

Cambodia

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Summary of Findings

1. Industry participation in policy development

The government does not accept offers of assistance from the tobacco industry, nor endorse any policies drafted by the industry, nor invite the industry to sit at meetings deciding on policy. The government needs to remain vigilant.

2. Industry CSR activities

Corporate social responsibility (CSR) activities are not banned and remain a problem in Cambodia. They are mostly done by transnational tobacco companies British American Tobacco (BAT) and Japan Tobacco International (JTI). At the height of the COVID-19 pandemic, JTI was very active in organizing and promoting such CSR activities.

3. Benefits to the industry

Government benefits are still given to the tobacco industry although these are not publicly known. One example: the Ministry of Commerce's announcement on the waiver of duties to tobacco leaves exported to Vietnam and exemption of import tax by the Vietnam government for registered farmers producing more than 3,000 tons. This exemption encourages tobacco growers to take advantage of the exemption. Another type of indirect benefit given to the tobacco industry is the government's delay to implement tobacco control measures according to timelines.

4. Unnecessary interaction

There was a meeting in February 2021 held between the Minister of Women's Affairs with the General Manager of JTI Cambodia who praised the company for promoting gender equality.

5. Transparency

There are no rules or procedures for disclosure or registration of tobacco industry entities, affiliated organizations and individuals acting on their behalf. This is the area the industry can use to misrepresent its meetings with various government departments.

6. Conflict of interest

Two incumbent senators are connected to the tobacco industry through (1) LYP Group, which owns the Hero King Co., LTD cigarette business and (2) Anco Group of Companies, which imports international cigarette brands such as 555. The government does not prohibit contributions from the tobacco industry or any entity working to further its interests to political parties, candidates or campaigns; nor does it require full disclosure of such contributions.

7. Preventive measures

A Sub-Decree on the Establishment and Functioning of the Committee for Tobacco Control was passed in 2017 which has incorporated principles of Article 5.3. There is no periodic submission of information from the tobacco industry about its business and what it spends on marketing and philanthropy. While the Ministry of Health has disseminated Article 5.3 to all members of the National Tobacco Control Committee, there is no information whether there is a program to constantly raise awareness on policies related to Article 5.3.

On February 17, 2021, the Ministry of Education, Youth and Sports banned all forms of partnership among educational facilities with the tobacco industry. The regulation was issued in response to the photo exhibition events of the Department of Media and Communication, Royal University of Phnom Penh which was sponsored by JTI.





At the height of the COVID-19 pandemic, transnational tobacco companies were actively conducting CSR activities which were well publicised.



Recommendations

1. Since the tobacco industry has stepped up its CSR activities during the COVID-19 pandemic, such CSR activities must be banned.
2. In line with FCTC Article 5.3 Guidelines, benefits currently given to the tobacco industry, such as the waiver of duties for export, must be stopped.
3. According to Article 5.3 Guidelines, interaction with the tobacco industry should only be held when strictly necessary. This would prevent the tobacco industry from utilizing meeting opportunities to promote its business. To promote transparency, there must be a procedure in place to prevent representatives of the tobacco industry from misrepresenting their meetings with governments. While it is a positive move that the Ministry of Education, Youth and Sports has banned all forms of partnership among educational facilities with the tobacco industry, it is not sustainable to go department by department. It is more efficient to have general guidance for all departments to stop partnerships with the tobacco industry according to Article 5.3.
4. To prevent conflicts of interest, individuals involved in tobacco businesses must not hold public office.
5. There must be a program to constantly raise awareness on policies related to Article 5.3 among government agencies. A code of conduct must be adopted to guide government officials when dealing with the tobacco industry. The tobacco industry must be required to provide information about its business, including what it spends on marketing and philanthropy.