

UKRAINE

2020

TOBACCO  
INDUSTRY  
INTERFERENCE  
INDEX

## Background and Introduction

In 2017, Ukraine had 8.2 million adults using tobacco products with 39.7% percent of males and 8.9% percent of females are using tobacco products (GATS 2017). Each year about 85 thousand<sup>1</sup> people die due to tobacco related diseases every year (projection from 2010).

Ukraine has made much progress in implementing tobacco control measures according to the WHO Framework Convention on Tobacco Control (FCTC) and in reducing smoking prevalence. According to the State Statistics Service annual household surveys, daily smoking prevalence among population 12 years and older decreased from 19.3% in 2016 to 16.8% in 2019. According to the governmental agencies data, sale of cigarettes in Ukraine decreased from 78 billion pieces in 2016 to 45 billion pieces in 2019.

However, the tobacco control efforts should be further strengthened as the tobacco industry (TI) is finding new ways to sell more tobacco products. Tobacco industry interference is a problem that challenges or impedes the progress of strengthening of policies to protect public health. FCTC Article 5.3 guidelines provide clear steps the government can take to protect public health policies.

Main tobacco companies in Ukraine comprise of Philip Morris, Japan Tobacco International, Imperial Tobacco and British American Tobacco (BAT) who control over 90% of the market share. In 2019, these tobacco companies challenged Ukraine's Anti-Monopoly Committee for colluding to keep new businesses from entering the tobacco market in the country. The tobacco industry was required to pay \$263.4 million as penalty.<sup>2</sup>

This is Ukraine's second report on TI Interference Index which assesses how the government is responding to the tobacco industry's tactics by using the FCTC Article 5.3 Guidelines.<sup>3</sup> It is a civil society report on how well the government is responding to the challenges posed by TI when applying Article 5.3 guidelines.

This report uses the questionnaire developed by the Southeast Asia Tobacco Control Alliance (SEATCA).<sup>4</sup> Information was collected on 20 questions, divided into seven categories, from publicly available sources including government websites, reports published in mass media, reports and websites of tobacco companies. The scores range from 0 to 5. The lower the score is, the better compliance with FCTC Article 5.3. This survey provides evidence for the period January – December 2019.

---

<sup>1</sup> Peto R, Lopez AD, Pan H, Boreham J, Thun M. Mortality from smoking in developed countries 1950–2000 Oxford: Oxford University Clinical Trial Service Unit; 2015

<sup>2</sup> <https://tobaccoreporter.com/2019/10/14/fine-challenged/>

<sup>3</sup> Framework Convention on Tobacco Control. Guidelines for implementation of FCTC Article 5.3, Geneva 2008, [decision FCTC/COP3(7)] [http://www.who.int/fctc/treaty\\_instruments/Guidelines\\_Article\\_5\\_3\\_English.pdf?ua=1](http://www.who.int/fctc/treaty_instruments/Guidelines_Article_5_3_English.pdf?ua=1)

<sup>4</sup> Assunta, M. Dorotheo, E. U. SEATCA Tobacco Industry Interference Index: a tool for measuring implementation of WHO Framework Convention on Tobacco Control Article 5.3. April 2015 <http://tobaccocontrol.bmj.com/content/early/2015/04/23/tobaccocontrol-2014-051934>

## Summary of Findings

Ukraine obtained a score of 68 which is a deterioration from the 2019 score of 61. This 2020 report has found that there has been little progress and there are still many ways in which the tobacco industry can conduct its interference in undermining, delaying or blocking tobacco control measures from being implemented or being strengthened.

### 1. INDUSTRY PARTICIPATION IN POLICY DEVELOPMENT

The Law of Ukraine “*On Measures of Prevention and Reduction of Use of Tobacco Products and Their Harmful Influence on People’s Health*” declares the priority of healthcare policy over the financial, tax and corporate interests of economic entities whose activity is connected with the tobacco industry and of participation of individuals and groups of citizens whose activity is not connected to the tobacco industry in the actions taken to prevent and reduce the consumption of tobacco products and their harmful influence on the public health. However, this standard remains largely declarative and not effectively implemented.

Members of Parliament and Member of Committee of the Verkhovna Rada of Ukraine on Taxation and Customs Policy are lobbied by the tobacco industry in policy development. When the tobacco industry is a member a working group to develop draft law on minimum retail prices, the law was not adopted.

Juul has been trying to influence policy-making process related to non-price measures to regulate electronic cigarettes but did not succeed. PMI, BAT, Imperial have been opposing the bill 1210 on harmonising taxes on HTP sticks with the excises that are applied on combustible cigarettes. PMI has been threatening decision makers that it will leave the market if the Parliament increases taxes on HTP sticks. Moreover, Juul, PMI, BAT have been using influencers to promote novel tobacco products in Instagram among children and young people.

### 2. INDUSTRY CSR ACTIVITIES

PMI and Imperial Tobacco provided financial resources to regional and local authorities for development of local communities in places, where tobacco factories are situated. PMI provides grants to several Ukrainian NGOs every year.

### 3. BENEFITS TO THE INDUSTRY

In 2018-2019, the tobacco industry front groups have been focusing on delaying adoption of tobacco control draft laws 2820 and 4030a. As the parliament was dissolved in May 2019, both draft laws were not adopted. Cigarettes are still a duty-free item for international travelers.

### 4. UNNECESSARY INTERACTION

Since 2016, representatives of the tobacco companies that produced tobacco products and representative of association of tobacco producers are participating in the process of destroying illicit tobacco. In 2018, State Fiscal Service signed<sup>5</sup> a Memorandum of Understanding with “Ukrtiutiun” Ukrainian Association of Tobacco Producers (PMI, BAT, JTI, and Imperial Tobacco) where the Government accepts support from the tobacco industry to tackle illegal trade and the illegal movement of tobacco products and equipment.

---

<sup>5</sup> State Fiscal Service signed a Memorandum of Understanding with “Ukrtiutiun” Ukrainian Association of Tobacco Producers; 2018. <http://sfs.gov.ua/media-tsentr/novini/331434.html>

Unnecessary interaction deteriorated further in 2019. On December 12, 2019 the tobacco industry and the government signed the Memorandum on intentions<sup>6</sup>. The memorandum was signed by the Minister for Development of Economy, Trade and Agriculture and representatives of PMI, BAT, JTI and Imperial. The text of the Memorandum is rather declarative, but it can be used by the industry to protect its commercial interests. The working group on the Memorandum implementation was established by the Ministry for Development of Economy, Trade and Agriculture.

5. **TRANSPARENCY**

The Law does not require the Government to publicly disclose meetings/ interactions with the tobacco industry. The TI has been meeting with policy makers and some of these meetings have not been disclosed.

6. **CONFLICT OF INTEREST**

The law prohibits all forms of financial or other support by the tobacco industry to events, activities, individuals, or groups, including political parties or politicians, sportsmen or sports teams, artists or artist groups, and educational institutions of any form of ownership. However, the tobacco companies violate the law and have been making charitable contributions to NGOs, charitable funds, think tanks who in turn have an influence on decision-makers. The conflict of interest worsened when former Deputy Head of the Prosecutor General was hired as deputy director of the think tank, Institute for Future, heading a programme against smuggling (the programme is supported by PMI) by the Institute for Future.

7. **PREVENTIVE MEASURES**

In 2018, the Government together with the WHO country office conducted training for government representatives to raise awareness on policies related to FCTC Article 5.3 Guidelines. However, there has not been much progress since then. While the tobacco industry is required to provide some information about its business, it does not provide information on marketing of tobacco such as incentives given to the retailers, promoters, marketing spending on tobacco displays at the points of sale. PMI and BAT do not report spending on tobacco ads in social media and paid smm post published by influencers, and sponsorship of events that promote and stimulate sales of IQOS and Glo. The tobacco industry is not obliged to report expenditures on lobbying.

A code of conduct is needed to guide officials when dealing with the tobacco industry which should take place only when strictly necessary.

## **Recommendations**

1. Ban all forms of tobacco industry related CSR activities as recommended in the WHO FCTC.
2. Implement a procedure for interaction and disclosure of records with the TI. and disclose all records of interaction with the TI.
3. Remove any benefit given to the tobacco industry, such as duty-free cigarettes for international travelers.
4. Require the tobacco industry to report on its expenditure on marketing and lobbying.
5. Adopt a Code of Conduct for its officials when dealing with the TI.

---

<sup>6</sup> Govt approves memo with tobacco business on transparent, predictable regulation for development of tobacco sector – MP. Interfax Ukraine; 2019. <https://en.interfax.com.ua/news/economic/629788.html>

## Results and Findings

	0	1	2	3	4	5
<b>INDICATOR 1: Level of Industry Participation in Policy-Development</b>						
1. The government <sup>7</sup> accepts, supports or endorses any offer for assistance by or in collaboration with the tobacco industry <sup>8</sup> in setting or implementing public health policies in relation to tobacco control <sup>9</sup> (Rec 3.1)				3		
<p>The Law of Ukraine “On Measures of Prevention and Reduction of Use of Tobacco Products and Their Harmful Influence on People’s Health” declares the priority of healthcare policy over the financial, tax and corporate interests of economic entities whose activities are connected with the tobacco industry and of participation of individuals and groups of citizens whose activity is not connected to the tobacco industry in the actions taken to prevent and reduce the consumption of tobacco products and their harmful influence on the public health. However, this standard remains largely declarative, since public authorities do not organize any specific actions to raise awareness about tobacco industry interference with the state policy.</p> <p>On 6 February 2019, the government worked with the tobacco industry on developing the action plan for 2019-2020 for the implementation of the State Drug Policy Strategy. The Ukrainian Tobacco Association expressed its support for the Plan, meaning that the Plan was developed and contradicted some provisions of the Strategy.<sup>10</sup></p> <p>Valentyna Khomenko, Director of the Ukrainian Association of Tobacco Manufacturers “Ukrtiutiun” is an assistant to MP Oleksii Kovaliov from the Fraction Servant of the People. Serhiy Sholomitskyi, former Head of the Parliament Committee on Finance, Tax and Customs Maryan Zablotzkyi, from the Fraction Servant of the People. Daughter of Serhiy Sholomitskyi works for Japan Tobacco International.</p> <p>In 2019, Juul sent a letter to Ukraine’s Ministry of Health in relation to its draft law regarding regulation for e-cigarettes. The ministry is supposed to implement the policies already adopted in the EU countries in 2016. It is mandatory for Ukraine under its Association Agreement with the EU. The bill equates vaping to smoking regular cigarettes and sets the maximum level of nicotine in e-cigarettes at three times less than Juul’s 5% nicotine pods, which Juul sells in Ukraine and which are banned in the EU. This law would also ban Juul’s flavored pods.</p> <p>Juul asked the Ministry not to ban 5% pods arguing that “there is no scientific reasoning for setting up such a low measure (of nicotine content).” Juul argued that e-cigarettes do not lead to cancer and heart disease and disputed the flavor ban. MoH did not accept the suggestions from Juul<sup>11</sup>.</p>						

<sup>7</sup> The term “government” refers to any public official whether or not acting within the scope of authority as long as cloaked with such authority or holding out to another as having such authority

<sup>8</sup> The term, “tobacco industry” includes those representing its interests or working to further its interests, including the State-owned tobacco industry.

<sup>9</sup> “Offer of assistance” may include draft legislation, technical input, recommendations, oversees study tour

<sup>10</sup> On approval of the action plan for 2019-2020 for the implementation of the State Drug Policy Strategy for the period up to 2020. Verkhovna Rada of Ukraine; 2019. <https://zakon.rada.gov.ua/laws/show/56-2019-p>

<sup>11</sup> Anna Myroniuk, Madlen Davies, Matthew Chapman, Jana Kaspercevic, Ben Stockton. Juul e-cigarettes peddler exposed in attempts to influence lawmakers in Ukraine. <https://www.kyivpost.com/world/investigation-controversial-juul-vape-exposed-in-attempts-to-influence-lawmakers-in-ukraine-and-around-the-world.html>

Juul sent a letter to Ukrainian parliamentary committee of health, to “inform about the desire to take an active part in discussing the draft law 2813 that among other provisions also proposes to regulate e-cigarettes.” Juul asked the committee to involve its representative to “provide consultancy” to lawmakers. Ukrainian parliamentary committee of health did not create a working group and did not involve the representative of Juul<sup>12</sup>.

In December 2019, the Cabinet of Ministers approved a Memorandum of Intent with the tobacco industry to provide a transparent and predictable regulation for the development of the tobacco industry. The meeting was conducted in a closed-door government meeting.<sup>13</sup>

2. The government accepts, supports or endorses policies or legislation drafted by or in collaboration with the tobacco industry. (Rec 3.4)					4	
---	--	--	--	--	---	--

The industry lobby in the parliament effectively blocked tobacco control legislation (except tobacco taxation) in 2018-2019 until the previous parliament was dissolved in May 2019. On the other hand, tobacco lobby was not able or is not interested in passing the weaker version of tobacco control laws.

A draft law "On Amendments to Article 221 of the Tax Code of Ukraine regarding the Specifics of Taxation of Tobacco Products" (introduction of minimum retail prices) was developed by the working group in which the TI members also participated. According to representative of the Imperial Tobacco this bill was drafted by the tobacco industry, then MoF accepted this policy proposal and registered a bill. This draft law was lobbied by PMI, BAT, JTI that produce more expensive brands. Imperial Tobacco and Lviv Tobacco Factory opposed this draft law because they produce cheaper brands and this bill would reduce their profit. This draft law was not adopted<sup>14</sup>.

The draft bill to ratify the Protocol to Eliminate Illicit Trade in Tobacco Products still has not been approved. Although the Cabinet of Ministers approved a draft bill on ratification of the Protocol on March 1, 2017, the previous President Administration returned the draft bill two times due to “some technical issues”. After the election of the new President in May 2019, the new Office of the President also returned the draft bill “for improvement”. This draft bill is still not yet registered. This Protocol has an important clause to not collaborate with the tobacco industry when addressing tobacco smuggling. (See Q9)

3. The government allows/invites the tobacco industry to sit in government interagency/ multi-sectoral committee/ advisory group body that sets public health policy. (Rec 4.8)						5
---	--	--	--	--	--	---

The law does not prohibit government to interact with the tobacco industry. The Article 4. of the Law № 2899 “On Measures for the Prevention and Reduction of the Use of Tobacco Products and their Harmful Impact on the Health of the Population” includes the following

<sup>12</sup> Anna Myroniuk, Madlen Davies, Matthew Chapman, Jana Kaspercevic, Ben Stockton. Juul e-cigarettes peddler exposed in attempts to influence lawmakers in Ukraine. <https://www.kyivpost.com/world/investigation-controversial-juul-vape-exposed-in-attempts-to-influence-lawmakers-in-ukraine-and-around-the-world.html>

<sup>13</sup> Agro Perspektiva. Govt approves memo with tobacco business on transparent, predictable regulation for development of tobacco sector – MP. 13 December 2019. <https://zakon.rada.gov.ua/laws/show/56-2019-p>

<sup>14</sup> Tobacco bill 9188 is lobbied by premium cigarette manufacturers. Zahid.net; 2018. [https://zaxid.net/tyutyunoviy\\_zakonoproekt\\_9188\\_lobiyuyetsya\\_virobnikami\\_dorogih\\_sigaret\\_n1468053](https://zaxid.net/tyutyunoviy_zakonoproekt_9188_lobiyuyetsya_virobnikami_dorogih_sigaret_n1468053)

provisions: participation of physical persons, associations of citizens, whose activities are not associated with the tobacco industry, in measures for the prevention and reduction of the use of tobacco products and their harmful impact on the health of the population; priority of the policy in the health sphere in comparison with the financial, tax and corporate interests of entities whose activities are related to the tobacco industry. However, the Article 4 of the Law does not include any enforcement mechanism or fines for violation therefore it's not properly enforced.

In 2018, Ministry of Finance formed a working group to develop a draft law "On Amendments to Article 221 of the Tax Code of Ukraine regarding the Specifics of Taxation of Tobacco Products" (introduction of minimum retail prices). The tobacco industry representatives were included in this working group. This draft law was not adopted. In 2018 - 2019, "Ukrutiutiu" Ukrainian Association of Tobacco Manufacturers was a member of the Civil Councils established by the Ministry of Finance, Ministry of Economic Development and Trade, State Fiscal Service, Ministry of Agrarian Policy, State Regulatory Service, Committee on Tax and Customs, is a Member of Council of Entrepreneurs of the Cabinet of Ministers<sup>15</sup>.

4. The government nominates or allows representatives from the tobacco industry (including State-owned) in the delegation to the COP or other subsidiary bodies or accepts their sponsorship for delegates. (i.e. COP 4 & 5, INB 4 5, WG) <sup>16</sup> (Rec 4.9 & 8.3)		1				
---	--	---	--	--	--	--

The Government did not nominate or allow the representatives from the tobacco industry in the delegation to the COP or other subsidiary bodies.

### INDICATOR 2: Industry CSR activities

5. A. The government agencies or its officials endorses, supports, forms partnerships with or participates in so-called CSR activities organized by the tobacco industry. (Rec 6.2)						
B. The government (its agencies and officials) receives contributions <sup>17</sup> (monetary or otherwise) from the tobacco industry (including so-called CSR contributions). (Rec 6.4)			3			

In 2018, Chairwoman of Kharkiv Oblast Council met with the Director of Philip Morris Ukraine and expressed gratitude for PMI support of social projects and discussed other social projects in the region that need support. She also suggested for PMI to expand their CSR and consider the possibility of participating in projects to support the cultural heritage of the region, in particular, the Sharivka Palace and Park Complex and the Krasnokutsky Dendropark<sup>18</sup>.

In 2018, the first deputy chairman of the Kharkiv Regional Council Victor Kovalenko met with the General Manager of Philip Morris Ukraine in the House of Councils. During the

<sup>15</sup> Letter from the Ministry of Finance regarding the working group.

<https://dostup.pravda.com.ua/request/38526/response/84584/attach/3/tmpB648.tiff.tif>

<sup>16</sup> Please annex a list since 2009 so that the respondent can quantify the frequency, <http://www.who.int/fctc/cop/en/>

<sup>17</sup> political, social financial, educations, community, technical expertise or training to counter smuggling or any other forms of contributions

<sup>18</sup> Chairman of Kharkiv Regional State Administration Discussed Implementation of Social Projects in the Region with Philip Morris Ukraine Management. Kharkiv Regional State Administration; 2018. <https://kharkivoda.gov.ua/news/91116>

meeting, the company was invited to participate in social projects for the preservation of cultural heritage, the restoration of medical institutions in the region. The GM emphasized that Philip Morris is a very socially responsible company: "In each country where we work, we try to participate in social projects. We have three areas in which we can participate, on which we cooperate with the state and local authorities - it is a matter of gender equality, help with natural cataclysms, and the third is accessible education." They agreed on the further development of cooperation in the implementation of social projects in the gender field and the introduction of inclusive education.<sup>19</sup>

The Imperial Tobacco implemented social projects working for several years with the “KRAN” Charitable Foundation, providing in cooperation with it targeted financial assistance to ATO (Anti-Terrorist Operation) participants who need specialized neurorehabilitation after traumatic brain and spinal injuries. The Imperial Tobacco also collaborate with the community of Holiivskyi district of Kyiv, where their factory is located – they restored the crossing at the crossroads near the factory.<sup>20 21</sup>

### INDICATOR 3: Benefits to the Tobacco Industry

6. The government accommodates requests from the tobacco industry for a longer time frame for implementation or postponement of tobacco control law. (e.g. 180 days is common for PHW, Tax increase can be implemented within 1 month) (Rec 7.1)				3		
--	--	--	--	---	--	--

In 2018-2019, the tobacco industry front groups have been focusing on delaying and blocking an adoption of tobacco control draft laws 2820 and 4030a. As the parliament was dissolved in May 2019, both draft laws were not adopted. These draft laws complied with the WHO FCTC and were supported by the WHO and the MoH.

Association of Ukrainian Cities and National Organization of Retail Trade sent letters to the Government asking not to support tobacco control draft law 4030a and several media statements were published criticizing the draft law.<sup>22</sup>

In 2019, the tobacco companies challenged Ukraine’s Anti-Monopoly Committee for colluding to keep new businesses from entering the tobacco market in the country. Tobacco industry were required to pay \$263.4 million as penalty.<sup>23</sup>

In Ukraine, IQOS is taxed 3.5 times less than traditional cigarettes, and that will remain in place until 2021 when local authorities will begin equating the tobacco sticks with traditional cigarettes.

<sup>19</sup> Victor Kovalenko met with the head of Philip Morris Ukraine. Kharkiv Regional Council; 2019. <http://oblrada.kharkov.ua/ua/press-center/news/18881-viktor-kovalenko-zustrivsyia-iz-ochilnikom-kompaniji-filip-morris-ukrajina>

<sup>20</sup> Social partnership with Imperial Tobacco: a new stage. “KRAN” Charitable Foundation; 2019 <https://www.kran.fund/sotsial-ne-partnerstvo-z-imperial-tobakko-novyy-etap.html>

<sup>21</sup> INTERVIEW OF RISTISLAV CHERNAK, DIRECTOR OF THE COMPANY, TO INTERFAX UKRAINE. Imperial Tobacco Ukraine; 2020. [http://imperial-tobacco.com.ua/press/news/interv\\_yu\\_direktora\\_kompanii\\_rastislava\\_chernaka\\_agentstvu\\_interfaks\\_ukraina/](http://imperial-tobacco.com.ua/press/news/interv_yu_direktora_kompanii_rastislava_chernaka_agentstvu_interfaks_ukraina/)

<sup>22</sup> NORT made a statement on Bill 4030a. NORT; 2018. <https://platforma-msb.org/gs-nort-zrobyv-zayavu-shhodo-zakonoproektu-4030a/>  
<https://platforma-msb.org/zvernennya-gs-nort-do-narodnyh-deputativ-ukrayiny-shhodo-zakonoproektiv-4030a-ta-4030a-1/>

<sup>23</sup> Fine challenged. Tobaccoreporter. 2019. <https://tobaccoreporter.com/2019/10/14/fine-challenged/>

This amendment to the tax regulation enraged PMI’s top manager in Ukraine, Michalis Alexandrakis. On Nov. 25, 2019, he showed up at a meeting between Ukrainian lawmakers and representatives of tobacco companies in Kyiv. The tax increase for heated sticks like IQOS was on the table. According to a recording of the closed-door meeting, Alexandrakis aggressively backed IQOS.

“IQOS is less harmful than cigarettes, it is a fact...We need also to understand another fact – if people switch to IQOS, they quit smoking,” Alexandrakis said. Alexandrakis argued that IQOS users will return to traditional cigarettes after the tax increase, which he said amounts to “killing IQOS.” He then proceeded to accuse the Ukrainian authorities of a bait-and-switch, saying they could not change the legislation after PMI invested \$120 million to launch IQOS in Ukraine because it is “not fair.”<sup>24</sup>

In 2018, the Ministry of Finance proposed additional 9% (in line with inflation) increase of specific excise rates for tobacco products (20% increase from January 2019 was already adopted by the parliament) effective from January 2019. However, as a compromise to the industry requests the 9% excise increase was postponed till July 2019.

7. The government gives privileges, incentives, exemptions or benefits to the tobacco industry (Rec 7.3)			2			
--	--	--	---	--	--	--

According to Article 10 of the Law of Ukraine “On Measures of Prevention and Reduction of Use of Tobacco Products and Their Harmful Influence on People’s Health,” it is prohibited to support manufacturing (import) of tobacco and tobacco products for sales in the customs area of Ukraine in the form of public financing, provision of financial aid, financial guarantees, grants, subsidies, subsidized loans from the funds of the National Budget of Ukraine and local budgets to respective economic entities.

International travelers are allowed to bring into Kyiv duty free 200 cigarettes or 50 cigars or 250 grams of tobacco products.

**INDICATOR 4: Forms of Unnecessary Interaction**

8. Top level government officials (such as President/ Prime Minister or Minister <sup>25</sup> ) meet with/ foster relations with the tobacco companies such as attending social functions and other events sponsored or organized by the tobacco companies or those furthering its interests. (Rec 2.1)					4	
--	--	--	--	--	---	--

In October 2019, the draft law 1049 was adopted by the parliament. It included provisions which substantially increased trade margins of cigarette retailers. The tobacco industry opposed this draft law and temporarily stopped cigarette production on some factories and decreased its excise payments. It also threatened to close cigarette factories in Ukraine.<sup>26</sup> After these events, both BAT and PMI managed to have official separate meetings with the Prime Minister of Ukraine Oleksiy Honcharuk.

<sup>24</sup> We can move the office of the cluster center from Ukraine in case of unreasonable pressure on our investments - CEO Philip Morris Ukraine. Interfax Ukraine; 2019. <https://interfax.com.ua/news/interview/628545.html>

<sup>25</sup> Includes immediate members of the families of the high-level officials

<sup>26</sup> Interfax. Managing Director of Philip Morris Ukraine: we can move our cluster center office from Ukraine if there is unjustified pressure on our investments; 2019 <https://en.interfax.com.ua/news/interview/628597.html>

Soon the Ukrainian Prime Minister said that the Cabinet of Ministers and large tobacco companies have found a solution regarding the so-called "tobacco amendments" in the law introducing the single account for paying taxes and duties. The PMI also had separate meeting with the Prime Minister. Tobacco industry representatives had official meeting with the President of Ukraine on November 7, 2019. After the meeting BAT stated that "We heard words of support and assurances about an early solution to the problem that has damaged our industry."<sup>27 28 29</sup>

Moreover, in November 2019, Ukrainian President Volodymyr Zelensky met with representatives of tobacco manufacturers in Ukraine to discuss the challenges facing their business. Zelensky justified this meeting by saying that tobacco companies are among the country's biggest taxpayers. "The growth of investment into the economy of Ukraine is important for us as it is an increase in the number of jobs and tax revenues" Zelensky said in an interview.<sup>30</sup>

9. The government accepts assistance/ offers of assistance from the tobacco industry on enforcement such as conducting raids on tobacco smuggling or enforcing smoke free policies or no sales to minors. (including monetary contribution for these activities) (Rec 4.3)						5
--	--	--	--	--	--	---

Since 2016, representatives of the tobacco companies and representative of association of tobacco producers are participating in the process of destroying illicit tobacco. State Fiscal Service and other responsible authorities together with representatives of tobacco companies ensure that illicit and counterfeit tobacco products are destroyed and burned.

In 2018, State Fiscal Service signed a Memorandum of Understanding with "Ukrutiun" Ukrainian Association of Tobacco Producers (unites PMI, BAT, JTI, and Imperial Tobacco). It shows that the Government accepts support from the tobacco industry to tackle illegal trade and the illegal movement of tobacco products and equipment, as well as solving other issues aimed at protecting the rights, freedoms and legitimate interests of individuals, business entities, and the interests of the state. During meetings in 2018 between the State Fiscal Service and "Ukrutiun" Ukrainian Association of Tobacco Producers discussed questions related to countering illicit trade<sup>31</sup>. Therefore, Government accepts ideas, proposals, and recommendations from the tobacco industry.

10. The government accepts, supports, endorses, or enters into partnerships or agreements with the tobacco industry. (Rec 3.1)						4
--	--	--	--	--	--	---

<sup>27</sup> Volodymyr Zelenskyi at a meeting with representatives of the largest tobacco companies in Ukraine: We are interested in growth of investments and exports. Official website President of Ukraine; 2019. [https://president.gov.ua/news/volodimir-zelenskij-na-zustrichi-z-predstavnikami-najbilshih-58257?fbclid=IwAR2HwFFQoKe8OFM1mMVCz-b1ddY3Yz8jVsLC1a7nD\\_QP57q9d2MudX8okc](https://president.gov.ua/news/volodimir-zelenskij-na-zustrichi-z-predstavnikami-najbilshih-58257?fbclid=IwAR2HwFFQoKe8OFM1mMVCz-b1ddY3Yz8jVsLC1a7nD_QP57q9d2MudX8okc)

<sup>28</sup> British American Tobacco has suspended the operation of the tobacco factory "VA-Pryluky". TSN; 2019. <https://tsn.ua/groshi/pislya-zavav-pro-zgortannya-biznesu-v-ukrayini-prezident-zustrivsyia-z-kerivnikami-tyutyunovih-kompaniy-1439748.html>

<sup>29</sup> Managing director of Philip Morris Ukraine: we can move our cluster center office from Ukraine if there is unjustified pressure on our investments. Interfax Ukraine; 2019. <https://en.interfax.com.ua/news/interview/628597.html>

<sup>30</sup> Engaging in Dialogue. Tobacco reporter; 2019. <https://tobaccoreporter.com/2019/11/11/engaging-in-dialogue/>

<sup>31</sup> A memorandum of cooperation was signed between the SFS and the Ukrainian Association of Tobacco Products "Ukrtyutyun". State Fiscal Service; 2018. <http://sfs.gov.ua/media-tsentr/novini/331434.html>

	0	1	2	3	4	5
<i>NOTE: This must <u>not</u> involve CSR, enforcement activity, or tobacco control policy development since these are already covered in the previous questions.</i>						
<p>In 2018, State Fiscal Service signed a Memorandum of Understanding (MoU) with “Ukrutiutiu” Ukrainian Association of Tobacco Producers (unites PMI, BAT, JTI, and Imperial Tobacco). This MoU is still in effect. It defines actions aimed at counteracting illegal trade and the illegal movement of tobacco products and equipment, as well as solving other issues aimed at protecting the rights, freedoms and legitimate interests of individuals, business entities, and the interests of the state.</p> <p>In September 2019, representatives of the State Fiscal Service attended the conference in Moldova of using dogs to counteract illicit tobacco trade. The conference was sponsored by PMI, JTI, BAT and Imperial Tobacco<sup>32</sup>. A similar conference took place in Ukraine in 2018 sponsored by JTI and Imperial Tobacco<sup>33</sup>.</p> <p>On 12 December 2019, the Government of Ukraine and tobacco companies signed the <u>Memorandum of Intent</u> to ensure stability in the tobacco market and maintain a competitive environment for all its participants. This memorandum has been signed by the Minister for Development of Economy, Trade and Agriculture, Tymofiy Mylovanov, and tobacco companies operating in Ukraine<sup>34</sup>.</p> <p>Entering into an agreement with tobacco companies contradicts Ukraine’s international obligations under the WHO Framework Convention on Tobacco Control (FCTC), ratified by Ukraine in 2006. In addition, Ukrainian legislation (Article 4 of the <u>Law № 2899</u> On Measures of Prevention and Reduction of Use of Tobacco Products and Their Harmful Influence on Population Health) protects the Government from any requirements of the tobacco industry for granting financial and other preferences and emphasizes, “the priority of health policy in comparison with the financial, tax and corporate interests of economic entities whose activities are related to the tobacco industry.”</p>						
<b>INDICATOR 5: Transparency</b>						
11. The government does not publicly disclose meetings/ interactions with the tobacco industry in cases where such interactions are strictly necessary for regulation. (Rec 2.2)					4	
<p>The Law does not require the Government to publicly disclose meetings/ interactions with the tobacco industry. The State Fiscal Service had a meeting with “Ukrutiutiu” Ukrainian Association of Tobacco Manufacturers to discuss new electronic excise stamps that for tobacco products - the system that supposed to overcome illicit trade of tobacco products and</p>						

<sup>32</sup> Participation of the SFS representative in the international conference-championship "Together in combating the illegal movement of cigarettes and tobacco products". State Fiscal Service; 2019. <http://sfs.gov.ua/pro-sfs-ukraini/struktura-spetsializovan-departament/departament-spetsializovanoi-pidgotov/povidomlennya/391553.html>

<sup>33</sup> The IV International Competitions of Dog Teams Ukraine - 2018 took place in Khmelnytsky. State Fiscal Service; 2018. <http://sfs.gov.ua/pro-sfs-ukraini/struktura-spetsializovan-departament/departament-spetsializovanoi-pidgotov/povidomlennya/338210.html>

<sup>34</sup> The government has signed a memorandum with tobacco companies. Novoe viremia; 2019. <https://nv.ua/ukr/biz/markets/tyutyunovi-kompaniji-uryad-pidpisav-memorandum-z-uchasnikami-rinku-tyutyunu-novini-ukrajini-50059058.html>

	0	1	2	3	4	5
should be launched soon in Ukraine <sup>35</sup> .						
12. The government requires rules for the disclosure or registration of tobacco industry entities, affiliated organizations, and individuals acting on their behalf including lobbyists (Rec 5.3)					4	
<p>Tobacco manufacturers and distributors are registered. The Governments has no system for the disclosure, registration of tobacco industry entities and its affiliate organizations and individuals acting on their behalf including lobbyists. The official registry of the manufacturers, producers, distributors of tobacco products is regularly updated and published by the State Fiscal Service.</p>						
<b>INDICATOR 6: Conflict of Interest</b>						
13. The government does not prohibit contributions from the tobacco industry or any entity working to further its interests to political parties, candidates, or campaigns or to require full disclosure of such contributions. (Rec 4.11)	0					
<p>The law prohibits all forms of financial or other support by the tobacco industry to events, activities, individuals, or groups, including political parties or politicians, sportsmen or sports teams, artists or artist groups, and educational institutions of any form of ownership. The law also prohibits the tobacco industry to provide financial support to informational campaigns or events for the public, including youth prevention programs. These prohibitions apply regardless of whether the financial contribution or support is publicized.</p> <p>However, the tobacco companies violate the law and have been making charitable contributions to NGOs, charitable funds, think thanks. Those NGOs, charitable funds, think tanks and their leadership have an influence on decision-makers.</p> <p>Former Minister of Health and former Member of the Parliament Serhiy Shevchuk is a founder of the Charitable Fund "Health For All". Since 2014 Charitable Fund "Health For All" receives contributions from Philip Morris International. In 2017 Charitable Fund "Health For All" received \$ 121,344 for projects on Infrastructure development of social and medical institutions in rural regions, Provision of equipment to the Specialized Children's House No.1. In 2018 Charitable Fund "Health For All" received from PMI 173,809 for projects on providing renewable energy sources to socio-medical institutions in rural regions and replacing the windows of the Roganska school which were damaged by a storm. Roganska school and PMI factory are both situated in the Kharviska oblast Karkiskyi region<sup>36</sup>. In 2019 Charitable Fund "Health For All" received from PMI 155,965 for projects on providing renewable energy sources to hospitals in rural regions<sup>37</sup></p> <p>Ukrainian Economic Freedoms Foundation Program received from the PMI \$ 113,315 in 2018 “to encourage youth involvement in civil society Access to Education” and \$ 164,802 in 2019</p>						

<sup>35</sup> The SFS discussed the introduction of an automated system for controlling the circulation of tobacco products. State Fiscal Service; 2019. <http://sfs.gov.ua/media-tsentr/novini/372067.html>

<sup>36</sup> PMI charitable contributions 2019. [https://www.pmi.com/resources/docs/default-source/our\\_company/transparency/charitable-2018.pdf?sfvrsn=d97d91b5\\_2](https://www.pmi.com/resources/docs/default-source/our_company/transparency/charitable-2018.pdf?sfvrsn=d97d91b5_2)

<sup>37</sup> PMI charitable contributions 2019. [https://www.pmi.com/resources/docs/default-source/our\\_company/transparency/social-contributions-2019.pdf?sfvrsn=76203cb4\\_2](https://www.pmi.com/resources/docs/default-source/our_company/transparency/social-contributions-2019.pdf?sfvrsn=76203cb4_2)

	0	1	2	3	4	5
for “Development of young leaders by providing knowledge and tools to be successful individuals and activists” <sup>38</sup> .						
Charitable Foundation "Equality and Mutual Respect" in 2018 received \$ 103,093 from the PMI for “Strengthening the role of women in regional community councils to advance their leadership at local level Empowering Women” In 2019 this organization did not receive any funds.						
Organization “Let's do it” in 2019 received \$ 3,940 from the PMI for “Support of World cleanup day in Ukraine Environment” <sup>39</sup> .						
14. Retired senior government officials form part of the tobacco industry (former Prime Minister, Minister, Attorney General) (Rec 4.4)				3		
On July 19 2019, former Deputy Head of the Prosecutor General Yevhen Yenin has been hired as deputy director and head of programme against smuggling for Institute for Future, a think tank supported by PMI. <sup>40</sup>						
On November 14, 2019 the TI representatives (JTI, PMI) and one MP Yaroslav Zhelezniak, Deputy Minister of Finance Pavlo Khodakovskiy and representative of the State Fiscal Service took part in the discussion on illicit trade of tobacco products. <sup>41</sup>						
15. <u>Current government officials</u> and relatives hold positions in the tobacco business including consultancy positions. (Rec 4.5, 4.8, 4.10)				3		
Hryhorii Kozlovskiy is a Member of City Council in Lviv (local decision maker) since 2015. Hryhorii Kozlovskiy is a Director of Lvivska/ Vynnykivska Tobacco Factory <sup>42</sup> .						
At the beginning 2019, Yulia Yushchenko started working for JTI as GR manager. Before that she worked at the Ministry of Finance. Viacheslav Yushchenko, the husband of Yulia Yushchenko is currently working at the Secretariat of the Finance, tax and customs policy. <sup>43</sup>						
<b>INDICATOR 7: Preventive Measures</b>						
16. The government has put in place a procedure for disclosing the records of the interaction (such as agenda, attendees, minutes and outcome) with the tobacco industry and its representatives. (Rec 5.1)						5
Information about some of the meetings that the government representatives have with public, business, etc. is disclosed by such as the record of the agenda, attendees, minutes, outcomes. However, there is no specific policy, procedure, rule related to disclosing the						

<sup>38</sup> PMI charitable contributions 2019. [https://www.pmi.com/resources/docs/default-source/our\\_company/transparency/social-contributions-2019.pdf?sfvrsn=76203cb4\\_2](https://www.pmi.com/resources/docs/default-source/our_company/transparency/social-contributions-2019.pdf?sfvrsn=76203cb4_2)

<sup>39</sup> PMI charitable contributions 2019. [https://www.pmi.com/resources/docs/default-source/our\\_company/transparency/social-contributions-2019.pdf?sfvrsn=76203cb4\\_2](https://www.pmi.com/resources/docs/default-source/our_company/transparency/social-contributions-2019.pdf?sfvrsn=76203cb4_2)

<sup>40</sup> Ukrainian Institute for Future. <https://www.uifuture.org/en/publications/news/24929-evheniyeninobiyiniavposaduzastupnykadyrektora>

<sup>41</sup> Ukrainian Institute for Future. <https://www.uifuture.org/publications/news/25184-cigarettes-electronic-system>

<sup>42</sup> Hryhorii Kozlovskiy. Wikipedia. [https://uk.wikipedia.org/wiki/Козловський\\_Григорій\\_Петрович](https://uk.wikipedia.org/wiki/Козловський_Григорій_Петрович)

<sup>43</sup> Bihus declarations. [https://declarations.com.ua/declaration/nacp\\_43cc656c-71b7-4dfb-9005-7457bf7a6534](https://declarations.com.ua/declaration/nacp_43cc656c-71b7-4dfb-9005-7457bf7a6534)

	0	1	2	3	4	5
records of the interaction (such as agenda, attendees, minutes and outcome) with the tobacco industry and its representatives.						
17. The government has formulated, adopted or implemented a code of conduct for public officials, prescribing the standards with which they should comply in their dealings with the tobacco industry. (Rec 4.2)						5
No such policy, a code of conduct was <b>not</b> adopted.						
18. The government requires the tobacco industry to periodically submit information on tobacco production, manufacture, market share, marketing expenditures, revenues and any other activity, including lobbying, philanthropy, political contributions and all other activities. (5.2)					4	
<p>The information provided is only partial. Information on maximum retail prices of manufacturers and importers of tobacco products is submitted to the State Fiscal Service and it published on SFS' website twice a month.</p> <p>The State Fiscal Service website also contains Unified State Register of Equipment for Industrial Production of Cigarettes. According to Article 9.1 of the Law of Ukraine "On the State Regulation of Production and Circulation of Ethyl Alcohol, Cognac and Fruit Alcohols, Alcohol Beverages and Tobacco Products," each manufacturer or importer of tobacco products is obliged to provide information on the ingredients of tobacco products meant for sales on the customs area of Ukraine to the central executive agency which implements national policy in the area of sanitary and epidemic wellbeing of the population annually, by February 1 of the year following the report year.</p> <p>The tobacco industry does not provide information on marketing of tobacco such as incentives given to the retailers, promoters, marketing spending on tobacco displays at the points of sale.</p> <p>PMI and BAT do not report spending on 1) tobacco advertisements in social media and paid smm post published by influencers 2) sponsorship of events that promote and stimulate sales of IQOS and Glo. The tobacco industry is not obliged to report expenditures on lobbying.</p>						
19. The government has a program / system/ plan to consistently <sup>44</sup> raise awareness within its departments on policies relating to FCTC Article 5.3 Guidelines. (Rec 1.1, 1.2)					4	
<p>In 2018, the government together with the WHO country office conducted training for government representatives to raise awareness on policies related to FCTC Article 5.3 Guidelines. Although follow up activities were done since 2018 the Government did not take new actions in 2019 to improve implementation of FCTC Article 5.3.</p>						

<sup>44</sup> For purposes of this question, "consistently" means: a. Each time the FCTC is discussed, 5.3 is explained. AND b. Whenever the opportunity arises such when the tobacco industry intervention is discovered or reported.

	0	1	2	3	4	5
20. The government has put in place a policy to disallow the acceptance of all forms of contributions/ gifts from the tobacco industry (monetary or otherwise) including offers of assistance, policy drafts, or study visit invitations given or offered to the government, its agencies, officials and their relatives. (3.4)			2			
<p>The law prohibits all forms of financial or other support by the tobacco industry to events, activities, individuals, or groups, including political parties or politicians, sportsmen or sports teams, artists or artist groups, and educational institutions of any form of ownership. The law also prohibits the tobacco industry to provide financial support to informational campaigns or events for the public, including youth prevention programs. These prohibitions apply regardless of whether the financial contribution or support is publicized. However, the tobacco industry has been violating the law (as mentioned in Q1, Q9 and policy drafts, policy recommendations are accepted).</p>						
<b>TOTAL</b>			68			

## **APPENDIX A: ADDITIONAL INFORMATION ON NOVEL TOBACCO PRODUCTS**

Juul is being promoted on social media, including by influencers like the Kyiv model and DJ Alya Kalinichenko. 738 posts related to Juul appeared on Twitter and Instagram in Ukraine between Jan. 1, 2018 and Oct. 1, 2019, according to research by the Campaign for Tobacco-Free Kids. Juul denied promoting its products on social media. Since its launch, Juul has been made extensive attempts in the Ukrainian parliament and Cabinet of Ministers to assist in creating e-cigarette legislation to-be.

Ukraine has no such regulation at the moment, meaning there are no excise taxes for e-cigarettes distributors (the law on taxing liquids for e-cigarettes will enter into force from 1 January 2020). The only ban is on vaping in public places.

New advertising campaign by Oh My Look, a Ukrainian dress rental service, in collaboration with Philip Morris International, PMI, a multinational tobacco producer and the creator of IQOS was launched in 2019. The video was released on the Instagram account of Oh My Look, which currently has 173,000 followers, on Dec. 26, 2019. It offers 30 users of the social media platform a chance to win a certificate for a free dress rental if they register on IQOS's official website in Ukraine and follows its Instagram account.

In 2019 L'Officiel included IQOS in its list of things that will "change your life in the next year" while Marie Claire encouraged readers to buy IQOS as a present for Secret Santa or Valentine's Day. Aristocrats, a Kyiv-based radio station, made their studio "IQOS-friendly" and, ever since, has featured the product's logo during live video broadcasts.

In 2019, PMI Ukraine partnered with Ukrainian Fashion Week, setting up two interactive zones, a branded catwalk with an unlimited prosecco tap and a 3D cinema live-broadcasting the show's backstage.

In 2019, IQOS also partnered with the Ukrainian Film Academy, which honors the best films, actors and directors in Ukraine. PMI had a promo zone at the awards ceremony as well.

### **Results of the research on HTP ads in social media**

2,522 posts were identified in Ukraine that referenced IQOS, Glo or used an IQOS or Glo-related hashtag between October 2018 – October 2019. 30 top Ukrainian influencers\* talking about IQOS or Glo were identified between July 2018 – October 2019 and have a combined reach of nearly 5.6 million followers. Their tobacco-related content is worth a combined estimated advertising value of more than US \$1.8 million.

In April 2019, BAT launched the "Today I Will" campaign promoting its Glo tobacco product, encouraging people to "tackle a challenge they've never done." As part of the challenge, Glo Ukraine asked Sonia Plakidyuk and Richard Gorn to post to their own Instagram pages encouraging their followers to celebrate new experiences. These images include #ad to show they are advertising paid for by BAT. At the same time, Glo Ukraine encouraged people to enter a contest to win a helicopter ride over Kiev with television actor Andrei Bedniakov. Images of Sonia and Richard later appeared on the Glo Ukraine and Glo Worldwide Instagram pages showing them with the tobacco product. At least 3.5 million people have been reached with #TodayIWill posts from Ukrainian influencers.

## APPENDIX B: SOURCES OF INFORMATION

### I. TOBACCO INDUSTRY ACTIVITY

Top 5 Transnational Tobacco Company	SEATCA Report (Y if SEATCA Report contains information on this, N if not)	Sources other than SEATCA Report
Philip Morris Ukraine Top Representatives: Michalis Alexandrakis, Natalia Bondarenko		<a href="https://www.pmi.com/markets/ukraine/uk/about-us/overview">https://www.pmi.com/markets/ukraine/uk/about-us/overview</a>
British American Tobacco Ukraine. Top Representative: Simon Welford, Yurii Rylach		<a href="http://www.bat.ua/">http://www.bat.ua/</a>
Japan Tobacco International Company Ukraine. Top Representatives: Andriy Fita, Gintautas Dirgela		<a href="https://www.jti.com/europe/ukraine">https://www.jti.com/europe/ukraine</a>
Imperial Tobacco Ukraine. Top Representatives: Rastislav Chernak, Oleh Strekal		<a href="http://imperial-tobacco.com.ua/">http://imperial-tobacco.com.ua/</a>

### LOCAL TOBACCO COMPANIES

Top 5 Local Tobacco Company	Market Share and Brands	Source
Lviv/Vynnykivska Tobacco Factory (in 2018 changed name to Marvel International Tobacco Group)	Brands: Marvel, Compliment, Lifa, LS, Strong, Kyiv Market share – 9%	<a href="https://marvel-itg.com/about_uk/?page-verified=4b2c24330e#brands">https://marvel-itg.com/about_uk/?page-verified=4b2c24330e#brands</a>
United Tobacco (established in 2016, terminated in December 2018)	Brands: Pull, Marshal,	<a href="http://ut.com.ua/">http://ut.com.ua/</a>

### TOBACCO FRONT GROUPS

Top 5 Tobacco Industry Representative	Type (Front Group/ Affiliate/ Individual)	Source
Association of Ukrainian Cities	Front Group	<a href="http://2.auc.org.ua">http://2.auc.org.ua</a>
«Ukrutiutiu» Ukrainian Association of Tobacco Producers	Front Group	<a href="https://www.facebook.com/%D0%90%D1%81%D0%BE%D1%86%D1%96%D0%B0%D1%86%D1%96%D1%8F-%D0%A3%D0%BA%D1%80%D1%82%D1%8E%D1%82%D1%8E%D0%BD-1968281810050812">https://www.facebook.com/%D0%90%D1%81%D0%BE%D1%86%D1%96%D0%B0%D1%86%D1%96%D1%8F-%D0%A3%D0%BA%D1%80%D1%82%D1%8E%D1%82%D1%8E%D0%BD-1968281810050812</a> <a href="https://opendatabot.ua/c/3081460">https://opendatabot.ua/c/3081460</a>
American Chamber of Commerce	Affiliate	<a href="http://www.chamber.ua/">www.chamber.ua/</a>
<i>NGO “National Organization of Retail Trade”</i>	Front Group	<a href="http://nort.org.ua/">http://nort.org.ua/</a>

a. News Sources

Top 5 Newspaper/Dailies*	Type (Print/Online)	
Obozrevatel	Online	<a href="http://obozrevatel.com">obozrevatel.com</a>
24 tv ua	Online	<a href="http://24tv.ua">24tv.ua</a>
Interfax Ukraine	Online	<a href="https://interfax.com.ua">https://interfax.com.ua</a>
Unian	Online	<a href="https://www.unian.ua/">https://www.unian.ua/</a>
Censor. net	Online	<a href="https://censor.net.ua">https://censor.net.ua</a>

b.

\*Basis of Ranking: Others: Top 5 political&social news websites  
Ranking Authority/ies: Ukrainian Internet Assosiation  
Other News Source (not a newspaper but is a relevant source)

OTHER SOURCES INCLUDE:

Websites of anti-corruption organizations:  
Transparency International Ukraine  
Bihus info

Other sources of information are the following websites: Comments.ua, News from Kharkiv, Khakviv Regional Council, Bussines.ua, Depo, Mnenie.

The extensive knowledge of tobacco control advocates and experts Kostiantyn Krasovskiy, Oksana Totovytska, Andriy Skipalskiy helped to identify information relevant to the tobacco industry activities.

c. Government Agencies (Refer also to Annex A)

Agency	Specify if more than one office is involved in this function:	General Sources of Information/ News for each office
1. Office of the Chief Executive (Prime Minister/ President) Members of Royalty	Government Portal  President of Ukraine	Official website of Government Portal <a href="https://www.kmu.gov.ua/ua">https://www.kmu.gov.ua/ua</a> News <a href="https://www.kmu.gov.ua/ua/timeline?&amp;type=posts">https://www.kmu.gov.ua/ua/timeline?&amp;type=posts</a>  Official website of President of Ukraine <a href="https://www.president.gov.ua">https://www.president.gov.ua</a> News <a href="https://www.president.gov.ua/news/all">https://www.president.gov.ua/news/all</a>
2. Cabinet and/or National Assembly (Policy makers)	Verkhovana Rada of Ukraine (Parliament of Ukraine)	Official website Verkhovana Rada of Ukraine <a href="https://rada.gov.ua">https://rada.gov.ua</a> News <a href="https://rada.gov.ua/archive">https://rada.gov.ua/archive</a>
3. Agriculture / National Tobacco Board	Ministry of Agrarian Policy and Food of Ukraine  Parliament Committee on agriculture  State Service for Food Safety and Consumer Protection	Ministry of Agrarian Policy and Food of Ukraine <a href="http://minagro.gov.ua/en">http://minagro.gov.ua/en</a>  Parliament Committee on agriculture <a href="http://w1.c1.rada.gov.ua/pls/site2/p_komity?pidid=2620">http://w1.c1.rada.gov.ua/pls/site2/p_komity?pidid=2620</a>  State Service for Food Safety and Consumer Protection <a href="https://www.google.com/url?sa=t&amp;rct=j&amp;q=&amp;esrc=s&amp;source=web&amp;cd=1&amp;cad=rja&amp;uact=8&amp;ved=2ahUKEwjCw8bolMXhAhWSmIsKHWniBOEQFjAAegQICBAC&amp;url=http%3A%2F%2Fwww.consumer.gov.ua%2F&amp;usg=AOvVaw0Lxb3ifPfpBz6Uejus947">https://www.google.com/url?sa=t&amp;rct=j&amp;q=&amp;esrc=s&amp;source=web&amp;cd=1&amp;cad=rja&amp;uact=8&amp;ved=2ahUKEwjCw8bolMXhAhWSmIsKHWniBOEQFjAAegQICBAC&amp;url=http%3A%2F%2Fwww.consumer.gov.ua%2F&amp;usg=AOvVaw0Lxb3ifPfpBz6Uejus947</a>
4. European Integration	Government Office for European and Euro-Atlantic Integration  Parliament Committee on European Integration	Government Office for European and Euro-Atlantic <a href="https://eu-ua.org">integrationhttps://eu-ua.org</a> News <a href="https://eu-ua.org/novyny">https://eu-ua.org/novyny</a>  Parliament Committee on European Integration <a href="http://w1.c1.rada.gov.ua/pls/site2/p_komity?pidid=2626">http://w1.c1.rada.gov.ua/pls/site2/p_komity?pidid=2626</a>

5. Education	Ministry of Science and Education  Parliament Committee on Science and Education	Parliament Committee on Science and Education <a href="http://w1.c1.rada.gov.ua/pls/site2/p_komity?pidid=2632">http://w1.c1.rada.gov.ua/pls/site2/p_komity?pidid=2632</a>
6. Environment	Ministry of Ecology and Natural Resources Parliament Committee on Ecology	Ministry of Ecology and Natural Resources <a href="https://www.google.com/url?sa=t&amp;rct=j&amp;q=&amp;esrc=s&amp;source=web&amp;cd=2&amp;cad=rja&amp;uact=8&amp;ved=2ahUKEwjCh-i1lcXhAhUFtIsKHcjFAY0QFjABegQIBBAB&amp;url=http%3A%2F%2Feng.menr.gov.ua%2F&amp;usg=AOvVaw0Iai8uzKdIPxxZme3zs_u5">https://www.google.com/url?sa=t&amp;rct=j&amp;q=&amp;esrc=s&amp;source=web&amp;cd=2&amp;cad=rja&amp;uact=8&amp;ved=2ahUKEwjCh-i1lcXhAhUFtIsKHcjFAY0QFjABegQIBBAB&amp;url=http%3A%2F%2Feng.menr.gov.ua%2F&amp;usg=AOvVaw0Iai8uzKdIPxxZme3zs_u5</a> Parliament Committee on Ecology <a href="http://w1.c1.rada.gov.ua/pls/site2/p_komity?pidid=2624">http://w1.c1.rada.gov.ua/pls/site2/p_komity?pidid=2624</a>
7. Finance/ Revenue/ Investments/ Excise/Customs	Ministry of Finance  State Fiscal Service  Parliament Committee on Tax and Customs	Ministry of Finance <a href="https://www.minfin.gov.ua">https://www.minfin.gov.ua</a>  State Fiscal Service <a href="https://www.google.com/url?sa=t&amp;rct=j&amp;q=&amp;esrc=s&amp;source=web&amp;cd=1&amp;cad=rja&amp;uact=8&amp;ved=2ahUKEwjZyLjqlcXhAhXmilsKHdIMAIoQFjAAegQIBxAC&amp;url=http%3A%2F%2Ffs.gov.ua%2F&amp;usg=AOvVaw1gOBI3pLuGRgteN2FHLuWf">https://www.google.com/url?sa=t&amp;rct=j&amp;q=&amp;esrc=s&amp;source=web&amp;cd=1&amp;cad=rja&amp;uact=8&amp;ved=2ahUKEwjZyLjqlcXhAhXmilsKHdIMAIoQFjAAegQIBxAC&amp;url=http%3A%2F%2Ffs.gov.ua%2F&amp;usg=AOvVaw1gOBI3pLuGRgteN2FHLuWf</a>  Parliament Committee on Tax and Customs <a href="https://www.google.com/url?sa=t&amp;rct=j&amp;q=&amp;esrc=s&amp;source=web&amp;cd=1&amp;cad=rja&amp;uact=8&amp;ved=2ahUKEwjeiNmBlsXhAhVyK4sKHS2ADzoQFjAAegQIBhAC&amp;url=http%3A%2F%2Fkompmp.rada.gov.ua%2F&amp;usg=AOvVaw1o7-Sdba1iNJjEQ-BiZfGB">https://www.google.com/url?sa=t&amp;rct=j&amp;q=&amp;esrc=s&amp;source=web&amp;cd=1&amp;cad=rja&amp;uact=8&amp;ved=2ahUKEwjeiNmBlsXhAhVyK4sKHS2ADzoQFjAAegQIBhAC&amp;url=http%3A%2F%2Fkompmp.rada.gov.ua%2F&amp;usg=AOvVaw1o7-Sdba1iNJjEQ-BiZfGB</a>

8. Health	Ministry of Health  Public Health Center of MoH  Parliament Committee on Healthcare	Ministry of Health <a href="https://www.google.com/url?sa=t&amp;rct=j&amp;q=&amp;esrc=s&amp;source=web&amp;cd=1&amp;cad=rja&amp;uact=8&amp;ved=2ahUKEwj89vWJlsXhAhUFqYsKHWmBDQEQFjAAegQIBBAD&amp;url=http%3A%2F%2Fmoz.gov.ua%2F&amp;usg=AOvVaw20ZpJyDIe5TOuh61GjQiAF">https://www.google.com/url?sa=t&amp;rct=j&amp;q=&amp;esrc=s&amp;source=web&amp;cd=1&amp;cad=rja&amp;uact=8&amp;ved=2ahUKEwj89vWJlsXhAhUFqYsKHWmBDQEQFjAAegQIBBAD&amp;url=http%3A%2F%2Fmoz.gov.ua%2F&amp;usg=AOvVaw20ZpJyDIe5TOuh61GjQiAF</a>  Public Health Center of MoH <a href="https://www.google.com/url?sa=t&amp;rct=j&amp;q=&amp;esrc=s&amp;source=web&amp;cd=1&amp;cad=rja&amp;uact=8&amp;ved=2ahUKEwjNgMWylsXhAhULtYsKHe-hAPwQFjAAegQIBxAC&amp;url=https%3A%2F%2Fphc.org.ua%2F&amp;usg=AOvVaw32_U4auj1GHnm93mmV5m1m">https://www.google.com/url?sa=t&amp;rct=j&amp;q=&amp;esrc=s&amp;source=web&amp;cd=1&amp;cad=rja&amp;uact=8&amp;ved=2ahUKEwjNgMWylsXhAhULtYsKHe-hAPwQFjAAegQIBxAC&amp;url=https%3A%2F%2Fphc.org.ua%2F&amp;usg=AOvVaw32_U4auj1GHnm93mmV5m1m</a>  Parliament Committee on Healthcare <a href="http://w1.c1.rada.gov.ua/pls/site2/p_komity?pidid=2634">http://w1.c1.rada.gov.ua/pls/site2/p_komity?pidid=2634</a>
9. Labor	Ministry of Social Policy Parliament Committee on Social Policy, Labour and Pensions	Ministry of Social Policy  <a href="https://www.google.com/url?sa=t&amp;rct=j&amp;q=&amp;esrc=s&amp;source=web&amp;cd=1&amp;cad=rja&amp;uact=8&amp;ved=2ahUKEwiwnuvhk8XhAhXpAhAIHaVIAhgQFjAAegQIBhAC&amp;url=http%3A%2F%2Fwww.msp.gov.ua%2F&amp;usg=AOvVaw3F_2cywwTopHu2vQ4sAFV2">https://www.google.com/url?sa=t&amp;rct=j&amp;q=&amp;esrc=s&amp;source=web&amp;cd=1&amp;cad=rja&amp;uact=8&amp;ved=2ahUKEwiwnuvhk8XhAhXpAhAIHaVIAhgQFjAAegQIBhAC&amp;url=http%3A%2F%2Fwww.msp.gov.ua%2F&amp;usg=AOvVaw3F_2cywwTopHu2vQ4sAFV2</a> Parliament Committee on Social Policy, Labour and Pensions <a href="http://w1.c1.rada.gov.ua/pls/site2/p_komity?pidid=2643">http://w1.c1.rada.gov.ua/pls/site2/p_komity?pidid=2643</a>
10. Trade and Industry/ Investments	The Ministry of Economic Development and Trade  Parliament Committee on Tax and Customs	The Ministry of Economic Development and Trade  <a href="https://www.google.com/url?sa=t&amp;rct=j&amp;q=&amp;esrc=s&amp;source=web&amp;cd=1&amp;cad=rja&amp;uact=8&amp;ved=2ahUKEwj7yZ6glsXhAhUBs4sKHRExCx4QFjAAegQIBhAD&amp;url=http%3A%2F%2Fwww.me.gov.ua%2F&amp;usg=AOvVaw1ULk7cvJLpdXMygfvXCP85">https://www.google.com/url?sa=t&amp;rct=j&amp;q=&amp;esrc=s&amp;source=web&amp;cd=1&amp;cad=rja&amp;uact=8&amp;ved=2ahUKEwj7yZ6glsXhAhUBs4sKHRExCx4QFjAAegQIBhAD&amp;url=http%3A%2F%2Fwww.me.gov.ua%2F&amp;usg=AOvVaw1ULk7cvJLpdXMygfvXCP85</a> Parliament Committee on Tax and Customs <a href="http://w1.c1.rada.gov.ua/pls/site2/p_komity?pidid=2636">http://w1.c1.rada.gov.ua/pls/site2/p_komity?pidid=2636</a>

Additional agencies/sectors to be named per country:		
11. Internal Affairs	Ministry of Internal Affairs  National Police	Ministry of Internal Affairs <a href="https://www.google.com/url?sa=t&amp;rct=j&amp;q=&amp;esrc=s&amp;source=web&amp;cd=1&amp;cad=rja&amp;uact=8&amp;ved=2ahUKEwiX6JaNIMXhAhWKlosKHf4aCfUQFjAAegQIBxAC&amp;url=https%3A%2F%2Fmvs.gov.ua%2F&amp;usg=AOvVaw12Eku_4GqrXyUww1CZ2Q84">https://www.google.com/url?sa=t&amp;rct=j&amp;q=&amp;esrc=s&amp;source=web&amp;cd=1&amp;cad=rja&amp;uact=8&amp;ved=2ahUKEwiX6JaNIMXhAhWKlosKHf4aCfUQFjAAegQIBxAC&amp;url=https%3A%2F%2Fmvs.gov.ua%2F&amp;usg=AOvVaw12Eku_4GqrXyUww1CZ2Q84</a>  National Police <a href="https://www.google.com/url?sa=t&amp;rct=j&amp;q=&amp;esrc=s&amp;source=web&amp;cd=1&amp;cad=rja&amp;uact=8&amp;ved=2ahUKEwiLt7rHIMXhAhVCkMMKHf4-DY0QFjAAegQIABAC&amp;url=https%3A%2F%2Fwww.npu.gov.ua%2F&amp;usg=AOvVaw3qEI51ALtqwDsBk3lPOq4a">https://www.google.com/url?sa=t&amp;rct=j&amp;q=&amp;esrc=s&amp;source=web&amp;cd=1&amp;cad=rja&amp;uact=8&amp;ved=2ahUKEwiLt7rHIMXhAhVCkMMKHf4-DY0QFjAAegQIABAC&amp;url=https%3A%2F%2Fwww.npu.gov.ua%2F&amp;usg=AOvVaw3qEI51ALtqwDsBk3lPOq4a</a>
11. Regulatory Service	State Regulatory Service	State Regulatory Service <a href="http://www.drs.gov.ua/">http://www.drs.gov.ua/</a>

d. Meetings Attended/ Public Hearings

List the types of meetings and name of groups meeting (Working Group, Drafting group, National Assembly Public Hearing, National Tobacco Control Committee, etc.) and the contact person / source of the minutes:

Type of Meeting	Source
State Fiscal Service met with “Ukrutiutiu” Ukrainian Association of Tobacco Manufacturers to discuss new electronic excise stamps that for tobacco products - the system that supposed to fight illicit trade and should be launched soon in Ukraine.	State Fiscal Service discussed the introduction of an automated control system of tobacco products. <a href="http://sfs.gov.ua/media-tsentr/novini/359674.html">http://sfs.gov.ua/media-tsentr/novini/359674.html</a>
State Fiscal Service met with “Ukrutiutiu” Ukrainian Association of Tobacco Manufacturers	<a href="http://sfs.gov.ua/media-tsentr/novini/372067.html">http://sfs.gov.ua/media-tsentr/novini/372067.html</a>

II. Laws, Policies, and issuances:

HEALTH LAWS:

1. Is there a health law database? If yes, please list which one will be used and cite the limitations:

There is no special health law database in Ukraine.

If there is no existing health law database, then list the primary source of the law listing to be searched:

The primary source of the law listing to be searched in the database of Legislation of Ukraine <https://zakon.rada.gov.ua/laws>

This database incorporates all laws of Ukraine.

2. Does the above sources include issuances?  Yes  No

Yes the database of Legislation of Ukraine <https://zakon.rada.gov.ua/laws> includes issuances

ALL LAWS:

---

3. Is there a centralized (all) law database? If yes, please list which one will be used and cite the limitations:

Yes

Database Legislation of Ukraine <https://zakon.rada.gov.ua/laws>

## APPENDIX C: GUIDE ON KEY WORD SEARCH

Fulfill a Key Word Search of the following key words in each of the 10 or so government websites. Do the same in the top 5 news dailies, including online news providers. Below is an illustrative/minimum list. Please add other search terms in local language relevant to your country situation

### Key Word Search in News Dailies

Тютюн і Куріння і Сигарети

Тютюнова компанія і тютюнова галузь і тютюнові виробники

Антитютюнові заходи

Контрабанда і Тютюн і Акциз

Контрафакт і Тютюн і Акциз і Уряд

МОЗ і куріння

Куріння і молодь

### Key Word Search to be done in EACH Government Agency Website

Тютюн і Куріння і Сигарети

Контроль над тютюном і Антитютюнові закони

Тютюн і Акциз і Податок

Місця вільні від куріння

Тютюн і громадськість

Тютюн і Контрабанда і Нелегальна торгівля

### Additional Key Words to capture front groups and CSR Activities (Q5)

Філіп Морріс Україна/ Philip Morris Україна / Michalis Alexandrakis / Міхаліс

Александракіс / Наталя Бондаренко і соціальні проекти і соціальні ініціативи і допомога і спонсор і партнер

Бритіш Американ Тобакко Україна/ВАТ/БАТ/ Prylucky Tobacco Company/ Прилуцька тютюнова фабрика/ Саймон Уелфорд і соціальні проекти і соціальні ініціативи і допомога і спонсор і партнер

Джей ті ай Україна /JTI/ Кременчуцька тютюнова фабрика /Пол Холлоуей і соціальні проекти і соціальні ініціативи і допомога і спонсор і партнер

Імперіал Тобако Юкрейн/ Київська тютюнова фабрика/ Imperial Tobacco в Україні/

Імперіал Тобакко Продакшн Україна/ Растіслав Чернак/ Галина Воробйова

Владислав Лабазов/ Катерина Гаращенко / Олег Стрекаль і соціальні проекти і соціальні ініціативи і допомога і спонсор і партнер

Юнайтед Табако/ Жовті Води і соціальні проекти і соціальні ініціативи і допомога і спонсор і партнер

Львівська Тютюнова Фабрика/ Винниківська Тютюнова Фабрика / Марвел Інтернешенл

Тобакко Груп соціальні проекти і соціальні ініціативи і допомога і спонсор і партнер

Укртютюн/Валентина Хоменко і соціальні проекти і соціальні ініціативи і допомога і спонсор і партнер