

Gabon

48

Summary of Findings

1. Industry participation in policy development

From 2019 to March 2021, we did not identify any tobacco industry involvement in policymaking in the country. Nevertheless, in 2017 the industry had made the proposal of Codentify to the government and tried to organize a workshop related to the application texts budgeted at 12 million CFA francs.

2. Industry CSR activities

There were no tobacco industry-related corporate social responsibility (CSR) activities identified during the period of this report. However, from 2013 to 2016, we noted the use of front groups (NGOs) under the pretext of CSR with an offer of 8 million CFA francs to the NGO MALACHIE to fight against malaria. Nevertheless, tobacco-related CSR activities are banned in Gabon.

3. Benefits to the industry

In 2017, the Gabonese government with the support of the World Health Organization (WHO), agreed to implement a mixed taxation of tobacco products: an ad valorem taxation of 25/100 and a specific taxation of 300 CFAF per cigarette pack. This resulted in the inclusion of this measure in the 2018 Finance Act. Curiously until the end of 2018, no change has been noted on the market. Those responsible for tobacco control at the Ministry of Health and civil society actors, approached the services of the Ministry of Economy to understand the reasons behind this situation. They learned that this measure

of the finance law had been suspended by a simple note from the minister in charge of the economy because of a complaint from tobacco importers who feared that their activity would be suffocated.

4. Unnecessary interaction

The "Régie Gabonaise de Tabacs," which is a government entity that regulates the marketing of tobacco products, is run by CECA GADIS (Compagnie d'exploitations commerciales africaines – Société gabonaise de distribution), which represents the interests of tobacco manufacturers.

5. Transparency

According to the provisions of Decree 0286/PR/MSPSSN of May 17, 2016, on the prevention of the tobacco industry's interference in health policies in the Gabonese Republic in its Article 5, the relationship between the State and the tobacco industry is covered by the principle of transparency.

However, in the case of the measure of suspension of the specific tax taken by the Minister of Economy reported by the note of the Director General of Customs (see note 00357/MEF/SG/DGDDI of March 23, 2020), we believe that meetings or contacts between the tobacco industry and the Ministry of Economy probably took place in violation of the legal provisions mentioned above.

6. Conflict of interest

While the provisions of Decree 0285/PR/MSPSSN of May 17, 2016, on the prohibition of advertising, promotion and sponsorship of tobacco and its derivative products in the Gabonese Republic prohibit the sponsorship of cultural or sports events, nothing is said specifically about contributions to political parties.

It is common knowledge in Gabon that the chief executive of CECA GADIS is also an advisor to the President of the Gabonese Republic.

7. Preventive measures

Interactions between the public authorities and the tobacco industry are covered by Decree 0286/PR/MSPSSN of May 17, 2016, on the prevention of interference by the tobacco industry in health policies in the Gabonese Republic, which states in Article 5 that "relations between the State and the Tobacco Industry are covered by the principle of transparency."

On the other hand, periodic submission of information on production, manufacturing, market share, marketing expenditures, revenues and any other activities, including lobbying, philanthropy, political contributions and any other activities, is also covered but partially (cf. Article 9 of Decree 0286/PR/MSPSSN of May 17, 2016, on the prevention of interference by the tobacco industry in health policies in the Gabonese Republic).

Recommendations

1. The Gabonese Parliament should take measures to:
 - a. Dissociate the activities of the Régie Gabonaise de Tabacs (RGT) from those of CECA GADIS and its other allies.
 - b. The Minister of Economy should provide an explanation for the reasons for the suspension of the mixed taxation measure of tobacco products voted by the 2018 finance law and lift the suspension measure.
3. Accelerate the process of implementing the legislative framework by issuing the decree relating to the effective establishment of the national tobacco control commission.
4. Raise awareness of tobacco control among departments of the government.