

# Romania

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## Summary of Findings

### 1. Industry participation in policy development

In its second round of rating tobacco industry interference in Romania, despite a challenging context due to the COVID-19 pandemic, the results show continued interference and lack of governmental action to counteract such practices. The tobacco industry has a long history of interference in policy development in Romania, especially during the years when the tobacco control civic movement was less organized in a joint effort. As of 2015, upon the adoption of the comprehensive smoke-free (SF) ban with active civic engagement, tobacco industry interference was much more closely scrutinized and specific attempts to block policy development constantly exposed. The transposition of the tobacco product directive (TPD) in Romania overlapped in 2016 with two consecutive attempts by front groups supported by the tobacco industry to relax the provisions of the SF ban. These attempts reached the phase of specific amendments to relax the SF ban provisions being included in the local transposition of the TPD. As such, the tobacco control civic movement got actively engaged into the TPD transposition in local legislation. The tobacco industry in Romania has concluded partnerships with fiscal and customs authorities which allow them to severely tamper with policy development. During 2019-2020 Romania saw an increase in the number of industry-supported front groups to advance its interests during policy development. This was the case of the heavy industry front group interference during the debates of the advertising, promotion and sponsorship ban legislative proposal.

### 2. Industry CSR activities

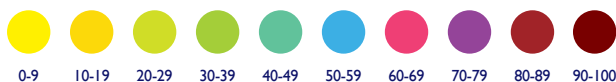
COVID-19 was used as an opportunity for building a positive corporate image by the tobacco industry, but also as a way to interfere with governmental authorities with limited contact (like health authorities). Tobacco-related corporate social responsibility (CSR) activities are not banned as such in Romania due to an inadequate implementation of the Framework Convention on Tobacco Control (FCTC), although transposed into a law in Romania in 2005. Generally, the contributions of the tobacco industry to different governmental agencies are "masked" into operational support or directed through third parties/front groups.

### 3. Benefits to the industry

The tobacco industry constantly lobbies for preferential treatment from the government of Romania, either in the form of exemptions or benefits, or through delaying the adoption or implementation of specific policies. Although Romania is an EU country, the government still gives subsidies for tobacco farming; although very limited in the number of beneficiaries, the tobacco farming subsidy is the highest available farming subsidy.

### 4. Unnecessary interaction

Despite frequent changes of governmental structures over the last years, the tobacco industry maintains a constant pace of engaging with top governmental officials. Existing finance and customs partnerships allow direct engagement at the highest level, participation in events and high-level meetings. Also, there were frequent instances of events organized through



third parties, most of the times “disguising” the real purpose of the event behind different concepts. All of the three big tobacco companies, (Philip Morris International [PMI], British American Tobacco [BAT] and Japan Tobacco International [JTI]) meet the highest-level authorities on a regular basis, although these on-going interactions are never made public.

## 5. Transparency

In 2016, during a one-year mandate of a technocrat government, there was a specific initiative of the government to set up a Transparency Registry. Such a Registry would have allowed for full transparency across governmental bodies on meetings with any commercial or non-commercial entity/interest group. The Registry started to be functional, however, it was completely dropped as of 2017 upon the installment of a new political governmental structure. Currently, none of the interactions with the tobacco industry are made in a transparent manner. Moreover, specific attempts of the civic society in 2018 and 2019 to set transparency rules for engagement with the tobacco industry at least at the Ministry of Health level were not embraced by the Ministry. During 2020, there was extensive engagement of the tobacco industry with the Ministry of Health, other health bodies and the government and Parliament of Romania.

## 6. Conflict of interest

Political parties' contributions, though governed by a specific law, were, historically, rarely scrutinized by the public opinion or media. In recent years, there has been an increase in civic society focus on these, however, these inquiries almost never focus on commercial interests or the links between specific industries' contributions and advancing the interests of such industries further. Also, due to significant tobacco industry investments behind media channels, specific investigations are very rare. A significant conflict of interest directly linked with the tobacco industry is the case of Teodor Meleşcanu, former Minister of External Affairs 2017-2019, president of the lower Chamber of the Parliament of Romania in 2019 (holding the 2nd position in the state), with relatives in high executive positions in the tobacco industry (later lobbying for the tobacco industry). A note refers also to the current Corporate Affairs Director of BAT Romania who was acting in the Government of Romania Cabinet prior to the appointment.

## 7. Preventive measures

Overall, there is almost no action taken to prevent and regulate the interference of tobacco industry in policymaking, no proactive approach towards it nor any willingness to accept civil society proposals to regulate the area. On the contrary, the government generally views the tobacco industry as a reliable and trustworthy business partner. There are frequent engagements and commitments to act to advance its interests.

## Recommendations

1. There should be a code of conduct for public officials to guide them when dealing with the tobacco industry. This code should provide a procedure to limit the interactions with the tobacco industry to only when strictly necessary.
2. There should be a strict code of conduct of all the health institutions and health professionals to guide them when dealing with the tobacco industry. This code and policy should provide a procedure to ban any financial or non-financial support from the tobacco industry and any engagement with the tobacco industry.
3. The government has to put in place a program to consistently raise awareness on policies relating to Article 5.3 to ensure all units of the government are aware of tobacco industry interference and to reduce unnecessary interactions.
4. The government has to require the tobacco companies to report on the various aspects of their business including marketing expenditures, revenues, lobbying and philanthropy.
5. The Transparency Registry must be installed.