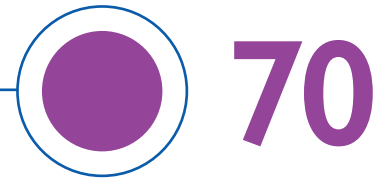


# Bolivia



## Summary of Findings

### 1. INDUSTRY PARTICIPATION IN POLICY DEVELOPMENT

The Plurinational State of Bolivia enacted Law 1280 “Prevention and Control of the Consumption of Tobacco Products” on February 13, 2020. The Ministry of Health and Sports is currently developing the regulation and technical tables for the approval and subsequent socialization of its implementation. Fundación Bolivia Saludable (FBS) and Free Bolivia Alliance without Tobacco (APLS) participated in two technical working groups to work on the revisions of the regulations. Lobbying by the tobacco industry (TI) and complaints from a sector of civil society interfered with, and eventually stopped, these activities.

### 2. INDUSTRY CSR ACTIVITIES

Tobacco related corporate social responsibility (CSR) activities were recorded in relation to relief efforts during the COVID-19 pandemic.

Compañía Industrial de Tabacos S.A.’s (CITSA) provides constant support for tobacco producers. Under the slogan of “sustainable employment, research and development and producer support,” the company disclosed the generation of work for 800 people who work with families from Mairana and Okinawa in the Santa Cruz District.

### 3. BENEFITS TO THE INDUSTRY

The lack of regulation for Law 1280 favors the TI by allowing the marketing of different tobacco products. It also allows the TI to use social media strategies to lure more consumers, of particular concern is the impact these efforts have on youth.

### 4. UNNECESSARY INTERACTION

The Minister of Health, Deputies of the Plurinational Legislative Assembly of Bolivia, and Municipal Assembly Members of La Paz have held meetings with the TI, such as during the process for drafting Law 1280 and the Municipal Tobacco Law that regulated Law No. 3029.

CITSA maintains a close relationship with the Chamber of Private Entrepreneurs, the Chamber of Industries, and the Bolivian Institute of Foreign Trade as an active member of these institutions. The TI has the benefit of participating in academic and business innovation activities together with some UN Agencies, diplomatic representations, NGOs, Cooperation Agencies and State Ministries.

According to the Autonomous Municipal Government of La Paz, the TI has not offered support or technical assistance in control activities, such as confiscation of tobacco products.

### 5. TRANSPARENCY

Meetings of authorities, or former regulatory officials, with the TI are considered a routine part of the equitable and balanced treatment of certain tobacco control regulations. There is no public information nor dedicated space on the Ministries’ websites or in the press where these meetings are reported.

The accreditation of the TI in Bolivia is given only to the institutions that have direct jurisdiction with the industry and production, as is the case of the Ministry of Productive Development and Plural Economy or the Ministry of Rural Development and Lands. The Ministry of Health and Sports has control in the registration, and less influence with the accreditation, of entities of the TI and associated pressure groups.

## 6. CONFLICT OF INTEREST

There is no evidence of former government officials or their immediate family members working for the TI or engaging with them politically for industry financing and sponsorship. We will note that Law No. 1096 on “Political Organizations” does not contemplate the TI.

## 7. PREVENTIVE MEASURES

The Statute of the Public Official prohibits the acceptance of gifts or other types of benefits. However, government officials from the Ministry of Health and Sports and the Plurinational Assembly of Bolivia are unaware of the guidelines of Article 5.3 of the WHO FCTC. This fact has led them to hold meetings with executives of the TI without following any procedure for interaction.

The government does not have records of the TI's expenses in advertising, marketing, CSR, etc. There are only records of the payment of taxes, production volumes (cigarettes only) and, if applicable, the export of tobacco products. This legal and procedural gap allows the TI to obscure its expenses related to advertising, promotion, and sponsorship.

Specific articles were added into the draft Law 1280, in an attempt to consider some components of WHO FCTC Article 5.3 and at the initiative of FBS. These components were reduced to a minimum due to interference from the TI. Even so, there is an expectation that in the regulation of Law 1280 more details can be incorporated in this regard.

---

# Recommendations

1. Denormalize the TI and public servants' relationship with it.
2. Raise awareness among public authorities and technical personnel of Public Institutions of the National, Departmental and Municipal Government, in addition to the Legislative, Judicial and Electoral Organs of the guidelines of Article 5.3. of the WHO FCTC.
3. Disseminate the findings of this research at all levels to demonstrate the need for a specific standard to address TI interference.
4. Promote the Regulation of Law 1280 to prevent the TI from interfering and delaying it. Law 1280 can be applied in its entirety and Subnational Governments can implement it with control and sanction.