

Nicaragua

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Summary of Findings

1. Industry participation in policy development

There is no evidence of the tobacco industry's involvement in government policies. From 2019 to 2021, no article has been found that supports this statement. The tobacco industry is not part of the National Tobacco Control Council.

2. Industry CSR activities

For the period of 2019-2021, no evidence has been found in this regard, although it is known from news from previous years that there is support from tobacco industries in the production areas towards schools and children's centers.

3. Benefits to the industry

In the investigated period, only the new Law of Reforms and Additions to Law No. 822, Law of Tax Agreement, published in the Gazette, Official Gazette No. 41 of February 28, 2019, where evidently the tobacco industry was not consulted for the increase of the specific tax on the consumption of cigarettes and other tobacco products (IECT). In this sense, the tobacco industry did not have any privilege or cause delay with the enactment of said Law.

In December 2019, a study was carried out by the Nicaraguan Tobacco Growers Chamber (CNT) in alliance with the Ministry of Development, Industry and Commerce (MIFIC). The research objective was to demonstrate the incidence of pre-industry and industrial processes and environmental variables on the organoleptic characteristics of the tobacco leaf produced in Nicaragua.

4. Unnecessary interaction

There is unnecessary interaction with the tobacco industry, since the government supports through its embassies, specifically those of the United Kingdom and Russia, and through the Pro-Nicaragua Institution, the promotion of cigarettes or cigars that are produced and marketed from the northern region of the country. The event is even organized by tobacco importing companies from Nicaragua.

In the case of the government institution Pro-Nicaragua, it is headed by a first-degree relative by consanguinity of the executive representative branch and the ambassador of the United Kingdom is a member of the ruling party and daughter of a hero of the Sandinista Popular Revolution.

We have no evidence on whether the government accepts assistance or offers of assistance from the tobacco industry for the preparation or implementation of laws to control the smuggling and sale of tobacco, mainly to minors.

Government institutions such as the Labor Ministry (MITRAB) and the Nicaraguan Institute of Tourism (INTUR) promote activities related to the development of more employment in the tourist area and, also in the tobacco industries, the growth of production and export, this in the department from Estelí. The aforementioned is oriented from the executive power by the importance of the productivity of companies for local and national economic development. We do not have evidence that they do so because they have alliances or agreements with the tobacco industry.

5. Transparency

In the period of 2019-2021, there is transparency of the interactions between the government and the tobacco industry (cigars or cigarettes), which are disclosed through the official digital media and on the websites of the government institutions involved. They are accompanied by descriptive text of the activity carried out, photographs of the government official and the representatives of the tobacco companies of the country and the countries visited.

According to the regulations of Law 727, any natural or legal person engaged in the manufacture and importation of tobacco products must comply with the mandatory and indispensable requirement of registering with the Department of Health (MINSA). We do not have information related to affiliated organizations, pressure group agents or lobbyists.

6. Conflict of interest

Law 727 does not explicitly prohibit sponsorship to political entities or party campaigns, or require disclosure of the sponsored.

We obtained an isolated case of a personality who was a member of the Board of Directors of the Nicaragua Central Bank (appointed in April 2011), who is now a prominent figure in the Nicaraguan tobacco industry (Joya de Nicaragua).

We do not have evidence in the period reviewed that government officials or family members occupy a job or obtain benefits as external consultants within the main tobacco industries.

In a publication of the Nicaraguan newspaper La Prensa, the presidential delegate minister for the investment promotion and facilitation of foreign trade refers to the "Puro Sabor Festival" organized by the tobacco industry as an opportunity for export, but also to promote tourism in Nicaragua.

7. Preventive measures

In general, Law 727 prohibits smoking in closed public and private spaces, not limited to convention rooms, religious centers, work centers, health centers, theaters, auditoriums and those destined for recreation, education, culture or sport. Also, selective and collective transportation is included. Although, it is allowed mainly in hotels and restaurants to have tolerance areas (open or semi-open spaces). In areas where smoking is prohibited, they must be properly labeled with visible, legible and contrasting-colored posters with a white background, with the warning "NO SMOKING."

Neither Law 727 nor its regulations contain guidelines for public employees and persons designated by the government that govern the conduct or participation in activities that promote the commercialization of tobacco products, whether they are part of the present or the past, as well as the officials involved in the control, regulation and legislation of tobacco consumption.

It is contemplated in Law 727 and its regulations that every manufacturer and importer of tobacco products must consign to MINSA, periodic annual reports with information regarding the content, emissions and design elements of their products, as well as requests whenever necessary for any information to ensure compliance with tobacco control measures.

Until the period requested for this report, we did not obtain information regarding the existence of a system or program that implements awareness or sensitization on the Guidelines for the application of Article 5.3 of the World Health Organization (WHO) Framework Convention on Tobacco Control (FCTC). Nor did we obtain information on measures that prevent the tobacco industry sponsorship of laws, initiatives or public policies, or invitations to public officials and their families.



While the tobacco industry is not part of the National Tobacco Control Council, the government supports the promotion of tobacco products overseas.



Recommendations

1. Carry out studies that provide updated information about the prevalence of tobacco use in Nicaragua, according to different age groups and sex—and specifically for young people.
2. Constantly update institutional websites related to actions with or toward the tobacco companies.
3. Provide greater access to information by the government in relation to activities related to tobacco companies so that the interaction has greater transparency.
4. That the enforcement authority of Law 727, with the participation of the National Tobacco Control Council, establish a system for the implementation of the WHO FCTC Article 5.3 Guidelines.
5. Through the National Tobacco Control Council, it is proposed to develop and implement a policy or regulation governing the conduct or participation of public employees, government representatives and the State in activities that promote the marketing of tobacco products.
6. That the National Tobacco Control Council determine the measures to further regulate the sponsorship or contributions of the tobacco industry.