
Ethiopia

**TOBACCO
INDUSTRY
INTERFERENCE
INDEX
2023**

Background and Introduction

Proclamation No. 30/1942 established Ethiopia's National Tobacco Enterprise (NTE) as "Tobacco Regie," or Ethiopia's main tobacco enterprise, in 1942.¹ The NTE is the only tobacco company in the country that operates, manufactures, imports and distributes tobacco products. The Ethiopian government exited the tobacco business in 2017 by selling its NTE stake to Japan Tobacco International (JTI) for US\$1 billion, the largest purchase in Ethiopia's privatization history. JTI sees great potential to increase its business in Ethiopia and expects cigarette volumes to rise. The NTE is currently owned by two entities: JTI (71%), and Yemen-based Sheba Company (29%).² JTI will have monopoly rights over the NTE until December 2025. Moreover, the contract agreement between JTI and the Ethiopian government required that NTE should be consulted during the modification or preparation of tobacco taxation, regulations, or legislation (See Annex I for further information).

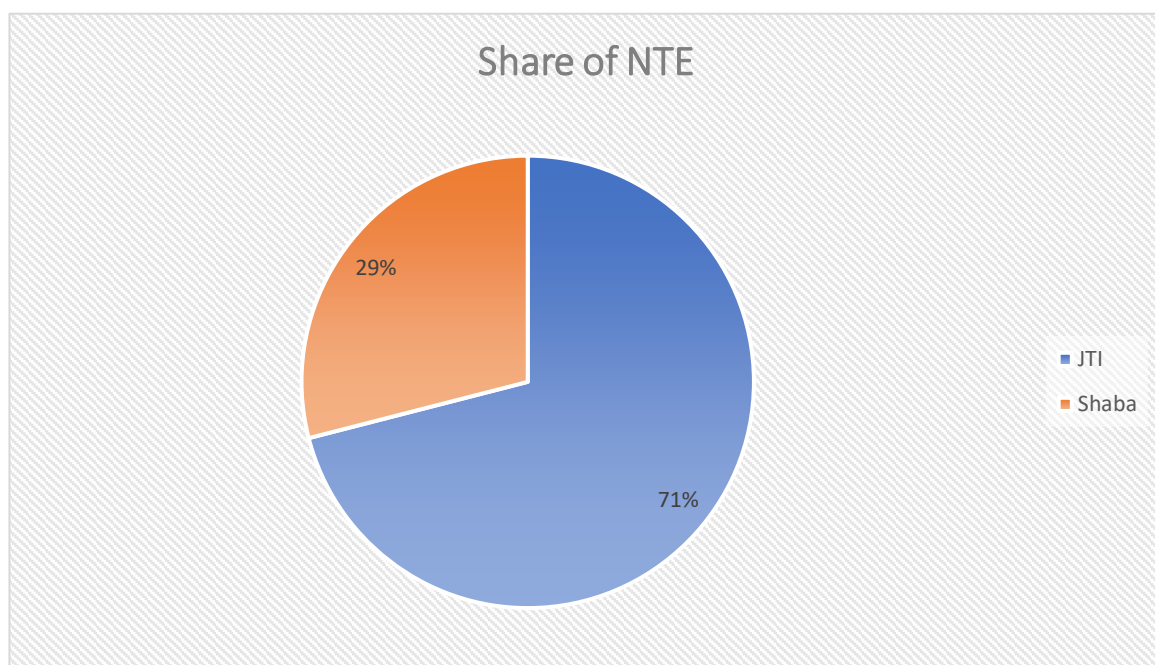


Figure I: National Tobacco enterprise Shares among shareholders

It is well documented that the tobacco industry (TI) interferes with public health policy for financial gain and expansion in all global regions.³ The TI seeks to favorably influence countries' public health policy and regulatory decision-makers through corporate social responsibility (CSR) initiatives and other interference tactics such as involvement policy-making process, and partnering with government offices to control illicit tobacco trade. However, to tackle such challenges, in 2019 and 2020, the Ethiopian Government laudably passed a series of Proclamations that introduced strict new tobacco control laws across the country.^{4, 5} Moreover, the WHO FCTC Article 5.3 empowers the government to protect itself from tobacco industry tactics.

The 2023 Ethiopian Tobacco Industry Interference Index is part of the Global Tobacco Industry Interference Index. The Global Tobacco Industry Interference Index (Global Tobacco Index) is a review of how governments are responding to influences from the

the tobacco industry and protecting their public health policies from commercial interests as required under the World Health Organization Framework Convention on Tobacco Control (WHO FCTC) Article 5.3.⁶ This is the third report for Ethiopia, the first report was released in 2020 and the second in 2021. This report reviews how the Ethiopian government is implementing Article 5.3 guidelines and domestic regulations such as proclamation 1112/2019 and excise bill.

The report is based on a questionnaire developed by the Southeast Asia Tobacco Control Alliance. There are 20 questions based on the Article 5.3 guidelines. Information used in this report is obtained from the public domain only. A scoring system is applied to make the assessment. The score ranges from 0 - 5, where 5 indicates highest level of industry interference, and 1 is low or no interference. Hence the lower the score, the better for the country. The 0 score indicates absence of evidence or not applicable. Where multiple pieces of evidence are found, the score applied reflects an average. The report includes information on incidents from April 2021 to March 2023 but also includes incidents prior to 2020 that still have relevance today such as the contractual agreement between Ethiopia and JTI that continues to 2025. This report is based on publicly available evidence available from online databases using the Google search engine for tobacco control-related media stories from both traditional and digital media outlets such as Ethiopian and African newspaper websites, streaming media and social media platforms (Twitter, Facebook) using the keywords: 'Ethiopia', 'Tobacco Control', 'FCTC', 'WHO FCTC implementation', 'Tobacco Industry', JTI and 'National Tobacco Enterprise', 'Excise Tax amendment', 'illicit tobacco trade'. The search terms were customized for each database to retrieve published articles and policy documents. Moreover, we contacted various public institutions such as the Ethiopian Food and Drug Administration (regulatory body), Ministry of Finance, Ministry of Revenue, Customs Commission (previously signed MOU with NTE to fight contrabands), Civil Society Organizations to trace documents, which have been exchanged with the tobacco industry. The main findings of the Index are presented below.

This third report reviews how Ethiopia is implementing Article 5.3 and other domestic tobacco control bills including excise tax. There are major instances in the tobacco industry influencing the government's decision to implement tobacco control particularly delaying tax increases and applying pictorial warnings on cigarette packs. However, the government of Ethiopia has achieved significant outcomes over the period of this study. Among key measures, halting its partnership with the tobacco industry to control the illicit market and signing a code of conduct with key government officials, and being able to rotate the four pictures of graphic health warnings after 24 months of implementation. The other noticeable action taken by EFDA and HDAMA is the translation of Article 5.3 guideline to the federal official language, Amharic, as part of advocacy and continues awareness raising among government officials. Such strong action substantially reduced the level of tobacco industry interference compared to previous years. Ethiopia's score for the year 2023 is 37, which is 12 points better than the score for the year 2021.

Summary Findings

I INDUSTRY PARTICIPATION IN POLICY DEVELOPMENT

According to Ethiopian Food and Drug Administration Proclamation No. 1112/2019, the Government of Ethiopia does not accept, support or endorse any offer for assistance by or in collaboration with the tobacco industry in setting or implementing public health policies relating to tobacco control. However, the agreement with JTI, majority shareholder of the NTE, during privatization allows commenting before any tobacco-related law is processed. Due to this, the tobacco industry was able to exert pressure on public health laws, particularly the amendment of excise tax proclamation. Tobacco industry and its alliance publicly opposed the current tax rate on tobacco products and request a further reduction.

Ethiopia's delegation to the COP meetings and the National Tobacco Coordination Committee does not include any representatives from the tobacco industry.

2 INDUSTRY CSR ACTIVITIES

Government officials do not endorse, accept or participate in tobacco-related CSR activities. However, the NTE, via its major shareholder, JTI, has engaged in various CSR activities such as providing scholarships for Ethiopian students and participating in community water supply and sanitation services. Publicly available information indicates that the Japanese Embassy in Ethiopia and JTI entered into a Memorandum of Understanding (MOU) for a framework of cooperation to provide scholarships to Ethiopian students in Japan on 21 May 2021. Moreover, JTI announced on its Twitter feed CSR activities related to providing a safe water supply and improved sanitation services for more than 3,000 habitats in Ethiopia.

3 BENEFITS TO THE INDUSTRY

Government officials showed their strong support for the success of JTI through providing a privilege to participate in law and regulation drafting and approval process. Even though the Ministry of Council granted the Ministry of Finance to impose 10% tax increment on health damaging products each year, there is not excise tax rate change over tobacco product in this year. In addition, the inflation rate in Ethiopia is soaring but ministry of finance didn't take any adjustment as the tax proclamation recommended. Moreover, the amendment tax bill, Ministry of Finance presents the old tax rate on tobacco products in one hand and the minister on the other hand included banned products (electronic cigarettes and shisha) as taxable goods. However, this completely contradict the existing tobacco control bill. This further showed the tobacco industry is using illicit trade as an excuse and was able to persuade the government and weaken tobacco taxation. As a result, still a low excise tax i.e., 30% plus 8 birr per pack of cigarettes (20 single sticks) has been imposed.

4 UNNECESSARY INTERACTION

Proclamation 1112/2019 forbids the government from accepting any assistance from the tobacco industry on any enforcement activities or entering into any partnership with it. The Custom Commission, under the Ministry of Revenue, signed a Memorandum of Understanding with the JTI/NTE to fight illicit trade in June 2019. However, due to strong advocacy work from regulatory body and civil society, customs commission stop further partnership with NTE to fight contraband products. This one of the milestones that the regulatory body achieved during the period under review.

5 TRANSPARENCY

Proclamation 1112/2019 under article 51 set out the procedure for all interaction between public officials and the National Tobacco Enterprise:

1. Interaction between any government organ responsible for the adoption of public health policy and the tobacco industry shall be limited to only those strictly necessary for effective regulation of the tobacco industry or tobacco products.
2. Any interaction made in accordance with sub-article (1) of this article, and whenever the tobacco industry contacts the government to initiate an interaction of any kind, the appropriate government officials shall ensure full transparency of the interaction and of the contact, and it shall be appropriately documented.

Moreover, tobacco control directive number 727/2021⁷ further explain that without prejudice of matters prohibited by law to disclose, any communication between the government and tobacco industry shall be open to any interested citizen and shall be given copy of such record upon request by anyone or the Authority. In this regard, the meeting's minutes were recorded during the meeting between FDA and NTE.

6 CONFLICT OF INTEREST

Tobacco control directives (number 771/2021) that emanate from proclamation 1112/2019 under section Protection against conflict of interest states:

- 1) Any government employee who engaged either directly or indirectly in any tobacco trade shall not participate in any kind of tobacco control activity.
- 2) No government employee shall participate in a research or evaluation of research which is directly or indirectly supported by the tobacco industry.

Therefore, the law requires that any affiliation to the tobacco industry by a member of the tobacco control board must be declared for purposes of determining any potential conflict of interest.

7 PREVENTIVE MEASURES

The Ethiopian government has a national tobacco control coordination committee and Tobacco Industry Monitoring and Response Team that strive to realize the multisectoral response, under the auspice of the Ethiopian Food and Drug Authority (EFDA). The committee is comprised of potential stakeholders from different sectors with clear and defined roles and responsibilities. The involvement of these stakeholders is a critical milestone in institutionalizing and mainstreaming all tobacco control efforts in their respective institutions. Furthermore, the government is

formulating a code of conduct for public officials, prescribing the standards with which they should comply in their dealings with the tobacco industry as required by proclamation 1112/2019. Therefore, it shall set a code of conduct prescribing standards for any public officer, including service providers, contractors, and consultants involved in setting or implementing public health policies for tobacco control.

Recommendations

The Tobacco Control bills, including Proclamation 112/2019 and Excise Tax Proclamation 1186/2020, should be implemented immediately, especially now that the excise tax amendment should consider public health objectives: -

- 1) According to Proclamation 1186/2020 Article 10 and sub-articles 1 and 2, the Ministry of Finance should increase the tax rate on tobacco products and adjust the inflation for specific taxes at least once a year. Furthermore, the government should raise taxes and remove electronic cigarettes and shisha products from the draft excise tax bill.
- 2) Inventory on the tobacco industry – to establish a repository that can be readily available for access to the public on information about the tobacco industry.
- 3) The NTE privatization agreement should be revised in accordance with Article 5.3 of the WHO FCTC. The JTI agreement with the Ethiopian government allowed the tobacco industry to intervene in the public health law-making process, and this year the tobacco industry and its front group put pressure on public hearings for excise tax amendments. This contradicts Proclamation 1112/2019 and the WHO FCTC.
- 4) Continue monitoring tobacco industry interaction with the government and prospective study on NTE engagement with ministry of finance particularly on excise tax amendment.

Ethiopia

Tobacco Industry Interference Index 2023

Results and Findings

	0	1	2	3	4	5
INDICATOR 1: Level of Industry Participation in Policy-Development						
1. The government ¹ accepts, supports or endorses any offer for assistance by or in collaboration with the tobacco industry or any entity or person working to further its interests. ² in setting or implementing public health policies in relation to tobacco control ³ (Rec 3.4)						5
<p>According to the Ethiopian Food and Drug Administration proclamation 1112/2019, the Government does not accept, support or endorse any offer of assistance by or in collaboration with the tobacco industry in setting or implementing public health policies in relation to tobacco control. However, National Tobacco Enterprise continuedly participating in any law-making process that addresses tobacco control. The recent incidence is well noted in the excise tax amendment. Tobacco Industry is invited as key stakeholders to be participated in the public hearing and arguing the public health by mentioning an inflated illicit tobacco market. In addition, tobacco industry workers representative, further mentioned higher excise tax on tobacco products led to the loss of 300 workers.⁸</p> <p>Moreover, during public hearing session of excise tax amendment held on March 29, 2023, higher official of Ministry of Finance and the tax advisor of the minister of finance, reinforced the idea of tobacco industry and mentioned that increasing tax rate on tobacco products will lead to higher illicit trade. Due to this, the ministry proposed similar tax rate with what it was levied in 2020.⁹ In addition, the amendment of excise tax bill is contradicted with tobacco control bill. Proclamation 1112/2019 completely prohibited to manufacture, import, store, wholesale, distribute, sell, or offer to sell any electronic cigarettes and any shisha products.⁴ However, ministry of finance has included these banned products as excisable goods and set their tax rate in the draft excise tax bill.¹⁰</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)					4	
<p>The Ministry of Finance mentioned that the existing excise tax had influenced industries competitiveness particularly those industries subjected for double taxation. As excise tax bill (Proclamation No. 1186/2016) stated tobacco industry is among industries that subjected for double taxation at the input or raw material (20% of tobacco leaves) and final products (30% plus 8 birr per pack at sale price.⁵) However, we didn't find any strong evidence that support as tobacco industry support involvement in the drafting of the amendment of the proclamation 1186/2020. But we noticed that tax advisor of the Ministry of Finance arguing against the public health advocates during the public hearing by using industry argument that illicit trade is the reason for no tax increasement was proposed on tobacco products. This further illustrates that tobacco industry indirectly influence the ministry not raise the tax rate despite high inflation affects the specific tax amount.</p>						

¹ 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

² The term, "tobacco industry" includes those representing its interests or working to further its interests, including the State-owned tobacco industry.

³ "Offer of assistance" may include draft legislation, technical input, recommendations, oversees study tour

	0	1	2	3	4	5
<p>The Ministry of Finance had included electronic cigarettes for taxation and the details on method and amount of taxation would only be possible with the Ministry receiving input from the tobacco industry. Former Higher Prosecutor of Revenue and Customs Authority (2009 – 2015) responsible for preparing draft laws such as proclamations, regulations and directives is currently the Social Programs Manager of JTI Ethiopia.¹¹</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) Never 5 Yes		1				
<p>Interaction allowed with conditions/restrictions. According to proclamation No-1112/2019 article 51(1): “interaction between any government organ responsible for adoption of public health policy and the tobacco industry shall be limited to only those strictly necessary for effective regulation of the tobacco industry or tobacco products.” Further article 51(3) states that, “no person having financial or other interest in the tobacco industry may participate in tobacco control training, workshops, or related events.”</p>						
4. The government nominates or allows representatives from the tobacco industry (including State-owned) in the delegation to the COP or other subsidiary bodies or accepts their sponsorship for delegates. (i.e. COP 4 & 5, INB 4 5, WG) ⁴ (Rec 4.9 & 8.3) For non-COP year, follow the previous score of COP year. For non-Parties, apply a score of '0'		1				
<p>The tobacco industry is not part of the COP delegation or any related meetings.</p>						
<p>INDICATOR 2: Industry CSR activities</p>						
5. A. Government agencies or their officials endorse, support, form partnerships with or participates in activities of the tobacco industry described as “socially responsible” or “sustainable”. For example, environmental programs. (Rec 6.2) B. The government (its agencies and officials) receives CSR contributions ⁵ (monetary or otherwise, including CSR contributions) from the tobacco industry or those working to further its interests during the pandemic. (Rec 6.4) <i>NOTE: exclude enforcement activities as this is covered in another question</i>				3		
<p>According to proclamation 1112/2019 article 51 (5), any financial or in-kind charitable or any other related contribution by a tobacco industry shall be prohibited. However, National Tobacco Enterprise (NTE) major shareholder signed a memorandum of understanding (MOU) with Japan Embassy in Addis Ababa (see Annex 2) to provide scholarship for Ethiopian students in Japan.^{12, 13} To counter this, the civil society organization (CSOs) led by Mathios Wondu Ye-Ethiopia Cancer Society and other non-communicable disease alliance wrote a letter of to Japan Embassy in Addis Ababa to stop the CSR activities, however, the Embassy didn’t give any response (see Annex 3). Moreover, JTI has reported in its one of official social media account (Twitter) about provision of water and sanitation service for over 3000 households in Ethiopia (See Annex 4).¹⁴</p>						

⁴ Please annex a list since 2009 so that the respondent can quantify the frequency, <http://www.who.int/fctc/cop/en/>

⁵ political, social financial, educations, community, technical expertise or training to counter smuggling or any other forms of contributions

	0	1	2	3	4	5
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)					4	
<p>Proclamation 1112/2019 enacted in 2019, under Article 57 states that the packaging of any tobacco product shall contain rotating health warnings and messages that are comprised of combined images and full-color pictures as well as shall be displayed on no less than 70% of the front and back side of each principal display area of its packaging and labeling, not counting the space taken up by any border surrounding the health warning. Moreover, the EFDA graphic health warning directive required that the issued health warnings in 2021 to be rotated equally within each batch of a tobacco product brand over a 24-month period. Moreover, the directive gives a 90 days grace period to implement a health warning on packaging of tobacco products.</p> <p>Due to tobacco industry interference, there was a delay in implementation of the rotated graphic health warnings. In total the 2 months given to the industry to apply the pictorial warnings benefited the industry. Still in the market, we observe NTE products with the repealed graphic health warning labels. However, we did not find any information in the public domain on its interference. However, EFDA took administrative measure and a written warning letter has been given to the NTE for violation of the law. This administrative measure is compliance with what the tobacco control directive recommends as first time is only a written warning.⁷</p>						
7. The government gives privileges, incentives, tax exemptions or benefits to the tobacco industry (Rec 7.3)						5
<p>Article 52(1) of the 2019 tobacco bill states that the federal government department in charge of initiating the country's tax policy must levy a tax on tobacco products in accordance with the WHO-FCTC, which Ethiopia has ratified. Proclamation 1186/2020, enacted in 2020,⁵ stated in article 10 about Adjustment for Inflation as 1/ The Minister, by a directive to be issued, may increase or decrease the rate changed in the first schedule in relation to this proclamation by not more than 10%. And 2/ In accordance with the Minister's directive, the Authority shall adjust the specific rate of excise tax specified in the first schedule of this Proclamation at least once a year to account for inflation. However, due to tobacco industry interference, it has yet to be fully implemented, despite the fact that inflation for both food and non-food items has been rising since 2020. This amount of tax does not meet WHO retail price requirements (75%). It is still low and does not make cigarettes unaffordable to users, particularly the specific amount 8 birr is hugely impacted by high inflation and the real value is now below 2 birr in 2023.</p> <p>On the other hand, NTE is continuedly reporting about high illicit market share via its pro media and about 62.7 % of Ethiopian Cigarette market is dominated by illegal products and the NTE also estimated that the government lost 4.5 billion birr in tax revenues yearly because of the illicit tobacco market.¹⁵ However, independent study indicated that most of smokers closely 87% prefer to smoke Nyala products which is manufactured by NTE as legal product.¹⁶ Moreover, the price of illicit product is higher than legal products. Hence, the industry estimation of illicit market share is unacceptable and it has not any relation to tax because the price of legal is still very cheap compared to illicit products. However, Ministry of Finance did neither increase 10 percent on the ad valorem tax rate nor adjust inflation for the specific tax as the excise tax percolation recommends.</p>						

	0	1	2	3	4	5
In 2019, the Ministry of Foreign Affairs made a commitment to Japan Tobacco that, “The government will give them substantial support if they want to invest here.” Japan Tobacco, which own 71% of NTE said the company wants to grow more tobacco leaves for the export market. ¹⁷						
INDICATOR 4: Forms of Unnecessary Interaction						
8. Top level government officials (such as President/ Prime Minister or Minister ⁶) 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)	0					
During our data collection, we discovered no tangible evidence of such interaction.						
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					
It was well documented that NTE was partnered with customs commission, government body, through MOU agreement to cooperate to control illicit tobacco products in the country. This MOU has expired in late 2021 and the agreement was not revised. The Ethiopian Food and Drug Authority and its alliance closely working to stop further partnering of tobacco industry to fight contraband in the country.						
10. The government accepts, supports, endorses, or enters into partnerships or non-binding agreements with the tobacco industry or any entity working to further its interests. (Rec 3.1) <i>NOTE: This must <u>not</u> involve CSR, enforcement activity, or tobacco control policy development since these are already covered in the previous questions.</i>	0					
Proclamation No. 11112/2019, forbids the government from entering into any partnership or agreements with the tobacco industry and the EFDA stop such partnership by discussing with ministry of revenue and customs commission. Hence, during our data collection, we didn't get any agreement signed by government body with tobacco industry.						
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)		1				
Proclamation 1112/2019 under article 51 (protection against tobacco industry interference), set out procedures for all interaction between public officials and the NTE: 1. Interaction between any government organ responsible for the adoption of public health policy and the tobacco industry shall be limited to only those strictly necessary for effective regulation of the tobacco industry or tobacco products. 2. Any interaction made in accordance with sub-article (1) of this article, and whenever tobacco industry contacts the government to initiate an interaction of any kind, the appropriate government officials shall ensure full transparency of the interaction and of the contact, and it shall be appropriately documented.						

⁶ Includes immediate members of the families of the high-level officials

	0	1	2	3	4	5
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)				3		
<p>The 2019 tobacco bill in part five under article 46(1) urges that no person may manufacture, import, wholesale, or distribute any tobacco products without having a special license from the executive organ. In addition, article 47(2) of the proclamation ensures every tobacco manufacturer or importer to maintain and upon request to provide information about ingredients used in the manufacture of each of their tobacco products, its emission, or any other information about the product to the executive organ.</p> <p>However, there is no registry of entities and individuals acting on behalf of the tobacco industry such as lobbyists.</p>						
INDICATOR 6: Conflict of Interest						
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) / Never 5 Yes		1				
<p>The proclamation, under article 51(5), has totally prohibited any financial or in-kind charitable or any other related contribution by a tobacco industry.</p>						
14. Retired senior government officials form part of the tobacco industry (former Prime Minister, Minister, Attorney General) (Rec 4.4)	0					
<p>Currently, no retired senior government officials working with the NTE.</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)		1				
<p>According to proclamation 1112/2019. Article 51 a government official who has a role in setting public health policy shall not engage in any tobacco business including consultancy positions. The government of Ethiopia has fully withdrawn from the tobacco industry through full privatization of its share to JTI in the period of 2016 to 2017. Since then, the government officials have not held a place in the board or any other position.</p>						
INDICATOR 7: Preventive Measures						
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)			2			
<p>Proclamation 1112/2019 requires a procedure to be put in place to disclose all records of interactions. EFDA has a minute record for its interaction with tobacco industry and exchanged letter are being stored. However, these records are not officially available for the public unless reasonable requests are presented.</p>						
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); <i>1 for whole of government code; 2 for Yes but partial if only MOH</i>		1				
<p>Under the tobacco control directives that emanate from Proclamation 1112/2019:</p>						

	0	1	2	3	4	5
<p>The national tobacco control coordination Secretary shall set a code of conduct prescribing standards for any public officer including service providers, contractors, and consultants involved in setting or implementing public health policies for tobacco control. EFDA has developed and implemented the code.</p>						
<p>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)</p>			2			
<p>According to Proclamation 1112/2019, NTE is responsible to report to the EFDA, and this should be accessible to the public upon request. While compiling information, the Authority shall take reasonable care not to disclose the commercially protected trade information and other misleading information to the public. As EFDA confirmed the industry proved reports as requested by the authority.</p>						
<p>19. The government has a program / system/ plan to consistently⁷ raise awareness within its departments on policies relating to FCTC Article 5.3 Guidelines. (Rec 1.1, 1.2)</p>			2			
<p>In order to implement the FCTC, the House of People Representatives mandated the EFDA to take control of all necessary measures via proclamation No. 822/2014. This requires public authority to adopt mechanisms to raise awareness within its mandate about the interference and vested interests of the tobacco industry with the development and enforcement of tobacco control legislations and policies. EFDA used several means of communication including workshops, media forums and press releases to make public officials and the population aware about tobacco control. In addition, EFDA is collaboratively working with civil society organizations, the World Health Organization, and other partners to enhance its effort on awareness raising activity.</p> <p>According to one study there are concerns that beyond the EFDA there is still limited awareness of Article 5.3 among other government agencies who may support or form partnerships with the tobacco industry.¹⁸</p>						
<p>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, policy drafts, or study visit invitations given or offered to the government, its agencies, officials and their relatives. (3.4)</p>		1				
<p>Proclamation 1112/2019, under article 51(3), clearly states that: “no person having financial or other interest in the tobacco industry may participate in tobacco control training, workshops, or related events.” Furthermore, under article 51(4): “no government organ or an official working in the area of health policy should receive any financial or in-kind contribution from the tobacco industry.”</p>						
TOTAL SCORE						37

⁷ 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.

Annex

Annex I: An agreement that allows NTE to be consult and participate in policy development



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THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA
OFFICE OF THE COUNCIL OF MINISTERS

ቀን 19 DEC 2017
Date
ቁጥር M/320-748/1
Ref.No.

To Ministry of Public Enterprises

Addis Ababa

Subject:- Government undertaking related to the sale of its shares in National Tobacco Enterprises Share Company.

As part of the Government's sale of all of its shares in National Tobacco Enterprises Share Company ('NTE') the Government has committed to certain undertaking in consideration of the purchase of such shares and to enable continued investment in the manufacturing, agricultural, distribution and sales operations of NTE

NTE is committed to support the Government's fight against the significant trade of Illegal Tobacco Products in the Country and, to the extent that fighting illegal trade is a priority of Public interest, the Government should use its best efforts to consider and support NTE's recommendations and investment in this regard.

Therefore and in accordance with Government undertaking, all relevant administrations are expected to:

1. Conclude a memorandum of understanding with NTE, with the objective of reducing the illegal trade of Tobacco products, which is very significant in Ethiopia. In this regard the Government's anti-illegal trade task force and NTE should collaborate closely to define an action plan and a list of measures to best ensure such objective can be achieved.

ስልክ
Tel.0111226767
0111241306

ፋክስ
Fax.0111241165

ፕ.ሣ.ቁ. 1034
P.o.Box



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2. During law making process consulting and participating relevant stakeholders and the public is a necessary preconditions In Ethiopia. To this end all branches of Government and administrations, whose mission and efforts may be directly or indirectly impacted by any proposed modification or preparation of Tobacco Taxation, regulation or legislations should be consulted. NTE should be consulted in a transparent manner during modification or preparation of Tobacco Taxation, regulation or legislations.
3. Take all measures necessary to ensure that NTE' retains its monopoly rights until December 2025, as per the Contract of sale signed on 15 July 2016 and proclamation No. 181/1999 to issue business license in respect of the purchase, preparation, manufacture, sale, import, and export of tobacco and tobacco products.
4. Facilitate as much as possible the availability of foreign currency as may be reasonably required by NTE, to implement its business plan.

Hence, based on the above Ethiopian Governments Specific undertakings with regard to the sale of its shares in National Tobacco Enterprises Share Company, the Ministry of Public Enterprises can negotiate and transfer by sale the Ethiopian Government's shares in NTE.

- Ministry of Trade
- Ministry of Finance and Economic Cooperation
- Ministry of Health
- Federal Attorney General
- National Bank of Ethiopia

Addis Ababa



Sincerely yours,

ALEMAYEHU TEGENU
Minister of Cabinet Affairs



Annex 2

Signing Ceremony of MoU between the Embassy of Japan and JTI (Japan Tobacco International) on a framework of cooperation to provide scholarship to Ethiopian students

On 21 May 2021, Embassy of Japan held a signing ceremony of MoU between the Embassy and JTI (Japan Tobacco International) who is a major shareholder of National Tobacco Enterprise. This MoU shapes the cooperation framework between the two parties in the effort of providing scholarship to prospective post graduate students from Ethiopia and was signed between Ambassador Ito Takako and Mr. Grant Mowat, JTI representative in Ethiopia.

Ambassador Ito expressed her appreciation towards JTI for providing such scholarship to Ethiopian students and stated her expectations for this initiative to become one of the bridges between Japan and Ethiopia.


Mr. Mowat expressed his gratitude towards the cooperation by the Embassy of Japan and JTI's commitment to make contribution in Ethiopia now and in the future.




Annex 3: CSOs letter to Japan Embassy in Addis Ababa to stop partnership with JTI

Annex 4: NTE CSR about provision of water supply and Sanitation services in Ethiopia

← Tweet





 **JTI**
@JTI_global


Last year in [#Ethiopia](#), we initiated a program in which 3,000 households will be able to benefit from access to tap water points and new toilet facilities. Find out more about our [#sustainability](#) [#strategy](#):

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Our approach to sustainability
Our approach to sustainability

6:37 AM · Apr 15, 2021


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Annex A: Sources of Information

	TOP TOBACCO COMPANIES/ DISTRIBUTORS	MARKET SHARE	BRANDS	SOURCE
1	National Tobacco Enterprise	100%	Nyala, Nyala Premium, Winston, Delight, Gissella, and Eleni	https://www.jti.com/africa/ethiopia

	TOP MEDIA/ NEWSPAPERS	URL
1	The reporter English	https://www.thereporterethiopia.com/32728/
2	EBS TV	(4) የኤክስፐስ ታክስ አዋጅ ማሻሻያ ፣ መጋቢት 20, 2015 What's New Mar 29, 2023 - YouTube
3	The Reporter Amharic	https://www.ethiopianreporter.com/115534/
4	Ethiopian News Agency	https://www.ena.et/web/eng/w/en_24605
5	Twitter	https://twitter.com/VijaiKumarTand4/status/1406137083077402629
6	Twitter	https://twitter.com/JTI_global/status/1382538421009326081
7	The Reporter English	https://www.thereporterethiopia.com/27626/
8	Capital	https://www.capitalethiopia.com/2023/01/30/excise-tax-draft-on-automobiles-telecommunication-tables-in-parliament/
9	Facebook	https://www.facebook.com/photo/?fbid=615048910667114&set=pcb.615048990667106
10	Balageru TV	https://www.youtube.com/watch?v=QTbJ93CChn4&t=420s

	MAIN TOBACCO INDUSTRY ALLIES/ FRONT GROUPS	TYPE (FRONT GROUP, LOBBY GROUP, INDIVIDUAL)	SOURCE
1	Tobacco Industry worker's Association	Front group	
2	Addis Ababa Chambers of Commerce	Front group	
3	Embassy of Japan in Addis Ababa	Front group	https://www.ena.et/web/eng/w/en_24605 https://semonegna.com/embassy-of-japan-and-jti-agreed-to-provide-scholarships-to-ethiopian-students/ https://twitter.com/VijaiKumarTand4/status/1406137083077402629

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