
Kazakhstan

**TOBACCO
INDUSTRY
INTERFERENCE
INDEX
2023**

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Background and Introduction

Nearly 7% decrease in cigarette consumption happened in Kazakhstan¹ due series of tobacco control interventions undertaken in 2009 and 2020 at Health Act² provisions, as:

- smoking ban in public places since 2009, with expansion of smoke-free environment to open playground and bus stops in 2020. Smoking ban inside car with minors on board;
- graphic health pictorial warnings on pack of cigarette since 2011;
- two-fold increase in excise taxes on cigarettes in 2014 which doubled state budget revenues and became as a stable source of government income.

Also, large set of anti-tobacco measures of Health Act adopted in 2020³ impacted to fall, such as:

- ban of displaying tobacco and nicotine product in all places of sale (inc tobacco shops);
- a complete ban on the smokeless tobacco market (nasvay, snuff);
- treating novel tobacco products (HTPs, vapes) as cigarettes;
- minimum legal smoking age increase from 18 to 21 years and others.

In 2007 about 27% of Kazakhstan adults smoked cigarettes but in 2019 it had decreased by 20.4% already. According to GATS⁴, currently 36.5% of men and 6% of women smoke regularly. The most significant decrease (by 14%) happened among males due to efforts by the state alongside growing consumer attraction to a healthier lifestyle.

Also, a steady decline in cigarettes production has been also recorded. 24.2 billion cigarettes were produced in 2010, 19.6 billion cigarettes in 2015 and 15.9 billion in 2021 already, showing 1.5 reduction since 2010 year. Within 12 years, the total cigarettes market (import + production) had been decreased by 8 billion units (from 30.4 billion cigarettes in 2010 to 22.5 billion cigarettes in 2021)⁵. At the same time sales of heated tobacco products continued to expand at a rapid pace in 2021. As per Euromonitor report 2022⁶, retail volume sales of tobacco heating devices and HTPs grew at double-digit rates despite the unfavourable economic climate and the introduction of excise duty on in 2023 year.

Meanwhile, tobacco industry continues to represent by two major transnational tobacco producers – Philip Morris Kazakstan (PMK) and Japan Tobacco International (JTI) with 73% total market share, followed by two importers British American Tobacco (15,6%) and Imperial Tobacco (3,8%) the rest three small local producers do not impact to market⁷.

However, despite strong legislation and achievements in decreasing tobacco consumption, the tobacco industry is developing new strategies, shifting the focus from conventional cigarettes to so called “safer” alternatives – e-cigarettes/vapes and heated tobacco, which actually stimulates the rapid growth of the vaping epidemic, especially among children and adolescents. Also, smokers are keen to switch to alternatives, particularly e-vapour and heated tobacco products (HTP) in believe of less harmful effects of these products.

¹ https://www.inform.kz/ru/ob-ugroze-veypovoy-epidemii-v-kazahstane-predupredili-eksperty_a3899830

² <http://nosmoke.kz/23476-statya-110-profilaktika-i-ogranichenie-potrebleniya-tabachnyh-izdeliy.html>

³ <http://nosmoke.kz/23473-v-borbe-za-zdorove-kazahstanskoy-nacii-chetyre-proryvnyh-antitabachnyh-punktov-v-zakonodatelstve-strany.html>

⁴ Global adult tobacco study in Kazakstan, 2019 year at <https://hls.kz/ru/publications-ru>

⁵ Ministry of finance correspondence, April 2022

⁶ Euromonitor International Country report: Tobacco in Kazakhstan, June 2021

<https://www.euromonitor.com/tobacco-in-kazakhstan/report>

⁷ Kazakhstan people are smoking the cheapest cigarettes in the world, Kursiv newspaper, 01.11.2019

<https://kursiv.kz/news/tendencii-i-issledovaniya/2019-11/kazahstancy-kuryat-odni-iz-samykh-deshevnykh-sigaret-v-mire?page=32>

AS the result e-cigarettes/vapes become big public health concern in Kazakstan due to obvious epidemic trends, as:

- 14% of boys and 6% of girls of 15 years old have already tried vapes and 8.5% of boys and 3.8% of girls use them regularly⁸. Compare to similar data from GYTS (2014), the rates of vaping had tripled among boys and doubled among girls;

- Later, data from other survey (HBSC 2022)⁹ showed that even more boys and girls became regular vapers (3.6% increase) compared to 2018 trend. Almost twice increase is observed in the category from 13 years to 15 years, especially among boys.

- The vaping import to Kazakhstan has grown almost 300 times since 2020 and consist more than 6 mln vapes imported in 2023¹⁰, according to the data of the Ministry of Finance (MoF).

The spread of vapes became biggest public health concern which requires immediate political interventions on total ban of sale, import, export and production for sake of nation health.

Methodology

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 July 2023, but also includes prior incidents that still have relevance today.

⁸ Health behavior in school aged children (HSBC) in Kazakstan, 2018 at <https://hls.kz/ru/research-hsbc>

⁹ Health behavior in school aged children (HSBC) in Kazakstan, 2022 at <https://hls.kz/ru/research-hsbc>

¹⁰ Regulatory risk assessment on e-cigarettes/vapes ban by Kazakhstan Ministry of health at <https://legalacts.egov.kz/npa/viewArvConclusion?id=14601049>

Summary Findings

I INDUSTRY PARTICIPATION IN POLICY DEVELOPMENT

Tobacco industry which is represented by 2 producers (PMI and JTI) and two importers (BAT and Imperial Tobacco) continue to participate in policy development directly by arranging meetings with senior politicians and indirectly through national business union “Atakemen” as well as through membership of the Council of Foreign Investors (Council) established in 1998 under the President of the Republic of Kazakhstan.

As mentioned in earlier TI reports, “Atakemen” receives regular annual fees from transnational tobacco companies and plays an important role to block public health initiatives at the national policy level.

The tobacco industry’s direct and indirect influence is strong enough to make tobacco control advocacy difficult and sometimes intense. For example, few personal meetings between the tobacco industry and the Government took place in (March 2022 by PMI) and in President Administration (July 2023 by BAT). But it is important to stress that these initiatives did not help the tobacco industry due to principal interventions of the Ministry of health and general policy shift toward support of public health agenda. Thus, on 28 July Government fully supported the implementation of ban of e-cigarettes/vaping turnover (import, export, sale and production) despite strong industry and media interference to stop it. Meanwhile earlier in 2022 Parliament approved high HTP excise rate retained per sticks (70% volume) in Kazakstan Tax Code and kept strong HTP definition in the Health Act.

2 INDUSTRY CSR ACTIVITIES

Still CSR activities by tobacco companies is allowed in Kazakhstan and different NGOs openly receive CSR sponsorship from TI where some charity NGOs are well known and has long-term partnership.

For example, in 2022 PMI reported few CSR NGO activities¹¹ :

- 1) Public Foundation "Social and Civil Basis "Bolashak" received US \$8,140;
- 2) Public Foundation "Social and Civil Basis "Bolashak" - \$17,708;
- 3) Public Fund "Umtylys (Talpynys)" - \$70,000.

JTI prefers not to publish official records of any direct support to NGOs.

3 BENEFITS TO THE INDUSTRY

Prior political crisis in 2022 tobacco industry used access to very senior dangerous lobbyist (daughter of the first president) who guaranteed key benefits to the industry and weakened law’s amendments in the past. After January –February political crisis in 2022 year the situation became better but still TI had direct access to senior politicians.

In March 2022 industry undertook one very serious attempt to negotiate special 10-year preferences on HTP tax portraying as “investment project” for \$USD 150 mln of the re-location of HTP manufacturing factory from Russia to Kazakstan due to Ukrainian war. The case is described in details under I indicator.

¹¹ https://www.pmi.com/resources/docs/default-source/pmi-our-company/2022-social-contributions.pdf?sfvrsn=878cc4b6_2&source=pmi.com&tags=IGBIO_2020%7TA_MyMessage_OverviewPage%7operationspage%7operationspage%7TA_MyMessage_OverviewPage%7operationspage%7operationspage%7operationspage

Only joint Ministry of Health of the Republic of Kazakhstan (MoH) and Smokefree Coalition immediate intervention supported by FCTC WHO Secretariat and TFI WHO neutralized this dangerous project. Thanks to WHO-MoH collaboration project the high HTP excise rate retained per sticks (70% volume) in Kazakhstan Tax Code as well as keeping the strong HTP terminology in Health Act.

But still cigarette taxes remained low due to Eurasia custom union Tax Agreement (only 35 euro per thousand sticks in 2024) with very slow and low 20% increase per year. Such approach is bringing significant benefits to the tobacco industry in Armenia, Russia, Belarus, Kazakhstan, Kyrgystan ¹².

4 UNNECESSARY INTERACTION

In 2022 there were 2 cases of unnecessary PMI interaction on senior level (described under Indicator 8) which did not bring any positive results at all and MoH continued to advocate for high HTP excise policy and strong tobacco related regulation, like vaping ban.

In June 2023 BAT also tried to influence President administration with personal meeting to stop initiatives on banning e-cig/vapes but failed to beat MoH arguments.

Generally, interaction cases became transparent and less effective due to renewed decision makers of second presidency and Government renewal.

5 TRANSPARENCY

Still FCTC provisions and Article 5.3 FCTC guidelines are neglected in Kazakhstan.

As a result, there is no official nor informal regulation to disclose meetings/ interactions with tobacco industry including other TI entities, affiliated organizations, lobbyists and individuals acting on their behalf. Meeting with tobacco industry is a norm in Kazakhstan and in some cases even required by law (Business Act).

6 CONFLICT OF INTEREST

There are no official procedures for governmental and non-governmental organizations and individuals to disclose conflict of interest nor affiliation to tobacco industry. Usually, NGO which are well-known in receiving money from the industry never disclose the conflict of interest and even delete information from the organization websites.

7 PREVENTIVE MEASURES

As Article 5.3 guidelines are neglected in Kazakhstan no preventive measures have been put in place by the government and in parliament.

For the last 3 years MoH principal position and Smokefree coalition became the only prevention to stop tobacco industry interference. This collaboration already beat all the attacks in 2021, 2022 and 2023 on HTP tax preferences and vaping epidemic.

¹² Eurasia custom union Tax Agreement was signed, Eurasia custom union website publication, 24.12.2009 <http://www.eurasiancommission.org/ru/nae/news/Pages/24-12-2019-1.aspx>

Republic of Kazakhstan

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Results and Findings

	0	1	2	3	4	5
INDICATOR I: Level of Industry Participation in Policy-Development						
I. The government ¹³ 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. ¹⁴ in setting or implementing public health policies in relation to tobacco control ¹⁵ (Rec 3.4)			2			
<p>After second President of Kazakhstan (Tokaev K) took office in 2019 the direct collaboration and communication of the tobacco industry with government agencies though still exist but became more transparent and can be traced in public.</p> <p>Philip Morris Int (PMI) continues to conduct covert lobbying, through membership of the Council of Foreign Investors (Council) under the President of the Republic of Kazakhstan since 1998. Currently, this Council includes 38 representatives of large foreign companies, including Philip Morris International. In 2022 using Council membership as a direct access to high-rank officials in President Administration, PMI initiated negotiations at the level of Kazakhstan Prime Minister. On March 31, 2022 PMI imposed the request for low HTP excise rates and a change in national legislation as follows:</p> <ol style="list-style-type: none"> 1. weaken the strong terminology for HTP used in the Health Act which equates all tobacco novel products to be regulated as cigarettes; 2. 10 years of excise preferences with extremely low tax rate and a miniscule 10% increase over this period, while cigarettes are 3 years and 40% annual increase; 3. excise rates with a 75% discount where the HTP rate will be as low as KZT 7340/1000 pcs by 2031 year calculated by kg rather than sticks (when the rate of cigarette excises is KZT 12300/1000 pcs already in 2022 year); <p>PMI asked for these lucrative pro-industry preferences portraying this as planning of “investment project” for \$USD 150 mln of the re-location of HTP manufacturing factory from Russia to Kazakstan due to Ukranian war. PMI was so effective in presenting itself as “investors” that it even presented its own version of the term “HTP” through the Ministry of National Economy of the Republic of Kazakhstan (MoNE) which would undermine all tobacco control architecture unless Ministry of Health of the Republic of Kazakhstan (MoH) intervened immediately.</p> <p>Only the Minister of Health, supported by the leaders of FCTC WHO Secretariat and Tobacco Free Initiative WHO-HQ, was able to openly oppose this industry collaboration and removed it, retaining the high HTP excise rate per sticks in Government and Parliament as well as keeping the strong HTP terminology. Also, through lobbying the Prime-minister direct influence, PMI had 5 hours of personal meeting of PMI scientific group with MoH leaders which did not bring any clear results at the end. MoH continued to advocate for high HTP excise policy and strong regulation. Such meeting happened only because direct order from the Prime-minister himself to the Minister of health.</p> <p>Meanwhile, as it was reported in previous TI Report-2020, the “Atameken” (National Chamber of Entrepreneurs of the Republic of Kazakhstan)¹⁶ has a membership of 180 business associations including tobacco companies. According to Business Code¹⁷ “Atameken” has to routinely provide</p>						

¹³ 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

¹⁴ The term, “tobacco industry’ includes those representing its interests or working to further its interests, including the State-owned tobacco industry.

¹⁵ “Offer of assistance” may include draft legislation, technical input, recommendations, oversees study tour

¹⁶ <https://atameken.kz/ru/pages/39-missiya-palatv>

¹⁷ <http://adilet.zan.kz/rus/docs/K1500000375>

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<p>expert technical support to policy development. TI regular annual membership fees to “Atameken” built it as a driving force for different initiatives at the national policy level, where union experts operate as pro-tobacco tool. Although its website does not show regular annual TI fees as an official member of “Atameken”, this particular strong connection is well known and openly demonstrated.</p> <p>For example, currently “Atameken” is strongly opposing MoH initiative to completely ban vapes/e-cigarettes, flavoring and liquids in Health Act by 2024 with negative comments in letters as well attacks in media and different public platforms. In June 2023 as feedback to Ministry of Health interventions “Atameken” began to develop alternative regulatory analysis review (RAR) with blocking ban inspite Government support of this public health intervention. Usually, the RAR is used as bureaucratic barrier to delay any tobacco control and public health measures in Kazakhstan and “Atameken” serves as a venue to provide tobacco industry arguments.</p>						
<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)</p>			3			
<p>There is well-known that our government agencies accept, supports or endorses policies or legislation in collaboration with the tobacco industry on cigarettes and HTP taxes as it is required by the Business Code¹⁸. Thus, Ministry of Economy and Ministry of Finance must discuss excise tobacco policy with TI and “Atameken” members and most of tax and economic related decision still depend from “Atameken” discussion where TI is considered as biggest investor. For example, Kazakhstan still applies only 40% annual tobacco tax increase which was approved by TI and “Atameken”¹⁹ many years ago. The Ministry of Health’s statement on significant tobacco excise increase is usually ignored.</p> <p>As it was mentioned earlier, PMI insisted Kazakhstan Government to a special meeting on March 31 2022, where they demanded 10 years preferences of extremely low HTP tax calculated by kg as less harmful product²⁰. It was rejected by joint MoH, FCTC-WHO, WHO TFI and Smokefree coalition interventions. Smokefree Kazakhstan Coalition published special appeal letter on lobbying and flagrant violation of Article 5.3 of the WHO FCTC as well as a limitation to the sovereign right of Kazakhstan to bring national legislation in line with international obligations under WHO FCTC.</p>						
<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) I Never 5 Yes</p>						5
<p>Yes, the government allows/invites the tobacco industry to sit in government interagency/ multi-sectoral committee/ advisory group body that sets public health policy. Thus, in addition of PMI membership in Council of Foreign Investors under the President of the Republic of Kazakhstan since 1998, all tobacco industry producers can use “Atameken” business union platform. It is almost obligatory for state bodies (ministries, agencies) to have experts endorsed by “Atameken” business union²¹. According to Business Code every law, norm and government initiative related to business should go through “Atameken” review and official RAR approval procedure. Also, members of “Atameken” can personally participate in every state committee and documents review as nominated experts. TI as “Atameken” members submits regular annual fees which allows them to participate in any multi-sectoral committees, advisory and working groups. Given such monitoring position, “Atameken” became biggest influence platform and extreme barrier for any social and health intervention in Kazakhstan.</p>						
<p>4. The government nominates or allows representatives from the tobacco industry (including State-owned) in the delegation to the COP or other</p>		1				

¹⁸ <http://adilet.zan.kz/rus/docs/K1500000375>

¹⁹ <http://nosmoke.kz/2014/11/26/>

²⁰ <http://nosmoke.kz/2022/05/06/>

²¹ <https://atameken.kz/ru/pages/39-missiya-palaty>

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<p>subsidiary bodies or accepts their sponsorship for delegates. (i.e. COP 4 & 5, INB 4 5, WG)²² (Rec 4.9 & 8.3)</p> <p>For non-COP year, follow the previous score of COP year. For non-Parties, apply a score of '0'</p>						
<p>Since 2018, as described in Tobacco index 2020, Kazakhstan's delegation does not allow any representatives from the tobacco industry on the delegation.²³</p>						
<p>INDICATOR 2: Industry CSR activities</p>						
<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)</p> <p>B. The government (its agencies and officials) receives CSR contributions²⁴ (monetary or otherwise, including CSR contributions) from the tobacco industry or those working to further its interests during the pandemic. (Rec 6.4)</p> <p><i>NOTE: exclude enforcement activities as this is covered in another question</i></p>		1				
<p>CSR activities by tobacco companies to NGO is allowed in Kazakhstan due to loophole in 110 art of the Health Act which was influenced by senior lobbyist (daughter of the first President Dariga Nazarbayeva) in 2012 year.</p> <p>But no facts known on receiving CSR by any government agency.</p>						
<p>INDICATOR 3: Benefits to the Tobacco Industry</p>						
<p>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)</p>		1				
<p>There is no official public or published requests from TI requesting for longer time frame of implementation or postponement of tobacco control law.</p> <p>The MoH team is fully committed to the implementation of the tobacco control agenda and successfully rejected any TI intervention, such as low HTP tax in 2022 year and implementation of a total ban on e-cigarettes/vaping products in 2023 year. Most of the deadlines postponement were due to either internal bureaucracy or severe disputes between MoH and TI which always happens in various public discussion platforms and through regulatory analysis review (RAR) documents. For example, TI strongly opposed MoH RAR on vaping, flavors and liquids ban (vaping ban) which led to approval of 8 months postponement. In July 2023, the Government approved RAR to completely ban vaping and importation of vaping products and manufacture locally. This ban is expected to be instituted in the Parliament by November 2023.</p>						
<p>7. The government gives privileges, incentives, tax exemptions or benefits to the tobacco industry (Rec 7.3)</p>				3		
<p>There was a serious attempt in March-June 2022 by the Government to consider 10 years of tax preferences of extremely low HTP excise rate of only 10% increase over this period, but this was</p>						

²² Please annex a list since 2009 so that the respondent can quantify the frequency,

<http://www.who.int/fctc/cop/en/>

²³ WHO FCTC. CoP9 List of Participants. Accessed last 2 July 2023 from <https://tinyurl.com/mvbfvka8>

²⁴ political, social financial, educations, community, technical expertise or training to counter smuggling or any other forms of contributions

	0	1	2	3	4	5
<p>successfully blocked by joint intervention of MoH, FCTC-WHO, WHO-TFI and Smokefree Coalition. C HTP excise is calculated by sticks and almost equal to cigarettes volume (70%). Meanwhile cigarette tax preferences exist within the Eurasia custom union which unites 5 countries (Armenia, Russia, Belarus, Kazakhstan, Kyrgystan) where governments gave privileges for extremely low excise tax (35 Euro per thousand sticks in 2024) and not more than the 20% tax range which certainly serve as significant benefit to the tobacco industry²⁵. Eurasia Custom Union Tax agreement was signed on 24 Dec 2019 and MOH did not participate, even as a reviewer.</p> <p>Due to Eurasian Tax agreement, the tobacco industry continues cigarette production with the lower tax regime, not just in Kazakhstan, but in 4 countries of the Custom union which negatively influences revenues and health system.</p>						
INDICATOR 4: Forms of Unnecessary Interaction						
<p>8. Top level government officials (such as President/ Prime Minister or Minister²⁶) 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)</p>					4	
<p>In 2022, PMI using their membership in the Council and with direct access to high-rank officials in the President's Administration, initiated 2 internal meetings by lobbying the Prime Minister:</p> <ol style="list-style-type: none"> On March 31, 2022 negotiations at the level of the Prime Minister of Kazakhstan, where they made their request for low excise rates and a change in national legislation. On 2 June, 2022 under direct instruction from the Prime-Minister, the MoH team leaders agreed to meet with PMI and in a 5-hour session with the PMI scientific group presentation on HTP harm reduction.²⁷ It did not bring any positive results at the end and MoH continued to advocate for high HTP excise policy and strong regulation. Meeting with BAT delegation in July 2023 at President Administration where complete ban of vaping market was confirmed. <p>The risk that PMI or any tobacco company can interfere exists because of TI's membership in Council and in the use of the "Atemeken" platform to influence policy.</p>						
<p>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)</p>	0					
<p>Since 2020 there is nothing officially known or reported.</p>						
<p>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) NOTE: This must <i>not</i> involve CSR, enforcement activity, or tobacco control policy development since these are already covered in the previous questions.</p>	0					
<p>No official or public record of such partnership.</p>						
INDICATOR 5: Transparency						
<p>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)</p>						5

²⁵ <http://www.eurasiancommission.org/ru/nae/news/Pages/24-12-2019-1.aspx>

²⁶ Includes immediate members of the families of the high-level officials

²⁷ Head of Smokefree Kazakhstan Coalition had to observe communication of the Ministry of Health and PMI in person at 2 June 2022

	0	1	2	3	4	5
The provisions of the WHO FCTC, especially Article 5.3 guidelines are neglected till now. There is no official and informal regulation to disclose meetings/ interactions with the tobacco industry. Meeting with TI is a norm in Kazakhstan and in some cases even required by law (Business Code).						
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
The WHO FCTC provisions and Article 5.3 guidelines especially are neglected till now. No rules for the disclosure or registration of tobacco industry entities, affiliated organizations, and individuals acting on their behalf including lobbyists. In fact, tobacco industry linked front group is openly and aggressively opposing MoH interventions in different public platform and working groups, like the RAR of vaping ban in 2023.						
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
As Article 5.3 guidelines are not implemented, there is no official prohibition of 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.						
14. Retired senior government officials form part of the tobacco industry (former Prime Minister, Minister, Attorney General) (Rec 4.4)	0					
No official facts are available in public domain of any retired official joining the tobacco industry.						
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					
No official facts are available in public domain that any government official is holding a position or consultancy with the tobacco industry.						
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
No procedure for disclosing the records of the interaction with TI put in place, as Article 5.3 FCTC guidelines are not implemented in Kazakhstan.						
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>						5
Kazakstan 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 tobacco industry.						
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
The government does not require the tobacco companies to report on their market share, marketing expenditure, philanthropy or lobbying. The only report MoH is receiving from the						

	0	1	2	3	4	5
industry on a routine basis is ingredient contents of cigarettes.						
19. The government has a program / system/ plan to consistently ²⁸ raise awareness within its departments on policies relating to FCTC Article 5.3 Guidelines. (Rec 1.1, 1.2)						5
The government does not have a program, system or plan to consistently raise awareness within its departments on policies relating to Article 5.3 Guidelines.						
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
Article 5.3 guidelines are neglected in Kazakhstan. The government has not put in place a policy to disallow contributions/ gifts from the tobacco industry including offers of assistance, policy drafts, or study visits.						
TOTAL SCORE						60

²⁸ 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.