

Ethiopia

Overall score:

42

Summary of Findings

1. Industry participation in policy development

According to Ethiopian Food and Drug Administration Proclamation No. 1112/2019, the Government of Ethiopia does not accept, support or endorse any offer for assistance by or in collaboration with the tobacco industry in setting or implementing public health policies relating to tobacco control. However, the agreement with Japan Tobacco International (JTI), majority shareholder of the National Tobacco Enterprise (NTE), during privatization allows commenting before any tobacco-related law is processed. Due to this, the tobacco industry was able to exert pressure on public health laws, particularly the recent excise tax law.

Ethiopia's delegation to the WHO Framework Convention on Tobacco Control (FCTC) Conference of the Parties (COP) meetings and the National Tobacco Coordination Committee does not include any representatives from the tobacco industry.

2. Industry CSR activities

Government officials do not endorse, accept or participate in tobacco-related CSR activities. However, in 2019, NTE, still part-owned by the government, participated in Go Green, the green legacy national environmental campaign scheme officially launched by Ethiopia's Prime Minister.

3. Benefits to the industry

Government officials showed their strong support for the success of JTI in Ethiopia. The former minister of Ethiopian Public Enterprise, Minister Demitu Hambisa, said, "We very much look forward to working with JTI and offer our

full support in making this a success for all stakeholders." In addition, the Ministry of Revenue and the Prime Minister's Office have given a platinum recognition award to the NTE for being a loyal and high taxpayer.

State minister of the Ministry of Finance, Dr. Eyob Tekalegn, referred to the high illicit trade (above 40%) figure that was produced by the NTE as a reason not to impose the required amount of excise tax. The State minister further added, "it will be very difficult to impose more tax now as it can lead to the local tobacco factory going out of the market." This further showed the tobacco industry is using illicit trade as an excuse and was able to persuade the government and weaken tobacco taxation. As a result, a low excise tax, i.e. 30% plus 8 birr per pack of cigarettes (20 single sticks), has been imposed by newly legislated excise tax proclamation No 1186/2020.

4. Unnecessary interaction

Proclamation 1112/2019 forbids the government from accepting any assistance from the tobacco industry on any enforcement activities or entering into any partnership with it. However, the Custom Commission, under the Ministry of Revenue, signed a Memorandum of Understanding with the NTE/JTI to fight illicit trade in June 2019. Using this advantage, the NTE is aggressively promoting its product in the eastern part of the country where illicit trade is assumed to be higher, using a display frame with a sign that depicts a list of NTE products, to fight contraband products. The government is inadvertently now involved in this promotion.

5. Transparency

Article 51 of Proclamation 1112/2019 set out the procedure for all interaction between public officials and the NTE:

- a. Interaction between any government body responsible for the adoption of public health policy and the tobacco industry shall be limited to only those strictly necessary for effective regulation of the tobacco industry or tobacco products.
- b. Any interaction made in accordance with sub-article (1) of this article, and whenever the tobacco industry contacts the government to initiate an interaction of any kind, the appropriate government officials shall ensure full transparency of the interaction and of the contact, and it shall be appropriately documented.

6. Conflict of interest

The underdevelopment of tobacco control directives that emanate from Proclamation 1112/2019 require that any affiliation to the tobacco industry by a member of the tobacco control board must be declared for purposes of determining any potential conflict of interest.

7. Preventive measures

The Ethiopian government has a national tobacco control coordination committee that strives to realize the multi-sectoral response, under the auspice of the Ethiopian Food, Medicine and Healthcare Administration Control Authority (EFMHACA). The committee is comprised of potential stakeholders from different sectors with clear and defined roles and responsibilities.¹ The involvement of these stakeholders is a critical milestone in institutionalizing and mainstreaming all tobacco control efforts in their respective institutions. Therefore, it shall set a code of conduct prescribing standards for any public officer, including service providers, contractors and consultants involved in setting or implementing public health policies for tobacco control.

Recommendations

1. There should be a sustained awareness program on FCTC Article 5.3 across all agencies involved in tobacco control and regulation.
2. Develop a code of conduct for government officials to provide guidance when interacting with the tobacco industry.
3. Ensure transparency by recording all interactions with the tobacco industry which should be only when strictly necessary.
4. The NTE privatization agreement should recognize FCTC Article 5.3 and take steps to address tobacco industry interfere in public health policy and not be in conflict with both Proclamations 1112/2019 and 1186/2020.
5. A repository containing information about the tobacco industry should be established and be readily accessed by the public.

¹ <http://webcache.googleusercontent.com/search?q=cache:o-6UOXzUapYJ:www.fmhaca.gov.et/wp-content/uploads/2019/03/EthiopiaTobacco-Control-Strategic-Plan.pdf&cd=28hl=en&ct=clnk&gl=et&client=safari>