
Tanzania

**TOBACCO
INDUSTRY
INTERFERENCE
INDEX
2023**

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Acknowledgements:

This report is a progress update of the Tanzania Tobacco Industry Interference Index which is part of 2023 Global Tobacco Industry Interference Index (GTI) Report. The GTI is a global survey on how public health policies are protected from the tobacco industry's subversive efforts, and on governments' efforts to protect policies from this influence. The Tobacco Industry Interference Index was initiated by the Southeast Asia Tobacco Control Alliance (SEATCA), as a regional report, with support from the Bill and Melinda Gates Foundation. The GTI is part of a global publication of the Global Centre for Good Governance in Tobacco Control (GGTC) with support from Bloomberg Philanthropies.

Input by colleagues and government officials is highly appreciated.

Background and Introduction

Tanzania enacted the Tobacco Products (Regulation) Act 2003 (TPRA, 2003)¹, whose main objective is to reduce tobacco use and its consequent harm by “protecting persons under 18 and other non-smokers from inducements to use tobacco products”. Additionally, Tanzania ratified the WHO Framework Convention on Tobacco Control (FCTC)² in April 2007. However, implementation of the treaty has been weak and obligations are not reflected in the current tobacco control legislation which is flawed and not in line with the requirements of the Convention and, hence, incapable of protecting people against tobacco-related hazards. Ten years after ratification, efforts to have a new law to replace the flawed one have so far failed. It is suspected that this delay is due to the influence of the tobacco industry.

Article 5.3 of the WHO FCTC obligates Parties to protect public health policies with respect to tobacco control policies from commercial and other vested interests of the tobacco industry. Unfortunately, this important article has not been effectively utilised, paving way to the tobacco industry to interfere hence jeopardising tobacco control efforts.

Failure to implement the WHO FCTC has resulted in increased tobacco production and use, translated into the increasing burden of non-communicable diseases (NCDs)³. Tanzania remains the only country in East Africa with increased tobacco production and also the only one without a WHO FCTC compliant legislation. Results of the 2018 Global Adult Tobacco Survey (GATS) for Tanzania indicated that, 8.7% overall (2.6 million adults), 14.6% of men and 3.2% of women currently used tobacco (smoking and/or smokeless tobacco). In addition, the survey also indicated that, adult individuals were exposed to second hand smoke as follows; 32.9% at workplaces, 13.8% at home, 31.1% at restaurants, 77.0% at bars and 15.3% at universities. Tobacco use is reported to cause over 14,700 deaths per year, almost 4% of all deaths in the country⁴.

Tanzania Cigarette Company (TCC) is the only cigarette producer in Tanzania controlling more than 90% of market share.⁵

Lack of a WHO FCTC compliant legislation has given a leeway to the tobacco industry to upscale its advertising, promotion and CSR activities. The situation has been aggravated by top government leadership showing full support for the industry, including the president allocating TZS 11.2bn to the tobacco sector and, the Prime Minister and Minister for Agriculture meeting tobacco farmers and other stakeholders, sensitising them to upscale production hand-in-hand with inviting more tobacco leaf companies to ensure purchase of the crop.^{6 7}

This Index is an updated civil society report showing the trend from 1 April 2021 to 30 March 2023 on how the government has responded to or addressed the tobacco industry's tactics and promotion of its business to interfere with tobacco control as outlined in the WHO FCTC Article 5.3 guidelines. The report identifies many incidences of tobacco industry interference and how the Tanzanian government continues to be vulnerable to its influence, hence, failing to institute effective measures to safeguard public health.

Tanzania has scored a total of 79 points, six points more than 2021, deteriorating further and, continuing to remain in the red zone indicative of continued high level of interference by the

¹ Tobacco Products (Regulation) Act 2003. <https://bit.ly/3e8L7c4>

² WHO Framework Convention on Tobacco Control. <https://bit.ly/2SbXStl>.

³ Tanzania Steps Survey Report (2013). Ministry of Health and Social welfare and National Institute for Medical Research in collaboration with World Health Organisation. <https://bit.ly/3vwMo2v>

⁴ 2018 Tanzania Global Adult Tobacco Survey - Key Findings and Fact-Sheet Reports. <https://bit.ly/3aQUgUD>

⁵ Tanzania Cigarette Company releases its full year 2021 financial results. <https://bit.ly/3xA4lix>

⁶ AFRICA Press. Samia insists on food security 20 May 2022 <https://bit.ly/3UNgIBg>

⁷ PM in Namtumbo <https://bit.ly/3US742Y>

tobacco industry in public health policies. The country continues to do worse than other sub-regional countries that have effective WHO FCTC compliant tobacco control legislations.

The report is based on a questionnaire developed by the Southeast Asia Tobacco Control Alliance. There are 20 questions based on the Article 5.3 guidelines. Information used in this report is obtained from the public domain only. A scoring system is applied to make the assessment. The score ranges from 0 - 5, where 5 indicates highest level of industry interference, and 1 is low or no interference. Hence the lower the score, the better for the country. The 0 score indicates absence of evidence or not applicable. The report includes information on incidents from April 2021 to March 2023, but also includes incidents prior to April 2021 that still have relevance today.

Summary Findings

1 INDUSTRY PARTICIPATION IN POLICY DEVELOPMENT

The Tobacco Products (Regulations) Act 2003 and Tobacco Products Regulations 2014 are not compliant with the WHO FCTC. Efforts to enact a new law these past years have been delayed due to accommodation of tobacco industry's concerns. Since 2017, MoH proposed to table a tobacco control bill but to date this has not materialized. Lack of a WHO FCTC compliant law and support from top government leadership has given a leeway to the tobacco industry, to upscale its advertising, promotion and sponsorship activities, hand in hand with increased tobacco production and use.

2 INDUSTRY CSR ACTIVITIES

Tobacco-related CSR activities are not banned and continue to increase endorsed by top government officials, members of parliament and other leaders participating in these activities and commending the industry for its 'continued economic and social contribution to the country'.

3 BENEFITS TO THE INDUSTRY

The Government fully supports the tobacco industry, giving huge subsidies to upscale production and inviting more leaf companies to purchase the crop. No increase in tobacco taxes for the third year running.

4 UNNECESSARY INTERACTION

Article 5.3 guidelines indicates interaction between government officials and the tobacco industry to be only when strictly necessary, however this is not the case with industry activities on the ground. Tanzania Cigarette Public Limited Company (TCC Plc) signed a Collective Bargaining Agreement (CBA) with the Tanzania Union of Industrial and Commercial Workers (TUICO). The signing ceremony was attended by Minister of State, Prime Minister's Office who commended TCC Plc and TUICO for the good work.

5 TRANSPARENCY

The government has not put in place a procedure to disclose its meetings with the tobacco industry. Individual meetings with tobacco officials do take place and are recorded. Neither the Tanzania Medicines and Drugs Authority Regulations nor the Tobacco Industry Act requires tobacco companies to register their affiliated organizations, and individuals acting on their behalf such as lobbyists.

6 CONFLICT OF INTEREST

TCC non-executive Chairman Paul D Makanza and other Tanzanian Board Members are affiliated to TCC and yet highly placed in government offices and/or other government agencies.

7 PREVENTIVE MEASURES

The government does not have a program or plan to consistently raise awareness within its departments on policies relating to FCTC Article 5.3 Guidelines. The government has not 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. Public officials continue to meet with tobacco industry officials with no procedure in place.

RECOMMENDATIONS

Lack of an FCTC compliant tobacco control law continues to give a leeway to the tobacco industry to operate freely in Tanzania. Tobacco advertising especially at points of sales and through internet, new tobacco shops full of shisha, electronic cigarettes and other tobacco products have increased exponentially, targeting particular the youth. Tobacco farming has escalated with top government leaders seeking more leaf buying companies ready to purchase tobacco leaves. For the first time ever, government provided a total of TZS 11.2bn as subsidy for tobacco production. Guiding Principles of Article 5.3 of the WHO FCTC requires Parties to observe the following;

- Establish measures to limit interaction with the tobacco industry and ensure transparency of those interactions that occur;
- Reject partnership and non-binding or non-enforceable agreements with the tobacco industry; and
- Avoid conflict of interest for government officials and employees

To fulfil its obligations under the WHO FCTC, the government must table in Parliament an FCTC-compliant tobacco control bill as soon as possible, to protect the public, in particular children and youth from hazards of tobacco use.

Tobacco related CSR activities must be banned, as stated in the FCTC and, to ensure transparency. There must be clearly documented procedures for government officials to record all interactions where strictly necessary with the tobacco industry.

Tobacco advertising, promotion and sponsorship which has gained momentum recently must be stopped, to observe Article 13 of the FCTC, to protect the public particularly youth from being lured into smoking by the tobacco industry.


The cost-benefit analysis of tobacco business is more people suffer and die from tobacco use than any benefit it is believed to bring to the economy. People's health must be protected. Therefore, the tobacco industry should not be given any incentive to increase its business. Tobacco taxes must be raised to protect vulnerable groups (youth and poor), reduce tobacco-related diseases and increase government revenue.

Finally, a Code of Conduct must be developed for government officials, to provide guidance on dealing with the tobacco industry when strictly necessary. The Code will stop government officials from endorsing tobacco related activities and the tobacco industry.

Tanzania

Tobacco Industry Interference Index 2023

Results and Findings

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INDICATOR 1: Level of Industry Participation in Policy-Development						
1. The government ⁸ 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 in setting or implementing public health policies in relation to tobacco control ² (Rec 3.4)					4	
<p>The situation has not changed since 2021. Results of the tobacco taxation study carried out in 2018 by Ministry of Health (MoH) in collaboration with WHO, Ministry of Finance and Planning (MOFP), Tanzania Revenue Authority (TRA) and the Centres for Disease Control and Prevention (CDC), remain withheld at the MOFP. It is not known when the proposed tax rates will be released. Ministry of Health designated Tanzania Medicines and Drugs Authority (TMDA) as inspectors of tobacco products (Tobacco Products (Regulations) Act CAP 121 of 30/4/2021)⁹.</p> <p>The Regulations in part carry the Philip Morris International (PMI) Foundation for a Smoke Free World (FSFW) language e.g. (d) ensuring that tobacco products are modified to reduce harm to such an extent as may be technologically and practically possible; and (e) promoting a climate that will lead to a smoking-free atmosphere in all walks of life⁹. Additionally, TMDA mandated public areas e.g. bars, restaurants and hotels and even our airports that were pronounced smoke free in 2014, to introduce designated smoking areas¹⁰, violating Art 8 of the FCTC (100% smoke free environment)².</p>						
						
<p>Poster indicating designated smoking area at Julius Nyerere Int. Airport Terminal Two</p>						

⁸ Includes immediate members of the families of the high-level officials

⁹ Designation of TMDA as Regulator of Tobacco Products <https://bit.ly/40mASVy>

¹⁰TMDA introduces designated smoking areas. <https://bit.ly/3UJHqg>

On 28/1/2022, TMDA announced that they have established a laboratory in the capital city Dodoma that will be testing the “quality” of tobacco and traditional medicines¹¹ (the industry took advantage of the new health minister who was not aware of procedures).

Government gives subsidy to the tobacco sector

For the first time ever, President Samia Suluhu Hassan offered TZS 11.2 bn (about \$5,000,000) as subsidy to support the tobacco sector⁶

2. The government accepts, supports or endorses <u>policies or legislation drafted</u> by or in collaboration with the tobacco industry. (Rec 3.4)						5
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The situation remains the same as in 2021. The long-awaited WHO FCTC compliant tobacco control law is yet to be enacted and tobacco advertising at points of sale and promotion of tobacco products continues as allowed in the Tobacco Products (CAP 121) Regulations of 2014¹². This situation has been exacerbated by top government officials supporting the tobacco industry and tobacco business in general.

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						5
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There is no law that prohibits the government to sit with the tobacco industry to set public health policies; however, meetings between government officials and the industry are normal and even reported.

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) (Rec 4.9 & 8.3) For non-COP year, follow the previous score of COP year. For non-Parties, apply a score of '0'			2			
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2021 COP9

Tanzania was represented by the following delegates to the ninth session of the COP: Chief Delegate (Head of delegation) Dr J. Kiologwe Ministry of Health Community Development, Gender, Elderly and Children, (MoHCDGEC), Delegate (Accredited representative) Ms M. Tarishi Ambassador and Permanent Representative, Permanent Mission in Geneva, Mr M. Luvinga MoHCDGEC, Mr B.H. Omar Abdalla Ministry of Health Community Development, Gender, Elderly and Children Zanzibar, Dr O. Ubuguyu MoHCDGEC, Mr B.H. Magarawa Ministry of Health Community Development, Gender, Elderly and Children Zanzibar, Dr Y. Mwalwisi Tanzania Medicines and Drugs Authority (TMDA), Ms S.F. Zulekha Counsellor, Permanent Mission in Geneva, Mr A. Juma TMDA, Mr R. Octavian Prime Minister’s Office, Ms V. Millinga MoHCDGE, Mr N. Chimagu Ministry of Agriculture, Mr A. Biyaka Ministry of Agriculture, Mr C. Mgifi Ministry of Industry and Trade, Mr B. Mwasomola Ministry of Constitution and Legal Affairs¹³.

Unlike CO8, COP9 representation from Ministry of Health including head of delegation was satisfactory although there were still pro-tobacco delegates from Prime Minister’s Office, Ministries of Agriculture, Industry and Trade and, Constitution and Legal Affairs¹³.

2018 COP8

Tanzania was represented by the following delegates to the eighth session of the COP:

Dr J.A. Msekela Permanent Representative, Permanent Mission, Geneva Deputy chief delegate, Mr E.S. Maponde Assistant Director, Private Sector Development, Prime Minister's Office, Mr O.N. Mwashia Assistant Director, Multilateral Trade, Ministry of Industry, Trade and Investment, Ms M.E. Mrutu Assistant Director, Constitutional & Justice Affairs, Ministry of Constitution and Legal Affairs, Mr W.M. Mhoja Acting Assistant Commissioner for Policy, Analysis Research, Ministry of Finance and Planning, Dr J.K. Ningu Acting Director, Tanzania Tobacco Board, Ministry of Agriculture, Mr E.N. Mtweve Minister Counselor, Permanent Mission, Geneva Dr C. Sanga Health Attaché, Permanent Mission, Geneva, Ms P.G. Fungameza State Attorney, Attorney General Chambers, Mr P.N. Rwechungura Labour Officer, Prime Minister's Office, MS H. Mgeta Foreign Service Officer, Ministry of Foreign Affairs and East African Cooperation represented Tanzania in 2018.

Various departments of the government were well represented, including the Tanzania Tobacco Board. However, the designated representative from MoHCDGEC Dr Sarah Maongezi, Assistant Director NCDs and WHO FCTC Focal Person did not attend COP8¹⁴.

INDICATOR 2: Industry CSR activities

<p>5. A. Government agencies or their officials endorse, support, form partnerships with or participates in activities of the tobacco industry described as “socially responsible” or “sustainable”. For example, environmental programs¹⁵. (Rec 6.2)</p> <p>B. The government (its agencies and officials) receives CSR contributions¹⁰ (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
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Although it has been more than 15 years since Tanzania ratified the WHO FCTC in 2007², the country has done very little in terms of implementation of Article 5.3 and Article 13. Government continues to partner with the tobacco industry which has also greatly increased its CSR activities to build good will, re-invent its public image and influence politicians.

In their 2021 annual report, Tanzania Cigarette Company (TCC) used the picture of Tanzania’s first president the late Mwalimu Julius Kambarage Nyerere taken in 1961 at the inaugural ceremony of the company¹¹ on their cover pages, to re-invent its public image and influence politicians. Knowing his fight and support for human rights, it is quite doubtful that he would have conceded to this kind of gesture today. This event took place long before the hazards of tobacco use were known in Tanzania.

¹⁵political, social financial, educations, community, technical expertise or training to counter smuggling or any other forms of contributions

¹⁶Nyerere opens TCC Co. (Dec 4 1961) <https://bit.ly/3muBKuo>



1st Tanzania President Mwalimu Julius Kambarage Nyerere (late)
opens the Tanzania Cigarette Co. - 4 December 1961

The 2021 Report further informs of more CSR activities within the community as follows;

Under the guise of building good will and re-inventing its public image, TCC reported to have supported programmes in poverty alleviation, people with disability, natural environment, visual and performing arts and older persons by providing assistive devices, sewing machines, oil pressing and maize milling machines and drums for cleanliness campaign in Dar es Salaam. The company also supported seven students to Bagamoyo College of Arts⁵.

Prime Minister lays foundation stone to JTI funded secondary school in Tabora Region



On 9 September 2022, Prime Minister Kassim Majaliwa (1st right) laid the foundation stone for the construction of Margaret Sitta Girls' Secondary School located in Urambo, Tabora Region. In attendance were Minister of the President's Office TAMISEMI, David Silinde (L), the Ambassador of Japan in the country, Yosushi Misawa (2nd left), Member of Parliament for Urambo Margaret Sitta (3rd left) and Tabora Regional Commissioner, Ambassador Dr. Batilda Burian (2nd right).

Right picture – PM waves to students of Margaret Sitta Girls Secondary School. The school is funded by JTI.¹⁷

Morogoro Regional Commissioner commends Alliance One Tanzania Limited

Morogoro Regional Commissioner Fatwa Mwassa commended Alliance One Tobacco Tanzania Limited for committing TZS 222.7m to two Morogoro primary schools. The Regional

commissioner praised the company's generosity. The company is into its sixth phase of the collaboration with the government which is endorsed by the President¹⁸.



Morogoro Regional Commissioner Fatwa Mwassa speaking at the launch of Alliance Once donation to schools.

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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The FCTC-compliant tobacco control law that was supposed to have been tabled in Parliament in November 2009 and enacted in February 2010 has not been tabled to date. Delays of more than 10 years have benefited the tobacco industry enabling it to increase cigarette sales.

Prime Minister and Minister for Agriculture advocate for increased tobacco production

The PM and Minister for Agriculture have been on the fore front advocating for increased tobacco farming and also securing markets for the crop. The Minister for Agriculture (Hussein Bashe) who was Deputy Minister for many years and hails from Tabora Region, the major tobacco producer, has vowed to double tobacco production by end of year¹⁹. Likewise, in his budget speech of 2022/2023, Hon Bashe informed that, in the 2021/2022 production season, tobacco farmers have entered into contracts with nine tobacco leaf companies namely, Premium Active TZ Ltd, Alliance One TZ Ltd, Japan Tobacco International Leaf Services, Magefa Growers Ltd, Pachtec Co. Ltd, ENV Services Ltd, Jespan Co. Ltd, Naile Leaf TZ Co and Biexen Co. Ltd. for producing 70,775 tons of tobacco²⁰.

On 18 October 2022, PM went to Namtumbo District, Ruvuma Region to advocate for increased tobacco farming⁷. Due to TTCF's advocacy campaigns, between 2006 and 2014, more than 90% of tobacco farmers in Namtumbo adopted alternative crops, registering great improvement in their social economic status²¹. However, since 2015, farmers' crops lacked markets and, bumper harvests were spoilt in warehouses due to lack of markets. Since then, efforts have been going on to ensure that farmers revert to tobacco farming. PM promised fertilizer subsidies, to ensure that farmers make profit from tobacco growing. New leaf tobacco companies have also been invited, to ensure sustainable markets for the crop²².



Prime Minister (C) addressing tobacco farmers and other stakeholders in Namtumbo District, Ruvuma Region

Mkwawa Leaf Tobacco Company reopens

The Mkwawa Leaf Tobacco Company based in Morogoro Region, owned by Ahmed Huwei was reopened after being dormant for four years. Tobacco farmers were inspired to cultivate more tobacco since there was assured markets²³. On 24 August 2022, President Samia Suluhu Hassan appointed Victor Mwambalaswa as TTB Board Chair, followed by Minister for Agriculture appointing eight Board Members²⁴.



Tanzania Tobacco Board Director General Stanley Mnosya listens to Mkwawa Leaf Tobacco official (C) during a tour of the board of directors. Left is the company’s managing director Paul Crossan.

7. The government gives privileges, incentives, tax exemptions or benefits to the tobacco industry (Rec 7.3)						4
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As in the previous year, there was no mention of tobacco taxes except for electronic cigarettes whereby a low duty rate of 35% was introduced since “it is tobacco substitute”.²⁵

The government allows international travelers to duty-free import one packet of cigarette containing 200 sticks, cigars, tobacco and snuff not exceeding 250 grams into the country.²⁶

INDICATOR 4: Forms of Unnecessary Interaction

8. Top level government officials (such as President/ Prime Minister or Minister ¹²) 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
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The situation has not changed since 2021; government continues to support and also be supported by the tobacco industry and to further its interests.

Tanzania Cigarette Public Limited Company signs agreement with Tanzania Union of Industrial and Commercial Workers

On 26 August 2022, the management of Tanzania Cigarette Public Limited Company (TCC Plc) signed a Collective Bargaining Agreement (CBA) with the Tanzania Union of Industrial and Commercial Workers (TUICO). The signing ceremony was attended by Minister of State, Prime Minister’s Office (Labour, Youth, Employment and People with Disability), Prof Joyce Ndalichako, who commended the efforts done by management of TCC Plc and TUICO to avoid workplace disputes. The TUICO Deputy General Secretary Tamim Salehe and Association of Tanzania Employers (ATE) Chief Executive Officer Suzanne Ndomba also attended. TCC’s General Manager and Chief Executive Officer Michal Bachan thanked TUICO, ATE and government for attending and witnessing the signing ceremony¹³.

Johari Rotana Hotel launches cigar smoking lounge

On 25 March 2023, Italian Ambassador to Tanzania Marco Lombardi and Ambassador Col (Rtd) Fred Mwesigye launched a luxurious cigar lounge at the five-star Johari Rotana Hotel in Dar es Salaam¹⁴.



Ambassador Col (Rtd) Fred Mwesigye (R) and Italian Ambassador to Tanzania Marco Lombardi (L) launches a luxurious cigar lounge at the five-star Johari Rotana Hotel in Dar es Salaam (25 March 2023)

²⁸ Johari Rotana Hotel launches cigar smoking lounge. <https://www.instagram.com/p/CqNICCbOGrg/?igshid=YmMyMTA2M2Y>

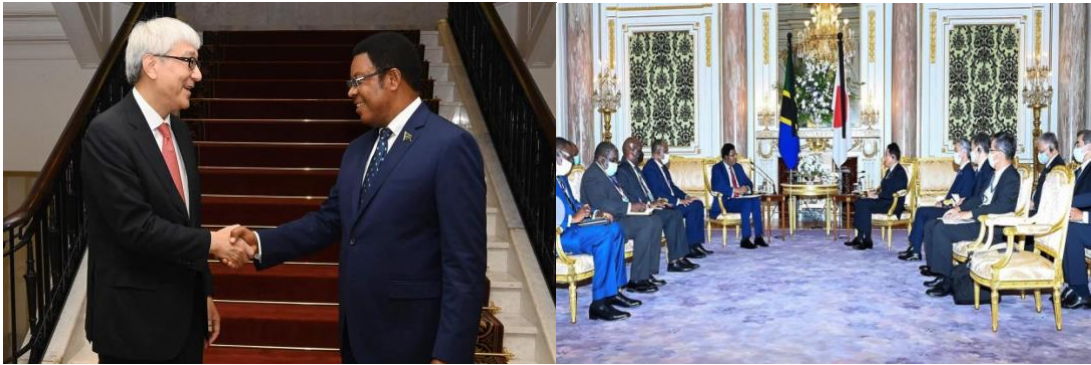
9. The government accepts assistance/ offers of assistance from the tobacco industry on enforcement such as conducting raids on tobacco smuggling or enforcing smoke free policies or no sales to minors. (including monetary contribution for these activities) (Rec 4.3)	0						
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No instances were recorded.

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>						5	
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JTI to buy kg 30m of tobacco from Tanzania

On 26 September 2022, Prime Minister Kassim Majaliwa met with JTI CEO Masamichi Terabatake in Japan, whereby JTI promised to buy kg 30m from Tanzania. Mr Masamichi made the promise before the PM who visited JTI offices in Japan. Prime Minister had gone to Japan to represent Tanzania President during the funeral of retired Japanese PM Shinzo Abe. In attendance were, JTI Board Chair, Mutsuo Iwai and the TCC General Manager Takashi Araki¹⁵.



(R) PM with JTI CEO, (L) PM with the Tanzania delegation and Japanese ambassador with staff

¹⁵JTI to buy kg 30m of tobacco from Tanzania. <https://bit.ly/3LgtBDc>



Teua Lugha | ▼

Embassy of the United Republic of Tanzania Tokyo, Japan

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KAMPUNI YA JAPAN TOBACCO YAAHIDI KUNUNUA KILO MILIONI 30 ZA TUMBAKU TANZANIA

Statement from the Tanzania Embassy in Japan informing about JTI buying Tanzania tobacco

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)

3

There is no recorded incidence of the government meeting with the tobacco industry. However, the lack of such information does not guarantee absence of such meetings because the government does not publicly disclose meetings/ interactions with the tobacco industry. However, individual meetings with tobacco officials do take place and are recorded (see Q.10)

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

TMDA is now the legal entity for inspection of tobacco products and all tobacco companies are required to disclose/register with them¹⁶. There is also the Tobacco Industry Act of 2001³⁰ that requires, among other things, registration/deregistration of tobacco farmers and registration of tobacco processing factories. The Act also establishes the Tanzania Tobacco Board¹⁷. However, neither the TMDA Regulations nor the Tobacco Industry Act require registry for tobacco industry affiliated organizations, and individuals acting on their behalf such as lobbyists.

¹⁶The Tobacco Industry Act, 2001. <https://bit.ly/3xJSQou>

³¹Tanzania Tobacco Board. <https://bit.ly/3tba4Yr>

INDICATOR 6: Conflict of Interest						
13. The government does not prohibit contributions from the tobacco industry or any entity working to further its interests to political parties, candidates, or campaigns or to require full disclosure of such contributions. (Rec 4.11) / Never 5 Yes						5
The government does not prohibit contributions from the tobacco industry.						
14. Retired senior government officials form part of the tobacco industry (former Prime Minister, Minister, Attorney General) (Rec 4.4)	0					
There was no evidence of retired government officials being part of the tobacco industry. However, lack of such information does not guarantee absence of such possibilities. Rampant secrecy within the tobacco industry could be the reason behind. Efforts to get list of TCC shareholders were not successful.						
15. <u>Current government officials</u> and relatives hold positions in the tobacco business including consultancy positions. (Rec 4.5, 4.8, 4.10)						4
<p>All three Tanzanian TCC Board Members have affiliation with government as follows;</p> <p>Paul D. Makanza is TCC Non-Executive Chairman of the Board; Paul Makanza is also Chairman of the Confederation of Tanzania Industries (CTI) and Tanzania Start-up Association (TSA). He is also Vice Chairman of the Tanzania Private Sector Foundation (TPSF). All these are government institutions where he has great influence to lobby and spearhead tobacco industry interests⁵.</p> <p>Baraka Jonathan Katemba is currently serving as the Finance and Administration Manager in the Copyright Society of Tanzania (COSOTA) since October 2020. Prior to that, he has held various positions in the public and private sector including the positions of Finance, Investment and Planning Manager at Tanzania Standard Newspapers (TSN) for 3 years until September 2020 and the position of the Senior Finance Management Advisor at the Office of the Treasury Registrar where he served for 8 years. He also served in the University of Dar es Salaam Governing Council from 2015 to 2017. He joined the Board of Directors of TCC on April 23, 2018 representing the Government of the United Republic of Tanzania until on April 22, 2021 when he retired from the Board of TCC⁵.</p> <p>Onesmo Makombe is the Vice- Chairman of the national Anti - Money Laundering (AML) Committee, a role served from 2015. Prior to the current positions, Mr. Onesmo has held various positions in the public service including; The Commissioner and Chief Executive Officer of the Financial Intelligence Unit (FIU) from 2015 to 2021, The Chair of the Eastern and Southern Anti – Money Laundering Group (ESAAMLG) Task Force (2017- 2018), Acting Commissioner FIU (2013), Assistant Commissioner FIU (2011), Financial and Intelligence Analyst under Ministry of Finance (2007-211), Bank Examiner with BOT (1997-2007). Mr. Makombe joined the TCC Plc Board on April 23, 2021 representing the Government of Tanzania⁵.</p> <p>Asina Omary is an Advocate of the High Court of Tanzania and Courts subordinate thereto. She is serving as an assistant lecturer at the School of Law, University of Dar es Salaam and as a part time instructor at the Law School of Tanzania, roles she has served from 2006, 2008 respectively, to date. Chairperson of the Legal Aid Committee School of Law, University of Dar</p>						

es Salaam from 2012 to date, Chair of the Finance, Planning and Development Committee, Institute of Judicial Administration Lushoto (2010-2016). Ms. Asina also sits on various Boards within the public and private sector. • Appointed to the TCC Board of Directors on August 19, 2021, as additional representative of the minority shareholders⁵

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
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The government has not put in place a procedure for disclosing records of the interaction between the tobacco industry and its representatives.

17. The government has formulated, adopted or implemented a code of conduct for public officials, prescribing the standards with which they should comply in their dealings with the tobacco industry. (Rec 4.2); <i>1 for whole of government code; 2 for Yes but partial if only MOH</i>									5
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The government has not formulated, adopted or implemented a code of conduct for public officials, prescribing the standards to which they should comply in their dealings with the tobacco industry. Public officials openly meet with tobacco industry officials.

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)									4
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The TMDA Notification Form for Tobacco products is limited to name, type and content, it does not cover market share, marketing expenditure, revenues, lobbying, philanthropy, political contribution and other activities³²

19. The government has a program / system/ plan to consistently raise awareness within its departments on policies relating to FCTC Article 5.3 Guidelines. (Rec 1.1, 1.2)									5
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The government does not have a program/system/plan to consistently raise awareness within its departments on policies relating to FCTC Article 5.3 Guidelines.

20. The government has put in place a policy to disallow the acceptance of all forms of contributions/ gifts from the tobacco industry (monetary or otherwise) including offers of assistance, policy drafts, or study visit invitations given or offered to the government, its agencies, officials and their relatives. (3.4)									5
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The government has not put in place a policy to disallow the acceptance of all forms of contributions/gifts from the tobacco industry.

TOTAL SCORE	79								
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Annex A: Sources of Information

	TOP TOBACCO COMPANIES/ DISTRIBUTORS	MARKET SHARE	BRANDS	SOURCE
1	Tanzania Cigarette Company (TCC) The only tobacco manufacturing company in Tanzania	91.3%	Camel, Winston, LD, Embassy, Portsman, Sweet Menthol Safari Club and Crescent & Star	https://bit.ly/3GSoere
2	Alliance One Tobacco (T) Limited		Leaf processor	https://bit.ly/3GRppaf
3	Tanzania Leaf Tobacco Company Limited		Leaf processor	https://bit.ly/3Ab2LWN
4	Japan Tobacco International Leaf Services		Leaf processor	https://www.jti.com/
5	Premium Active TZ Ltd		Leaf processor	https://bit.ly/3GXstlg

	TOP MEDIA/ NEWSPAPERS	URL
1	The Guardian	http://.www.guardian.co.tz
2	Nipashe	https://www.ippmedia.com/en/nipashe
3	Daily News	https://dailynews.co.tz/
4	Mwananchi	https://www.mwananchi.co.tz/
5	The Citizen	https://www.thecitizen.co.tz/
6	Majira	https://timesmajira.co.tz/
7	Habari Leo	https://habarileo.co.tz/
8	Uhuru	https://web.mpaper.co.tz/embed/owner/uhuru