

Thailand



SUMMARY OF FINDINGS

1. Industry Participation in Policy Development

Although Thailand has banned e-cigarettes and heated tobacco products, the government has faced pressure from the tobacco industry (TI), often through front groups, to revoke the ban. In September 2023, the Thai House of Parliament formed an ad hoc committee to review laws and measures regulating e-cigarettes. Two representatives from Ends Cigarette Smoke Thailand (ECST), an organization with links to the TI, were appointed to the committee and actively promoted industry narratives to overturn the ban.

2. Industry CSR Activities

Corporate social responsibility (CSR) activities by the TI are banned under the Tobacco Products Control Act, 2017. However, the TI, particularly the Tobacco Authority of Thailand (TOAT), continues to attempt special projects to promote its image and build connections.

3. Benefits to the Industry

The government approved tobacco ingredient regulations, but key provisions governing product components and combustion byproducts will take effect only after four years. In addition, the regulation excludes menthol and other ingredients, such as sugar and cocoa, following a request from the Ministry of Finance, which oversees the tobacco business in Thailand.

4. Unnecessary Interaction

TOAT received the ITA Award for 2024 from the Ministry of Finance, earning an “Excellent” rating and ranking among the top five state enterprises out of 51. The government also awarded TOAT national Gold level recognition for being an environmentally friendly organization, highlighting its claimed social responsibility in mitigating air pollution and supporting efforts toward carbon neutrality.

5. Transparency

Meeting notes between the government and the TI are available upon request. The Tobacco Act, 1966 requires TI entities as well as tobacco wholesalers and retailers to register with the Ministry of Finance. However, there are no rules requiring registration or disclosure by individuals acting on behalf of the TI, including lobbyists.

6. Conflict of Interest

The TOAT board includes retired senior government officials. The chair of the Tobacco Board of Thailand is a former permanent secretary of the Ministry of Agriculture. Other board members are retired officers from the university and military sectors, reflecting strong links between the TI and influential government and institutional figures.

There are no specific regulations prohibiting political parties from receiving contributions from the TI.



7. Preventive Measures

The government is developing a policy for all sectors to limit interactions with the TI to only when strictly necessary, in line with Article 5.3 of the WHO FCTC. The Ministry of Health already has guidelines, but only for Ministry of Health officers.

The Tobacco Products Control Act, 2017 requires the TI to submit reports, including audited financial statements and other information needed for tobacco product control.

RECOMMENDATIONS

1. Prohibit participation of the TI and its front groups in the lawmaking process, including parliamentary meetings, and restrict industry representatives from attending related discussions.
2. Enhance transparency by mandating public disclosure of all interactions between government officials and the TI.
3. Implement strict conflict of interest policies to prevent government officers and retired officials from serving as board members or consultants for TI entities.