

Uganda

Overall score:

29

I. Industry participation in policy development:

The Tobacco Control Act (TCA) prohibits the tobacco industry from being a part of any tobacco control policy formulation and implementation process. The law also prohibits the government from accepting any tobacco industry-sponsored activities. The TCA establishes a tobacco control advisory and regulatory body known as the tobacco control committee whose membership excludes the tobacco industry. Section 3(5) specifically prohibits a member of this committee from having any affiliation with the tobacco industry or any entity furthering its interests.

In January 2017, the Ministry of Trade and Cooperatives (MoTC) provided sponsorship licenses to six tobacco companies and pledged their support in launching the 2017 tobacco season. The Ministry of Health immediately objected to this endorsement and sent a legal notice reminding the MoTC that this endorsement is a violation of the TCA.

II. Tobacco industry-related CSR activities: The TCA prohibits government officials from endorsing tobacco-related CSR activities. Despite this Act, within the period 2017 and 2018, the Ugandan government took a contrary position during the international meeting of the governing board of the International Labour Organisation (ILO). When the ILO reviewed their collaboration with the tobacco industry through their Public-Private Partnership programme – whether to end the collaboration – the Ugandan government spoke on behalf of the African region expressing the need to continue the collaboration with the tobacco industry and accept its sponsored CSR activities.

III. Benefits given to the tobacco industry: When amending the Excise Duty Act in 2017, the government gave preferential treatment to locally-manufactured tobacco products against all imported tobacco products. This was in contravention of the TCA.

International travellers are allowed to bring 200 sticks of cigarettes/50 cigars duty free into the country.

IV. Unnecessary interaction with the tobacco industry: The TCA limits interaction with the tobacco industry to only when strictly necessary.

On 11 October 2018, the Speaker of Parliament (Hon. Kadaga Rebecca) officiated at the opening of a new tobacco factory in Masese, Jinja, where she committed to amend the TCA to accommodate the tobacco industry's concerns as investors.

V. Procedure for transparency measures: The TCA includes a provision on transparency in instances where interactions with the industry are strictly necessary.

VI. Avoiding conflicts of interest: There is no publicly available evidence of any senior officer who joined the tobacco industry upon retirement. However, there is an instance of a former government official who had ties with the tobacco industry when BAT sued the government.


VII. Preventive measures: The provision of the TCA sets out good preventive measures to be implemented. All nominated members of the Tobacco Control Committee signed a declaration of interest form before being appointed. A code of conduct exists and is only for the internal use of the Committee.

The government has put in place a policy to disallow the acceptance of all forms of contributions/ gifts from the tobacco industry.

The TCA and the sixth schedule require the tobacco industry to periodically submit information.

There is a draft tobacco control communication plan to raise awareness on TC issues.



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Recommendations

1. There is a need to create awareness on the provisions of the TCA and ensure all departments are aware of the limits when interacting with the tobacco industry.
2. Diplomatic Missions must be made aware of the TCA so that the law is applied to officials overseas and those who represent the country at international meetings.
3. Duty free sale of cigarettes/cigars/ tobacco for international travellers should be halted.