

Fiji

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Summary of Findings

1. Industry participation in policy development

To date, Fiji has no documented incidents of the tobacco industry interfering or contributing to the development of any tobacco control policies nor has the tobacco industry had any involvement in Fiji's delegation to the World Health Organization (WHO) Framework Convention on Tobacco Control (FCTC) Conference of the Parties (COP). However, British American Tobacco (BAT)'s corporate social responsibility (CSR) activities alongside the government provide a strong footing for the industry to attempt future contributions to policy-setting. For example, the Minister of Industry and Trade stated that BAT's CSR initiative is assisting Fiji's five-year and 20-year development plan. Such collaboration could potentially leave the door open for further communication and lobbying from BAT.

2. Industry CSR activities

Over the years, BAT has tirelessly made efforts to paint itself as a benevolent industry in Fiji. A recent initiative provided local communities with access to clean water by drilling boreholes in a handful of villages across Fiji (BAT's Project Aqua). In 2018, BAT was commended for fulfilling a "basic human right" and "recognising constitutional rights" by the then-acting Prime Minister and Attorney-General, Aiyaz Sayed-Khaiyum. In the opening of these boreholes, several ministers were pictured in attendance showing their support for the project.

3. Benefits to the industry

Currently there is no documented evidence of the government providing specific benefits to

the tobacco industry. However, in the 2020-2021 national budget, duty concession was available to importation of raw materials, equipment and machinery. Even though this duty concession is not specific to the tobacco industry, it has left space for the industry to take advantage of such an incentive.

Laws governing the cigarette packs sold in Fiji are also not subject to harsh penalties for noncompliance which leaves BAT in a position to take benefits of the different standards of cigarettes in Fiji.

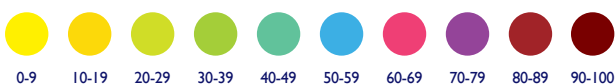
4. Unnecessary interaction

A number of interactions involving leading government officials and the tobacco industry have been publicly reported involving collaborations, ground-breaking ceremonies and reported verbal support of the tobacco industry's expansion initiatives under the guise of economic growth and job sustainability. These incidents are clearly unnecessary interactions and not ones to regulate the tobacco industry or its products.

However, there is no current evidence to suggest that any form of assistance is received from the tobacco industry on tobacco enforcement.

5. Transparency

Transparency is suggested to be low. Documented industry regulation meetings/interactions with the government cannot be found nor are there any known protocols and no current registration procedures of affiliated parties acting on behalf of the tobacco industry that exist beyond the requirement of a license to manufacture, distribute and import tobacco



(Tobacco Control Regulations 2012, Part 4, reg. 16). Interactions outside of tobacco regulations have been reported through the media.

6. Conflict of interest

Possible conflicts of interest are apparent from the lack of specific government laws prohibiting tobacco industry contributions or procedures for records of interactions with the industry and its representatives. Though no current government officials or relations are known to hold any position in the tobacco industry, the incident of a former BAT CEO being appointed to Permanent Secretary of the Ministry of Agriculture may pose a conflict of interest through the possibility of sympathetic actions or opinions towards the tobacco industry.

7. Preventive measures

Evidence suggests that there is a considerable gap in preventative measures put in place by the government. There are currently no government procedures for disclosing interactions, no specific code of conduct when interacting with the tobacco industry nor are there any programs on raising awareness for its departments on policies relating to the FCTC Article 5.3 Guidelines. There is no policy in place for the government to disallow any form of contributions or gifts (as informed by internal communications for this report). However, the government does require data to be collected through the Fiji Revenue and Customs Service (FRCA) on the tobacco industry's manufactured quantities, import quantities and revenue only (as informed by a senior staff from the FRCA).

Recommendations

Fiji may consider strengthening the prevention of tobacco industry interference by taking several actions:

1. The government may consider implementing policies which prohibit any government official or the government from receiving any form of contributions from the tobacco industry, which may also include donations for natural disasters. Detailed and specific laws, guidelines and proper enforcement are necessary in this area.
2. The government could also consider following strict guidelines on the employment of government officials who may have had a past employment relationship with the tobacco industry, especially to those who are being considered for government management-level positions.
3. Create awareness of the guidelines of the WHO FCTC within all departments/ministries of the government.
4. Implement policies which prevent endorsement, support or partnerships in CSR. There is a compelling need for immediate action to implement regulatory laws to put a stop to the never-ending efforts of the tobacco industry.