Honduras

# TOBACCO INDUSTRY INTERFERENCE INDEX 2023

This report was prepared by a team from the NGO Centro de Promoción en Salud y Asistencia Familiar/CEPROSAF with the support of the Global Center for Good Governance in Tobacco Control.

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The Global Tobacco Industry Interference Index is a global survey of how public health policies are protected from tobacco industry efforts and how governments reject this influence.

# **Background and Introduction**

According to the World Health Organization, the tobacco epidemic is one of the greatest threats to public health that the world has ever faced. It causes more than 8 million deaths a year, of which approximately 1.2 million are exposed to second-hand smoke. Tobacco kills more than half of the people who use it.<sup>1</sup>

Smoking prevalence is 35% (37% for men and 33% for women). In Honduras, more than 500 people die annually from smoking-related diseases. Tobacco causes thirteen types of cancer, heart disease and sterility in men and women.

The age of onset of consumption of tobacco products, an average age of onset of 13 years was found. About 60% of the Honduran population consumes some product derived from tobacco and many young people start smoking from the age of 8 years. The state spends more than 1.2 billion lempiras (\$48.8 million) to care for patients with diseases associated with tobacco use.<sup>2</sup>

To address the tobacco epidemic, WHO Member States adopted the WHO Framework Convention on Tobacco Control (WHO FCTC) in 2003, which has now been ratified by 182 countries.

Honduras signed and ratified the WHO Framework Convention on Tobacco Control/FCTC, which entered into force in 2005, the Special Law for Tobacco Control, its regulations, the National Plan for Tobacco Control in Honduras 2018-2022 and the National Health Plan which set specific goals of reducing tobacco consumption by 50% by 2021.

Transnational tobacco product companies with a presence in Honduras are British American Tobacco Central America and Scandinavian Tobacco Group.

The local tobacco industry in Honduras is dominated by cigars than cigarettes. Cigar producers are concentrated around Danlí. The main producers are: Tobaccos of Danlí, Raices Cubanas, Clasificadora y Exportadora de Tabaco and Plasencia Tabacos Group.

In this second country report, Honduras obtains a score of 64, an increase of 5 points in relation to the year 2021, unnecessary relationships between current authorities and representatives of the tobacco industry have been identified.

#### METHODOLOGY

The questionnaire developed by the Alliance for Tobacco Control of Southeast Asia (SEATCA) is used, there are 20 questions based on the guidelines of Article 5.3, a scoring system is applied to make the evaluation. The score ranges from 0 to 5, where 5 indicates

<sup>&</sup>lt;sup>1</sup> WHO. <u>Tobacco.html</u>

<sup>&</sup>lt;sup>2</sup> SWI Swissinfo.ch.docx

the highest level of industry interference and 1 is low or no interference. Therefore, the lower the score, the better for the country. Score 0 indicates no evidence or not applicable.

The report includes information on incidents from April 2021 to March 2023, but also includes incidents that are past or still relevant today. The information used is from the public domain.

# Summary Findings

#### I INDUSTRY PARTICIPATION IN POLICY DEVELOPMENT

There is no evidence that the government accepts, supports, or receives offers of assistance from the tobacco industry in the development or implementation of public health policies related to tobacco control, nor that the government allows/invites the tobacco industry to sit on interagency tables, multisectoral committees, or public health policy advisory bodies. However, the Honduran tobacco company is affiliated with the National Association of Industrialists of Honduras (ANDI), who in turn are members of the Honduran Council of Private Enterprise (COHEP), which has been one of the institutions that is part of the multisectoral tables and was very close to the management of the health crisis by COVID-19 in the country.

The last COP was held virtually in November 2021, in the delegation of the government of Honduras there is no record of the participation of the tobacco industry or sponsorship of the delegation. However it should be noted that of the Honduran delegation only 3 were directly related to the area of health (SESAL), 2 are related to IHADFA and the rest of the posts comprised of representatives of foreign affairs, ambassadors, ministers of economic development and economic integration and cooperation.

The fact that there are several professionals within the delegation who are not specifically health, is not bad, however, it is striking that when addressing the issue of the 9th COP: "Tobacco control during a global health emergency", the head of the delegation is the Deputy Minister of Economic Integration and Cooperation, stated a preference for trade over health in his intervention.

#### 2 INDUSTRY CSR ACTIVITIES

Representatives of government institutions of the Ministry of Natural Resources and Environment and the Municipal Mayor's Office of the municipality of Danlí, El Paraíso participated in corporate social responsibility activities of the tobacco industry, Grupo Plascencia Tabacos who donated 15 blocks of land to the Municipal Mayor's Office of Danlí, in the same way in alliance with Tabacalera de Oriente Plascencia Tabaco donated organic fertilizer to Mi Ambiente in the municipality, and tobacco factory Oscar Valladares donated garbage collection for the Marcelo Tinoco Stadium.

#### **3 BENEFITS TO THE INDUSTRY**

Decree No. 15-2016 (Gaceta, 2016) declared cigar as intangible cultural heritage of the Republic (Article 2), privileges and incentives are granted to the tobacco industry since it recognizes the importance of it, for its contribution to the country's image at the international level, positioning Honduras as a competitive country of cultural enhancement.

There has been evidence of the presence of high-level government officials representing the Ministry of Economic Development, the Vice Ministers of Tourism, Foreign Affairs and representatives of the National Congress who have participated in joint visits with diplomatic delegations to headquarters of tobacco industry factories with the aim of positioning this industry and obtaining support from international donors to promote agrotourism.

#### 4 UNNECESSARY INTERACTION

High-level government officials such as the President of the National Congress have participated as a special guest and met with representatives of the tobacco industry at the Third Cigar and Coffee Festival in Danlí, El Paraíso. Congressmen from the Freedom and Refoundation Party (LIBRE) and the Private Secretary of the Presidency also participated in the event.

The award was given to the company Flor de Copán Honduras, which according to them is "a recognized Copaneca company that managed to position Honduras as a first-class tobacco producing country worldwide, and actively promoted the tourism industry in international fairs." The awards were given by the Minister of Tourism Yadira Gómez.

#### **5 TRANSPARENCY**

The Government establishes rules for the accreditation or registration of entities in the tobacco industry; in accordance with the Law on Strengthening Revenues, Social Equity and Rationalization of Public Expenditure, Decree 17-2010, Article 30 creates the National Registry of Cigarette Producers and Importers, which must be in charge of the Executive Directorate of Revenue DEI (currently SAR), as of January 9, 2020, it incorporates the Certificate of Registration of Cigarette Producers and Importers, which specifies the requirements certified through the compliance assistance window, with an update on January 3, 2022.

#### **6** CONFLICT OF INTEREST

General prohibitions on contributions to political parties remain), but nothing specific to the tobacco industry.

No evidence was found of retired, active senior public officials or their family members occupying positions in the tobacco industry.

#### 7 PREVENTIVE MEASURES

We found no evidence of a procedure for publicly disseminating the record of interactions between the government and the tobacco industry.

There is no exclusive code of ethics to standardize the interaction of public officials with the tobacco industry.

There is still no systematic program, system or implementation plan in place in the country to raise awareness of the policies of the Guidelines for the implementation of Article 5.3 of the WHO FCTC.

# **Recommendations**

#### **RECOMMENDATION I**

The National Congress should make legislative reforms to the Special Law for Tobacco Control to guarantee the full validity of the WHO FCTC.

#### **RECOMMENDATION 2**

It is recommended the repeal of Decree No.15-2016 where the cigar is declared as intangible cultural heritage of the Republic, the promotion of the health of the Honduran people should be prioritized.

#### **RECOMMENDATION 3**

The Ministry of Health and IHADFA should promote a training plan for officials on the Framework Convention on Tobacco Control and Article 5.3

#### **RECOMMENDATION 4**

Government institutions and municipal mayors must refuse funding from the tobacco industry as part of their corporate social responsibility.

#### **RECOMMENDATION 5**

Government officials should avoid interactions such as participating in social events, visits to promote the tobacco industry, among others.

#### **RECOMMENDATION 6**

The Law on Financing, Transparency and Oversight of Political Parties and Candidates should prohibit contributions from the tobacco industry and the Government should require that such contributions be evidenced and reported.

#### **RECOMMENDATION 7**

The Government should implement procedures where interactions with the tobacco industry are evidenced and should be announced on official sites.

Incorporate in the Code of Ethical Conduct of the public servant a section that mentions the minimum standards of relationship with the tobacco industry, prohibiting unnecessary interactions.

# **Honduras**

# Tobacco Industry Interference Index 2023 Results and Findings

	0		2	3	4	5		
INDICATOR I: Level of Industry Participation in Policy-Develop		ot						
<ol> <li>The government<sup>3</sup> 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.<sup>4</sup> in setting or implementing public health policies in relation to tobacco control<sup>5</sup> (Rec 3.4)</li> </ol>	0							
There is no evidence that the government accepts, supports, or recassistance from the tobacco industry in the development or implement health policies related to tobacco control.					olic			
2. The government accepts, supports or endorses <u>policies or legislation</u> <u>drafted</u> by or in collaboration with the tobacco industry. (Rec 3.4)				3				
No evidence was found on new policy proposals or laws developed with the tobacco industry, however, the Honduran government No.15-2016, which is based on the fact that the Constitution of the the obligation of the State to promote conditions for social develop economy. In this sense, the importance of the Honduran cigar ind activities that contribute to raising the image of Honduras a competitiveness in the activities of commercial exchange and cultu level was recognized. In the same way, the cigar or artisanal product of tasting / twisted declared as Intangible Cultural Heritage of the Republic. Likew	still e Re omen ustr s a re a re a	en eput nt a y, t co t th obac	ford olic nd t rade ount e in cco	ces deta the an ry nter	Dec erm natio d sc of natio	cree ines onal ocial high onal was onal		
Tobacco Fair "Festival Humo Jaguar" was instituted to be integrated by the partners of the Association of Producers and Manufacturers of Cigars of Honduras (APROTABACOH). The objective of the festival is to be the first meeting point of all companies related to the tobacco sector. On the other hand, this decree establishes the date and place where the festival will take								
place and also mentions that it will be organized by a Special Committee, composed of representatives of the Secretariat of State, COHEP and APROTABACOH. <sup>6</sup> 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						5		

<sup>&</sup>lt;sup>3</sup> 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

<sup>&</sup>lt;sup>4</sup> The term, "tobacco industry' includes those representing its interests or working to further its interests, including the State-owned tobacco industry.

<sup>&</sup>lt;sup>5</sup> "Offer of assistance" may include draft legislation, technical input, recommendations, oversees study tour

<sup>&</sup>lt;sup>6</sup> The Gazette. Decree No. 15-2016. Available: <u>La Gaceta Decreto No. 15-2016.pdf</u>

There is no evidence that the government allows/invites the tobacco industry to occupy a place in inter-institutional tables, multisectoral committees or advisory bodies where public health policies are established. However, the Honduran Tabacalera is affiliated with the National Association of Industrialists of Honduras (ANDI), who in turn are members of the Honduran Council of Private Enterprise (COHEP). which has been one of the institutions that is part of the multisectoral tables and that was very close to the management of the health crisis due to COVID 19 in the country.

On the other hand, on May 18-19, 2022, the seventh ALAC meeting "Latin American Antismuggling Alliance" was held in San Pedro Sula, Honduras, where the private and governmental sector had exchanges and formed multisectoral tables where some working table recommendations were made, where the cigarette sector agreed to sensitize consumers to the implications that the consumption of certain products can generate on health<sup>7</sup>.

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		2		
	delegates. (i.e. COP 4 & 5, INB 4 5, WG) <sup>8</sup> (Rec 4.9 & 8.3)				
	For non-COP year, follow the previous score of COP year.				

The last COP was held in November 2021, and there is no documented evidence of\_the participation of the tobacco industry or its sponsorship of the delegation of the government of Honduras. However, it should be noted that the Honduran delegation<sup>9</sup> had only 3 officials directly related to health (SESAL), 2 are related to IHADFA and the rest of the posts are occupied by representatives of foreign affairs, ambassadors, ministers of economic development and economic integration and cooperation.

The fact that there are several professionals within the delegation who are not specifically health, is not in itself a problem, however, it is striking that when addressing the topic in COP9: "Tobacco control during a global health emergency" the head of the delegation, Deputy Minister of Economic Integration and Cooperation, made an intervention indicating preference on trade over health.

Chief Delegate (Head of delegation) M. D. Alvarado Hernandez Vice Minister for Economic Integration and Cooperation

Delegation: Deputy Chief Delegate (Accredited representative) M. A. Santos Moreno Director of IHADFA, Delegate (Accredited representative) Mme N.L. Artiles Director of Integrated Networks, H.E. M.A. Fortin Midence Ambassador, Permanent Representative Mme S.Y. Nazar Director of Vigilance, Ministry of Health Mme R.M. Duarte Director of Normalization, Ministry of Health M. L.A. Fu Chavez Chief of the Division of Treatment and Rehabilitation, IHADFA Mme W. Rodriguez Legal Advisor, Ministry of Economic Development Mme A. Barahona Analyst, Ministry of Foreign Affairs.

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

<sup>&</sup>lt;sup>7</sup> ANDI. ALAC Declaration of Honduras 2022. Available: <u>ALAC Declaration of Honduras 2022.pdf</u> <sup>8</sup> Please annex a list since 2009 so that the respondent can quantify the frequency,

<sup>&</sup>lt;sup>9</sup> WHO Framework Convention on Tobacco Control. COP 9. List of participants. Available: <u>COP9-List-of-Participants.pdf</u>

The Honduran digital media "Contra Corriente" made a report on "Associating tobacco with culture to evade regulations: the strategy of the tobacco monopoly of Central America and the Caribbean"<sup>10</sup> where they conducted an interview with one of the delegates who participated as Deputy Chief Delegate in the 9th COP, Dr. Alex Santos, dentist and former director of the Honduran Institute of Alcoholism, Drug Addiction and Drug Dependence (IHADFA), attended together with the then Vice Minister of Economic Development, David Antonio Alvarado Hernández, the COP9 in 2021. Santos acknowledged that the change of COP executive delegates from health to finance, industry and commerce ultimately favors the Tobacco Industry (TI). "TI brought people who were not there to defend health interests, but other economic interests or interests more attached to the industry," says Santos. "When they send people from Industry and Commerce you know that [something] is wrong." He also assures that this indicates that these delegates serve to hinder the discussion of the plenary: "Those of us who are in the area of health are clear that smoking affects the person. It has nothing to do with the economy, beyond the expense that the government pays when it tries to cure a person of a disease caused by tobacco use. It was when the new delegates began to ask obvious questions instead of talking about health, when they talked about another topic, that we can identify that we were facing delaying tactics," says Alex Santos, from IHADFA.

INDICATOR	2: Industry CSR activities		
partnerships	ent agencies or their officials endorse, support, form with or participates in activities of the tobacco industry socially responsible. For example, environmental Rec 6.2)		
contribution contribution further its in	rnment (its agencies and officials) receives CSR as <sup>11</sup> (monetary or otherwise, including CSR as) from the tobacco industry or those working to aterests during the pandemic. (Rec 6.4) de enforcement activities as this is covered in another	4	

Government agencies or their officials participated in CSR activities by receiving donations from the tobacco industry.

On June 7, 2022, the director of Grupo Plasencia Tabacos Conrado Plasencia, delivered a donation of 15 blocks of land to the municipal mayor of Danlí, El Paraíso, Abraham Kafati, after it was declared an Area of Interest for the Preservation and Protection of the Howler Monkey and Wildlife by decree in the National Congress. The lands are located in the community of La Música, in the Valley of Jamastrán, there was the presence of councilors of the sector who together visited the protected area<sup>12</sup>.

<sup>&</sup>lt;sup>10</sup> Against the current. Research. Associate tobacco with culture to evade regulations the strategy of the tobacco monopoly of Central America and the Caribbean. Available: <u>Associating tobacco with culture to evade regulaciones</u> the strategy of the tobacco monopoly of Central America and the Caribbean - Contra <u>Corriente.pdf</u>

<sup>&</sup>lt;sup>11</sup> political, social financial, educations, community, technical expertise or training to counter smuggling or any other forms of contributions

<sup>&</sup>lt;sup>12</sup> Latribuna.hn. Create a howler monkey and wildlife preservation zone, lands donated by Grupo Plasencia. Available: <u>Create a howler monkey and wildlife preservation zone.pdf</u>



On June 18, 2021, in partnership with Tabacalera de Oriente, Plascencia Tabaco, 34 bags of organic fertilizer (substrate) were mobilized to support the development of the various plants of timber species that the Mi-Ambiente secretary has in the municipality of Danlí, El Paraíso. <sup>13</sup> On October 11, 2021, the Secretary of Natural Resources and Environment through the regional office of Danlí in conjunction with the Municipal Environmental Unit carried out the placement of garbage collector in Marcelo Tinoco Stadium donated by the Oscar Valladares Tobacco Factory<sup>14</sup>.

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	U		
	increase can be implemented within I month) (Rec 7.1)			

No evidence was identified that the Honduran government acceded to requests from the tobacco industry to delay or postpone legislation.

At the country level there is the Special Law for Tobacco Control approved on June 11, 2010 by the National Congress of Honduras, published in the Official Gazette La Gaceta on August 21, 2010 and in force since February 21, 2011, there <sup>15</sup>were no delays in its implementation which was in accordance with the law (6 months after its publication). It is worth mentioning that there is also the Regulation of this law published according to the regulated time on June 14, 2011<sup>16</sup>, implementing the provisions stipulated in the Special Law on Tobacco Control and its Regulations, as a reference to the interview with Lenin Fu, doctor of IHADFA, who indicated "that the institution began in 2022 with the **monitoring of the non-sale of tobacco to minors and the inspection of smokers in public spaces, among others.** "The operations were reactivated with inspection programs, visits are made in the capital with the accompaniment of the Municipal Police. Currently there is no space to allow smoking in public places; the head of operations of the Municipal

<sup>&</sup>lt;sup>13</sup> Facebook.com. Alliance with Tabacalera de Oriente, Plascencia Tobacco mobilization of bags of organic fertilizer in the municipality of El Paraíso. Available: <u>Alliance with Tabacalera de Oriente, Plascencia Tobacco</u> <u>mobilization of bags of organic fertilizer in the municipality of El Paraíso.pdf</u>

<sup>&</sup>lt;sup>14</sup> Facebook.com. Placement of garbage collector in Marcelo Tinoco Stadium in the municipality of Danlí, donated by the Oscar Valladares Tobacco Factory. Available: <u>Placement of Garbage Collectors donated by IT in</u> <u>Danli Stadium.pdf</u>

<sup>&</sup>lt;sup>15</sup> La Gaceta, Decree No. 92-2010. Special Law for Tobacco Control. Available: <u>Special Law for Tobacco</u> <u>Control.pdf</u>

<sup>&</sup>lt;sup>16</sup> La Gaceta, Decree No. 05-2011. Regulation of the Special Law for Tobacco Control. Available: <u>Regulation of</u> <u>the Special Law for Tobacco Control (RLECT).pdf</u>

Department of Justice of the DC, Alejandra Jiménez confirmed that: "It is the Mayor's Office of the Central District, through the Municipal Department of Justice, the entity in charge of applying the sanctions. He assured **that weekly sanctions ranging from a daily minimum wage (in case of smokers) to two monthly minimum wages are reported to owners of establishments that allow the consumption of tobacco.**<sup>17</sup>

Likewise, from the National Congress, Samuel Duarte, deputy of the Freedom and Refoundation Party (LIBRE) and turned to the Health Commission, presented to the legislative chamber a project for the reform of article 42 of the Special Law for **Tobacco Control** which establishes the fine of at least 10 minimum wages to any person who fails to comply with the regulations of no sale of electronic cigarettes to minors 18 years old<sup>18</sup>.

7. The government gives privileges, incentives, tax exemptions or			Ľ
benefits to the tobacco industry (Rec 7.3)			3

Benefits to the tobacco industry were identified as follows:

By means of Decree No. 15-2016 (Gaceta, 2016) the cigar was declared as intangible cultural heritage of the Republic (article 2) and added the fact of instituting the International Tobacco Fair "FESTIVAL HUMO JAGUAR" (article 4). The government of Honduras is granting benefits to the tobacco industry, considering that Article I urges to "recognize the importance of the Honduran cigar industry, trade and social activities that contribute to raising the image of Honduras as a country of high competitiveness in the activities of commercial exchange and culture at the international level."

On March 25, 2022, government officials from the Ministry of Economic Development and the Ministry of Tourism under the direction of the Chamber of Commerce and Industries of Danlí and the Chamber of Tobacco Artisans of Honduras (CATAH), accompanied by several diplomatic delegations accredited in the country, recognized the key points of the economy around the handmade cigar in the municipality of Danlí. The deputy minister of tourism said: "We are working hand in hand with the Foreign Ministry to be able to position this industry and obtain support from international donors to promote agrotourism on the tobacco and coffee routes, of course," Vilorio said. He added that: "we want to raise awareness in Hondurans about the importance of these items that are quality product and labor; We have three products with export quality such as tobacco, coffee and cocoa."

There was also the visit of the Vice Chancellor for International Cooperation and Promotion, Cindy Rodríguez, noting that "as a new government, we have the task of giving a different image at the international level and this task is through the Ministry of Foreign Affairs and International Cooperation, to be able to publicize our products and this item as important as tobacco ". "There is much more to do, but the first steps is to make it known, we have competition at an international level and we also know that it has been affected by

<sup>&</sup>lt;sup>17</sup> Diario ElHeraldo.HN. Total disrespect for the ban on smoking in public spaces in the capital of Honduras. Available: <u>Total disrespect for the ban on smoking in public spaces in the capital of Honduras.pdf</u>

<sup>&</sup>lt;sup>18</sup> Diario LaPrensa.HN. They propose to ban the sale of electronic cigarettes to minors under 18 years of age in Honduras. Available: <u>Proposed ban on e-cigarette sales in Honduras.pdf</u>

<sup>&</sup>lt;sup>19</sup> Diario LaTribuna.hn. They will promote agrotourism with the tobacco routes. Available: <u>Promote</u> <u>Agrotourism with the Tobacco Routes.pdf</u>

the pandemic and that is why we are doing this task to expand the countries of export of the cigar"".

Likewise, on November 2, 2022, the National Chamber of Commerce of Tourism of Honduras and the Honduran Institute of Tourism visited the facilities of CANATURH, Santa Rosa de Copan with the aim of collecting support material regarding tobacco, this, due to the nomination that was made as CANATURH Santa Rosa de Copán to the "Flor de Copán" to the highest award of the tourism industry through the event called "Copán Awards".<sup>20</sup>

IN	IDICATOR 4: Forms of Unnecessary Interaction			
8.	Top level government officials (such as President/ Prime Minister or			
	Minister <sup>21</sup> ) meet with/ foster relations with the tobacco companies			
	such as attending social functions and other events sponsored or			5
	organized by the tobacco companies or those furthering its			
	interests. (Rec 2.1)			

High-level government officials met with the tobacco industry to foster relations with it. On March 3, 2023 the President of the National Congress Luis Redondo participated as a special guest in the Third Cigar and Coffee Festival in Danlí, El Paraíso stating, "Since the 90s I follow the tobacco production processes in this area, I hope that this grows more and the benefits of these items are made known. It is the first time I see paintings made with coffee-based ink and that is a pride; During this visit we have spoken with people who have told us what issues we should also put on our agenda." <sup>22</sup> The congressmen of the Freedom and Refoundation Party (LIBRE) also participated in this event: Rafael Sarmiento, Ramon Barrios and John Milton García and <sup>23</sup> Héctor Manuel Zelaya Castro Private Secretary of the Presidency<sup>24</sup>.

Likewise, the promotion of tobacco cultivation by Congressman John Milton García in social networks is evident<sup>25</sup>.

On November 2, 2022 in Santa Rosa de Copan was the visit of the team of the National Chamber of Tourism of Honduras (CANATURH) and the Honduran Institute of Tourism with the aim of collecting support material regarding the Tobacco of Santa Rosa de Copan<sup>26</sup>, based on the application made by CANTURH Santa Rosa de Copan to the

<sup>&</sup>lt;sup>20</sup> Facebook post. Visit National Chamber of Tourism of Honduras and Honduran Institute of Tourism to CANATURH in Santa Rosa de Copan. Available: <u>Visit of the National Chamber of Tourism of Honduras</u> and the Honduran Institute of Tourism to CANATURH Santa Rosa de Copan.pdf

<sup>&</sup>lt;sup>21</sup> Includes immediate members of the families of the high-level officials

<sup>&</sup>lt;sup>22</sup> Esenciainformativa.com. President Luis Redondo highlighted the realization of the Festival of Cigar and Coffee in El Paraíso. Available: <u>President Luis Redondo Highlight Realization of the Festival of Cigar and Coffee in Paradise.pdf</u>

<sup>&</sup>lt;sup>23</sup> Twitter. Participation of LIBRE deputies in Third Festival of Cigar and Coffee in Danlí. Available: <u>Participation</u> of Free Party Congressmen in Festival del Puro y Café in Danlí.pdf

<sup>&</sup>lt;sup>24</sup> Twitter. Participation of private secretary of the presidency in Tobacco and Coffee Festival. Available: Participation of Private Secretary of the Presidency of Honduras in Tobacco and Coffee Festival.pdf

<sup>&</sup>lt;sup>25</sup>Twitter. Cultivation of high quality tobacco in Jamastran. Available: <u>Tobacco Growing Promotion on Social</u> <u>Media.pdf</u>

<sup>&</sup>lt;sup>26</sup> Canaturh Santa Rosa de Copan. Publications [Facebook Page]. Available: <u>CANATHUR and Tourism compile</u> material in support of tobacco in the city of Santa Rosa de Copan.png

company "La Flor de Copan" (tobacco company) for the highest award of the tourism industry through the "Copan Awards".

On April 28, 2022: The Embassy of Honduras in Berlin was patron of a meeting of the Federal Association of the Cigar Industry. Attendees included politicians and seven ambassadors<sup>27</sup>.

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			5
	minors. (including monetary contribution for these activities) (Rec 4.3)			

Interaction was documented through a workshop provided in relation to smuggling and illicit trade of cigarettes in the country, sponsored by British American Tobacco (BAT) and authorities of the Directorate of Consumer Prices, <sup>28</sup>an entity regulated by the Under-Secretary of Business Development and Domestic<sup>29</sup> Trade. Among the officials who attended were Mario Castejón (Director General of Consumer Protection) and inspection staff.

Additionally, interaction was documented by senior government officials with representatives of the tobacco industry and entities that work according to their interests, this was carried out during the seventh meeting of the Latin American Anti-Smuggling Alliance (ALAC), held on May 18 and 19, 2022 in the city of San Pedro Sula, Honduras, among the contributors was British American Tobacco Lancar<sup>30</sup>. The agenda of the event denoted<sup>31</sup> the participation of the following officials of the government of Honduras being: Pedro Barquero (Minister of the Secretariat in the Office of Economic Development), Fausto Calix (Minister Director of the Executive Directorate of Customs Administration of Honduras), Ramon Sabillon (Secretary of State in the Security Office), Martha Zamora (Head of the Customs Projects Unit) and Karen Sosa (Coordinator of the Technical Committee of the National Committee on Trade Facilitation and Technical Negotiator on Trade Facilitation, Secretariat of Economic Development); Among the focal points identified of the meeting through the program was the constitution of multi-sectoral tables,<sup>32</sup> being one of them for the approach of the cigarette sector, with representation of government institutions and business organizations where they had space for discussion and the establishment of articulations for the fight against contraband, being evidenced in the declaration of Honduras "Integrating Efforts Against Illegality" May 2022.<sup>33</sup>

<sup>&</sup>lt;sup>27</sup> Economic factor of cigar production in Honduras and other third countries. Pressportal. 2022 Jun 05. https://www.presseportal.de/pm/66198/5214768

<sup>&</sup>lt;sup>28</sup> SDE. DGPC highlights. Available: <u>DGPC and British American Tobbaco.png</u>

<sup>&</sup>lt;sup>29</sup> SDE. General Directorate of Consumer Prices (Organizational Structure). Available: <u>General Directorate of</u> <u>Consumer Protection – Secretariat of Economic Development.pdf</u>

<sup>&</sup>lt;sup>30</sup> ANDI. COLLABORATE – ANDI Honduras. Available: <u>COLABORAN – ANDI Honduras.pdf</u>

<sup>&</sup>lt;sup>31</sup> ANDI. Agenda VII ALAC Meeting Final Version. Available: <u>AGENDA-ALAC-2022-</u> <u>ULTIMA VERSION 18052022.docx</u>

<sup>&</sup>lt;sup>32</sup> ANDI. Agenda VII ALAC Meeting Final Version. Available: <u>AGENDA-ALAC-2022-</u> <u>ULTIMA VERSION 18052022.docx</u>

<sup>&</sup>lt;sup>33</sup> ANDI. ALAC Declaration of Honduras 2022. Available: <u>ALAC Declaration of Honduras 2022.pdf</u>

#### 0 1 2 3 4 5

This document reflects the recommendations reached by the sectoral table with the aim of establishing actions on smuggling in the cigarette sector, including in the declaration:

- 1. With the aim of continuing the developments in the framework of the mitigation of cigarette smuggling and following the recommendations of the previous meetings, during the VII Meeting of the table the good practices for the sector were determined, among which the advances in customs control, the configuration of internal working groups at the national level and the constant training between control entities and the business sector were highlighted.
- 2. Generate articulation agreements between the entities that conduct activities as strategic axes for the control and mitigation of illicit trade, not only in each of the countries, but at the regional level, which integrates public and private participation.

Based on the PARLATINO Law, evaluate the possibility of having an integrated regime in the region, taking as references the countries that already have a regulation and looking for spaces for socialization.

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 <u>not</u> involve CSR, enforcement activity, or tobacco control
policy development since these are already covered in the previous
questions.

There is evidence the Honduran government participated in alliance building with the tobacco industry.

On June 25, 2022, under the direction of the Chamber of Commerce and Industries of Danlí (CCID) and the Chamber of Tobacco Artisans of Honduras (CATAH), a visit by a delegation of national and diplomatic authorities to a tobacco factory in the city of Danlí, El Paraíso, was evidenced<sup>3435</sup>. The government officials present were Reizel Velorio (vice minister of the Honduran Institute of Tourism) and Cindy Rodríguez (vice chancellor of the Office of International Cooperation and Promotion). A member of the Honduran Association of Tobacco Growers, Maya Selva, said "they requested this visit because they are interested in discovering and understanding the field of tobacco and handmade cigars".

During the tour Reizel Velorio through an interview for TeleDanli declared, "We are working to position agrotourism at this time on tobacco, which is a very important export product of high quality that we as Hondurans have to find a way to position it. " He <sup>36</sup>also added "we must generate these strategies together with tobacco growers to be able to generate these tobacco routes and generate this tourist attraction for the Paradise." For her part, Cindy Rodríguez pointed out that "as a new government, we have the task of giving a different image at the international level and this task is through the Ministry of Foreign Affairs and International Cooperation, to be able to publicize our products and this

<sup>&</sup>lt;sup>34</sup> Chamber of Commerce and Industry of Danlí. Publications [Facebook Page]. Available: <u>Visit Tabacalera Danli</u> <u>Turismo and Chancellery.png</u>

<sup>&</sup>lt;sup>35</sup> The Tribune. They will promote agrotourism with tobacco routes. Available: <u>They will promote agrotourism</u> with tobacco routes - Diario La Tribuna.pdf

<sup>&</sup>lt;sup>36</sup> TeleDanli HD – Channel 9. Publications [Facebook Page], Available: Video Statement Deputy Minister.mp4

item as important as tobacco."37

#### **INDICATOR 5: Transparency**

 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) 3

No evidence was found of an official meeting between the government and the tobacco industry, however, through the National Survey of Manufacturers of tobacco products, prepared by the Research Department of the Honduran Institute for the Prevention of Alcoholism, Drug Addiction, and Drug Dependence (IHADFA) in June 2022, where through an investigation, the interaction of representatives of the tobacco sector was documented through the collection of surveys in person in 19 factories of tobacco products in order to know the situation production, employability, location and maintain an updated and relevant database.<sup>38</sup>

 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 Government does establish standards for the accreditation or registration of entities in the tobacco industry; in accordance with the Law on Strengthening Revenues, Social Equity and Rationalization of Public Expenditure Decree 17-2010,<sup>39</sup> Article 30 creates the National Registry of Cigarette Producers and Importers, which must be in charge of the Executive Directorate of Revenue DEI (currently SAR). as of January 9, 2020, it incorporates the Certificate of Registration of Cigarette Producers and Importers<sup>40</sup>, which specifies the requirements certified through the compliance assistance window, with an update on January 3, 2022.

Through circular DARA-DTA-104-2019<sup>41</sup>, the Honduran Customs Administration Service establishes the rules for the import and export of cigarettes for the country's various customs. On the other hand, it is established in the agreement number 01-2022 of the IHADFA published by the official gazette La Gaceta on February 8, 2023 the Special Regulation of Registration and Certification<sup>42</sup>, where the guidelines for the registration and certification for the first time and renewal to the establishments that are importers, manufacturers, exporters, distributors, warehouses and marketers of tobacco products, alcoholic beverages, as well as pharmacies, drugstores, laboratories, and others of a private nature related to pharmaceutical products, narcotics, psychotropic drugs and any other

<sup>&</sup>lt;sup>37</sup> The Tribune. They will promote agrotourism with tobacco routes. Available: <u>They will promote agrotourism</u> with tobacco routes - Diario La Tribuna.pdf

<sup>&</sup>lt;sup>38</sup> IHADFA. National survey of manufacturers of tobacco products. Available: <u>IHADFA Report – Survey of</u> <u>Tobacco Products Manufacturers in Honduras.pdf</u>

<sup>&</sup>lt;sup>39</sup> Judicial power. Decree 17-2010. Available: <u>Law to Strengthen Revenues, Social Equity and Rationalize Public</u> <u>Expenditure.pdf</u>

<sup>&</sup>lt;sup>40</sup> HRH. Certificate of Registration of Cigarette Producers and Importers. Available: <u>Application-for-Certifications-and-Vouchers-16-12-2021.pdf</u>

<sup>&</sup>lt;sup>41</sup> Customs. Instructions on the Traffic of Tobacco Products. 02-04-2019. Available: <u>CIRCULAR-DTA-104-2019-</u> <u>CURRENT.pdf</u>

<sup>&</sup>lt;sup>42</sup> The Gazette. IHADFA. Decision No. 01-2022. Special Regulations on Registration and Certification. Available: <u>Special Registration and Certification Regulations.pdf</u>

	0		2	3	4	5
substance that may cause dependence or habit and damage to health.						
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						F
parties, candidates, or campaigns or to require full disclosure of such						5
contributions. (Rec 4.11) / Never 5 Yes						

Despite having in the country a Law on financing, transparency and oversight of political parties and candidates (Decree No. 137-2016, <sup>43</sup>published in the Gazette on January 18, 2017) and its different reforms (Decree No. 137-2020, Decree 183-2020) <sup>44</sup> they do not stipulate anything specific regarding the contributions of the tobacco industry<sup>45</sup>, the same applies to the Electoral and Political Organizations Act.<sup>46</sup>

Articles 20 and 24 of the Financing Law indicate that private financing must be registered by each party and that contributions from foreign organizations or institutions and foreign natural or legal persons are prohibited.

Article 35 obliges all political parties to publish information on their institutional portals, as well as on the Single Transparency Portal managed by the Institute for Access to Public Information (IAIP).

The Law on Elections and Political Organizations also mentions the prohibition of accepting unauthorized funds, stating that it is strictly forbidden for political parties, internal movements and their candidates for elected office to accept directly or indirectly: anonymous contributions or donations, except those obtained in popular collections, subsidies or government subsidies, foreign organizations or institutions and contributions or donations from foreign natural or legal persons, whatever form they may act.

However, when checking the Transparency Portal of the main Political Parties (Free, National<sup>47</sup>) of the Institute for Access to Public Information, private contributions with the name or identification document of the donor or contributor are not evidenced, therefore, the origin of the contributions cannot be identified. The Liberal Party has begun to identify with names and surnames of the contributors. <sup>48</sup> In the case of the Free Party, the information is not updated either, having the last registration in December 2022.<sup>49</sup>

The foregoing violates Article 39 of the Financing Law which establishes that "information regarding the allocation and exercise of campaign expenses, pre-campaigns and expenses in general of the political party with account to the public budget cannot be reserved, nor the contributions of any type or species made by individuals regardless of the destination of the resources contributed."

<sup>46</sup> Electoral and Political Organizations Law. Available: <u>ELECTORAL AND POLITICAL ORGANIZATIONS LAW.PDF</u>

<sup>&</sup>lt;sup>43</sup> Law on financing, transparency and oversight of political parties and candidates Available: <u>Ley transparencia fisc Partidos politicos.pdf</u>

<sup>&</sup>lt;sup>44</sup> Decree No. 137-2020: Reform of the Law on Financing, Transparency and Oversight of Political Parties and Candidates. Available: <u>Reform Decree-137-2020.pdf</u>

<sup>&</sup>lt;sup>45</sup> Decree No. 183-2020: Reform of the Law on Financing, Transparency and Oversight of Political Parties and Candidates. Available: <u>Reform Decree-183-2020.pdf</u>

<sup>&</sup>lt;sup>47</sup> National Party. Available: <u>CONTRIBUTIONS MARCH 2023 NATIONAL.pdf</u>

<sup>&</sup>lt;sup>48</sup> Liberal Party. Available: <u>CONTRIBUTIONS MARCH 2023 Liberal.pdf</u>

<sup>&</sup>lt;sup>49</sup> Free Party. Available: <u>Contributions December 2022 Free.pdf</u>

	0		2	3	4	5				
<ul> <li>14. Retired senior government officials form part of the tobacco industry (former Prime Minister, Minister, Attorney General) (Rec 4.4)</li> </ul>	0									
No evidence was found of retired senior public officials working in t	he t	oba	ссо	ind	ustr	y.				
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 evidence was found of government officials and/or family member in the tobacco industry.	ers l	nold	ing	posi	tior	าร				
INDICATOR 7: Preventive Measures	I	I	1							
<ul><li>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)</li></ul>						5				
We found no evidence of the establishment of a procedure to public record of these interactions. The official website of the Government highlights the Copán Awards for Tourism Excellence granted in Nov Honduran Institute of Tourism with the support of Channel 8, the ar company Flor de Copán Honduras, which as they highlight is "a reco company that managed to position Honduras as a first-class tobacco worldwide, and actively promoted the tourism industry in internation were granted by the Minister of Tourism Yadira Gómez. <sup>50</sup>	t chi vem war ogniz pro	anne ber d w zed oduc	el (C 202 as g Cop cing	Char 2 by iven oane cou	nel th to ca ntry	8) ie the				
<ul> <li>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);</li> <li>I for whole of government code; 2 fort Yes but partial if only MOH</li> </ul>						5				
The government's report to the COP says it is implementing Article 5.3 however the report does not provide any details on what standards were adopted when dealing with the industry. There is no code of conduct for public officials specific to the relationship with the tobacco industry										
However there is a general code for all officials called "Code of Ethical Conduct of Public Servants" Decree No.36-2007, <sup>51</sup> where in Chapter III: "Standards of Ethical Conduct", article 6, numerals 3 and 5 detail that officials must "Refrain from participating in activities, situations or behaviors incompatible with their functions or that may affect their independence of judgment for the performance of the same" and "Act at all times in accordance with the common good, with loyalty to the interests of Honduras on any other interest, whether personal, economic, financial, commercial, labor, political, religious, racial,										

<sup>&</sup>lt;sup>51</sup> TSC. Decree No. 36-2007: Code of Ethical Conduct for Public Servants. Available: <u>CODIGO</u> <u>DE CONDUCTA ETICA DEL SERVIDOR PUBLICO.pdf</u>

partisan, sectarian, trade union or associative of any nature";

On the other hand, some government institutions related to the subject were consulted, such as the Honduran Customs Administration, which was asked if in its internal code of conduct they have the minimum standards that they must abide by when interacting with the tobacco industry, answering "The ethical and moral standards of all officials and servants of the Honduran Customs Administration in the exercise of their position, are regulated in the Agreement CUSTOMS-DE-021-2021 dated July twenty-nine (29) of the year two thousand and twenty-one (2021) and published in the Official Gazette "La Gaceta" on September 8 (08) of the same year, containing the Code of Conduct and Ethics of Officials and Servants of the Customs Administration of Honduras "<sup>52</sup>; the Revenue Administration Service (SAR) was consulted in this regard and they responded<sup>53</sup>

"In accordance with Agreement No. SAR-222-2021 containing the Code of Probity and Ethics for Employees of the Revenue Administration Service<sup>54</sup>, regarding the Rules of Conduct and Ethical Behavior, Article 15, numeral 6. Honesty as one of the constitutional principles on which our tax system is based, establishing that SAR servants must conduct themselves with rectitude without using their employment, position or commission to obtain or pretend to obtain any benefit, benefit or personal advantage or in favor of third parties, nor seek or accept compensation, benefits, gifts, gifts or gifts from any person or organization, because they are aware that this compromises their functions and that the exercise of any public office implies a high sense of austerity and vocation of service"; The Secretariat of Natural Resources and Environment (SERNA) submits its response to the Code of Ethical Conduct for Public Servants; It is worth mentioning that the transparency officers of IHADFA, the Secretariat of State in the Offices of Economic Development (SDE) and the Secretary of Health (SESAL) were consulted, but no response was obtained.

18. The government requires the tobacco industry to periodically				
submit information on tobacco production, manufacture, market				
share, marketing expenditures, revenues and any other activity,			4	
including lobbying, philanthropy, political contributions and all other				
activities. (5.2)				

In particular, the government requests information from companies that are incorporated into the different special regimes such as Free Zones and Temporary Import Regime<sup>55</sup> on all imported and exported goods, information channeled through the Secretary of State in the Economic Development Offices (SDE). Likewise, the Honduran Customs Administration according to Administrative Provision No. Customs-DNOA-138-2021<sup>56</sup> specifies in numeral 2 the companies authorized by the IHADFA to import, distribute and

<sup>&</sup>lt;sup>52</sup> TSC. Code of Conduct and Ethics for Officials and Servants of the Honduran Customs Administration. Available: <u>Agreement-Customs-DE-021-2021.pdf</u>

<sup>&</sup>lt;sup>53</sup> SAR Transparency Officer. Memorandum SAR-DNCT-42-02-2023. Available: <u>MEMORANDO-SAR-DNCT-42-02-</u> 2023.pdf

<sup>&</sup>lt;sup>54</sup> TSC. Agreement No. SAR-222-2021: Code of Probity and Ethics for Employees of the Revenue Administration Service. Available: <u>Agreement-SAR-222-2021.pdf</u>

<sup>&</sup>lt;sup>55</sup> Secretary of Economic Development (SDE). Decree No.37: Temporary Importation Regime. Available: <u>LAW-</u><u>AND-REGULATION-OF-THE-TEMPORARY-IMPORTATION-REGIME.pdf</u>

<sup>&</sup>lt;sup>56</sup> Honduran Customs Administration. Administrative Provision No. Customs-DNOA-138-2021. Available: <u>CUSTOMS-DNOA-138-2021.pdf</u>

market tobacco products in Honduras, remarking that "If there are new companies authorized by the IHADFA and are not in the table described above, or where appropriate have already expired its resolution, the Customs authority will request the interested party, to attach the current non-tariff permit, together with the declaration of goods", the above states that for the corresponding permits both the IHADFA and Customs in compliance with the Special Law for Tobacco Control,<sup>57</sup> request from the tobacco industry information related to existing goods and the requirements of the law for the corresponding permits;

It is worth mentioning that in said Administrative Provision they emphasize that "It is the responsibility of each Customs Administration to ensure that all tobacco products entering or leaving the country comply with the provisions established in Articles 18, 19, 20, 21, 22 and 23 of the Special Law for Tobacco Control, Decree 92-2010 of August 21, 2010 and its Regulation dated June 14, 2011, which apply to both traditional cigarettes and electronic cigarettes.

On the other hand, the Secretariat of Natural Resources and Environment (SERNA) is the competent entity to issue environmental licenses to companies that require them, given the nature of the tobacco industry must have such a permit, in this sense the Secretariat was consulted if the tobacco industry presents periodic reports, referring through official letter No. UTGPC-051-2023<sup>58</sup> that according to article No.62 of the Regulation of the General Law of the Environment "You must have an opinion from the Ministry of Natural Resources and Environment to be able to operate whether it requires an Environmental License or not; projects duly regulated by this Secretary of State and that have an Environmental License, are obliged to submit a report of Compliance with Environmental Measures regularly on an annual basis, which are established under resolution or under contract and in which an environmental compensation measure is included, this being agreed and regulated through the Municipal Environmental Units ";

The Revenue Administration Service was also consulted in this regard<sup>59</sup>, in paragraph 4 "Regarding the control, verification and supervision of the tobacco industry, in accordance with the attributions possessed by the Tax Administration in accordance with the Tax Code, the SAR carries out the pertinent controls, as with the rest of Taxpayers, regarding the fulfillment of its formal and material obligations", also according to Article 28 of the Income <sup>60</sup>Tax Law It is established: "Every taxpayer is obliged to submit to the Tax Administration, by himself or through a representative or legal representative, from January one to April thirty or the following business day of each year, an Affidavit of the income obtained the previous year. "

<sup>&</sup>lt;sup>57</sup> The Gazette. Special Law for Tobacco Control. Available: <u>SPECIAL LAW FOR TOBACCO CONTROL DECREE</u> <u>No.92\_2010.pdf</u>

<sup>&</sup>lt;sup>58</sup> SERNA. Official Letter No. UTGPC-051-2023. Available: OFICIO-051-2023.pdf

<sup>&</sup>lt;sup>59</sup> SAR Transparency Officer. Memorandum SAR-DNCT-42-02-2023. Available: <u>MEMORANDO-SAR-DNCT-42-02-</u> 2023.pdf

<sup>&</sup>lt;sup>60</sup> SEFIN. Income Tax Law and its Reforms. Available: <u>Consolidated Text Income Tax Law25JUNIO2018.pdf</u>

In relation to the IHADFA, in the corresponding annual report 2021<sup>61</sup> details that within the planned actions, they inspected 960 tobacco and alcoholic beverage distribution establishments, verifying compliance with the regulations of the regulations and legal regulations imposed by this Institute as well as that of SINAGER. In addition to the above, in June 2022, IHADFA presented the "Final Report Survey of Manufacturers of Tobacco Products in Honduras"<sup>62</sup> where it discloses the situation of companies manufacturing tobacco products on location, constitution, certification, employability, raw material, production, sales, credits, training, compliance with guidelines according to law and promotion of products; the foregoing denotes IHADFA's interest in documenting and monitoring the operation of the tobacco industry in Honduras in compliance with the Special Law on Tobacco Control.

19. The government has a program / system/ plan to consistently <sup>63</sup> raise			
awareness within its departments on policies relating to FCTC			5
Article 5.3 Guidelines. (Rec 1.1, 1.2)			

In the country there is still no program, system or systematic implementation plan to raise awareness about the policies of the Guidelines for the implementation of Article 5.3 of the WHO FCTC; however, IHADFA in its annual operational plans for the years 2021<sup>64</sup> and 2022<sup>65</sup>, contemplated supervision visits to verify compliance with the Special Law for Tobacco Control to importing establishments, manufacturers, distributors and marketers of alcoholic beverages and tobacco products; They also defined training activities in the prevention of the consumption of alcohol, tobacco and other drugs, to the trinomial of learning: parents, students and teachers; coordinating with the authorities of the Ministry of Education, parents, students and teachers. On the other hand, at the country level there is the National Plan for Tobacco Control in Honduras<sup>66</sup>, which defines some actions to guarantee the full validity of the WHO FCTC, such as: "Legislative reforms to the special law for tobacco control to guarantee the full validity of the WHO FCTC, with emphasis on the increase of prices and fiscal taxes on tobacco products and control of illicit trade thereof", "Promote the incorporation of new standards and comply with the recommendations of the WHO FCTC with the support of the Inter-institutional Technical Table for Drug Demand Reduction", "Establish a public policy gradually of smoke-free spaces (public sphere, work, social and leisure), until all smoke-free spaces are achieved", "Promotion of information and training activities for personnel responsible for ensuring compliance with the Special Law on Tobacco Control (guards, security guards, all personnel responsible for ensuring the security of open or closed spaces)", among others.

<sup>&</sup>lt;sup>61</sup> IHADFA. Annual Report 2021. Available: <u>IHADFA Annual Report 2021 docx.pdf</u>

<sup>&</sup>lt;sup>62</sup> IHADFA. Final Report Survey of Manufacturers of Tobacco Products in Honduras. Available: <u>IHADFA Report -</u> <u>Survey of Manufacturers of Tobacco Products in Honduras.pdf</u>

<sup>&</sup>lt;sup>63</sup> 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.

<sup>&</sup>lt;sup>64</sup> IHADFA. Annual Operating Plan 2021. Available: <u>IHADFA Annual Operating Plan (POA) 2021.pdf</u>

<sup>&</sup>lt;sup>65</sup> IHADFA. Annual Operating Plan 2022. Available: IHADFA Annual Operating Plan (POA) 2022.pdf

<sup>&</sup>lt;sup>66</sup> IHADFA. National Plan for Tobacco Control in Honduras 2018-2022. Available: <u>Latest version National Plan</u> <u>for Tobacco Control. 25 9 17.pdf</u>

	0	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,				4	
or study visit invitations given or offered to the government, its					
agencies, officials and their relatives. (3.4)					

In the Code of Ethical Conduct of Public Servants" Decree No.36-2007<sup>67</sup>, Title III, Article 24: "It is forbidden to the public servant and therefore must not, directly or indirectly, or for himself, or for third parties, request, accept or admit money, gifts, benefits, gifts, valuables, favors, travel, travel expenses, promises or other advantages or material or intangible values by persons or entities in the following situations:

(1) To do or refrain from doing, unduly accelerate or delay tasks related to their functions or to circumvent requirements required by law, regulations, manuals and instructions; and (2) To assert his influence vis-à-vis another public servant, so that the latter does or fails to do, unduly accelerates or delays tasks related to his functions or ignores requirements demanded by law, regulations, manuals and instructions", said articles are also found in Chapter V Gift Regime and Other Benefits of the Code of Conduct and Ethics of Officials and Servants of the Honduran Customs Administration<sup>68</sup>. The SAR in Agreement No. SAR-291-2020<sup>69</sup> containing the Career Regime for Employees and Officials in the Revenue Administration Service, in its Article 70, numeral 29, establishes as a prohibition "Requesting or receiving gifts, royalties or any other benefit from taxpayers or third parties, whether economic or not, whether they request it by themselves or by someone else."

Despite the fact that the ethical actions of state officials in relation to the acceptance of contributions from the tobacco industry to the government are in decree, as observed in response No. 5, there is acceptance by some officials, so in practice some type of interference is observed.

TOTAL

70

<sup>&</sup>lt;sup>67</sup> TSC. Decree No. 36-2007: Code of Ethical Conduct for Public Servants. Available: <u>CODIGO</u> <u>DE CONDUCTA ETICA DEL SERVIDOR PUBLICO.pdf</u>

<sup>&</sup>lt;sup>68</sup> TSC. Code of Conduct and Ethics for Officials and Servants of the Honduran Customs Administration. Available: <u>Agreement-Customs-DE-021-2021.pdf</u>

<sup>&</sup>lt;sup>69</sup> HRH. Agreement No. SAR-291-2020. Available: <u>Agreement SAR-291-2020.pdf</u>

## ANNEX A: SOURCES OF INFORMATION / BIBLIOGRAPHICAL

The five transnational tobacco companies	SEATCA report (Y if the SEATCA report already contains information, N if not)	Sources other than the SEATCA Report
British American Tobacco Central America	Y	http://www.batcentralamerica.com/
Scandinavian Tobacco Group	Ν	<u>https://www.st-</u> group.com/search/?s=Honduras

## LOCAL TOBACCO COMPANIES

Top 5 Local Tobacco Companies	Their market share and their brands	Source of information
•		
Tabacalera Hondureña	Belmont, Pall Mall,	http://www.batcentralamerica.com/group/site
	Royal, Dunhill, Imperial	<u>s/BAT_AX9FAB.nsf/vwPagesWebLive/DO9T</u>
		<u>SKFL</u>
Tabacos de Danlí S.A de		<u>https://ceprosaf-</u>
C.V		my.sharepoint.com/:b:/g/personal/ceprosaf_ce
		<pre>prosaf_onmicrosoft_com/ERBngaRNR7pBvIr</pre>
		<u>9nc1JAygBulaH6B2Sc4s6bcuNyeWzkA?e=w</u>
		Wm5Xk
Tabacos del Oriente		https://ceprosaf-
Gualiqueme		my.sharepoint.com/:b:/g/personal/ceprosaf_ce
		prosaf_onmicrosoft_com/ERBngaRNR7pBvIr
		9nc1JAygBulaH6B2Sc4s6bcuNyeWzkA?e=w
		Wm5Xk
La Flor de Copan	San Jose 13, Romeo y	https://www.instagram.com/tabacaleraflordec
Fábrica de Puros	Julieta 1875, Saint Louis	<u>opan_hn/?hl=es</u>
Internacional	Carenas, Henry Clay,	
	Upmann 1844 Añejo	
Fábrica de Puros		https://ceprosaf-
Internacional		my.sharepoint.com/:b:/g/personal/ceprosaf_ce
		prosaf_onmicrosoft_com/ERBngaRNR7pBvlr
		<u>9nc1JAygBulaH6B2Sc4s6bcuNyeWzkA?e=w</u> <u>Wm5Xk</u>

## FRONT GROUPS OF THE TOBACCO INDUSTRY

The 5 main representatives of the tobacco industry	Category (Front Group / Subsidiary / Individual)	Source of information
ANDI	Asociación	https://www.andi.hn/tabacalera-hondurena/
	Association	
APROTABACOH	Asociación	https://aprotabacoh.jimdofree.com/contact
	Association	<u>o/</u>
Cámara de Comercio	Asociación	https://amchamguate.com/directoriosdigital
Hondureña Americana	Association	<u>es/wp-</u>
		content/uploads/2022/01/Directorio-
		AmCham-Honduras-2022.pdf
Asociación Hondureña	Asociación	http://www.ahm-honduras.com/wp-
de Maquiladores	Association	content/uploads/2023/02/Directory2023.pd
		f

# MAJOR NEWSPAPERS

Top 5 newspapers	Category	
	(printed/numeric)	
La Prensa	Impreso y en línea	https://www.laprensa.hn/
La Tribuna	Impreso y en línea	https://www.latribuna.hn/
Tiempo	Impreso y en línea	https://tiempo.hn/
El Heraldo	Impreso y en línea	https://www.elheraldo.hn/
El País	Impreso y en línea	https://www.elpais.hn/

## **GOVERNMENTAL AGENCIES**

Agency	Specify if more than one office assumes this function:	General sources of information / News from each office
	assumes uns function.	INEWS IFOIT EACH ONICE
I. Oficina del Jefe del	Presidencia de la Republica	https://presidencia.gob.hn/
Poder Ejecutivo (Primer		
Ministro / Presidente)		
Miembros de la Realeza		
2. Gabinete y/o	Congreso Nacional	https://congresonacional.hn/en-US
Asamblea nacional /		
Parlamento		
(Legisladores)		
3. Agricultura / Consejo	Secretaria de Agricultura y	https://sag.gob.hn/
nacional del tabaco	Ganadería	

4. Aduanas	Administración Aduanera de	https://www.aduanas.gob.hn/
T. Adualias	Honduras	https://www.aduanas.gob.nn/
5. Educación	Secretaria de Educación	
		https://www.se.gob.hn/
6. Medio ambiente	Secretaria de Recursos	http://www.miambiente.gob.hn
	Naturales y Ambiente	
7. Finanzas/ Hacienda/	Secretaria de Finanzas	https://www.sefin.gob.hn/
Inversiones/ Impuestos	(SEFIN), Servicio de	
	Administración de rentas	<u>https://www.sar.gob.hn/</u>
	(SAR).	
8. Salud	Secretaria de Salud (SESAL)	https://www.salud.gob.hn/site/
9. Trabajo y asuntos	Secretaria de Trabajo y	http://www.trabajo.gob.hn/
laborales	Seguridad Social	
10. Comercio e	Secretaria de Desarrollo	https://sde.gob.hn/
Industria / Inversiones	Económico	
Otras agencias / otros	I. Instituto Nacional de	I. https://www.ine.gob.hn/V3/
sectores, deben	Estadísticas	2. https://twitter.com/injuvehn
precisarse para cada	2. Instituto Nacional de la	3. <u>https://portalunico.iaip.gob.hn/#/</u>
país:	Juventud	homeLanding
	3. Instituto de Acceso a la	4. <u>https://put.iaip.gob.hn/portal/ind</u>
	Información Pública	ex.php?portal=375
	4. Instituto Hondureño para	5. https://www.tsc.gob.hn/web/
	la Prevención del	6. poderjudicial.gob.hn/Paginas/CSI
	Alcoholismo,	HN.aspx
	Drogadicción y	7.
	Farmacodependencia	https://www.marcahonduras.hn/
	5. Tribunal Superior de	
	Cuentas	
	6. Poder Judicial	
	7. Marca país Honduras	