

Support to Draft New or Amend Existing NCD-Related Legislation in the Pacific Community

Three-year report



The Commonwealth

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Executive Summary

Non-communicable diseases (NCDs) have emerged as a leading cause of morbidity and mortality across Pacific Island Countries and Territories (PICTs), placing significant strain on healthcare systems and economic development. Recognising the urgency of addressing these issues, the Commonwealth Secretariat has provided technical support to the Pacific Community (SPC) by engaging a legislative drafter to strengthen national and regional legal frameworks.

The primary objective of this initiative is to assist PICTs in finalising and implementing the 'Pacific Legislative Framework for NCDs'. By supporting the drafting of new legislation and amending existing policies, this effort aims to create a regulatory environment that effectively addresses NCD risk factors, including tobacco use, alcohol consumption, unhealthy diets and physical inactivity. Key legislative interventions include marketing restrictions on unhealthy food and sugar-sweetened beverages, taxation measures on tobacco and alcohol, and enhanced food safety regulations.

Significant progress has been made in strengthening NCD legislation across the region. Legal gap analyses have been conducted in various PICTs, leading to the revision of key acts such as the tobacco control acts of Tonga, Kiribati and the Republic of the Marshall Islands. Notable achievements include the successful passage of the Nauru Tobacco Control (Amendment) Act 2023 and the strengthening of food marketing restrictions in several jurisdictions. Additionally, policy briefs and cabinet submissions have facilitated high-level decision-making to support legislative reforms.

Despite these advances, several challenges persist. Limited in-country legal drafting expertise, competing national priorities and bureaucratic delays have hindered the timely adoption of proposed legislation. Furthermore, co-ordination between health ministries and legal departments remains a critical barrier, affecting the pace of policy implementation. To address these issues, continued capacity-building efforts, inter-agency collaboration and sustained technical assistance will be essential.

This report presents key findings, lessons learned and recommendations for strengthening legislative responses to NCDs in the Pacific. Moving forward, sustained commitment from governments, regional organisations and development partners will be crucial in ensuring that legislative measures translate into meaningful public health outcomes. By leveraging a robust legal framework, PICTs can advance their efforts in preventing and controlling NCDs, ultimately contributing to healthier communities and the achievement of Sustainable Development Goal (SDG) 3.4 – reducing premature mortality from NCDs by one-third by 2030.

1. Background

An overview of the NCD crisis in the Pacific region and the importance of effective legislation

The Pacific region is grappling with a severe non-communicable disease (NCD) crisis, characterised by alarmingly high prevalence rates of conditions such as diabetes, cardiovascular diseases and chronic respiratory illnesses. NCDs account for approximately 70 to 75 per cent of all deaths in the Pacific Islands, with many of these fatalities occurring prematurely (before age 60) and being preventable.¹ The region faces some of the world's highest rates of diabetes, with all ten countries with the highest diabetes prevalence located in the Pacific. An astounding 52.45 per cent of adult males in Tonga are classified as obese. Similarly, obesity rates among adult women exceed 50 per cent in countries like Kiribati, the Federated States of Micronesia, Tonga and Samoa.¹ Physical inactivity remains a critical concern, with insufficient activity observed in about 50 per cent or more of women in 10 populations across the Pacific Islands Countries and Territories (PICTs), and hypertension and diabetes exceeding 20 per cent and 25 per cent prevalence in several populations respectively.²

The burden of NCDs in the Pacific region is underscored by data from multiple sources, including the Global School-based Student Health Survey (GSHS) and the Pacific Monitoring Alliance for NCD Action (MANA) Dashboard. For instance, the GSHS in Kiribati (2022) revealed that a significant proportion of students aged 13–17 are current tobacco users, highlighting the persistence of risk factors for NCDs. Furthermore, household expenditure on tobacco in Kiribati is substantial, indicating the financial burden of tobacco use on individuals and families. The MANA Dashboard

highlights gaps in policy implementation and in areas for improvement regarding NCD indicators, such as smoke-free environments, health warnings and restricting on tobacco advertising.

Impact on health systems

The high prevalence of NCDs in the Pacific has a profound impact on healthcare systems, straining resources and hindering the delivery of essential services. The increased demand for NCD-related care leads to higher healthcare costs, overburdened infrastructure and workforce shortages.³ This, in turn, affects the overall quality of healthcare and limits access to essential services for other health conditions. The economic and social consequences are equally significant, with reduced productivity and diminished overall well-being for individuals and communities.³ The NCD crisis poses a major threat to the sustainable development of the Pacific region, necessitating urgent and comprehensive action to address its root causes and mitigate its impact on health systems and society. For example, the economic burden of NCDs in the Pacific is substantial, with previous data indicating that the cost of diabetes alone was approximately 20 per cent of Solomon Islands' and Nauru's annual healthcare expenditure.⁴ This financial strain limits the resources available for other critical health priorities and development initiatives. The social impact of NCDs is pervasive, affecting families, communities and entire nations; the loss of loved ones, the burden of caregiving and the reduced quality of life associated with NCDs have a devastating effect on social cohesion and well-being. Addressing the NCD crisis requires a multisectoral approach that tackles the underlying social, economic and environmental determinants of health, and strengthens health systems to provide adequate prevention, treatment and care services.

1 World Bank Group (2014) 'Pacific Islands: Non-Communicable Disease Roadmap', 12 July, www.worldbank.org/en/news/feature/2014/07/11/pacific-islands-non-communicable-disease-roadmap
2 Kessaram, T, J McKenzie, N Girin et al. (2015) 'Noncommunicable diseases and risk factors in adult populations of several Pacific Islands: results from the WHO STEPwise approach to surveillance', *Australian and New Zealand Journal of Public Health*, Vol. 39 No. 4, 336–343, www.sciencedirect.com/science/article/pii/S1326020023013043#azph12398-sec-0030

3 Kabir, A, MN Karim, RM Islam et al. (2022) 'Health system readiness for non-communicable diseases at the primary care level: a systematic review', *BMJ Open*, Vol. 12 No. 2, <https://pmc.ncbi.nlm.nih.gov/articles/PMC8830230/>
4 Win Tin, ST, G Iro, E Gadabu and R Colagiuri (2015) 'Counting the Cost of Diabetes in the Solomon Islands and Nauru', *PLOS One*, Vol. 10 No. 12, www.researchgate.net/publication/288001711_Counting_the_Cost_of_Diabetes_in_the_Solomon_Islands_and_Nauru

Role of effective legislation

In this context, effective legislation emerges as a critical tool to create supportive environments that foster healthier lifestyles, reduce risk factors and improve health outcomes. Well-crafted laws can regulate the marketing and sale of harmful products like tobacco, alcohol and unhealthy foods, promote physical activity, and ensure access to essential healthcare services. The importance of robust NCD legislation in the Pacific is underscored by the region's unique vulnerabilities, including limited resources, geographic isolation and cultural factors that influence health behaviours. Strong legal frameworks can empower governments to implement evidence-based interventions, protect vulnerable populations, and drive sustainable progress in NCD prevention and control.

2. About the Report

Building on high-level commitments, the Commonwealth Secretariat began engaging with the Pacific Community (SPC) in 2018, leading to the establishment of the Pacific NCD Drafting Legislation Consultancy. In 2022, a consultant was appointed to assist in drafting NCD legislation.

The purpose of this report is to offer a comprehensive overview of the activities undertaken and the progress achieved in delivering legislative drafting support to Pacific Community member countries in their endeavours to combat non-communicable diseases (NCDs) through the development and amendment of relevant legislation. The report spans a two-year period, from February 2022 to December 2024, detailing the initiative's accomplishments, challenges faced and future plans, with a particular focus on fortifying legal frameworks to address the NCD crisis in the Pacific region.

The report analyses the current NCD landscape in the Pacific, reviews existing national legislation, identifies gaps and opportunities for improvement, and provides actionable recommendations to governments, regional organisations and partners to bolster legal frameworks.

3. Regional Responses

PICTs have demonstrated a strong regional commitment to addressing NCDs through legislative and policy actions. Recognising the urgency of NCD prevention, PICTs have worked collaboratively to strengthen regulatory frameworks, enhance enforcement mechanisms and promote healthier environments.

Key regional efforts have focused on tracking policy progress, fostering high-level political commitment and implementing targeted interventions. Three major pillars of the regional response include the Pacific Monitoring Alliance for NCD Action (MANA) Dashboard, regular ministerial meetings and other strategic initiatives aimed at reducing the burden of NCDs across the Pacific.

MANA Dashboard: strengthening accountability for NCD action

The Pacific Monitoring Alliance for NCD Action (MANA) Dashboard plays a critical role in tracking and evaluating the implementation of NCD policies across PICTs. Developed as a regional monitoring tool, the MANA Dashboard provides an objective assessment of policy progress, identifies gaps in implementation and fosters accountability among governments.

Key features of the MANA Dashboard:

- The Dashboard tracks national progress on core NCD policy areas, including tobacco control, alcohol regulation, unhealthy food marketing restrictions and fiscal measures such as taxation.
- It highlights enforcement gaps and areas needing improvement, ensuring that governments remain committed to their NCD policy goals.
- It enables cross-country comparisons, allowing PICTs to learn from each other's successes and challenges in legislative implementation.
- The Dashboard provides evidence-based insights for policy-makers, guiding them in strengthening and refining existing laws.

Impact of the MANA Dashboard:

- Countries such as Fiji, Tonga and Vanuatu have used MANA Dashboard findings to inform legislative revisions and policy updates on tobacco and alcohol control.
- Cook Islands and Kiribati leveraged MANA Dashboard data to introduce new food labelling requirements and strengthen school nutrition policies.
- The data-driven approach of the MANA Dashboard has helped PICTs secure funding and technical assistance by demonstrating policy progress to international health partners.

By providing a structured framework for evaluating NCD legislation, the MANA Dashboard has become a cornerstone of regional monitoring efforts, ensuring that policy commitments translate into action.

Ministerial meetings: driving high-level commitment

Regular Pacific Health Ministers Meetings have served as a key platform for setting regional priorities, sharing best practices and advancing collective action on NCDs. These ministerial meetings play a crucial role in fostering political leadership and ensuring sustained commitment to NCD prevention.

Key outcomes of Pacific Health Ministers Meetings:

- Consensus on regional NCD strategies: Ministers have endorsed regional roadmaps and policy frameworks, including the Pacific Legislative Framework (PLF) for NCDs.
- Commitments to strengthen NCD legislation: Recent ministerial meetings have emphasised fast-tracking pending NCD laws, enhancing fiscal policies and scaling up enforcement measures.
- Regional accountability mechanisms: The meetings provide a space for governments to report on progress, discuss challenges and commit to next steps in NCD policy implementation.

Recent ministerial decisions on NCDs

- The 2023 Pacific Health Ministers Meeting called for:
 - greater regional co-operation on tobacco taxation to discourage consumption and reduce illicit trade;
 - strengthened school food policies to promote healthier diets and reduce childhood obesity rates; and
 - tighter alcohol regulations, including advertising restrictions and increased taxation on high-risk beverages.
- The 2021 Ministerial Declaration reaffirmed the commitment to:
 - accelerate implementation of the World Health Organization (WHO) Framework Convention on Tobacco Control (FCTC) across all PICTs;
 - expand front-of-package food labelling policies to help consumers make informed choices; and
 - integrate NCD prevention efforts into broader health and economic policies.

By ensuring sustained high-level engagement, ministerial meetings have reinforced the region's commitment to legislative reforms, paving the way for stronger policy action across PICTs.

Other initiatives: strengthening policy implementation

Beyond the MANA Dashboard and ministerial meetings, several targeted initiatives have been introduced to support the effective development, implementation and enforcement of NCD-related legislation across PICTs. These initiatives focus on capacity building, regional partnerships and localised policy interventions.

1 Healthy Pacific 2030

The Healthy Pacific 2030 Strategy serves as a long-term regional roadmap for reducing NCDs and improving population health. It focuses on:

- enhancing health governance and accountability through stronger legislation and policy frameworks;

- strengthening the health workforce and public health infrastructure to ensure effective service delivery; and
- embedding health considerations in economic and trade policies, ensuring a whole-of-government approach to NCD prevention.

Several PICTs have aligned their national NCD strategies with Healthy Pacific 2030, ensuring that legislative efforts contribute to broader regional health and development goals.

2 Pacific Obesity Prevention in Communities (OPIC) Project

The Pacific OPIC Project has played a pivotal role in developing and implementing community-based obesity prevention strategies. Key focus areas include:

- school-based nutrition programmes to improve dietary habits among children;
- community-led initiatives to promote physical activity and reduce sedentary lifestyles; and
- public awareness campaigns to educate communities on the health risks associated with obesity and poor nutrition.

The OPIC Project has helped inform national legislation on food safety, marketing restrictions and school nutrition policies, contributing to broader obesity and NCD prevention efforts in the region.

3 Pacific NCD Legislative Framework

The Pacific Legislative Framework (PLF) for NCDs provides guidance for PICTs in drafting and enforcing NCD-related laws. It includes model policies on:

- tobacco and alcohol control, including taxation and sales restrictions;
- unhealthy food and beverage marketing bans, particularly targeting children;
- workplace health and wellness policies to promote physical activity and healthy eating.

The PLF has been instrumental in helping countries develop context-specific laws that align with international best practices, ensuring a harmonised approach to NCD legislation across the Pacific.

4. Response of the Commonwealth

Deliberations and resolutions on NCDs

The Commonwealth has been proactive in addressing the burden of NCDs. At the 2009 Commonwealth Heads of Government Meeting (CHOGM) in Trinidad and Tobago, leaders called for a dedicated United Nations (UN) summit, which led to the High-Level Meeting on NCDs in 2011 and the adoption of the Political Declaration. The Caribbean Community (CARICOM) significantly contributed to placing NCDs on the UN agenda through the Port of Spain Declaration. In 2018, the Commonwealth Health Ministers Meeting also prioritised NCDs, including cervical cancer.

The Commonwealth's approach has been multifaceted, focusing on capacity building, legal reform, policy co-ordination and advocacy to ensure that legislative interventions are both comprehensive and enforceable. By working in close collaboration with regional organisations, including the Pacific Community (SPC) and the World Health Organization (WHO), the Commonwealth has helped to bridge legislative gaps, facilitate knowledge sharing and build institutional capacity for sustainable policy implementation.

Legislative drafting support

A cornerstone of the Commonwealth's response has been its direct legislative drafting assistance to PICTs. Many countries in the region face challenges in developing and amending health-related laws due to a lack of in-country legal expertise, competing national priorities and bureaucratic delays. The Commonwealth has addressed this gap by providing specialised legal support to assist governments in drafting, reviewing and implementing tobacco control laws, alcohol regulations, food safety legislation and marketing restrictions on unhealthy products.

Key activities under this initiative have included:

- conducting legal gap analyses to assess the strengths and weaknesses of existing NCD-related laws;
- providing model legislative provisions that align with international standards, such as the WHO Framework Convention on Tobacco Control (FCTC) and the Pacific Legislative Framework (PLF) for NCDs; and
- assisting in the drafting of amendments to existing legislation and the development of new policies to regulate NCD risk factors effectively.

Through the support of this project, 11 PICTs are implementing or adapting the framework through gap analysis and strengthening 18 NCD-related policies and legislation. Notable achievements include:

- the passage of Nauru's Tobacco Control (Amendment) Act 2023, which introduced stricter advertising bans, e-cigarette regulations and enhanced enforcement mechanisms;
- the drafting of Tonga's revised Tobacco Control Bill and Regulations, which are currently under review by the Attorney General's Office;
- the development of the policy on food marketing restriction of unhealthy food and sugar sweetened beverages to children in Fiji Islands, Vanuatu and Cook Islands, aimed at protecting children from exposure to unhealthy food and beverage advertising;
- the introduction of alcohol control measures in Niue and Solomon Islands, strengthening licensing laws and taxation frameworks to reduce consumption;
- providing the Republic of the Marshall Islands with a physical education policy in schools which includes drafting of marketing restrictions on unhealthy food and SSBs to children drafting of the Tobacco Control Bill with the WHO;

- Tuvalu's Alcohol Act and tobacco control legislation review;
- French Polynesia's alcohol regulation gap analysis;
- Fiji's tobacco control legislation and Food Safety Act review;
- Kiribati's liquor ordinance, tobacco control, Food Safety Act review (which includes the NCD-related marketing restrictions on unhealthy food and sugar-sweetened beverages to children), breastfeeding promotion, and regulation of salt, sugar and trans-fats;
- Providing support to Vanuatu's drafting of the tobacco control (Amendment) Bill and provision of legal advice on Health Promotion Fund and the drafting of the regulations on the marketing of unhealthy food and sugar-sweetened beverages to children;
- A review of Tuvalu's diabetes association constitution and gap analysis of the Solomon Islands Alcohol Act;
- A review and registration of Kiribati's diabetes association constitution; and
- Federated State of Micronesia trans-fat and salt reduction regulations and Cook Islands marketing restrictions on unhealthy food and sugar-sweetened beverages to children.

The assistance has positively impacted the results through leveraging assessments from Nauru MANA Dashboard (2017–22), the recent enactment of the Act and Regulations has targeted and addressed identified gaps highlighted in the comprehensive gap analysis provided in May 2022. The review of 2023 Pacific Monitoring Alliance for NCD Action Dashboard ratings has shown improvements in results from the targeted legislative changes (see Table 4.1). This success contributes to the enhancement of the capacity of PICTs.

Other forms of assistance have been provided to the PICTs, such as development of policy briefs and papers and cabinet submissions for the review of the Vanuatu Tobacco Control Act and the setting up of the Health Promotion Fund and Republic of the Marshall Islands draft marketing restrictions of unhealthy foods and sugar-sweetened beverages to Children Regulations, including the Draft Tobacco Control (Amendment) Bill 2023. There

have also been cabinet submissions for review of the Fiji Food Safety Act and marketing controls on unhealthy food and non-alcoholic drinks to children regulations. Included in this assistance is the provision of legal advice to the Vanuatu Ministry of Health on health promotion funds, to Papua New Guinea on maternity leave for the public service, and advice to Fiji on increasing maternity leave from three to six months.

To raise awareness of the Pacific NCD Legislative Framework to PICTs, for the past three years – where the opportunity arises – presentations have been delivered at workshops and trainings. In 2022, a series of policy webinars requested by PICTs' NCD focal persons, was organised by the NCD Team Public Health Division of SPC, which opened the platform to discuss the legal processes and use of the framework. In 2023, at the World NCD Congress held in Toronto, Canada, there was a presentation on the 'Innovative regional legislative framework to effectively address commercial and environmental determinants of Non-Communicable Diseases in the Pacific'. Also in 2023, through invitations from the Association of State and Territorial Health Officials (ASTHO) which offered virtual learning and health equity sessions for US-Affiliated Pacific Islands (USAPI), countries presented on "Turning NCD Policy into Law Steps for Effective implementation" and "Navigating the Policy Landscape: Balancing Policies and implementation". In 2024, at the MANA Workshop which was attended by all PICTs NCD focal persons, presentation on the PLF and the regional support under this project was provided to the PICTs up until 2024 including those under working progress.

Specific examples

Cook Islands: The completion of a review of the Food Marketing Restriction Regulations, along with the submission of a revised draft and a related policy paper to the Cook Islands Ministry of Health, marks a significant step forward in the country implementing regulations aimed at combating NCDs.

Fiji: Gap analysis of the Tobacco Control Act (2010) and the Food Safety Act (2003) were provided to the Ministry of Health. Support in terms of the development of the Cabinet Paper for the review of the Public Health Act 1935 and the Food Safety Act 2003. The Cabinet Paper for the review of the Public

Health Act 1935 has been endorsed by Cabinet. Continuing support for the Drafting of Food Safety (Amendment) Bill 2025.

French Polynesia: Here, the gap analysis was submitted for review of the country's alcohol regulations.

Kiribati: Comprehensive support involving an analysis of the Food Safety Act focused on NCD-related components, along with the country drafting amendments for the Kava Act 2018 and requesting legal advice for a total ban on tobacco imports.

Marshall Islands: The Marshall Islands is currently reviewing its Tobacco Control Act 2006 and Food Safety Act, with support from the Commonwealth, to align with the Pacific Legislative Framework (PLF) on Non-Communicable Diseases and address gaps in NCD prevention and control.

Nauru: The Nauru Parliament passed the Tobacco Control (Amendment) Act 2023 and the Nauru Cabinet passed the Tobacco Control (Amendment) Regulations 2023 and Tobacco Control (Fixed Penalty Notice) Regulations 2023. These legislative changes address gaps identified in the MANA Dashboard and have strengthened tobacco control measures in the country.

Niue: Submission of the gap analysis on the Liquor Act 1975 reflects significant progress by Niue in updating its alcohol control legislation.

Solomon Islands: The country has undertaken the successful review of the NCD Alliance Constitution and registration of the NCD Alliance, so supporting the establishment of an organisation focused on NCD advocacy.

Tonga: Collaborative work with WHO led to the drafting of a Tobacco Control Bill and Regulations in Tonga. These have been submitted for review to the Office of the Attorney General.

Vanuatu: The country has developed a Cabinet Paper for approval of the development of the Health Promotion Fund Bill. It is working on the development of Food Marketing Restriction of Unhealthy food and sugar sweetened beverages to Children Regulations, demonstrating progress in addressing key NCD risk factors.

These achievements highlight the tangible progress made in NCD-related legislative development and policy engagement across the Pacific region. The collaborative efforts between the Commonwealth,

PICTs and other stakeholders have yielded significant advancements in strengthening legal frameworks, promoting healthier environments, and ultimately improving the health and well-being of Pacific populations.

Capacity building and technical assistance

Recognising that effective legislation requires both strong enforcement mechanisms and trained personnel, the Commonwealth has prioritised capacity building as a core component of its support. Through regional workshops, training sessions and peer-learning exchanges, the Commonwealth has worked to strengthen the expertise of government officials, legal drafters and health policy-makers on NCD-related legal frameworks.

Key capacity-building initiatives include:

- workshops on legislative drafting for NCD laws, equipping policy-makers with the technical skills needed to navigate legal processes and implement policy reforms;
- training programmes for enforcement agencies, ensuring that regulatory bodies are well-equipped to monitor compliance with tobacco, alcohol and food safety laws; and
- cross-country knowledge-sharing platforms, where countries can learn from each other's legislative successes and challenges, fostering a collaborative approach to NCD governance.

These initiatives have been particularly impactful in addressing bottlenecks in legislative approval and enforcement, which remain significant challenges across many PICTs. By strengthening legal and institutional capacities, the Commonwealth has helped to accelerate policy implementation and improve regulatory compliance in the region.

Table 4.1 Nauru's Dashboard ratings on tobacco indicators (T2–T6) across 2017 to 2023

Tobacco indicators	2017–18	2019–20	2021–22	2023
T2. Smoke-free environments	★ ★ ★	★ ★ ★	★ ★ ★	★ ★ ★
T3. Tobacco health warnings				★ ★
T4. Tobacco advertising, promotion and sponsorship	★ ★ ★	★ ★ ★	★ ★	★ ★ ★
T5. Tobacco sales and licencing	★ ★	★ ★	★ ★	★ ★ ★
T6. Tobacco industry interference				★

Policy advocacy and high-level engagement

Beyond legal drafting and technical support, the Commonwealth has actively engaged in policy advocacy at the regional and international levels to promote stronger NCD prevention measures. This has included:

- supporting Pacific health ministers and government officials in advocating for high-impact NCD policies;
- aligning national legislative efforts with global health commitments, such as the Sustainable Development Goals (SDG 3.4) and the WHO Global Action Plan for NCDs; and
- encouraging intersectoral collaboration between the health, trade, education and finance ministries to ensure that NCD laws are effectively integrated into broader national development plans.

One of the most significant advocacy achievements has been the promotion of fiscal policies, such as excise taxes on tobacco, alcohol and unhealthy food. The Commonwealth has supported countries like Vanuatu in earmarking tobacco tax revenues for health promotion initiatives, providing a sustainable funding source for public health programmes. Additionally, the Commonwealth has worked to counter industry interference in NCD policy-making by providing legal guidance on conflict-of-interest safeguards, particularly in tobacco and alcohol control policies.

By leveraging legal expertise, advocacy efforts and policy support, the Commonwealth remains a key partner in helping Pacific nations achieve sustainable, long-term reductions in NCD-related health and economic burdens. Ultimately, strengthening NCD legislation is not just a legal necessity – it is a public health imperative. Through sustained collaboration and commitment, the Commonwealth and its Pacific partners are driving meaningful progress toward healthier populations and stronger regulatory systems in the region.

5. Lessons Learned

The implementation of NCD legislation in the Pacific has provided valuable insights into the factors that contribute to successful policy adoption and enforcement. Key lessons from these efforts highlight the importance of political leadership, regional collaboration, legal capacity-building and public engagement in ensuring that legislative measures translate into meaningful public health outcomes.

1 Strong political commitment is essential

One of the most critical factors influencing the success of NCD-related legislation is high-level political commitment. Countries that have received consistent ministerial backing and leadership support have been able to fast-track legislative processes, secure funding for enforcement and ensure sustained implementation of policies.

For instance, Nauru and Tonga have successfully advanced tobacco control measures and fiscal policies due to strong government leadership and proactive ministerial engagement. In these countries, policy-makers prioritised NCD legislation as a national health and economic issue, ensuring that proposed laws were not delayed by bureaucratic hurdles or competing priorities. Ministerial support has also been instrumental in securing inter-agency co-operation, allowing health ministries to collaborate effectively with the legal, finance and trade sectors to design and implement comprehensive public health policies.

To sustain and accelerate progress, ensuring that NCD prevention remains a top priority for national leaders is essential. Regular engagement with policy-makers, high-level advocacy, and embedding NCD prevention into broader national development and economic plans will help maintain political momentum and drive legislative reforms forward.

2 Regional collaboration enhances policy effectiveness

The Pacific Health Ministers Meetings and the Pacific Monitoring Alliance for NCD Action (MANA) Dashboard have played a crucial role in promoting regional accountability, knowledge-sharing and policy alignment. These platforms have enabled

governments to track progress, identify best practices and ensure consistency in NCD-related laws across PICTs.

Countries that actively engage in peer-learning exchanges and regional policy discussions have demonstrated greater success in implementing and enforcing NCD laws. For example, through the MANA Dashboard, governments have been able to benchmark their progress against neighbouring countries, assess gaps in their legislative frameworks and adopt policies based on successful models implemented elsewhere in the region.

By leveraging regional co-operation mechanisms, PICTs have also been able to access technical assistance, training opportunities and policy guidance from regional and global health organisations.

This approach has been particularly beneficial for smaller island nations with limited legal and financial resources, allowing them to adopt and adapt effective NCD policies without starting from scratch.

Continued engagement in regional networks and structured collaborations will be critical in maintaining policy momentum, harmonising legislation across jurisdictions and fostering a collective approach to NCD prevention.

3 Legal capacity gaps must be addressed

One of the most significant barriers to NCD policy implementation in the Pacific is the lack of dedicated legal expertise within health ministries. Many PICTs do not have in-house legal teams specialising in health law, which makes it difficult to draft, review and update NCD-related legislation without relying on external legal support.

This dependence on regional legal assistance has resulted in delays in policy adoption, inconsistent enforcement and difficulty in keeping laws updated with evolving health challenges. Without a strong in-country legal infrastructure, governments face challenges in ensuring that NCD laws are tailored to their national context, effectively implemented and enforced at the community level.

4 Public awareness and community engagement are key

Legislation alone is not enough to drive behavioural change – public understanding, community support and active engagement are essential for ensuring compliance with NCD-related laws. Without widespread public awareness, policies may face resistance, lack enforcement support or fail to achieve their intended health outcomes.

Countries such as Fiji and Vanuatu have successfully launched public education campaigns alongside new legislation to increase awareness and promote compliance with tobacco control, alcohol regulations and food safety laws. These campaigns have included:

- mass media outreach through television, radio and social media to inform communities about new laws and their benefits;
- community-led health initiatives and workshops to engage local leaders, schools and businesses in promoting NCD prevention; and
- clear and accessible information on legal changes, ensuring that citizens understand how new laws affect them and what is expected in terms of compliance.

By integrating education and advocacy efforts into legislative implementation, governments can foster community ownership of NCD prevention initiatives and ensure that policies are embraced rather than resisted. Future legislative efforts should continue to prioritise public engagement and culturally relevant communication strategies to maximise compliance and impact.

6. Challenges and Barriers

Despite strong regional commitments to NCD prevention, several challenges continue to hinder the full implementation and enforcement of NCD-related laws across PICTs. These barriers must be urgently addressed to ensure sustainable progress and stronger health outcomes for communities across the region.

1 Bureaucratic and legislative delays

One of the most persistent challenges in the Pacific is the lengthy policy approval process and complex bureaucratic requirements that delay the adoption of critical NCD-related legislation. Many PICTs have limited legislative capacity, which results in slow review timelines for draft bills and amendments. In some cases, it can take years for policies to move from drafting to implementation, significantly delaying necessary health reforms.

A key factor contributing to these delays is the competing priorities faced by governments. With limited resources and administrative capacity, governments often prioritise economic or infrastructure policies over public health legislation, particularly when NCD-related policies require controversial measures such as taxation, marketing restrictions or industry regulation.

Additionally, many countries lack dedicated fast-track mechanisms for public health laws, meaning that NCD legislation must go through the same lengthy legislative review process as other national laws. Without streamlined pathways, NCD-related reforms risk becoming stalled at various stages of approval, leading to policy stagnation and missed opportunities for timely intervention.

2 Weak enforcement and compliance mechanisms

Even when strong NCD-related laws are in place, weak enforcement mechanisms limit their effectiveness. Many PICTs lack the necessary infrastructure, personnel and resources to properly monitor and enforce compliance with tobacco, alcohol and food safety regulations.

Additionally, inconsistent penalties and weak legal provisions further undermine enforcement. In some cases, penalties for violating health regulations are

not enforced due to lack of enforcement capacity or understanding the legal procedures to enforce the offence provisions; at the same time, the fines are minimal and do not serve as a strong deterrent. This allows businesses to continue selling or advertising harmful products without significant consequences. Strengthening penalty structures, improving inspection capacity and ensuring uniform enforcement across all regions are necessary steps to enhance the effectiveness of existing NCD legislation.

3 Limited financial and human resources

Many PICTs face severe financial and staffing constraints, making the sustained enforcement of NCD policies difficult. Health ministries often operate with limited budgets, which must be allocated across multiple competing health priorities. Without dedicated funding for NCD prevention programmes, governments struggle to conduct regular monitoring, public education campaigns and enforcement activities.

Furthermore, staffing shortages in key health and regulatory agencies mean that officials are often overburdened with multiple responsibilities, leading to delays in policy development and implementation. In many cases, health officials are tasked with both programme management and policy enforcement, making it difficult to dedicate sufficient attention to legislative compliance efforts.

4 Insufficient multisectoral co-ordination

The effective implementation of NCD-related legislation requires close collaboration across multiple government sectors, including health, finance, education, trade and agriculture. However, in many PICTs, there are no formal co-ordination mechanisms to facilitate inter-agency collaboration, leading to fragmented policy efforts and duplication of resources.

The lack of clear accountability structures has also resulted in delayed decision-making and inconsistent policy enforcement. In some cases, multiple agencies are responsible for different aspects of NCD legislation, leading to confusion

over jurisdiction and responsibility. Establishing formal governance frameworks, inter-ministerial working groups and clear reporting mechanisms will be essential to ensuring greater alignment and efficiency in NCD prevention strategies.

5 Competing health priorities

The COVID-19 pandemic and other emerging health threats have significantly impacted government focus and resource allocation, leading to delays in planned NCD policy updates and enforcement actions. As governments redirected funding, personnel and legislative focus toward pandemic response efforts, many NCD prevention initiatives were deprioritised or postponed.

While the pandemic has underscored the importance of strengthening health systems, it has also highlighted the need to maintain momentum on NCD prevention efforts, particularly as NCDs increase vulnerability to infectious diseases.

Countries must find a balance between addressing immediate public health crises and continuing long-term investments in NCD policy implementation.

In addition, other pressing health issues – such as maternal and child health, communicable disease control, and healthcare infrastructure development – often receive higher priority in national health strategies, resulting in limited attention and funding for NCD-related programmes. This imbalance underscores the need for governments to integrate NCD prevention into broader health and economic policies, ensuring that it remains a core priority despite shifting health challenges.

7. Recommendations

Following Consultative Work

Based on the extensive consultations and collaborative work with PICTs, the following recommendations are proposed aimed at governments, regional organisations and development partners to strengthen NCD legislative frameworks and enhance their implementation in the Pacific region.

- Enhanced legal capacity building.** Prioritise the development of legal capacity within PICTs through targeted training programmes, workshops and mentoring initiatives focused on legislative drafting, policy development and legal research specific to NCD-related issues. This is particularly crucial for countries like Kiribati, Fiji, Vanuatu and the Republic of the Marshall Islands, which have expressed the need for additional legal expertise in drafting and reviewing legislation.
- Mainstreaming NCD legislation.** Advocate for the integration of NCD prevention and control into national development plans and strategies, ensuring that NCD legislation receives adequate attention and resources within the broader national agenda. This recommendation applies to all PICTs, as it will ensure that NCD prevention and control efforts are prioritised and adequately funded.
- Strengthened collaboration and co-ordination.** Foster greater collaboration and communication between government agencies, civil society organisations and other stakeholders involved in NCD prevention and control. This includes establishing clear roles and responsibilities, facilitating regular communication, and promoting joint planning and implementation of NCD initiatives. This is particularly important in countries like Kiribati, Tuvalu and Solomon Islands, where the establishment of the NCD Alliance or Diabetes Association can facilitate greater co-ordination among stakeholders, e.g., Kiribati Diabetes Association, Tuvalu Diabetes Association and Solomon Islands NCD Alliance.
- Increased community engagement.** Actively engage communities in the development, implementation and enforcement of NCD legislation. This can be achieved through public consultations, awareness-raising campaigns, and the involvement of community leaders and organisations in decision-making processes. Community engagement is crucial in all PICTs to ensure that policies are culturally appropriate, relevant and sustainable.
- Enhanced monitoring and evaluation.** Develop and implement robust monitoring and evaluation frameworks to track the progress and impact of NCD legislation. This will enable PICTs to identify areas for improvement, assess the effectiveness of interventions, and make evidence-based adjustments to their policies and programmes. The MANA Dashboard can be a valuable tool in this regard, and PICTs should be encouraged to utilise it effectively.
- Addressing emerging challenges.** Proactively address emerging challenges, such as the regulation of e-cigarettes, cross-border marketing, industry interference, and the marketing of unhealthy food and beverages to children. The Pacific Legislative Framework (PLF) should be regularly reviewed and updated to incorporate these emerging issues and provide guidance to PICTs on developing appropriate legislative responses. This is particularly relevant for countries like Cook Islands, Kiribati, Fiji, Vanuatu and Republic of the Marshall Islands, which are actively working on regulations related to the marketing of unhealthy food and beverages to children.
- Sustainable financing.** Explore and implement sustainable financing mechanisms for NCD prevention and control programmes, including the allocation of funds from tobacco and alcohol excise taxes to health promotion initiatives. This is important for all PICTs, as it will ensure the long-term financial sustainability of NCD programmes.

- **Advocacy and awareness raising.** Continue to raise awareness of the importance of NCD prevention and control and advocate for the implementation of effective NCD legislation at the national, regional and global levels. This includes engaging with policy-makers, the media and the public to highlight the burden of NCDs and the benefits of legislative action.

To mitigate these challenges, collaborative efforts with the Pacific Community have focused on advocating for procedural awareness and education regarding the policy-to-legislation process. This includes ongoing advocacy for the use of the Pacific Legislative Framework (PLF) among NCD focal persons, law offices and other key stakeholders, as well as engaging and mapping national stakeholders relevant to the policy and legislation reviews. Furthermore, promoting a comprehensive policy and legislation package – including policy briefs, gap analyses, legislation reviews and cabinet papers – serves to facilitate high-level submissions and streamline processes. Upon request from PICTs, the Commonwealth should assist in public consultations and discussions with other relevant government agencies on the review of these NCD policies and legislations.

8. Conclusions and Way Forward

From 2022 to 2023, this project has gained momentum as Pacific Island Countries and Territories (PICTs) realise the importance of legislative drafting support offered by the SPC NCD Team in developing and strengthening their NCD-related legislation. Recognising that legislative processes often take years to materialise, PICTs began planning their legislative drafting for NCD laws from 2024 onwards.

In order to enhance NCD legislative frameworks in the Pacific region, the following actions are recommended to governments, development partners and regional organisations.

- **Legal capacity building.** Prioritise targeted training programmes and workshops to develop legal expertise specific to NCD issues within PICTs.
 - **Mainstreaming NCD legislation.** Advocate for integration of NCD prevention into national development plans to ensure legislative efforts receive appropriate attention and resources.
 - **Collaboration and co-ordination.** Foster enhanced co-operation among government agencies, civil society organisations and stakeholders involved in NCD initiatives.
 - **Community engagement.** Involve local communities in the legislative process to ensure policies are culturally relevant and sustainable.
 - **Monitoring and evaluation.** Establish robust frameworks to track the effectiveness of NCD legislation using the MANA Dashboard as a resource.
 - **Addressing emerging challenges.** Regularly update the PLF to integrate new NCD issues, such as e-cigarettes, cross-border marketing, industry interference and unhealthy food marketing to children.
- **Sustainable financing.** Identify sustainable funding mechanisms for NCD programmes, including the allocation of tobacco and alcohol excise taxes all towards health promotion funds.
 - **Advocacy and awareness-raising.** Continue efforts to advocate for comprehensive NCD prevention legislation at all levels.

Looking to 2025 and beyond, the focus will continue on:

1. **Supporting progress through legislative drafting.** Assist PICTs in advancing policy decisions regarding the review of existing NCD legislation and guide them through the legislative drafting process. For instance, the Vanuatu Ministry of Health is awaiting approval from the Council of Ministers to review the Tobacco Control Act and Health Promotion Fund, while SPC was prepared to provide drafting assistance for these bills in 2024. Similarly, the Federated States of Micronesia has requested support for developing trans-fat and salt reduction regulations. Assist the Cook Islands in its declaration of unhealthy food and sugar-sweetened beverages that are to be subject to marketing restrictions to children.
2. **Advocating for the use of PLF.** Promote awareness and use of the PLF among PICTs to aid in the drafting of NCD legislation. Nauru utilised the gap analysis to inform its Tobacco Control (Amendment) Act and Regulations, while Kiribati employed it to guide the drafting of the Tobacco Control (Amendment) Bill. Similarly, SPC collaborated with WHO to review drafts with Vanuatu during the development of its Tobacco Control (Amendment) Bill.
3. **Providing legal advice and support.** Offer ongoing legal advice to PICT ministries of health regarding draft laws that have been, or are yet to be, developed. This includes guiding the Republic of the Marshall Islands

on its marketing restrictions for unhealthy food and beverages, alongside other legal interpretations related to NCD legislation.

4. **Facilitating policy and legislative development.** Assist PICTs in the development processes for policies and legislation, including drafting tailored policy briefs and cabinet submissions specific to each country's context.
5. **Conducting gap analyses.** Perform gap analyses on existing NCD laws for additional PICTs, similar to those conducted in 2022–23, to identify areas for improvement.
6. **Updating the PLF.** Review and refine the PLF by incorporating newer NCD-related laws such as cross-border marketing restrictions and e-cigarette regulations, while continuing collaboration between SPC and the University of Sydney.

The Pacific region has made significant progress in adopting and implementing NCD-related legislation, demonstrating a clear commitment

to protecting public health. However, sustained action is required to ensure that these legislative frameworks lead to tangible health improvements. By strengthening legal enforcement, improving compliance mechanisms, expanding financial investments and enhancing regional co-operation, Pacific governments can create healthier environments and reduce the long-term burden of NCDs.

Continued political leadership, multisectoral co-ordination and public engagement will be essential in driving sustained progress. The MANA Dashboard and Pacific Health Ministers Meetings will remain critical tools for monitoring policy effectiveness, fostering accountability and ensuring that legislative commitments translate into meaningful health outcomes.

By implementing these forward-looking strategies, the Pacific region can build a stronger, healthier future, where NCD prevention is fully integrated into national policies, legal frameworks are effectively enforced, and public health remains a top priority for all governments and communities.

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