

Israel

43

Summary of Findings

1. Industry participation in policy development

During 2020, the government did not promote the approval of policy or legislation formulated by the tobacco and nicotine industry or in cooperation with it. Also there is no indication in the publicly available record of committee meetings or official discussions at government offices, to which representatives of the tobacco and nicotine industry were invited.

In 2020, following the FDA ruling on the marketing of IQOS cigarettes in the United States, the Phillip Morris Company advocated for a repeat debate on the regulation of IQOS in Israel. Despite several attempts by the company before the Knesset and the Ministry of Health, the Ministry of Health made a public announcement, whereby: "... The American Food and Drug Administration announcement does not change the regulatory status of IQOS cigarettes in the State of Israel," and requests by Philip Morris to meet with Ministry representatives were declined.

2. Industry CSR activities

There was no indication in the publicly available record of such incidents of support, partnering or receiving contributions by the government, its agencies or its officials. All the same, considerable activity in the area of corporate social responsibility (CSR) by the tobacco company Philip Morris, was noted. This included: the launch of its first Sustainability and Corporate Responsibility Report; collaboration with the Institute for Corporate Responsibility in Israel in holding a public discussion on the topic, "Can a tobacco company be a sustainable

company?"; an offer by PMI Science to fund scholarships for students in the faculties of medicine; and the publication of calls for donations to the community.

In June 2020, an organization called Earthbound, acting on behalf of the FSFW Foundation, approached the Ministry of Foreign Affairs and the Volcani Agricultural Research Institute regarding the feasibility of cooperation in the field of tobacco agriculture in India and ostensibly to find alternatives to it. Public health organizations wrote a letter to the Ministries of Foreign Affairs, of Agriculture and Rural Affairs, and of Health, revealing its connection to the tobacco company and requesting that they refrain from any collaboration, in accordance with the Framework Convention on Tobacco Control (FCTC). As far as we know, the collaboration was not developed.

3. Benefits to the industry

The implementation of the Law Prohibiting Advertising and Restricting the Marketing of Tobacco and Smoking Products, 1983 began in March 2019, taking place in four stages until up to June 2020. However, monitoring and enforcement mechanisms have not yet been defined, and no government ministry is responsible for enforcing the law.

E-cigarettes have been sold in Israel since 2012. Despite the position of the Ministry of Health that e-cigarettes should be treated like regular cigarettes and despite the 2018 amendment to the law which requires the inclusion of e-cigarettes in the category of smoking products and subjecting them to the regulation enforced in this area, the Israeli government has not

imposed any sales tax on e-cigarettes. The result of this failure is the absence of any sales tax on e-cigarettes sold in Israel and the creation of a significant tax imbalance between these products and other tobacco and nicotine products, upon which significant taxes are imposed.

4. Unnecessary interaction

There is no evidence in the public record of such activities during 2020 and up until March 2021.

5. Transparency

The requirement to report meetings with the tobacco industry is limited only to the Ministry of Health and does not apply to the rest of the government agencies. There is also no registry of tobacco industry entities, their affiliate organizations and representatives such as lawyers acting on their behalf.

6. Conflict of interest

No such movements of former politicians into positions in the tobacco and nicotine industry in 2020 were identified. However, there is the phenomenon of parliamentary advisers and assistants transitioning to positions in tobacco companies, sometimes without a "cooling off period" after holding a position in government.

7. Preventive measures

Knesset Rules of Procedure, Rules of Ethics for the Knesset Member, including reference to a policy disallow the acceptance of all forms of contributions/gifts (monetary or otherwise). It is also required to obtain prior approval from the Ethics Committee in order to participate in a study visit abroad. The Knesset Regulations do not include an explicit reference regarding the prohibition of receiving of assistance or policy drafts from the tobacco and nicotine industry and its emissaries.

The government does not require the tobacco industry to submit information on tobacco production, manufacture, market share, marketing expenditures, revenues and any other activity, including lobbying, philanthropy, political contributions and all other activities.

Recommendations

- 1. Tobacco and nicotine industry registrar** - A registry of tobacco and nicotine industry entities, their affiliate organizations and representatives must be established.
- 2. Reporting and transparency** - The requirement to report meetings with the tobacco and nicotine industry is currently limited to the Ministry of Health, and must be extended to apply to the whole government.
- 3. Knesset Rules of Procedure** - It is required to update the rules of ethics for the Knesset member on the prohibition of receiving an offer of assistance and/or a draft policy from the tobacco and nicotine industry and its emissaries.
- 4. Training** - A consistent action plan should be put in place to raise awareness among MKs and public servants of policies pertaining to the provisions of Article 5.3 of the FCTC Convention.
- 5. Cooling-off period** - Since there are instances of former government officials moving to the tobacco and nicotine industry, a policy must be put in place, which provides a cooling period of at least three years.
- 6. Commercial engagements** - Rules for commercial-related engagement by health institutions should be extended to apply to the whole government to prevent the tobacco and nicotine industry from approaching the non-health sector.