

Thailand

Overall score:

43

Summary of Findings

1. Industry participation in policy development

Thailand's biggest improvement is there was no incidence of the government accepting or endorsing any offers of assistance from or collaboration with the tobacco industry in implementing health policies.

2. Industry CSR activities

Thailand Tobacco Monopoly's (TTM) change in marketing strategies led to its corporatization and name change on May 14, 2018, to the "Tobacco Authority of Thailand" (TAOT); however it remains a state-owned enterprise under the jurisdiction of the Ministry of Finance.¹ Although the Tobacco Products Control Act 2017 bans all tobacco-related CSR activities, TAOT regularly carries out CSR activities as part of its public relations activities.² In 2019, TAOT collaborated with government agencies and representatives to conduct trainings and so-called CSR activities.

3. Benefits to the industry

No benefits were given to the tobacco industry. However, there is still a tax exemption for rolling tobacco.

4. Unnecessary interaction

Since the government owns the TTM, there were regular meetings (each trimester or four times a year) between TTM and MOF high level officers. TTM involved government officials in their smuggling control program.

5. Transparency

While minutes were taken during meetings with the industry, these are not public and sometimes high-level officials were involved.

6. Conflict of interest

Retired senior government officials have regularly been appointed as TTM board members. Current government officials such as a senior officer from the Excise Department and the Ministry of Finance are TTM board members. Since the TTM is a state enterprise, the appointment is seen as normal.

Currently, the chairman of TAOT is from the business sector. TAOT's committee comes from various fields including three from public universities, two are working at the Ministry of Finance and one is the representative from the Royal Thai Police.³

7. Preventive measures

The new Tobacco Products Control Act in Section 40 requires the manufacturer or importer of tobacco products to report the volume of production or importation, market share, marketing expense, income and expense in their annual report, audited financial statement and any other information for the benefits of tobacco products control to the Committee. The rules and procedures as stipulated in the Ministerial Regulations are being drawn up.

What exists currently is the MOH's rule in interacting with the tobacco industry, but it is not applied to other ministries. On April 17, 2012, the Cabinet agreed to the resolution to prohibit the government sectors/office from implementing tobacco industry-related CSR activities. In June 2012, the Cabinet also agreed to the resolution on

June 12, 2012, to follow the national strategic plan for tobacco control B.E. 2555-2557 (A.D. 2012-2014) as proposed by the National Health Assembly to prohibit tobacco advertising, promotions and sponsorships including tobacco industry-related CSR activities. The cabinet resolutions were effective for government sectors including state-owned tobacco companies such as Thai Tobacco Monopoly.⁴ TOAT is obligated to submit information on the volume of manufacturing, imports, marketing expenses, earnings and expenses as stated in Section 40 of Tobacco Product Control Act. B.E. 2560.⁵



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Recommendations

1. Strictly enforce the ban on tobacco-related CSR activities under the new tobacco control law and ensure there are no loop holes for the tobacco industry to exploit.
2. Disallow the appointment of current and retired government officials to the TAOT.
3. Expedite implementation of the new tobacco control law to protect government officials and public policies from tobacco industry interference.

¹ Tobacco Authority of Thailand, About Us, Retrieved from <http://www.thaitobacco.or.th/en/aboutt-as/> (accessed on 10 May 2020)

² Ibid, Public relations news, Retrieved from <https://www.thaitobacco.or.th/th/category/pr-ttm> (accessed on 10 May 2020)

³ Ibid, Board of Directors, Retrieved from <https://www.thaitobacco.or.th/th/board-of-directors-2> (accessed on 10 May 2020)

⁴ National Health Assembly, National strategic plan for tobacco control B.E. 2555-2557 (A.D. 2012-2014) Retrieved from <https://www.samatcha.org/node/103> (accessed on 14 June 2018).

⁵ Thailand: Tobacco Products Control Act B.E. 2560 (2017). Retrieved from http://www.ashthailand.or.th/en/content_attachment/attach/new_thai_law.pdf (accessed on 10 May 2020).