

Thailand

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Summary of Findings

1. Industry participation in policy development

Thailand's biggest improvement is there was no incidence of the government accepting or endorsing any offer of assistance from or collaboration with the tobacco industry in implementing health policies.

2. Industry CSR activities

Thai Tobacco Monopoly (TTM)'s change in marketing strategies led to its corporatization and name change on May 14, 2018 to the Tobacco Authority of Thailand (TAOT), however, it remains a State-owned enterprise under the jurisdiction of the Ministry of Finance. Although the Tobacco Products Control Act 2017 bans all tobacco-related corporate social responsibility (CSR) activities, TAOT regularly carries out CSR activities as part of its public relations activities. In 2019, TAOT collaborated with government agencies and officials to conduct trainings and so-called CSR activities.

3. Benefits to the industry

No benefits were given to the tobacco industry. However, there is still a tax exemption for rolling tobacco.

4. Unnecessary interaction

Since the government owns the TAOT, there were regular meetings (each trimester or four times a year) between the TAOT and MOF high-level officers. The TAOT involved government officials in the program to control smuggling.

5. Transparency

Minutes were taken during meetings with the industry; however, these are not public and sometimes high-level officials were involved.

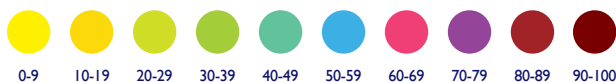
6. Conflict of interest

Retired senior government officials have regularly been appointed as TTM board members. Current government officials such as a senior officer from the Excise Department and the Ministry of Finance are TAOT board members. Since the TAOT is a state-owned corporation, the appointment is seen as normal.

Currently, the chairman of the TAOT is from the business sector. The TAOT's committee is made up of members from various fields including one from public university, one is working at the Ministry of Finance and one is a representative from the Royal Thai Police.

7. Preventive measures

Section 40 of the new Tobacco Products Control Act requires the manufacturer or importer of tobacco products to report the volume of production or importation, market share, marketing expense, income and expense in their annual report, audited financial statements and any other information for the benefits of tobacco products control to the Committee. The rules and procedures as stipulated in the Ministerial Regulations are being drawn up.



What exists currently is the Ministry of Health's (MOH) rule on interacting with the tobacco industry, but it is not applied to other ministries. On April 17, 2012, the Cabinet agreed to the resolution to prohibit the government sectors/office from implementing tobacco industry-related CSR activities. In June 2012, the Cabinet also agreed to the resolution on June 12, 2012, to follow the national strategic plan for tobacco control, B.E. 2555-2557 (A.D. 2012-2014), as proposed by the National Health Assembly to prohibit tobacco advertising, promotions and sponsorships including tobacco industry-related CSR activities. The cabinet resolutions were effective for government sectors including state-owned tobacco companies such as TTM. The TAOT is obligated to submit information on the volume of manufacturing, imports, marketing expenses, earnings and expenses as stated in Section 40 of the Tobacco Product Control Act. B.E. 2560.

Recommendations

As Thailand makes progress in implementation of the FCTC, some areas need to be strengthened:

1. Strictly enforce the ban on tobacco-related CSR activities under the new tobacco control law and ensure there are no loopholes for the industry to exploit.
2. Ensure current and retired senior government officials are not immediately appointed to the tobacco industry.
3. The implementation regulations of the new tobacco control law are drawn up as soon as possible to protect government officials from tobacco industry interference.