

NICARAGUA

2021

TOBACCO
INDUSTRY
INTERFERENCE
INDEX

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Special Thanks: Movement Against Cancer Foundation. MOVICANCER-NICARAGUA**Acronyms:**

| | |
|-------------------|--|
| BATCA: | British American Tobacco Centroamérica |
| BCN: | Nicaragua Central Bank |
| CMCT: | Framework Agreement on tobacco control |
| CNU: | National Universities Council |
| ENDESA: | National Survey of Demography and Health |
| IECT: | Specific Tax on the Consumption of Cigarettes and Other Tobacco Products |
| INSS: | Nicaraguan Institute of Social Security |
| INTUR: | Nicaragua Tourism Institute |
| MIFAMILIA: | Family Ministry |
| MIFIC: | Ministry of Development, Industry and Commerce |
| MINED: | Ministry of Education |
| MINSA: | Department of Health |
| MITRAB: | Ministry of Labor |
| OPS: | Pan American Health Organization |
| OMS: | World Health Organization |
| RSE: | Business social responsibility |
| RSC: | Corporate social responsibility |

Introduction

Nicaragua is a sovereign country located on the Central American isthmus, the capital and most populated political city is Managua. It is made up of fifteen departments and two autonomous regions: North and South Caribbean Coast, whose municipal seats are Puerto Cabezas and Bluefields, respectively.

The territory of Nicaragua has an approximate area of 130,370 km², making it the largest country in Central America. It is bordered to the north by Honduras, to the south by Costa Rica, to the west by the Pacific Ocean and to the east by the Caribbean Sea.

Its population is estimated at 6.5 million inhabitants (INIDE, 2012 revision), of which 51.2% are women and 48.8% are men. It is the second poorest country in Latin America, after Haiti (GDP per capita. IMF. 2019).

Its official language is Spanish, but the languages of the original indigenous peoples are recognized, such as Nicaraguan Creole English, Miskito, Sumu or Sumo, Garífuna, Mayangna and Rama.

Nicaragua is a republic made up of four powers: Executive, Legislative, Judicial, and Electoral. Executive Power is executed by the President, who is elected for a period of five years by universal suffrage. Legislative Power is located in the National Assembly (single-chambered), made up of 92 deputies elected for five years. A Supreme Justice Court made up of 16 magistrates are in charge of overseeing the judicial system. Electoral contests are the responsibility of the Supreme Electoral Council.

In order to protect the general population health and especially passive smokers, it is necessary to promote the participation of all and take actions to reduce the increase in respiratory and cardiovascular diseases, as they are related to tobacco consumption. (PAHO, 2021).

The WHO Framework Convention for Tobacco Control, which Nicaragua is a member country, establishes “the need for specific tobacco control strategies based on gender”, as well as the women’s participation in the policies formulation and implementation of measures.

Advertising and tobacco products promotion is strictly prohibited in the mass media, such as: newspapers, radios and television, as well as on signs or billboards. Advertising is allowed points sales in interior spaces, in magazines, publications and adult films. It is worth mentioning the strict prohibition of sale or free tobacco distribution to minors. Also, promotions, sponsorship or advertising of any event that is directly or indirectly related to competition, teams, associations, confederations or sports leagues, as well as, in cultural or recreational events where minors participate is prohibited.

Regarding the packaging and labeling of tobacco products, the information must be truthful, they must bear the warning "SMOKING IS HARMFUL TO HEALTH". Rotating graphic health warnings (every 12 months) must occupy 50% of the main display area on both sides of tobacco products, up to a 60% maximum, and the written message or warning must occupy 40%. The use terms such as: "low tar", "light", "ultra-light or soft" is prohibited.

The enforcement authority of Law 727 is the Department of Health (MINSAs), which presides over the National Council for Tobacco Control, also made up of: Nicaraguan Institute of Social Security (INSS), Labor Ministry (MITRAB), Family Ministry (MIFAMILIA), Department of Education (MINED), National Universities Council (CNU), Cancer Patient Associations and Medical Societies. Within their functions are, not limited:

1. Promote actions aimed at compliance with the Law and its regulations.
2. Propose to MINSAs policies to strengthen surveillance and sanitary control to reduce the use, exposure and consumption of tobacco and its products.
3. Propose to MINSAs measures to security and graduality of sanctions.
4. Recommend to MINSAs the characteristics and contents of health warnings and pictograms.

For this report on the tobacco industry interference index, the recommendations for reviewing information sources and how to obtain the score for each question in the questionnaire were applied. It was investigated on web pages of two transnational tobacco companies, three local ones (cigars or cigarette), in five of the most viewed newspapers (one of them printed), nine government institutions (among them, six from the National Council for Tobacco Control), three from local governments (Facebook from municipal mayors), two associations of women survivors of breast cancer and two medical societies (pulmonologists, internal medicine).

a. Smoking habit data in Nicaragua

According to the latest data extracted from the World Youth Tobacco Survey, 2014 (13-15 years), we find a prevalence of tobacco consumption (with and without smoke) 20.6% in men and 14.5% in women. The current cigarettes consumption in adult men is 5.2%, data from the National Survey of Demography and Health, ENDESA 2001 (15-49 years). Although, we have the Nicaraguan Demography and Health Survey 2011/12, cigarette consumption was not a subject of inquiry.

b. Tobacco Control

Nicaragua signed the WHO Framework Convention for tobacco control on June 7, 2004 and ratified it on April 9, 2008. (PAHO, 2021).

On June 29, 2010, Law No. 727 is published. "Law for the Control of Tobacco" in La Gaceta, Official Gazette No. 151 of August 10, 2010. Here, Law No. 224 is repealed. Human Rights Protection of Non-Smokers". On August 18, 2011, the "Regulation of Law No. 727. Gaceta, Official Gazette No. 155 within its content is Chapter VII where it stipulates the Sanctions. By January 10, 2013, Nicaragua signed the Protocol for the elimination of illicit trade in tobacco products in the Americas region, ratifying on December 20 of the same year.

According to the Report on Tobacco Control in the Americas 2018, Nicaragua has been increasing the tax based on the most popular cigarettes brand from 19.79% in 2008 to 35.09% in 2016. In June 2018, BATCA announced that it will invest \$4.5 million to expand its business.

As a result of the Tax Agreement Law issued in February 2019 by the Government of Reconciliation and National Unity, the tobacco transnational BATCA had a dramatic impact by increasing the selective consumption tax (import tariffs for cigarettes) by 210%, which has caused unemployment and increased smuggling by 45%. Before the reform, the tax was equivalent to \$19.4 for a thousand cigarettes. With the reform, it was set at \$59.7 and is expected to rise to \$103 in 2021, when it will reach 431%.

Tobacco Industry in Nicaragua:

In Nicaragua there are 70 cigar factories that produce about 5,000 brands, and the sales to the United States surpasses the sales there by companies from the Dominican Republic and

Honduras. Figures from the Cigar Association of America specify that in 2018 Nicaragua exported 140 million cigars to the North American country, a figure that exceeded the 95 million sold by companies in the Dominican Republic and the 75 million exported by Honduras. However, the Nicaraguan industry is aiming to gain a greater presence in Europe, a market that until now has been dominated by products from Cuba.

According to a June 25, 2019 article from the newspaper "Nuevo Diario" of Nicaragua, in the last 5 years Nicaragua has seen itself as a power in the tobacco industry and the rigor in quality of harvest and production of cigars, making it a candidate for awards of international quality. The Nicaraguan Chamber of Tobacco Growers (CNT) has 27 members, representing 95% of the cigars and tobacco exported from Nicaragua.

The city of Estelí is the tobacco cradle in Nicaragua. More than 42,000 people work in plantations, drying, treatment centers and the cigarette factory. Production recently expanded northward; Jalapa and Condega and to the south on the slopes of Ometepe, the largest island in Lake Cocibolca.

According to the production, consumption and government plan, 4,500 blocks of tobacco are planted in Nicaragua, with Estelí and Rivas (Ometepe) being the areas with the highest production.

A BBC News article reports "How Nicaragua became one of the main tobacco producers in Latin America" (2018). Five of the 10 best cigars in the world are made in Nicaragua, say two of the specialized magazines in the industry. "In Nicaragua there are more than 60 companies that are dedicated to the production of premium cigars of which 25 represent 95% of exports".

Confirming data from the Cigar Association of America organization presented in Business Magazine, a publication of the American Nicaragua Commerce Chamber (AmCham), in the first four months of 2019, Nicaragua exported 38.1 million tobacco, a figure that represents 52.6% of the total imported by the United States.

Despite the political and economic crisis that Nicaragua is going through, in 2018 tobacco exports amounted to \$ 222 million, 10% more than that reported in 2017. Statistics from the Nicaragua Central Bank (BCN) specify that between 2017 and 2018 the sales abroad under the free zone regime increased by \$20 million, from \$202 millions to \$222 millions.



Source: Statistics from the Nicaragua Central Bank. 2017-2018.

THE ILLICIT TRADE OF CIGARETTES IN CENTRAL AMERICA. From ant smuggling to an elephant in the market (CID Gallup)

INCIDENCE: Incidence of non-domestic brands is minimal compared to other countries in the region.

ROLE: It is believed that Nicaragua functions as a transit and distribution network to other countries.

DEL CONTABANDO HORMIGA A UN ELEFANTE EN EL MERCADO

NICARAGUA



POBLACIÓN
6.0 millones de habitantes



CONSUMO TOTAL
1.930 millones (Frost,KPMG).



ORIGEN DE LAS MARCAS
China



TENDENCIA
Incremento en la incidencia de no domésticas



RUTA DE INGRESO
Belice



POLÍTICAS Y LEGISLACIÓN
Ley control de Tabaco aprobada 2010



Source: CID Gallup 2019¹

¹<https://es.slideshare.net/MefiRojas/cid-gallup-comercio-ilcito-de-cigarrillos-en-centroamrica>

Summary Findings

1. INDUSTRY PARTICIPATION IN POLICY DEVELOPMENT

There is no evidence of the tobacco industry's involvement in government policies. From 2019 to 2021, no article has been found that supports this statement. The tobacco industry is not part of the National Tobacco Control Council.

2. INDUSTRY CSR ACTIVITIES

For the period 2019-2021, no evidence has been found in this regard, although it is known from news from previous years that there is support from tobacco industries in the production areas towards schools and children's centers.

3. BENEFITS TO THE INDUSTRY

In the investigated period, only the new Law of Reforms and Additions to Law No. 822, Law of Tax Agreement, published in the Gazette, Official Gazette No. 41 of February 28, 2019, where evidently the tobacco industry (BATCA) was not consulted for the increase of the specific tax on the consumption of cigarettes and other tobacco products (IECT). In this sense, the tobacco industry did not have any privilege or delay with the enactment of said Law.

In December 2019, a study was carried out by the Nicaraguan Tobacco Growers Chamber (CNT) in collaboration with the Ministry of Development, Industry and Commerce (MIFIC). The research objective was to demonstrate the incidence of pre-industry and industrial processes and environmental variables on the organoleptic characteristics of the tobacco leaf produced in Nicaragua.

4. UNNECESSARY INTERACTION

There is unnecessary interaction with the tobacco industry, since the government supports through its embassies, specifically those of the United Kingdom and Russia, and through the Pro-Nicaragua Institution, the promotion of cigarette or cigars that are

produced and marketed from the northern region of the country. The event is even organized by tobacco importing companies from Nicaragua.

In the case of the government institution Pro-Nicaragua, it is headed by a first-degree relative by consanguinity of the executive representative branch and the ambassador of the United Kingdom is a member of the ruling party and daughter of a hero of the Sandinista Popular Revolution.

We have no evidence on whether the government accepts assistance or offers of assistance from the tobacco industry for the preparation or implementation of laws to control the smuggling and sale of tobacco, mainly to minors.

Government institutions such as the Labor Ministry (MITRAB) and the Nicaraguan Institute of Tourism (INTUR) promote activities related to the development of more employment in the tourist area and, also in the tobacco industries, the growth of production and export, this in the department from Estelí. The aforementioned, oriented from the executive power by the importance of the productivity of companies for local and national economic development. We do not have evidence that they do so because they have alliances or agreements with the tobacco industry

5. TRANSPARENCY

In the period of 2019-2021, there is transparency of the interactions between the government and the tobacco industry (cigars or cigarettes), which are disclosed through the official digital media and on the websites of the government institutions involved. Which are accompanied by a descriptive text of the activity carried out, photographs of the government official and the representatives of the tobacco companies of the country and the countries visited.

According to the regulations of Law 727, any natural or legal person engaged in the manufacture and importation of tobacco products must comply with the mandatory and indispensable requirement of registering with the MINSA. We do not have information related to affiliated organizations, pressure group agents or lobbyists

6. CONFLICT OF INTEREST

Law 727 does not explicitly prohibit sponsorship to political entities, party campaigns, or require disclosure of the sponsored.

We obtained an isolated case of a personality who was a member of the Board of Directors of the Nicaragua Central Bank (appointed in April 2011), who is now a prominent figure in the Nicaraguan tobacco industry (Joya de Nicaragua).

We do not have evidence in the period reviewed that government officials or family members occupy a job or obtain benefits as external consultants within the main tobacco industries.

In a publication of the Nicaraguan newspaper La Prensa, the presidential delegate minister for the investment promotion and facilitation of foreign trade, refers to the “Puro Sabor Festival” organized by the Tobacco Industry as an opportunity for export, but also to promote tourism in Nicaragua.

7. PREVENTIVE MEASURES

In general, Law 727 prohibits smoking in closed public and private spaces, not limited to convention rooms, religious centers, work centers, health centers, theaters, auditoriums and those destined for recreation, education, culture, sport. Also, selective and collective transportation is included. Although, it is allowed mainly in hotels and restaurants, to have tolerance areas (open or semi-open spaces). In areas where smoking is prohibited, they must be properly labeled with visible, legible and contrasting-colored posters with a white background, with the warning "NO SMOKING".

In Law 727, nor in its regulations are their guidelines for public employees and persons designated by the government that govern the conduct or participation in activities that promote the commercialization of tobacco products, whether they are part of the present or the past, as well as the officials involved in the control, regulation and legislation of tobacco consumption.

It is contemplated in Law 727 and its regulations that every manufacturer and importer of tobacco products must consign to MINSA, periodic annual reports with information regarding the content, emissions and design elements of their products, as well as request at any whenever necessary, any information to ensure compliance with tobacco control measures.

Until the period requested for this report, we did not obtain information regarding the existence of a system or program that implements awareness or sensitization on the Guidelines for the application of article 5.3 of the WHO FCTC. Nor, measures that prevent the tobacco industry sponsorship of laws initiatives or public policies, invitations to public officials and their families.

Recommendations

1. Carry out studies that provide updated information about the prevalence of tobacco use in Nicaragua, according to different age groups and sex. And specifically for young people.
2. Constant update of institutional websites related to actions with or toward the tobacco companies.
3. Provide greater access to information by the government in relation to activities related to tobacco companies so that the interaction has greater transparency.
4. That the enforcement authority of Law 727, with the participation of the National Tobacco Control Council, establish a system for the implementation of the WHO FCTC Guidelines 5.3.
5. Through the National Tobacco Control Council, it is proposed to develop and implement a policy or regulation governing the conduct or participation of public employees, government representatives and the State in activities that promote the marketing of tobacco products.
6. That the National Tobacco Control Council determine the measures to further regulate the sponsorship or contributions of the tobacco industry.

2021 Tobacco Industry Interference Index Results and Findings

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|--|---|---|---|---|---|---|
| INDICATOR 1: Level of Industry Participation in Policy-Development | | | | | | |
| 1. The government ² accepts, supports or endorses any offer for assistance by or in collaboration with the tobacco industry ³ in setting or implementing public health policies in relation to tobacco control ⁴ (Rec 3.1) | 0 | | | | | |
| <p>A review was conducted on the websites of two transnational tobacco companies, three local ones (cigars or cigarettes), in five most viewed newspapers (one of them printed), nine government institutions (among of them, six from the National Tobacco Control Council), three from local governments (Facebook of Municipal Mayors), two associations of women survivors of breast cancer and two medical societies (pulmonologists, internal medicine), and no evidence was found that the government received assistance during the defined period for the development or implementation of public health policies related to tobacco control.</p> | | | | | | |
| 2. The government accepts, supports or endorses <u>policies or legislation drafted</u> by or in collaboration with the tobacco industry. (Rec 3.4) | 0 | | | | | |
| <p>In the investigation carried out, no evidence was found that the government has any relationship with the tobacco industry to work together public policies or laws that control the use, exposure and consumption of tobacco.</p> | | | | | | |
| 3. The government allows/invites the tobacco industry to sit in government interagency/ multi-sectoral committee/ advisory group body that sets public health policy. (Rec 4.8) | | 1 | | | | |
| <p>Law 727, "Tobacco Control Act", article 5 establishing the National Tobacco Control Council, only provides for the participation of government institutions related to the subject matter, academia, associations of cancer patients and medical societies with legal persons. As the non-participation of the tobacco industry as a member in the National Council was not specified, it was investigated and no evidence was found of participation in the meetings where policies are proposed to strengthen the procedures for surveillance and sanitary control against the use, exposure and consumption tobacco.</p> | | | | | | |
| 4. The government nominates or allows representatives from the tobacco industry (including State-owned) in the delegation to the | | 1 | | | | |

² The term "government" refers to any public official whether or not acting within the scope of authority as long as cloaked with such authority or holding out to another as having such authority

³ The term, "tobacco industry" includes those representing its interests or working to further its interests, including the State-owned tobacco industry.

⁴ "Offer of assistance" may include draft legislation, technical input, recommendations, oversees study tour

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| COP or other subsidiary bodies or accepts their sponsorship for delegates. (i.e. COP 4 & 5, INB 4 5, WG) ⁵ (Rec 4.9 & 8.3) | | | | | | |
| <p>The tobacco industry is not part of a government delegation to the COP or related meetings.⁶ At COP 8 (2018), only one delegate from the Ministry of Development, Industry and Commerce (MIFIC), two from MINSA and a foreign advisor is integrated. The non-participation of the tobacco industry in this instance is evident.</p> | | | | | | |
| INDICATOR 2: Industry CSR activities | | | | | | |
| 5. A. The government agencies or its officials endorses, supports, forms partnerships with or participates in so-called CSR activities organized by the tobacco industry. (Rec 6.2) | 0 | | | | | |
| B. The government (its agencies and officials) receives contributions ⁷ (monetary or otherwise) from the tobacco industry (including so-called CSR contributions). (Rec 6.4) | | | | | | |
| <p>Using keywords to identify CSR or CSR activities, in newspapers, websites of government institutions and tobacco industries, no evidence of government endorsement of tobacco related CSR activities was found. The CSR news found in 2016 and 2021 are outside the period defined for this report and are related to the International Federation “Fe y Alegría”, a non-governmental non-profit organization that benefits the children of Nicaraguan workers in Estelí. There is no supporting evidence from the government for these tobacco industry related activities.⁸</p> | | | | | | |
| INDICATOR 3: Benefits to the Tobacco Industry | | | | | | |
| 6. The government accommodates requests from the tobacco industry for a longer time frame for implementation or postponement of tobacco control law. (e.g. 180 days is common for PHW, Tax increase can be implemented within 1 month) (Rec 7.1) | | 1 | | | | |
| <p>Does not apply (N / A). The initiative of the Law of Reforms to Law No. 822, “Tax Agreement Law” was introduced in the National Assembly by the representative of the Executive Power on January 25, 2019 and the Law enters into force on February 28 of the same year, to the month of its publication. As of this date, the specific tax on the consumption of cigarettes and other tobacco products is increased.</p> | | | | | | |
| 7. The government gives privileges, incentives, exemptions or benefits to the tobacco industry (Rec 7.3) | | | | 3 | | |
| <p>We did not obtain evidence in the public domain of the occurrence of any incentives, exceptions or exemptions specifically granted to the tobacco industry from the</p> | | | | | | |

⁵ Please annex a list since 2009 so that the respondent can quantify the frequency, <http://www.who.int/fctc/cop/en/>

⁶ https://www.who.int/fctc/cop/sessions/cop8/LOP_Final.pdf?ua=1

⁷ political, social financial, educations, community, technical expertise or training to counter smuggling or any other forms of contributions

⁸ <https://ministryofcigars.com/joya-de-nicaragua-and-charity/>

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| government ministries through their fiscal policies. Although it is mentioned in the news that the tobacco industry enters the Free Zones regime, neither the laws, decrees and other communications specifically mention the tobacco industry. | | | | | | |
| INDICATOR 4: Forms of Unnecessary Interaction | | | | | | |
| 8. Top level government officials (such as President/ Prime Minister or Minister ⁹) meet with/ foster relations with the tobacco companies such as attending social functions and other events sponsored or organized by the tobacco companies or those furthering its interests. (Rec 2.1) | | | | | | 5 |
| Although there is no evidence of national tobacco industry sponsorship of the events found, it was organized by the importing tobacco companies. The government officials involved promote the foreign trade of cigarettes or cigars produced in the northern part of the country with the intention of promoting tourism and creating jobs. ¹⁰ | | | | | | |
| 9. The government accepts assistance/ offers of assistance from the tobacco industry on enforcement such as conducting raids on tobacco smuggling or enforcing smoke free policies or no sales to minors. (including monetary contribution for these activities) (Rec 4.3) | 0 | | | | | |
| There is no evidence to support the government's acceptance of assistance or offers of assistance from the tobacco industry in the development or implementation of laws to control tobacco smuggling and sale. | | | | | | |
| 10. The government accepts, supports, endorses, or enters into partnerships or agreements with the tobacco industry. (Rec 3.1) NOTE: This must <u>not</u> involve CSR, enforcement activity, or tobacco control policy development since these are already covered in the previous questions. | | | | 3 | | |
| The Estelí cigarette festival is organized jointly with the local government. ¹¹ The industry congratulated local governments and entrepreneurs for joining to work for tourism, highlighted their decision to join and endorse this tourist festival. | | | | | | |

⁹ Includes immediate members of the families of the high-level officials

¹⁰ <https://bit.ly/3njtCc6>

¹¹ <https://bit.ly/3ax3CV9>, <http://pronicaragua.gob.ni/es/noticias/2668-nicaragua-potencia-pujante-puros/>



The government logo appears on the poster.

INDICATOR 5: Transparency

11. The government does not publicly disclose meetings/ interactions with the tobacco industry in cases where such interactions are strictly necessary for regulation. (Rec 2.2)

3

The interactions found between the government and the importing tobacco industries are related to the promotion of tourism and the commercialization of cigars or cigars produced in the country. They are not related to the regulation of the use, exposure and consumption of tobacco products.

Although Nicaragua is the main exporter of cigars in the world, the cigarette manufacturing business is also important to the country's economy. But there is no evidence in the public domain that the government meets with the tobacco industry.

At the Departmental level - Estelí Festival - the production of cigars is the main activity of this City. The population of Estelí is 180,000 people, and the tobacco and cigar industries directly employ 40,000 people, corresponding to 25%, we cannot assure an evident relationship, however, the Mayor's Office of Estelí (local government) through its account in the social network Facebook, promotes the activity "Puro Sabor 2020"¹²

¹² <https://www.facebook.com/estelitresvecesheroico/posts/2514369352218891/>

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| <p>12. The government requires rules for the disclosure or registration of tobacco industry entities, affiliated organizations, and individuals acting on their behalf including lobbyists (Rec 5.3)</p> | | | 2 | | | |
| <p>There is the implementation of the policy based on the Law 727 regulations.</p> | | | | | | |
| <p>INDICATOR 6: Conflict of Interest</p> | | | | | | |
| <p>13. The government does not prohibit contributions from the tobacco industry or any entity working to further its interests to political parties, candidates, or campaigns or to require full disclosure of such contributions. (Rec 4.11)</p> | | | | | | 5 |
| <p>There is no prohibition in the Law.</p> | | | | | | |
| <p>14. Retired senior government officials form part of the tobacco industry (former Prime Minister, Minister, Attorney General) (Rec 4.4)</p> | | | | | 4 | |
| <p>There is evidence that a senior official was a member of the Nicaragua Central Bank, holds the position of President of the Joya de Nicaragua Industry.¹³</p> | | | | | | |
| <p>15. <u>Current government officials</u> and relatives hold positions in the tobacco business including consultancy positions. (Rec 4.5, 4.8, 4.10)</p> | 0 | | | | | |
| <p>There is no evidence that government officials and their families hold positions in the tobacco industry.</p> | | | | | | |
| <p>INDICATOR 7: Preventive Measures</p> | | | | | | |

¹³ <https://joyacigars.com/es/inicio/>

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| 16. The government has put in place a procedure for disclosing the records of the interaction (such as agenda, attendees, minutes and outcome) with the tobacco industry and its representatives. (Rec 5.1) | | | | | | 5 |
| In an exhaustive search in the media and dissemination of government institutions and the tobacco industries, we found no evidence that there is any procedure to record or disclose to the public the meetings, the participants, the notes and the decisions taken between the government and the tobacco industry (includes the Nicaraguan Chamber of Tobacco Growers). | | | | | | |
| 17. The government has formulated, adopted or implemented a code of conduct for public officials, prescribing the standards with which they should comply in their dealings with the tobacco industry. (Rec 4.2) | | | | | | 5 |
| In the meticulous inquiries carried out in the official and independent media and the dissemination of government institutions, we did not discover evidence of any code of conduct for public officials that regulates interaction with the tobacco industry. | | | | | | |
| 18. The government requires the tobacco industry to periodically submit information on tobacco production, manufacture, market share, marketing expenditures, revenues and any other activity, including lobbying, philanthropy, political contributions and all other activities. (5.2) | | | 2 | | | |
| In Law 727, in its article 14, and in its regulations, it contemplates the provision of monthly periodic reports and any other information outside the established time that MINSA requests from the tobacco industries. However, tobacco companies are not required to report how much is spent on marketing, lobbying, or contributions to CSR activities. | | | | | | |
| 19. The government has a program / system/ plan to consistently ¹⁴ raise awareness within its departments on policies relating to FCTC Article 5.3 Guidelines. (Rec 1.1, 1.2) | | | | | | 5 |
| In the exhaustive search in the media and the dissemination of government institutions, in Law 727, in executive decrees, we did not locate information that the existence, process or commitment of a well-organized program / system / plan to sensitize or raise public awareness existence of the guidelines for the application of article 5.3 of the WHO FCTC. | | | | | | |
| 20. The government has put in place a policy to disallow the acceptance of all forms of contributions/ gifts from the tobacco industry (monetary or otherwise) including offers of assistance, | | | | | | 5 |

¹⁴ For purposes of this question, “consistently” means: a. Each time the FCTC is discussed, 5.3 is explained. AND b. Whenever the opportunity arises such when the tobacco industry intervention is discovered or reported.

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| policy drafts, or study visit invitations given or offered to the government, its agencies, officials and their relatives. (3.4) | | | | | | |
| <p>There are no measures adopted by the government that prevent gifts, contributions or collaborations of any kind on the part of the tobacco industry, since the exhaustive review carried out on the different web pages of government institutions, as well as the media official and independent communication and laws related to the matter, no information was found in this regard.</p> | | | | | | |
| TOTAL | | | | | | 50 |

References

1. (https://www.who.int/fctc/cop/sessions/cop8/LOP_Final.pdf?ua=1)
2. <https://bit.ly/32GstS6>
3. https://joyacigars.com/es/fe_y_alegria_joya_de_nicaragua/.
4. <https://ministryofcigars.com/joya-de-nicaragua-and-charity/>
5. <https://bit.ly/3gACNnc>
6. <https://joyacigars.com/our-cigars/>
7. <https://joyacigars.com/es/inicio/>
8. <https://www.facebook.com/estelitresvecesheroico/posts/2514369352218891/>
9. <http://www.mitrab.gob.ni/news/nota-54-2021/?searchterm=tabaco>
10. <https://www.intur.gob.ni/2018/09/tabaco-ciudad-heroica-de-murales/>
11. <https://bit.ly/3ax3CV9>
12. <https://www.vostv.com.ni/media/attachment/d78c3032232111e9a299567103a612d1.pdf>
13. <https://bit.ly/3gAPKwY>
14. <http://pronicaragua.gob.ni/es/noticias/2668-nicaragua-potencia-pujante-puros/>
15. <https://bit.ly/3njtCc6>
16. <https://www.plasenciacigars.com/collection/alma-del-fuego/>
17. <https://bit.ly/2S0nXvS>
18. <https://bit.ly/3vcxQos>
19. <https://bit.ly/3ewjuZz>
20. <https://bit.ly/3xmSofl>
21. <https://bit.ly/2Qliob0>
22. <https://bit.ly/3gwIHnP>
23. <https://bit.ly/3sJAi4k>
24. <https://es.slideshare.net/MefiRojas/cid-gallup-comercio-ilcito-de-cigarrillos-en-centroamrica>
25. <https://www.elnuevodiario.com.ni/economia/489976-tabaco-exportaciones-economia-nicaragua/#:~:text=Las%20exportaciones%20de%20tabaco%20nicarag%C3%BCense,%2420%20millones%20adi>
26. <https://www.dw.com/es/nicaragua-reforma-tributaria-causa-masivos-despidos-en-la-industria-tabacalera/a-51159016>
27. <https://www.laprensa.com.ni/2019/11/05/economia/2607585-british-american-tobacco-nicaragua-ahora-es-controlado-por-la-venta-ilicita-de-cigarrillos-tras-reforma-tributaria>
28. <https://trincheradelanoticia.com/2020/02/27/tabacalera-sigue-en-una-mala-situacion/>
29. <https://trincheradelanoticia.com/2019/11/06/batca-despide-al-30-de-su-personal/>

ANNEX A: SOURCES OF INFORMATION

ACTIVITIES OF THE TOBACCO INDUSTRY

LOCAL TOBACCO COMPANIES

| Top 5 Local Tobacco Companies | *Their share in the market and their brands. | Source |
|---------------------------------|---|---|
| Tabacalera nicaragüense (TANIC) | Belmont, Pall Mall, Dunhill, Windsor | https://bit.ly/2S0nXvS |
| Joya de Nicaragua | Número uno, cinco décadas, cuatro cinco | https://joyacigars.com/our-cigars/ |
| Plasencia Cigars | Alma fuerte, alma del campo, plasencia original, plasencia reserva, plasencia cosecha, alma del fuego | https://www.plasenciacigars.com/collectio n/alma-del-fuego/ |

* Note: We do not find information on its participation in the national market.

TRANSNATIONAL TOBACCO COMPANIES

| Top 5 Transnational Tobacco Companies | Type (member / individual) | URL |
|--|----------------------------|---|
| British American Tobacco Centroamérica (BATCA) | N (16.8%) | https://bit.ly/3vcxQos |
| Phillip Morris Nicaragua | N (18.5%) | Idem |
| Japan Tobacco | N (7.6%) | Idem |

FUENTES DE NOTICIAS

| Top 5 Newspapers / Journals | Type (printed / Online) | URL |
|-----------------------------|----------------------------|---|
| La Prensa | Printed/Online | https://bit.ly/3ewjuZz |
| El Nuevo Diario | Online | https://bit.ly/3xmSofl |
| Trinchera de la Noticias | Online | https://bit.ly/3gwIHnP |
| El 19 digital | Online | https://bit.ly/2Qliob0 |
| La Voz del Sandinismo | Online | https://bit.ly/3sJAi4k |