

Maldives

Overall score:

48

Summary of Findings

1. Industry participation in policy development

The government does not accept support or endorse any offer of assistance or collaboration from the tobacco industry. However, the Tobacco Control Board, mandated by the law, allocates one slot for representation for the business community for which, depending on which business sits on the board, may have direct or indirect connections to tobacco importers/retailers. Despite the vetting process of the Board members and the declaration of no conflict of interest by each member, this could influence policies being made in relation to tobacco control.

2. Industry CSR activities

No tobacco industry-related CSR activities were endorsed or participated in by government officials in 2019.

3. Benefits to the industry

Bonded warehouse facilities are provided by the government through the Customs Department where imported tobacco products are temporarily kept upon arrival in the port. During this period, no taxation is levied upon tobacco distributors/retailers. This is an incentive to all imported goods in general but this should be stopped for tobacco products.

Moreover, regulation on graphic health warnings was delayed by more than one year due to tobacco industry interference. The delay on endorsement of the President and its subsequent publication has been on hold since September 2017. It was only in January 2019 when it was finally endorsed and publicly published.

4. Unnecessary interaction

Funds from the tobacco industry to government agencies assisting smuggling raids are coming from international organizations like the United Nations Office on Drugs and Crime and INTERPOL. This is not in compliance with the WHO Framework Convention on Tobacco Control (FCTC).

5. Transparency

The government does not disclose records of any meetings with the tobacco distributors. Rules for the disclosure and registration of tobacco industry entities do not exist.

6. Conflict of interest

Officials are required to sign a declaration of interest to ensure there is no conflict of interest. The government does not prohibit contributions from the tobacco industry or any entity working to further its interests to political parties, candidates or campaigns. A Maldives' former senior official was a tobacco importer/retailer prior to and during government service from 2008 -2012, and more recently in 2018. A former high-level government official's firm represented/worked with Philip Morris. One of the biggest tobacco importers is currently in the parliament, representing the leading party. Parliamentarians are involved in the tobacco business.

7. Preventive measures

The Tobacco Control Act (Act 15/2010) provides a procedure for disclosing the records of interactions with the tobacco industry. A code of conduct for all government institutions is currently being drafted. The law requires tobacco importers to provide details of their business. However, this is not yet implemented as the regulations are not in place yet. Raising awareness of Article 5.3 to other departments is not consistently done. While the Anti-Corruption law prohibits public officials from accepting gifts and incentives, there is nothing specific to the tobacco industry.



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Recommendations

1. Disallow the tobacco industry from participating in the Tobacco Control Board which determines and sets policies concerning tobacco control.
2. Prohibit any incentives provided to importing tobacco into the country.
3. Restrict interaction with the tobacco industry to only when necessary. To facilitate this, funds/technical assistance from entities that have ties with the tobacco industry should be rejected and all necessary interactions should be carried out in a transparent manner.
4. Hasten the draft and implementation of the code of conduct for government institutions.
5. Implement the rules set by the Health Protection Agency for public officials and organizations in regard to use of tobacco and other unhealthy products.