

TERMS OF REFERENCE

Consultancy for finalization of the 'Guidelines for dealing with the tobacco industry' (WHO FCTC art 5.3) and conducting training sessions on awareness of tobacco industry interference

Background

The FCTC 2030 project provides support to countries that demonstrated commitment to advance tobacco control; the project, is jointly conducted by the World Health Organization, the Secretariat of the Framework Convention on Tobacco Control (FCTC), and the United Nations Development Programme (UNDP). Funding is provided by the Governments of United Kingdom, Australia, and Norway. The FCTC 2030 project aims to accelerate achievement of the SDGs through strengthening the tobacco control measures that countries have pledged to adopt by becoming parties to the Convention. Suriname, with its model comprehensive Tobacco Act of 2013, was among the countries selected through a successful competitive application process.

Article 5.3 of the WHO FCTC requires Parties to “act to protect [tobacco control] policies from commercial and other vested interests of the tobacco industry in accordance with national law”. This overarching principle was subsequently elaborated into the Guidelines for Implementation of Article 5.3 of the WHO FCTC. Based on the UNDP discussion paper “WHO FCTC Article 5.3 - Elements to consider for strengthening measures to prevent tobacco industry interference in Suriname” and WHO FCTC Guidelines to implement article 5.3, stakeholders’ consultations were conducted. This resulted in a document brief describing the next steps and semi-final ‘Guidelines for dealing with the Tobacco Industry’, accompanied by a checklist.

Rationale

Tobacco industry Interference (TII) is a cause for concern in the Americas– including Suriname. By becoming parties to the WHO FCTC many countries in this region achieved significant progress in implementing recommended tobacco control interventions; however, there are insufficient mechanisms to protect public health policy from TII, as set forth in FCTC’s Article 5.3¹. The influence of the industry’s commercial and other vested interests impacts tobacco control progress and efforts to strengthen regulations. Like in other regions, the tobacco industry has used various tactics to influence governments and block, delay, or weaken tobacco control policies.

The Ministry of Health is committed to further enhance implementation of art. 5.3. The 2022 tobacco amendment act submitted to parliament includes an amendment on the Tobacco Act article 8 (Corporate social Responsibility) with the addition of 2 paragraphs:

- The tobacco industry shall be prohibited from exercising any influence in the development, implementation, or enforcement of tobacco policy.
- By decree of the Minister, further guidelines shall be laid down for government officials on how to address the tobacco industry.

Objective

This consultancy is a follow up to the 2021 consultancy and is to provide technical support to the Ministry of Health in the implementation of WHO FCTC article 5.3.

The consultant will work in collaboration with the Ministry’s legal department and consultant and other relevant government sectors involved, towards finalizing the guidelines and checklist

¹PAHO, “Report on Tobacco Control for the Region of the Americas. WHO Framework Convention on Tobacco Control: 10 Years Later,” 2016.

(incl. the Conflict of interest (COI) for all civil servants. Furthermore, the consultant will develop a training module on “Preventing TI interference for civil servants” and subsequently conduct 2 training sessions for civil servants and policy makers (incl. selected members of parliament).

Duties and responsibilities

In consultation with the Ministry of Health, PAHO/WHO and the Convention Secretariat the consultant will be responsible for:

1. Finalizing the “Guidelines for dealing with the tobacco industry” and checklist (incl. the Conflict of interest (COI) form for all civil servants
2. Design a training module for civil servants and policy makers, that includes:
 - General knowledge about the WHO FCTC and article 5.3
 - Tobacco Industry Interference strategies and tactics in general
 - Specific tactics: avoiding Conflicts of Interests, Corporate Social Responsibility
 - Learning how to document dealings with the Tobacco Industry
 - Working with the guidelines and checklists
3. Draft invitations for training sessions aimed at a diverse group of civil servants and parliamentarians
4. Conduct training sessions for relevant ministries/institutions and policymakers (parliamentarians)- at least 2 sessions (tbd in consultation with PAHO/WHO and MOH)
5. Initiate and conduct a meeting with the Ministry of Home Affairs to inform about the guidelines, checklist and conflict of interest forms to strengthen compliance with article 5.3. and potentially to issue a joint statement with the Ministry of Health
6. Submitting:
 - a. Final ‘Guidelines for dealing with the tobacco industry” and checklist (incl. the Conflict of interest (COI) form for all civil servants
 - b. Draft training module that reflects the content of Art 5.3, TI strategies and tactics (scenarios and settings), documenting dealings with the TI and working with the guidelines/ set of PowerPoint presentations/pre-and post-tests for the training
 - c. Final training module
 - d. Consultancy report- describing the process towards finalization of the guidelines, delivering the training sessions, recommendations, and follow-up on the collaboration with the Ministry of Home Affairs.

Note: consultant will draft the invitations for training sessions and introductory session. The Ministry of Health, supported by the PAHO/WHO will be responsible for sending out invitations, seeking confirmation and booking a suitable venue (incl. refreshments) for the sessions. Sessions will be conducted in person, with a maximum of 10-15 persons/session.

Deliverables, due date, and payment

Nr	Deliverable	Due date	Payment schedule
1	Final Guidelines for dealing with the tobacco industry” and checklist (incl. the Conflict of interest (COI) form for all civil servants/ policymakers	10 October 2023	Payment 1 upon approval of deliverable- 25%
2	Draft training module/ set of PowerPoint presentations/pre-and post-tests for the training	20 October 2023	Payment 2 upon approval of deliverable - 25%
3	<ol style="list-style-type: none"> 1. Final training module 2. Consultancy report- content according to bullet 6d (duties and responsibilities) 	20th November 2023	Payment 3 upon approval of deliverables- 50%

	Note: all products will be developed in Dutch		
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Reporting

The consultant will regularly report on progress of the deliverables to the PAHO/WHO NCD officer, and the Convention Secretariat and the Ministry of Health.

Period of assignment

15 September 2023 – 20 November 2023

Profile of the consultant

The qualifications needed to complete the consultancy are:

- Degree in Public Health, Public Policy, Law, Social Sciences or related field
- Local consultant proficient in Dutch and English.
- Knowledge of WHO FCTC, tobacco law and its regional and national response.
- At least 7 years' experience in community and civil sector engagement in health and social related matters.
- Proven proficiency in writing guidelines, code of conduct and developing courses.