study itself, the background materials from the consultation and your own and your colleagues knowledge of and experience in this area prepare bullet points for the brief requested by the Ministers of Health and Trade.

There will be a resource person in each room to answer questions and provide guidance.

Case Study: Background

- Imagine that your country is involved in the negotiation of a new free trade agreement (FTA). The agreement is being negotiated with a number of countries that make up the world's largest consumer markets. Your country does not currently have FTAs with these other countries. Accordingly, for your exporters, this negotiation represents a unique opportunity to gain improved access to the markets of the other countries involved.

Case study: Question

- You have been asked to prepare a joint briefing for the Ministers of Health and Trade. The briefing should contain policy options on how tobacco and tobacco products should be addressed under the FTA.
- These options should address a number of issues, including:
 - whether commitments should be made to lower tariffs on tobacco leaf or tobacco products (and how any such commitments would differ from the status quo); and
 - how tobacco should be treated under provisions governing the protection of foreign investment.



Break out session 5

Coorindation and country action plans

Coordination

Purpose: To identify aspects of coordination that are strong and those that can be improved

Methods: Worksheet exercise and team discussion

Guiding questions:

- To assess readiness and capacity for coordination between the trade and health sectors

Instructions:

- Using the worksheets, jointly fill in responses on readiness and capacity to improve coordination. The team should have a consensus on their response. Tally the results. Discuss what aspect of coordination needs to be urgently addressed.

Thematic area 1: The need for coordination

	0 Strongly disagree	1 Disagree	2 Not sure	3 Agree	4 Strongly agree
There is a perceived need for better coordination					
There is a clear goal for coordination					
There is shared understanding about the need for coordination in both sectors					
Both sectors are willing to share their ideas, resources, time and power to achieve goals					
The benefits of coordination outweigh the costs					
<i>Total score</i>					

Thematic area 2: Support for coordination work

	0 Strongly disagree	1 Disagree	2 Not sure	3 Agree	4 Strongly agree
The managers in both sectors support coordination					
Both sectors have sufficient skills for coordination					
The roles, responsibilities and expectations from both sectors are clearly defined and understood					
Mechanisms for coordination are simple and clear					
Decision-making structure for coordinated action is clear					
<i>Total score</i>					

Thematic area 3: Planning for more effective coordination

	0 Strongly disagree	1 Disagree	2 Not sure	3 Agree	4 Strongly agree
There is a mechanism for planning more effective coordination					
Managers will support the development of a plan to improve coordination					
Staff members may take on additional tasks in coordination with minimum resistance					
Responsibility for planning more effective coordination can be shared by the two sectors					
It is clear who will approve and endorse a plan for better coordination between the two sectors					
<i>Total score</i>					

Thematic area 4: Coordinating our actions

	0 Strongly disagree	1 Disagree	2 Not sure	3 Agree	4 Strongly agree
Processes for policy and decision-making in each sector can be shared					
Both sectors are willing to invest time and resources to working together					
Coordination will add value to the work of each sector					
There are regular opportunities for informal and voluntary contact between the sectors					
Coordination between the two sectors can be positively reinforced by managers					
<i>Total score</i>					

Thematic area 5: Minimizing barriers to coordination

	0 Strongly disagree	1 Disagree	2 Not sure	3 Agree	4 Strongly agree
Differences in organizational priorities, goals and tasks can be addressed					
There is a core group of committed staff who are willing to overcome barriers in each sector					
There are formal channels for resolving disputes					
There are informal channels for resolving disputes					
There are strategies to ensure that alternative views are expressed in a non-confrontational way					
<i>Total score</i>					

Thematic area 6: Reflecting on continuing coordination

	0 Strongly disagree	1 Disagree	2 Not sure	3 Agree	4 Strongly agree
There are processes for celebrating and recognizing success in collaboration					
Both sectors can document the positive outcomes of good coordination					
There is a clear need to and commitment for coordination over the medium-term (3 – 5 years)					
There are resources available to support coordination					
There is a process for reviewing progress in collaboration and improving approaches					
<i>Total score</i>					

How we fared as a team?

	<i>Our score</i>	<i>How can we improve?</i>
The need for coordination		
Support for coordination work		
Planning for more coordination		
Coordinating our actions		
Minimizing barriers to coordination		
Reflecting on continuing coordination		
<i>Total score</i>		

Agree on one thematic area of coordination that the team would like to prioritize and improve on through an action plan.

Preparing an action plan for better coordination

Purpose: To identify ways of improving coordination on trade and tobacco policies in the future

Methods: Worksheet exercise and team discussion

Guiding questions:

- What steps can be taken to improve coordination on trade and tobacco policies in the future?
- How can progress be monitored?

Instructions:

- Using the results of the last exercise, develop a simple action plan to improve coordination on trade and tobacco policies in the future. Provide indicative dates for achieving targets.
- Summarize these steps for presentation in plenary.

Name of country _____

Country team action plan

Thematic area for improvement:					
Objective 1	Activities	In-charge	Time frame	Expected outcome	Indicator of progress
Objective 2	Activities	In-charge	Time frame	Expected outcome	Indicator of progress
Objective 3	Activities	In-charge	Time frame	Expected outcome	Indicator of progress

