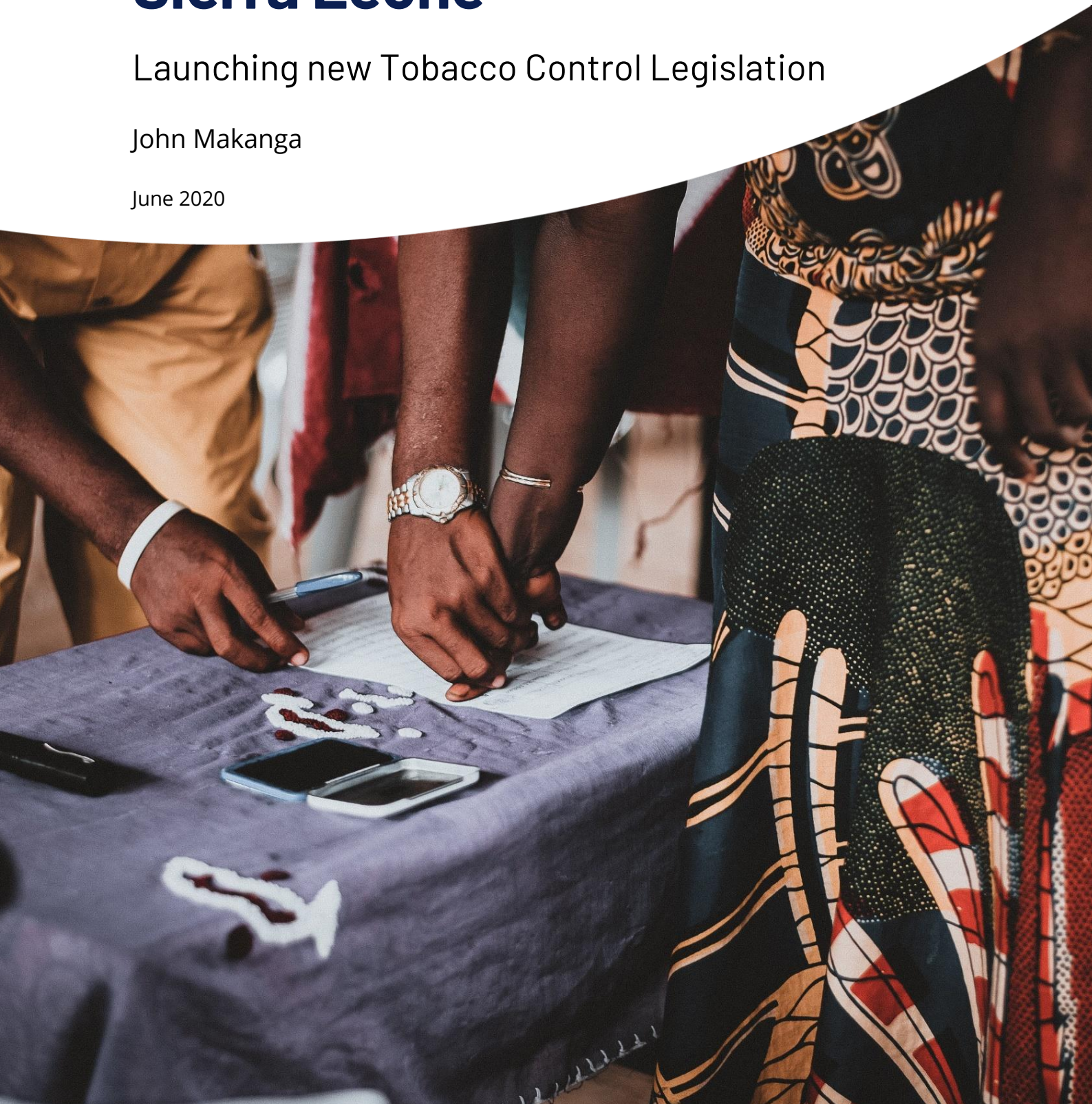


Towards a 'Tobacco-Free' Sierra Leone

Launching new Tobacco Control Legislation

John Makanga

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OPF has helped Sierra Leone to introduce a raft of progressive health policies and legislation. This note tells the story of a participatory process to develop the legal basis for greatly reducing tobacco demand among citizens – and of the significant health benefits and economic savings that ensue.

Tobacco – barrier to poverty reduction

Tobacco is one of the world's leading health threats and a main risk factor behind many non-communicable diseases (NCDs) notably cancers, diabetes, chronic respiratory diseases and cardiovascular diseases. One person dies due to tobacco about every 6 seconds globally, accounting for more than 6 million deaths annually – 1 in 10 adult deaths. Nearly 80% of these deaths occur in low- and middle-income countries, which constitute the vast majority of countries in Africa. Projections indicate that tobacco-attributable deaths will double between 2002 and 2030 in such countries unless appropriate measures are taken. Yet NCDs have been surprisingly ignored by many governments and donors.

Closer to home, tobacco use kills around 3,300 Sierra Leoneans each year, including more than 900 who were exposed to second-hand smoke. Over a quarter of these deaths are in the lowest income quintile. Tobacco use costs the Sierra Leone economy US\$ 41 million (403.9 billion Leones) each year, which amounts to 1.5% of GDP. This includes US\$ 11 million (108.4 billion Leones) in healthcare expenditure and US\$ 10 million (95.5 billion Leones) in lost productive capacity due to premature mortality, disability and workplace smoking. Moreover, many smokers spend a large proportion of their income on tobacco.

Government intentions

Confronted by such unsettling figures, the Ministry of Health and Sanitation decided to take action. In May 2009, Sierra Leone acceded to the 2003 WHO Framework Convention on Tobacco Control, and intended to put together legislation that domesticates the Convention in Sierra Leone halts tobacco use as far as possible. But it did not have its own legal and policy advisors with the requisite skills.

Partnership with the Oxford Policy Fellowship

Recognising that Sierra Leone was now one of the few countries in the world that had not domesticated the Convention, the Ministry of Health and Sanitation sought the right kind of expertise to support the necessary public consultations and development of legislative instruments for tobacco control. It had recently entered into a new kind of partnership with the Oxford Policy Fellowship that provided 'embedded' legal expertise within the Ministry's own offices. The OPF partnership had begun with a comprehensive review of

all health legislation in support of new universal health coverage policy. On the basis of that success, the Ministry saw the potential for OPF Fellows to handle the complex and entrenched tobacco challenge. The embeddedness of OPF Fellows – working side by side with the Sierra Leone civil service – was important to help see through the detailed and lengthy process of consultation, drafting and negotiation in an integrated, consistent and sensitive way.

Listening to societal demands and taking professional advice

The consultative process was important, so that the resulting tobacco control laws truly reflected the public's values and demands, as well as expert opinion. Consultations involved citizens and leaders in all of Sierra Leone's regions and included Parliamentarians, Mayors and Civil Society Organisations. They also entailed several engagements with health experts and other professionals. The consultations involved some public education on the harmful effects of tobacco consumption, but none the less found overwhelming support for the proposed legislative measures. Moreover, it elicited a debate on whether to have an immediate total ban on tobacco products regardless of the prevailing high demand, or to implement regulatory measures aimed at gradually reducing demand with an eventual eradication at a future date. The public was of the former view whereas experts from the Ministry supported the latter view, to avoid creating an illegal market for tobacco products as had occurred in other countries with the total ban of similar addictive substances such as marijuana without addressing the issue of how to handle demand. There were allegations that some individuals had been approached by the tobacco industry to scuttle the process and reject the proposed measures – but this did not deter the Ministry. It remained determined to ensure that the resulting legislation was progressive in both its intentions and its public backing – becoming one of the few legal frameworks in the world to have undergone such extensive consultation among both the public and professional communities. As envisaged by the Ministry, the legislation enables new public health and economic measures that will reduce the burden of tobacco consumption in the country.

Saving lives, saving money

The new legislation seeks to raise a generation of Sierra Leoneans that do not use tobacco, realising citizens' wishes – revealed by the consultations – to completely eradicate tobacco consumption throughout the country. It also seeks to protect the rights of non-smokers from exposure to tobacco smoke in indoor places, public transport and outdoor public places. This will dramatically reduce the incidence of non-communicable diseases, and do a lot to cut Sierra Leone's high mortality rates.

The new measures are all aimed at reducing demand. They include: continued public education and sensitization on the harmful effects of tobacco consumption; the regulation of standards, packaging and labelling; the requirement for bold health warnings to be displayed conspicuously in public places; the total comprehensive ban on advertising, sponsorship and promotion; the total ban on sales to minors and special interest groups; the regulation of manufacturers, importers and suppliers; the provision of alternatives for tobacco farmers; and the protection of public health policies from the commercial and vested interests of the tobacco industry. In all, this is expected to save 20,000 lives over the next 15 years.

The balance sheet is looking good, too. These measures are expected to help Sierra Leone avoid at least US\$ 192 million (1.9 trillion Leones) in economic losses over the next 15 years, including US\$ 21 million (209 billion Leones) in out-of-pocket health-care costs borne by the public, and US\$ 16 million (153 billion Leones) in Government healthcare expenditures which could otherwise be deployed more productively to improve the health of citizens. This suggests that Sierra Leone will make a saving of approximately 2.15% GDP by 2033, thanks to the work done through this Fellowship.

Health and economic indicators could be further improved if these savings were invested into other health and social programmes. Moreover, the introduction of taxes on tobacco products is also expected to open a new avenue for the Government to raise revenue for its universal health coverage policy. All of this is expected to significantly contribute to the improvement of Sierra Leone's human capital, which is the top priority for the country's administration. Most importantly, Sierra Leoneans will be healthier in both their bodies and their pockets.

"We are very grateful for the partnership between ourselves and the Oxford Policy Fellowship which has led to numerous successes in our Ministry. We have learned a lot from the fellows who I must say are a real pleasure to work with. They are very knowledgeable, highly skilled, dependable and effective at meeting our needs at the Ministry. As is evident from the life-changing success for our citizens, demonstrated by the realisation of our Tobacco Control Legislation, we are eager to develop our partnership even further to accomplish more benefits for our citizens."

Dr Philip Kargbo

Director of Financial Resources and Administration, Ministry of Health and Sanitation

Fellow reflection

John was very humbled by the opportunity to work at the Ministry and to visit the breadth of the country to engage with citizens. He noted that citizens were very appreciative that awareness was being raised on tobacco issues, and of the important role that law played in addressing the public health needs of citizens. Moreover, they greatly welcomed the consultation, so that they could participate in their own governance. John also thoroughly enjoyed engaging with the public health experts of the Ministry who were very passionate about the process and its outcome.

While supporting the Ministry, John was able to contribute to other health priorities. Most memorable was the implementation of social health insurance in the country – thereby eliminating much of the burden of high out-of-pocket health expenditures incurred by citizens – as well as working to accelerate the country's response to the Covid-19 global health pandemic.

John Makanga

OPF is a demand-led Fellowship Programme that works with governments to deliver legal capacity support and development. We do this through Fellows, networks, and learning. We source high performing legal advisors to work within current government systems and processes for two years so that their work contributes to ongoing policymaking, rather than creating parallel structures for getting things done. By providing governments with key support that they themselves have defined and requested, we deliver sustainable and locally-owned development impact. We also host a network of government practitioners working at the interface of law and public policy, promoting a culture of knowledge sharing and learning across governments and the wider community.

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