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SUMMARY OF FINDINGS

1. Industry Participation in Policy Development

The Nigerian government continues to exhibit a high level of policy vulnerability to tobacco industry (TI) influence. In 2024, during legislative hearings on proposed amendments to the National Tobacco Control Act (NTCA) 2015, representatives from British American Tobacco Nigeria (BATN) and affiliated front groups actively participated in public debates, advocating for weaker provisions under the guise of reform. Additionally, the Ministry of Trade drafted a regulation concerning non-combustible alternative tobacco and nicotine products, a domain traditionally under the Ministry of Health and Social Welfare, signaling an alarming shift of regulatory control and alignment with lobbying narratives of tobacco companies such as Philip Morris International (PMI), which has publicly sought policy support for its heated tobacco products. Furthermore, the Standards Organization of Nigeria (SON) continues to extend formal invitations to BATN, PMI, and Japan Tobacco International (JTI) to join its technical committees, thereby placing tobacco companies at the heart of public health policy development.

2. Industry CSR Activities

The BATN Foundation has actively positioned itself within state development agendas by funding water, educational, and agriculture projects, often in collaboration with ministries and agencies at both state and local levels. Across states, BATN Foundation implemented projects ranging from fish farming support to borehole installations. These initiatives received endorsements from state governors and public institutions, enabling the TI to rehabilitate its public image, expand political access, and generate goodwill, especially among vulnerable populations. The fact that these corporate social responsibility (CSR) activities are consistently promoted by government actors, rather than rejected, reflects a disregard for Article 5.3 of the WHO FCTC, which calls for the denormalization of such engagements due to their conflict with public health objectives.

3. Benefits to the Industry

Nigeria's regulatory landscape continues to grant the TI indirect privileges that undermine public health efforts. Despite the provisions of the NTCA 2015 restricting the marketing and branding of tobacco products, weak enforcement mechanisms have inadvertently served to promote the interests of the TI. In 2023, the government suspended newly introduced excise taxes, including an increase of 30 percent ad valorem and a per-stick duty rising from N4.20 to N5.20, citing business concerns. Although framed as economic relief, this rollback weakened a key public health measure.

4. Unnecessary Interaction

Nigeria's political elite maintains high-profile relationships with the TI that contravene Article 5.3 of the WHO FCTC, which recommends that public officials limit their interactions with the TI. For instance, the attendance of high-ranking officials at BATN's 20th anniversary, including the governor of Oyo State, signaled a normalization of TI-government relationships. Government officials attending these events often engaged in public speeches praising the TI and promising continued support.

5. Transparency

Although Nigeria's tobacco control laws require disclosure of government interactions with the TI, actual transparency is piecemeal at best. The SON occasionally publishes meeting summaries involving industry actors, but most government agencies fail to comply with mandatory transparency requirements. Interactions often surface only through media reports or in industry-friendly drafts, rather than through a proactive government disclosure process.

6. Conflict of Interest

Institutional safeguards against conflicts of interest in Nigeria remain weak in practice, despite some legal provisions. Section 27 of the NTCA prohibits political donations from the TI, yet this rule exists within a broader campaign financing system that is notoriously opaque and difficult to enforce.

There is no evidence during this reporting period that retired government officials were employed by the TI, but concerns remain about current officials. The absence of clear recusals or declarations of past affiliations from high-ranking officials underscores systemic blind spots in Nigeria's management of political conflicts of interest.

7. Preventive Measures

Nigeria's preventive infrastructure against TI interference remains weak. There are no prescribed procedures for disclosing the content, participants, or outcomes of meetings with tobacco companies. Although NTCA Sections 27 and 28 prohibit gifts and donations from the TI to public officials, these rules have not been consistently enforced. While legislation mandates annual disclosure by tobacco companies of their marketing, lobbying, and philanthropic activities, there is no record of these reports being filed or audited. Furthermore, there is no existing program to raise awareness among government officials about obligations under Article 5.3 of the WHO FCTC.

RECOMMENDATIONS

1. Enforce Section 25 of the NTCA 2015 by creating a national, publicly accessible disclosure system that documents all official interactions with the tobacco industry (TI).
2. Ban tobacco industry-led CSR activities across all sectors of government. Ministries, universities, and public agencies must cease accepting or endorsing partnerships with industry actors, as such engagements enable image laundering and political access for tobacco companies and contradict global tobacco control norms.
3. Remove the tobacco industry from all policymaking and regulatory processes.
4. Strengthen conflict of interest safeguards by requiring all public officials to declare any past or present affiliations with tobacco companies.
5. Establish a centralized, publicly accessible repository hosted by the Federal Ministry of Health and Social Welfare that compiles and regularly publishes all TI-related disclosures, including interactions with state authorities, financial engagements, and regulatory actions.
6. Enforce the 60 percent pictorial health warnings requirement on all tobacco product packaging, effective from June 2024 as mandated in the National Tobacco Control Regulations, 2019.
7. Restore the improved tobacco tax regime by lifting the suspension and implementing a predictable, inflation-adjusted fiscal framework as part of Nigeria's public health commitment under the WHO FCTC.