

Pacific Heads of Health

Réunion des directeurs de la santé du Pacifique

Pacific NCD Legislative Framework: **Progress Update**

Background

- **Legislative measures** are important tools in addressing NCD epidemic
- NCD related laws and regulations in most PICTs **need expanding and/or strengthening**
- HoH proposed secretariat to develop a concept note on a **Pacific Legislative Framework (PLF) for NCD**
- The PLF concept note was **approved by PHMM** in 2017
- **Three options** were proposed at the HoH meeting in 2018:
 1. Incorporating all the legislative measures deemed appropriate to address NCD
 2. Focusing on the gaps that currently exist and adding these onto the existing legislative measures; and
 3. Strengthening current practice and existing legislative measures

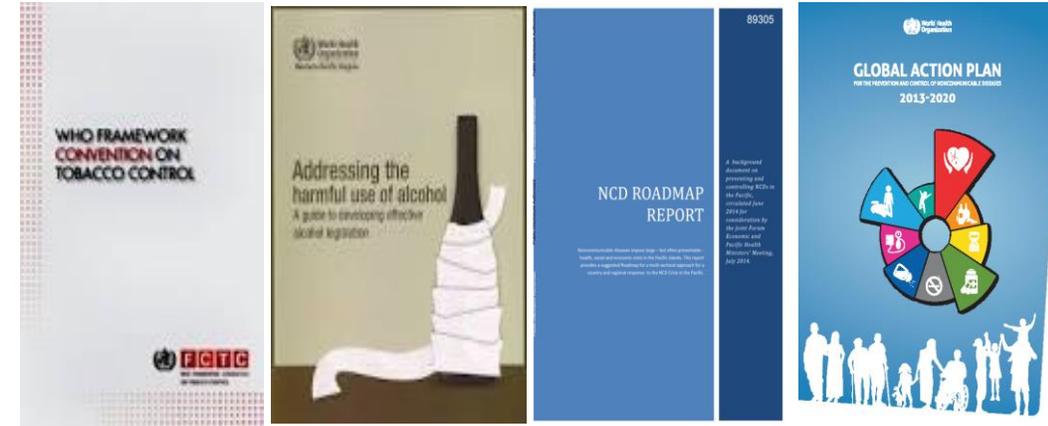
The Heads of Health agreed that the secretariat should proceed with developing **option 1** for further discussion and decision in 2019



Progress

Legislative policy review and analysis

- A Legislative Drafting Consultant has undertaken legislative policy review and analysis, and initiated the development of PLF
- NCD related global and regional policies, legislation, frameworks and strategic documents were assessed and analysed with a view to develop PLF in the Pacific context
- PICTs' existing NCD related policy and legislation documents have been reviewed, and key policy and legislation gaps have also been identified using Pacific MANA Dashboards



Description	Pacific Island countries and territories (N=21)																				
	A Samoa	Cook Islands	FSM	Fiji	French P	Guam	Kiribati	Nauru	Niue	New Caledonia	Palau	PNG	RMI	Samoa	Solomon Islands	Tokelau	Tonga	Tuvalu	Vanuatu	W/GE	
F1. Reducing salt consumption		★	★★★	★★★	★★	★	★★	★		★★	★	★	★	★	★						
F2. Trans-fats																					
F3. Unhealthy food marketing to children							★★★														
F4. Food fiscal policies			★	★	★		★★★	★	★★			★	★	★	★	★	★	★	★	★	★
F5. Healthy food policies in schools	★★	★	NA	★	★★★	★	★		★★	★				★							

Progress

Consultation meetings

- Consultation meetings were undertaken with **experts from partner agencies and academic institutions**
 - E.g. Commonwealth Secretariat, WHO, SPC, Pacific Islands Forum Secretariat, UNICEF, McCabe Centre for Law and Cancer, University of Sydney, and University of Auckland
 - Challenges, gaps, feasibility and scope of work for the proposed PLF were discussed
- The **first regional consultation workshop** was conducted in March 2019
 - Legislative drafters from PICTs and NCD health policy experts from partner agencies
 - Discussed the content, scope, structure and approach to the development of PLF



Drafting the Framework

The draft PLF will cover:

- **Introductory matters**
- **Status of NCD legislation**, e.g.
 - Legislation gaps and priorities identified in the PICTs' MANA Dashboards
- **NCD legislative framework on key NCD risk factors**, e.g.
 - Tobacco control (e.g. packaging and labelling, tobacco industry interference etc.)
 - Alcohol control (e.g. alcohol advertising, liquor licensing etc.)
 - Unhealthy foods and drinks (e.g. marketing of unhealthy foods and non-alcoholic beverages to children, breast milk substitutes etc.)
 - Others (e.g. taxation etc.)

Progress

- **Three key components of draft PLF (Example (early draft) provided in Annex)**
 1. Legislative policies
 - States the main objective and the reasons or basis of policies to guide PICTs when implementing the PLF
 2. Legislation plan
 - Guides the drafting of legislative provisions
 3. Legislative provisions
 - Assists PICTs in determining the appropriate legislative draft provisions to strengthen the prevention and control of NCD in their respective countries

The consultation workshop in March proposed that:

- The PLF be seen as a guide or reference resource for PICTs to use
- Following any regional endorsement, Ministries of Health would initiate any national approach (e.g. policy brief, cabinet paper)
- The PLF would be a useful resource for legislative drafters and policy officers to refer to once this national process had commenced



Key Challenges

- Developing a comprehensive PLF can potentially be a **long process** and certain aspects might not be palatable to all PICTs
- The process will **require consultation with stakeholders** in all relevant sectors
- The **involvement of both NCD policy experts and legislation experts** is important
- Different government authorities deal with different pieces of NCD legislation. An **integrated government approach** is crucial to strengthen the utilisation of the PLF once endorsed
- Consideration is needed for the **final level of endorsement** of the PLF

Future Direction

- The PLF would be **regionally owned** and would harness the power of Pacific through **collective action** to **accelerate implementation** of the Pacific NCD Roadmap
- If the proposed structure for the PLF is supported by HoH, the secretariat will work further with PICTs and partner agencies and carry out **further multi-stakeholders consultations**
- An updated version of this paper, outlining progress will be **presented to the PHMM in 2019** for consideration
- The **PLF will be further developed** and presented in HoH and PHMM for **endorsement once completed**
- Once finalised and endorsed, a **comparative analysis** can be undertaken using gap analysis of national NCD laws and comparing them with PFL to **identify loopholes in national laws** to be remedied through NCD legislative reforms in respective countries

Recommendations

Recommendations for HoH:

HoH are invited to:

- Note the progress on the drafting of PLF
- Review the proposed structure and approach in drafting PLF with a view to endorse (example section (early draft) provided in the Annex) this approach and to present at PHMM 2019 for further discussion and decision
- Support the development of a PLF and advocate for multi-stakeholder involvement at both regional and national level consultations

Recommendations for development partners:

Development partners are invited to:

- Support and invest more resource for drafting and finalising the proposed PFL
- Advocate and raise awareness on the progress of PLF development at national, regional and international levels