

Ethiopia

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Summary of Findings

1. Industry participation in policy development

According to Ethiopian Food and Drug Administration Proclamation No. 1112/2019, the Government of Ethiopia does not accept, support or endorse any offer for assistance by or in collaboration with the tobacco industry in setting or implementing public health policies relating to tobacco control. However, the agreement with Japan Tobacco International (JTI), majority shareholder of the National Tobacco Enterprise (NTE), during privatization allows commenting before any tobacco-related law is processed. Due to this, the tobacco industry was able to exert pressure on public health laws, particularly the recent tobacco control directive and pictorial health warning directives.

Ethiopia's delegation to the Conference of the Parties (COP) meetings and the National Tobacco Coordination Committee does not include any representatives from the tobacco industry.

2. Industry CSR activities

Government officials do not endorse, accept or participate in tobacco-related corporate social responsibility (CSR) activities. However, in 2020, the NTE tried to provide hand sanitizers and personal protective equipment freely in the fight against COVID-19 in Addis Ababa.

3. Benefits to the industry

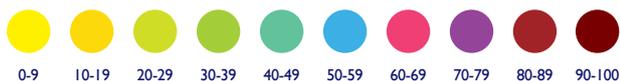
Government officials showed their strong support for the success of JTI through providing a privilege to participate in law and regulation drafting and approval processes. As it

remembered, the Ministry of Revenue and the Prime Minister's Office have given a platinum recognition award to the NTE for being a loyal and high taxpayer in 2019. However, due to strong advocacy work from regulatory bodies and civil society, NTE has been removed from the 2020 award list.

Even though the Ministry of Council granted the Ministry of Finance to impose 10% tax incensement on health damaging products each year, there is no excise tax change over tobacco products in this year. There is not tangible evidence why the additional tax is imposed on the NTE. This further showed the tobacco industry is using illicit trade as an excuse and was able to persuade the government and weaken tobacco taxation. As a result, a low excise tax, i.e. 30% plus 8 birr per pack of cigarettes (20 single sticks), has been imposed.

4. Unnecessary interaction

Proclamation 1112/2019 forbids the government from accepting any assistance from the tobacco industry on any enforcement activities or entering into any partnership with it. However, the Custom Commission, under the Ministry of Revenue, signed a Memorandum of Understanding with the JTI/NTE to fight illicit trade in June 2019. Using this advantage, the NTE is aggressively promoting its product in the eastern part of the country where illicit trade is assumed to be higher, using a display frame with a sign that depicts a list of NTE products, to fight contraband products. The government is inadvertently now involved in this promotion. In addition, the tobacco industry is currently providing trainings for government workers including customs commission staff and members of the police army.



5. Transparency

Proclamation 1112/2019 under article 51 set out the procedure for all interaction between public officials and the NTE:

- Interaction between any government branch responsible for the adoption of public health policy and the tobacco industry shall be limited to only those strictly necessary for effective regulation of the tobacco industry or tobacco products.
- Any interaction made in accordance with sub-article (1) of this article, and whenever the tobacco industry contacts the government to initiate an interaction of any kind, the appropriate government officials shall ensure full transparency of the interaction and of the contact, and it shall be appropriately documented. In this regard, the meeting minutes were recorded during the meeting between the Ethiopian Food and Drug Administration (EFDA) and the NTE.

6. Conflict of interest

The underdevelopment of tobacco control directives that emanate from proclamation 1112/2019 require that any affiliation to the tobacco industry by a member of the tobacco control board must be declared for purposes of determining any potential conflict of interest.

7. Preventive measures

The Ethiopian government has a National Tobacco Control Coordination Committee and Tobacco Industry Monitoring and Response Team that strive to realize the multisectoral response, under the auspice of the EFDA. The committee is comprised of potential stakeholders from different sectors with clear and defined roles and responsibilities.¹ The involvement of these stakeholders is a critical milestone in institutionalizing and mainstreaming all tobacco control efforts in their respective institutions. Therefore, it shall set a code of conduct prescribing standards for any public officer, including service providers, contractors and consultants involved in setting or implementing public health policies for tobacco control.

Recommendations

1. The NTE privatization agreement should be revised based on Article 5.3 of the World Health Organization (WHO) Framework Convention on Tobacco Control (FCTC). The JTI agreement with the government of Ethiopia allowed the tobacco industry to interfere in public health law-making process. This is in conflict with proclamation 1112/2019 and the WHO FCTC.
2. All government officials should communicate about the WHO FCTC and tobacco interference. There should be a sustained awareness program regarding Article 5.3 among and across all agencies involved in tobacco control and regulation.
3. The government should develop a code of conduct and implement it as soon as possible. It is important to create awareness of the code among all sectors of government.
4. Detailed procedures should be prepared and enacted for future tobacco control regulation to enable greater transparency and accountability. Records of interactions and control procedures should be developed and implemented.
5. A repository regarding information about the tobacco industry should be established that could be readily accessed by the public.

1. Ethiopian Tobacco-Control-Strategic-Plan: <https://bit.ly/2PtO4KD>