Ethiopia

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SUMMARY OF FINDINGS

1. Industry Participation in Policy Development

The Ethiopian government, under Proclamation 1112/2019, prohibits collaboration with the tobacco industry (TI) in the development or implementation of public health policies. While the TI has participated in public hearings, its involvement has primarily been to oppose measures such as higher excise taxes, often citing illicit trade concerns. Despite this interference, the government has successfully passed key tobacco control measures, including the Tobacco Control Disposal Directive No. 1003/2024 and amendments to the excise tax under Proclamation No. 1287/2023.

The TI has not been permitted to participate in drafting or endorsing policies, including the Food and Medicine Regulation and excise tax legislation. Both the Ministry of Finance and the House of Representatives have excluded the industry, ensuring tobacco control efforts remain guided by public health objectives.

2. Industry CSR Activities

Proclamation 1112/2019, Article 51(5), prohibits financial, in-kind, or charitable contributions by the TI, aligning with efforts to prevent industry influence over public health policies.

Despite this, JTI/NTE recently built a meeting hall in the Sidama region for the Hawassa City Fara Kebele Administration, raising concerns about TI involvement. Regional authorities responded by temporarily closing the facility, issuing a warning to NTE, and prohibiting the hall's use for promotional activities.

3. Benefits to the Industry

Proclamation 1112/2019 requires rotating graphic health warnings, but a one-month extension was granted to the TI, allowing outdated warnings to remain on products such as those from JTI. The government also granted JTI a 10-year monopoly, granting it significant market control and influence over government partnerships.

Although the Ministry of Finance can adjust excise taxes, TI interference has hindered increases, keeping tobacco products affordable and undermining public health efforts. In response, the Ethiopian Food and Drug Authority (EFDA) revitalized the National Multi-Sectoral Tobacco Control Steering Committee (NTCCC) to limit TI involvement and raise awareness of industry interference.

4. Unnecessary Interaction

The TI was excluded from the Prime Minister's city development initiative under laws preventing its influence on public health. Similarly, a plan for the TI to provide technical assistance for retailer training in eastern Ethiopia was halted by EFDA. Proclamation 1112/2019 also resulted in the termination of a Memorandum of Understanding between JTI and the Customs Commission.

5. Transparency

Concerns arose over discussions between the Ministry of Finance and the TI on implementing a nationwide excise stamp system without involving health authorities. To address transparency, a draft code of conduct has been developed for the NTCCC, alongside stakeholder workshops.

The 2019 Tobacco Bill requires manufacturers and importers to maintain records and obtain licenses. However, there is no registry for TI representatives or lobbyists, leaving lobbying activities largely unregulated.

6. Conflict of Interest

Proclamation 1112/2019 prevents conflicts of interest by prohibiting financial or in-kind contributions from the TI to political parties or campaigns. During the reporting period, there were no such contributions or engagements from the TI. Retired senior government officials, including former Prime Ministers and Ministers, have not been reported as involved with JTI/NTE, helping to prevent potential conflicts. Government officials are also prohibited from holding positions in the TI, including consultancy roles. Since the privatization of government shares in the TI to JTI between 2016 and 2017, no officials have held positions in the sector, ensuring continued compliance with the law.

7. Preventive Measures

Proclamation 1112/2019 requires disclosure of records of interactions between government agencies and the TI, with detailed records maintained by EFDA and made available to the public upon request. To reinforce protections, EFDA is developing a code of conduct for NTCCC members to ensure interactions with the TI are regulated and documented.

NTE, now owned by JTI, submits periodic reports to the Ministry of Revenue on tobacco production, market share, and other activities. EFDA also incorporates WHO FCTC Article 5.3 guidelines into awareness campaigns and workshops targeting senior government officials. Proclamation 1112/2019 also prohibits government officials and agencies from accepting contributions or gifts from the TI. Where violations have occurred, disciplinary measures have been applied to enforce compliance.

RECOMMENDATIONS

1. As per Excise Tax Proclamation 1186/2020, Article 10, the government should periodically increase excise taxes on tobacco products based on the inflation rate.
2. The government should not extend the monopoly right to JTI but instead retain control over the tobacco monopoly to ensure more effective regulation and oversight. EFDA and NTCCC should also expedite adoption and enforcement of the draft code of conduct to strengthen safeguards against TI influence.
3. Strengthen awareness campaigns targeting government officials, particularly those in high-level positions, about the risks of TI interference and the importance of complying with WHO FCTC Article 5.3 and Proclamation 1112/2019.
4. Strengthen the database system for the disclosure and registration of TI entities, affiliated organizations, and individuals acting on their behalf, including lobbyists.