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Uganda

**TOBACCO  
INDUSTRY  
INTERFERENCE  
INDEX  
2023**

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**Endorsement: Uganda National Health Consumers' Organisation**

## Background and Introduction

Uganda signed the WHO Framework Convention on Tobacco Control (FCTC) on 5<sup>th</sup> March 2004, and ratified it on 20<sup>th</sup> June, 2007<sup>1</sup>, becoming a party to the convention and partaking an obligation to domesticate the FCTC through relevant policies and laws without reservations.<sup>2</sup> The process to domesticate the FCTC started as early as 2007 and finally on 28<sup>th</sup> July 2015, the Parliament of Uganda passed a comprehensive, WHO FCTC compliant Tobacco Control law with a whole Part (viii) in favour of Article 5.3.<sup>3,4</sup>

British American Tobacco (BAT) Uganda controls the tobacco industry in Uganda. For the year 2022, BATU's profits after tax was Ushs 9.8 billion.<sup>5</sup> In its 2021 annual report, BATU claims being “connected to our over 30,000 trade partners [retailers], ensures better consumer connections, access to markets and innovations that satisfy consumer needs.”<sup>6</sup>

It's almost 8 years since Uganda passed a comprehensive tobacco control Act (TCA) which has deterred a lot of interference by the tobacco industry. However, this report shows the need for effective implementation of existing TC laws to avoid the occasional interferences.

This Index is a civil society report on how the government has responded to and addressed the tobacco industry's tactics and promotion of its business as outlined in FCTC Article 5.3 guidelines. This year Uganda has a total score of 38 points which is a deterioration from the 2020 report of 31 points.

Below are some observations that may have contributed to a deterioration in the implementation of Uganda's TCA compared to previous years;

### Observations

1. Despite Uganda having a strong letter and spirit of Article 5.3 within its national TCA and despite recommendations in the previous TII index reports from Uganda, the Government of Uganda has not taken heed to implement these recommendations and this may have provided a loophole for the TI to interfere with the country's TC law and enforcement plans as seen in this report.
2. There is also a lack of measures to regulate any interaction with the Tobacco Industry when it's strictly necessary.

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<sup>1</sup> [https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=IX-4&chapter=9&clang=en](https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IX-4&chapter=9&clang=en)

<sup>2</sup> World Health Organisation Framework Convention on Tobacco Control, p.(v)

<sup>3</sup> Parliamentary Hansard reports for 28<sup>th</sup> July 2015

<sup>4</sup> [The Tobacco Control Law \(Part Viii\) page 5](#) Protection of Tobacco Control Policies from Commercial and other vested Interest of the Tobacco Industry

<sup>5</sup> BAT Uganda. AUDITED RESULTS FOR THE YEAR ENDED 31 DECEMBER 2022. Available at:

[https://drive.google.com/file/d/1yULMyLTSRjyHJubvSc\\_f2zvKI\\_ttWjO/view](https://drive.google.com/file/d/1yULMyLTSRjyHJubvSc_f2zvKI_ttWjO/view)

<sup>6</sup> BAT Uganda. 2021 Annual report. Available at:

<https://www.use.or.ug/uploads/announcements/BAT%20UGANDA%202021%20ANNUAL%20REPORT.pdf>

3. The Current Tobacco Control Committee that is in charge of monitoring and enforcement of the TCA is not legally functional as their tenure expired last year leaving a huge gap for the TC Focal point/ the committee's secretariate to run all things TC at the government level.
4. There is limited coordination over tobacco industry monitoring and enforcement by National TC civil society and MoH TC focal point due to limited resources
5. There is limited awareness on the provisions of the TCA and the implication of any breach of the same within relevant line ministries, departments and authorities with specific reference to Part VIII of the TCA on interaction with the tobacco industry, bans on CSRs by the TI, and any promotion and sponsorship of the TI in Uganda.

Information in this report was collected from publicly available sources, including official websites, news reports, tobacco company reports and other verifiable reports. A standardized questionnaire developed by the Southeast Tobacco Control Alliance (SEATCA) was used.<sup>7</sup> The survey covers a period of between May 2022 to 31<sup>st</sup> March and answers 20 questions based on the Article 5.3 guidelines. Information used in this report is obtained from the public domain only. A scoring system is applied to make the assessment. The score ranges from 0 - 5, where 5 indicates highest level of industry interference, and 1 is low or no interference. Hence the lower the score, the better for the country. The 0 score indicates absence of evidence or not applicable. Where multiple pieces of evidence are found, the score applied reflects an average. The report covers information on incidents from April 2021 to March 2023, but also includes prior incidents that are still relevant.

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<sup>7</sup> Assunta M. Dorotheo E.U. SEATCA Tobacco Industry Interference Index: a tool for measuring implementation of WHO Framework Convention on Tobacco Control Article 5.3; Tobacco Control <http://dx.doi.org/10.1136/tobaccocontrol-2014-051934>

# Summary Findings

## **1 INDUSTRY PARTICIPATION IN POLICY DEVELOPMENT**

There is no record of this in this reporting period

## **2 INDUSTRY CSR ACTIVITIES**

Although the Tobacco Control Act (TCA) clearly bans tobacco related CSR activities, a tobacco industry-funded international NGO, Elimination of Child Labour in Tobacco Growing Foundation (ECLT), continues to fund activities in Uganda endorsed by district government and trade unions.

BAT also donated a cigarette destruction machine to Uganda Revenue Authority to support the national fight against illicit cigarette trade.

## **3 BENEFITS TO THE INDUSTRY**

The TCA prohibits any benefits to the Tobacco Industry however, there was a motion for a resolution of parliament urging government to consider tobacco farmers from West Nile sub-region and other parts of the country in the government strategy to compensate tobacco farmers who were demanding from two tobacco companies (Nimataback Ltd and Continental Tobacco) that have failed to pay them for supplied tobacco leaves.

The Uganda Customs, Currency & Airport Tax regulations still allow international travelers to bring 250gm of tobacco into the country tax free.

## **4 UNNECESSARY INTERACTION**

The government has not yet put in place guidelines for disclosing the records of the interaction (such as agenda, attendees, minutes and outcome) with the tobacco industry and its representatives.) There are nevertheless draft guidelines to this effect pending review and passing.

## **5 TRANSPARENCY**

The disclosure of meetings is provided for in the TCA. There is no record of this in the current reporting period.

## **6 CONFLICT OF INTEREST**

There is no record of a conflict of interest of any senior government official joining the tobacco industry or vice versa during this reporting period.

## **7 PREVENTIVE MEASURES**

The government has not 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 in the TCA and neither is this reflected in the current TC regulations.

## Recommendations

### RECOMMENDATION 1

There is a need to create awareness on the provisions of the TCA and ensure all, relevant line ministries, departments and authorities are aware of the limits when interacting with the tobacco industry. **This calls for the existing draft TC communication plan to raise awareness on TC issues to be finalized and implemented.**

### RECOMMENDATION 2

The Uganda Customs, Currency & Airport Tax regulation should be amended to halt the duty-free importation of 250g of tobacco products as this amounts to an incentive to the TI contrary to section 23 of the TCA.

### RECOMMENDATION 3

Duty free sale of cigarettes/cigars/tobacco for international travelers should be halted.

### RECOMMENDATION 4

Penalties for unnecessary interactions with tobacco industry and its representatives should be enforced.

### RECOMMENDATION 5

The government should finalize and enforce guidelines for disclosing the records of the interaction (such as a letter requesting audience with a government ministry or agency, agenda, attendees, minutes and outcome) with the tobacco industry and its representatives. These guidelines could be passed as a ministerial directive and should also be included in the Terms of Reference for the TCC rather than amending the TCA and regulations which may take time.

### RECOMMENDATION 6

The Minister responsible for Health should exercise their authority in Sec 26 of the TCA and appoint more TC enforcement authorized officers for a more effective enforcement of the TCA and monitoring of the TI. Incidences like BAT donating a cigarette destruction machine to Uganda Revenue Authority to support the national fight against illicit cigarette trade should not have happened neither should this partnership continue.

## **RECOMMENDATION 7**

The government of Uganda, TC civil society among other relevant stakeholders should highly consider implementation of Article 19 of the WHO FCTC and hold the TI in Uganda legally liable for its violation of the country's comprehensive TCA as established in this report.

## Uganda

### Tobacco Industry Interference Index 2023

#### Results and Findings

	0	1	2	3	4	5
<b>INDICATOR 1: Level of Industry Participation in Policy-Development</b>						
1. The government <sup>8</sup> accepts, supports or endorses any offer for assistance by or in collaboration with the tobacco industry or any entity or person working to further its interests. <sup>9</sup> in setting or implementing public health policies in relation to tobacco control <sup>10</sup> (Rec 3.4)		1				
There is no record of the government accepting any offer of assistance from the tobacco industry.						
2. The government accepts, supports or endorses <u>policies or legislation drafted</u> by or in collaboration with the tobacco industry. (Rec 3.4)		1				
The government does not accept, support or endorse any <u>policies or legislation drafted</u> by or in collaboration with the tobacco industry.						
3. The government allows/invites the tobacco industry to sit in government interagency/ multi-sectoral committee/ advisory group body that sets public health policy. (Rec 4.8)   Never 5 Yes		1				
There is no record of this as it's contrary to Section 3 of the Tobacco Control Act (TCA) e <sup>11</sup> which establishes a TC advisory and regulatory body known as the Tobacco Control Committee that has a membership not inclusive of the tobacco industry.  Also, Section 3(5) specifically prohibits a member of this committee from having any affiliation with the tobacco industry or any entity furthering its interests.						
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) <sup>12</sup> (Rec 4.9 & 8.3) For non-COP year, follow the previous score of COP year.		1				
The government does not allow representatives from the tobacco industry in their delegation to the COP or other subsidiary bodies or accepts their sponsorship for delegates. <sup>13</sup>						

<sup>8</sup> The term "government" refers to any public official whether or not acting within the scope of authority as long as cloaked with such authority or holding out to another as having such authority

<sup>9</sup> The term, "tobacco industry" includes those representing its interests or working to further its interests, including the State-owned tobacco industry.

<sup>10</sup> "Offer of assistance" may include draft legislation, technical input, recommendations, oversees study tour

<sup>11</sup> The Republic of Uganda. Tobacco Control Act 2015: Section 3(5). Available at: <http://bitly.ws/l9QxSection>

<sup>12</sup> Please annex a list since 2009 so that the respondent can quantify the frequency, <http://www.who.int/fctc/cop/en/>

<sup>13</sup> WHO FCTC. FCTC/COP/9/DIV/1 List of participants 8 Nov 2021. Available at:

<https://fctc.who.int/publications/m/item/cop-9-div-1-list-of-participants>



	0	1	2	3	4	5
<b>INDICATOR 2: Industry CSR activities</b>						
<p>5. A. Government agencies or their officials endorse, support, form partnerships with or participates in activities of the tobacco industry described as socially responsible. For example, environmental programs. (Rec 6.2)</p> <p>B. The government (its agencies and officials) receives CSR contributions<sup>14</sup> (monetary or otherwise, including CSR contributions) from the tobacco industry or those working to further its interests during the pandemic. (Rec 6.4)</p> <p><i>NOTE: exclude enforcement activities as this is covered in another question</i></p>						5
<p>Although the Uganda TCA prohibits CSR activities,<sup>15</sup>the industry has found ways to conduct CSR and involve the government.</p> <p>Although the TCA clearly bans tobacco related CSR activities, a tobacco industry-funded international NGO, Elimination of Child Labour in Tobacco Growing Foundation (ECLT), continued to fund activities in Uganda. A new ECLT Uganda Affiliate Office was launched in January 2020. It is located in Hoima District. According to the ECLT website, the Affiliate Office responds to the outcomes of a workshop convened by the Hoima District Government at which over 30 stakeholders representing District and National Government, Trade Unions, Companies and multi-national enterprises (representatives from tea, tobacco, sugar and Oil and Gas/Energy sectors) participated.<sup>16</sup> ECLT wants to provide “a much-needed platform for key stakeholders in both public and private sectors to come together”. Its survey was used to assist “the government intensify efforts towards child labour awareness and household incomes improvement through State programmes such as the National Agriculture Advisory Services (NAADS).”<sup>17</sup></p> <p>Also, contrary to the TCA<sup>18</sup>, BAT donated a cigarette destruction machine to Uganda Revenue Authority to support the national fight against illicit cigarette trade.<sup>19</sup> The Ag. Commissioner for Customs who spoke at the handover ceremony in November 2022 endorsed the Hammermill as a “cost saving initiative for destroying intercepted cigarettes”. In March 2022, a news report stated 61 million sticks of cigarettes had been destroyed by URA and more are awaiting destruction.</p>						

<sup>14</sup> political, social financial, educations, community, technical expertise or training to counter smuggling or any other forms of contributions

<sup>15</sup> The Republic of Uganda. Tobacco Control Act 2015: Section 21,22 and Schedule 3, paragraphs 16 and 18. Available at: <http://bitly.ws/l9Qx>

<sup>16</sup> ECLT invests in long-term capacity to fight child labour across sectors in Uganda. Available at: <http://bitly.ws/l9QV>

<sup>17</sup> ECLT (2021). 2021 A year to protect, Respect & Remedy. 2021 Annual report. Available at: <http://bitly.ws/l9Rs>

<sup>18</sup> The Republic of Uganda. Tobacco Control Act 2015: Section 21,22 and Schedule 3, paragraphs 16 and 18. Available at: <http://bitly.ws/l9Qx>

<sup>19</sup> BAT donates a cigarette destruction machine to URA. Available at: <http://bitly.ws/l9UJ>



The Taxman: The Ag. Commissioner Customs speaking at the handover ceremony



The Taxman: The BAT and URA team after handover of the hammermill machine

**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)										5
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Contrary to Article 17 of the WHO FCTC Art which calls for shifting farmers to alternate livelihood, on 10<sup>th</sup> May 2022, there was a motion<sup>20</sup> on the floor of the Ugandan Parliament by Hon Feta Geoffrey for a resolution of parliament urging government to consider tobacco farmers from West Nile sub-region and other parts of the country in the government strategy to compensate tobacco farmers.

<p>9. MOTION FOR A RESOLUTION OF PARLIAMENT URGING GOVERNMENT TO CONSIDER TOBACCO FARMERS FROM WEST NILE SUB-REGION AND OTHER PARTS OF THE COUNTRY IN THE GOVERNMENT STRATEGY TO COMPENSATE TOBACCO FARMERS  Mover: Hon. Feta Geoffrey, MP Ayivu Division East  Seconder: Hon. Musa Noah, MP Koboko North</p> <p>10. MOTION FOR A RESOLUTION OF PARLIAMENT URGING GOVERNMENT TO DEGAZETTE WAMALE CENTRAL FOREST RESERVE, KIULA CENTRAL RESERVE AND BAJO CENTRAL FOREST RESERVE IN KAYUNGA DISTRICT.  Mover: Hon. Tebandeke Charles, MP Bbaale County  Seconders: Hon. Nsanja Patrick Kayongo, MP Ntenjeru County South  Hon. Zijan David Livingstone, MP Butembe County</p> <p>11. MOTION FOR A RESOLUTION OF PARLIAMENT URGING GOVERNMENT TO RECONSIDER ITS DECISION NOT TO JOIN THE EXTENSION OF THE INTERNATIONAL COFFEE AGREEMENT, 2007.  Mover: Hon. Byakatonda Abdulhu, Workers' Representative  Seconders: Hon. Mukhaye Miriam, Mbale DWR  Hon. Ayoo Jenifer Nalukwago, Kalaki DWR  Hon. Linda Irene, Fort Portal City Woman Representative  Hon. Avako Melsa Naima Gule, Yumbe DWR</p> <p>12. MOTION FOR A RESOLUTION OF PARLIAMENT URGING GOVERNMENT TO REVIEW THE SOCIAL ASSISTANCE GRANT FOR EMPOWERMENT FOR SENIOR CITIZENS IN UGANDA (SAGE).  Mover: Hon. Joram Ruranga Tibasimwa, Older Persons Representative, Western Region  Seconder: Hon. Flavia Kabahenda, MP Kyegegwa District  Hon. Joy Waako, National Female Representative for Older Persons</p> <p>13. MOTION FOR A RESOLUTION OF PARLIAMENT URGING GOVERNMENT TO COME UP WITH A POLICY AND GUIDELINES FOR THE REABSORPTION OF PREGNANT AND BREASTFEEDING TEENAGE MOTHERS INTO THE SCHOOL SYSTEM.  Mover: Hon. Achlieng Sarah Opendi, MP Tororo District  Seconders: Hon. Lillian Aber, MP Kitgum District  Hon. James Baba, MP Koboko County  Hon. Francis Mwejukye, MP Butweju County</p>	<p>14. MOTION SEEKING LEAVE OF PARLIAMENT TO INTRODUCE A PRIVATE MEMBER'S BILL ENTITLED "THE PREVENTION OF TRAFFICKING IN PERSONS AND SLAVERY BILL"  Mover: Hon. Agnes Kunihira, MP Workers Representative  Seconders: Hon. Phiona Nyamutooro, MP Youth Representative  Hon. Atwijukire Dan, MP Kaza County  Hon. Pamela Kamugo, Budaka DWR</p> <p>15. RESPONSES BY MINISTERS TO URGENT QUESTIONS:</p> <p>(i) Hon. Minister of Internal Affairs  a) On the impending expiry of National Identity Cards: raised by Hon. Naluyima Betty Ethel, Wakiso District Woman Representative [Thursday 12/5/2022]  b) On the escalation of piracy on Lake Victoria characterized by the raiding of boats, engines and fuel and the limited capacity of the Police to stem the rampant piracy – by Hon. Migadde Robert, MP Buvuma Islands County</p> <p>(ii) Hon. Minister of Finance, Planning and Economic Development  a) On alleged diversion of Shs.5bn from the Ministry of Relief, Disaster Preparedness and Refugees under the Office of the Prime Minister, thereby curtailing interventions in disasters occurring across the country - by Hon. Macho Geoffrey, MP Busia Municipality.  b) On the return by Town Clerks of Cities and Municipalities, of Shs.30bn to the Consolidated Fund earmarked for implementation of the Uganda Support to Municipal Infrastructural (USMID) Projects at the conclusion of the FY 2020/21 and the refusal by the Ministry of Finance, Planning and Economic Development to return the same to Cities and Municipalities despite several requisitions by the relevant local authorities: by Hon. Isingoma Patrick Mwesigwa, MP Hoima East Division  c) On the deplorable state of roads in Nakasongola District due to inadequate maintenance arising from the non-release of requisite funds to the Uganda Road Fund by the Ministry of Finance, Planning and Economic Development: by Hon. Mutebi Noah Wanzala, MP Nakasongola County  d) On the slow implementation of digital stamps by Uganda Revenue Authority (URA), whose deadline was 30<sup>th</sup> April, 2022 resulting in loss of revenue due to failure to sell products that were</p>
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May 10<sup>th</sup> 2022 Motion Number 9

<sup>20</sup> Parliament met at 2.12 p.m. at Parliament House, Kampala. Thursday, May 10<sup>th</sup> 2022. Ref Motion 9

On 21 July 2022, a Hansard record<sup>21</sup> shows an inquiry by Hon. Oguzu Denis of Maracha country in a Parliamentary session stating, “the President guided that the Government should pay tobacco farmers...” to which the Prime Minister Hon Nabbanja responded acknowledging that “the President has directed that we pay those people. I am in touch and in talks with the Minister of Trade.”

**MR OGUZU:** Prime Minister, I was drawing your attention to an urgent matter, which needs urgent attention. And I was saying that right now, critical operations cannot take place in hospitals in West Nile because power is not available. The company, Electromax that you contracted as a stop-gap measure to provide power to WENRECO, doesn't have fuel. As a result, all cold storage facilities cannot run and operations cannot take place. I want to know if there is someone or people in charge. What should we expect?

Secondly, the President guided that the Government should pay tobacco farmers. To what extent have you proceeded to implement that guidance? Thank you

July 21<sup>st</sup> Parliamentary Hansard Page 35

4.59

**THE MINISTER OF ENERGY AND MINERAL DEVELOPMENT (Ms Ruth Nankabirwa):** Thank you very much, Mr Speaker. I will be in West Nile on the 28<sup>th</sup> - next week. I have already informed the people. I have been going there and I have been interacting with the MPs from West Nile trying to solve the problem of Electromax. I have just heard that the current situation is caused by lack of fuel. Obviously, the Ministry of Energy and Mineral Development is going to talk to Electromax. We have done it before, to make sure that we provide fuel so that we can generate power to save the people. I am going to do that right away.

**THE DEPUTY SPEAKER:** Thank you. I had allowed Hon. Babungi - [*Member: "The issue has not been addressed."*]

**MS NABBANJA:** Mr Speaker, we have a pending issue to do with the tobacco farmers in West Nile. Two regions were struggling in the same way. Last year, we managed to pay the tobacco farmers in Bunyoro and Mubende sub regions. The President has directed that we pay those people. I am in touch and in talks with the Minister of Trade. You will also be covered.

5.00

**MR DENIS SEKABIRA (NUP, Katikamu County North, Luweero):** Thank you, Mr Speaker. On 14 June 2022, ideally 16 days to closure of the Financial Year 2021/2022, Uganda Revenue Authority (URA) officials and agents came to my constituency of Katikamu North, to be specific in Luweero Town Council, evaluated and over assessed retail businesses and gave them an ultimatum of 10 days to pay income tax.

July 21<sup>st</sup> Parliamentary Hansard Page 36

This was followed by an article on the same day, stating that Tobacco farmers in the West Nile region are set to benefit from over Shs 9,708,095,000 billion shillings which the government has earmarked to compensate them as a result of President Museveni's directive to Prime Minister Robinah Nabbanja in a letter dated July 20, 2022, to pay 1500 farmers that have been demanding Continental Tobacco Company since 2018.<sup>22</sup>

<sup>21</sup> July 21<sup>st</sup> Parliamentary Hansard Page 35-36

<sup>22</sup> Eye witness (2022). 9,7 bn up for West Nile tobacco farmers compensation. Available at: <http://bitly.ws/la7d>

# 9.7bn Up For West Nile Tobacco Farmers Compensation

July 31, 2022 in Agriculture, Agriculture Reading Time: 1 min read 0



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JANUARY 21

**Phaneroo | Sudhir Grill Over Naka Land**  
APRIL 22, 2022

7. The government gives privileges, incentives, tax exemptions or benefits to the tobacco industry (Rec 7.3)		1				
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Section 23 of the TCA prohibits giving privileges, incentives, exemptions or benefits to the tobacco industry.

**However**, the Uganda Customs, Currency & Airport Tax regulations<sup>23</sup> despite recommendations in the previous TI Index report still allows international travelers to bring 200 sticks of cigarettes or 250gm of tobacco into the country tax free.

### INDICATOR 4: Forms of Unnecessary Interaction

8. Top level government officials (such as President/ Prime Minister or Minister <sup>24</sup> ) meet with/ foster relations with the tobacco companies such as attending social functions and other events sponsored or organized by the tobacco companies or those furthering its interests. (Rec 2.1)		0				
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There is no record of this in the current reporting period.

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)				3		
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The government of Uganda through Uganda Revenue Authority accepted a cigarette destruction machine from BAT as a donation to support the national fight against illicit cigarette trade.<sup>25</sup>

<sup>23</sup> Travel Center. Uganda Customs, Currency & Airport Tax regulations details. Available at: <http://bitly.ws/ladH>

<sup>24</sup> Includes immediate members of the families of the high-level officials

<sup>25</sup> Tobacco Reporter (2022). BAT donates cigarette destruction machine. Available at: <http://bitly.ws/laeN>

BATU in its annual report claims, “We strengthened transparent collaboration with relevant government agencies, notably, the Uganda Revenue Authority, in the fight against illicit trade in tobacco products.”<sup>26</sup>

10. The government accepts, supports, endorses, or enters into partnerships or non-binding agreements with the tobacco industry or any entity working to further its interests. (Rec 3.1) <i>NOTE: This must <u>not</u> involve CSR, enforcement activity, or tobacco control policy development since these are already covered in the previous questions.</i>		I				
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On 11<sup>th</sup> August in a motion for a resolution of parliament urging government to urgently address the electricity supply challenges in West Nile region<sup>27</sup>, Hon Feta Geoffrey second the motion in part stating that, “British American Tobacco (BAT), which used to grow leaf tobacco in West Nile, could not establish a plant due to inadequate power supply and therefore, the people in the region only grew tobacco but did not reap the benefits of processing.”

45 / 84 | - 100% + | [ ] [ ]

**MR GEOFFREY FETA (NRM, Ayivu Division East County, Arua):** Thank you, Mr Speaker. I rise to second the motion for a resolution of Parliament, urging Government to urgently address the electricity challenges in the West Nile region.

By 2003, West Nile and the greater Arua and Nebbi had 1,200 consumers connected to the grid. They were consuming about 1,100 megawatts. Today, the segment of consumers in three sub regions, majorly Madi, Arua and Greater Nebbi sub regions constitute about 27,000 consumers.

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The Government, through Rural Electrification Agency, extended the network to the parts of Yumbe, Koboko, Terego, Pakwach, Madi-Okollo, Moyo and Adjumani and over the years, the demand for the consumption of power has grown beyond 15 megawatts and is still growing.

Some of the major processing plants and factories like Adriko’s Seven Hills Vodka, Aruaform, Malaika Beverages and Bread Company were forced to close due to inadequate power supplied. **British American Tobacco (BAT)**, which used to grow leaf tobacco in West Nile, could not establish a plant due to inadequate power supply and therefore, the people in the region only grew tobacco but did not reap the benefits of processing.

Adriko’s Seven Hills Plant, which was consuming 750 kilowatts daily, was forced to close and shift its plant to Nalukolongo, where they have now expanded to processing beverages, glucose processing and water production. They directly employ about 200 staff and indirectly engage over 600 people in the economy of Uganda.

Today, we have Meridian Tobacco that consumes about 1.2 megawatts. That company operates on a double shift processing and running line. It has about 300 direct staff. It involves 15,000 farmers who sell their products to Meridian Tobacco.

The National Water and Sewerage Corporation plant in Arua pumps water from different drilled boreholes to the reservoirs to supply the greater Arua and Koboko. They need about one megawatt to do their job well. This means that without power, the entire region does not have water and this is likely to lead to a health crisis. Homes and hotels do not have water.

11<sup>th</sup> August Parliamentary Hansard Pg 45

<sup>26</sup> BAT Uganda (2021). A better tomorrow: building the enterprise of the future. 2021 Annual report & financial statements. Available at: <http://bitly.ws/laf7>

<sup>27</sup> [https://huripec.mak.ac.ug/wp-content/uploads/2022/12/August11\\_2022.pdf](https://huripec.mak.ac.ug/wp-content/uploads/2022/12/August11_2022.pdf) Pg 45

	0	1	2	3	4	5
<b>INDICATOR 5: Transparency</b>						
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)				3		
There is no record of this in the current reporting period.						
12. The government requires rules for the disclosure or registration of tobacco industry entities, affiliated organizations, and individuals acting on their behalf including lobbyists (Rec 5.3)				3		
The TCA provides a non-conclusive list of items/ guide <sup>28</sup> that the tobacco industry and those who further their cause shall use to report to the Tobacco Control (TC) Committee.						
<b>INDICATOR 6: Conflict of Interest</b>						
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				
The TCA prohibits contributions from the TI. Please refer to the TCA. <sup>29</sup>						
14. Retired senior government officials form part of the tobacco industry (former Prime Minister, Minister, Attorney General) (Rec 4.4)		1				
There is no evidence available of a retired senior officer such as or equivalent to Prime Minister, Minister, Attorney General who is part of the tobacco industry in this reporting season.						
15. <u>Current government officials</u> and relatives hold positions in the tobacco business including consultancy positions. (Rec 4.5, 4.8, 4.10)	0					
<p>No incident.</p> <p>The TCA in part VIII prohibits government officials who contribute or may contribute to the formulation, implementation, administration, enforcement or monitoring of public health policies related to tobacco control to engage in any occupational activity with the tobacco industry<sup>30</sup> including a consultancy position.</p> <p>In light of this, there is no evidence available of current government officials (who contribute or may contribute to the formulation, implementation, administration, enforcement or monitoring of public health policies related to tobacco control) and their relatives who hold positions in the tobacco business including consultancy positions.</p>						
<b>INDICATOR 7: Preventive Measures</b>						

<sup>28</sup> The Republic of Uganda. Tobacco Control Act 2015: Section 43 and Schedule Six. Available at: <http://bitly.ws/l9Qx>

<sup>29</sup> The Republic of Uganda. Tobacco Control Act 2015: Section 25. Available at: <http://bitly.ws/l9Qx>

<sup>30</sup> The Republic of Uganda. Tobacco Control Act 2015: Section 3(5) and Section 25. Available at: <http://bitly.ws/l9Qx>

	0	1	2	3	4	5
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)					4	
No. This is not reflected in the TCA or regulations, nevertheless, there is a working draft of guidelines for such interactions that has not been finalized and passed since 2019.						
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 fort Yes but partial if only MOH</i>			2			
All nominated members of the TC Committee signed a declaration of interest form before being appointed. This committee shall be guided by a code of conduct to guide its dealings with the TI.  The code of conduct exists and is only for the internal use of the committee <sup>31</sup>						
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)		1				
Section 43 of the TCA and the sixth schedule 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. <sup>32</sup>						
19. The government has a program / system/ plan to consistently <sup>33</sup> raise awareness within its departments on policies relating to FCTC Article 5.3 Guidelines. (Rec 1.1, 1.2)				3		
There is no existing national enforceable plan to raise awareness on policies relating to FCTC Article 5.3 guidelines, nevertheless, there is a draft TC communication plan to raise awareness on TC issues as they exist or as may arise including awareness of Article 5.3 of the WHO FCTC and Part VIII of TC. This plan is made by the Ministry of Health (MoH) with support from TC national stakeholders.						
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)		1				

<sup>31</sup> Source: TC Focal Person MoH / TCC secretariat.

<sup>32</sup> The Republic of Uganda. Tobacco Control Act 2015: Section 43 and the sixth schedule. Available at: <http://bitly.ws/l9Qx>

<sup>33</sup> For purposes of this question, "consistently" means: a. Each time the FCTC is discussed, 5.3 is explained. AND b. Whenever the opportunity arises such when the tobacco industry intervention is discovered or reported.

	0	1	2	3	4	5
Yes. The government has put in place a policy to disallow the acceptance of all forms of contributions/ gifts from the tobacco industry including offers of assistance, policy drafts, or study visit invitations, etc. Please refer to the TCA Section 21, 22 and Paragraphs 7,8,9,16,17 and 18 of the Third schedule. <sup>34</sup>						
<b>TOTAL</b>						<b>38</b>

<sup>34</sup> The Republic of Uganda. Tobacco Control Act 2015: Section 21, 22 and Paragraphs 7,8,9,16,17 and 18 of the Third schedule. Available at: <http://bitly.ws/l9Qx>



## ANNEX A: SOURCES OF INFORMATION

### TOBACCO COMPANIES

Top 5 Tobacco Companies/distributors	Market Share and Brands	Source
British American Tobacco Uganda (BATU)	Benson & Hedges, Embassy, Rex, Sportsman	<a href="https://tobaccotactics.org/wiki/uganda-country-profile/">https://tobaccotactics.org/wiki/uganda-country-profile/</a>
Continental Tobacco Uganda	Leaf Tobacco	<a href="http://www.aointl.com/news/news-releases/alliance-one-tobacco-uganda-excellent-start/">http://www.aointl.com/news/news-releases/alliance-one-tobacco-uganda-excellent-start/</a>
Uganda Tobacco Services Ltd	Leaf Tobacco	<a href="https://www.tobacco1.com/tobacco-suppliers/uganda-tobacco-services-limite">https://www.tobacco1.com/tobacco-suppliers/uganda-tobacco-services-limite</a>
Meridian Tobacco Company.	Leaf Tobacco	<a href="https://uma.or.ug/membership/online-member-directory/agricultural-produce-equipment-development/426-Meridian-tobacco-company-ltd">https://uma.or.ug/membership/online-member-directory/agricultural-produce-equipment-development/426-Meridian-tobacco-company-ltd</a>
Nimatabac U Global	Leaf	<a href="http://www.mtic.go.ug/launch-of-tobacco-season-2017/">http://www.mtic.go.ug/launch-of-tobacco-season-2017/</a>
Leaf Holdings U Ltd	Leaf	<a href="http://www.mtic.go.ug/launch-of-tobacco-season-2017/">http://www.mtic.go.ug/launch-of-tobacco-season-2017/</a>

### TOBACCO INDUSTRY FRONT GROUPS

Top 5 Tobacco Industry Representative	Type (Front Group/ Affiliate)	URL
Uganda Manufacturers Association	Front Group	<a href="https://www.uma.or.ug/">https://www.uma.or.ug/</a>
Kacita Cooperative	Front Group	<a href="https://www.kacita.co.ug/kacita-to-petition-government-over-soaring-rates/">https://www.kacita.co.ug/kacita-to-petition-government-over-soaring-rates/</a>
Uganda Tobacco Farmers Association	Front Group	See petition the Speaker of Parliament on the TC Bill
Private sector Foundation	Front Group	<a href="https://www.psfuganda.org/">https://www.psfuganda.org/</a> <a href="https://tobaccotactics.org/wiki/uganda-timeline-industry-interference-with-the-uganda-tobacco-control-bill-2014/">https://tobaccotactics.org/wiki/uganda-timeline-industry-interference-with-the-uganda-tobacco-control-bill-2014/</a>
Tomosi Foundation	Affiliate	<a href="http://www.tomosigroup.ug/news/story-4">http://www.tomosigroup.ug/news/story-4</a>

### NEWS SOURCES

Top 5 Newspaper/Dailies	Type (Print/Online)	URL
New Vision	Both	<a href="https://www.newvision.co.ug/">https://www.newvision.co.ug/</a>
Daily Monitor	Both	<a href="https://www.monitor.co.ug/">https://www.monitor.co.ug/</a>
The Weekly Observer	Both	<a href="https://www.observer.ug">https://www.observer.ug</a>
The East African	Both	<a href="https://www.theeastafrican.co.ke/">https://www.theeastafrican.co.ke/</a>
The Independent	Both	<a href="https://www.independent.co.ug/">https://www.independent.co.ug/</a>