Pacific Tobacco Industry Interference Index

A tool for monitoring the types and extent of tobacco industry interference
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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 diseases (NCDs) in the Western Pacific Region (2).

Progress implementing the WHO FCTC has varied globally. A major hindrance to progress with tobacco control is interference from the tobacco industry. 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” (3). 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
- directly lobbying legislators
- ignoring scientific evidence
- 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 (https://www.who.int/fctc/guidelines/adopted/article_5_3/en/) 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 has 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, and to assess how well prepared governments are 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 doing both. Unlike the Global Tobacco Industry Interference Index, this tool is not intended to categorize the severity of tobacco industry interference within countries based on the scores (4). However, it does recommend strategies for preventing it.

Using the Pacific TII Index on a regular basis (e.g., every two years) 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 such interference.

2.1 **Development of 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) (5). 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 governments 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 potential 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.

The 20 questions in this 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 other tobacco industries 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

There are different ways to use this tool. Regardless of the methodology for implementing the Pacific TII Index, the process should be coordinated by one individual who may be a representative of a government, civil society organization or academic institution, as long as he or she does not have any direct or indirect ties with the tobacco industry.

The following instructions can ensure a standard procedure when using the Pacific TII Index.

3.1 Participants

1) Participants should include stakeholders from multiple government sectors, such as: health, finance, customs, education, justice, police, culture, office of the head of government, trade and foreign affairs.
2) Participants should also include civil society and, where possible, academia.
3) There should be responses from at least 10 stakeholder representatives.

All respondents should read and understand the following definitions that appear in the tool (3,6):

- **Government**: Refers to any entity or individual such as a public official, whether or not acting within the scope of his or her authority, as long as that individual 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. For the purposes of this tool, tobacco industry does not include entities or individuals which are only retailers.
- **Corporate social responsibility**: A practice whereby companies integrate and address social and environmental concerns through their business practices and operations. The goal of corporate social responsibility is to create the perception that a company’s activities positively impact the environment, consumers, employees, communities, stakeholders and other members of the public. 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 goods and/or services
  - engagement in any philanthropic activities or initiatives
- **Contributions**: Contributions entail both monetary and non-monetary assistance, with the exception of compensation due to legal settlements or mandated by law or legally binding and enforceable agreements.

3.2 Data collection

3.2.1 Option A

A. The coordinator interviews face-to-face or via telephone using the Pacific TII Index tool (Annex 1).
B. The responses should be scored and reviewed individually by the coordinator.

3.2.2 Option B

A. The coordinator may gather stakeholders in small groups to discuss each question.
B. The responses from each stakeholder group should be scored and reviewed by the coordinator (as a group score).

3.2.3 Option C

A. The coordinator may gather all stakeholders to discuss each question and the group agrees on the score.
3.3 Scoring

1) If Option A or B is used, the coordinator scores each question based on the following:
   a) If there is any “yes” response that is backed up with documented evidence, it takes precedence over any “no” responses and the question receives a “yes” score. The rationale for the “yes” score should be indicated in the scoring summary.
   b) If there is any “yes” response to a question, but no publicly available evidence is provided, then the coordinator should consider the response to be “no”.
   c) If there is any “yes” response to a question and only anecdotal evidence is available, then this evidence may be considered by the coordinator or committee when summarizing the scores.
   d) If all the responses to a question are “no” or “don’t know/not sure”, then the response to that question should receive a summary “no” score.

2) Use the Scoring Summary Table in Annex 2 to record and add up the scores.

Efforts should be made to collect publicly available evidence (e.g. articles published in a newspaper, on a website, on social media, industry documents). This evidence should be included in the final report as an annex and labelled with the recommendation it is supporting/documenting. If there is evidence, it should be noted. If no documented evidence is available, but a respondent provides anecdotal evidence that interference did take place, this evidence may be considered by the coordinator or committee when summarizing the scores.

The period under consideration should be within the past five years. However, if incidents are documented but occurred prior to this time period, they may still be considered the first time the Index is used.

3.4 Scoring interpretation

There are 11 prevention measures and nine incident measures in the Pacific TII Index. 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, then used to calculate the overall interference score.
To determine the overall score, the formula is:

\[
\text{Prevention score} - \text{Incident(s) score} = \text{Overall interference score}
\]

**EXAMPLES:**

**Low prevention score, high incident(s) score**
If the prevention score is −45 and the incident(s) score is +30, the total is calculated as: \((-45) - (30) = -75\)

**High prevention score, low incident(s) score**
If the prevention score is +40 and the incident(s) 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 score is −100.

The ideal situation is when a Pacific island has a high prevention score and a low incident(s) score, which would result in a score close or equal to +100.

If results show a high prevention score and a high incident(s) score, this may indicate a lack of enforcement/implementation of prevention measures.

If results show a low prevention score and a low incident(s) score, the Pacific island may still be at risk for tobacco industry interference.

If there is a low prevention score and a high incident(s) score, this indicates that the Pacific island is at high risk for continued or further tobacco industry interference due to the lack of prevention measures in place.

### 3.5 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 to address and/or prevent each type of interference identified (Annex 3).

Use Annex 3 to:

- a) review the Article 5.3 Recommendations (column 2)
- b) identify the current status of implementation (column 3)
- c) review the examples of activities to implement recommendations (column 4)
- d) identify how actions can be adapted for local context (column 5)
- e) identify stakeholders to take action (column 6)

Once the table in Annex 3 is complete, identify a few priority actions from column 4 that could be undertaken in the short-term (within 6 to 18 months).

Annex 4 includes a Pacific TII Index report template.
A tool for monitoring the types and extent of tobacco industry interference

References


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

Pacific Tobacco Industry Interference Index

Name of 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, which is the 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 aims to support governments and nongovernmental organizations (NGOs) to monitor the types of tobacco industry interference, as well as the extent to which governments are prepared to prevent such efforts. This tool was formulated based on the recommendations made by the WHO FCTC in the Guidelines for Implementation of Article 5.3, available at: https://www.who.int/fctc/guidelines/article_5_3.pdf

Instructions

There are different options for using this tool. Regardless of the methodology for implementing the Pacific TII Index, the process should be coordinated by one individual. That person may be a representative of a government, civil society organization or academic institution – as long as he or she does not have any direct or indirect ties with the tobacco industry.

The following instructions help to ensure a standard procedure when using the Pacific TII Index.

Participants

1) Participants should include a variety of stakeholders from multiple government sectors, such as: health, finance, customs, education, justice, police, culture, office of the head of government, trade and foreign affairs.

2) Participants should also include civil society and, where possible, academia.

3) There should be responses from at least 10 different stakeholder representatives.

All respondents should read and understand the following definitions that appear in the tool.

- Government: Refers to any entity or individual, such as a public official, whether or not acting within the scope of his or her authority as long as that individual 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. For the purposes of this tool, tobacco industry does not include entities or individuals which are only retailers.

- Corporate social responsibility: 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 a company’s activities positively impact the environment, consumers, employees, communities, stakeholders and other members of the public sphere. These socially responsible business practices or activities may include, but are not limited to:

  o monetary contributions to humanitarian or other charitable causes

  o social investment including contributions, monetary or otherwise, to physical infrastructure, projects or programmes

  o donations of goods and/or services

  o 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.
Data collection

Option A
A. The participants may complete the Pacific TII tool (Annex 1) by interviewing the coordinator face-to-face or by phone and note their responses.
B. The responses should be scored and reviewed by the coordinator.

Option B
A. The coordinator may gather stakeholders in small groups to discuss each question.
B. The responses from each stakeholder group should be scored and reviewed by the coordinator.

Option C
A. The coordinator may bring together all stakeholders at once to discuss each question and a score is decided among the group.

Scoring

The coordinator then makes a summary score for each question by looking at the responses and making a determination based on the following:

a) If there is any “yes” response to a question that is backed up with documented evidence, it takes precedence over any “no” responses and the question receives a summary “yes” score. The rationale for the “yes” score should be indicated in the scoring summary.

b) If there is any “yes” response to a question, but no evidence provided, then the coordinator should consider the response to be “no”.

c) If there is any “yes” response to a question and only anecdotal evidence is available, then this evidence may be considered by the coordinator or committee when summarizing the scores.

d) If all the responses to a question are “no” or “don’t know/not sure”, then the response to that question should receive a summary “no” score.

Use the Scoring Summary Table in Annex 2 to record and add up the scores.

Efforts should be made to collect publicly available evidence (e.g. articles published in a newspaper, on a website, on social media, industry documents, etc.). This evidence should be included in the final report as an annex and labelled with the specific recommendation it is supporting/documenting. If there is evidence, it should be noted. If no documented evidence is available, but a respondent provides anecdotes that interference did take place, these may be considered by the coordinator or committee when summarizing the scores.

Consider evidence within the past five years. However, if incidents are known and documented but occurred prior to this period, these data may still be considered.
Pacific Tobacco Industry Interference Index Questionnaire

All questions are derived from the WHO FCTC Article 5.3 Guideline recommendations and may not be numbered in numerical order.

Recommendation 1

Raise awareness about the addictive and harmful nature of tobacco products and about tobacco industry interference with countries’ 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).

Recommendation 2

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 industry1 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).

Recommendation 2.2 of the WHO FCTC Article 5.3 Guidelines

3. Is there a government policy 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. announcement of the public hearing, website, etc.).

1. Interaction to regulate the tobacco industry may include sending correspondence to inform the tobacco industry about tobacco control laws or ordinances, carrying out registration or licensing of the tobacco industry or related entities according to tobacco control laws, etc.
Recommendation 3

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). If no documented evidence is available, but there is anecdotal evidence, please describe.

Recommendation 3.2 of the WHO FCTC Article 5.3 Guidelines

5. Has the government accepted, supported or endorsed any tobacco control initiatives that were organized, promoted, sponsored or involved the tobacco industry (e.g. a workshop on preventing illicit trade of tobacco, a 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.
If yes, please reference and/or attach evidence (e.g., web link, newspaper article, advertisement, photo, case study). If no documented evidence is available, but there is anecdotal evidence, please describe.

Recommendation 3.4 of the WHO FCTC Article 5.3 Guidelines

6. Has the tobacco industry offered the government assistance or collaboration in drafting any tobacco control policies or legislation?
   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 which policies or legislation the tobacco industry offered assistance with, regardless of whether the support is past, current or planned, and regardless of whether it was rejected or not.
Please reference evidence if available (e.g. web link, newspaper article, case studies). If no documented evidence is available, but there is anecdotal evidence, please describe.

Recommendation 4

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 they should comply with 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. ___ Yes, offered by the tobacco industry, but rejected by the government
   B. ___ Yes, 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). If no documented evidence is available, but there is anecdotal evidence, please describe.

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 with 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. 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. If no documented evidence is available, but there is anecdotal evidence, please describe.

Recommendation 4.10 and 4.11 of the WHO FCTC Article 5.3 Guidelines
12. Is there a government measure, such as a policy or law, that disallows any government official, employee of the government (or any semi/quasi-government or statutory body), political party, candidate or campaign to accept payments, gifts or services – monetary or in-kind – from the tobacco industry?
   A. ___ Yes, there are measures in place for government employees and political candidates/parties
   B. ___ Yes, there are measures in place for government employees or political candidates/parties, but not both.
   C. ___ No, there are no measures in place
   D. ___ Don’t know/Not sure
   If yes, please provide a copy of the policy.
Recommendation 5

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 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 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.

Recommendation 6

Denormalize 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 the public and government branches
   D. ___ No, no regular information is provided to the government or to the public about corporate social responsibility
   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).

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.

If yes, please also provide evidence of this partnership or support (e.g., web link, newspaper article, photo, case study).
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.

Recommendation 7

Do not give preferential treatment to the tobacco industry

Recommendation 7.1 of the WHO FCTC Article 5.3 Guidelines

19. Has the government accommodated requests from the tobacco industry for more time to implement or postpone 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 note, “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).
   If there is no evidence, note, “No documented evidence”.
Annex 2. Scoring Summary

Pacific Tobacco Industry Interference Index

Scoring instructions: In the “category” column, “P” indicates that the item relates to prevention measures. “I” indicates an incident of tobacco industry interference. The two are interpreted separately, but both are used when assessing the extent of tobacco industry interference. (When summarizing submissions, if one person answers “yes” and provides evidence, it supersedes any “no” or “don’t know/not sure” answers given by other respondents.)

After marking each answer, write the score that is in parentheses in the “score” column.

<table>
<thead>
<tr>
<th>Question</th>
<th>Answers</th>
<th>Score</th>
<th>Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>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?</td>
<td>A. __ Yes, programmes or campaigns targeted at civil servants only (+2)</td>
<td></td>
<td>P</td>
</tr>
<tr>
<td></td>
<td>B. __ Yes, programmes or campaigns targeted at the public only (+2)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>C. __ Yes, programmes or campaigns targeted at civil servants AND the public (+5)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>D. __ No, there are no targeted programmes or campaigns (-5)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>E. __ Don’t know/Not sure (0)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Has the government interacted with the tobacco industry for reasons beyond the purpose of regulating the tobacco industry and tobacco products?</td>
<td>A. __ Yes (+5)</td>
<td></td>
<td>I</td>
</tr>
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<td></td>
<td>B. __ No (-5)</td>
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<td></td>
<td>C. __ Don’t know/Not sure (0)</td>
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<td>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)?</td>
<td>A. __ Yes, there is a policy in place (+5)</td>
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<td></td>
<td>B. __ No, there is no policy in place (-5)</td>
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<td>C. __ Don’t know/Not sure (0)</td>
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<td>4. Has the tobacco industry drafted/offered a partnership or non-binding/unenforceable agreement (e.g. memorandum of understanding) with the government?</td>
<td>A. __ Yes, and the government has accepted it (+5)</td>
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<td>B. __ Yes, but the government has rejected it (+2)</td>
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<td></td>
<td>C. __ No (-5)</td>
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<td></td>
<td>D. __ Don’t know/Not sure (0)</td>
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<td>5. Has the government accepted, supported or endorsed any tobacco control initiatives that were organized, promoted, sponsored or involved the tobacco industry (e.g. a workshop on preventing illicit trade of tobacco, a smoke-free education programme for youth)?</td>
<td>A. __ Yes (+5)</td>
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<td></td>
<td>B. __ No (-5)</td>
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<td></td>
<td>C. __ Don’t know/Not sure (0)</td>
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<td>6. Has the tobacco industry offered the government assistance or collaboration in drafting any tobacco control policies?</td>
<td>A. __ Yes, and the government has accepted it (+5)</td>
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<td></td>
<td>B. __ Yes, but the government has rejected it, or it was some time ago (e.g. more than five years ago) (+2)</td>
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<td></td>
<td>C. __ No (-5)</td>
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<td></td>
<td>D. __ Don’t know/Not sure (0)</td>
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<td>Question</td>
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</tbody>
</table>
| 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 (+5)  
B. __ No, there is no policy in place (−5)  
C. __ Don’t know/Not sure (0)                                                                                                                 |       | P        |
| 8. Is there a code of conduct for public officials and civil servants that prescribes standards they should comply with in any of their interactions with the tobacco industry? | A. __ Yes, there is a code of conduct (+5)  
B. __ No, there is no code of conduct (−5)  
C. __ Don’t know/Not sure (0)                                                                                                                 |       | P        |
| 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 and accepted by the government (+5)  
B. __ Offered by the tobacco industry, but rejected by the government (+2)  
C. __ No such known offer by the tobacco industry (−5)  
D. __ Don’t know/Not sure (0)                                                                                                           |       | I        |
| 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. 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 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 are measures in place for government employees and political candidates/parties (+5)  
B. __ Yes, there is/are measure(s) in place for government employees or political candidates/parties (+2)  
C. __ No, there is/are no measure(s) in place (−5)  
D. __ Don’t know/Not sure (0)                                                                                                           |       | P        |
| 13. Is there a government policy that requires the tobacco industry to submit information on trade in tobacco products (e.g. manufacturing and/or import amounts, revenue) | 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        |
### PACIFIC TOBACCO INDUSTRY INTERFERENCE INDEX

A tool for monitoring the types and extent of tobacco industry interference

<table>
<thead>
<tr>
<th>Question</th>
<th>Answers</th>
<th>Score</th>
<th>Category</th>
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</thead>
<tbody>
<tr>
<td>14. Is there a government policy that requires registration of tobacco traders (manufacturers, importers, wholesalers, retailers, affiliated organizations, individuals working on their behalf, etc.)?</td>
<td>A. ___ Yes, there is a policy covering at least 3 of the examples (+5)</td>
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<td>B. ___ Yes, there is a policy covering 1 or 2 of the example areas (+2)</td>
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<td>C. ___ No, there is no policy (−5)</td>
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<td></td>
<td>D. ___ Don’t know/Not sure (0)</td>
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<td>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?</td>
<td>A. ___ Yes, but it informs only the public (+2)</td>
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<td></td>
<td>B. ___ Yes, but it informs only government branches (+2)</td>
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<td>C. ___ Yes, it informs both (+5)</td>
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<td></td>
<td>D. ___ No, no regular information is provided to the government or to the public (−5)</td>
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<td></td>
<td>E. ___ Don’t know/Not sure (0)</td>
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<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>
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<td></td>
<td>B. ___ No (−5)</td>
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<td>C. ___ Don’t know/Not sure (0)</td>
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<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 (+5)</td>
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<td></td>
<td>B. ___ No, there is no policy (−5)</td>
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<td>C. ___ Don’t know/Not sure (0)</td>
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<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 (+5)</td>
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<td>P</td>
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<td></td>
<td>B. ___ No, there is no policy (−5)</td>
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<td>C. ___ Don’t know/Not sure (0)</td>
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<td>19. Since 2010, has the government accommodated requests from the tobacco industry for more time to implement or postpone tobacco control laws (e.g. extending the time to implement graphic health warnings)?</td>
<td>A. ___ Yes (+5)</td>
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<td>P</td>
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<td></td>
<td>B. ___ No (−5)</td>
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<td>C. ___ Don’t know/Not sure (0)</td>
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<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>
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<td>P</td>
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<td></td>
<td>B. ___ No (−5)</td>
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<td>C. ___ Don’t know/Not sure (0)</td>
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**Total P (prevention) score:** __________  **Total I (incidents) score:** __________  **Overall score:** __________

Prevention score - Incidents score = Overall score
Annex 3. Recommendations of potential actions to take to address various types of tobacco industry interference

The following table can be used to summarise the current status of Article 5.3 Recommendations in your country and identify actions to address any gaps. While “actions to consider” are suggested in column 4, you can adapt them to fit your own context and put them in column 5 (“actions your country can take”). In column 6, you can name the key person(s) to initiate each of the actions identified. You can add another column for more details on the timeline for each action.

Additional options can be found in the International Union Against Tuberculosis and Lung Disease’s publication FCTC Article 5.3 Toolkit: Guidance for Governments on Preventing Tobacco Industry Interference, available at: https://bit.ly/2XdbqI9

<table>
<thead>
<tr>
<th>Pacific TII Index Question</th>
<th>Related recommendations of the WHO FCTC Article 5.3 Guidelines</th>
<th>Status based on Pacific TII Index results</th>
<th>Actions to consider</th>
<th>Actions your country can take (may be directly from column 4, adapted from column 4 or other actions)</th>
<th>Key person(s) to initiate each action</th>
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<tbody>
<tr>
<td>1</td>
<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>Pacific TII Index results</td>
<td>Public service commissions (PSC), or similar entities, may consider a training session on preventing tobacco industry interference for civil servants, particularly at the management level. Consider adding a session on preventing interference for new staff orientation.</td>
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<td>2</td>
<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>Pacific TII Index results</td>
<td>Governments may consider establishing guidelines for when interaction with the tobacco industry is considered necessary. An example is when the government needs to inform the tobacco industry of new laws or regulations.</td>
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<td>3</td>
<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, such as through public hearings, public notice of interactions and disclosure of records of such interactions to the public. Governments are not obligated to accept any suggestions made by the tobacco industry.</td>
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<td>4</td>
<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 accepting such partnerships and agreements. One method is to implement a policy or law prohibiting such partnerships or agreements. In implementing 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>
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<td>5</td>
<td>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.”</td>
<td>Governments are encouraged to refrain from accepting 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.</td>
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<td>6</td>
<td>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.”</td>
<td>Government are encouraged to refrain from accepting 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 other public health policies. In putting in place such policies, governments may cite Guiding Principle 1 of the WHO FCTC Article 5.3 Guidelines.</td>
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<td>7</td>
<td>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.”</td>
<td>If no code of conduct is in place, governments should consider mandating a policy on the disclosure and management of conflicts of interests 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.</td>
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<td>8</td>
<td>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.”</td>
<td>If no code of conduct is in place, governments 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.</td>
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<td>9</td>
<td>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.”</td>
<td>Status based on Pacific TII Index results</td>
<td>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.</td>
<td>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.</td>
<td>Key person(s) to initiate each action</td>
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<td>10</td>
<td>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.”</td>
<td>Status based on Pacific TII Index results</td>
<td>It is recommended that governments develop 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 similar entity.</td>
<td>It is recommended that governments develop 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 similar entity.</td>
<td>Key person(s) to initiate each action</td>
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<td>11</td>
<td>4.8 “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>Status based on Pacific TII Index results</td>
<td>Establish a national multisectoral coordinating mechanism or commission to support tobacco control and prevent tobacco industry interference. Such a mechanism or commission (which should include various government sectors) can help raise awareness about tobacco industry interference and how to prevent it. Governments should terminate the 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 bylaws.</td>
<td>Establish a national multisectoral coordinating mechanism or commission to support tobacco control and prevent tobacco industry interference. Such a mechanism or commission (which should include various government sectors) can help raise awareness about tobacco industry interference and how to prevent it. Governments should terminate the 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 bylaws.</td>
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<td>12</td>
<td>4.10 “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.” 4.11 “Taking into account national law and constitutional principles, Parties should have effective measures to prohibit contributions from the tobacco industry or any entity working to further its interests to political parties, candidates or campaigns, or to require full disclosure of such contributions.”</td>
<td>Governments should implement a policy or law that prohibits 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>
<td>Governments should implement a policy or law that prohibits 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>13</td>
<td>5.2 “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></td>
<td>Governments should 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 a national tobacco control law.</td>
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<td>14</td>
<td>5.3 “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>
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<td>Governments should 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 reporting requirements section.</td>
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<td>6.1 “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></td>
<td>Governments should 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 a government’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 it describes as socially responsible.</td>
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<td>16</td>
<td>6.2 “Parties should not endorse, support, form partnerships with or participate in activities of the tobacco industry described as socially responsible.”</td>
<td></td>
<td>It is strongly recommended that governments refrain from engaging in such partnerships. Governments may consider implementing a policy or law that prohibits partnerships or support for so-called corporate social responsibility activities from the tobacco industry, whether attributed or not.</td>
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<td>17</td>
<td>6.3 “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></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, such as in an annual report.</td>
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<td>18</td>
<td>6.4 “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 the 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 any compensation due to legal settlements or mandated by law or legally binding and enforceable agreements.</td>
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<tr>
<td>19</td>
<td>7.1 “Parties should not grant incentives, privileges or benefits to the tobacco industry to establish or run their businesses.”</td>
<td>Governments do not need to accommodate requests from the tobacco industry.</td>
<td></td>
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<tr>
<td>20</td>
<td>7.3 “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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</tr>
</tbody>
</table>

_____________________________ Tobacco Industry Interference Index Summary Report

(name of Pacific island country/area)  

____________________________ (date)

Introduction

The Pacific Tobacco Industry Interference (TII) Index was completed in _________________________ (month, year) with input from _______ (number) participants. This report summarizes the results of the ___________________ (name of Pacific island)'s TII Index, scores the results and makes recommendations for potential steps to implement the World Health Organization Framework Convention on Tobacco Control (WHO FCTC) Article 5.3 Guidelines.

Methods

Participants

Describe the number of participants in each category sector (e.g., civil society, government, academia, community) who completed the Pacific TII Index Tool. (See Section 3.1 in the instructions section.) Include a description of the methodology you used (e.g., option A, B or C under section 3.2 in the instructions section) and a brief description of the general experience/awareness about tobacco industry interference among the participants.

Data collection

Describe the process to collect information and evidence. (See Section 3.2 in the instructions section.)

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 incidents measures can range from −45 to +45. Prevention and incidents scores are first totalled separately, then used to calculate the overall interference score. The overall score is determined by using this formula:

\[
\text{Prevention score} - \text{Incident(s) score} = \text{Overall score}.
\]
Results

The total score for the TII Index was ___________________.

Among the 11 prevention measures, ____________________ had “no” measure(s) to prevent tobacco industry interference, ______ partial measure(s) in place to prevent interference and ______ “don’t know/not sure” answer(s).

Among the nine incident measures, ____________________ had ______ type(s) of tobacco industry interference incidents, _____ potential type(s) of interference incidents (that were rejected by the government) and _____ “no” experience(s) of such incidents. There are several actions that may consider to strengthen prevention of tobacco industry interference.

Discussion

There are several prevention measures identified in the WHO FCTC Guidelines for Implementation of Article 5.3 Guidelines that as a Party to the WHO FCTC should implement.

Please use Annex 3 to:

a) review the Article 5.3 recommendations (column 2)
b) identify the current status of implementation (column 3)
c) review the examples of activities to implement the recommendations (column 4)
d) identify how actions will be adapted for local context (column 5)
e) identify stakeholders to involve to take action (column 6)

Once you complete the table in Annex 3, identify a few priority actions from column 5 that could be taken in the short-term (within 6 to 18 months) and summarize them below.
Notes: