

Côte d'Ivoire



Summary of Findings

I. INDUSTRY PARTICIPATION IN POLICY DEVELOPMENT

The Government of Côte d'Ivoire does not collaborate with tobacco companies in the development of tobacco control policies. However, the tobacco industry (TI) through the General Confederation of Enterprises of Côte d'Ivoire (CGECl) and the Union of Large Industrial Companies of Côte d'Ivoire (UGE-CI) is involved in the development of decrees on the modalities of application of health warnings, packaging, labeling, and marketing of tobacco and tobacco products, and the establishment of a system for the monitoring, traceability and tax audit of tobacco products.

2. INDUSTRY CSR ACTIVITIES

Over the past five years there have been no reports of CSR activities by tobacco companies. However it should be noted that in the past, tobacco companies portrayed themselves to be socially responsible companies through donations on the occasion of the celebration of World Day of Certain Pathologies. These donations were given to village communities.

3. BENEFITS TO THE INDUSTRY

The General Confederation of Enterprises of Côte d'Ivoire (CGECl) speaks on behalf of tobacco companies to claim benefits. This umbrella of companies negotiated tax breaks benefiting the TI. The CGECl pleaded for the maintenance of the taxation of all companies, including tobacco companies, which led to the revision of the tobacco tax increase by a single point (35 to 36% in 2018) and from 38 to 39% in 2021, for reasons related to the economic difficulties caused by Covid-19.

In terms of incentives, the State of Côte d'Ivoire elected the Chief Executive Officer (CEO) of Mata Holding as the best business leader of the year 2017.

4. UNNECESSARY INTERACTION

The Ivorian Prime Minister participated in the launching ceremony of the activities of the supermarket chain CITYDIA of the Mata Holding group, a known ally of the TI. This supermarket is owned by Fofana Aboubacar, another known associate of the TI, and distributes tobacco products.

5. TRANSPARENCY

Authorities do not disclose their interactions with tobacco companies or the TI as a whole. This is facilitated by the fact that the anti-smoking law does not have a specific provision considering Article 5.3 of the FCTC. However, Article 5 of the Anti-Tobacco Law requires that information on the quality, quantity and component of tobacco products be disclosed. There is no publicly available evidence of meetings between tobacco companies and public authorities.

6. CONFLICT OF INTEREST

No evidence of conflict of interest between the government and the TI or affiliate companies has been reported in any channel. Political parties have no support from tobacco companies. There is no evidence that retired or serving public servants holding positions in the TI. However, an influential member of the tobacco industry, Mr. Magne Woelffell Pierre René, from the Ivorian Tobacco Company (SITAB) does sit on the Economic, Social, Environmental and Cultural Council of Côte d'Ivoire.

7. PREVENTIVE MEASURES

There is no code of conduct governing interactions between officials and the TI. However, all civil servants are subject to Ordinance No. 2013-660 of 20 September 2013 on the prevention and fight against corruption and similar offenses. Article 28 of the Ordinance states that “any public official who solicits, approves or receives, without

right, directly or indirectly, offers, promises, gifts, gifts or any gift or benefit whatsoever for himself or herself or for a person or entity, to perform or abstain from performing or refraining from performing an act of his office, shall be punished by imprisonment of five to ten years and a fine of 5,000,000 to 10,000,000 francs, its mission or mandate or facilitated by its function, mission or mandate.”

Recommendations

1. The creation of an inter-ministerial committee is recommended to facilitate synergy of actions and share information.
2. The Ministry of Good Governance should complete and implement a procedure concerning relations with the TI and its representatives, including representatives of tobacco retailers in the form, inter alia, of charters, code of conduct for civil servants and public officials specific to the TI and disclose all interaction by publishing information about the interaction. (cf. agenda, participants, minutes, results).
3. The Ivorian authorities should introduce legal provisions to implement Article 5.3 Guidelines.
4. Substantial popularization of the Tobacco Control Act is essential.
5. Exclude from negotiations with the CGECL of companies of Côte d'Ivoire and the Union of Large Industrial Companies of Côte d'Ivoire all issues related to tobacco and tobacco products during negotiations on the finance law or other public health policies for conflict of interest.
6. Encourage the creation of an inter-ministerial committee on which civil society should sit to better monitor the interactions between public authorities and the TI.
7. Civil society should initiate advocacy with the Ministry of Health on the promotion of good governance to adopt legal texts on Article 5.3 at the national level.
8. Prohibit the appointment to public office of personalities recognized as representatives of the TI.