

Terms of Reference

Alliance for Tobacco and Nicotine Control (ATNiC)

1. Background

Pakistan continues to see high levels of tobacco consumption, with close to 20% of adults (aged 15+) currently using tobacco in some form, and 12% using tobacco via smoking. An alarmingly high level of adults (72%) are exposed to secondhand smoke at the workplace and over 37% of youth are exposed to such smoke in public places. It is therefore little surprise that tobacco kills over 160,000 people every year in Pakistan, with over 30% of these deaths due to second-hand smoke exposure. Economists have estimated the annual cost of smoking in Pakistan at Rs. 615 billion (\$3.85 billion), which is almost five times the tax revenue generated by the tobacco industry. In recent years, there has also been a significant rise in the sale and use of new tobacco and nicotine products (NTNPs) like electronic nicotine delivery systems (ENDS), heated tobacco products (HTPs) and oral nicotine pouches (ONPs).

Pakistan's record at tobacco control is mixed. There is a National Tobacco Control cell in the Ministry of Health, and a technical working group on tobacco taxation. Monitoring of tobacco use takes place regularly, with recent surveys of adults and youth having taken place within the last 2 years. While Smoke-free laws with penalties and fines are in place for most public places, enforcement is still extremely weak and very few public places can be classified as smoke-free in most cities. There has been some progress on health warnings over the years, with graphic warnings now covering 60% of cigarette packs (front and back); however, the industry has managed to avoid implementation of the recommended increase in warning size to 85% that was agreed in 2015. No warnings are in place yet for smokeless tobacco products, while only text warnings are in place for heated tobacco products.

Studies have also found that tobacco products are still widely placed at points of sale (POS) and the bans on underage sales, sales around schools, and loose cigarettes are being widely flouted. While tobacco promotion and distribution is banned, no advertising restrictions are in place for smokeless tobacco products (SLT), e-cigarettes, HTPs and nicotine pouches (which is being exploited by tobacco companies through the advertising of new products like nicotine pouches, for which mass marketing targeted at youth has taken place through the internet and POS). The rise in use of these new tobacco and nicotine products (NTNPs) (which are often misleadingly marketed as 'harm reduction' alternatives) among young people is also a growing cause for concern. In 2022, HTPs were regularized by order of the Cabinet, opening the door for under-regulated use of NTNPs in Pakistan.

In recent years, the government has significantly increased excise duties on cigarettes as part of tax measures agreed upon during negotiations with the IMF, causing cigarette prices to more than double - a welcome change after years of Pakistani cigarettes being among the most affordable in the world. However, in response, the tobacco industry has already started raising the spectre of cigarette smuggling and lower sales, raising questions about whether the increased taxes will be

averted through misreporting of sales. Under-reporting of sales by the industry remains a major challenge in terms of tobacco tax policy, and a track and trace system for cigarettes is still in the process of implementation, which requires effective monitoring support.

Overall, amid the shifting tobacco landscape of the country, there is an urgent need for collaborative and coordinated action among tobacco control proponents outside and within government for effective and sustainable tobacco control policies in line with the Framework Convention on Tobacco Control (FCTC) that can reduce tobacco and nicotine consumption in Pakistan.

In light of this context Consortium for Control of Tobacco and Nicotine Products (TNPs) Use in Pakistan is being established to bring together organizations, institutions and experts working on TNP control that can provide collaborative oversight of tobacco control policy, build common agendas and plans among TC proponents, generate, synthesize and disseminate evidence on TNPs, carry out sensitization efforts for strengthened TC policies and implementation, raise resources for tobacco control efforts and implement coordinated activities and campaigns for common TC policy objectives.

This document outlines the Terms of Reference (TORs) for the Consortium of experts for Tobacco and Nicotine Products (TNPs) control in Pakistan (hereby referred to as the Consortium). The Consortium is a multi-stakeholder body committed to strengthening tobacco control policies in Pakistan.

2. Vision

To create a tobacco-free Pakistan through effective oversight of tobacco control policy, robust evidence generation, collaborative support and promotion of best-practice policies.

3. Objectives

- To foster improved collaboration, coordination and communication among stakeholders working to strengthen tobacco control, in Pakistan.
- To oversee independently, Pakistan's implementation of the WHO Framework Convention on Tobacco Control (FCTC) and all Federal and Provincial tobacco control policies.
- To generate and synthesize high-quality indigenous/ local research and evidence on; i) tobacco and nicotine use, ii) its health, social and economic impact and iii) operational policies for tobacco control.
- To advocate for the approval and enforcement of evidence-based, best practice tobacco control policies at national and sub-national levels.
- To orchestrate uniform strategy against interference of the tobacco industry in tobacco control policy, in Pakistan.
- To build capacity within the Consortium membership on tobacco control policy, research, and to support action.
- To promote public awareness and carry out campaigns about the harms of tobacco use, benefits of tobacco control and influence behavioral changes among tobacco and nicotine users.

4. Membership

The Consortium will be open to a broad range of stakeholders committed to tobacco control in Pakistan (except for those linked to the tobacco industry), and may include representatives from:

- Civil society organizations (CSOs) working on areas linked to tobacco control
- Academics and academic and research institutions
- Multilateral institutions (e.g., WHO)
- Tobacco control cells (TCCs) of Federal and Provincial governments
- Tobacco control organizations/ INGOs working to reduce tobacco use
- Medical professionals (Doctors, Nurses, Public Health specialists)
- Legal experts specializing in public health legislation and regulation.
- Journalists specializing in health reporting.
- Consumer protection organizations.
- Other relevant stakeholders (e.g., pro-health celebrities/ influencers and faith leaders) as deemed appropriate.

4.1. Membership tiers:

The consortium will have multi-tiered membership within the consortium to promote accountability among members and ensure the effectiveness and far-reaching impact of the consortium's activities, with each tier having distinct roles, responsibilities, and privileges tailored to enhance collaboration and performance.

These tiers shall include:

Voting members: Representatives of organizations with the right to cast vote in decisions of the consortium (not applicable to individual experts.)

Non-voting members/Observers: Individual experts on tobacco and nicotine control that may be engaged by the consortium, including but not limited to academics, journalists, legal experts, campaign and communication specialists, social media experts, etc. While they will be able to participate in consortium proceedings, they will not be able to vote in decisions of the consortium. Observers will include prospective members (representatives of organizations that are on the waiting list for full membership). Like non-voting members, these too, will be able to participate in consortium proceedings but not have the right to cast votes).

4.2. Inclusion criteria for Membership:

The consortium will consider for membership organizations with the following characteristics:

- a. The organization's mission and activities must demonstrably align with the vision, goals and objectives of ATNiC (i.e., it must be committed to the attainment of a tobacco-free Pakistan and support the strengthening and implementation of best-practice tobacco control policies in line with FCTC).

- b. The organization must be a registered public sector, civil society, non-profit, academic, research or community organization in Pakistan.
- c. The organization must be operating with transparency and accountability, demonstrably adhering to good governance practices, with a demonstrable track record.
- d. The organization should possess relevant expertise and resources to contribute meaningfully to the consortium's activities (e.g., research, advocacy, communication).

Additional considerations for inclusion:

For the purposes of membership, the consortium will take into account concerns like geographic representation (to ensure representation of organizations from all provinces and regions) and thematic diversity (to ensure consortium can benefit from organizations of various specialties and areas of expertise, including public health, consumer protection, communications, research, and legal advocacy, among others) as well as the history and track record of the organizations under consideration for membership.

4.3.Exclusion criteria for membership

The consortium will not consider for membership:

- a. Organizations with any financial or other ties to the tobacco industry or entities that promote tobacco use.
- b. Organizations directly affiliated with political parties (Organizations advocating for tobacco control policies from a non-partisan perspective may be considered).
- c. Organizations that engage in discriminatory practices or promote ideologies that contradict the tobacco control or public health goals of the consortium.

4.4.Selection Process:

Membership applications will be reviewed by the Chair in discussion with consortium members, through a transparent process. An application form will be made accessible on the consortium website for potential members to provide relevant information about their organization's mission, activities, and expertise.

5. Governance and procedures

- The consortium will have a dedicated secretariat accessible at tobaccoControl@Heartfile.org
- The consortium's Chair will be elected from amongst the members, on a rotating basis every two years.
- The Consortium will hold quarterly meetings to share information, discuss progress, and plan activities.
- Extraordinary meetings of the Consortium may be held on a needs-basis.

- Notice of each meeting shall be given in advance with at least one week's notice by the Chair.
- For major decisions, a quorum of at least two-thirds of the member organizations should be observed. However, the committee may deliberate and decide on routine matters with a smaller quorum.
- Minutes of the meetings will be made available to members after the meeting by the consortium secretariat.
- As part of its inception, the Consortium members will develop and agree on a yearly plan, based on which consortium activities will take place.
- The Consortium may establish working groups on specific areas of focus, including NTNPs, SLT and others as needed (see Section 7 below).
- The consortium will have a dedicated web page on Heartfile.org (the founding chair), dedicated social media handles and an up-to-date mailing list duly maintained by the secretariat.

6. Activities

6.1. Public oversight through:

- Reviewing Pakistan's progress in implementing the FCTC and National and Provincial tobacco control laws and policies.
- Developing tobacco control agendas, monitoring reports and proposals for advancing common tobacco control objectives.
- Monitoring and reporting gaps and challenges in implementation of existing policies, including for smoking in public places and public transport, TAPS restrictions, sales restrictions, tobacco tax measures and other areas.
- Provision of technical support through recommendations and policy advice to government institutions, (including Federal and Provincial health ministries and departments, tax authorities, as well as elected representatives and parliamentarians) for strengthening tobacco control measures, if requested.
- Monitoring and reporting tobacco industry tactics and attempts to influence policymaking and advocate for full implementation of Article 5.3 of the FCTC against TI interference.

6.2. Research and Evidence Synthesis:

- Conduct research on the prevalence, patterns, and impact of tobacco and nicotine use in Pakistan and any burning issues pertaining to TNP control in Pakistan.
- Develop, review and endorse existing position papers, policy briefs, fact sheets and case studies to inform and reform tobacco control efforts/ initiatives.
- Analyse the effectiveness of existing tobacco control policies in Pakistan and around the world.
- Synthesize and disseminate evidence to develop informed policy planning.

6.3. Collaborative sensitization and public awareness:

- Collaboratively develop and sensitize both the public and policy makers for the adoption of comprehensive tobacco control policies at National and sub-national levels.
- Engage with policymakers, parliamentarians, and government officials on tobacco control issues.
- Mobilize public support for tobacco control measures.

6.4. Communication and Coordination:

- Improve communication and coordination between organizations, individuals and stakeholders working to advance tobacco control.
- Establish communication platforms for strengthening information and knowledge sharing within organizations working on tobacco and nicotine control.
- Develop and disseminate collaborative public awareness campaigns about the harms of tobacco and nicotine use.
- Develop and disseminate collaborative digital and offline campaigns for stronger tobacco tax and policy measures in specific moments in the calendar year.
- Engage with journalists and media to promote tobacco control messages and campaigns.
- Facilitate dialogue and knowledge sharing among stakeholders.

6.5. Capacity Building:

- Organize training workshops and seminars for Consortium members and relevant stakeholders on various aspects of tobacco control.
- Develop and share resources on tobacco control policy, research, and catalyze public action, on regular basis.

7. Working Groups:

- The Consortium may notify working groups to carry out research, promote specific policy areas, campaigns, or other activities on specific policy areas within tobacco and nicotine product control. This may consist of working groups comprised of individual experts and organizations working in the areas of NTNPs, SLT, tobacco tax, tobacco control monitoring, and other relevant areas.
- Working groups will be convened separately under their own TORs and objectives.
- Research, position papers and other materials developed by working groups will be shared with the consortium for use in the Consortium's own plans and activities.

8. Resources

To begin with, member organizations may voluntarily pool their technical and human resources, subject to the availability of such resources, to conduct activities recommended by the Consortium. In future, the Consortium may seek funding from various sources, including member organizations, to support its activities, such as grants from national and international donors, membership fees, and fundraising events. While this approach may not be immediately

necessary, Consortium members are open to collectively seek funding in future to further their shared objectives.

9. Transparency and Accountability

- The Consortium will operate with transparency and accountability.
- The Consortium will have a conflict-of-interest declaration policy to ensure the integrity of its work.

10. Amendments

These Terms of Reference may be amended by a two-thirds majority vote of the members present at a duly convened meeting of the Consortium.