
Kuwait

**TOBACCO
INDUSTRY
INTERFERENCE
INDEX
2023**

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Background and Introduction

This is the first report on tobacco industry interference (TII) index in Kuwait. It reviews how the Kuwaiti government is implementing the WHO Framework Convention on Tobacco Control (FCTC) Article 5.3 guidelines, which outline ways to protect public health policies from the vested interest of tobacco industry. Kuwait became a Party to the WHO Framework Convention on Tobacco Control on August 10, 2006¹. There is no domestic manufacturing of tobacco in Kuwait. As well as no tobacco farming as per the Anti-Smoking law No 15 Article 1 of 1995².

Kuwait is part of the Gulf Cooperation Council (GCC) a political and economic union of six countries: Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, and the United Arab Emirates (UAE) located in the Middle East.

In 2022, the government issued a ministerial decree allowing import of 'Electronic Nicotine Delivery Systems and Analogous Products.' No evidence of the tobacco industry interfering in this decision is publicly available.

In 2017, a 'sin tax'³ was agreed upon among all member of the GCC, implementing an excise tax of 100% on tobacco products. Yet Kuwait has not introduced this tax. In its March 2022 report, the International Monetary Fund urge the Kuwaiti government to increase taxation on tobacco product by imposing excise taxes⁴. During the 2023 World No Tobacco Day, the Vice President of the Health Ministry's National Anti-Smoking Program, Dr Ahmad Al-Shatti stated that the Kuwait has the lowest cigarettes prices in the GCC⁵.

Smoking prevalence in Kuwait was reported in 2021 at 39.9% among men, as the highest for men among the GCC countries, and 3% among women⁶. In 2022, the director of the Kuwait Society for Preventing Smoking and Cancer indicated that the economic cost on the Kuwaiti government from tobacco smoking can reach up to US\$1.3billion⁷. Adding that tobacco contributes to the death of around 3000 Kuwaiti yearly which is 25% of the total mortality rate in the country.

According to a May 2022 Euromonitor report, the market share of the four big transnational tobacco companies (TTC) through the National Brand owners (*which is the company licensed to distribute a brand on behalf of a Global Brand Owner (GBO). The NBO may be a subsidiary of a GBO, or it may be a completely separate company*) is as follows: Philip Morris 40.1%; Japan Tobacco inc. 4.6%; Imperial Tobacco international Ltd 13.8%; and British American Tobacco 14.1%⁸. (Figure 1)

¹ FCTC Implementation Database. 2016. WHO-FCTC, <https://untobaccocontrol.org/impldb/kuwait/>, 04 may 2023

² Government of Kuwait. Law No. 15 of 1995, Anti-Smoking Law;

<https://assets.tobaccocontrol.org/uploads/legislation/Kuwait/Kuwait-Law-No.-15.pdf>, 04 may 2023

³ Euromonitor International. June 2023. <https://www.euromonitor.com/tobacco-in-kuwait/report>, 04 may 2023

⁴ International Monetary Fund, *البيانات الصحفية؛ وتقرير الخبراء؛ ومرفق المعلومات؛ وبيان المدير التنفيذي لدولة* – *مشاروات المادة الرابعة لعام 2021* – *الكويت* <https://www.imf.org/-/media/Files/Publications/CR/2022/Arabic/1KWTA2022001.ashx>, 09 July 2023.

⁵ Kuwait times. Tobacco taxes should be mandated in Kuwait: Health official. 31 May 2023.

<https://www.kuwaittimes.com/tobacco-taxes-should-be-mandated-in-kuwait-health-official/>

⁶ AlQabas, *الكويت الأعلى خليجياً في معدلات تدخين الرجال* (the Kuwait has the highest smoking rate among male smokers); 30 May 2021. <https://shorturl.ac/7as0g> , 09 may 2023

⁷ Alkhaleejonline. *خسائره 1.3 مليار دولار.. التدخين سبب وفاة 3 آلاف شخص في الكويت سنوياً*. Smoking causes the death of 3,000 people in Kuwait annually). 06 April 2022. <http://khaleejonline/47N4my>. 09 May 2023.

⁸ Euromonitor International. June 2023. <https://www.euromonitor.com/tobacco-in-kuwait/report>

In 2020, a Ministerial Decree No. 8/2020⁹ ‘Regarding the Importation of Electronic Nicotine Delivery Systems and Analogous Products’ was issued allowing imports of these products. In 2021, MOK & COO¹⁰ launched their vaping product in Kuwait noting that the Kuwait is the first market in the middle east.

Although no data yet with respect to vaping, a member of the campaign raising awareness on lung cancer, and in charge of the cessation clinic in the Kuwait Society for Preventing Smoking and Cancer reported that vaping among women is spreading among Kuwaiti woman as it is perceived as a ‘fashion ad mean to bragging’¹¹.

Furthermore, a news article reported that the price of cigarettes has decreased by 28% to 33% following the introduction of e-cigarettes in the Kuwaiti market. The reason for this decrease was the raise in competition between heated tobacco product and cigarettes. As the former were more attractive and had a similar price to cigarettes¹².

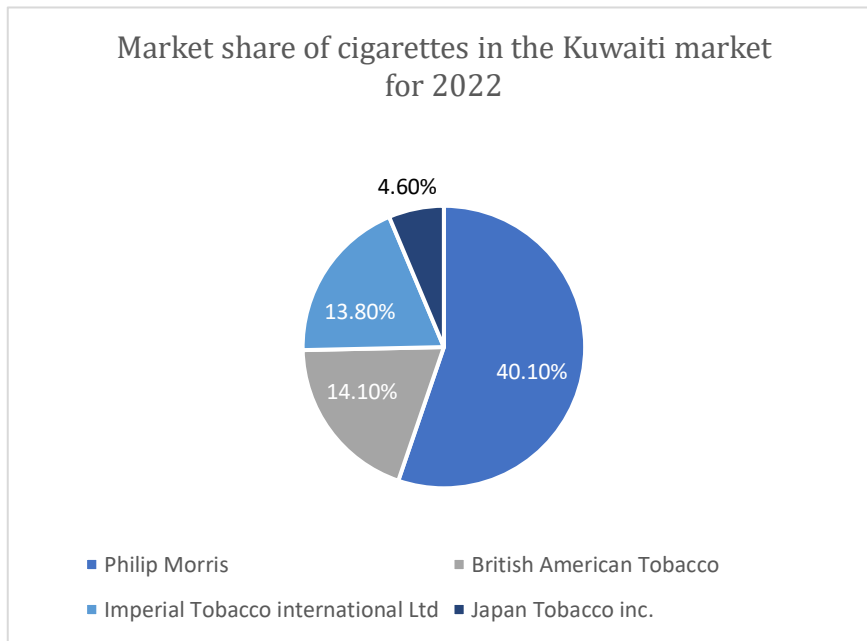


Figure I: Market Share of Cigarettes in Kuwait (2022)

Kuwait’s total score of the Tobacco Industry Interference Index is 57 points. This score may not necessarily reflect the actual interference. This is given so given that most of data linked to the 20 indicators under the seven themes is not publicly available (such as for CSR activities, conflict of interest), or available but partial or not clear enough (such as for unnecessary interaction, transparency).

⁹Nideast. Kuwait the first market in MEA and seventh globally to launch revolutionary tobacco Heat-Not Burn technology, MOK & COO by ANDS MEA. 24 May 2021.

https://assets.tobaccocontrolaws.org/uploads/legislation/Kuwait/Kuwait-Decree-No.-8_2020.pdf, 13 May 2023

¹⁰ <https://www.mok-eu.com/Official/mokbrand>

I I Baroun K, د. مريم العتيبي: الكثير من النساء في الكويت يعتبرن السجائر الإلكترونية موضة ومصدرًا للتباهي (Dr. Maryam Al-Otaibi: Many women in Kuwait consider electronic cigarettes a fashion and a source of pride) <https://www.alqabas.com/article/5869022>. 09 July 2023

¹² Ahmed B, «أسعار السجائر تنخفض بالكويت.. بعد زيادة الإقبال على «الإلكترونية» (Cigarette prices drop in Kuwait... after increasing demand for "electronic") <https://www.alanba.com.kw/1120073>, 09 July 2023.

Accordingly, for a better reporting, information needs to be made publicly available. Further government position with respect to transparency, conflict of interest needs to be clearly articulated and documented. Yet, the report score is reflective of the interaction with tobacco industry.

This report uses a questionnaire developed by the Southeast Asia Tobacco Control Alliance (SEATCA) based on the Article 5.3 Guidelines. 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 means that the better the implementation of the guidelines in that country. This report gathers evidence for Kuwait for the period of **April 2021 to March 2023**. It will report on the 20 indicators under seven themes.¹³

The report is based on publicly available information gathered using information from the 2020 report by the 'National Anti-smoking Programme at the Ministry of Health' for the WHO-FCTC¹⁴ (latest report available), as a main source. Other sources of data including media data available online, and Euromonitor report for July 2022. Government decisions and laws related to tobacco control were also used to support the data and/or validate the findings when applicable.

¹³ Assunta M. Dorotheo E.U. SEATCA Tobacco Industry Interference Index: a tool for measuring implementation of WHO Framework Convention on Tobacco Control Article 5.3; Tob Control <http://dx.doi.org/10.1136/tobaccocontrol-2014-051934>

¹⁴ National program to combat smoking in the Ministry of Health. 2020 - CORE QUESTIONNAIRE OF THE REPORTING INSTRUMENT OF WHO FCTC https://untobaccocontrol.org/impldb/wp-content/uploads/Kuwait_2020_WHOFCtCreport.pdf. 22 June 2023

Summary Findings

1 INDUSTRY PARTICIPATION IN POLICY DEVELOPMENT

There is no direct involvement of tobacco industry in policy development. Yet the ministerial degree with respect to regulating electronic tobacco product was a result of tobacco industry request (as it will be elaborated in section 3)

2 INDUSTRY CSR ACTIVITIES

No evidence collected of industry CSR activities during the review period between April 2021 to March 2023

3 BENEFITS TO THE INDUSTRY

In 2019, El Rai newspaper reported¹⁵ that Saud Al-Babtain & Sons Company (the agent of Marlboro in Kuwait) approached Ministry of Commerce and Industry to liaise with the Ministry of Health to temporarily approve the specifications recently adopted by the UAE for non-traditional tobacco products. In June 2020, a ministerial Decree No 8/2020 was issued regarding the “Importation of Electronic Nicotine Delivery Systems and Analogous products”. Then the specifications were approved in 2021¹⁶.

Furthermore, the General Administration of Customs in Kuwait has delayed the implementation of Customs fees on e-cigarettes twice without clear reasons.

The government allows international travellers to duty-free import 500 cigarettes or 2 lbs. of tobacco into the country.

4 UNNECESSARY INTERACTION

The government reported in 2020¹⁷ that they ‘avoid entering into partnerships or agreements with the tobacco industry. Officials in the Ministry of Health are also prohibited from dealing with the tobacco industry.’ However, this does not apply to officials from other departments. However, this does not deny the fact that tobacco industry can use an intermediate to communicate with the Ministry of Health as reported in the previous point.

5 TRANSPARENCY

There is no clear procedure in place in cases where such interactions are strictly necessary for regulation. There is a law on right to Law No. 12 of 2020 regarding the Rights to Access Information.

6 CONFLICT OF INTEREST

There is no publicly available information of senior or retired official taking part in tobacco industry activities.

¹⁵ Alsinary R, (البابطين» تشعل المنافسة على السجائر الإلكترونية) (Al-Babtain ignites competition for electronic cigarettes) <https://www.alraimedia.com/article/854178/السجائر-الإلكترونية-تشعل-المنافسة-على-السجائر-الإلكترونية>, 05 July 2023

¹⁶ Ministry of Commerce and Industry, Ministerial Decree No. (20/2020), https://assets.tobaccocontrol.org/uploads/legislation/Kuwait/Kuwait-Decree-No.-20_2020.pdf, 09 July 2023

¹⁷ National program to combat smoking in the Ministry of Health. 2020 - CORE QUESTIONNAIRE OF THE REPORTING INSTRUMENT OF WHO FCTC https://untobaccocontrol.org/impldb/wp-content/uploads/Kuwait_2020_WHOFACTCreport.pdf. 22 June 2023

7 PREVENTIVE MEASURES

The plan to implement Article 5.3. is not clear, the information made available by the government does not indicate that there is protocol/ procedure in place to disclose the government's interaction with the tobacco industry. The government has not adopted or implemented a code of conduct for public officials in their dealings with the tobacco industry.

While the tobacco industry is required to submit information on tobacco production and manufacture for tax purpose, there is no requirement for the industry to submit other information such as market share, marketing expenditures, lobbying, philanthropy, and others.

There is no publicly available information to show the government has a program or plan to consistently raise awareness on Article 5.3 Guidelines within its departments.

RECOMMENDATIONS

1. In line with the FCTC, further effort should be made **to enhance public health policies in Kuwait** in particular increase tax on tobacco since cigarettes price and other tobacco products remains affordable. Effort must be made to implement **tobacco excise taxation in Kuwait**¹⁸ in line with the IMF recommendation and based on the GCC specifications.
2. Given the popularity of electronic product, prices need to be revisited (As this has led to lower the price of cigarettes) and act to increase the taxation on electronic tobacco products.
3. There must be a procedure in place to **disclose the records of government** interaction with the tobacco industry (such as agendas, meetings. MOU)
4. Expend the government decision with respect to no interaction with the tobacco industry to include all governments personal and not just the Mistry of Health. A **code of conduct** should be adopted by the government to guide officials when interacting with the tobacco industry. The MOPH, through its the National Program to Combat Smoking Committee could take the lead in writing those procedures.
5. Data on conflict of interest, transparency, unnecessary interaction with tobacco industry need to be documented and made publicly available.
6. The **tobacco industry** should be **required to submit information** on tobacco production, manufacture, market share, marketing expenditures, revenues, and any other activity, including lobbying, philanthropy, political contributions, and all other activities.
7. The government should work on **raising awareness** within its departments on policies related to **FCTC Article 5.3**. Similar activities could be coordinated between the MOPH through its National Tobacco Program, civil society, and academia.

¹⁸ Delipalla, S., Koronaiou, K., Al-Lawati, J.A., Sayed, M., Alwadey, A., AlAlawi, E.F., Almutawaa, K., Hussain, A.H., Al-Maidoor, W. and Al-Farsi, Y.M., 2022. The introduction of tobacco excise taxation in the Gulf Cooperation Council Countries: a step in the right direction of advancing public health. *BMC Public Health*, 22(1), pp.1-8.

Kuwait

Tobacco Industry Interference Index Results and Findings

	0	1	2	3	4	5
INDICATOR 1: Level of Industry Participation in Policy-Development						
1. The government ¹⁹ 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. ²⁰ in setting or implementing public health policies in relation to tobacco control ²¹ (Rec 3.4)						5
<p>In 2019, El Rai newspaper reported²² that Saud Al-Babtain & Sons Company (the agent of Marlboro in Kuwait) is planning start importing non-traditional tobacco products. Accordingly, the company approached the Ministry of Commerce and Industry to liaise with the Ministry of Health to temporarily approve the specifications recently adopted by the UAE for non-traditional tobacco products. The company argument was the product is already being illegally sold in the country, therefore the need to regulate it. In June 2020, a ministerial Decree No 8/2020 was issued regarding the “Importation of Electronic Nicotine Delivery Systems and Analogous products”.</p> <p>The decree Article 1 states: “To temporarily adopt the labeling requirements of Emirati standard UAE.S5030:2018 (Electronic Nicotine Products) until 1 Jan 2021”²³. The in January 2021, a new ministerial decree was issued, Ministerial Decree No. (20/2020)²⁴ approving the specifications on labeling requirements of Emirati specifications.</p> <p>PMI introduced its heated tobacco product, IQOS in Kuwait in 2021.²⁵</p> <p>Kuwait Anti-Smoking Law date back to 1995. The latest government ministerial decree was in 2022 with respect to allowing import of ‘Electronic Nicotine Delivery Systems and Analogous Products.’ No evidence of the tobacco industry interfering in this decision is publicly available.</p> <p>Overall Kuwait is lagging behind in strong tobacco control measures.</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)	0					
No evidence found during the review period between April 2021 to March 2023 that the government accepts or endorses policies/legislated drafted by the tobacco industry.						

¹⁹ 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

²⁰ The term, “tobacco industry” includes those representing its interests or working to further its interests, including the State-owned tobacco industry.

²¹ “Offer of assistance” may include draft legislation, technical input, recommendations, oversees study tour

²² Alsinary R, (البابطين تشعل المنافسة على السجائر الإلكترونية), (Al-Babtain ignites competition for electronic cigarettes) <https://www.alraimedia.com/article/854178/السجائر-الإلكترونية-تشعل-المنافسة-على-السجائر-الإلكترونية>, 05 July 2023

²³ Ministry of Commerce and Industry, Ministerial Decree No. (8/2020),

https://assets.tobaccocontrolaws.org/uploads/legislation/Kuwait/Kuwait-Decree-No.-8_2020.pdf, 09 July 2023.

²⁴ Ministry of Commerce and Industry, Ministerial Decree No. (20/2020),

https://assets.tobaccocontrolaws.org/uploads/legislation/Kuwait/Kuwait-Decree-No.-20_2020.pdf, 09 July 2023

²⁵ Kuwait Times. The leading tobacco heating system from PMI is now available in Kuwait. 28 Jan 2021

<https://timeskuwait.com/news/the-leading-tobacco-heating-system-iqos-from-pmi-is-now-available-in-kuwait/>

	0	1	2	3	4	5
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				
No evidence that the government allows the tobacco industry to sit in a government interagency was found or reported during the review period between April 2021 to March 2023.						
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) ²⁶ (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				
The Kuwait delegation to the past COP meetings do not include any tobacco industry representatives. During COP9 ²⁷ the Kuwait delegation was represented by Dr H. Alshati Head of Sabah Health Area, Deputy head of the National Program to Combat Smoking Committee; Dr A. Hussain the Focal Point Tobacco Control, Head of Healthy Cities Office; Dr R. Alwotayan Director of International Health Relations. MOH; and Mr H. Albatni Legal Consultant. MOH						
INDICATOR 2: Industry CSR activities						
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 (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>		1				
There is no evidence that the government endorsed any CSR activities of the tobacco industry nor of the government entering into partnerships or agreements with the tobacco industry. ²⁸ A report by the WHO on “Tobacco industry tactics: packaging and labelling” published by the WHO-EM indicated countries, including the Kuwait, have banned CSR activities, contributions from tobacco industry ²⁹						
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					4	

²⁶ Please annex a list since 2009 so that the respondent can quantify the frequency, <http://www.who.int/fctc/cop/en/>

²⁷ <https://untobaccocontrol.org/downloads/cop9/additional-documents/COP9-List-of-Participants.pdf>

²⁸ National program to combat smoking in the Ministry of Health. 2020 - CORE QUESTIONNAIRE OF THE REPORTING INSTRUMENT OF WHO FCTC https://untobaccocontrol.org/impldb/wp-content/uploads/Kuwait_2020_WHOFACTCreport.pdf. 22 June 2023

²⁹ World Health Organization Eastern Mediterranean, Tobacco industry tactics: packaging and labelling, https://untobaccocontrol.org/impldb/wp-content/uploads/Tobacco-industry-tactics.-Packaging-and-labelling_2019.pdf, 09 July 2023.

	0	1	2	3	4	5
tobacco control law. (e.g. 180 days is common for PHW, Tax increase can be implemented within 1 month) (Rec 7.1)						
<p>Following the ministerial decision in 2020 that allows the import of e-cigarettes, the General Administration of Customs in Kuwait issued instructions that e-cigarettes particularly single-use cartridges, and packages of liquids or gels containing nicotine are subject to 100 percent customs tax starting September 2022. However, in August 2022, a decision was issued to postpone the implementation of the customs tax for 4 months on e-cigarettes from September 2022 till January 2023³⁰. The reasons for this delay and if this delay is linked to a request of tobacco industry is not clear.</p> <p>In December 2022, the government announced that the tax has been postponed yet again until further notice. According to the customs letter No. 72 of 2022 on the postponement, the list of the four items includes – the flavoured single-use nicotine cartridges; unflavoured disposable nicotine cartridges; liquid or gel packs containing flavoured nicotine and liquid or gel containers containing unflavoured nicotine.³¹ While no explanation was offered for this second postponement, it results in losses in taxes to the government but benefits the industry. In 2023 Kuwait is facing a huge budget deficit of about \$22 billion requires taking strong measures which includes taxing tobacco.³²</p> <p>Additionally, Kuwait is one of the last two countries yet to introduce a value-added tax regime under the 2017 Gulf Cooperation Council agreement to create a VAT union. Qatar is expected to launch VAT in 2023.³³</p>						
7. The government gives privileges, incentives, tax exemptions or benefits to the tobacco industry (Rec 7.3)			2			
<p>International travellers to Kuwait are allowed to bring duty-free 500 cigarettes or 2 lbs. of tobacco into the country.³⁴</p>						
INDICATOR 4: Forms of Unnecessary Interaction						
8. Top level government officials (such as President/ Prime Minister or Minister ³⁵) 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)					4	
<p>The tobacco company, Saud Al-Babtain & Sons, did interact with the Ministry of Commerce and Industry in 2019 (as reported in Q1)³⁶</p>						

³⁰ Alkhaleejonline. الكويت تؤجل الضريبة الجمركية على السجائر الإلكترونية 4 أشهر (Kuwait postpones the customs tax on electronic cigarettes for 4 months). 16 August 2022. <http://khaleejonline/8zYZ1Y>

³¹ Arab Times. Govt defers 100% tax on e-cigarettes. 18 Dec 2022 <https://www.arabtimesonline.com/news/govt-defers-100-tax-on-e-cigarettes/>

³² The Arab Weekly. 26 Jun 2023. <https://theArabweekly.com/despite-risk-new-row-parliament-kuwait-cabinet-seeks-balance-budget>

³³ Gulf News. Kuwait postpones 100% customs duty on e-cigarettes until further notice. 19 Dec 2022 <https://gulfnews.com/world/gulf/kuwait/kuwait-postpones-100-customs-duty-on-e-cigarettes-until-further-notice-1.92791504>

³⁴ Travel Centre IATA, Kuwait Customs, Currency & Airport Tax regulations details, <https://www.iatatravelcentre.com/KW-Kuwait-customs-currency-airport-tax-regulations-details.htm#Import%20regulations>

³⁵ Includes immediate members of the families of the high-level officials

³⁶ Alsinary R, البابتين-تشعل المنافسة على السجائر الإلكترونية (Al-Babtain ignites competition for electronic cigarettes) <https://www.alraimedia.com/article/854178/المنافسة-على-السجائر-الإلكترونية>, 05 July 2023

	0	1	2	3	4	5
No evidence of top-level government officials (such as President/ Prime Minister or Minister) meeting with or fostering relations with the tobacco companies during the review period between April 2021 to March 2023.						
The government report that ‘Officials in the Ministry of Health are also prohibited from dealing with the tobacco industry’ without mentioning if this applied to officials in other departments.						
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)		1				
The government does not accept 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. ³⁷						
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>		1				
The government’s position is to ‘avoid entering into partnerships or agreements with the 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)						5
There is no clear procedure in place in cases where such interactions with the tobacco industry are strictly necessary for regulation.						
However, there is a Law No. 12 of 2020 regarding the Rights to Access Information ³⁸ which can be applied to obtain information.						
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)						5
No particular laws on disclosure.						
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						5

³⁷ National program to combat smoking in the Ministry of Health. 2020 - CORE QUESTIONNAIRE OF THE REPORTING INSTRUMENT OF WHO FCTC https://untobaccocontrol.org/impldb/wp-content/uploads/Kuwait_2020_WHOFACTCreport.pdf. 22 June 2023

³⁸ Alkhateeb FKT. Doing Business in Kuwait: Overview. 01 January 2022. [https://uk.practicallaw.thomsonreuters.com/w-012-8167?transitionType=Default&contextData=\(sc.Default\)&firstPage=true](https://uk.practicallaw.thomsonreuters.com/w-012-8167?transitionType=Default&contextData=(sc.Default)&firstPage=true), 03 July 2023

	0	1	2	3	4	5
There is no restriction on contributions to political campaign from tobacco industry.						
14. Retired senior government officials form part of the tobacco industry (former Prime Minister, Minister, Attorney General) (Rec 4.4)	0					
There is no publicly available information on this during the investigation period.						
15. <u>Current government officials</u> and relatives hold positions in the tobacco business including consultancy positions. (Rec 4.5, 4.8, 4.10)	0					
There is no publicly available information on this during the investigation period.						
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)						5
There is no procedure in place to disclose the records of government interaction with the tobacco industry.						
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>			2			
There is no clear procedure in place however it was noted in the core questionnaire 2020 ³⁹ , it was mentioned 'Avoiding entering into partnerships or agreements with the tobacco industry. Officials in the Ministry of Health are also prohibited from dealing with the tobacco industry. No privileges or benefits are granted to the tobacco department in order to manage its work.'						
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)						5
There is regulation with respect to submitting information regarding regulation of the contents of tobacco products' but not with respect to emissions. Furthermore, no data is available if the industry is required to submit information market share, marketing expenditures, lobbying, philanthropy, and others.						
19. The government has a program / system/ plan to consistently ⁴⁰ raise awareness within its departments on policies relating to FCTC Article 5.3 Guidelines. (Rec 1.1, 1.2)						5
There is no evidence that there is a program to raise awareness on the FCTC Article 5.3						

³⁹ ibid

⁴⁰ 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.

	0	1	2	3	4	5
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)						5
There is no evidence to report on this.						
TOTAL SCORE	57					

Annex A: Sources of Information

	TOP TOBACCO COMPANIES/ DISTRIBUTORS	MARKET SHARE	BRANDS	SOURCE
1	Philip Morris	40.1%	Marlboro	Euromonitor
2	British American Tobacco	14.1%	Dunhill	
3	Imperial Tobacco international Ltd	13.8%	Gauloises	
4	Japan Tobacco inc.	4.6%		

	TOP MEDIA/ NEWSPAPERS	URL
1	The Kuwait Times	https://www.kuwaittimes.com/
2	Alwatan news	https://alwatannews.net/
3	AlKhaleejOnline	https://alkhaleejonline.net/
4	AlQabas	https://www.alqabas.com
5	Al Anba	https://www.alanba.com.kw/newspaper/
6	Gulf News	https://gulfnews.com
7	Alrai media	https://www.alraimedia.com/