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SUMMARY OF FINDINGS

1. Industry Participation in Policy Development

In 2023, the reform to the General Law for Tobacco Control established 100 percent smoke-free spaces and introduced a comprehensive ban on advertising, promotion, and sponsorship. Its implementation, however, required the publication of regulations to define the terms of application.

Although the tobacco industry (TI) failed to prevent their approval and publication, it mobilized allies to file approximately 2,500 injunctions. Several of these were dismissed, but others were granted, including one in favor of Oxxo, a leading convenience store chain, which obtained a ruling allowing it to resume the display of tobacco products. In response, the President of the Republic criticized the Judiciary for permitting itself to be used to undermine the law, rather than issuing rulings consistent with the legislation, the Constitution, and international obligations under the WHO FCTC.

2. Industry CSR Activities

Only one cigarette butt cleanup event was documented, taking place in Isla Mujeres, Quintana Roo, during World Cleanup Day, in collaboration with Philip Morris Mexico (PMM).

3. Benefits to the Industry

No special benefits, privileges, or incentives to the TI have been documented. However, TI interference in 2022 delayed the publication of the regulation enforcing the reform to the General Law for Tobacco Control, which mandates 100 percent smoke-free environments and a complete ban on tobacco advertising, promotion, and sponsorship.

4. Unnecessary Interaction

Under the pretext of advancing the government's Healthy Life Strategy, aimed at improving dietary habits in schools, the Ministry of Education held a meeting with the Mexican Council of the Consumer Products Industry, which includes representatives of the TI.

5. Transparency

While existing laws do not mandate transparency regarding government engagements with the TI or its affiliates, the Ministry of Health maintains oversight to uphold the WHO FCTC and Article 5.3 guidelines.

6. Conflict of Interest

The General Law of Political Parties allows private funding from party members, supporters, self-financing, and funding through financial returns, funds, and trusts, as stipulated in Article 53. However, Article 54 prohibits funding from foreign individuals or entities, international organizations, and corporations, including the TI.

7. Preventive Measures

The Mexican government has implemented codes of conduct for public servants that cover interactions with various sectors, including the TI. These codes establish minimum standards of behavior and ethics that public officials must follow in their professional duties, including engagement with stakeholders.

RECOMMENDATIONS

1. Build alliances with journalists and communicators so they understand TI interference and can identify false narratives.
2. Disclose and publicize all interactions between the TI and the government, highlighting the importance of the WHO FCTC guidelines. Use the information gathered to conduct campaigns to denormalize the TI and expose how it obstructs public policies for its own commercial interests.
3. Monitor TI interference within the Ministry of Health and other government institutions.
4. Adopt a comprehensive transparency initiative, establishing requirements for periodic disclosure of production data, manufacturing processes, market share, marketing expenditures, revenue streams, profitability metrics, and other relevant industry information.
5. Raise awareness among government institutions on Article 5.3 of the WHO FCTC and its guidelines, and ensure the government follows through on plans to create awareness across all departments about TI interference.