Ghana

Overall score: 58

Summary of Findings

1. Industry participation in policy development
   The Ministry of Health is the mandatory statutory institution responsible for the formulation of public health policies including policies related to tobacco control. The policies are executed by the agencies of the ministry such as the Food and Drugs Authority, Ghana Standards Authority and the Ghana Health Service. Per the membership of the Tobacco Control Inter-Agency Coordinating committee, the government does not allow tobacco industry actors to sit in or be part of its interagency-multi-sectoral committee or advisory body to formulate policies to promote public health or control the activities of the tobacco industry in Ghana. The Public Health Act (Tobacco Control Measures) deters the tobacco industry from sponsoring the government or organizations or for the government to endorse the activities of the tobacco industry. However, the Tobacco Control Regulation, 2016 (LI.2247) lacks clarity on provisions made to regulate the interference of industry actors or participation of the tobacco industry in policy development.

2. Industry CSR activities
   There is no clear evidence that government and other public sector institutions benefit from the CSR activities of the tobacco industry. On that front, since tobacco-related CSR activities are not banned by law, it is unlikely that the tobacco industry does not use its CSR initiatives or activities to interfere in the government’s efforts to implement tobacco control measures.

3. Benefits to the industry
   Existing evidence suggests that the friendly nature of government policy and regulations serves as an incentive to promote the tobacco industry. For example, in the wake of the Tobacco Control Regulation, 2016 (LI2247), which required health warnings and messages for tobacco and tobacco products, the tobacco industry was allowed a maximum period of eighteen months (540 days) to implement the pictorial health warnings as compared to 180 days in most countries. This demonstrates some level of laxity in enforcing compliance with the industry, hence a benefit to the industry. It is mandatory that all tobacco products imported into the country bear health warnings (pictorial health warning) approved by the Food and Drugs Authority (FDA) per the national tobacco control law. However, even though the use of shisha is being regulated as any other tobacco product, there are no health warning labels on them, making it easier to be marketed and highly patronised, especially by the youth. The government made a declaration in June of 2018 to ban the use of shisha but this has yet to take effect. In addition, an appeal from the Ghana Health Service to ban the use of tobacco products in Ghanaian movies is also yet to take effect. Interestingly, travellers are permitted large quantities of duty-free tobacco products in the country. These are indications that government policies support or benefit the trade activities of the tobacco industry in the country.

4. Unnecessary interaction
   Reports have not revealed any close affinity between top government officials and the tobacco industry in terms of participating in their social functions or events organized or sponsored by the tobacco industry. There is no evidence of contributions from the tobacco industry in terms of offering assistance to the government or the government accepting offers from the tobacco industry. However, in the past there was a Memorandum of Understanding between the government and the tobacco industry to help
Globally, interference by the tobacco industry has been copiously demonstrated to be a major affront to governments’ attempts to implement WHO FCTC Article 5.3.

Following an assessment of the breadth of tobacco industry interference to weaken, delay, undercut or distract the government from policy development and implementation of Article 5.3 Guidelines to control the use of tobacco products in Ghana through the Tobacco Industry Interference Index, this study highlighted policy strengths, potential situations of tobacco industry interference, gaps in government capacity to regulate the tobacco industry in the country or weaknesses in the government’s ability to effectively enforce WHO FCTC Article 5.3 Guidelines. We present clear policy recommendations to mitigate tobacco industry interference in Ghana and in the government’s efforts to implement WHO FCTC Article 5.3.

1. Strengthen and capacitate the interagency-multi-sectoral committee with resources to develop and implement enforcement mechanisms to control tobacco use in the country.

2. Ban tobacco-related CSR activities as stipulated in Article 13 and Article 5.3 Guidelines of the WHO FCTC.

3. Require the tobacco industry to fully disclose all its activities including revenue and profits, tax exemptions or any privileges received by the tobacco industry.

4. Improve transparency in government interaction with the tobacco industry including making known any records of lobbyists acting in the interest of the tobacco industry.

5. Develop a code of conduct to guide public officials when interacting with the tobacco industry.

6. Develop programs to regularly increase awareness of public officials and agencies on FCTC Article 5.3.