

Venezuela

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Summary of Findings

1. Industry participation in policy development

No evidence of tobacco industry participation in setting or implementing public health policies in relation to tobacco control by the Venezuelan government, nor any participation of government officials in activities convened by the tobacco industry was recorded. Therefore, we cannot point out that the industry is involved in the implementation of health policies. Venezuela does not have an expressed regulation prohibiting the participation of the tobacco industry in Committees or the Working Groups.

2. Industry CSR activities

Our findings show that the tobacco industry activities are classified as corporate social responsibility (CSR) in the community, in marketing and in the field. Bigott Foundation reports its "Growing Up" program has been implemented in 100 educational establishments (public and private), and that almost 500 teachers have been trained. We have also found this type of activity in non-smoking tobacco companies.

We can also mention Fundación Avelino Molina, which is an organization created to benefit the low-income inhabitants in some communities. This foundation is one-hundred percent associated with Chimó El Tigrito, which is a company that manufactures non-smoking tobacco.

3. Benefits to the industry

There is weakness in auditing and verifying compliance of the tobacco industry to existing laws on tobacco control. In the course of this

review, many violations of the rules on prohibiting the promotion, advertising and sponsorship of the tobacco industry were recorded. Non-compliance serves to benefit the tobacco industry to promote its products despite the law. During this period, there is insufficient evidence in the public domain of what the Venezuelan government granted in terms of privilege or benefit exemptions to the tobacco industry. However, there is non-compliance by the tobacco companies with the Total Ban on Advertising, Promotion and Sponsorship of Tobacco Products Resolution, published in Official Gazette No. 41.684 of July 31, 2019. Non-compliance serves to benefit the tobacco industry to promote its products despite the law. International travelers entering Venezuela can bring duty-free 25 cigars and 200 cigarettes. Venezuela is part of the G-3 which was a free trade agreement between Colombia and Mexico.

4. Unnecessary interaction

There is interaction between government entities and the tobacco industry in the field of smuggling. Venezuela has not ratified the Protocol to Eliminate Illicit Trade in Tobacco Products. In the area of smuggling, Cigarrera Bigott conducted workshops for government authorities such as the Bolivarian National Guard, even training them to recognize the company's own products. In 2020, the tobacco industry has focused on publishing articles on smuggling in the press, mentioning Consecomercio or Luis Vicente León, an organization or economists of famous trajectory, associated it with their alleged losses. Cigarrera Bigott is part of the British Venezuelan Chamber of Commerce. Some findings indicate that the government accepts assistance from



the tobacco industry to enforce the law, such as raiding tobacco smuggling or enforcing smoke-free policies or not selling to minors. Cigarrera Biggot reports that it "... regularly collaborates with the training of members of the Bolivarian National Guard in the recognition of the illegal product and is active in carrying out information campaigns at points of sale, such as '18 o'clock,' a campaign that includes a message about the sale of illicit cigarettes."

5. Transparency

The government does not publicly disclose meetings/interactions with the tobacco industry. There is no procedure in place on how interactions should be conducted in the event they take place.

6. Conflict of interest

No record of activities can be configured as a conflict of interest between the industry and government authorities in the report period. There is a total prohibition of any form of sponsorship by the tobacco industry in Article 3 of the Resolution No. 071 of the Ministry of People's Power for Health. This article establishes the guidelines for the total prohibition of advertising, promotion and sponsorship and regulation of the sale of tobacco products in the national territory of the Bolivarian Republic of Venezuela. In this regard, being prohibited, there can be no disclosure.

7. Preventive measures

Venezuela does not have regulations or a code of conduct that can prevent unnecessary interaction between public officials and the industry. The government has an intergovernmental commission on tobacco control, which is not formal in nature and has ceased to meet. The government has no plan in place to consistently raise awareness on Article 5.3.

Resolution No. 109, establishing the regulation and control of cigarettes and other tobacco products intended for human consumption, provides that any marketing company, national manufacturer, importer or exporter of cigarettes or tobacco products, smoke producers or not, shall submit to the Directorate-General for Environmental Health and Health Contraloria the application for the Registration of Companies, entering for this purpose the Register of incorporation thereof, duly certified by the relevant authority for its confrontation, with expression of the name of the company, the address and the legal representative thereof, as well as the RIF and the NIT.

Recommendations

1. Raise awareness among the population about the harms caused by tobacco consumption and tobacco industry interference.
2. Reduce unnecessary interaction with the tobacco industry.
3. Participate in all Conference of the Parties (COP), as the body the president of the Framework Convention, which keeps the implementation of the Convention under regular review and takes the necessary decisions to promote its effective implementation.
4. Reject any kind of partnership and agreement with the tobacco industry.
5. Periodically review and strengthen existing anti-smoking policies.
6. Avoid conflict of interest and any preferential treatment with the tobacco industry.
7. De-normalize CSR activities of the tobacco industry.
8. Develop a code of conduct to guide officials in their relationship with representatives of the tobacco industry.
9. Require the tobacco industry to publish its information on its production, manufacture, market share, marketing expenditures, revenues and any other activity, including lobbying, philanthropy, political contributions and all other activities.
10. Disclose and record meetings with the tobacco industry highlighting details of discussion and government responses for public access and information.
11. Promote awareness campaigns that serve everyone (officials and society) in which it is clearly demonstrated that the State and the tobacco industry have conflicting interests and do not have to interact.
12. Implement a solid surveillance and control system for the regulations in the country.