

Executive Summary

The tobacco industry has intensified its interference in public health policy. Governments are obligated under the World Health Organization (WHO) Framework Convention on Tobacco Control (FCTC) to protect their health policies using Article 5.3 and its implementing guidelines, which provide actions governments can take to protect public health policies from commercial and other vested interests of the tobacco industry (TI) and those who further its interests.

The TI and its allies have used a slew of tactics to overwhelm and undermine protective measures governments have already put in place, while preventing and discouraging other efforts from being adopted. Many governments were influenced by the TI mainly because they failed to act cohesively when dealing with the industry and its tactics.

This Global Tobacco Industry Interference Index is produced by the Global Center for Good Governance in Tobacco Control (GGTC) by utilizing civil society reports on tobacco industry influence from 90 countries which cover about 87% of the world's population. The Index, the fourth in its series, documents government efforts to implement WHO FCTC Article 5.3.

The Index is based on publicly available information on TI interference in countries and their respective governments' responses to this interference. For the 80 countries that updated their previous reports, interference and responses were measured for the period of April 2021 to March 2023. For the 10 new countries, interference and responses were measured from January 2019 to March 2023. The countries are ranked (Figure 1) according to total scores provided by civil society groups, who prepared their respective country indices. The lower the score, the lower the overall level of interference, which augurs well for the country.

This Index shows a worsening trend in interference, and no country has been spared. Forty-three (43) countries deteriorated in their scores compared to 29 countries that

improved in protecting their health policies, especially in applying greater transparency, not collaborating with the industry and adopting policies that provide a procedure for interaction with the industry. Scores of eight countries remained unchanged.

“Governments should keep abreast with the tactics employed by tobacco and related industries to derail tobacco control. Evidenced-based tobacco control policies save lives, so countries must remain vigilant to promptly and decisively respond to tobacco industry efforts aimed at harming tobacco control efforts. The Civil Society is a key resource partner that can support countries' efforts in countering industry tactics.”

Vinayak Mohan Prasad, Unit Head, No Tobacco Unit, (TFI) World Health Organization

Key findings

Four governments made progress in protecting their policies from tobacco industry interference. **Botswana** included recommendations from Article 5.3 Guidelines in its Tobacco Control Act in 2021. **Bosnia and Herzegovina, Burkina Faso** and **Cote d'Ivoire** have developed draft decrees to protect health policies from industry interference, which are awaiting approval.

Departments of finance, commerce and investment continued to be targeted by the industry to champion its interests. Non-health departments, especially finance, commerce and customs, were persuaded by the industry's exaggerated claims of its contributions to the economy and believed the industry's narrative that illicit tobacco trade will worsen if taxes are increased.

More countries deteriorated and were subjected to industry interference. Twenty-nine countries showed improvements and 43 countries registered a deterioration, while eight had unchanged Index scores.

Many governments still accepted CSR handouts from the tobacco industry. Global issues such as the continued impact of COVID-19, natural disasters and the growing need for environmental protection resulted in governments continued acceptance of industry charity and subjected themselves to compromising on policies.

Governments collaborated on industry-sponsored environmental campaigns. Government and public institution endorsements of industry-led cigarette butt litter cleanups were recorded in at least 15 countries including **Brazil, Colombia, Costa Rica, Korea, Malaysia, Sweden, Switzerland** and **Uruguay**.

Embassies of five countries endorsed or promoted the tobacco industry. Diplomatic missions of five countries, **China, Germany, Italy, Japan** and the **U.K.**, were persuaded to promote the tobacco industry in other countries.

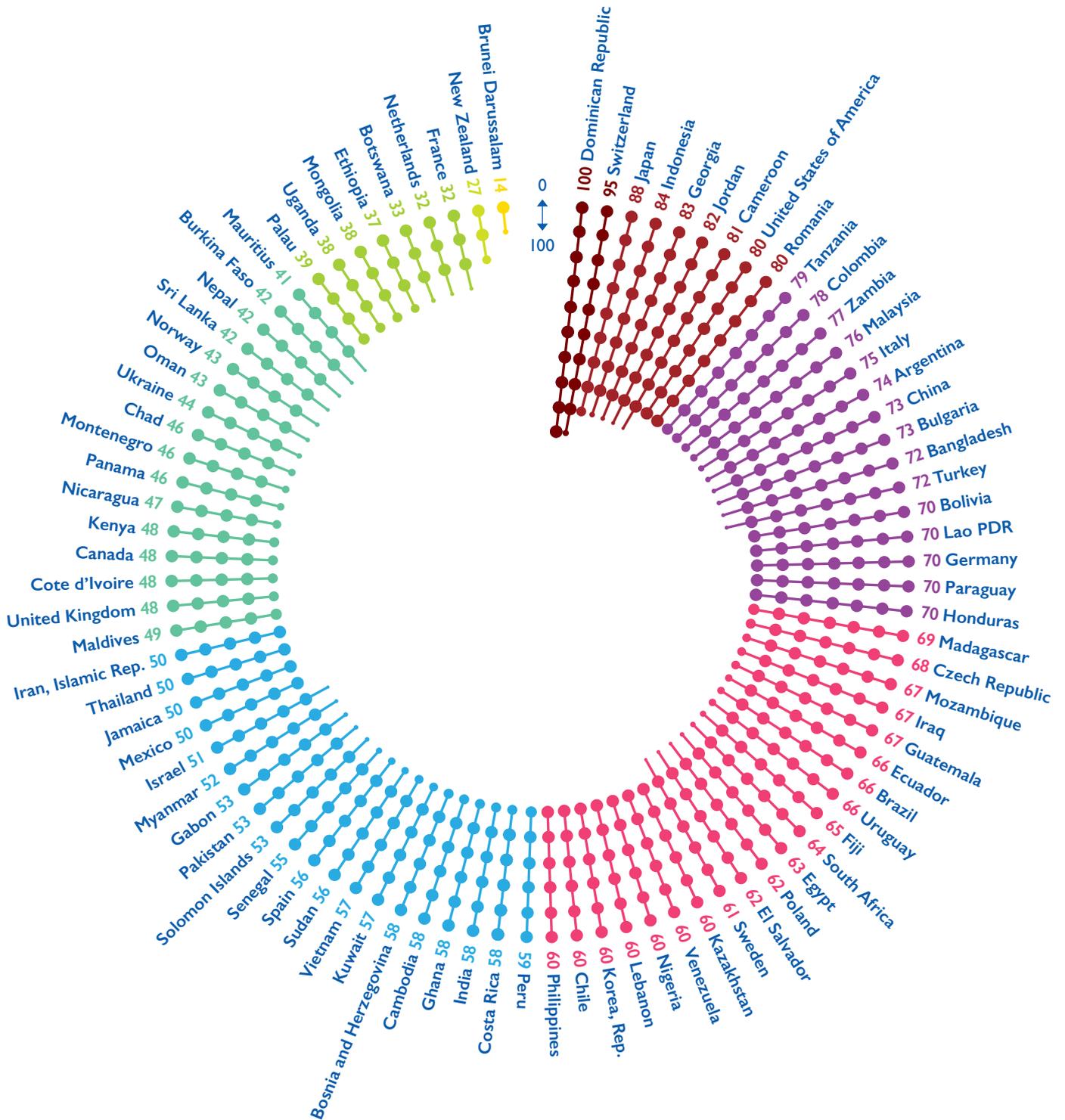
Transparency and accountability remained a problem. Most of the countries do not have rules for disclosure of meetings with the tobacco industry, a register of lobbyists, including from the tobacco industry, or policies to require the TI to disclose information on marketing and lobbying.

Five countries reported the tobacco industry sabotaged efforts to pass comprehensive WHO FCTC-compliant legislation. Omnibus tobacco control legislation has been delayed in **Bolivia, Guatemala, Jamaica, Tanzania** and **Zambia** over the past few years.

Five countries that remained non-Parties to the WHO FCTC faced high levels of interference. **Argentina, the Dominican Republic, Indonesia, Switzerland** and the **U.S.A.** had no progress in becoming Parties and faced high levels of lobbying or interference that undermined tobacco control. These governments, which have tobacco control measures not compliant with the FCTC, allowed the industry to meddle in policy development, continued to provide incentives to the tobacco industry or endorsed industry activities.

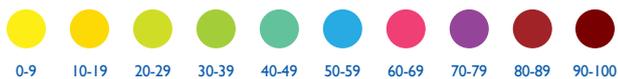
There was little publicly available information on countries' programs to consistently raise awareness of Article 5.3. Few countries covered in this Index found publicly available reports on programs to raise awareness within government departments on tobacco industry tactics and policies related to Article 5.3.

Figure I: Tobacco industry interference overall country ranking



The lower the score, the better the ranking

By color



By size



Recommendations

Governments can and must halt TI interference. The quicker they act to fulfil their WHO FCTC obligations, the better they can protect and advance their tobacco control policies. Article 5.3 Guidelines calls on governments to limit interactions with the industry to only when strictly necessary and to be transparent. Specific actions include the following:

1. Involve the whole of government to curtail tobacco industry interference. The whole government must act cohesively to stop tobacco industry interference and implement Article 5.3 as shown in the exemplary action taken by **Botswana, Chad, the Philippines, the U.K.** and **Uganda**.

2. Stop participation in tobacco industry-sponsored charity. Governments must not endorse or participate in industry-sponsored activities, and must instead limit their interactions with the TI to only when strictly necessary for regulation and control.

3. Prohibit contributions from the tobacco industry, including to political campaigns. When governments accept contributions from the tobacco industry, they make themselves vulnerable as illustrated by countries that compromised on tobacco control or reversed legislative measures.

4. Denormalize and ban tobacco's "CSR" activities. Make the tobacco industry pay for the harms its products cause on human health and the environment. The tobacco industry should not be included in or treated like any other industry in extended producer responsibility mechanisms and corporate sustainability regulations.

5. Require greater transparency for increased accountability. Transparency when dealing with the TI will reduce instances of interference and will help hold government officials and the industry accountable. All interactions with the TI must be recorded and made publicly available. Require the tobacco industry to disclose information such as marketing and lobbying activities.

6. Divest from investments in the tobacco industry. State-owned enterprises should be treated like any other part of the TI. Governments divesting from tobacco businesses increase their independence from the industry, so they can act freely to protect public health.

7. Implement a code of conduct or guidance to provide a firewall. Governments must adopt a code of conduct with clear guidance to limit interactions with the TI, avoid conflicts of interest and strengthen transparency and accountability of any interactions.

8. Stop giving incentives to the tobacco industry. The TI should not be granted incentives or any preferential treatment to run its businesses, which conflict directly with tobacco control policy.

9. Reject non-binding agreements with the tobacco industry. Governments are often disadvantaged when they agree to cooperate with the TI. There should be no collaboration between governments and the TI.

The Global Tobacco Industry Interference Index is a survey to determine how governments are protecting their public health policies from commercial and vested interests of the tobacco industry as required under the WHO FCTC. The first Index in 2019 reviewed 33 countries; the second, 57 countries; the third, 80 countries; and this fourth Index reviews 90 countries from Africa, the Eastern Mediterranean region, the Americas, Europe, South and Southeast Asia and the Western Pacific region. It ranks the countries using the same questionnaire and scoring method as the ASEAN Index developed by the Southeast Asia Tobacco Control Alliance (SEATCA) in 2014. Detailed country reports and other tools are available at: www.globaltobaccoindex.org

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