

Ukraine

Overall score:

61

I. Industry participation in policy development: The Law, "On Measures of Prevention and Reduction of Use of Tobacco Products and Their Harmful Influence on People's Health", declares that healthcare policy has priority over the financial, tax and corporate interests of economic entities whose activity is connected with the tobacco industry. However, this standard remains largely declarative and not effectively implemented. Members of Parliament and Members of Committee of the Verkhovna Rada of Ukraine on Taxation and Customs Policy are lobbied by the tobacco industry in policy development.

II. Tobacco industry-related CSR activities: PMI conducts CSR activities and has access to the House of Councils, who express their appreciation for these sponsored activities.

III. Benefits given to the tobacco industry: Between 2017 and 2018, tobacco industry front groups have been focusing on delaying the adoption of tobacco control draft laws 2820 and 4030a. As of April 2019, both draft laws have not been adopted.

International travelers can bring 200 sticks of cigarettes duty-free into Ukraine.

IV. Unnecessary interaction with the tobacco industry: According to the Law, since 2016, representatives of tobacco companies and association of tobacco producers participate in the process of destroying illicit tobacco. In 2018, the State Fiscal Service signed a Memorandum of Understanding with "Ukrutiutiun" 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.

V. Procedure for transparency measures: The Law does not require the Government to publicly disclose meetings/ interactions with the tobacco industry. The tobacco industry has been meeting with policy makers however these meetings have not been disclosed.

VI. Avoiding conflicts of interest: The law prohibits all forms of financial or other support from 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. However, the tobacco companies violate the law and have been making charitable contributions to NGOs, charitable funds, think thanks who in turn have an influence on policy-makers.

VII. Preventive measures: In 2018 the Government together with the World Health Organization in Ukraine conducted training for government officials to raise awareness on policies related to FCTC Article 5.3 Guidelines.

While the tobacco industry is required to provide information about its business, it does not provide information on marketing of tobacco such as incentives given to the retailers, promoters, marketing expenditure on tobacco displays at the points of sale. PMI and BAT do not report their expenditure on tobacco advertising in social media and paid sms posts by influencers, and sponsorship of events that promote new products such as 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.



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Recommendations

1. Ban all forms of tobacco industry related CSR activities as recommended in the WHO FCTC.
2. Implement a procedure that records and discloses government interactions with the tobacco industry.
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 tobacco industry.