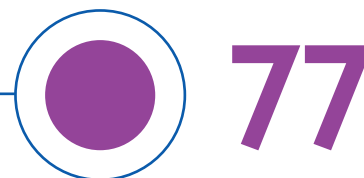


Zambia



Summary of Findings

1. INDUSTRY PARTICIPATION IN POLICY DEVELOPMENT

Tabling of the Tobacco Control Bill 2018 was delayed again. Instead the Tobacco Board of Zambia (TBZ), with the assistance of the tobacco industry (TI), lobbied for the adoption of the Tobacco Act No. 10 of 2022 which is favourable to the industry. This Act provides for the promotion, regulation and monitoring of the production, marketing and packing of tobacco in the Republic, the continuation the existence of the TBZ, the re-constitution of the Board's composition and the expansion of its functions, the imposition and collection of a levy on tobacco grown in the Republic, and the repeal and replacement of the Tobacco Act, 1967 and the Tobacco Levy Act, 1967. The Tobacco Act received overwhelming support from Members of Parliament who approved it.

2. INDUSTRY CSR ACTIVITIES

Japan Tobacco International (JTI) has initiated a child labor awareness campaign in Chipangali District, Eastern Province. The Eastern Province Permanent Secretary commended the effort, saying it might help address the problem of child labor in the region. JTI also established the "WeProsper" Child Labor Awareness Campaign to raise community awareness of child labor while emphasizing the value of education.

The Western Province Minister, who is also a member of Parliament in the area, endorsed several JTI CSR programs, including tree planting, the construction of a cross-point bridge for a local community, and the launch of the "WeProsper" Child Labor Awareness Campaign in the Munkuye Ward, demonstrating government officials' involvement in the campaign.

3. BENEFITS TO THE INDUSTRY

The TI has profited from the long delay in the filing of the Control of Tobacco Products Bill. Instead, the pro-industry Tobacco Act No 10 of 2022 was passed with overwhelming support from Members of Parliament. Since there is no embargo, tobacco advertising, marketing, and sales have expanded, as has the importation of new tobacco products such as e-cigarettes and vaping devices. TI CSR operations are permitted, allowing industry representatives to have close access to top government officials. There are no visual warnings on cigarette packs, and sales of cheap single sticks are expanding, making cigarettes both affordable and accessible.

The National Pension Scheme Authority (NAPSA) and the Public Service Pension Fund (PSPF) hold shares in the British American Tobacco Zambia Limited. NAPSA holds a 3.01% share, while PSPF holds a 3.77% share in the company.

4. UNNECESSARY INTERACTION

On 20 February 2023, Minister of Green Economy and Environment participated in the 4th Zambia CSR and Responsible Business Awards Gala dinner where he presented the 'CSR Excellence in Education Infrastructure Support' award to JTI Zambia for its commitment to this specific area of CSR.

The government participated in the Zambia Chamber of Commerce Industry (ZACCI) workshop which was run in collaboration with the TI. The workshop aimed to build capacity among the media, and provide them with information on the latest developments in the tobacco market and its regulatory features.

5. TRANSPARENCY

The government has not put in place a procedure to disclose its meetings with the TI. However, this requirement has already been proposed in the Tobacco Control Bill of 2018.

In Zambia, there is no registry for TI-affiliated organizations, and individuals acting on their behalf such as lobbyists.

6. CONFLICT OF INTEREST

The government does not prohibit contributions from the TI. There is no evidence of retired government officials being part of the TI, nor of current government officials or their relatives holding positions in the TI. It should be noted that the lack of such evidence does not imply an absence of TI interference. The paucity of information and the non-transparent manner in which the TI operates must be considered.

7. PREVENTIVE MEASURES

The government has not formulated, adopted or implemented a code of conduct for public officials, prescribing the standards with which they should comply in their interactions with the TI.

In addition, the government does not require the TI 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.

The government does not have a program or plan to consistently raise awareness within its departments on policies relating to Article 5.3 guidelines. There is no ban on industry sponsored study visits and other industry-sponsored activities.

Recommendations

1. Enact the Tobacco Control Bill of 2018 to align with the guidelines and recommendations of WHO FCTC.
2. Reject all TI CSR activities in communities and public institutions.
3. Create awareness among all government ministries and agencies about the WHO FCTC Article 5.3.
4. Establish a code of conduct for all public officials to guide them when dealing with the TI.
5. Limit interactions between government and the TI to only when it is strictly necessary.