
VIETNAM

**TOBACCO
INDUSTRY
INTERFERENCE
INDEX
2023**

Date of Publication: July 2023

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Acknowledgments:

HealthBridge Vietnam would like to acknowledge the Southeast Asia Tobacco Control Alliance (SEATCA) for its support and guidance in developing the report. We also thank Mary Assunta from SEATCA for valuable technical advice in the preparation of this Index.

The information from this report will form part of the Global Tobacco Industry Interference Index, a global survey of how public health policies are protected from the industry's subversive efforts, and how governments have pushed back against this influence. The tobacco Industry Interference Index was initiated by SEATCA as a regional report with support from the Bill and Melinda Gates Foundation. The Global Tobacco Industry Interference Index is part of a global publication of the Global Centre for Good Governance in Tobacco Control (GGTC).

Methodology

The TI Interference Index is a civil society report assessing the implementation of FCTC Article 5.3 on the protection of public health policies with respect to tobacco control from commercial and other vested interests of the tobacco industry and its guideline in Vietnam. The index provides evidence on measures and elements that contribute to enabling the tobacco industry to interfere with public health policy making and show how well the government is responding to the challenges posed by TI when applying Article 5.3 guidelines.

This report uses the Tobacco Industry Interference Index Questionnaire and scoring guidelines developed by the Southeast Asia Tobacco Control Alliance based on the FCTC Article 5.3 Guidelines. There are 20 questions based on 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.

Information used in this report is obtained from the public domain only which included was limited to information sourced from the official websites, news reports, and tobacco company reports.

The report includes information on incidents from April 2021 to March 2023, but also includes reference to incidents that still have relevance today.

Background and Introduction

The World Health Organization Framework Convention on Tobacco Control (WHO FCTC), the most effective tobacco control measure in the world, is the first treaty negotiated under the auspices of the WHO, with more than 182 Parties to the Convention. As an evidence-based treaty, it reaffirms the right of all people to the highest standard of health and creates a new legal framework for cooperation in the area of tobacco control.

On November 11, 2004 Vietnam ratified the WHO FCTC, which entered into force in Vietnam on March 17, 2005. The objective of the treaty is to protect present and future generations from the devastating health, social, environmental and economic consequences of tobacco consumption and exposure to tobacco smoke.

World Health Assembly resolution WHA54.18 on transparency in tobacco control process, citing the findings of the Committee of Experts on Tobacco Industry Documents, states that “*the tobacco industry has operated for years with the express intention of subverting the role of governments and of WHO in implementing public health policies to combat the tobacco epidemic*”. Therefore, one of the common obligations of the Parties to the WHO FCTC is Article 5.3. “*Article 5.3 of the WHO Framework Convention on Tobacco Control protects public health policies with respect to tobacco control from commercial and other vested interests of the tobacco industry*”. This is a key regulation to protect public health policies from tobacco industry interference.

The Conference of the Parties to the Convention, in decision No. FCTC/COP2 (14) elaborated guidelines for implementation of Article 5.3 of the Convention. The guidelines includes four guiding principles and 8 recommendations:

Principle 1: There is a fundamental and irreconcilable conflict between the tobacco industry’s interests and public health policy interests.

Principle 2: Parties, when dealing with the tobacco industry or those working to further its interests, should be accountable and transparent.

Principle 3: Parties should require the tobacco industry and those working to further its interests to operate and act in a manner that is accountable and transparent.

Principle 4: Because their products are lethal, the tobacco industry should not be granted incentives to establish or run their businesses.

Recommendations include:

- 1) Raise awareness about the addictive and harmful nature of tobacco products and about tobacco industry interference with Parties’ tobacco control policies.
- 2) Establish measures to limit interactions with the tobacco industry and ensure the transparency of those interactions that occur.
- 3) Reject partnerships and non-binding or non-enforceable agreements with the tobacco industry.
- 4) Avoid conflicts of interest for government officials and employees.
- 5) Require that information provided by the tobacco industry be transparent and accurate.
- 6) Denormalize and, to the extent possible, regulate activities described as “socially responsible” by the TI, including but not limited to activities described as “corporate social responsibility”.
- 7) Do not give preferential treatment to the tobacco industry.
- 8) Treat State-owned tobacco industry in the same way as any other tobacco industry.

Parties to the Convention are encouraged to implement such guidelines to the extent possible, in accordance with national law, without prejudice to national sovereignty in deciding and setting its tobacco control policy.

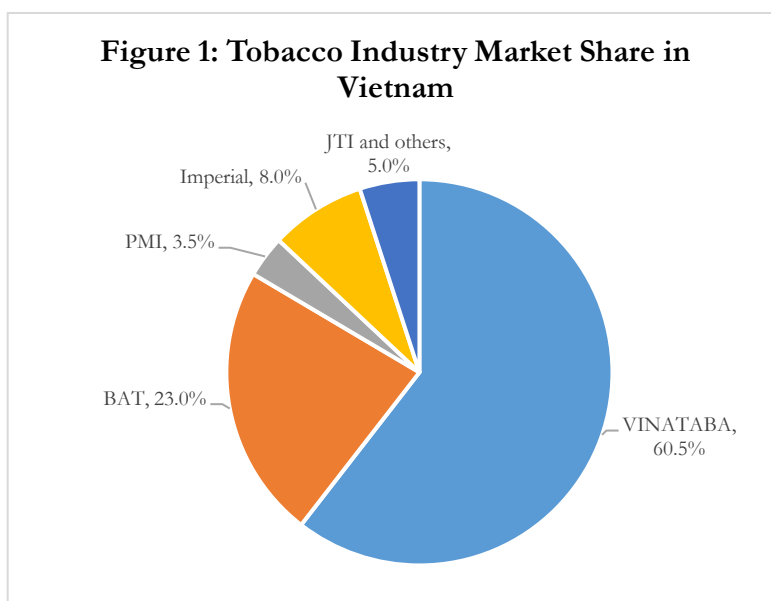
Vietnam is among the countries with the highest number of smokers in the world, and consequently around 40,000 deaths from tobacco-related illnesses occur each year. The associated economic loss has been estimated at VND 25 trillion/year, almost 1% of annual GDP.

Vietnam passed the Tobacco Control (TC) Law in 2012. The Law consisted of strong policies recommended by the FCTC, including: comprehensive ban on advertising and promotion; prominent pictorial health warnings; smoking ban in public settings; and establishing a TC Fund. Viet Nam has made good progress over the years in implementing tobacco control measures and in reducing smoking prevalence. The prevalence of adults and teens who use tobacco products has gone down. The rate of smoking among adult men went down from 47.4% (2010) to 42.3% (2020) (GATS 2020); the rate of smoking among 13–17-year-olds went down from 4.7% (2013) to 2.7%. (GYTS 2019). These reductions, however, are modest, the male smoking prevalence remains high and has failed to achieve the National TC strategy objective for 2020.

The tobacco industry interference and their front group remain high with the scores of tobacco interference index is above the average while the country is still lacking sufficient measures to protect the policies from commercial and other vested interests of the TI. It is one of the major challenges that hinders progress in implementing and strengthening tobacco control policies to protect public health. Stronger action from the Government is needed in implementing FCTC Article 5.3 to ensure effective implementation of tobacco control measures and in reducing smoking prevalence in Vietnam.

Cigarette market share in Vietnam

The dominant component of the tobacco industry (TI) in Vietnam is state-owned. The world's three biggest transnational tobacco companies have invested and operated in Vietnam through joint venture and partnership with local companies in production and distribution of their tobacco products. These include: British American Tobacco (BAT), Phillip Morris International (PMI) and Japan Tobacco International (JTI). Figure 1 shows the main tobacco companies operating in Vietnam and their cigarette market share in 2020.

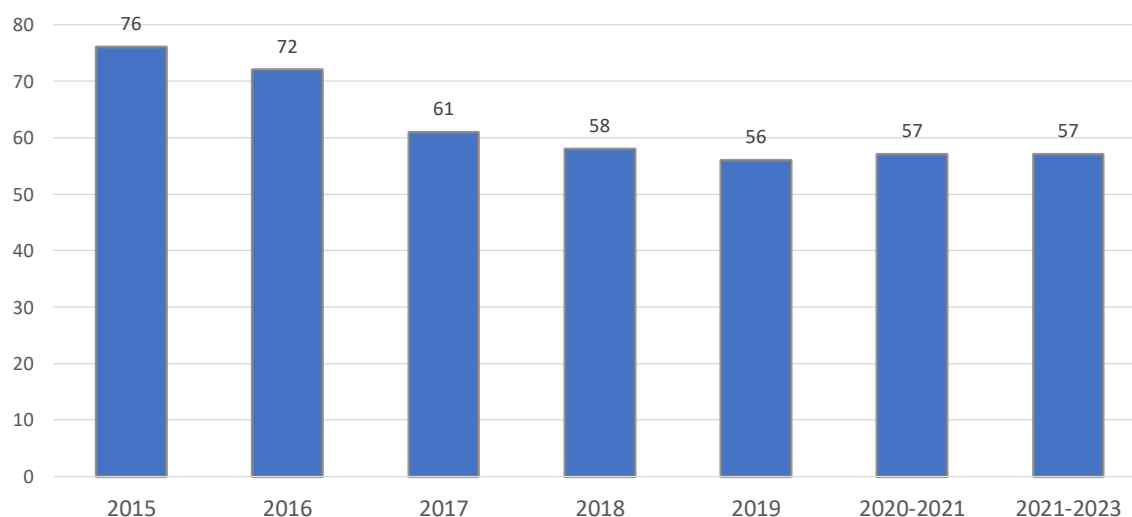


Source: GlobalData. (January 2020). Cigarette in Vietnam, Manufacture Market Shares 2018.

Summary Findings

Vietnam has participated in the reporting the Tobacco Industry Interference Index in Vietnam since 2015 and has shown improvement in reducing the scores of the index between 2015-2023, however progress has slowed down in recent years. For 2020-2023, Vietnam scored a total of 57 points while it had 58 points in 2018 and 61 points in 2017 and 72 points previously in 2016 (Figure 2).

Figure 2: Vietnam's Tobacco interference index score 2015-2023



I INDUSTRY PARTICIPATION IN POLICY DEVELOPMENT

(Summarize your evidence/ main points in questions 1-4)

Collaboration between the government and tobacco companies in anti-smuggling policy development and enforcement is still in existence. Besides using compulsory contribution from tobacco manufactures for smuggling control of cigarettes, the Government also considered TI as a partner, cooperated with TI in workshops/meetings to discuss solutions to fight against tobacco smuggling. The TI also was proactive in organizing workshops/seminars to discuss and propose the solutions and regulations regarding smuggling control, and organize training, communication on counter illegal cigarettes at local.

The industry also promotes their recommendations on the issuance of policy to legalize manage new tobacco products (ENDS/HTPs) in Vietnam through media, workshops/meetings and recommendation letters. Even though that there was no direct evidence about the Government accepting the offer of TI for assistance or accepting proposed tobacco control legislation or policy drafted by or in collaboration with TI was collected in Vietnam during this reporting period, but the Vietnam Government has developed and proposed a policy to allow piloting HTPs in Vietnam which is pro TI recommendation. In addition, some policymakers, and lawyers gave speeches at workshops/talk shows/media events supporting the allowing ENDS/HTPs in Vietnam.

2 INDUSTRY CSR ACTIVITIES

(Summarize your evidence/ main points in question 5)

The Vietnam Law on Prevention and Control of Tobacco Harms (take effect from May 01 2013) limits TI's CSR to programs of hunger eradication and poverty reduction; control of natural disasters, epidemic and combating cigarette smuggling, and bans the publicity of such sponsorship in the mass media (Article 16).

The partial ban on CSR activities of TI in Vietnam has seemed to make no difference to the extent the TI continues to conduct these activities. On the one hand, tobacco industry in Vietnam continues their traditional CSR activities in a broad range of donations to schools, construction of schools, construction houses for the poor and heroic mothers, donations to health care facilities, provide gifts for the soldiers, scholarships and gifts for students and program on environment protection etc. On the other hand, they continued to take advantage of COVID 19 situation to provide their donation to health sectors, such as: Vietnam National Tobacco Corporation (Vinataba) has donated 100 billion VND to the Covid-19 vaccine Fund, Saigon Tobacco Company: Donated VND 500 million to the prevention and control work of the Covid-19 epidemic etc. The TI'CSR activities usually receive endorsement and participation of government officials from provincial and district level.

3 BENEFITS TO THE INDUSTRY

(Summarize your evidence/ main points in questions 6-7)

Cigarettes are still sold as duty-free item for international travelers and seafarers working on board a seagoing vessel on international routes.

Beside, Vietnam has extended its 3,000-ton duty-free quota for import of Cambodian dried tobacco leaves for 2022.

4 UNNECESSARY INTERACTION

(Summarize your evidence/ main points in questions 8-10)

Since tobacco manufactures in Vietnam is a government monopoly, the management mechanism enable them to have many chance to meet and force relationship with high level government officer from both Central as well as provincial level.

In Sept 2021, Vietnam President had a meeting with the US American associations and investors which including Philip Morris; in Dec 2022, Chairman of the Committee for Management of State Capital at Enterprises had a meeting with the delegation of Philip Morris International Group (PMI) led by Ms. Stacey Kennedy – President of South and Southeast Asia PMI and the Chairman of the Board of Members of Vinataba; in Jan and Feb 2023, on the occasion of the Lunar New Year, the delegation of the Committee for the Management of State Capital at Enterprises led by Vice Chairman of the Committee visited and wished New Year to the collective leadership and staff and employees of the Vinataba; in June 2022, the delegation of the Committee for the Management of State Capital at Enterprises led by Chairman of the Committee came to work at the Saigon Tobacco Company to grasp the operation situation in the first 5 months of 2022 and deploy tasks in the following years.

The Government also gave honor award to the tobacco enterprises for the contribution and achievements, and joint the events to award. Such as: in 2021, Saigon Tobacco Company received a certificate of merit from the Chairman of the Ho Chi Minh City People's Committee on high achievements in the payment to the State budget in Ho Chi Minh City; in 2022, BAT Vietnam was honored to be in the "Top 100 Sustainable Enterprises in Vietnam" in a program announced by the Vietnam Federation of Trade and Industry (VCCI) and Ministry of Labour, Invalids and Social Affairs; in June 2022, the Trade Union of Thang Long Tobacco Company received the excellent emulation flag from the Vietnam Industry and Trade Union, etc.

Besides, collaboration between the government and tobacco companies in anti-smuggling enforcement is still in existence, which facilitates interaction.

5 TRANSPARENCY

(Summarize your evidence/ main points in questions 11-12)

The government sees interaction with the tobacco industry as “normal”, so they are “open” about their interaction with tobacco industry. However, the detailed information on this interaction (with tobacco and other industries as well) were not always be available for public. The government also does not have procedure for the disclosure or registration of tobacco industry entities, affiliated organizations, and individuals acting on their behalf.

6 CONFLICT OF INTEREST

(Summarize your evidence/ main points in questions 13-15)

No new appointment of government official to tobacco industry. The appointment of staff from Ministry of Industry and Trade to VINATABA which happened in 2014 still remains in office and were promoted in 2020 (Mr. Ha Quang Hoa-Deputy Director of Department of Light Industry was appointed to be Vice Director of VINATABA in 2014, and then was appointed to be General Director of VINATABA in 2020; Mr. Ho Le Nghia, Vice Director of Industrial Policy and Strategy Institute was appointed to be in board member of VINATABA in 2014, become acted as the Party Secretary, and Chairman of the Members’ Council of VINATBA in 2018, and in 2020 he re-elected to be the Party Secretary of VINATABA in the new term).

7 PREVENTIVE MEASURES

(Summarize your evidence/ main points in questions 16-20)

The government has not put in place a procedure for disclosing the records of the interaction with the tobacco industry, nor adopted or implemented a code of conduct for public officials yet.

However, the Ministry of Health also have efforts in informing TI tactics and preventing the interaction with TI. In 2017, the Ministry of Health issued official dispatch No 6814/BYT-KCB to warn about PMI-funded Foundation for a Smoke-free World Foundation (FSFW) and call to not cooperate with FSFW. In 2021, the Ministry of Health issued official dispatch No. 5680/BYT-KCB to Health Departments of the provinces, cities and hospitals directly under the Ministry of Health on strengthening the implementation of the Law on Prevention and control of harmful effects of tobacco, and accelerating smoking cessation at medical facilities and disseminate information on the harmful effects of new tobacco products (e-cigarettes, heated cigarettes, shisha) and also suggested that units not cooperate with "Fund for a smoke-free world" of Philip Morris International to contribute to the implementation of Article 5.3.

The Ministry of Industry and Trade has a reporting regime and report forms for tobacco enterprises, tobacco supplier, tobacco distributors, wholesalers, and retailers. However, the government does not require the industry to submit information on TI’s marketing, lobbying and philanthropy.

VIETNAM

Tobacco Industry Interference Index 2023

Results and Findings

	0	1	2	3	4	5
INDICATOR 1: Level of Industry Participation in Policy-Development						
1. The government ¹ accepts, supports, or endorses any offer for assistance by or in collaboration with the tobacco industry or any entity or person working to further its interests. ² in setting or implementing public health policies in relation to tobacco control ³ (Rec 3.4)					4	

Collaboration between the government and tobacco companies in anti-smuggling policy development and enforcement is still in existence in both national and provincial level. For example:

a. NATIONAL LEVEL

- On 23/12/2021, the Standing Office of the National Steering Committee 389 had a working session with the Vietnam Tobacco Association (VTA) on the fight against tobacco smuggling.
 - At the meeting, Chief of the Standing Office of the Steering committee 389 highly appreciated the positive contributions of the Tobacco Association to the fight against cigarette smuggling.
 - The Vietnam Tobacco Association committed to promoting the coordination with the Standing Office in joint activities to fight against tobacco smuggling in the coming time and proposed that the Office of the Steering Committee 389 will cooperate with the Association in the policy amendment proposals, creating motivation to promote anti-smuggling work.⁴



(The meeting's scene)

- On 28/10/2021, in Hanoi, Japan Tobacco International (JTI) Vietnam Company cooperated with the Vietnam Chamber of Commerce and Industry (VCCI) organized the online seminar named

¹ The term “government” refers to any public official whether or not acting within the scope of authority as long as cloaked with such authority or holding out to another as having such authority

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

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

⁴ VTA. The Standing Office of the National Steering Committee 389 had a working session with the Vietnam Tobacco Association on the fight against tobacco smuggling (Văn phòng Thường trực Ban Chỉ đạo 389 làm việc với Hiệp hội Thuốc lá Việt Nam về công tác chống buôn lậu thuốc lá. 29 December 2021). | <https://vta.net.vn/tin-tuc-su-kien/van-phong-thuong-truc-ban-chi-dao-389-lam-viec-voi-hiep-hoi-thuoc-la-viet-nam-ve-cong-tac-chong-buon-lau-thuoc-la.html>

“Counterfeit, smuggled goods and commercial fraud: current situations, and Solutions”. The program was attended by leaders of management agencies, experts, associations, and businesses such as the Standing Office of the National Steering Committee 389; Vietnam Chamber of Commerce and Industry (VCCI); Vietnam Directorate of Market Surveillance; General Department of Vietnam Customs; Vietnam Association for Anti-Counterfeiting, and Trademark Protection (VATAP), Vietnam Tobacco Association (VTA), etc.

At the seminar, Ms. Julian, Anti-illicit trade operations manager at JTI Japan Tobacco International, stated that smuggled cigarettes and counterfeit cigarettes are still a growing threat, affecting the intellectual property rights of brands and consumers. Therefore, tightening sanctions and regulations is very urgent and necessary to ensure product quality for consumers’ needs.

Representative of tobacco manufacturing enterprises, Mr. Nguyen Triet, the General Secretary of the Vietnam Tobacco Association, stated: "The situation of cigarette smuggling in Vietnam has become more difficult to handle because cigarettes are light, easily transported can avoid tax, and bring high profit. Therefore, it can easily compete with domestic products. So if we are resolute and focus on combating illegal tobacco products, consumers will easily accept switching to legal cigarettes and that will increase the State's revenue."⁵



- On 29/11/2022, JTI Vietnam cooperated with the Vietnam Chamber of Commerce and Industry (VCCI), JTI Vietnam held a workshop: "Counterfeit, smuggled goods and commercial fraud: Current Situation and Solutions".

Attending the seminar were leaders and specialized experts from functional agencies, associations, and businesses, including the National Steering Committee 389, the Vietnam Directorate of Market Surveillance, the General Department of Vietnam Customs; the Vietnam Chamber of Commerce and Industry (VCCI), the Anti-Counterfeiting Department of Vietnam, and the Vietnam Standard and Consumers Association (VINASTAS) together with other organizations.

Mr. Clarke Adrian, Corporate Affairs Manager of JTI Vietnam called for “effectively educating retailers and consumers about the consequences of selling and buying illegal products” as a crucial part of the solution and that “consumers should be made aware of the penalties they will face for using illegal products and its impact on their health as well as on society.”

The General Secretary of the Vietnam Tobacco Association, Mr. Nguyen Triet, suggested that the authorities – especially the market management force - strengthen their control of the domestic market and regularly inspect the wholesale and retail establishments in order to promptly detect

⁵ An Nhen. Workshop: “Counterfeit, smuggled goods and commercial fraud: current situations, and Solutions” 01 November 2021.

(Hội thảo “Hàng giả, hàng nhập lậu và gian lận thương mại: thực trạng và giải pháp”). <https://thitruong365.com/hoi-thao-hang-gia-hang-nhap-lau-va-gian-lan-thuong-mai-thuc-trang-va-giai-phap>

cases of smuggled tobacco trading, strengthen the enforcement against violating organizations and individuals, and at the same time resolutely and thoroughly handle shops dealing in smuggled cigarettes and promote efforts to encourage businesses that say no to smuggled tobacco.⁶



(JTI Vietnam and Government's leaders and specialized experts at the workshop)

b. PROVINCIAL LEVEL

- Industry and Trade Magazine reported on 06/11/2022: During the year, Gia Lai Province's Department of Surveillance coordinated with the Vietnam Tobacco Association and British American Tobacco Vietnam (BAT) to organize a training program to carry out awareness program for all civil servants and officials of the Department, guiding the implementation of BAT's 555 cigarette brand authentication application on the Digimarc Discover App (on both iOS and Android operating systems), receiving and deploying to both the organizations and individuals trading in the area propaganda items and posters "Say no to smuggled cigarettes" against trading in smuggled cigarettes from the National Steering Committee 389.⁷

2. The government accepts, supports, or endorses <u>policies or legislation drafted</u> by or in collaboration with the tobacco industry. (Rec 3.4)					4
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No direct evidence about the Government accepting the offer of TI for assistance or accepting proposed tobacco control legislation or policy drafted by or in collaboration with TI was collected in this reporting period, but the MOIT has been developing and proposing a policy to allow piloting/legalizing HTPs in Vietnam which is pro TI recommendation. In addition, some policymakers provided speeches at workshops/talk shows/media events supporting the allowing ENDS/HTPs in Vietnam.

- According to news on E-Commerce Magazine to on 19 April 2022 and on the website of the Ministry of Information and Communications (MOIC) on 17 Nov 2022, the Vietnam Tobacco Association proposed to the Ministry of Industry and Trade to amend Decree 67 to establish a clear legal basis and strictly manage the new generation tobacco products on the Vietnamese market.

⁶ Duc Toan. Smuggling and commercial fraud 'still hot' (Buôn lậu và gian lận thương mại "vẫn nóng"). 05 Dec 2022.

<https://kinhtedothi.vn/buon-lau-va-gian-lan-thuong-mai-van-nong.html>

⁷ Vu Le. Gia Lai: Strengthen the prevention of trafficking, transportation and storage of smuggled cigarettes.(Tăng cường phòng chống buôn bán, vận chuyển, tàng trữ thuốc lá điều nhập lậu.) 06 November 2022. <https://congthuong.vn/gia-lai-tang-cuong-phong-chong-buon-ban-van-chuyen-tang-tru-thuoc-la-dieu-nhap-lau-227171.html>

Mr. Ho Le Nghia - Chairman of the Vietnam Tobacco Association suggested that "it is necessary to conduct a proper assessment and develop a legal framework before trialing new-generation cigarettes, creating a legal corridor for the supply of tobacco products. Today, new-generation cigarettes are being traded illegally in thousands of retail locations. The Vietnam Tobacco Association is also proposing the Ministry of Industry and Trade to amend Decree 67 to submit to the Prime Minister to establish a clear legal basis and strictly manage... new-generation tobacco products on the Vietnamese market."^{8,9}

- According to the news posted on the website of the Ministry of Information and Communications on 7/2022, the Department of Industry (Ministry of Industry and Trade) actively urges and gathers collective opinions through close consultations of the National Assembly agencies to report to the Prime Minister after July 2022 on the formulation of a new Decree to replace Decree 67/2013 on tobacco trading, reviewing state management policies for new-generation tobacco products.¹⁰

Under the draft Decree amending Decree No. 67/2013/ND-CP on tobacco trading of the Ministry of Industry and Trade (MOIT), the MOIT proposes: (i) Introducing some definitions of heated tobacco products, electronic cigarettes, tobacco heating devices, cigarette warmers, and e-cigarette solutions; (ii). Promulgating a resolution on a time-limited pilot for heated tobacco and proposing research and evaluation for the management of e-cigarettes as tobacco products.

- On 24/11/2022, Vietnam Law Newspaper, the Ministry of Justice held a workshop on "Addressing concerns concerns for the new-generation tobacco management".¹¹

Attending the workshop were the Director General of the Legal Department, Office of the Government; Deputy Director of Economic–Civil Legislation, Ministry of Justice; Deputy Director of the Department of Social Affairs, Office of the National Assembly; General Secretary of the Vietnam Tobacco Association; Head of the Law and Democracy Committee, Central Committee of Vietnam Fatherland Front; together with the representatives some related agencies, ministries, and industries.

All opinions provided that it is necessary to approve and regulate the new cigarettes. Many opinions suggested regulating the new-generation tobacco by amending Decree 67, specifically:

Speaking at the workshop, the Deputy Director of the Social Affairs Department, Office of the National Assembly suggested that the Ministry of Industry and Trade should coordinate with relevant ministries to provide a draft Decree amending Decree 67/2013/ND-CP dated June 27, 2013, detailing various articles and measures to implement the Law on Prevention and Control of Tobacco Harms on tobacco trading.

Deputy Head of Standards and Quality Division on Food and Agriculture, Vietnam Standards and Quality Institute, Directorate for Standards, Metrology and Quality, Ministry of Science and Technology of Vietnam, provided that a heated tobacco product is a cigarette made from tobacco that has a separate heating device, which can be identified as another form of tobacco.

The Ministry of Science and Technology agreed with the proposal of the Ministry of Industry and Trade that the management of heated cigarettes should comply with the Law on Prevention of Tobacco Harms and the current legal documents.

⁸ MIC. The arduous fight against smuggled tobacco (Gian nan cuộc chiến chống thuốc lá lậu). 27 November 2022.

<https://m.mic.gov.vn/pcthtl/Pages/TinTuc/156402/Gian-nan-cuoc-chien-chong-thuoc-la-lau.html>

⁹ E-Commerce Magazine. Find solutions to prevent smuggled cigarettes (Tìm giải pháp ngăn chặn thuốc lá nhập lậu.) 19 April 2022. <https://tapchicongthuong.vn/bai-viet/tim-giai-phap-ngan-chan-thuoc-la-nhap-lau-88162.htm>

¹⁰ MIC. The Ministry of Industry and Trade is closely monitoring the progress of new tobacco products. (Bộ Công thương đang theo sát tiến độ quản lý thuốc lá thế hệ mới). 27 November 2022.

<https://m.mic.gov.vn/pcthtl/Pages/TinTuc/156720/Bo-Cong-thuong-dang-theo-sat-tien-do-quan-ly-thuoc-la-the-he-moi.html>

¹¹ Lao động Thủ đô. There should be a legal corridor soon to manage new tobacco products (Cần sớm có hành lang pháp lý để quản lý thuốc lá thế hệ mới.)24 November 2022. <https://laodongthudo.vn/can-som-co-hanh-lang-phap-ly-de-quan-ly-thuoc-la-the-he-moi-149158.html>

Deputy Director of Economic–Civil Legislation, Ministry of Justice, said that the definition of tobacco is relatively open in the Law. Thus, new-generation tobacco products may fall under the definition of tobacco in the Law on Prevention and Control of Tobacco Harms. Mr. Hai assessed: “Through studying the Law on Prevention and Control of Tobacco Harms, besides coordinating with relevant agencies to study, the Ministry of Industry and Trade can add content on new generation tobacco management, including amending and supplementing Decree 67 to meet the management requirements.”



(The Workshop’s scene)

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			3		
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➤ On 13/4/2022 in Ho Chi Minh City, the Vietnam Tobacco Association (VTA) organized a workshop on "Anti-tobacco smuggling: Current situation and solutions" to update the latest information on the situation of tobacco smuggling and propose solutions to effectively improve the situation of tobacco smuggling.

Attending the workshop there were the representatives of the Government Office, specialized agencies of the National Assembly, the Ministry of Industry and Trade, the Ministry of Finance, the Ministry of Health, the Ministry of Justice, and the National Steering Committee for Anti-smuggling, Counterfeit Goods and Trade Fraud (the National Steering Committee 389), Vietnam Directorate of Market Surveillance, Border Guard, Economic Police, VTA leadership and member enterprises.

At the Workshop, VTA and the delegates proposed: (1) strengthen the awareness program to educate consumers, small traders, and distributors not to participate in smuggling lines; (2) more resources required to tighten border checks and monitor markets in these provinces; (3) deduct a part of the funds from the Tobacco Harm Prevention Fund for the prevention of smuggled tobacco; (4) suggest the Government to come up with a solution to work with Cambodia to solve the situation of smuggled tobacco from Cambodia to Vietnam. For excise tax, businesses have proposed to postpone the raise of excise tax, expected the Government to consider an

appropriate roadmap in line with the orientation scheme of the law-making program for the 15th National Assembly term, which the tax increases should only be considered from 2024 onwards.¹²



(The Conference's scene)

- On 09/08/2022, at the Hilton Opera Hanoi Hotel, Vietnam Tax Consultants' Association (VTCA) cooperated with Vietnam Chamber of Commerce and Industry (VCCI) to organize the seminar: “Special consumption Tax - Harmonizing state budget revenue regulation and business development.

Speaking at the seminar, Mr. Ho Le Nghia - Chairman of Vietnam Tobacco Association:

- Suggested that the functional authorities shall learn to come up with a roadmap for tax increase, the appropriate level of excise tax on tobacco products due to the fact that the Vietnamese market has many different price segments, avoiding creating opportunities for smuggled cigarettes to increase consumption, leading to tax revenue loss.
- Functional Authorities to study to come up with a roadmap for tax increase, the appropriate level of excise tax on tobacco products due to the fact that the Vietnamese market has many different price segments, avoiding opening up opportunities for smuggled tobacco to increase consumption, leading to tax revenue loss.
- Request the State and relevant agencies to apply stronger and more drastic measures and use a part of the funds from the Tobacco Harm Prevention to promote the fight against smuggled tobacco, thereby increasing revenue from the legal tobacco industry, instead of accelerating tax increases and imposing new levies on legal tobacco products.
- Mr. Young Jae Song - General Director of BAT - Vinataba Joint Venture Company also shared that special consumption tax SCT should not be leveled up in the next 1-2 years, and suggested that the State consider a reasonable roadmap with steady raise, avoid a shock increase which could cause instability to the market, the business environment or add up the illicit cigarettes as well as social security problems.¹³

¹² VTA. Prevention-smuggling: Need synchronous and effective solutions (Chống thuốc lá lậu: Cần những giải pháp đồng bộ và hiệu quả.)25 April 2022. <https://vta.net.vn/tin-tuc-su-kien/chong-thuoc-la-lau-can-nhung-giai-phap-dong-bo-va-hieu-qua.html>

¹³ Financial magazine Online. Increasing excise tax: Harmonizing state budget revenue regulation and business development (Tăng thuế tiêu thụ đặc biệt: Hải hòa giữa điều tiết nguồn thu ngân sách Nhà nước và phát triển sản xuất kinh doanh.), 15 August 2022. <https://tapchitaichinh.vn/hai-hoa-giua-dieu-tiet-nguon-thu-ngan-sach-nha-nuoc-va-phat-trien-san-xuat-kinh-doanh.html>



(The Seminar's scene)



(Mr. Young Jae Song - General Director of BAT delivered his speech)

- On 27/04/2022, the Market Management Department of Tien Giang Province coordinated a training conference with the Representative Office of BAT on the prevention and control of smuggled and counterfeit cigarettes and how to recognize genuine products. Attending the conference were representatives of the Vietnam Tobacco Association, BAT, the Police Department that investigates crimes related to corruption, economy, smuggling, the Provincial Police and the officers of this unit who are members of the Youth Union, 389/TG inter-sectoral inspection, officials of the Information Management Department of Tien Giang province and reporters of Ap Bac Newspaper, Radio and Television Station of Tien Giang province.¹⁴



The training Meeting

4. The government nominates or allows representatives from the tobacco industry (including State-owned) in the delegation to the COP or other subsidiary bodies or accepts their sponsorship for delegates. (i.e. COP 4 & 5, INB 4 5, WG)¹⁵ (Rec 4.9 & 8.3)

For non-COP year, follow the previous score of COP year. For non-Parties, apply a score of '0'

1

The Vietnam government delegation did not include any representatives of the tobacco industry in their delegation for COP9 in 2021. There was no COP in this reporting period.

INDICATOR 2: Industry CSR activities

5. A. Government agencies or their officials endorse, support, form partnerships with or participates in activities of the tobacco industry

5

¹⁴ Vietnam Directorate of Market Surveillance (Web Portal). Training on prevention and control of smuggled and counterfeit cigarettes in Tien Giang. 28 April 2022. <https://dms.gov.vn/tin-chi-tiet/-/chi-tiet/tien-giang-tap-huan-ve-cong-tac-phong-chong-thuoc-la-lau-thuoc-la-gia-va-cach-nhan-biet-san-pham-chinh-hang-45218-5.html>

¹⁵ Please annex a list since 2009 so that the respondent can quantify the frequency, <http://www.who.int/fctc/cop/en/>

	0	1	2	3	4	5
described as “socially responsible” or “sustainable”. For example, environmental programs. (Rec 6.2)						
B. The government (its agencies and officials) receives CSR contributions ¹⁶ (monetary or otherwise, including CSR contributions) from the tobacco industry or those working to further its interests during the pandemic. (Rec 6.4)						
NOTE: exclude enforcement activities as this is covered in another question						

a. TI's CSR at NATIONAL LEVEL

- On 05/06/2021, at the launching event of the Covid-19 vaccine Fund, Vietnam National Tobacco Corporation (Vinataba) has donated 100 billion VND to the Fund. Previously, leaders of the Corporation had already contributed VND 300 million (\$13,051), 1,000 sets of medical protective clothing and two sterilization chambers to support the staff and doctors of Bach Mai Hospital in the fight against COVID-19.¹⁷



(Vinataba donated 100 billion VND to the Covid-19 vaccine Fund)

- On 07/06/2021, Saigon Tobacco Company: Donated VND 500 million to the prevent and control work of the Covid-19 epidemic.¹⁸
- Bnews reported on 13/12/2021: From the beginning of the year to 13/12/2021, the Vietnam Tobacco Corporation (VINATABA) has contributed and supported social activities with an amount of more than 130 billion VND.¹⁹
- On 14/1/2022, Mr. Nguyen Huu Kien – Director of Thang Long Tobacco Company on behalf of the Board of Directors of the Company attended the Ceremony of Issuing and presenting 2,500 People's Newspapers for the Spring Nham Dan 2022 to officials and soldiers working day and

¹⁶ political, social financial, educations, community, technical expertise or training to counter smuggling or any other forms of contributions

¹⁷ Linh Dan. Vietnam National Tobacco Corporation (Vinataba) has donated 100 billion VND to the Covid-19 vaccine Fund. (Vinataba ủng hộ 100 tỷ đồng vào Quỹ vaccine phòng chống COVID-19). 07 June 2021.

<https://baochinhphu.vn/vinataba-ung-ho-100-ty-dong-va-quy-vaccine-phong-chong-covid-19-102293763.htm>

¹⁸ Vietnamese Fatherland Front Ho Chi Minh City. Quỹ vaccine phòng COVID-19: Phát huy tinh thần xung kích của người dân và doanh nghiệp TPHCM. 08 June 2021. <http://mattran.org.vn/hoat-dong-mat-tran-dia-phuong/quy-vaccine-phong-covid-19-phat-huy-tinh-than-xung-kich-cua-nguoi-dan-va-doanh-nghiep-tphcm-38087.html>

¹⁹ Tran Trung. the Vietnam Tobacco Corporation has contributed and supported social activities with an amount of more than 130 billion VND (Vinataba ủng hộ hơn 130 tỷ đồng cho các hoạt động xã hội.) 13 December 2021. <https://bnews.vn/vinataba-ung-ho-hon-130-ty-dong-cho-cac-hoat-dong-xa-hoi/224589.html>

night in the mission of protecting the Fatherland in the border areas and islands. Attending the ceremony were Mr. Le Quoc Minh – Member of the Party Central Committee, Editor-in-Chief of Nhan Dan Newspaper, Deputy Head of the Central Propaganda Department, Chairman of the Vietnam Journalists Association; Editorial Board of Nhan Dan Newspaper; representative of the General Department of Polit-cs of the Vietnam People's Army; Naval Command; Communications Command; Coast Guard Command; Border Guard Command; Military Region I Command; Command of Military Region II; representatives of ministries, departments, and corporations.²⁰



(The Ceremony of Issuing and presenting 2,500 People's Newspapers for the Spring Nham Dan 2022 to officials and soldiers working in the mission of protecting the Fatherland in the border areas and islands)

- According to the news on Vinataba web portal, in 2022, Saigon Tobacco Company has carried out many social works with a total amount of up to 6.2 billion VND, including: taking care of 02 heroic Vietnamese mothers, 5 seriously wounded soldiers with an allowance from 1-2 million VND per month the level; gift giving on holidays and Tet from 500,000 VND to 1,000,000 VND); Built 36 houses of gratitude, 04 houses of compassion; Funded for the implementation of the Wave and computer program campaign for children, the project to build a kindergarten in Nghe An province, etc.²¹
- To celebrate the 2023 Lunar New Year, Nhan Dan Newspaper cooperated with Thang Long Tobacco Company and other units, giving nearly 30,000 newspapers of the Lunar New Year 2023 to border and island officers and soldiers.²²

²⁰ Trung Hieu. Thang Long Tobacco Company Issuing and presenting 2,500 People's Newspapers. (Công ty Thuốc lá Thăng Long trao tặng bộ đội biên giới, hải đảo 2500 tờ báo Nhân Dân Xuân Nhâm Dần 2022..). 14/1/2022

<http://www.thanglongtabac.vn/cong-ty-thuoc-la-thang-long-trao-tang-bo-doi-bien-gioi-hai-dao-2500-to-bao-nhan-dan-xuan-nham-dan-2022/>

²¹ VINATABA. Trade Union of Saigon Tobacco Company: Standing side by side, accompanying workers (Công đoàn Công ty Thuốc lá Sài Gòn: Sát cánh, đồng hành cùng người lao động.) 07 December 2022.

<https://www.vinataba.com.vn/2022/12/07/cong-doan-cong-ty-thuoc-la-sai-gon-sat-canhh-dong-hanh-cung-nguoi-lao-dong/>

²² Trung Hung – Van Toan. Nhan Dan Newspaper cooperated with Thang Long Tobacco Company and other units, giving nearly 30,000 newspapers of the Lunar New Year 2023 to border and island officers and soldiers (Báo Nhân Dân trao gần 30 nghìn tờ báo Tết Xuân Quý Mão 2023 tặng cán bộ, chiến sĩ biên giới, hải đảo.) 30 December 2022.

<https://nhandan.vn/bao-nhan-dan-trao-gan-30-nghin-so-bao-tet-xuan-quy-mao-2023-tang-can-bo-chien-si-bien-gioi-hai-dao-post732532.html>

b. TI'CSR AT PROVINCIAL LEVEL

- On 10/06/2021, the Kien Giang Provincial Youth Union in collaboration with the Vietnam Tobacco Association and My Chieu Aerobic & Fitness Club in Rach Gia city organized a visit and sent gifts to the disease control stations on the border line of Giang Thanh district and Ha Tien city with a total value of nearly 100 million VND, including some necessities and medical supplies in the prevention of Covid-19 epidemic.²³
- On 8/10/2021, Thang Long Tobacco Company Limited (Thang Long Tobacco Company) donated VND 200 million to the Quoc Oai district's study promotion fund and 25 sets of Omron HEM-7156 and 20 bottles of 40 litres of oxy to the District' Health Centre.²⁴



(Thang Long Tobacco Company donated VND 200 million to the Quoc Oai district's study promotion fund)



(Thang Long Tobacco Company donated 25 sets of Omron HEM-7156 and 20 bottles of 40 litres of oxy to the District' Health Centre)

- On 8/12/2021, Cuu Long Tobacco Company Limited together with Nghe An Provincial Martyrs' Family Support Association cooperated with Quynh Luu district to give an amount of VND 100 million to 2 families of martyrs' relatives in Quynh Luu district.²⁵
- On 14/1/2022, leaders of Thang Long Tobacco Company and leaders of Quoc Oai district visited and wished the Vietnamese heroic Mother and people with meritorious services in the district a happy Tet.²⁶
- On 19/1/2022, Vinh Long City Women's Union in cooperation with Ward 9 Women's Union to present a house "Shelter of love" to member Le Hoang Mai (living in cluster 5), a poor local household. The house is worth VND 50,000,000 sponsored by the City Women's Union campaign by Cuu Long Tobacco Company Limited.²⁷
- The portal of Tan Yen district, Bac Giang province reported on February 28/02/2022 that: Tan Trung Commune People's Committee coordinated with Saigon Tobacco Company to give gratitude houses to 2 wounded soldiers in the commune. Attending the event were Mr. Pham Trong Y - Head of the Department of People with meritorious services, Department of Labour,

²³ Tien Dung. The young people are also involved in the crime, mourning through the measures to prevent the COVID-19 pandemic. (Doan thanh nien cong an tinh tham, tang qua cac chot phong chong dich COVID-19). 11 June 2021.

<https://congan.kiengiang.gov.vn/Trang/TinTuc/ChiTiet.aspx?nid=2973&chuyenmuc=143>

²⁴ Phuong Nga. Thang Long Tobacco Company Limited donated VND 200 million to the Quoc Oai district's study promotion fund (Công ty Thuốc lá Thăng Long hỗ trợ 200 triệu đồng cho quỹ khuyến học huyện Quốc Oai. 08 October 2021. <https://kinhthedoithi.vn/cong-ty-thuoc-la-thang-long-ho-tro-200-trieu-dong-cho-quy-khuyen-hoc-huyen-hoc-quoc-oai.html>

²⁵ Thu Huong. Giving 100 million VND to support the construction of houses of gratitude for relatives of martyrs in Quynh Luu (Trao 100 triệu đồng hỗ trợ xây nhà tình nghĩa cho thân nhân liệt sĩ ở Quỳnh Lưu). 08 December 2021. <https://baonghean.vn/trao-100-trieu-dong-ho-tro-xay-nha-tinh-nghia-cho-than-nhan-liet-si-o-quynh-luu-post247763.html>

²⁶ Tran Trung. Vinataba supports more than 130 billion VND for social activities (Vinataba ủng hộ hơn 130 tỷ đồng cho các hoạt động xã hội). 13 December 2021. <https://bnews.vn/vinataba-ung-ho-hon-130-ty-dong-cho-cac-hoat-dong-xa-hoi/224589.html>

²⁷ Nguyen Khanh. Give charity houses for women member (Trao nhà "Mái ấm tình thương" cho hội viên phụ nữ). 19 January 2021. <https://baovinhlong.com.vn/xa-hoi/202201/trao-nha-mai-am-tinh-thuong-cho-hoi-vien-phu-nu-3099741/#.ZDEwQXZBw2z>

Invalids and Social Affairs, representatives of the Party Committee and People's Committee of Tan Trung Commune.²⁸

- On the morning of May 21, 2022, the Farmers' Association of Ben Tre province coordinated with Saigon Tobacco Company to organize the handover of a 'house of love'. Attending the handover ceremony were Mr. Tran Duong Thuan - Vice Chairman of the Provincial Farmers' Association, Mr. Duong Thanh Tan - Deputy Manager of the Counseling Workshop of Saigon Tobacco Company and the grandparents in the delegation accompanied by a standing delegate. Party Committee, People's Committee, Vietnam Fatherland Front Committee and mass Minh Duc commune union, Mo Cay Nam district.²⁹
- In the afternoon of 7/6/2022, the Central Committee of the Vietnam Study Promotion Association, the Education Promotion Association of Phu Tho province and the sponsor organized a program to provide gifts to poor students and students with extremely difficult circumstances within the Thanh Ba district. At the event, the sponsor, Thang Long Tobacco Company, gave a total of 70 gifts to 70 poor and disadvantaged students of Thanh Ba district with a total amount of 70 million VND.³⁰



(Presenting gifts to poor students and students with extremely difficult circumstances within the Thanh Ba district)

- The Industry and Trade Newspaper reported on 30/06/2022: Together with the Central Vietnam Study Promotion Association and the Phu Tho Provincial Study Promotion Association, Thang Long Tobacco Company visited 3 districts of Phu Tho province (Ha Hoa, Cam Khe and Thanh Ba) giving gifts to the poor students to encourage, cheer up and encourage them, acknowledge their achievements and efforts to shine up in their studying. Thang Long Tobacco Company also donated 70,000,000 VND to the poor students in Cam Khe District. Besides, Thang Long

²⁸ Thanh Tam. Saigon Tobacco Company supports to build houses for families with meritorious services to the Revolution (Công ty Thuốc lá Sài Gòn hỗ trợ làm nhà ở cho gia đình có công với Cách mạng). 28 February 2022. https://tanyen.bacgiang.gov.vn/chi-tiet-tin-tuc/-/asset_publisher/6uGI1TGL0i2d/content/cong-ty-thuoc-la-sai-gon-ho-tro-lam-nha-o-cho-gia-inh-co-cong-voi-cach-mang

²⁹ Tran Thi Treo. Farmers Association of Ben Tre province cooperated with Saigon Tobacco Company to hand over the charity houses (Hội Nông dân tỉnh Bến Tre phối hợp Công ty Thuốc lá Sài Gòn bàn giao nhà tình thương). 23 May 2022. <http://hoionongdanbentre.org.vn/content/hoi-nong-dan-tinh-ben-tre-phoi-hop-cong-ty-thuoc-la-sai-gon-ban-giao-nha-tinh-thuong>

³⁰ Hai Minh – Quang Manh. Presenting gifts to poor students and students with extremely difficult circumstances in Thanh Ba district (Trao quà cho học sinh nghèo, học sinh có hoàn cảnh đặc biệt khó khăn tại huyện Thanh Ba). 07 June 2022. <https://thanbaphutho.gov.vn/tin-tuc-su-kien/bai-viet/cat/van-hoa-xa-hoi-1707/id/trao-qua-cho-hoc-sinh-ngheo-hoc-sinh-co-hoan-canh-dac-biet-kho-khan-tai-huyen-thanh-ba-95447>

Tobacco Company has donated VND 100,000,000 to the Vietnam Study Promotion Association Fund.³¹

- On 13/7/2022, the Saigon Tobacco Company and the Memories of the Soldiers broadcasting team presented the house of shelter to the Veterans and Invalids Nguyen Kim Thoa in Phuong Vi commune, Cam Khe district, Phu Tho province. Attending the inauguration ceremony were the Head of the Steering Committee for Book Works, Deputy Head of the Steering Committee Lieutenant General, Secretary of the Party Committee, Chairman of the People's Committee of Phuong Vi Commune, Chairman of People's Committee of Commune and comrades Chairman of Fatherland Front Committee, Chairman of Veterans Association, Elderly Association of Phuong Vi Commune, Veterans Volunteer soldiers in Hanoi and Phu Tho province, 5th Division Veterans Liaison Department.³²
- Bac Giang Newspaper reported on 24/07/2022: The Veterans' Traditional Liaison Board (CCB) of the Southeastern Liberation Army of Bac Giang province have coordinated altogether to organize the inauguration ceremony and handed over funds to build a house of love for member Tran Dinh Tan (SN 1953) in Den Co village, Tam Hiep commune (Yen The). After about 3 months of construction, the 120 sqm 1-storey-house with corrugated iron roof, costing over 550 million VND, was basically completed. In this project, the Saigon Tobacco Company Limited - Ho Chi Minh branch supported VND 50 million.³³
- On the same day of 24/07/2022, the Industry and Consumption Magazine reported that the Thanh Hoa Tobacco Limited Company has awarded VND 200 million to the Covid-19 prevention and control fund of Ha Trung district.³⁴
- On the occasion of the 75th anniversary of the Invalids and Martyrs' Day (27/07/1947 - 27/07/2022), the VINATABA has organized a visit and gave gratitude gifts to the wounded comrades in Danang city, Vietnam.³⁵
- On 5/9/2022, the Youth Branch of Khatoco Tobacco Factory Khanh Hoa, Phu Yen and Youth Branch of Khatoco Raw Tobacco Company presented gifts to students of Vinh Tuong primary school, Kim Vang primary school - Tuy Hoa City, Kim Dong Primary School - EA Sup district.³⁶

³¹ Kim Chi. Thang Long Tobacco Company: Bringing love to poor and studious students in Phu Tho (Công ty Thuốc lá Thăng Long: Mang yêu thương đến với học sinh nghèo hiếu học tại Phú Thọ). 30 June 2022. <https://congthuong.vn/cong-ty-thuoc-la-thang-long-mang-yeu-thuong-den-voi-hoc-sinh-ngheo-hieu-hoc-tai-phu-tho-181577.html>

³² Ký ức người lính. Presenting the gratitude house of the soldier's memory communication center and the Saigon tobacco company to CCB, wounded soldier Nguyen Kim Thoa in Phuong Vi commune, Cam Khe district, Phu Tho province (Trao nhà nghĩa tình đồng đội của trung tâm truyền thông ký ức người lính và công ty thuốc lá Sài Gòn tặng CCB, thương binh Nguyễn Kim Thoa ở xã Phương Vi, huyện Cẩm Khê, tỉnh Phú Thọ). 14 July 2022. <https://www.kyucnguolinh.vn/trao-nha-nghia-tinh-dong-doi-cua-trung-tam-truyen-thong-ky-uc-nguoi-linh-va-cong-ty-thuoc-la-sai-gon-tang-ccb-thuong-binh-nguyen-kim-thoa-o-xa-phuong-vi-huyen-cam-khe-tinh-phu-tho-119.html>

³³ Mac Yen. Bắc Giang: Handing over house of gratitude to veteran Tran Dinh Tan (Bàn giao nhà tình nghĩa cho cựu chiến binh Trần Đình Tấn). 24 July 2022. <http://baobacgiang.com.vn/bg/quoc-phong/387911/bac-giang-ban-giao-nha-tinh-nghia-cho-cuu-chien-binh-tran-dinh-tan.html>

³⁴ Minh Phuong. Thanh Hoa Tobacco Company Limited: Overcoming challenges, fulfilling production and business targets (Công ty TNHH MTV Thuốc lá Thanh Hoá: Vượt qua thách thức, hoàn thành tốt chỉ tiêu sản xuất, kinh doanh). 24 July 2022. <http://www.congnghieptieudung.vn/cong-ty-tnhh-mtv-thuoc-la-thanh-hoa-vuot-qua-thach-thuc-hoan-thanh-tot-chi-tieu-san-xuat-kinh-doanh-dt38667>

³⁵ Công Thương. Vinataba visits and gives gifts to seriously wounded soldiers on Invalids and Martyrs' Day on July 27 (Vinataba thăm và tặng quà thương binh nặng nhân ngày Thương binh Liệt sĩ 27/7). 06 August 2022. <https://tapchicongthuong.vn/bai-viet/vinataba-tham-va-tang-qua-thuong-binh-nang-nhan-ngay-thuong-binh-liet-si-27-97616.htm>

³⁶ Kieu Huong. Trade Union of Khanh Viet Corporation gives 820 gifts to students with difficult circumstances (Công đoàn Tổng công ty Khánh Việt tặng 820 phần quà cho các em học sinh có hoàn cảnh khó khăn). 06 September 2022. <https://baokhanhhoa.vn/xa-hoi/202209/cong-doan-tong-cong-ty-khanh-viet-tang-820-phan-qua-cho-cac-em-hoc-sinh-co-hoan-canhh-kho-khan-8262030/>



(Khatoco Tobacco Company presented gifts to students of Kim Dong Primary School - EA Sup district)

- Dong Nai Newspaper reported on 9/9/2022: Xuan Loc Province Labor Confederation in collaboration with Xuan Hung Commune People's Committee and Suoi Cao (Dong Nai province) organized the handing over of 2 houses of compassion to 2 near-poor households. in the commune. 2 houses with a construction cost of 120 million VND were mainly funded by the district Labor Confederation of BAT - Vianataba Tobacco Joint Venture Company.³⁷
- Vnexpress newspaper reported on 19/9/2022: Gaia Nature Conservation Center have cooperated with the British American Tobacco Vietnam (BAT) to take actions on climate change. The two units planed to greenen 4 hectares of forest in Dong Nai cultural nature reserve and 120 hectares in Ca Mau cape national park, towards 2025. In the first year of implementation (2022), British British American Tobacco Vietnam (BAT) and Gaia Nature Conservation Center said they will complete planting 2 hectares in Dong Nai cultural nature reserve and 40 hectares in Ca Mau Cape national park.³⁸

³⁷ Le Tung. Everywhere in the province on September 9, 2022 (Khắp nơi trong tỉnh ngày 9-9-2022.) 09 September 2022. <http://www.baodongnai.com.vn/tintuc/202209/khap-noi-trong-tinh-ngay-9-9-2022-3134113/>

³⁸ The Dan. BAT Vietnam and Gaia together cover more than 120 hectares of forest (BAT Việt Nam và Gaia cùng phủ xanh hơn 120 ha rừng). 19 September 2022. <https://vnexpress.net/bat-viet-nam-va-gaia-cung-phu-xanh-hon-120-ha-rung-4512068.html>



(BAT's employees planted trees in Ca Mau)

- On 29/10/2022, the Trade Union of Van Bao Workshop (PXVB) Saigon Tobacco Company handed over the house of compassion that worth VND 50,000,000 to Mrs. Vo Thi Bac's family in Phuoc Hoa hamlet, Thanh Trieu commune, Chau Thanh district, Ben Tre province - The family has 3 Martyrs (Father and 2 Brother-in-laws).³⁹
- Saigon Tobacco Company webportal reported⁴⁰:
 - On 01/11/2022, the Trade Union of Saigon Tobacco Company attended the inauguration ceremony of "Rural concrete bridge" at hamlet 6, An Truong commune, Cang Long district, Tra Vinh province with a total construction cost of 134,680,000 VND, mobilized from the social charity fund contributed by the staff of the Department of Professional Affairs;
 - On 19/11/2022 Saigon Tobacco Company cooperated with local authorities to organize handover ceremony of house of compassion worth VND 50,000,000 to Mr. Le Van Quan's family - son of Martyr Le Van Chung, were living in hamlet 4, An Truong commune, Cang Long district, Tra Vinh province;
 - On 24/11/2022, the Military Command of Saigon Tobacco Company and other units of the competing cluster No. 11 on "Building a new countryside" under the Ho Chi Minh City High Command organized the handing over ceremony of a house of compassion to the household of Mrs. Tran Thi My Hanh, lived in Binh My commune, Cu Chi district;
 - On 18/11/2022, the Professional Union of Saigon Tobacco Company cooperated with the Logistics Branch and the Electromechanical Workshop Branch to organize the program "For juniors in 2022" at Huynh Anh Primary School. Van Banh - Hamlet 6, Vinh Loc commune, Binh Chanh district, presented 57 gifts and scholarships to studious students with difficult circumstances and a drum set for the school Union. The total cost of the program is more than 65 million VND.
- Also on the occasion of Lunar New Year 2023, from January 9-11, 2023, Khanh Viet Corporation (Khatoco) with the participation of Khatoco Tobacco Material Company presented 1,300 Tet gifts with a total budget of 390 million dong, for disadvantaged households and poor patients being treated at Khanh Hoa Provincial General Hospital. In addition, on this occasion, Khatoco

³⁹ Vinataba Sai Gon. Volunteer activities - The beauty of Vinataba Saigon's culture (Hoạt động thiện nguyện - Nét đẹp trong văn hóa của Vinataba Saigon). <http://saigontabac.com.vn/tin-tuc/hoat-dong-thien-nguyen-net-dep-trong-van-hoa-cua-vinataba-saigon.htm>

	0	1	2	3	4	5
Trade Union has deducted from the Social Fund from this charity to support the charity kitchen of Khanh Hoa Provincial General Hospital 60 million dong, ⁴⁰						
INDICATOR 3: Benefits to the Tobacco Industry						
6. The government accommodates requests from the tobacco industry for a longer time frame for implementation or postponement of tobacco control law. (e.g. 180 days is common for PHW, Tax increase can be implemented within 1 month) (Rec 7.1)	0					
No incident was recorded of the government accommodating any requests from the tobacco industry for a longer time frame for implementation of tobacco control law.						
7. The government gives privileges, incentives, tax exemptions or benefits to the tobacco industry (Rec 7.3)			2			
<ul style="list-style-type: none"> ➤ Vietnam's Ministry of Industry and Trade (MoIT) has issued Circular No. 06/2022/TT-BCT specifies import quotas for rice and dried tobacco leaves originating from Cambodia that are entitled to special preferential import tax rates in Vietnam for the two years. The total import tariff quotas in 2021 and 2022 from Cambodia for dried tobacco leaves is 3,000 tons per year. Circular No. 06/2022/TT-BCT will take effect from April 15 to the end of December 2022. While the above import tariff quotas for 2022 are applied to declarations registered with the customs authority from January 1, 2022 to the end of December 31, 2022.^{41,42} ➤ Khatoco Tobacco Factory has a plan to relocate from residential areas in the inner city of Nha Trang since 2007. However, the locality from time to time extended the land use period in this tobacco factory area for various reasons. On February 25, 2022, Khanh Hoa Provincial People's Committee said that it had just agreed to extend the time to relocate Khatoco Tobacco Factory of Khanh Viet - Khatoco Corporation to Trang E I Industrial Complex before December 31, 2023. Over the past 16 years, people in Vinh Nguyen and Vinh Truong wards (Nha Trang city, Khanh Hoa province) repeatedly petitioned to move Khatoco Tobacco Factory out of residential areas because of environmental pollution.⁴³ ➤ According the Decree No 134/2016/NĐ-CP dated 01/09/2016 on Guidelines for the Law on export and import duties: International travellers coming into Vietnam can bring in duty free 200 cigarettes, or 20 cigars or 250 grams of tobacco. ⁴⁴ 						
INDICATOR 4: Forms of Unnecessary Interaction						
8. Top-level government officials (such as President/ Prime Minister or Minister ⁴⁵) 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)						5
a. NATIONAL LEVEL:						

⁴⁰ Kieu Huong. Khatoco gives 1,300 Tet gifts to people in difficult circumstances (Khatoco tặng 1.300 phần quà Tết cho người dân có hoàn cảnh khó khăn). 12 January 2023. <https://khatoco.com/tin-tuc/trach-nhiem-xa-hoi/khatoco-tang-1-300-phan-qua-tet-cho-nguoi-dan-co-hoan-canhh-kho-khan/>

⁴¹ Bao Ngoc. Conditions for importing rice, dried tobacco leaves from Cambodia with special tax rates (Điều kiện nhập khẩu gạo, lá thuốc lá khô từ Campuchia với thuế suất ưu đãi đặc biệt.) 09 March 2022. <https://lawnet.vn/thong-tin-phap-luat/khac/dieu-kien-nhap-khau-gao-la-thuoc-la-kho-tu-campuchia-voi-thue-suat-uu-dai-dac-biet-100682.html>

⁴² Nhân dân. Tariff quotas for rice, dried tobacco imported from Cambodia announced. 10. April 2022.

<https://en.nhandan.vn/tariff-quotas-for-rice-dried-tobacco-imported-from-cambodia-announced-post112969.html>

⁴³ Lu Ho. Khanh Hoa province gives reasons for extending the relocation of tobacco factories that pollute residential areas (Tỉnh Khánh Hòa nêu lý do gia hạn di dời nhà máy thuốc lá gây ô nhiễm khu dân cư). 25 February 2023.

<https://tienphong.vn/tinh-khanh-hoa-neu-ly-do-gia-han-di-doi-nha-may-thuoc-la-gay-o-nhiem-khu-dan-cu-post1512924.tpo>

⁴⁴ Decree No 134/2016/NĐ-CP of the Government on Detailing some articles and enforcement measures of the Import tax and Export tax Law, 1 September 2016

⁴⁵ Includes immediate members of the families of the high-level officials

- On 22/09/2021, Vietnam President had meetings with the US-ASEAN Business Council (USABC), the American Chamber of Commerce (Amcham), the United States Chamber of Commerce (USCC), McLarty, Business Council for International Understanding (BCIU) and Leaders of multinational businesses and corporations including Philip Morris. At the meeting, President Nguyen Xuan Phuc highly appreciated the role of US associations and businesses in promoting US businesses to do business and invest in Vietnam over the years. The President highly appreciated BCIU's efforts and role in promoting the interest of US businesses and investors in the business and investment environment in Vietnam.

BCIU was founded in 1955 as a non-profit organization made up of policy experts, strategic advisors, and trade educators. The BCIU provides private trade diplomacy services to leading governments and organizations around the world, from Fortune 100 companies to global investors and multilateral institutions.

The BCIU was mentioned in the Philip Morris Sustainability Report (PMI) in 2017 as a grantee: the BCIU is financially supported by PMI and the Panama Coalition Against Illicit Traffic France. In March 2021, BCIU in partnership with PMI organized the event AFRICA: An Online Discussion on Combating Illegal Financial Flows in Africa.⁴⁶

- On the afternoon of 12/07/2022, in Hanoi, Chairman of the Committee for Management of State Capital at Enterprises, had a meeting and worked with the delegation of Philip Morris International Group (PMI) led by Ms. Stacey Kennedy – President of South and Southeast Asia PMI. Also in attendance were Chairman of the Board of Members of Vinataba Ho Le Nghia and Deputy General Director, Chairman of Vinataba - Philip Morris Joint Venture Company Limited (VPM) Nghiem Xuan Toan.⁴⁷



(The meeting's scene)



(Ms. Stacey Kennedy – President of South and Southeast Asia PMI speached at the meeting)

- On the morning of 27/1/2023, on the occasion of the Lunar New Year, the delegation of the Committee for the Management of State Capital at Enterprises led by Vice Chairman visited and wished New Year to the collective leadership and staff and employees of the Vietnam Tobacco Corporation (Vinataba).

⁴⁶ Nguyen Quang Vu. President Nguyen Xuan Phuc receives US associations and investors (Chủ tịch nước Nguyễn Xuân Phúc tiếp các hiệp hội, nhà đầu tư Hoa Kỳ). 23 September 2021. <https://baotintuc.vn/thoi-su/chu-tich-nuoc-nguyen-xuan-phuc-tiep-cac-hiep-hoi-nha-dau-tu-hoa-ky-20210923081703317.htm>

⁴⁷ Vinataba. Chairman Nguyen Hoang Anh worked with Philip Morris International Group (Chủ tịch CMSC Nguyễn Hoàng Anh tiếp và làm việc với Tập đoàn Philip Morris International). 13 July 2022. <https://www.vinataba.com.vn/2022/07/13/chu-tich-cmsc-nguyen-hoang-anh-tiep-va-lam-viec-voi-tap-doan-philip-morris-international/>

Joining the mission were representatives from the Department of Personnel Organization, Department of Industry, Department of General Affairs, Department of Legal Affairs, Internal Control and the Office of the Committee. ⁴⁸



(The meeting's scene)

- On 07/02/2022 the first working day of the Year of the Tiger, Vietnam Tobacco Corporation welcomed Chairman of the State Capital Management Committee at the enterprise (CMSC) and Standing Deputy Secretary of the Party Committee of the Central Enterprises Division and the leaders of the Department, the CMSC and the Party Committee of the Central Enterprises Division visited and congratulated the Corporation on the new year. ⁴⁹
- In June 2022, on the afternoon of June 13, the delegation of the Committee for the Management of State Capital at Enterprises led by Chairman of the Committee came to work at the Saigon Tobacco Company to grasp the operation situation in the first 5 months of 2022 and deploy tasks in the following years. ⁵⁰
- On December 24/12/2021, the Vietnam Tobacco Corporation held a Conference to review production and business activities in 2021 and implement the business plan in 2022. Attending and directing at the Conference were Mr. Ho Sy Hung. – Member of the Party Personnel Committee, Vice Chairman of the Committee for the Management of State Capital at Enterprises. ⁵¹
- On 16/12/2022, in Hanoi, the Party Committee of Vietnam Tobacco Corporation held a Conference to review the work in 2022 and implement the key tasks in 2023. Attending the conference were Vice Chairman of the Central Inspection Committee; Vice Chairman of the Committee for Management of State Capital at Enterprises; representatives of leaders of ministries and branches; committees and units of the Block Party Committee. ⁵²

⁴⁸ Vinataba. Vinataba. Leaders of the Committee for Management of State Capital at Enterprises visit and wish Tet at Vietnam Tobacco Corporation (Lãnh đạo Ủy ban Quản lý vốn nhà nước tại doanh nghiệp thăm, chúc Tết tại Tổng công ty Thuốc lá Việt Nam). 27 January 2023. <https://www.vinataba.com.vn/2023/01/27/lanh-dao-uy-ban-quan-ly-von-nha-nuoc-tai-doanh-nghiep-tham-chuc-tet-tai-tong-cong-ty-thuoc-la-viet-nam/>

⁴⁹ Vinataba. Vinataba meets at the beginning of the Lunar New Year (Vinataba gặp mặt đầu Xuân Nhâm Dần – 2022. 07) February 2022. <https://www.vinataba.com.vn/2022/02/07/vinataba-gap-mat-dau-xuan-nham-dan-2022/>

⁵⁰ Vinataba Sai Gon. Vinataba Sai Gon Newsletter (Bản tin Vinataba Sai Gon). 18 January 2023. https://drive.google.com/file/d/1PaTG8pHgZCYC8N17Vq_5hOJaRweYrja8/view

⁵¹ Vinataba: Excellently fulfill the target of production and business plan in 2021 (Xuất sắc hoàn thành chỉ tiêu kế hoạch SXKD năm 2021). 24 December 2021. <https://www.vinataba.com.vn/2021/12/24/vinataba-xuat-sac-hoan-thanh-chi-tieu-ke-hoach-sxkd-nam-2021/>

⁵² Party Committee of Central Enterprise of Vietnam Tobacco Corporation summarizes the work in 2022, deploys key tasks in 2023 (Đảng ủy khối Doanh nghiệp Trung ương, Đảng ủy Tổng công ty Thuốc lá Việt Nam tổng kết công tác năm 2022, triển khai nhiệm vụ trọng tâm năm 2023). 17 December 2022. <http://www.doanhnghiepTrunguoc.vn/don-vi-truc-thuoc/linh-vuc-nong-lam-nghiep/2022/12/dang-uy-tong-cong-ty-thuoc-la-viet-nam-tong-ket-cong-tac-nam-2022-trien-khai-nhiem-vu-trong-tam-nam-2023-5798549/>

Also at the Conference, Vietnam Tobacco Corporation and 05 affiliated units including: Tobacco Institute One Member Company Limited, Ben Tre Tobacco One Member Company Limited, Cat Loi Joint Stock Company, Vina-Vina Joint Venture Co., Ltd. BAT and Hai Ha - Kotobuki Co., Ltd received the emulation flag in 2022 from the State Capital Management Committee at enterprises; Mr. Ha Quang Hoa - General Director of Vietnam Tobacco Corporation, was honored to receive the 3rd Class Labor Medal for the period of 2016 - 2020, Mr. Nguyen Duy Khanh - Member of the Board of Members of Vinataba was awarded the Medal For the cause of Mass Mobilization of the Central Committee for Mass Mobilization.⁵³



(On behalf of the President, Mr Nguyen Long Hai – Secretary of the Party Committee of the Central Enterprise Division awarded 3rd Class Labor Medal for the period of 2016 – 2020 to Mr. Ha Quang Hoa - General Director of Vietnam Tobacco Corporation)

- Business Forum Magazine reported on December 2, 2022: British American Tobacco (BAT) Vietnam was honored in the “Top 100 Sustainable Enterprises in Vietnam” CSI 2022. This is also the 4th time in 7 years. Recently, BAT Vietnam was honored to be in the "Top 100 Sustainable Enterprises in Vietnam". Notably, BAT Vietnam this year is in the Top 5 commended under the theme of implementing the circular economy model, responding to climate change.

The program to evaluate and announce sustainable businesses in Vietnam (hereinafter referred to as CSI) is jointly organized by the Vietnam Federation of Trade and Industry (VCCI) through the Vietnam Business Council for Sustainable Development (VBCSD), Ministry of Labour, Invalids and Social Affairs, MONRE, Vietnam General Confederation of Labor.⁵⁴

⁵³ Vinataba. Vinataba: A successful year, marking the proud milestone of 37 years establishment (Một năm thắng lợi, đánh dấu cột mốc tự hào tuổi 37. 19 December 2022. <https://www.vinataba.com.vn/2022/12/19/vinataba-hoan-thanh-toan-dien-cac-chi-tieu-ke-hoach-nam-2022/>

⁵⁴ Phuong Nhi. BAT Vietnam continues to be honored in the Top 100 CSI 2022 (BAT Việt Nam tiếp tục được vinh danh trong Top 100 CSI 2022). 02 December 2022. <https://diendandoanhnghiep.vn/bat-viet-nam-tiep-tuc-duoc-ving-danh-trong-top-100-csi-2022-235488.html>



b. PROVINCIAL LEVEL:

- On 16/4/2021, at the headquarters of Thach That Industrial Park - Quoc Oai Hanoi, Thang Long Tobacco Company held the Employee Conference 2021 with the participation of Chairman of the Trade Union.⁵⁵
- In 2 days of June 21-22, 2021, the Party Committee of Vietnam Tobacco Corporation (Vinataba) held a conference to research, study, master, propagate and implement the Resolution of the Congress of the General Assembly 13th of the National Party Congress. Attending and directing the Conference were Deputy Head of the Propaganda Department of the Party Committee, Central Enterprise Division and the Standing comrades of the Party Committee of the Corporation.⁵⁶
- On December 31/12/2021, the People's Committee of Ho Chi Minh City held a conference to report the results of the budget revenue and expenditure in 2021. On this occasion, Saigon Tobacco Company received a certificate of merit from the Chairman of the Ho Chi Minh City People's Committee on high achievements in the payment to the State budget in 2021 within the city.⁵⁷

⁵⁵ Industry and Trade Magazine. Delegate Conference of Employees of Thang Long Tobacco Company in 2021 (Tạp chí Công Thương. Hội nghị Đại biểu Người lao động Công ty Thuốc lá Thăng Long năm 2021). 18 April 2021. <http://www.thanglongtabac.vn/hoi-nghi-dai-bieu-nguoi-lao-dong-cong-ty-thuoc-la-thang-long-nam-2021/>

⁵⁶ Tran Trung. Vinataba implements the Resolution of the 13th National Party Congress (Vinataba triển khai thực hiện Nghị quyết Đại hội Đảng toàn quốc lần thứ XIII). 26 June 2021. <https://bnews.vn/vinataba-trien-khai-thuc-hien-nghi-quyet-dai-hoi-dang-toan-quoc-lan-thu-xiii/200623.html>

⁵⁷ Vinataba. Chairman of the Ho Chi Minh City People's Committee presented a certificate of merit to Saigon Tobacco Company. 31 Dec 2021. <http://saigontabac.com.vn/tin-tuc/cong-ty-thuoc-la-sai-gon-nhan-bang-khen-cua-chu-tich-ubnd-tp-hcm-ve-thanh-tich-cao-trong-cong-tac-nop-ngan-sach-nha-nuoc-nam-2021.htm>



(Chairman of the Ho Chi Minh City People's Committee presented a certificate of merit on high achievements in the payment to the State budget in 2021 to Saigon Tobacco Company)

- On the morning of 20/01/2022, the Labor Confederation of Khanh Hoa province held a conference to review the movement of workers and employees and trade union activities in 2021. Attending the conference were Mr. Bui Thanh Binh – Member of Provincial Party Committee, Chairman of Khanh Hoa Provincial Labor Confederation.

The Vietnam General Confederation of Labor awarded 02 creative labor diplomas to Mr. Nguyen Duy Khue - Chief Engineer of Workshop 2, Khatoco Khanh Hoa Tobacco Factory and Mr. Nguyen Anh Sang - Head of M&E, Boiler - Machine Compressor, Khatoco Tobacco Material Company. ⁵⁸

- On 21/2/2022, the Party Committee of Vietnam Tobacco Corporation held a conference to research, study, master and implement the Conclusions and Regulations of the 4th Conference of the Central Executive Committee Party XIII. Attending and directing the Conference were Mr. Nguyen Manh Hung - Member of the Executive Committee, Deputy Head of the Propaganda Department of the Party Committee of the Central Business Division. The rapporteur is Mr. Nguyen Duc Ha - Former Director of the Party Grassroots Department, the Central Organization Department.⁵⁹
- On 25/3/2022, Veterans Association (CCB) Saigon Tobacco Company held the 5th Congress, term 2022 -2027 with the participation of Mr. Phung Huu Nghia - Chairman of District CCB Association. Binh Chanh, representatives of the units of Vinh Loc A commune CCB, units in 487.⁶⁰
- On the afternoon of 15/4/2022, Khanh Viet Corporation held a ceremony to announce the decision on the leadership and management of Khanh Viet Corporation, appointing members of the Board of members of Khanh Viet Corporation for with Mr. Tran Minh Quang - Deputy Director of Khatoco Raw Tobacco Company. Attending the ceremony were - Deputy Secretary of the Provincial Party Committee, Chairman of Khanh Hoa Provincial People's Committee,

⁵⁸ Thanh Tuyen. Trade Union of Khanh Viet Corporation received the excellent emulation flag comprehensively leading the industry union emulation block (Công đoàn Tổng công ty Khánh Việt nhận Cờ thi đua xuất sắc toàn diện dẫn đầu khối thi đua Công đoàn ngành) I. 23 January 2022. <https://khatoco.com/tin-tuc/su-kien/cong-doan-tong-cong-ty-khanh-viet-nhan-co-thi-dua-xuat-sac-toan-dien-dan-dau-khoi-thi-dua-cong-doan-nganh-1/>

⁵⁹ Vinataba. Conference to study and implement the conclusions and regulations of the Fourth Conference of the 13th Party Central Committee (Hội nghị nghiên cứu, học tập, quán triệt và triển khai thực hiện kết luận, quy định của Hội nghị lần thứ tư Ban Chấp hành Trung ương Đảng khóa XIII). 22 February 2022.. <https://www.vinataba.com.vn/2022/02/22/hoi-nghi-nghien-cuu-hoc-tap-quan-triet-va-trien-khai-thuc-hien-ket-luan-quy-dinh-cua-hoi-nghi-lan-thu-tu-ban-chap-hanh-trung-uong-dang-khoa-xiii/>

⁶⁰ Vinataba Sai Gon. The 5th Congress of Saigon Tobacco Company Veterans, term 2022 – 2027 (Đại Hội Hội Cựu chiến binh Công ty Thuốc lá Sài Gòn lần thứ V, nhiệm kỳ 2022 – 2027). <http://saigontabac.com.vn/tin-tuc/dai-hoi-hoi-cuu-chien-binh-cong-ty-thuoc-la-sai-gon-lan-thu-v-nhiem-ky-2022-2027.htm>

Deputy Head of the Organizing Committee of Khanh Hoa Provincial Party Committee, Deputy Director of the Department of Planning and Investment, Internal Affairs of Khanh Hoa Province, and Secretary of the Party Committee of Khanh Hoa Business Division. ⁶¹



(Mr. Nguyen Tan Tuan - Deputy Secretary of the Provincial Party Committee, Chairman of Khanh Hoa Provincial People's Committee awarded the appointment decision to Khanh Viet Corporation's staff)

- On the morning of 24/6/2022, the Youth Union of Vietnam Tobacco Corporation held the 4th Congress of Ho Chi Minh Communist Youth Union - term 2022-2027 with the participation of Deputy Secretary of the Central Business Union. ⁶²
- On 28/6/2022, the Capital Labor Newspaper reported that the Vietnam Tobacco Corporation successfully organized the Workers' Conference. On this occasion, the Trade Union of Thang Long Tobacco Company received the excellent emulation flag from the Vietnam Industry and Trade Union. ⁶³
- On the morning of 28/7/2022, at the Sports Center of Da Nang City, the Vietnam Tobacco Corporation, the Trade Union of Vietnam Tobacco Corporation coordinated to organize a 11th traditional sports festival for employees within the Vietnam Tobacco Corporation - 2022, with the participation of over 600 athletes from 24 units of the Vietnam Tobacco Corporation. Attending the opening ceremony were Vice Chairman of Vietnam Trade Union; Deputy Director of Danang Department of Culture, Sports and Tourism; Mr. Ho Le Nghia - Secretary of the Party Committee, Chairman of the Members' Council of Vietnam Tobacco Corporation; Mr. Ha Quang Hoa - General Director of Vietnam Tobacco Corporation. ⁶⁴

⁶¹ Kieu Huong. Khanh Viet Corporation: Announcement of the decision to appoint a member of the Members' Council and the General Director of Khanh Viet Corporation. April 16, 2022 (Tổng công ty Khánh Việt: Công bố quyết định bổ nhiệm thành viên Hội đồng thành viên và Tổng giám đốc Tổng công ty Khánh Việt). 16 April 2022.. <https://khatoco.com/tin-tuc/su-kien/tong-cong-ty-khanh-viet-cong-bo-quyet-dinh-bo-nhiem-thanh-vien-hoi-dong-thanh-vien-va-tong-giam-doc-tong-cong-ty-khanh-viet/>

⁶² Vinataba Sai Gon. Congress of the Ho Chi Minh Communist Youth Union of Vietnam Tobacco Corporation for the term 2022 – 2027 (Đại hội đại biểu Đoàn Thanh niên Cộng sản Hồ Chí Minh Tổng công ty Thuốc lá Việt Nam nhiệm kỳ 2022 – 2027). <http://saigontabac.com.vn/tin-tuc/dai-hoi-dai-bieu-doan-thanh-nien-cong-san-ho-chi-minh-tong-cong-ty-thuoc-la-viet-nam-nhiem-ky-2022-2027.htm>

⁶³ Lao dong thu do. Vietnam Tobacco Corporation successfully organized the Employee Conference in 2022 (Tổng Công ty Thuốc lá Việt Nam tổ chức thành công Hội nghị Người lao động năm 2022). 28 June 2022. <https://laodongthudo.vn/tong-cong-ty-thuoc-la-viet-nam-to-chuc-thanh-cong-hoi-nghi-nguoi-lao-dong-nam-2022-142279.html>

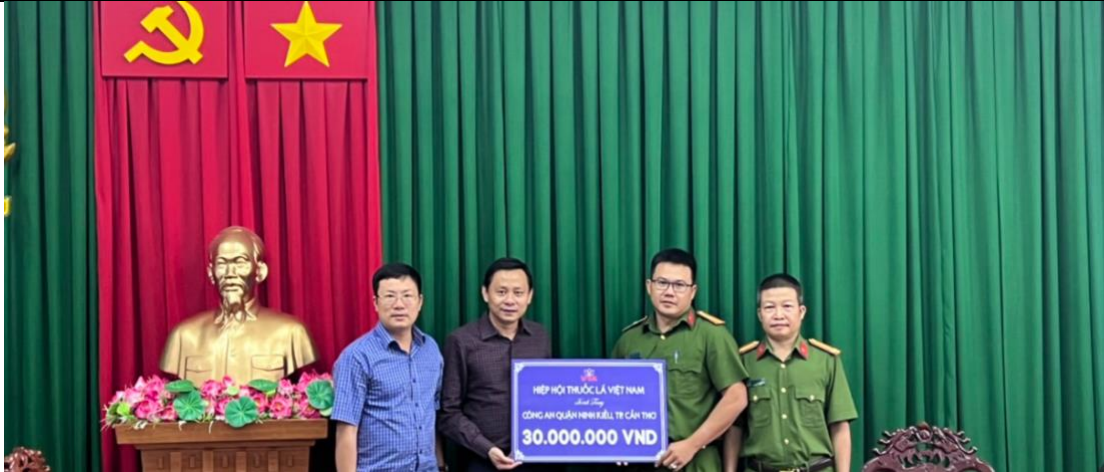
⁶⁴ Thanh Tu. Vietnam Tobacco Corporation: Exciting XI Traditional Sports Festival – 2022 (Tổng Công ty Thuốc lá Việt Nam: Sôi nổi Hội thao truyền thống lần thứ XI - năm 2022). 28 July 2022. <https://tapchicongthuong.vn/bai-viet/tong-cong-ty-thuoc-la-viet-nam-soi-noi-hoi-thao-truyen-thong-lan-thu-xi-nam-2022-90461.htm>

	0	1	2	3	4	5
<ul style="list-style-type: none"> ➤ On 30/09/2022, Sai Gon Tobacco Company held a conference to launch the movement "All people protect national security" in the period of 2022 - 2024. Attending the conference were leaders of the High Command, Ho Chi Minh City and leaders of professional departments of the Ho Chi Minh City Public Security; leaders of Binh Chanh District, leaders of Vinh Loc A commune; units in the Self-Defense Emulation Cluster 10. ⁶⁵ ➤ On the morning of 10/01/2023, at the Conference to summarize the progress of employees and trade union activities in 2022 organized by the Labor Confederation of Labor (Confederation of Labor) of Khanh Hoa province, the Vietnam General Confederation of Labor presented the Certificate of Merit to Ms. Vo Hoang Anh Thu - Member of the Executive Committee of the Communist Party of Khatoco Khanh Hoa Tobacco Factory and 04 collectives and 14 individuals of the Trade Union of Khanh Viet Corporation. ⁶⁶ 						
<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>						5
<ul style="list-style-type: none"> ➤ According to the Circular 306/2016/TT-BTC of Ministry of Finance and Directive 04/CT-BCT on 24/03/2015 of Ministry of Industry and Trade, tobacco manufactures are assigned to provide fund for smuggling control. It is compulsory contribution under the request of government so that it could not consider as Government receive funding from TI. However, besides using money from TI for smuggling control, the Government also considered TI as a partner and cooperated with TI in smuggling control. ➤ On the afternoon of August 11, 2022, Ninh Kieu District Police in collaboration with People's Procuracy, Binh Tan District Police (HCMC) arrested, searched and seized 3,535 packs of foreign cigarettes of all kinds with books, bank cards, consignment slips at garages related to the trading of smuggled foreign cigarettes. To encourage and encourage the efforts of the functional forces in the fight against tobacco smuggling, Mr. Ho Le Nghia - Chairman of the Vietnam Tobacco Association visited and presented gifts to the Ninh Kieu District Police. ⁶⁷ 						

⁶⁵ Vinataba Sai Gon. Conference to launch the all people movemen to protect national security (Hội nghị phát động phong trào Toàn dân bảo vệ an ninh Tổ quốc). <http://saigontabac.com.vn/tin-tuc/hoi-nghi-phat-dong-phong-trao-toan-dan-bao-ve-an-ninh-to-quoc.htm>

⁶⁶ Thanh Tuyen. Trade Union of Khanh Viet Corporation received the excellent single flag of Vietnam General Confederation of Labor (Công đoàn Tổng công ty Khánh Việt nhận cờ đơn xuất sắc của Tổng Liên đoàn Lao động Việt Nam). 13 January 2023. <https://khatoco.com/tin-tuc/su-kien/cong-doan-tong-cong-ty-khanh-viet-nhan-co-don-xuat-sac-cua-tong-lien-doan-lao-dong-viet-nam/>

⁶⁷ Vinataba. Breaking down the largest smuggling ring of illegal cigarettes in the South region (Triệt phá đường dây mua bán thuốc lá lậu lớn nhất khu vực phía Nam). 18 August 2022. <https://www.vinataba.com.vn/2022/08/18/triet-pha-duong-day-mua-ban-thuoc-la-lau-lon-nhat-khu-vuc-phia-nam/>



(Vietnam Tobacco Association presented gifts to the Ninh Kieu District Police)

- On 11/11/2022, Tay Ninh Provincial Steering Committee against Smuggling, Commercial Fraud, and Counterfeiting (BCD 389/TN) proceeded to destroy smuggled cigarettes seized in the second phase of 2022 with the quantity of 41,643 packages with the supervision of the Tobacco destruction council, representatives of the Vietnam Tobacco Association, the Vietnam Fatherland Front of Tay Ninh province, press agencies, radio and television stations, and regional functional forces.⁶⁸
- On 15/11/2022, the Vietnam Directorate of Market Surveillance reported on the implementation of the joint propaganda program against smuggled cigarettes in 2022 of the Vietnam Directorate of Market Surveillance together with the Vietnam Tobacco Association, and the Tien Giang Province's Department of Surveillance in propagandizing and posting 6,300 posters warning the acts of trading, transporting, storing, delivering and receiving the banned goods that are smuggled cigarettes at the local tobacco business establishments.⁶⁹
- On 24/12/2021, the Vietnam Tobacco Association together with the Quang Tri Provincial People's Committee (PPC), the Provincial Steering Committee 389, the Department of Finance, the Environmental Police Department (EPD), the Economic Police Force - Quang Tri Provincial, the Department of Information Management of Quang Tri Province proceeded to destroy 7,456 packs of smuggled cigarettes.⁷⁰

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

0

No, there is no record of the government entering into a partnership or non-binding agreement.

⁶⁸ Nguyen Thanh Phong. Tay Ninh: organize the destruction of smuggled cigarettes in the second phase in 2022 (Tây Ninh: tổ chức tiêu hủy thuốc lá nhập lậu đợt 2 năm 2022). 11 November 2022. <https://dms.gov.vn/tin-chi-tiet/-/chi-tiet/tay-ninh-to-chuc-tieu-huy-thuoc-la-nhap-lau-%C4%91ot-2-nam-2022-53209-5.html>

⁶⁹ Vietnam Directorate of Market Surveillance. Tien Giang: Propagating regulations on promotion and warning of violations on smuggled cigarettes (Tiền Giang: Tuyên truyền các quy định về khuyến mại và cảnh báo vi phạm về thuốc lá điều nhập lậu). 15 November 2022. <https://dms.gov.vn/tin-chi-tiet/-/chi-tiet/tien-giang-tuyen-truyen-cac-quy-%C4%91inh-ve-khuyen-mai-va-can-h-bao-vi-pham-ve-thuoc-la-%C4%91ieu-nhap-lau-53322-5.html>

⁷⁰ Duc Tho. Quang Tri organized the destruction of nearly 7,500 packs of smuggled cigarettes. 29 December 2022. <http://kythuatcongthonggia.vn/chong-hang-gia/quang-tri-to-chuc-tieu-huy-gan-7-500-bao-thuoc-la-nhap-lau-5522>

	0	1	2	3	4	5
INDICATOR 5: Transparency						
11. The government does not publicly disclose meetings/ interactions with the tobacco industry in cases where such interactions are strictly necessary for regulation. (Rec 2.2)		1				
No changes during this period. The Vietnamese government is “open” about their interactions with tobacco industry as this interaction has been seen as “normal” according to Vietnam law and practice. However, detailed information on these interactions (with tobacco and other industries as well) are not always available to the public. Some kind of meetings/interactions between the government and the TI were recorded in the Question 8 and 9 above.						
12. The government requires rules for the disclosure or registration of tobacco industry entities, affiliated organizations, and individuals acting on their behalf including lobbyists (Rec 5.3)						5
No, the government does not require any disclosure or registration of tobacco industry entities or affiliations and individuals acting on their behalf.						
INDICATOR 6: Conflict of Interest						
13. The government does not prohibit contributions from the tobacco industry or any entity working to further its interests to political parties, candidates, or campaigns or to require full disclosure of such contributions. (Rec 4.11) / Never 5 Yes		1				
No changes during this period. Being different from other countries, Vietnam is a one-party lead country. There is no competitive election campaign. All candidates are recruited and proposed by People Council in negotiation of Fatherland Front (umbrella of many mass and professional organizations).						
14. Retired senior government officials form part of the tobacco industry (former Prime Minister, Minister, Attorney General) (Rec 4.4)	0					
No evidence during this period has been found.						
15. <u>Current government officials</u> and relatives hold positions in the tobacco business including consultancy positions. (Rec 4.5, 4.8, 4.10)						5
No changes in this period. The staff appointed from MOIT to VINATABA since 2014 still remain in office: ➤ On December 31, 2014, Mr. Ha Quang Hoa-Deputy Director of Department of Light Industry (MOIT) was appointed to be Vice Director of VINATABA. ⁷¹ Previously, Mr. Ha Quang Hoa had hold the position of Deputy Director of Department of Light Industry from 7/2009 to 12/2014. In September, 2020, Mr. Ha Quang Hoa was appointed to be member of the Members’ Council of the Vietnam National Tobacco Corporation according to the Decision No 429/QĐ-UBQLV dated 21/9/2020 of State Capital Management Committee at Enterprise; and then was appointed to be General Director of VINATABA according to the Decision No 368/QĐ-TLVN dated 24/9/2020 of VINATABA. ⁷²						

⁷¹ Vinataba Hoa Viet. <https://hoavietjsc.com/tin-tuc/tong-cong-ty-thuoc-la-viet-nam-bo-nhiem-pho-tong-giam-doc-moi-50.html>

⁷² T.T. Appointment of General Director of Vinataba (Bổ nhiệm Tổng Giám đốc Vinataba). 28 September 2020. <https://thanhtra.com.vn/thong-tin-doanh-nghiep/bo-nhiem-tong-giam-doc-vinataba-171794.html>

	0	1	2	3	4	5
<p>➤ On 30 December 2014 Mr. Ho Le Nghia, Vice Director of Industrial Policy and Strategy Institute (MOIT) was appointed to be in board member of VINATABA. Since 1 Sept 2018, Mr. Ho Le Nghia officially acted as the Party Secretary, and Chairman of the Members' Council, replacing Mr. Vu Van Cuong, who retired according to the applicable policy.⁷³</p> <p>In August 2020, at the Party Congress of Vietnam National Tobacco Corporation, Mr. Ho Le Nghia was re-elected to be the Party Secretary of VINATABA in the new term.⁷⁴</p>						
INDICATOR 7: Preventive Measures						
16. The government has put in place a procedure for disclosing the records of the interaction (such as agenda, attendees, minutes and outcome) with the tobacco industry and its representatives. (Rec 5.1)						5
No procedure was developed during this period.						
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>				3		
<p>➤ In 2017, the Ministry of Health's official dispatch No 6814/BYT-KCB to warn about PMI-funded Foundation for a Smoke-free World Foundation (FSFW) and call to not cooperate with FSFW.</p> <p>➤ On July 16th 2021, The Ministry of Health issued official dispatch No. 5680/BYT-KCB to Health Departments of the provinces, cities and hospitals directly under the Ministry of Health "on strengthening the implementation of the Law: Prevention and control of harmful effects of tobacco, and accelerating smoking cessation at medical facilities and disseminate information on the harmful effects of new tobacco products (e-cigarettes, heated cigarettes, shisha)". Besides, the Ministry of Health also suggested that units not cooperate with "Fund for a smoke-free world" of Philip Morris International to contribute to the implementation of Article 5.3 of the Framework Convention on Tobacco Control of which Vietnam is a member due to warning information that the FSFW fund established by Philip Morris International sent an invitation to health officers from other countries to participate in the advisory board of the global survey on the harms of tobacco.⁷⁵</p>						
18. The government requires the tobacco industry to periodically submit information on tobacco production, manufacture, market share, marketing expenditures, revenues and any other activity, including lobbying, philanthropy, political contributions and all other activities. (5.2)			2			
No changes in this period.						
According to the Article 41, Decree No. 67/2013/ND-CP of the Government on Elaborating some articles and measures for implementation the law on tobacco harm prevention applicable to tobacco trading, tobacco industry should report to the Ministry of Industry and Trade and Ministry of Finance.						
Article 41. Reporting regime						
.....						

⁷³ Hoang Thanh. Vinataba nominates a 39-year-old leader for the position of President of the corporation (Vinataba đề cử lãnh đạo 39 tuổi vào vị trí Chủ tịch tổng công ty). 24 April 2018. <https://news.zing.vn/vinataba-de-cu-lanh-dao-39-tuoi-vao-vi-tri-chu-tich-tong-cong-ty-post836944.html>

⁷⁴ Minh Tuan. Mr. Ho Le Nghia is Secretary of the Party Committee of Vietnam Tobacco Corporation (Ông Hồ Lê Nghĩa làm Bí thư Đảng Ủy Tổng Công ty Thuốc lá Việt Nam). 05 August 2020. <https://tienphong.vn/ong-ho-le-nghia-lam-bi-thu-dang-uy-tong-cong-ty-thuoc-la-viet-nam-post1263208.tpo>

⁷⁵ Ministry of Health. Official Dispatch 5680/BYT-KCB in 2021. <https://thuvienphapluat.vn/cong-van/The-thao-Y-te/Cong-van-5680-BYT-KCB-2021-tang-cuong-thuc-hien-Luat-phong-chong-tac-hai-thuoc-la-481595.aspx>

	0	1	2	3	4	5
<p>3. Every tobacco supplier shall send reports on the production and types of tobacco they manufacture or trade (according to the distribution, wholesaling, retailing system) to the licensing authority and the Service of Industry and Trade of the province where their head office is situated.</p> <p>4. Every tobacco distributor, wholesaler, and retailer shall send reports on their business to the licensing authority and the Industry and Trade Agency where their head office is situated.</p> <p>5. Every investor in tobacco cultivation, trader of tobacco ingredients, tobacco distributor, wholesaler, and retailer shall send reports on their business to the licensing authority and the Industry and Trade Agency where their head office is situated.</p> <p>6. Every tobacco manufacturer shall send reports on the tobacco manufacturing and trading to the Ministry of Industry and Trade and the Ministry of Finance, including: the production quantity, export quantity, import quantity, sales, sale prices, special excise duty, VAT payable on each brand.</p> <p>7. Every enterprise that manufactures tobacco or processes tobacco ingredients shall send the Ministry of Industry and Trade reports on the import and use of machinery and equipment for tobacco manufacturing, tobacco ingredients, cigarette paper in the period, the manufacture, trading, and processing of tobacco ingredients.</p> <p>8. The Ministry of Industry and Trade shall provide guidance the reporting regime and report forms for Services of Industry and Trade, Industry and Trade Chambers, enterprises that manufacture tobacco, process tobacco ingredients, trade in tobacco ingredients, invest in tobacco ingredients, tobacco supplier, tobacco distributors, wholesalers, and retailers.</p> <p>It seems to that information on lobbying, philanthropy, political contributions of TI is not required to submit to the government.</p>						
<p>19. The government has a program / system/ plan to consistently⁷⁶ raise awareness within its departments on policies relating to FCTC Article 5.3 Guidelines. (Rec 1.1, 1.2)</p>					4	
<p>➤ On 08 May 2018, the Ministry of Communication and Information issued the Decision No 660/QĐ-BTTTT on “Issuing plan for implementation of activities to promote the implementation of the framework control on tobacco control”.</p> <p>➤ On 21 Dec 2018, the Ministry of Communication and Information issued the Dispatch No.4324/BTTTT-PC directing the press agency to intensify communication on implementation of the TC Law and implementing FCTC related to tobacco advertising, promotion and sponsorship is still in effect.⁷⁷</p> <p>These legal documents are still effect. However, there is no specific program on creating awareness on Article 5.3.</p>						
<p>20. The government has put in place a policy to disallow the acceptance of all forms of contributions/ gifts from the tobacco industry (monetary or otherwise) including offers of assistance, policy drafts, or study visit invitations given or offered to the government, its agencies, officials and their relatives. (3.4)</p>			2			
<p>No changes in this period.</p> <p>Law No.27/2012/QH13 of the National Assembly dated 23 Nov 2012, on “Amending and supplementing a number of articles of the anti-corruption law” regulates:</p> <p>Article 40- Giving presents and receiving gifts by public servants</p> <p>2. Public servants must not receive money, properties or other material interests of agencies, organisations, units and/or individuals involved in affairs which they are settle or fall under their respective management.</p>						

⁷⁶ 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.

⁷⁷ Resources and environment Newspaper. Tobacco advertising are strictly prohibited (Kiểm soát, phòng chống tác hại của thuốc lá: Nghiêm cấm mọi hành vi quảng cáo thuốc lá). 27 December 2018. <https://baotainguyenmoitruong.vn/kiem-soat-phong-chong-tac-hai-cua-thuoc-la-nghiem-cam-moi-hanh-vi-quang-cao-thuoc-la-273304.html>

3. It is strictly forbidden to take advantage of the giving and receipt of gifts to bribe or perform other acts for self-seeking interests.
4. The Government shall specify the giving and receipt of gifts and submission of gifts by public servants.

Decision No 64/2007/QĐ-TTg of the Government dated 10 May 2007 on “Promulgating the regulation on giving, receipt and hand over of gifts by state budget – funded agencies, organizations and units and cadres public employees and servants” regulates:

- Article 9- Agencies and units may only receive gifts in accordance with law. These gifts must be disclosed, managed and used according to this Regulation. Representatives of agencies and units shall refuse gifts that are given in contravention of the prescribed regime, criteria and recipients and clearly state the reasons to gift givers. When it is impossible to refuse, agencies and units shall manage and dispose of gifts according to Section 3 of this Regulation.
- Article 10- Cadres, public employees and servants may only receive gifts in accordance with law and shall acknowledge receipt with their signatures; and shall declare their incomes when required by law. Cadres, public employees and servants shall refuse gifts that are given in contravention of the prescribed regime, criteria and recipients, clearly stating the reasons to gift givers. When it is impossible to refuse, cadres, public employees and servants shall report to the head(s) of their agencies or units for disposal according to Section 3 of this Regulation.

Directive No. 21-CT / TW of the Central Committee on promoting thrift practice and waste combat regulates:

3. Leaders and managers at all levels who do not attend festivals and activities of cutting ribbon in the inauguration, ground breaking, opening ceremony ... if not assigned by competent authorities.
5. Key leaders of ministries, branches and localities do not join the delegation of enterprises going abroad or are invited by foreign enterprises. Organization and units are not allowed to organize travel abroad for officers by the state budget.

While the law is comprehensive to cover all forms of corruption, however the government still requires tobacco industry to provide fund and offer assistance to government agencies in smuggling control (mentioned in Q1, Q2, Q3, Q9) that conflicts with the recommendations of WHO FCTC. The Illicit trade protocol clearly states no TI involvement in anti-smuggling measure

TOTAL SCORE

57

Annex A: Sources of Information

	TOP TOBACCO COMPANIES/ DISTRIBUTORS	MARKET SHARE	BRANDS	SOURCE
1	Vietnam National Tobacco Corp (VINATABA)	57	Vinataba, Memory, Gold Beach, COTAB, HoaBinh Souvenir, ERA, Phenix, Mai, Tourisn, Dulich, Vinh Hoi, Saigon, Du Lich, Melia Menthol, Dalat, Hong Ha, Thang Long, Ba Dinh, Dien Bien, HoanKien, Thu Do	GlobalData. November 2020. Vietnam Cigarettes.
2	British American Tobacco Plc	28	555, Dunhill	GlobalData. November 2020. Vietnam Cigarettes. 2020.
3	Imperial	7	West	GlobalData. November 2020. Vietnam Cigarettes, 2020.
4	Philip Morris International Inc	3	Marlboro	GlobalData. November 2020. Vietnam Cigarettes. 2020.
5	Other companies	5	Mild Seven (JTI)	GlobalData. November 2020. Vietnam Cigarettes. 2020.

	TOP MEDIA/ NEWSPAPERS	URL
1	Lao Dong	Laodong.com.vn
2	Thanh nien	Thanhnieen.vn
3	New Hanoi	Hanoimoi.com.vn
4	Nhan dan	http://www.nhandan.com.vn/
5	Cong Thuong	https://tapchicongthuong.vn
6	Phap Luat	https://baophapluat.vn/
7	Phap Luat TP.Ho Chi Minh	https://plo.vn/
8	VnExpress	Vnexpress.net

	MAIN TOBACCO INDUSTRY ALLIES/ FRONT GROUPS	TYPE (FRONT GROUP, LOBBY GROUP, INDIVIDUAL)	SOURCE
1	Vietnam Tobacco Association (VTA)	Affiliate	https://vta.net.vn/
2	Association of Vietnam Retailers (AVR)	Affiliate	http://www.hiephoibanle.com/
3	Vietnam Chamber of Commerce and Industry (VCCI)	Affiliate	http://vccinews.com/
4	Vietnam Consumer Protection Association	Affiliate	http://hoibaoventdn.org/