

PURSUING GOOD GOVERNANCE IN TOBACCO CONTROL: PROGRESS AND CHALLENGES ON FCTC ARTICLE 5.3 IMPLEMENTATION

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BACKGROUND

- To assist in setting goals for the ASEAN region, this study examines good practices among FCTC Parties as benchmark for accelerating Article 5.3 implementation.

METHOD

- Analyzed data on Article 5.3 implementation from FCTC Parties' Reports
 - Supplemental information:
 - National laws: Government sites and CTFK database
 - Reports/publications
- Coverage:
 - Outside ASEAN: **56 countries**
 - Within ASEAN: **5 countries**
- Drew information from SEATCA's Tobacco Industry (TI) Interference Index

RESULTS

	Outside ASEAN			Within ASEAN		
	Law	Practice	TOTAL	Law	Practice	TOTAL
Raise awareness	6	11	17		1	1
Exclude from policy development	8	10	18			-
Limit interaction to those strictly necessary for regulation	6	9	15	3		3
Reject partnerships/agreements	6	7	13	2	1	3
Ensure transparency of interaction	7	10	17	2		2
Require information from TI	6		6			-
Ensure transparency/ accountability of info from TI	1	1	2			-
De-normalize and regulate so-called CSR of TI	8	5	13	1	1	2
Do not give preferential treatment	6	1	7			-

RESULTS

- Parties from outside ASEAN have reported best practices:
 - 1. Raising awareness** (notice to non-health sectors)
 - 2. Rejecting/removing** officials/nominees **with conflicts of interest** from regulatory bodies
 - 3. Stringent rules on government's interactions** with TI
 - 4. Public disclosure of meetings** with TI
 - 5. Policies requiring specific information** from TI

RESULTS

- Most of those that reported have total ban on corporate social responsibility activities and no-conflict-of-interest policy at the Ministry of Health (MOH).
- A number are moving towards code of conduct specific to tobacco control (TC).

RESULTS

- In ASEAN, 5 did not report on measures adopted, but upon review of literature, 5 reported on **policy to protect against TI interference** for all public officials (1) and MOH (4).
- ASEAN countries that have reported vs. not reported:

Reported	Not Reported
<ul style="list-style-type: none">• Cambodia• Philippines• Singapore• Thailand• Vietnam	<ul style="list-style-type: none">• Brunei• Indonesia• Lao• Malaysia• Myanmar

RESULTS

- 1 country has adopted a policy specific to SOE.
- Majority have **conflict-of-interest rules** protecting MOH and TC bodies.
- **Thailand** has an absolute CSR ban that parallels the gold standard in the world and a firewall on SOE.
- The **Philippines** has a code of conduct that applies to all of government.

CONCLUSION

- Although Thailand and the Philippines are in a position to share practices with their neighbors, much more have yet to be learned from practices found outside ASEAN.
- Best practices within and outside the region should be considered in setting goals, to implement FCTC Article 5.3.

Thank you.

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