

Turkey

Overall score:

67

Summary of Findings

1. Industry participation in policy development

The tobacco industry has a voice in policy development in Turkey.

Mr. Riza Tuna Turagay (previously a public official), board member of British American Tobacco (BAT) Turkey was appointed Vice Minister of Commerce by Presidential Decision in Turkey in January 2019.

The tobacco industry is represented in two large industry organizations, the Turkish Exporters Assembly (The Vice Minister of Commerce was a member of the Tobacco Sector Board in 2018) and The Union of Chambers and Commodity Exchanges of Turkey. Both organizations publicly declare that they participate in the Economic and Social Council of the nation and "submit opinions and comments to the political power, to concerned ministries and parliamentary commissions regarding laws and regulations in draft form or in force," and "perform consultative functions, with specialization committees made up of experienced academicians and upper-level bureaucrats of concerned public and private agencies."

2. Industry CSR activities

There is no evidence gathered to evaluate the participation of government officials in tobacco industry CSR activities.

3. Benefits to the industry

There have been pending Regulations like implementing WHO Framework Convention on Tobacco Control (FCTC) Article 5.3 since 2004.

Concerning the plain packaging law, the implementation date at the manufacturing level has been postponed from July 5, 2019 to December 5, 2019 because the Ministry of Agriculture and Forestry which is responsible from the amendment regulation delayed adopting the regulation. Amendment Regulation can only be published on June 27, 2019. With the same amendment regulation further benefits were granted to the Industry. The location of the variant name has been changed from the bottom surface of the unit package of tobacco products, to the visible front surface of unit of the package, below the brand name. Also, compliance with the provision that the health warnings in the unit package of tobacco products placed on the market shall not be partially concealed or covered by the banderole was postponed until December 21, 2020.

In Turkey, the fixed tax is imposed automatically twice a year on tobacco products in line with producer price inflation. This implementation was canceled by a presidential decision saying it would not be implemented in the first half of 2020 to keep the inflation rate low.

In 2019, the government supplied investment incentives in the form of either VAT or customs duty exemption to 12 domestic tobacco companies. With these incentives, a total of 2,547 tons/year of waterpipe tobacco products, a total of 2,447 tons/year production capacity of cigarette and other tobacco products and a total of 4.6 billion tons/year of cigarette filter production capacity was created in addition to the existing production capacity in Turkey.

4. Unnecessary interaction

Top level government officials including the President and the Commerce Minister attended social functions and events like presenting awards to tobacco industry representatives for their success in exports/sales.

5. Transparency

The government does not publicly disclose its meetings or interactions with the tobacco industry. Any industry interference can only be noted through media monitoring by civil society actors.

6. Conflict of interest

The government does not prohibit contributions from the tobacco industry or any entity working to further its interests to political parties, candidates or campaigns or to require full disclosure of such contributions.

There is no evidence of retired senior government officials form part of the tobacco industry, nor any record of current government officials holding positions in the tobacco industry.

7. Preventive measures

Law No. 4703 requires the tobacco industry to periodically submit information on tobacco production and manufacture. Revenues are in the scope of Tax Procedure Law. Any other activity, including lobbying, philanthropy, political contributions and all other activities are not allowed by Law No 4207. However, the government does not have program or plan to consistently raise awareness within its departments on policies related to Article 5.3. Moreover, despite FCTC rules, the government does not publicly disclose its meetings or interactions with the tobacco industry.

Recommendations

1. Implement and enforce Article 5.3 of the FCTC.
2. Consistently raise awareness within departments on policies related to Article 5.3.
3. Create a mechanism for public disclosure of meetings or interactions with the tobacco industry.
4. Limit interaction with the tobacco industry to only when strictly necessary, such as for the purposes of controlling, regulating and supervising.
5. Adopt and implement a code of conduct for public officials, prescribing the standards they should comply with in their dealings with the tobacco industry.