

NEEDS ASSESSMENT FOR THE IMPLEMENTATION OF THE WHO FRAMEWORK CONVENTION ON TOBACCO CONTROL

Background note by the Convention Secretariat

Introduction

The WHO Framework Convention on Tobacco Control (WHO FCTC) recognizes the need to generate global action to enable all Parties to implement the provisions of the Convention, on the basis of accurate information concerning Parties and their needs.

Article 21 calls on Parties periodically to submit to the Conference of Parties implementation reports, including details of any difficulties they face in implementing the provisions of the Convention. Article 26 recognizes the importance that financial resources play in achieving the objectives of the Convention. At its first session, in February 2006, the Conference of Parties (COP) called upon developed country Parties to provide technical and financial support to developing country Parties and Parties with economies in transition. The COP, in decision FCTC/COP1(13), also requested that detailed needs assessments be carried out at country level, especially in developing countries and countries with economies in transition, to ensure that lower-resource Parties are supported in fully meeting their obligations under the treaty.

This document outlines the process and methodology for conducting such needs assessments, on the basis of the provisions of the WHO FCTC.

Background

The Convention Secretariat was requested to develop and continuously update a database on available funding, taking into account the contents of country reports to the COP, and to make it available to the Parties in order to assist them in identifying sources of funding and other resources. The Convention Secretariat has since developed and continues to update the database on available resource to assist countries in implementing the Convention. The Convention Secretariat was further requested to assist developing country Parties and Parties with economies in transition, upon request, in conducting needs assessments, to advise them on existing mechanisms of funding and technical assistance, and to provide information to development partners on the needs identified.¹

At its second session, in July 2007, the COP asked the Convention Secretariat to actively seek extrabudgetary contributions specifically for the purpose of assisting Parties in need in carrying out needs assessments and in developing project and programme proposals for financial assistance from all available funding sources.

¹ *Decision FCTC/COP1 (13).*

The COP also invited the Director-General of WHO to support the Convention Secretariat in assisting Parties in need in developing project and programme proposals for financial assistance from all available funding sources, including, inter alia, by bringing this aspect of the work of the Convention Secretariat to the attention of potential donors during funding negotiations and by actively encouraging contributions from donors towards this work.

At its third and fourth session, in November 2008 and 2010 respectively, the COP adopted the workplan and budget for the biennium of 2010–11 and subsequently 2012–2013. The workplan, inter alia, stressed the importance of assisting developing country Parties and Parties with economies in transition, strengthening coordination with international organizations, and aligning tobacco control policies at country level to promote the implementation of the Convention. Needs assessments, combined with the promotion of access to available resources, the promotion of treaty tools at country level, the transfer of expertise and technology, and south-to-south cooperation were outlined as major components of this work. To accomplish such a country assistance package, and in the light of the fact that the voluntary assessed contributions of Parties, as projected, would not cover this part of the workplan, the COP also called for extrabudgetary contributions and authorized the Convention Secretariat to seek and receive such contributions in order to be able to fully implement the workplan.

The fourth session of the COP fully recognized the importance of international cooperation and the potential contribution of the United Nations system, particularly through the United Nations Development Assistance Framework (UNDAF) and the role of other relevant international, regional and subregional organizations, financial institutions and other potential development partners in assisting Parties in implementing the WHO FCTC. It requested the Convention Secretariat to continue to actively work with international organizations and bodies, and in particular the United Nations agencies responsible for implementation of the UNDAF and to coordinate the delivery of assistance.

Procedure

If a Party wishes to request the support from the Convention Secretariat to conduct the needs assessment, the competent authority can send an official request letter to the Convention Secretariat. A focal point to coordinate the mission from the Government side should be designated in the request letter to facilitate further communication. Contacts details including emails should also be provided. The request letter could also be sent to the following email: ftcsecretariat@who.int

Scope

Needs assessments are required to enable the identification of the objectives to be accomplished under the WHO FCTC, the resources available to a Party for the implementation of those objectives, and any gaps in the required resources. They should therefore be comprehensive and be based on all substantive articles of the Convention, with a view to establishing a baseline of needs that a Party requires to fulfil its obligations under the Convention. Once the needs are identified, countries should first look into their own resources to fulfill these obligations. Such assessments would also serve as a basis for developing the programmes and projects needed to meet obligations under the Convention, particularly in lower-resource

countries, and for promoting and accelerating access to internationally available resources required for implementation of the Convention.

Actors

The needs assessment process, including the development of project and programme proposals for financial assistance when relevant, therefore includes multiple actors, such as Parties interested in such a process, the Convention Secretariat, WHO, the United Nations Resident Coordinator and other UN agencies present in the country as well as other international organizations, including development partners and agencies that have technical capacity, resources and interest in supporting the implementation of the treaty. The Convention Secretariat has the responsibility, under the guidance of the COP and its Bureau, for overall coordination and particularly for ensuring that the requests by Parties for needs assessments and subsequent assistance are met. The representatives of the Parties carry out the needs assessment exercise together with the international team throughout the whole process and take the lead in coordinating the programme for the mission and following up with key stakeholders.

The needs assessment process should also be closely linked to, and benefit from, the database on internationally available resources for the implementation of the Convention, which the Conference of the Parties requested the Convention Secretariat to develop and make available to Parties.

Methodology and process

The needs assessment exercise is facilitated and coordinated by the Convention Secretariat to enable interested Parties to undertake a full assessment of their technical and financial needs and identify what is available domestically for meeting their obligations under the terms of the Convention. The full involvement of Party representatives, nominated by their governments, in a joint exercise is of paramount importance to ensuring Party ownership of the process and that it is Party-driven. The process also requires involvement of WHO and other international organizations and development partners that have the necessary capacity and are willing to provide assistance to Parties in needs assessments.

The following are the steps undertaken by the Convention Secretariat in organizing needs assessments jointly with interested governments: (a) developing the methodology for the needs assessment in consultation with the Bureau, interested Parties and international partners (completed during the 2009-2010 pilot phase); (b) analysing Parties' implementation reports, their requests for assistance and other information sources with a view to identifying possible gaps and needs in implementation of the Convention; (c) liaising with Parties with a view to identifying their interest in carrying out a needs assessment and receiving international assistance for it and reviewing and addressing the requests from Parties with this regard; (d) inviting WHO and other international organizations to join the Convention Secretariat in the needs assessment missions; (e) organizing needs assessments, given the resources available in the Convention Secretariat as well as in other international organizations willing to support such a process – including, if necessary, through joint teams of international experts – and informing development partners on the needs identified; (f) organizing assistance to Parties, following needs assessments, and when requested, in developing project and programme proposals related to the implementation of the Convention and directing these proposals to potential funding sources; and (g) informing the COP at each regular

session on progress made and further needs identified in this area, and reflecting this work in the draft biennial workplan and budget for consideration by the COP.

Reports deriving from needs assessments include:

- identification of obligations still to be met by the Party under the Convention,
- identification of areas and activities requiring additional resources, which: (i) are direct obligations under the Convention (based on the relevant substantive articles of the Convention); (ii) derive from COP decisions, including implementation guidelines; (iii) are necessary for the implementation of the Convention and involve indirect costs/resources not covered by (i) and (ii) above such as the creation of supporting infrastructure, facilities and mechanisms;
- estimation, when possible, of corresponding funding needs for activities within national WHO FCTC implementation plans/mechanisms.

The assessment process will be transparent, reliable and replicable.

The assessment exercise also covers specific planning processes, which include:

- contact with the Party focal point following a request for assistance in the needs assessment exercise at country level;
- finalization of dates for a visit by an international team comprising experts from the Secretariat and international partners;
- identification and setting up of a team of multisectoral experts at the Party level for interaction, joint work and cooperation with the international team;
- determination of the scope and extent of the needs assessment;
- analysis, in consultation with the national team, of various sources of information including: (i) Party report(s) submitted to the COP; (ii) national tobacco control legislation and related regulations; (iii) national development policy/strategy, health policy/strategy, tobacco control policy/action plan, Non Communicable Disease Prevention and Control Policy/Action Plan, etc.; (iv) other credible national sources containing relevant information and relevant supplementary information from WHO and other international sources.

During the actual visit, the international team:

- verifies and discusses the collated information with the national team;
- compiles and conducts a preliminary analysis of assessed needs;
- identifies, with the Party, policy and resource gaps and priority areas in implementation of the Convention;
- discusses and identifies these priority areas with Party representatives;
- discusses and identifies the possibility and timeline for developing a programme/project proposal for financial assistance for submission to development partners and other funding sources;
- provides a summary of main findings and an outline of recommendations to the Party.

This country mission is normally of 5 to 7 working days and includes sessions with key government agencies and departments to clarify the status of needs and the action required to meet the country's obligations under the Convention. A full report drafted by the international team and finalized together with the representatives of the Party, is normally available within four to five weeks of the visit and is communicated to the government for consideration and action as appropriate.

In agreement with the government, and as requested by the COP, the Convention Secretariat would also normally share the needs identified with respective development partners, and with the WHO country office and the United Nations Resident Coordinator, in order to promote financial and technical assistance to the government and the alignment and harmonization of treaty implementation at country level including, when appropriate, within the development agenda.

Instrument

The assessment instrument follows the structure of the WHO FCTC. It also borrows from the reporting instrument, as adopted by the COP, so that the assessment contributes also to improved reporting and/or understanding of the difficulties in undertaking effective reporting. The instrument also takes into account the guidelines adopted by the COP for implementation of the Convention.

An outline of the assessment instrument is provided as an Annex in an indicative format. The instrument groups the articles of the Convention into four areas:

- (1) demand reduction provisions (Articles 6 to 14);
- (2) supply reduction provisions (Articles 15 to 18);
- (3) international cooperation, reporting and resources (Articles 20, 21, 22 and 26); and
- (4) general and other obligations (Articles 2, 4, 5 and 19).

The Annex contains an overview of the needs assessment instrument as well as an example of a needs assessment scheme for a particular article of the Convention. Such an instrument would also accommodate the Party's report and suggestions discussed in the preparatory phase, alternative credible sources of information (usually more recent than the Party report), and the answers that will be provided during the assessment exercise.

Needs assessment instrument: overview

	<i>Measures</i>	<i>Status</i>	<i>Gap vs. FCTC obligations</i>	<i>Principal action needed</i>	<i>Approximate resources</i>
Demand reduction					
Article 6					
Article 7					
Article 8					
Article 9					
Article 10					
Article 11					
Article 12					
Article 13					
Article 14					
Supply reduction					
Article 15					
Article 16					
Article 17					
Article 18					
International cooperation and resources					
Article 20					
Article 21					
Article 22					
Article 26					
General and other obligations					
Article 2					
Article 4					
Article 5					
Article 19					

