

Burkina Faso



Summary of Findings

1. INDUSTRY PARTICIPATION IN POLICY DEVELOPMENT

Chapter 9 of Law N°040-2010/AN on tobacco control requires the State to protect tobacco control health policies from commercial and other interests of the tobacco industry (TI). The laws and regulations governing the implementation of public health policies in tobacco control were developed under the leadership of the Ministry of Health and Public Hygiene, and in collaboration with all relevant ministerial departments.

No representative of the TI was included in the official delegation of Burkina Faso to the Conference of the Parties (COP) to the Convention and the Meeting of the Parties (MOP) of the Protocol on illicit trade in tobacco products.

Since the launch and dissemination of Burkina Faso's Tobacco Industry Interference Index the assessment of the tobacco TI's interference has been mixed. The National Coordination of the Fight Against Fraud (CNLF) was organized on March 29-30, 2022 in Ouagadougou in collaboration with MABUCIG, and included training for officers in the fight against trafficking and illicit trade in tobacco products. The sample review and validation committee has, in the process of renewing graphic health warnings on tobacco packaging, rejected non-compliant samples from importers and cigarette manufacturers without any external pressure from tobacco lobbies.

2. INDUSTRY CSR ACTIVITIES

There is no evidence of any government endorsement of TI-related socially responsible activities.

3. BENEFITS TO THE INDUSTRY

In general the TI does not benefit from any political support from the government. This is in accordance with Article 30 of Law 040-2010 AN of November 25, 2010, on tobacco control in Burkina Faso. As part of the effective implementation of Decree No. 2011-1051/PRES/PM/MS/MEF of December 30, 2011, on the packaging and labeling of tobacco products in Burkina Faso, the Ministry of Commerce granted tobacco companies an additional period to affix graphic health warnings on tobacco packaging. However the same ministry has categorically refused *Société Nouvelle Africaine des Tabacs* (SONATAB) which sought the indulgence of the authorities to market cigarettes with a logo that does not comply with the requirements for pictorial health warnings.

4. UNNECESSARY INTERACTION

Since Burkina Faso's ratification of the WHO FCTC, there has been no formal partnership between the government and the TI. Though the Minister of industry, trade, handicrafts, and small and medium-sized enterprises, will sometimes interact with the TI within the context of their role coordinating national policy on trade and industrialization.

5. TRANSPARENCY

In Burkina Faso an effort is being made by the authorities to make meetings with the TI public. This is a stipulation of the FCTC and has been included in the draft decree on the prevention of TI interference in public health policies. However, there is no government regulation requiring the TI to disclose information, names of individuals, entities, organizations, or lobby groups affiliated to them.

6. CONFLICT OF INTEREST

There is no evidence that the industry is involved in financing political parties and their candidates during election campaigns in Burkina Faso. There is also no evidence that retired government officials are hired by the TI. It is difficult to state with certainty that the TI in Burkina Faso employs any current officials.

7. PREVENTIVE MEASURES

In Burkina Faso there is no document disclosure procedure or code of conduct prescribing measures for civil servants in their

interaction with the TI. We can note the adoption of Order No. 2021-029/MFPTPS/CAB of April 19, 2021, adopting the public service quality charter of the Ministry of Public Service, Labor, and Social Protection. This decree does not address the collaboration between civil servants and the TI. Instead it is the law N°040-2010/AN, of November 25, 2010, on tobacco control in Burkina Faso which is very explicit about the information to be provided by the TI to public authorities. Article 29 paragraph 1 of this law states: *"The tobacco industry is required to provide the competent administration with all information relating to its activities, particularly those relating to production, distribution and promotion."*

Recommendations

In view of the above findings, it is recommended that the government:

1. Cancel the Joint Decree N°2015-0356-MICA/MEF on the institution of a system of authentication, monitoring, traceability, and fiscal verification of tobacco products manufactured or imported into Burkina Faso based on the Codentify standards.
2. Adopt the entire content of the draft decree on the prevention of TI interference in public health policies.
3. Adopt the draft decree reorganizing and improving the operation of the CNLT.
4. Finalize and implement the national tobacco control program.
5. Create a fund to finance tobacco control activities to equip, finance and provide substantial material resources to tobacco control stakeholders, including civil society, so that they can be effectively and efficiently involved in tobacco control and in protecting public health policies from TI interference.