Pacific Tobacco Industry Interference Index
A tool for monitoring the types and extent of tobacco industry interference
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## Contents

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acknowledgements</td>
<td>iv</td>
</tr>
<tr>
<td>Introduction</td>
<td>1</td>
</tr>
<tr>
<td>The Pacific Tobacco Industry Interference (TII) Index</td>
<td>1</td>
</tr>
<tr>
<td>Instructions for using the Pacific TII Index</td>
<td>2</td>
</tr>
<tr>
<td>Limitations</td>
<td>4</td>
</tr>
<tr>
<td>References</td>
<td>5</td>
</tr>
<tr>
<td>Annexes</td>
<td>6</td>
</tr>
<tr>
<td>Annex 1: Sample copy of the Pacific TII Index</td>
<td>7</td>
</tr>
<tr>
<td>Annex 2: Scoring summary table</td>
<td>19</td>
</tr>
<tr>
<td>Annex 3: Recommendations of potential actions to take to address various types of TII</td>
<td>23</td>
</tr>
<tr>
<td>Annex 4: Pacific TII Index report template</td>
<td>27</td>
</tr>
</tbody>
</table>
Acknowledgements

This document was prepared by Dr Ada Moadsiri, Technical Officer, Noncommunicable Diseases/Tobacco Free Initiative, World Health Organization (WHO) Division of Pacific Technical Support and Ms Annabel Lyman, Pacific Island Countries Framework Convention on Tobacco Control Coordinator, Framework Convention Alliance with input from Dr Katia de Pinho Campos, Team Leader and Ms Mina Kashiwabara, Technical Officer, Tobacco Free Initiative, WHO Regional Office for the Western Pacific.

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1. Introduction

The World Health Organization Framework Convention on Tobacco Control (WHO FCTC) was developed in response to the globalization of the tobacco epidemic with the aim to reduce tobacco use in all forms worldwide (1). All Pacific island countries are Parties to the WHO FCTC and therefore committed to implementing tobacco control measures in line with the objectives of the Convention. In spite of this, tobacco use remains the leading preventable cause of noncommunicable disease (NCD) in the Western Pacific Region (2).

Progress following the WHO FCTC has varied globally. A major hindrance to progress with tobacco control is tobacco industry interference. Article 5.3 of the Convention requires that in setting and implementing public health policies, all Parties “shall act to protect these policies from commercial and other vested interests of the tobacco industry in accordance with national law”. The tobacco industry applies numerous tactics to interfere with public health including: undermining government efforts to protect public health, exaggerating the economic benefits of the tobacco industry, pretending to care about the community, feigning community support, ignoring scientific evidence and threatening governments with litigation (3).

The Conference of the Parties to the Convention established a working group to elaborate guidelines for the implementation of Article 5.3 of the WHO FCTC, which were adopted by all Parties in 2008. The Guidelines for Implementation of Article 5.3 aim to ensure that efforts to protect public health from commercial and other vested interests of the tobacco industry are comprehensive and effective, and to provide a set of recommendations for action.

2. The Pacific Tobacco Industry Interference Index

Information regarding the implementation of the recommendations of the Article 5.3 Guidelines across the Pacific island countries is limited and is yet to be measured systematically. The Pacific Tobacco Industry Interference (TII) Index was developed by the Tobacco Free Pacific 2025 Alliance with support from the Framework Convention Alliance and WHO as a tool for governments and nongovernmental organizations (NGOs) to monitor the types and extent of industry interference in their countries, in addition to assessing the extent to which governments are prepared to prevent it. Tobacco industry interference in the Pacific is often poorly monitored and recognized, and this tool simplifies the issue by providing a systematic way of monitoring it. The tool is not intended to categorize the severity of tobacco industry interference within countries based on the scores. However, it does recommend strategies for preventing industry interference.

Using the Pacific TII Index on a regular basis (e.g. biennially) and/or designating an entity to oversee the monitoring of tobacco industry interference may help strengthen a government’s ability to protect public health interests from industry interference.1

2.1 Methodology for developing the Pacific TII Index

The Pacific TII Index was developed based on the Tobacco Industry Interference Index of the Southeast Asia Tobacco Control Alliance (SEATCA) (4). It is grounded in the recommendations of the WHO FCTC Article 5.3 Guidelines, which include eight main recommendations and 34 sub-recommendations on how to prevent tobacco industry interference in public health policy (1).

The Pacific TII Index was drafted with input from relevant government and other stakeholders. During the 2015 Oceania Tobacco Control Conference’s Pacific Island Pre-conference Workshop on Boosting Tobacco Control in the Pacific, Pacific island representatives gathered to collect input on the tool’s appropriateness and effectiveness for the Pacific islands. Ten individuals representing five Pacific island governments and NGOs (Cook Islands, Fiji, Marshall Islands, Palau and Samoa) provided feedback. Input largely related to simplifying the language in order to improve understanding and ensuring that the measures align with Pacific contexts.

1A draft of the Pacific TII Index was piloted in Palau in 2016.
The 20 questions included in the Pacific TII Index were based on the sub-recommendations of the Article 5.3 Guidelines. Certain sub-recommendations were refined or omitted based on applicability to the Pacific islands. For example, recommendations related to treating state-owned tobacco industries in the same way as any other tobacco industry were omitted since none of the Pacific island countries have a state-owned tobacco industry. Eleven of the 20 questions aim at identifying whether measures are in place to prevent tobacco industry interference and nine refer to actual incidents of interference.

3. Instructions for using the Pacific TII Index

The process of using the tool may be led by a representative of a government, NGO, academic institution or regional alliance, as long as he or she does not have any direct or indirect ties with the tobacco industry.

The following instructions should be followed in order to ensure a standard procedure when employing the Pacific TII Index (see Annex 1):

1) The tool should be completed separately by the following individuals, with the participation of more than one official from various sectors:
   a. at least two government representatives who have good knowledge of national tobacco control issues; and
   b. at least one NGO representative who has good knowledge of national tobacco control issues but who does not have any direct or indirect ties with the tobacco industry.

2) Respondents are encouraged to engage with stakeholders (other government ministry representatives, NGOs such as cancer societies, youth and women’s groups, etc.) prior to finalizing their responses. This will increase the likelihood of capturing any incidents of tobacco industry interference previously unknown to the respondent.

3) Where necessary and if possible, publicly available evidence (e.g. articles published in a newspaper) should be included to support answers. If no documented evidence is available, it must be noted what evidence exists or stated why it is believed that such interference exists (e.g. anecdotal evidence).

4) The time period under consideration should be the past five years.

5) All respondents should read and understand the following definitions that appear in the tool (3,5):
   - **Government**: Refers to any entity or individual such as a public official whether or not acting within the scope of authority as long as he or she has such authority.
   - **Tobacco industry**: Entities or individuals representing the interests or working to further the interests of the tobacco industry such as manufacturers, importers and distributors.
   - **Corporate social responsibility (CSR)**: A concept whereby companies integrate and address social and environmental concerns through their business practices and operations. The goal of corporate social responsibility is to create a perception that company activities positively impact the environment, consumers, employees, communities, stakeholders and all other members of the public sphere. These socially responsible business practices or activities may include, but are not limited to: monetary contributions to humanitarian or other charitable causes; social investment including contributions, monetary or otherwise, to physical infrastructure, projects or programmes; donations of any and all goods and/or services; and engagement in any philanthropic activities or initiatives.
   - **Contributions**: Contributions entail both monetary and non-monetary assistance with the exception of compensations due to legal settlements or mandated by law or legally binding and enforceable agreements.

6) After information is collected using the tool, it is recommended to debrief all respondents and review the results with them.
3.1 Scoring and interpretation

There are 11 prevention measures and nine incident measures in the Pacific TII Index. After completing the tool, respondents may choose to review the results together at a debriefing and use the scoring summary table provided in Annex 2. Each question can have a score ranging from $-5$ to $+5$. Total scores for prevention measures can range from $-55$ to $+55$. Total scores for incident measures can range from $-45$ to $+45$. Prevention and incidents scores are totalled separately first, then used to calculate the overall interference score. To determine the overall score, the formula is:

$$\text{Prevention score} - \text{Incidents score} = \text{Overall score}$$

Examples:

**Low prevention score, high incidents score**

If the prevention score is $-45$ and the incidents score is $+30$, the total is calculated as: $(-45) - (30) = -75$

**High prevention score, low incidents score**

If the prevention score is $+40$ and the incidents score is $-30$, the total is calculated as: $40 - (-30) = +70$

The highest, or most desirable, overall possible score is $+100$. The lowest, or least desirable, overall score is $-100$.

The ideal situation is when a Pacific island has a high prevention score and a low incidents score, which would result in a score close to, or equal to, $+100$. If it has a high prevention score and also a high incidents score, this may indicate a lack of enforcement/implementation of the prevention measures. If it has a low prevention score and also a low incidents score, the Pacific island may still be at risk for tobacco industry interference in the future. If it has a low prevention score and a high incidents score, which would result in a score close to, or equal to, $-100$, this may indicate that the Pacific island is at high risk for tobacco industry interference due to the lack of prevention measures in place.
3.2  Recommendations for actions to prevent tobacco industry interference

Each Pacific TII Index question refers to a specific recommendation of the WHO FCTC Article 5.3 Guidelines. In addition to assisting Pacific islands in determining the general extent of tobacco industry interference and the measures taken to prevent it, the Pacific TII Index also provides a set of recommendations for actions to address and/or prevent each type of interference identified (Annex 3).

A Pacific TII Index report template is included in Annex 4.

4.  Limitations

The Pacific TII Index is dependent on respondents’ awareness about national incidents of, and prevention measures against, tobacco industry interference. Respondents may be limited by the information available to them or unaware of incidents that have occurred outside their sector, which may result in more conservative estimates. In order to minimize this, the tool should be completed by representatives from multiple sectors, including NGOs.

These limitations are known and it is emphasized that the Pacific TII Index intends to help Pacific islands recognize tobacco industry interference, determine the current status and estimate the extent of any tobacco industry interference in the region. Furthermore, the tool will help stimulate discussion among different government sectors, NGOs and the public about tobacco industry interference.
References

Annexes
Annex 1. Sample copy of the Pacific Tobacco Industry Interference Index

Pacific Tobacco Industry Interference Index

Name of your country or area: ______________________________________________

Your name: __________________________________________________________________

Your organization and position: _____________________________________________

Purpose

All Pacific island countries are Parties to the World Health Organization Framework Convention on Tobacco Control (WHO FCTC) and therefore obligated to uphold the intent of Article 5.3 (protection of public health policies with respect to tobacco control from commercial and other vested interests of the tobacco industry).

The Pacific Tobacco Industry Interference (TII) Index is an attempt of the Tobacco Free Pacific 2025 Alliance to support governments and nongovernmental organizations (NGOs) to monitor the types and extent of tobacco industry interference as well as the extent to which governments are prepared to prevent it.

The tool was formulated based on the recommendations made by the WHO FCTC in the Guidelines for Implementation of Article 5.3, available at: http://www.who.int/fctc/guidelines/adopted/guidel_2011/en/

Instructions

1. The tool should be completed separately by the following individuals, with the participation of more than one official from various sectors:
   a. at least two government representatives who have good knowledge of national tobacco control issues; and
   b. at least one NGO representative who has good knowledge of national tobacco control issues but who does not have any direct or indirect ties with the tobacco industry.

2. Respondents are encouraged to engage with stakeholders (other government ministry representatives, NGOs such as cancer societies, youth and women’s groups, etc.) prior to finalizing their responses. This will increase the likelihood of capturing any tobacco industry interference incidents previously unknown to the respondent.

3. Where necessary and if possible, publicly available evidence (e.g. articles published in a newspaper) should be included to support answers. If no documented evidence is available, it must be noted what evidence exists or stated why it is believed that such interference exists (e.g. anecdotal evidence).

4. The time period under consideration should be the past five years.
**Definitions**

- Government: Refers to any entity or individual such as a public official whether or not acting within the scope of authority as long as he or she has such authority.

- Tobacco industry: Entities or individuals representing the interests or working to further the interests of the tobacco industry such as manufacturers, importers and distributors.

- Corporate social responsibility (CSR): A concept whereby companies integrate and address social and environmental concerns through their business practices and operations. The goal of corporate social responsibility is to create a perception that company activities positively impact the environment, consumers, employees, communities, stakeholders and all other members of the public sphere. These socially responsible business practices or activities may include, but are not limited to: monetary contributions to humanitarian or other charitable causes; social investment including contributions, monetary or otherwise, to physical infrastructure, projects or programmes; donations of any and all goods and/or services; and engagement in any philanthropic activities or initiatives.

- Contributions: Contributions entail both monetary and non-monetary assistance with the exception of compensations due to legal settlements or mandated by law or legally binding and enforceable agreements.

**Raise awareness about the addictive and harmful nature of tobacco products and about tobacco industry interference with Parties’ tobacco control policies**

**Recommendation 1.1 of the WHO FCTC Article 5.3 Guidelines**

1. Has the government implemented programmes or campaigns to raise awareness among civil servants and the public about tobacco industry interference (e.g. exaggerating the economic importance of the industry) and how to prevent it?

   A. ___ Yes, programmes or campaigns targeted at civil servants only.

   B. ___ Yes, programmes or campaigns targeted at the public only.

   C. ___ Yes, programmes or campaigns targeted at civil servants AND the public.

   D. ___ No, there are no targeted programmes or campaigns.

   E. ___ Don’t know/Not sure.

If yes, please describe (including how often) and provide an example of material from such a programme or campaign (e.g. newspaper article).
**Establish measures to limit interactions with the tobacco industry and ensure the transparency of interactions that occur**

**Recommendation 2.1 of the WHO FCTC Article 5.3 Guidelines**

2. Has the government interacted with the tobacco industry for reasons beyond the purpose of effectively regulating the tobacco industry and tobacco products?

   A. ___ Yes.
   
   B. ___ No.
   
   C. ___ Don’t know/Not sure.

If yes, please describe and provide public evidence (e.g. report, newspaper article, photo, case study).

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**Recommendation 2.2 of the WHO FCTC Article 5.3 Guidelines**

3. Is there a government policy in place to ensure that any necessary interactions (e.g. implementing tobacco control regulations) with the tobacco industry are conducted in a transparent manner (e.g. through public hearings, public notice of interactions)?

   A. ___ Yes, there is a policy in place.
   
   B. ___ No, there is no policy in place.
   
   C. ___ Don’t know/Not sure.

If yes, please provide a copy of the policy and, if available, documentation of the proceedings (e.g. an announcement of the public hearing).

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2 A draft of the Pacific TII Index was piloted in Palau in 2016.
Reject partnerships and non-binding or non-enforceable agreements with the tobacco industry

Recommendation 3.1 of the WHO FCTC Article 5.3 Guidelines

4. Has the tobacco industry drafted/offered a partnership or non-binding/non-enforceable agreement (e.g. memorandum of understanding) with the government?
   A. ___ Yes, and the government has accepted it.
   B. ___ Yes, but the government has rejected it.
   C. ___ No.
   D. ___ Don’t know/Not sure.

If yes, please describe what kind of partnership or agreement was offered. If yes, please reference and/or attach evidence (e.g. web link, newspaper article, photo, case study) or say “Yes, but no documented evidence”.

Recommendation 3.2 of the WHO FCTC Article 5.3 Guidelines

5. Has the government accepted, supported or endorsed any tobacco control initiatives organized, promoted, sponsored or involving the tobacco industry (e.g. workshop on preventing illicit trade of tobacco, smoke-free education programme for youth)?
   A. ___ Yes.
   B. ___ No.
   C. ___ Don’t know/Not sure.

If yes, please describe the initiative(s) regardless of whether the support is past, current or planned. Please reference and/or attach evidence (e.g. web link, newspaper article, advertisement, photo, case study) or say “Yes, but no documented evidence”.

Recommendation 3.4 of the WHO FCTC Article 5.3 Guidelines

6. Has the tobacco industry offered assistance or collaboration in drafting any tobacco control policy(ies) or legislation by or with the government?
   A. ___ Yes, and the government has accepted it.
   B. ___ Yes, but the government has rejected it or it was some time ago (e.g. over five years ago).
   C. ___ No.
   D. ___ Don’t know/Not sure.

If yes, please describe for what policy(ies) or legislation the tobacco industry offered assistance, regardless of whether the support is past, current or planned. Please reference evidence if available (e.g. web link, newspaper article, case studies) or say “No documented evidence”.

Avoid conflicts of interest for government officials and employees

Recommendation 4.1 of the WHO FCTC Article 5.3 Guidelines

7. Is there a government policy that requires all persons involved in setting and implementing public health policies to disclose conflicts of interest with respect to tobacco control?
   A. ___ Yes, there is a policy in place.
   B. ___ No, there is no policy in place.
   C. ___ Don’t know/Not sure.

If yes, please provide a copy of the policy.
Recommendation 4.2 of the WHO FCTC Article 5.3 Guidelines

8. Is there a code of conduct for public officials and civil servants that prescribes standards with which they should comply in any of their interactions with the tobacco industry?

A. ___ Yes, there is a code of conduct.

B. ___ No, there is no code of conduct.

C. ___ Don’t know/Not sure.

If yes, please provide a copy of the code of conduct.

Recommendation 4.3 of the WHO FCTC Article 5.3 Guidelines

9. Has the tobacco industry offered assistance to implement or enforce tobacco control policies (e.g. providing tobacco control signage, conducting inspections or raids), whether monetary or not?

A. ___ Offered by the tobacco industry, but rejected by the government.

B. ___ Offered by the tobacco industry, and accepted by the government.

C. ___ No such known offer by the tobacco industry.

D. ___ Don’t know/Not sure.

Please provide details of any assistance offered.

If assistance has been offered, please reference and/or attach evidence (e.g. web link, newspaper article, photo, case study) or say “No documented evidence”.
Recommendation 4.5 of the WHO FCTC Article 5.3 Guidelines

10. Is there a government policy that requires applicants for public office who have a role in setting and implementing public health policies to declare any current or previous activity within the tobacco industry, whether gainful or not?

A. ___ Yes, there is a policy in place.

B. ___ No, there is no policy in place.

C. ___ Don’t know/Not sure.

If yes, please provide a copy of the policy.

Recommendation 4.8 of the WHO FCTC Article 5.3 Guidelines

11. Keeping in mind the definition on the introductory pages, has any tobacco industry representative participated in a government interagency, multisectoral committee/coordinating mechanism or advisory group that sets public health policy?

A. ___ Yes.

B. ___ No.

C. ___ Don’t know/Not sure.

If yes, please provide information (e.g. date/year) and/or evidence such as a published membership list or meeting minutes.
Recommendation 4.10 of the WHO FCTC Article 5.3 Guidelines

12. Is there a government policy in place that disallows any official or employee of the government (or any semi/quasi-government body) to accept payments, gifts or services, monetary or in-kind, from the tobacco industry?

A. ___ Yes, there is a policy in place.

B. ___ No, there is no policy in place.

C. ___ Don’t know/Not sure.

If yes, please provide a copy of the policy.

Require that information provided by the tobacco industry be transparent and accurate

Recommendation 5.2 of the WHO FCTC Article 5.3 Guidelines

13. Is there a government policy in place that requires the tobacco industry to submit information on trade in tobacco products (manufacturing, import amounts, revenue, etc.)?

A. ___ Yes, there is a policy in place.

B. ___ No, there is no policy in place.

C. ___ Don’t know/Not sure.

If yes, please provide a copy of the policy.
Recommendation 5.3 of the WHO FCTC Article 5.3 Guidelines

14. Is there a government policy in place that requires registration of tobacco traders (manufacturers, importers, wholesalers, retailers, affiliated organizations, and individuals working on their behalf, etc.)?

A. ___ Yes, there is a policy in place.
B. ___ No, there is no policy in place.
C. ___ Don’t know/Not sure.

If yes, please provide a copy of the policy.

Deformalize and, to the extent possible, regulate activities described as “socially responsible” by the tobacco industry, including, but not limited to, activities described as “corporate social responsibility”

Recommendation 6.1 of the WHO FCTC Article 5.3 Guidelines

15. Is there a government programme or mechanism that regularly informs all branches of government AND the public about the tobacco industry’s so-called corporate social responsibility activities?

A. ___ Yes, but it informs ONLY the public.
B. ___ Yes, but it informs ONLY government branches.
C. ___ Yes, it informs both.
D. ___ No, no regular information is provided to the government or to the public.
E. ___ Don’t know/Not sure.

If yes, please reference and/or attach evidence of the programme (e.g. web link, newspaper article, photo, case study) or say “Yes, but no documentation for this programme”.

Recommendation 6.2 of the WHO FCTC Article 5.3 Guidelines

16. Has the tobacco industry established a partnership with or provided support to the government (including government-supported entities or programmes) or its officials to allow for so-called corporate social responsibility activities (e.g., sponsorship of workshops, trainings, cultural events, sports events, national museum or recreational site exhibits, disaster relief)?

A. ___ Yes.
B. ___ No.
C. ___ Don’t know/Not sure.

If yes, please describe the so-called corporate social responsibility activities. Please provide evidence of this partnership or support (e.g. web link, newspaper article, photo, case study) or say “No documented evidence”.

Recommendation 6.3 of the WHO FCTC Article 5.3 Guidelines

17. Is there a government policy that prohibits public disclosure of activities or expenditures described as “corporate social responsibility” by the tobacco industry?

A. ___ Yes, there is a policy in place.
B. ___ No, there is no policy in place.
C. ___ Don’t know/Not sure.

If yes, please provide a copy of the policy.
Recommendation 6.4 of the WHO FCTC Article 5.3 Guidelines

18. Is there a government policy that prohibits any branch of government or the public sector from accepting any type of contributions from the tobacco industry?

A. ___ Yes, there is a policy in place.

B. ___ No, there is no policy in place.

C. ___ Don’t know/Not sure.

If yes, please provide a copy of the policy.

Do not give preferential treatment to the tobacco industry

Recommendation 7.1 of the WHO FCTC Article 5.3 Guidelines

19. Since 2010, has the government accommodated requests from the tobacco industry for a longer time frame for implementation or postponement of tobacco control laws (e.g. extending the time to implement graphic health warnings)?

A. ___ Yes.

B. ___ No.

C. ___ Don’t know/Not sure.

If yes, please describe the request(s).

Please provide evidence (e.g. web link, newspaper article, photo, case study) or say “No documented evidence”.
Recommendation 7.3 of the WHO FCTC Article 5.3 Guidelines

20. Since 2010, has the government given privileges, incentives, exemptions or benefits to the tobacco industry (e.g. reduced tax rates or exemption, duty-free imports of tobacco manufacturing machinery)?

A. ___ Yes.
B. ___ No.
C. ___ Don’t know/Not sure.

If yes, please describe the privileges, incentives, exemptions or benefits and provide evidence (e.g. web link, newspaper article) or say “No documented proof”.
Annex 2. Scoring summary table

Pacific Tobacco Industry Interference Index Scoring instructions: Please note that in the column marked “category,” “P” indicates that the item relates to prevention measures and “I” indicates that the item relates to incidents of tobacco industry interference. Prevention measures and incident measures are interpreted separately, but both are considered when assessing the extent of tobacco industry interference.

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer choices</th>
<th>Category</th>
<th>Score</th>
</tr>
</thead>
</table>
| 1. Has the government implemented programmes or campaigns to raise awareness among civil servants and the public about tobacco industry interference (e.g. exaggerating the economic importance of the industry) and how to prevent it? | A. ___ Yes, programmes or campaigns targeted at civil servants only. (+2)  
B. ___ Yes, programmes or campaigns targeted at the public only. (+2)  
C. ___ Yes, programmes or campaigns targeted at civil servants AND the public. (+5)  
D. ___ No, there are no targeted programmes or campaigns. (−5)  
E. ___ Don’t know/Not sure. (0) | P        |       |
| 2. Has the government interacted with the tobacco industry for reasons beyond the purpose of effectively regulating the tobacco industry and tobacco products? | A. ___ Yes. (+5)  
B. ___ No. (−5)  
C. ___ Don’t know/Not sure. (0) | I        |       |
| 3. Is there a government policy in place to ensure that any necessary interactions (e.g. implementing tobacco control regulations) with the tobacco industry are conducted in a transparent manner (e.g. through public hearings, public notice of interactions)? | A. ___ Yes, there is a policy in place. (+5)  
B. ___ No, there is no policy in place. (−5)  
C. ___ Don’t know/Not sure. (0) | P        |       |
| 4. Has the tobacco industry drafted/offered a partnership or non-binding/non-enforceable agreement (e.g. memorandum of understanding) with the government? | A. ___ Yes, and the government has accepted it. (+5)  
B. ___ Yes, but the government has rejected it. (+2)  
C. ___ No. (−5)  
D. ___ Don’t know/Not sure. (0) | I        |       |

3 The Guidelines are available at: http://www.who.int/fctc/guidelines/adopted/article_5_3/en/
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<td>5.</td>
<td>Has the government accepted, supported or endorsed any tobacco control initiatives organized, promoted, sponsored or involving the tobacco industry (e.g. workshop on preventing illicit trade of tobacco, smoke-free education programme for youth)?</td>
<td>A.</td>
<td>___ Yes. (+5)</td>
</tr>
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<td></td>
<td></td>
<td>B.</td>
<td>___ No. (−5)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>C.</td>
<td>___ Don’t know/Not sure. (0)</td>
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<td>I</td>
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<td>6.</td>
<td>Has the tobacco industry offered assistance or collaboration in drafting any tobacco control policy(ies) or legislation by or with the government?</td>
<td>A.</td>
<td>___ Yes, and the government has accepted it. (+5)</td>
</tr>
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<td></td>
<td></td>
<td>B.</td>
<td>___ Yes, but the government has rejected it or it was some time ago (e.g. over five years ago). (+2)</td>
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<td></td>
<td></td>
<td>C.</td>
<td>___ No. (−5)</td>
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<td></td>
<td></td>
<td>D.</td>
<td>___ Don’t know/Not sure. (0)</td>
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<td>I</td>
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<td>7.</td>
<td>Is there a government policy that requires all persons involved in setting and implementing public health policies to disclose conflicts of interest with respect to tobacco control?</td>
<td>A.</td>
<td>___ Yes, there is a policy in place. (+5)</td>
</tr>
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<td></td>
<td></td>
<td>B.</td>
<td>___ No, there is no policy in place. (−5)</td>
</tr>
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<td></td>
<td></td>
<td>C.</td>
<td>___ Don’t know/Not sure. (0)</td>
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<td>8.</td>
<td>Is there a code of conduct for public officials and civil servants that prescribes standards with which they should comply in any of their interactions with the tobacco industry?</td>
<td>A.</td>
<td>___ Yes, there is a code of conduct. (+5)</td>
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<td>___ No there is no code of conduct. (−5)</td>
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<td>9.</td>
<td>Has the tobacco industry offered assistance to implement or enforce tobacco control policies (e.g. providing tobacco control signage, conducting inspections or raids), whether monetary or not?</td>
<td>A.</td>
<td>___ Offered by the tobacco industry, but rejected by the government. (+5)</td>
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<td></td>
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<td>B.</td>
<td>___ Offered by the tobacco industry, and accepted by the government. (+2)</td>
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<td></td>
<td>C.</td>
<td>___ No such known offer by the tobacco industry. (−5)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>D.</td>
<td>___ Don’t know/Not sure. (0)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>I</td>
</tr>
</tbody>
</table>
10. Is there a government policy that requires applicants for public office who have a role in setting and implementing public health policies to declare any current or previous activity within the tobacco industry, whether gainful or not?

|   | A. ___ Yes, there is a policy in place. (+5) |   |
|   | B. ___ No, there is no policy in place. (−5) |   |
|   | C. ___ Don’t know/Not sure. (0) | P |

11. Keeping in mind the definition on the introductory pages, has any tobacco industry representative participated in a government interagency, multisectoral committee/coordinating mechanism or advisory group that sets public health policy?

|   | A. ___ Yes. (+5) |   |
|   | B. ___ No. (−5) |   |
|   | C. ___ Don’t know/Not sure. (0) | I |

12. Is there a government policy in place that disallows any official or employee of the government (or any semi/quasi-government body) to accept payments, gifts or services, monetary or in-kind, from the tobacco industry?

|   | A. ___ Yes, there is a policy in place. (+5) |   |
|   | B. ___ No, there is no policy in place (−5) |   |
|   | C. ___ Don’t know/Not sure. (0) | P |

13. Is there a government policy in place that requires the tobacco industry to submit information on trade in tobacco products (manufacturing, import amounts, revenue, etc.)?

|   | A. ___ Yes, there is a policy in place. (+5) |   |
|   | B. ___ No, there is no policy in place. (−5) |   |
|   | C. ___ Don’t know/Not sure. (0) | P |

14. Is there a government policy in place that requires registration of tobacco traders (manufacturers, importers, wholesalers, retailers, affiliated organizations, individuals working on their behalf, etc.)?

|   | A. ___ Yes, there is a policy in place. (+5) |   |
|   | B. ___ No, there is no policy in place. (−5) |   |
|   | C. ___ Don’t know/Not sure. (0) | P |

15. Is there a government programme or mechanism that regularly informs all branches of government AND the public about the tobacco industry’s so-called corporate social responsibility activities?

<p>|   | A. ___ Yes, but it informs ONLY the public. (+2) |   |
|   | B. ___ Yes, but it informs ONLY government branches. (+2) |   |
|   | C. ___ Yes, it informs both. (+5) | P |
|   | D. ___ No, no regular information is provided to the government or to the public. (−5) |   |
|   | E. ___ Don’t know/Not sure. (0) |   |</p>
<table>
<thead>
<tr>
<th>Question</th>
<th>Option A</th>
<th>Option B</th>
<th>Option C</th>
<th>Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>16. Has the tobacco industry established a partnership with or provided support to the government (including government-supported entities or programmes) or its officials to allow for so-called corporate social responsibility activities (e.g., sponsorship of workshops, trainings, cultural events, sports events, national museum or recreational site exhibits, disaster relief)?</td>
<td>A. Yes. (+5)</td>
<td>B. No. (−5)</td>
<td>C. Don’t know/Not sure. (0)</td>
<td>I</td>
</tr>
<tr>
<td>17. Is there a government policy that prohibits public disclosure of activities or expenditures described as “corporate social responsibility” by the tobacco industry?</td>
<td>A. Yes, there is a policy in place. (+5)</td>
<td>B. No, there is no policy in place. (−5)</td>
<td>C. Don’t know/Not sure. (0)</td>
<td>P</td>
</tr>
<tr>
<td>18. Is there a government policy that prohibits any branch of government or the public sector from accepting any type of contributions from the tobacco industry?</td>
<td>A. Yes, there is a policy in place. (+5)</td>
<td>B. No, there is no policy in place. (−5)</td>
<td>C. Don’t know/Not sure. (0)</td>
<td>P</td>
</tr>
<tr>
<td>19. Since 2010, has the government accommodated requests from the tobacco industry for a longer time frame for implementation or postponement of tobacco control laws (e.g. extending the time to implement graphic health warnings)?</td>
<td>A. Yes. (+5)</td>
<td>B. No. (−5)</td>
<td>C. Don’t know/Not sure. (0)</td>
<td>I</td>
</tr>
<tr>
<td>20. Since 2010, has the government given privileges, incentives, exemptions or benefits to the tobacco industry (e.g. reduced tax rates or exemption, duty-free imports of tobacco manufacturing machinery)?</td>
<td>A. Yes. (+5)</td>
<td>B. No. (−5)</td>
<td>C. Don’t know/Not sure. (0)</td>
<td>I</td>
</tr>
</tbody>
</table>

**Total P (prevention) score:**

**Total I (incidents) score:**

**Overall score:**
Annex 3. Recommendations of potential actions to take to address various types of tobacco industry interference


<table>
<thead>
<tr>
<th>Recommendations of the WHO FCTC Article 5.3 Guidelines</th>
<th>Potential Actions to Take</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.1 Parties should, in consideration of Article 12 of the Convention, inform and educate all branches of government and the public about the addictive and harmful nature of tobacco products, the need to protect public health policies for tobacco control from commercial and other vested interests of the tobacco industry and the strategies and tactics used by the tobacco industry to interfere with the setting and implementation of public health policies with respect to tobacco control.</td>
<td>Public service commissions (PSC) (or similar entities) may consider including a training session on preventing tobacco industry interference for civil servants (particularly at the management level). Furthermore, a session on preventing interference may be included in new staff orientation.</td>
</tr>
<tr>
<td>2.1 Parties should interact with the tobacco industry only when and to the extent strictly necessary to enable them to effectively regulate the tobacco industry and tobacco products.</td>
<td>Governments may consider establishing guidelines for when interaction with the tobacco industry is considered “necessary”. An example of when interaction is “necessary” is when the government needs to inform the tobacco industry of new laws or regulations by which they must abide.</td>
</tr>
<tr>
<td>2.2 Where interactions with the tobacco industry are necessary, Parties should ensure that such interactions are conducted transparently. Whenever possible, interactions should be conducted in public, for example through public hearings, public notice of interactions and disclosure of records of such interactions to the public.</td>
<td>If no policy is in place, governments should consider implementing a policy or law that requires any interaction concerning the tobacco industry to be conducted transparently. Whenever possible, interactions should be conducted in public, for example through public hearings, public notice of interactions and disclosure of records of such interactions to the public. It should be noted that governments are not obliged to accept any suggestions made by the tobacco industry.</td>
</tr>
<tr>
<td>3.1 Parties should not accept, support or endorse partnerships and non-binding or non-enforceable agreements as well as any voluntary arrangement with the tobacco industry or any entity or person working to further its interests.</td>
<td>Governments are encouraged to refrain from future acceptance of such partnerships and agreements. One way to prevent such interference is to implement a policy or law prohibiting partnerships or agreements. In putting in place such policies, governments may cite Guiding Principle 1 of the WHO FCTC Article 5.3 Guidelines: “There is a fundamental and irreconcilable conflict between the tobacco industry’s interests and public health policy interests.”</td>
</tr>
</tbody>
</table>

3 The Guidelines are available at: http://www.who.int/fctc/guidelines/adopted/article_5_3/en/
<p>| 3.2 | Parties should not accept, support or endorse the tobacco industry organizing, promoting, participating in, or performing, youth, public education or any initiatives that are directly or indirectly related to tobacco control. | Governments are encouraged to refrain from future acceptance of support from the tobacco industry for such initiatives. One way to prevent such interference is to implement a policy or law that prohibits promotion or sponsorship of any government entity or activity by the tobacco industry. In putting in place such policies, governments may cite Guiding Principle 1 of the WHO FCTC Article 5.3 Guidelines. |
| 3.4 | Parties should not accept, support or endorse any offer for assistance or proposed tobacco control legislation or policy drafted by or in collaboration with the tobacco industry. | Governments are encouraged to refrain from future acceptance of support from the tobacco industry for tobacco control or any public health policy. One way to prevent such interference is to implement a policy or law that prohibits the involvement of the tobacco industry in the development or enforcement of tobacco control or any public health policies. In putting in place such policies, governments may cite Guiding Principle 1 of the WHO FCTC Article 5.3 Guidelines. |
| 4.1 | Parties should mandate a policy on the disclosure and management of conflicts of interest that applies to all persons involved in setting and implementing public health policies with respect to tobacco control, including government officials, employees, consultants and contractors. | If no code of conduct is in place, Parties should consider mandating a policy on the disclosure and management of conflicts of interest that applies to all persons involved in setting and implementing public health policies with respect to tobacco control, including government officials, employees, consultants and contractors. |
| 4.2 | Parties should formulate, adopt and implement a code of conduct for public officials, prescribing the standards with which they should comply in their dealings with the tobacco industry. | If no code of conduct is in place, Parties should consider formulating, adopting and implementing a code of conduct for public officials prescribing the standards with which they should comply regarding their dealings with the tobacco industry. Such a code of conduct may be implemented via the public service commission or other such entity. |
| 4.3 | Parties should not award contracts for carrying out any work related to setting and implementing public health policies with respect to tobacco control to candidates or tenderers who have conflicts of interest with established tobacco control policies. | It is strongly recommended that governments discontinue any assistance from the tobacco industry in consideration of Guiding Principle 1 of the WHO FCTC Article 5.3 Guidelines. Governments may consider implementing a policy or law to prohibit future assistance from the tobacco industry in enforcing tobacco control policies, whether monetary or not. |
| 4.5 | Parties should develop clear policies that require applicants for public office positions which have a role in setting and implementing public health policies with respect to tobacco control to declare any current or previous occupational activity with any tobacco industry whether gainful or not. | It is recommended that Parties develop clear policies that require applicants for public office with a role in setting and implementing public health policies to declare any current or previous occupational activity with any tobacco industry whether gainful or not. Such a policy may be overseen by an electoral commission or other such entity. |</p>
<table>
<thead>
<tr>
<th>Section</th>
<th>Text</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.8</td>
<td>Parties should not allow any person employed by the tobacco industry or any entity working to further its interests to be a member of any government body, committee or advisory group that sets or implements tobacco control or public health policy.</td>
<td>It is strongly recommended that governments establish a national multisectoral coordinating mechanism or such commission to support tobacco control and prevent tobacco industry interference. Such a mechanism or commission (which includes various government sectors) will help raise awareness about tobacco industry interference and how to prevent it. It is also recommended that governments terminate participation of the tobacco industry in any government body, committee or advisory group that sets or implements tobacco control or public health policy. Such government entities may explicitly disallow participation by any tobacco industry representative through its by-laws.</td>
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<td>4.10</td>
<td>Parties should not allow any official or employee of government or of any semi/quasi-governmental body to accept payments, gifts or services, monetary or in-kind, from the tobacco industry.</td>
<td>It is strongly recommended that governments implement a policy or law that disallows any official or employee of government or of any semi/quasi-governmental body (i.e. any entity receiving government funding or support) to accept payments, gifts or services, monetary or in-kind, from the tobacco industry.</td>
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<td>5.2</td>
<td>Parties should require the tobacco industry and those working to further its interests to periodically submit information on tobacco production, manufacture, market share, marketing expenditures, revenues and any other activity, including lobbying, philanthropy, political contributions and all other activities not prohibited or not yet prohibited under Article 13 of the Convention.</td>
<td>It is strongly recommended that governments implement a policy that requires the tobacco industry and those working to further its interests to periodically submit information on tobacco production, manufacture, market share, marketing expenditures, revenues and any other activity, including lobbying, philanthropy, political contributions and all other activities not prohibited or not yet prohibited under WHO FCTC Article 13. This may be implemented as a provision to the national tobacco control law.</td>
</tr>
<tr>
<td>5.3</td>
<td>Parties should require rules for the disclosure or registration of the tobacco industry entities, affiliated organizations and individuals acting on their behalf, including lobbyists.</td>
<td>It is strongly recommended that governments implement a policy or law that requires tobacco industry entities, affiliated organizations and individuals acting on their behalf, including lobbyists, to disclose their affiliation(s) to the government. This may be implemented as a provision to the national tobacco control law such as a so-called reporting requirements section.</td>
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<td><strong>6.1</strong></td>
<td>Parties should ensure that all branches of government and the public are informed and made aware of the true purpose and scope of activities described as socially responsible performed by the tobacco industry.</td>
<td>It is strongly recommended that governments implement a policy requiring all branches of government to report any proposals by the tobacco industry that could be described as socially responsible whether for monetary benefit or not. This policy may be overseen by the Party’s anti-corruption department or unit. Governments may consider implementing a policy within the public service commission that includes training for management-level civil servants and/or a session included in new staff orientation about tobacco industry interference and the true purpose and scope of activities described as socially responsible performed by the tobacco industry.</td>
</tr>
<tr>
<td><strong>6.2</strong></td>
<td>Parties should not endorse, support, form partnerships with or participate in activities of the tobacco industry described as socially responsible.</td>
<td>It is strongly recommended that governments refrain from engaging in such partnerships. Furthermore, governments may consider implementing a policy or law that prohibits partnerships or support for so-called corporate social responsibility activities from the tobacco industry to the government, whether attributed or not.</td>
</tr>
<tr>
<td><strong>6.3</strong></td>
<td>Parties should not allow public disclosure by the tobacco industry or any other person acting on its behalf of activities described as socially responsible or of the expenditures made for these activities, except when legally required to report on such expenditures, such as in an annual report.</td>
<td>If no policy is in place, governments may consider implementing a policy or law that prohibits public disclosure by the tobacco industry or any other person acting on its behalf of activities described as socially responsible or of the expenditures made for these activities, except when legally required to report on such expenditures, such as in an annual report.</td>
</tr>
<tr>
<td><strong>6.4</strong></td>
<td>Parties should not allow acceptance by any branch of government or the public sector of political, social, financial, educational, community or other contributions from the tobacco industry or from those working to further its interests, except for compensations due to legal settlements or mandated by law or legally binding and enforceable agreements.</td>
<td>If no policy is in place, governments may consider implementing a policy or law that prohibits acceptance of political, social, financial, educational, community or other contributions by any branch of government or the public sector from the tobacco industry or from those working to further its interests. An exception to this is compensations due to legal settlements or mandated by law or legally binding and enforceable agreements.</td>
</tr>
<tr>
<td><strong>7.1</strong></td>
<td>Parties should not grant incentives, privileges or benefits to the tobacco industry to establish or run their businesses.</td>
<td>If requests have been received, governments should be aware that they do not need to accommodate requests from the tobacco industry.</td>
</tr>
<tr>
<td><strong>7.3</strong></td>
<td>Parties should not provide any preferential tax exemption to the tobacco industry.</td>
<td>Governments are advised strongly against providing privileges, incentives, exemptions or benefits to the tobacco industry. Any such preferential treatment undermines tobacco control efforts and contradicts Guiding Principle 4 of the WHO FCTC Article 5.3 Guidelines.</td>
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</tbody>
</table>
Annex 4. Pacific Tobacco Industry Interference Index report template

(Name of Pacific island) Tobacco Industry Interference Index

Summary report

(Date)

Introduction

The Pacific Tobacco Industry Interference (TII) Index was completed in (month, year) by (participants). This brief report summarizes the results of the (name of Pacific island) ‘s TII Index and attempts to score the results and make recommendations for potential steps to implement the World Health Organization Framework Convention on Tobacco Control (WHO FCTC) Article 5.3 Guidelines.

Methods

The Pacific TII Index aims to determine if measures are in place to prevent tobacco industry interference (N=11 items) and if there have been incidents of tobacco industry interference (N=9 items). Each measure can have a score ranging from −5 to +5. Total scores for prevention measures can range from −55 to +55. Total scores for incident measures can range from −45 to +45. Prevention and incidents scores are totalled separately first, then used to calculate the overall interference score. The overall score is determined by using the following formula:

\[ \text{Prevention score} - \text{Incidents score} = \text{Overall score} \]

Results

The overall score for (name of Pacific island) ’s TII Index was (number) .

Among the 11 prevention measures, (name of Pacific island) had (number) “No” measure(s) to prevent tobacco industry interference, (number) partial measure(s) in place to prevent interference and (number) “Don’t know/Not sure” answer(s). Among the nine incident measures, (name of Pacific island) had (number) type(s) of tobacco industry interference incidents, (number) potential type(s) of interference incidents (that was/were rejected by the government) and (number) “No” experience(s) of such incidents.

There are several actions (one example of a recommendation) may consider to strengthen prevention of tobacco industry interference such as .
Recommendations

The WHO FCTC has developed the Guidelines for Implementation of Article 5.3 (preventing tobacco industry interference). As such, tobacco control partners have developed tools to help Parties, including ___(name of Pacific island)___, assess compliance with the Article 5.3 Guidelines and assist in identifying ways to implement the Guidelines.

The results of this Pacific TII Index can be used to complete the “current status” component of the Compliance Assessment Template in the user-friendly FCTC Article 5.3 Toolkit (http://www.theunion.org/what-we-do/publications/english/pubtc_factsheets-set.pdf) developed by the International Union Against Tuberculosis and Lung Disease. Furthermore, ___(name of Pacific island)___ may consider using the Assessment Template to discuss the potential steps to implement the recommendations not yet in place and identify the role of relevant agencies or stakeholders. The following are some recommended potential steps to implement the WHO FCTC Article 5.3 Guidelines.

There are several prevention measures identified in the Guidelines that ___(name of Pacific island)___ as a Party to the WHO FCTC should implement.

[Identify and describe specific recommendations for policies or legal provisions that ___(name of Pacific island)___ may implement to prevent tobacco industry interference.]

[Provide Pacific TII Index scoring summary as an annex to the report.]