A conflict of commitments? International economic commitments and WHO FCTC implementation in Kenya, Malawi and Zambia

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INTRODUCTION

Framework Convention on Tobacco Control (FCTC) is the first public health treaty negotiated under the auspices of WHO

- Adopted by the WHA in 2003, entered into force in 2005
- To date, 180 countries ratified WHO FCTC globally; 43/47 countries in the African region ratified (38) or acceded (5)

The WHO FCTC is an international regime to strengthen and harmonize tobacco control across member states, often enmeshed in complex web of international norms that may have a barbing on ‘how’ governments approach the FCTC implementation in respective countries

Currently, limited understanding of ‘how’ non-health sectors view the FCTC and to what extent they perceive conflict/s between the FCTC vs. other international (economic) commitments

Situating FCTC adoption and implementation in the web of norms, this study explores the proposition: norm divergence at the international level perpetuates policy divergence within governments in the three African countries, and addresses two research questions

1. How do the study participants in different sectors understand or interpret the meaning of the FCTC?
2. How do the study participants perceive the relationship between the FCTC and non-health norms?

METHODOLOGY

Theoretical framework
- The study uses ‘norm’ lens to examine the relationship between FCTC and other international norms, primarily economic agreements

Data collection
- Purposive and snowball sampling technique to recruit participants from different government sectors, non-governmental organizations, inter-governmental organizations, and tobacco industry
- Key Informant Interview : Kenya (17); Malawi (15) and Zambia (23)

Analytic strategy
- Deductive analysis of transcripts and notes to identify reference to international norms (commitments, agreements and institutions)
- Inductive analysis interpreting the ‘meaning’ ascribed to these norms by the participants

Ethics approval
- Institutional Review Board (IRB) approval from McGill University, Morehouse University (American Cancer Society)

ANALYSIS

A. Awareness of FCTC and its regulatory provisions
- Familiarity with FCTC among study participants from health sector outweighed most non-health sector participants in Kenya and Zambia

“Many of the government institutions, when you start mentioning the FCTC they [non-health sector] think it’s dropped from the moon” - WHO official in Kenya

“The ratification of FCTC is still being discussed” - Zambian Foreign Trade respondent

Contrastingly, non-health sectors and civil society in Malawi were widely aware of FCTC, citing the economic significance of tobacco

Without tobacco revenues, “FOREX shortages would be more acute….and you need the FOREX to buy malaria drugs and other life savings drugs such as HIV drugs etc.” - Malawi Investment and Trade Centre respondent

B. Perceptions of FCTC implementation
- FCTC served to strengthen country’s domestic tobacco control efforts by providing support for Tobacco Control Act (TCA) - 2007

Amidst competing priorities and implementation challenges, optimism for FCTC full compliance was evident [Kenyan supreme court’s verdict upholding tobacco control regulations compliant to FCTC, was a response against British American Tobacco (BAT) Kenya Limited]

Non-health sector participants in Zambia perceived FCTC implementation largely conflicts with country’s economic commitments

“The health sector must have signed those protocols on behalf of the country without wider consultation with other sectors such as agriculture….we are just victims of the decision (laughter) and then we are expected to abide by laws” - Agribusiness Zambia respondent

Malawi government has done little domestically in tobacco control

Unlike Kenya and Zambia, Ministry of Agriculture and Tobacco Control Commission in Malawi has the mandate for tobacco control leadership and implementation

C. Perceptions of ‘conflicts’ between FCTC & International Commitments
- All 3 countries are members of multilateral (WTO) as well as regional trade and economic cooperation organizations

Norms of regional organizations (targeting economic growth in the region) conflicts with FCTC

Rift between domestic public health and economic interests were evident in all countries

CONCLUSION

Tobacco control norms are enmeshed in a web of multilateral commitments at both international (WTO) and regional (EAC, COMESA, SADC) levels

The ‘perceived’ conflict/s between the FCTC and international economic commitments is a key obstacle to FCTC adoption and implementation and the reasons include;

- A genuine misunderstanding of the relationship between international commitments
- The power of economic interests to shape policy discourse
- A structural divide between sectors in the form of ‘bureaucratic silos’

REFERENCES


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