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Ghana

**TOBACCO  
INDUSTRY  
INTERFERENCE  
INDEX  
2023**

## CONTENTS

.....	1
<b>ACKNOWLEDGEMENTS</b> .....	<b>2</b>
<b>ABBREVIATIONS</b> .....	<b>3</b>
<b>METHODOLOGY</b> .....	<b>4</b>
<b>INTRODUCTION</b> .....	<b>5</b>
TOBACCO INDUSTRY PRESENCE IN GHANA .....	6
TOBACCO-RELATED DEATHS IN GHANA .....	6
<b>SUMMARY FINDINGS</b> .....	<b>9</b>
INDUSTRY PARTICIPATION IN POLICY DEVELOPMENT .....	9
INDUSTRY CSR ACTIVITIES .....	9
BENEFITS TO THE INDUSTRY .....	10
UNNECESSARY INTERACTION .....	10
TRANSPARENCY .....	10
CONFLICT OF INTEREST .....	11
PREVENTIVE MEASURES .....	11
<b>RECOMMENDATIONS</b> .....	<b>12</b>
<b>RESULTS AND FINDINGS</b> .....	<b>14</b>
<b>ANNEX A: SOURCES OF INFORMATION</b> .....	<b>23</b>
Figure 2: Tobacco Industry and its products negative impacts on the Ghanaian environment	6
Figure 3: Image of YouOpportunity Summit 2021 sponsored by the Atlas Network .....	10
Table 1: Information on Top Tobacco Companies/Distributors in Ghana.....	23
Table 2: Tobacco Industry Allies and Front Groups in Ghana .....	23
Table 3: Top Media/Newspaper Outlets in Ghana .....	23

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This report will form part of the Global Tobacco Industry Interference Index, a global survey aimed at documenting how public health policies are protected from the industry's subversive efforts, and how governments have pushed back against this influence.

The first Tobacco Industry Interference Index was initiated by the South-East Asia Tobacco Control Alliance (SEATCA) as a regional report, now part of the global publication of the Global Centre for Good Governance in Tobacco Control (GGTC) based in Bangkok.

## **ABBREVIATIONS**

BAT	British American Tobacco
COPs	Conference of Parties
CSOs	Civil Society Organizations
CSR	Corporate Social Responsibility
FCTC	Framework Convention on Tobacco Control
FDA	Food and Drugs Authority
GGTC	Global Centre for Good Governance in Tobacco Control
GHS	Ghana Health Service
GRA	Ghana Revenue Authority
ITP	Protocol to Eliminate Illicit Trade in Tobacco Products
MATCOH	Media Alliance on Tobacco Control and Health
MOF	Ministry of Finance
MOH	Ministry of Health
MOP	Meetings of the Parties
MOTI	Ministry of Trade and Industry
PHW	Pictorial Health Warning
SEATCA	South-East Asia Tobacco Control Alliance
STOP	Stopping Tobacco Organizations and Products
TC-IACC	Tobacco Control Inter-Agency Coordinating Committee
TI	Tobacco Industry
VALD	Vision for Alternative Development
WHO	World Health Organization
WCA	West Central and African market

## **Methodology**

This report was compiled through a desk-based review of peer-reviewed journal articles, grey literature, media reports, media monitoring, and online search for information to assess the progress towards the requirements of WHO FCTC 5.3 in the country. All information used in this report is obtained from the public domain only.

The report is based on pre-existing questionnaire developed by the Southeast Asia Tobacco Control Alliance (SEATCA) containing 20 questions based on Article 5.3 guidelines. A scoring system ranging from 0 – 5 is used, where 5 indicates the highest level of industry interference. The lower the score, the less interference from the tobacco industry. A score of 0 indicates the absence of evidence or not applicable. Where multiple pieces of evidence are found, the score applied indicates an average. The report includes information on incidents from April 2021 to March 2023 but also includes relevant information from recent years if applicable.

## Introduction

The Framework Convention on Tobacco Control (FCTC), the world's first public health treaty developed under the auspices of the World Health Organization (WHO), establishes evidence-based tobacco control measures, which all 182 parties<sup>1</sup> to the treaty are legally obliged to implement. Negotiations for the FCTC, which began in 1999, caused considerable alarm among Transnational Tobacco Companies (TTCs), particularly British American Tobacco (BAT), the dominant company in Africa and Ghana. As the only region where smoking rates are still growing, Africa stands to gain tremendously from the FCTC because its effective implementation would stop the tobacco epidemic from growing further. African countries' full compliance with the FCTC would threaten the Tobacco Industry's long-term profitability, while decreasing the health and economic burden of tobacco use in Africa. Despite the industry's concerted efforts to stymie the FCTC's development, the Treaty came into force in 2005 and has led to significant advances in tobacco control. Yet, progress has been slower than expected, particularly in Africa<sup>2</sup>.

Ghana ratified the WHO FCTC in 2004 and the Protocol to Eliminate Illicit Trade in Tobacco Products in 2021 and has demonstrated its commitment to tackling the tobacco threat and improving the lives of its citizens. Ghana has also domesticated the WHO FCTC through the passage of the Public Health Act (Act 851) in 2012, which included tobacco control measures and the adoption of the Tobacco Control (TC) regulations (L.I.2247) in 2016. The Food and Drugs Authority (FDA) Guidelines for the Labelling of Tobacco Products (2018) and the National Cessation Guidelines (2017) have also been adopted. These regulations and laws provide the policy and the legal framework for tobacco control in Ghana, however, enforcement of some sections of the law/regulation remain weak. For instance, the prohibition of smoking in public except in a designated smoking room, prohibition of selling tobacco products in health and educational institutions except in tertiary institutions, sale of cigarettes to and by minors, etc. among others are not being enforced and many people are still not aware of the existence of these laws<sup>3</sup>.

To tackle the threat posed by the illicit tobacco trade, Ghana signed the Illicit Tobacco Trade Protocol on 24<sup>th</sup> September, 2013, and ratified it on 29<sup>th</sup> May 2019.<sup>4</sup> In 2021, Ghana became a party to the Protocol to Eliminate Illicit Trade In Tobacco Products. According to a recent study to assess the extent and nature of illicit cigarettes in Ghana, close to 20% of cigarette packs sold were illicit. Aflao (Ghana-Togo border) and Tamale (Ghana-Burkina Faso border) had the greatest percentages of illicit cigarette sales, at 99% and 46%, respectively. Also, over half of the illicit packs originated from Togo (51%), followed by Nigeria (15%) and then Cote d'Ivoire (10%).<sup>5</sup> This study also revealed the inadequacy and ineffectiveness of the current monitoring and regulatory activities to combat the illicit trade of tobacco in Ghana. Cigarette packs from BAT were the most common tobacco products sold in Ghana and constituted majority of the illicit packs.

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<sup>1</sup> [https://treaties.un.org/pages/ViewDetails.aspx?src=IND&mtdsg\\_no=IX-4&chapter=9&clang=\\_en](https://treaties.un.org/pages/ViewDetails.aspx?src=IND&mtdsg_no=IX-4&chapter=9&clang=_en)  
accessed on 10<sup>th</sup> April 2023

<sup>2</sup> R. R. Jackson, A. Rowell, and A. B. Gilmore, "'Unlawful Bribes?' 'Unlawful Bribes?' A documentary analysis showing British American Tobacco's use of payments to secure policy and competitive advantage in Africa," 2021

<sup>3</sup> Vision for Alternative Development, "Economics of Tobacco Control in Ghana," no. January, 2022.

<sup>4</sup> <https://tobaccotactics.org/article/ghana-country-profile/>

<sup>5</sup> Singh A, Ross H, Dobbie F, et al. Extent of illicit cigarette market from single stick sales in Ghana: findings from a cross-sectional survey. *BMJ Open* 2023;13:e062476. doi:10.1136/bmjopen-2022-062476

### Tobacco Industry presence in Ghana

Since BAT Ghana was delisted from the Ghana Stock Exchange in 2006, it has no records of its current shares holding. The lack of legal documentation that requires the industry to submit periodic reports on its market shares, marketing expenditure revenues, and other activities including Corporate Social Responsibility (CSR) to the government makes it difficult to get such information. However, a yet to be published research report by Grand View Research on the Ghana Tobacco Market shows that as of 2022, the Ghana Tobacco Market revenue was approximately \$110-\$130 million<sup>6</sup>.

### Tobacco-related deaths in Ghana

Annual tobacco death has been reported to be as high as 6,700, translating into 18 deaths daily. Out of the 6,700 deaths, 1,206 representing 18% die from exposure to second-hand smoke.<sup>7</sup>

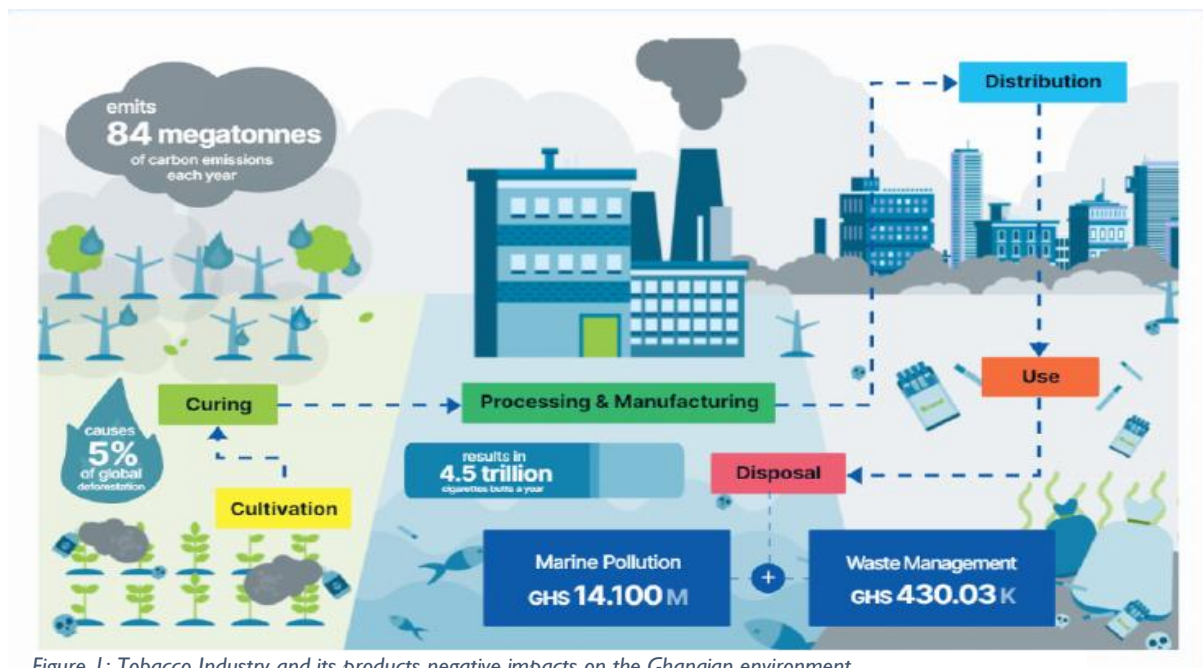


Figure 1: Tobacco Industry and its products negative impacts on the Ghanaian environment

In Ghana, tobacco use and tobacco butt disposal have become one of the most devastating effects on the environment. The diagram shows the level of environmental pollution and damage caused by the tobacco industry in Ghana. To compound the damages is an additional GHC 94 million annually in economic losses from consuming 695 million cigarette sticks.<sup>8</sup>

### Tobacco Industry Allies

Tobacco-allied organizations such as the Foundation for Consumer Freedom and Advancement (FCFA), Harm Reduction Alliance of Ghana (HRAG), and the Institute of Liberty, Policy, and Innovation (ILAPI) have called on regulatory agencies, and public health institutions to embrace tobacco harm reduction as part of tobacco control strategies. According to them, for decades, Ghana has tried to curb smoking through packaging, education, and taxation with limited success as such have called for regulatory framework that increases the availability of Tobacco Harm Reduction

<sup>6</sup> Grand View Research.(2022) "Ghana Tobacco Market Analysis, 2017-2030"

<sup>7</sup> <https://allafrica.com/stories/202209140094.html>

<sup>8</sup> <https://tobaccoplastics.ggtc.world/storage/pdf-reports/Customized%20Fact%20Sheet%20-%20GH.pdf>

products across the country<sup>9</sup> <sup>10</sup>. These products like the Puffs Vape Electronic Cigarette, XP3 Vape Pen, Eifbar disposable Vapes, fume vape, Vape Cartridge,<sup>11</sup> etc have already flooded the Ghanaian market and are easily accessible either in person or through online delivery.

The HRAG has its leadership in the government sector, thus giving them a strategic advantage to advance their advocacy for the adoption of policies on harm-reduction product as a public health strategy. This group has called on the government to legalize the use of e-cigarette as a safer alternative to traditional cigarette in Ghana. Further, according to the current excise tax Act, e-cigarette can be imported and used. The table 2 (Annex A) shows the main tobacco industry allies in Ghana.

Ghana has had a commendable history of successful tobacco control policies and the recent raise in excise taxes on tobacco products to meet the Economic Community of West African States (ECOWAS) directives in the 2023 Budget Statement was a step in the right direction. The Excise Duty Amendment Bill, 2023 passed on 31<sup>st</sup> March 2023 to revise the Excise Duty Act, 2014 (Act 878) is to include a specific excise tax component to the existing ad valorem excise tax implying that Ghana will be implementing a hybrid or mixed excise tax on tobacco products.

Despite this major policy win by the tobacco control and public health community, the industry also managed to get clearance to legally import e-cigarettes into the country, irrespective of calls by CSOs led by VALD Ghana to ban shisha and other novel/emerging products. This goes contrary to the Tobacco Control Measures of Act 851, which states, “The treatment of addiction may include the use of a non-tobacco product packaged as a tobacco or tobacco product”. This is a clear benefit to the industry expanding its market.

The BAT’s transformation- A better tomorrow’s sustainability reports<sup>12</sup> highlighted their strategy to expose the youth to e-cigarettes to sustain their market. They have since been working through their allied organizations to get legislation passed to enable them to achieve their objectives. E-cigarettes’ inclusion in the 2023 Budget Statement validates the industry aim to introduce e-cigarettes to young people. This was made possible by the lobbying efforts of the HRAG<sup>13</sup>-one of the groups affiliated with the tobacco industry and whose top officials are in the present administration.<sup>14</sup> <sup>15</sup>.

The WHO recognizes that tobacco companies use a wide range of tactics to interfere with tobacco control policies. Such strategies include direct and indirect political lobbying and campaign contributions, financing of research, attempting to affect the course of regulatory and policy machinery, and engaging in social responsibility initiatives as part of public relations campaigns<sup>16</sup>. The WHO-FCTC preamble and Article 5.3 address the protection of tobacco control policies from Tobacco Industry (TI) interference, which may take place anywhere along the chain of tobacco production, manufacturing, and use with the purpose of frustrating tobacco control efforts. Article

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<sup>9</sup> <https://newsghana.com.gh/let-us-embrace-tobacco-harm-reduction-as-control-strategies/>

<sup>10</sup> <https://thebftonline.com/2022/06/02/govt-encouraged-to-consider-tobacco-harm-reduction-as-key-part-of-public-health-interventions/>

<sup>11</sup> [https://ijiji.com.gh/hookah-and-vaporizers?filter\\_attr\\_1588\\_type=Vapes](https://ijiji.com.gh/hookah-and-vaporizers?filter_attr_1588_type=Vapes)

<sup>12</sup> [https://www.bat.com/group/sites/UK\\_\\_9D9KCY.nsf/vwPagesWebLive/DOAWWGJT/\\$file/BAT\\_Annual\\_Report\\_Form\\_20-F\\_2022.pdf](https://www.bat.com/group/sites/UK__9D9KCY.nsf/vwPagesWebLive/DOAWWGJT/$file/BAT_Annual_Report_Form_20-F_2022.pdf)

<sup>13</sup> <https://www.ghanaweb.com/GhanaHomePage/features/The-science-of-tobacco-harm-reduction-1621463> accessed on 10<sup>th</sup> March 2023

<sup>14</sup> [https://www.issup.net/kk/network/3/members-list?field\\_full\\_name=Samuel+Hanu&field\\_organisation\\_institution\\_value=](https://www.issup.net/kk/network/3/members-list?field_full_name=Samuel+Hanu&field_organisation_institution_value=)

<sup>15</sup> <https://www.researchgate.net/profile/Samuel-Hanu-2>

<sup>16</sup> WHO, “Tobacco Industry Interference with Tobacco control,” 2008



5.3 particularly urges parties to protect their public health policies relating to tobacco control from commercial and other vested interests of the tobacco industry per national law. Additionally, Article 5.3 contains recommendations that help governments accomplish this. The tobacco industry interference report provides an evaluation of the presence of the tobacco industry and their front companies, operations, and tactics employed that interfere with the rules as stipulated in Article 5.3 in order to raise awareness of the risks of industry interference and to publicly support governments keen on implementing Article 5.3 of the FCTC.

**Ghana's Tobacco Industry Interference Index has seen an undulating effect for the past years, 58 in 2020 and 56 in 2021. Ghana's score for the year 2023 is 58, indicating a two-point deficit compared to the year 2021. This clearly indicates the tobacco industry's continuous interference, lack of legislative frameworks and adherence to the WHO FCTC Art. 5.3.**

**Important to note that, Ghana made some progress on some indicators and fell short on many others. The falls included sponsoring educational initiatives and entrepreneur; incentives and exemptions through duty-free importation of tobacco products; no disclosure of meetings with the tobacco industry; some government officials having possible links with the industry, some of whose actions and advocacy led to the inclusion of taxes and adoption of e-cigarettes in the Ghana 2023 budget. And the government's delay in developing, adopting and implementing a code of conduct guiding public official engagement with the tobacco industry has also contributed significantly to Ghana's increasing score.**

## Summary Findings

### I INDUSTRY PARTICIPATION IN POLICY DEVELOPMENT

Harm Reduction Alliance of Ghana (HRAG) is a tobacco industry allied organization receiving major funding from Knowledge Action Change (a private organization being funded by the Foundation for a Smoke-Free World) advocates for policies, regulations, and actions that focuses on reducing health risks, usually by providing safer forms of hazardous products or encouraging less risky behaviors, rather than focusing on eradication of products or behaviors. They submitted a memo and were invited by the Chairman of the Committee on Defense and Interior of the Parliament of Ghana to be part of the stakeholders' engagement on the Narcotics Control Bill<sup>17</sup>. One of the key objectives of the HRAG is advocating to the government to provide access to products that provide an enjoyable and less risky alternative to smoking<sup>18</sup>. These objectives were sadly achieved when the Minister of Finance announced in the 2023 Budget Statement a proposal to tax e-cigarettes. This affirms the government's interaction with the industry on policy development matters.

In an interview on the evolution of BAT Ghana's business strategy, Freddy Messanvi, the General Manager of BAT WCA, stated that, the industry has engaged and recommended some measures to the government on illicit trade. As a result, the government is considering the advanced clearing system as well as the regulation of tobacco transit operations through a transit law to reduce the illicit trade of tobacco in Ghana.<sup>19</sup> This is an attempt to undermine the same illicit Tobacco Trade they are lurking to be battling<sup>20</sup>. This will weaken illicit tobacco trade measures.

### 2 INDUSTRY CSR ACTIVITIES

In Ghana, the tobacco industry operates mainly through front organizations and lobbyists affiliated with its partners. For instance, the Atlas Network, a group affiliated with the tobacco industry, sponsors programs in Ghana such as the YouOpportunity Summit<sup>21</sup> and through educational institution collaboration projects such as the Ghana Inter-University Liberty Economic Challenge<sup>22</sup>. The Atlas Network also supports the Africa Centre for Entrepreneurship and Youth Empowerment, a policy think tank with scholars clubs on all Ghanaian university campuses dedicated to promoting entrepreneurship and free markets.<sup>23</sup> <sup>24</sup>. The initiative is a move to inculcate its strategies of focusing on economic gains over all other benefits in the next generation of leaders.

<sup>17</sup> <https://www.hrgh.org/achievements.html> accessed on 3<sup>rd</sup> February 2023

<sup>18</sup> <https://www.ghanaweb.com/GhanaHomePage/features/The-science-of-tobacco-harm-reduction-1621463> accessed on 10<sup>th</sup> March 2023

<sup>19</sup> BAT, "Interview with Freddy Messanvi-BAT CORPORATE EVOLUTION GHANA," *BAT A BETTER TOMORROW*, 2021, [Online]. Available: <https://bit.ly/3APSSyp>

<sup>20</sup> <https://tobaccotactics.org/wiki/illicit-tobacco-trade/> accessed on 22<sup>nd</sup> March 2023

<sup>21</sup> <https://www.atlasnetwork.org/articles/youopportunity-summit-inspires-mammoth-gathering-in-ghana> accessed on 2<sup>nd</sup> March 2023

<sup>22</sup> <https://www.ghanaweb.com/vip/ernestsenanudovlo/KNUST-crowned-winners-of-maiden-Inter-University-Liberty-Economic-Competition-19280> accessed on 2<sup>nd</sup> March 2023

<sup>23</sup> <https://www.aceye.org/about-us/> accessed on 11<sup>th</sup> April 2023

<sup>24</sup> <https://www.ghanaweb.com/vip/ernestsenanudovlo/KNUST-crowned-winners-of-maiden-Inter-University-Liberty-Economic-Competition-19280> accessed on 11<sup>th</sup> April 2023



Figure 2: Image of YouOpportunity Summit 2021 sponsored by the Atlas Network

### 3 BENEFITS TO THE INDUSTRY

During the passage of the excise Duty Amendment Bill 2022, the American Chamber of Commerce-Ghana petitioned Parliament of Ghana to sanction broader consultation with industry for a downward review of the excise duty to boost investor interest, protect jobs, and ensure constant and steady revenue flows to the government. The Chamber has a standby interest to engage government to ensure that Ghana remains a favorite destination for investors<sup>25</sup>. The bill was submitted to Parliament on 24<sup>th</sup> November 2022 and passed on 31<sup>st</sup> March, 2023 amidst opposition by some Members of Parliament. The delay in passing the bill will allow industry to import tobacco products into the country. This will grant them undue advantage to sell their products to consumers at cheaper prices. This can defeat the intended impact of the excise tax and undermine tobacco control policy of the country.

All persons above age of 18 are allowed to import 200 cigarettes or 100 cigarillos or 50 cigars, or 250 grams of tobacco freely without any taxation<sup>26</sup>. This also constitute a huge benefit to the industry.

### 4 UNNECESSARY INTERACTION

According to Freddy Messanvi, General Manager for BAT West, Central, and African Markets, the industry has been collaborating with the government on corporate development strategy for BAT Ghana. He said government has demonstrated willingness to comply with the Trade Bloc recommendations if it is free of revenue loss to the country.<sup>27</sup> Strategically, Industry hides behind the Trade Bloc to undermine tobacco control policy and expand its market reach, which will eventually increase consumption and prevalence of tobacco use.

### 5 TRANSPARENCY

Tobacco Control Regulations (LI, 2247) ensures the registration of industry entities and provides public records on same, but there is no detailed official disclosure on engagements

<sup>25</sup> <https://amchamghana.org/2023/02/01/amcham-ghana-statement-on-excise-duty-amendment-bill-2022-before-parliament/> accessed on 5<sup>th</sup> February 2023

<sup>26</sup> <https://www.iatatravelcentre.com/GH-Ghana-customs-currency-airport-tax-regulations-details.htm#Import%20regulations>

<sup>27</sup> BAT, "Interview with Freddy Messanvi-BAT CORPORATE EVOLUTION GHANA," *BAT A BETTER TOMORROW*, 2021, 322[Online]. Available: <https://bit.ly/3APSsYp>

between government and these companies even though there are some reported evidences. A regulatory instrument should be instituted to obligate government to officially share details of meetings and interactions with the industry to the public.

## 6 CONFLICT OF INTEREST

A careful review of current and former government officials reveals a link between some officials and the tobacco industry. Mr. Samuel Dentu, who is the current Deputy CEO of the Ghana Export Promotion Authority was previously the Head of Finance BAT in Ghana. He deputized as the Managing Director for the BAT in Ghana, Ivory Coast, Mali, Burkina Faso, Gambia, Liberia, and Sierra Leone cluster market.<sup>28</sup> Mr. Edward Prince Amoati Younge, Executive Director of Sales and Marketing at Target Link Company Limited, who earlier worked as Head of Trade Marketing and Distribution at BAT Ghana, was appointed a board member of the Ghana Commercial Bank from 2019 to the end of 2021<sup>29</sup>. Throughout his tenure as a board member, he kept his role at Target Link Ghana Limited.<sup>30</sup> Samuel Cudjoe Hanu is an addiction specialist and currently works as the head of research with the Ghana Mental Health Authority<sup>31</sup><sup>32</sup><sup>33</sup>. He is also the Director of the Harm Reduction Alliance of Ghana, a CSO that works closely with the tobacco industry to fight for the adoption of policies on harm-reduction products such as e-cigarettes as a public health strategy.

## 7 PREVENTIVE MEASURES

The absence of an official document related to WHO Article 5.3 has caused regulatory and enforcement deficits, a situation that has also exposed agencies, officials and their close relations to the negative advances and manipulations of industry. This prevailing condition undermines national tobacco control and incentivizes industry interference. Government must work with VALD Ghana and other stakeholders to develop and enforce a regulatory document to the effect.

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<sup>28</sup> <https://www.gepaghana.org/about-us/gepa-management/> accessed on 27<sup>th</sup> January 2023

<sup>29</sup> <https://www.ghanaweb.com/GhanaHomePage/business/Edward-Amoatia-Younge-appointed-GCB-board-member-712717>

<sup>30</sup> [https://www.linkedin.com/feed/update/urn:li:activity:6938536062956793857?updateEntityUrn=urn%3Ain%3Afs\\_feedUpdate%3A%28V2%2Curn%3Ain%3Aactivity%3A6938536062956793857%29](https://www.linkedin.com/feed/update/urn:li:activity:6938536062956793857?updateEntityUrn=urn%3Ain%3Afs_feedUpdate%3A%28V2%2Curn%3Ain%3Aactivity%3A6938536062956793857%29)

<sup>31</sup> [https://books.google.com.gh/books?id=YqM\\_EAAAQBAJ&pg=PR22&lpg=PR22&dq=Samuel+Cudjoe+Hanu&source=bl&ots=GaAIBFTmQJ&sig=ACfU3U2BwBMwSARVAPeESLlIw05V3oEMJQ&hl=en&sa=X&ved=2ahUKEwiYod6Cs9n9AhUDVqQEhbfxCjo4ChDoAXoECBQQAaw#v=onepage&q=Samuel%20Cudjoe%20Hanu&f=false](https://books.google.com.gh/books?id=YqM_EAAAQBAJ&pg=PR22&lpg=PR22&dq=Samuel+Cudjoe+Hanu&source=bl&ots=GaAIBFTmQJ&sig=ACfU3U2BwBMwSARVAPeESLlIw05V3oEMJQ&hl=en&sa=X&ved=2ahUKEwiYod6Cs9n9AhUDVqQEhbfxCjo4ChDoAXoECBQQAaw#v=onepage&q=Samuel%20Cudjoe%20Hanu&f=false)

<sup>32</sup> [https://www.issup.net/kk/network/3/members-list?field\\_full\\_name=Samuel+Hanu&field\\_organisation\\_institution\\_value=](https://www.issup.net/kk/network/3/members-list?field_full_name=Samuel+Hanu&field_organisation_institution_value=)

<sup>33</sup> <https://www.researchgate.net/profile/Samuel-Hanu-2>

## Recommendations

Recognizing the low level of commitment in the implementation and enforcement of the tobacco control measures particularly the WHO FCTC Article 5.3 and its guidelines, the implementation and enforcement of the under-listed points will surge Ghana's efforts in meeting its national and global obligations.

We therefore suggest:

1. To support evidence-based policies, the Tobacco Control Inter-Agency Coordinating Committee must place a high priority on surveillance and monitoring of tobacco industry operations nationwide. There is an obvious breach of the TC legislation, which largely serves the interests of the cigarette business. For instance, the continued sale of single sticks of cigarettes despite a ban, the rise of illegal tobacco products on the market, the arrival of tobacco products marked "Duty-Free" at the country's ports, and others all result in enormous benefits and incentives for the tobacco industry while the nation loses enormous amounts of money.
2. As required by the Tobacco Control Measure of Act 851, the Ministry of Health needs to collaborate extensively with CSOs and other stakeholders to draft a code of conduct as soon as possible to govern how public officials interact with the tobacco business. Since the implementation of the tobacco control laws and regulations in 2012 and 2016, respectively, this has been long overdue. Some needless interactions between government representatives and the tobacco business will be avoided by the creation and enforcement of the code of conduct.
3. We recommend that the government ban all tobacco-related corporate social responsibility (CSR) activities and direct the tobacco industry to publicly report or declare its CSR initiatives in the country. This information is not currently available in the public domain.
4. That as a matter of priority, the government must demand full disclosure on the website of the tobacco industry activities to include their market shares, revenue, and profits, tax exceptions, or any privileges the tobacco industry receives. Similarly, government officials should be mandated to publicly share information on their dealings with the tobacco industry on platforms like their websites.
5. That the government should require the Ministry of Finance to examine tobacco product prices on a regular basis and to successfully control the cost and access of tobacco products,
6. The role of the media is very important to augment the activities of the few CSOs, like the VALD-Ghana, to project and spotlight the activities of the tobacco industry, their interference and overall adverse harm to the population needs to be heightened. Periodically, the media capacity should be to ensure that they demand of the governments a holistic implementation of the FCTC guidelines and the enforcement of local legislation like tax increment among others that target tobacco control.
7. That beyond the awareness campaign on the health implications of smoking, the government must develop a campaign plan for government officials, decision/policy makers, and political actors on Article 5.3 in order to enhance their skills and knowledge. This will help them to avoid conflict of interest and protect them against falling prey to activities of the tobacco industry or inadvertently facilitating their activities to undermine tobacco control policies in the country.
8. That government should step further and terminate the recently suspended track and trace system contract between De La Rue and the Ghana Revenue Authority (GRA) and open up a fresh application process that should be independent, transparent and devoid of tobacco industry involvement to effectively address illicit trade in tobacco products in Ghana.
9. We recommend a periodic and extensive in-depth research to counter the tobacco industry and allies' misinformation on emerging products like e-cigarette as a safer alternative to traditional

cigarettes. The tobacco industry must be prevented from promoting these products as safer alternative. Currently, the negative effects of these emerging products are alarming.

10. That the MoH should officially write to heads of all educational institution to take cognizance of the tobacco control law and the regulations and to desist from engaging the tobacco industry.

# Tobacco Industry Interference Index 2023

## Results and Findings

	0	1	2	3	4	5
<b>INDUSTRY PARTICIPATION IN POLICY DEVELOPMENT</b>						
<b>INDICATOR 1: Level of Industry Participation in Policy-Development</b>						
I. The government <sup>34</sup> accepts, supports or endorses any offer for assistance by or in collaboration with the tobacco industry or any entity or person working to further its interests. <sup>35</sup> in setting or implementing public health policies in relation to tobacco control <sup>36</sup> (Rec 3.4)					4	
<p>Tobacco control regulations in Ghana do not provide explicit provisions to curb the interference of the tobacco industry in policy development. The Ministry of Health has delayed in developing the code of conduct which is expected to provide clear guidelines for public officials in their dealings with the tobacco industry. The ultimate aim of this document is to ensure the total exclusion of the tobacco industry from policy development that is aimed at controlling tobacco industry activities in Ghana. This delay has created an opportunity for the tobacco industry to exploit.</p> <p>One of these exploitations is the invitation of the HRAG after they submitted a memo to the Chairman of the Committee on Defense and Interior of the Parliament of Ghana to be part of the stakeholders' engagement on the Narcotics Control Bill<sup>37</sup>.</p> <p>The HRAG is a tobacco industry allied organization receiving major funding from Knowledge Action Change (a private organization funded by the Foundation for a Smoke-Free World) to advocate for policies, regulations, and actions that focuses on the so-called reducing health risks, usually by providing safer forms of hazardous products or encouraging less risky behaviors, rather than focusing on eradication of products or behaviors. A major objective of HRAG is to lobby the government to provide access to products that provide an enjoyable and less risky alternative to smoking<sup>38</sup>. Sadly, industry made significant gains when the Minister of Finance announced in the 2023 Budget Statement a proposal to tax e-cigarettes, a move that can be attributed to the government's interaction with the industry on policy development matters.</p> <p>Further, the General Manager of BAT WCA pronounced that the incidence rate of illicit tobacco trade in Ghana is now estimated at around 25%, as such, has engaged and recommended some measures to the government to reduce illicit trade: the government is considering the advanced clearing system and the regulation of tobacco transit operations through a transit law (as is the case in Benin, Togo, Niger, and Burkina Faso) as a measure to reduce the illicit trade of tobacco in Ghana.<sup>39</sup> This is an attempt to undermine the same illicit Tobacco Trade they are lurking to</p>						

<sup>34</sup> The term "government" refers to any public official whether or not acting within the scope of authority as long as cloaked with such authority or holding out to another as having such authority

<sup>35</sup> The term, "tobacco industry" includes those representing its interests or working to further its interests, including the State-owned tobacco industry.

<sup>36</sup> "Offer of assistance" may include draft legislation, technical input, recommendations, oversees study tour

<sup>37</sup> <https://www.hrgh.org/achievements.html> accessed on 3<sup>rd</sup> February 2023

<sup>38</sup> <https://www.ghanaweb.com/GhanaHomePage/features/The-science-of-tobacco-harm-reduction-1621463> accessed on 10<sup>th</sup> March 2023

<sup>39</sup> BAT, "Interview with Freddy Messanvi-BAT CORPORATE EVOLUTION GHANA," *BAT A BETTER TOMORROW*, 2021, [Online]. Available: [https://www.batwca.com/group/sites/BAT\\_BUCDFL.nsf/vwPagesWebLive/DOBZ2JYT/\\$FILE/Interview\\_about\\_our\\_Corporate\\_Evolution\\_-\\_Ghana.pdf?openelement](https://www.batwca.com/group/sites/BAT_BUCDFL.nsf/vwPagesWebLive/DOBZ2JYT/$FILE/Interview_about_our_Corporate_Evolution_-_Ghana.pdf?openelement)

	0	1	2	3	4	5
<p>battling<sup>40</sup>. This will weaken illicit tobacco trade measures and allow the tobacco industry to get involved in customs and law enforcement efforts.</p> <p>In the past, the tobacco industry has used these tactics to advance technological initiatives to governments all over the world, such as the Codentify (a technological system used to authenticate a packet of cigarettes in order to reduce illicit tobacco trade). This was later exposed to be a key strategy used by the industry to undermine tobacco control policies aimed at illicit trade.<sup>41</sup></p>						
<p>2. The government accepts, supports or endorses <u>policies or legislation drafted</u> by or in collaboration with the tobacco industry. (Rec 3.4)</p>		I				
<p>There is no evidence to suggest that the government accepted, approved or supported policies or legislation drafted by the tobacco industry or with their cooperation.</p>						
<p>3. The government allows/invites the tobacco industry to sit in government interagency/ multi-sectoral committee/ advisory group body that sets public health policy. (Rec 4.8)</p>		I				
<p>There is no information suggesting that the tobacco industry has been invited to participate in meetings that develops public health policy. The Tobacco Control Inter-Agency Coordinating Committee membership does not include the tobacco industry.<sup>42</sup></p>						
<p>4. The government nominates or allows representatives from the tobacco industry (including State-owned) in the delegation to the COP or other subsidiary bodies or accepts their sponsorship for delegates. (i.e. COP 4 &amp; 5, INB 4 5, WG)<sup>43</sup> (Rec 4.9 &amp; 8.3) For non-COP year, follow the previous score of COP year. For non-Parties, apply a score of '0'</p>		I				
<p>There are no tobacco industry representatives in Ghana's delegation to the COP and other subsidiary bodies</p>						
<p><b>INDICATOR 2: Industry CSR activities</b></p>						
<p>5. A. Government agencies or their officials endorse, support, form partnerships with or participates in activities of the tobacco industry described as “socially responsible” or “sustainable”. For example, environmental programs. (Rec 6.2)</p> <p>B. The government (its agencies and officials) receives CSR contributions<sup>44</sup> (monetary or otherwise, including CSR</p>				4		

<sup>40</sup> <https://tobaccotactics.org/wiki/illicit-tobacco-trade/> accessed on 22<sup>nd</sup> March 2023

<sup>41</sup> <https://tobaccotactics.org/wiki/illicit-tobacco-trade/> accessed on 22<sup>nd</sup> March 2023

<sup>42</sup> VALD calls for support for tobacco control initiatives <https://www.gna.org.gh/1.21179735>

<sup>43</sup> Please annex a list since 2009 so that the respondent can quantify the frequency, <http://www.who.int/fctc/cop/en/>

<sup>44</sup> political, social financial, educations, community, technical expertise or training to counter smuggling or any other forms of contributions



	0	1	2	3	4	5
contributions) from the tobacco industry or those working to further its interests during the pandemic. (Rec 6.4) <i>NOTE: exclude enforcement activities as this is covered in another question</i>						

- A. There is no evidence of direct CSR activities by the industry players. The tendency of such an occurrence is connected to the recent COVID-19 pandemic that opened most poor and middle-income countries like Ghana to much vulnerability, for which the tobacco industry may covertly lend support.
- B. There is some level of CSR activity in the form of sponsorship to educational institution in Ghana. The tobacco industry operates mostly through front organizations and lobbyists groups. The Atlas Network, a group affiliated to the tobacco industry, sponsors programs in Ghana such as the YouOpportunity Summit<sup>45</sup> and through educational institution collaboration projects such as the Ghana Inter-University Liberty Economic Challenge<sup>46</sup>. The Atlas Network also supports the Africa Centre for Entrepreneurship and Youth Empowerment, a policy think tank with scholars clubs on all Ghanaian university campuses dedicated to promoting entrepreneurship and free markets.<sup>47 48</sup> A free-market economy encourages the production and selling of products and services with little to no central government control or intervention. In the case of tobacco goods, a free-market economy promotes the relations between product supply and consumer demand to define prices rather than government-enforced price regulations<sup>49</sup> to protect public health. The tobacco industry is sponsoring educational initiatives to inculcate its strategies of focusing on economic gains over all other benefits to the next generation of leaders in this country.

Further, in response to the Covid-19 pandemic, BAT captured as part of their sustainability report the support given to their suppliers and communities. “We have harnessed our strengths and in science, engineering and logistics to support national responses to Covid-19” it continued to state that “We have distributed thousands of PPE, sanitation kits, food and other essential items to our contracted farmers and their communities”. In Ghana, a COVID-19 Fund was set up by the government in collaboration with private companies and individuals to raise funds for managing the pandemic. The tendency that the tobacco marketing companies in Ghana may have contributed is very high especially when the BAT report indicated that they supported national responses to Covid-19 worldwide.

### INDICATOR 3: Benefits to the Tobacco Industry

6. The government accommodates requests from the tobacco industry for a longer time frame for implementation or postponement of tobacco control law. (e.g. 180 days is common for PHW, Tax increase can be implemented within 1 month) (Rec 7.1)					4	
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<sup>45</sup> <https://www.atlasnetwork.org/articles/youopportunity-summit-inspires-mammoth-gathering-in-ghana> accessed on 2<sup>nd</sup> March 2023

<sup>46</sup> <https://www.ghanaweb.com/vip/ernestsenanudovlo/KNUST-crowned-winners-of-maiden-Inter-University-Liberty-Economic-Competition-19280> accessed on 2<sup>nd</sup> March 2023

<sup>47</sup> <https://www.aceye.org/about-us/> accessed on 11<sup>th</sup> April 2023

<sup>48</sup> <https://www.ghanaweb.com/vip/ernestsenanudovlo/KNUST-crowned-winners-of-maiden-Inter-University-Liberty-Economic-Competition-19280> accessed on 11<sup>th</sup> April 2023

<sup>49</sup> <https://smallbusiness.chron.com/explain-advantages-disadvantages-market-economies-70553.html>

One of the tobacco industry’s interfering tactics is to exaggerate the economic importance of the industry while ignoring the troubling negative social, environmental and health costs related to tobacco use. The American Chamber of Commerce is a nationally recognized team of lobbyists, communicators, and policy experts that acts as a front group for the tobacco industry in systematically fighting effective tobacco control policies worldwide. It has often targeted low-and-middle-income countries vulnerable to bullying by the economic might of the leading U.S. business lobby<sup>50</sup>. The American Chamber of Commerce-Ghana released a statement on the excise duty bill highlighting that the increment in excise taxes coupled with the country’s current economic situation will overburden companies, increase the cost of production, distribution, and decrease the sale of products which will affect the government steady in-flow of revenue from the industry. The Chamber called on Parliament to allow for broader consultations with industry to resolve pertinent issues including a downward revision of these excise duty rates to boost investor interest, protect jobs, and ensure constant and steady revenue flows to the government before the bill is passed. The Chamber expressed readiness to engage with government and find a middle ground on these issues to ensure that Ghana remains a favorite destination for investors<sup>51</sup>. Ironically, the bill was submitted to Parliament on 24<sup>th</sup> November, 2022 and got passed on 31<sup>st</sup> March 2023 amidst opposition by some Members of Parliament<sup>52</sup> <sup>53</sup>. The delay and opposition could be as a result of interferences from the industry front groups to their benefit.

This delay will allow the industry to import as many tobacco products into the country before the excise tax is implemented and also ensure that they sell their products at a cheaper price to defeat the significance of the excise tax bill and undermine tobacco control policy to benefit industry.

7. The government gives privileges, incentives, tax exemptions or benefits to the tobacco industry (Rec 7.3)					4	
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The policy of 50% of assessed Free on Board (FOB) applied as discount on all imported goods before tax is an incentive to the tobacco industry. Thus, allowing duty free importation of tobacco.

Prices of tobacco products in Ghana remain incredibly cheap, making the products accessible to very low-income earners and the youth.

The point entry tobacco products allow international travellers aged 18 years and above to bring in duty-free tobacco products, 200 cigarettes, 100 cigarillos, 50 cigars, and 250grams of tobacco<sup>54</sup>.

#### INDICATOR 4: Forms of Unnecessary Interaction

8. Top level government officials (such as President/ Prime Minister or Minister <sup>55</sup> ) meet with/ foster relations with the tobacco companies		1				
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<sup>50</sup> [US Chamber of Commerce](#), Tobacco Tactics, updated 05 February 2020, accessed 15 March 2023.

<sup>51</sup> <https://amchamghana.org/2023/02/01/amcham-ghana-statement-on-excise-duty-amendment-bill-2022-before-parliament/> accessed on 5<sup>th</sup> February 2023

<sup>52</sup> <https://www.pulse.com.gh/news/local/the-minority-will-vote-against-the-new-tax-bills-mahama-ayariga/whcz5zj> accessed on March 31st 2023

<sup>53</sup> <https://newsghana.com.gh/ndc-mps-threaten-to-vote-against-govts-new-tax-bills/> accessed on March 31st 2023

<sup>55</sup> Includes immediate members of the families of the high-level officials

	0	1	2	3	4	5
such as attending social functions and other events sponsored or organized by the tobacco companies or those furthering its interests. (Rec 2.1)						
<p>During the period under review, there has not been publicly available information that top-level government officials met with/fostered relations with tobacco companies to attend social functions or event sponsored/organized by the tobacco industry.</p> <p>However, media reports indicating that the industry has engaged government officials. According to Freddy Messanvi (General Manager for BAT West, Central, and African markets) on BAT Ghana's corporate development strategy, the industry has been working with the government<sup>56</sup>. He said government has expressed willingness to comply with the trade bloc recommendations if it is free of revenue losses .<sup>57</sup> This is key in addressing the challenge of tax disparity between Ghana and other West African countries, which has led to a growth in illicit trade in Ghana, he added. This will enable the industry to send its products to countries with lower tobacco tax burdens and use the trade bloc agreement to lower the taxes to be paid on their tobacco products when imported into Ghana. The Trade bloc is a strategy that industry hides behind to undermine tobacco control policy and expand their market. If the country fails to respond with effective tobacco control policies, overall tobacco consumption, and smoking prevalence will increase exponentially and further render tobacco control policies and measures ineffective<sup>58</sup>.</p>						
9. The government accepts assistance/ offers of assistance from the tobacco industry on enforcement such as conducting raids on tobacco smuggling or enforcing smoke free policies or no sales to minors. (including monetary contribution for these activities) (Rec 4.3)	0					
<p>There is no such happening. However, VALD Ghana and partners in the CSO and Media space are closely monitoring.</p>						
10. The government accepts, supports, endorses, or enters into partnerships or non-binding agreements with the tobacco industry or any entity working to further its interests. (Rec 3.1) <i>NOTE: This must <u>not</u> involve CSR, enforcement activity, or tobacco control policy development since these are already covered in the previous questions.</i>					4	

<sup>56</sup> BAT, "Interview with Freddy Messanvi-BAT CORPORATE EVOLUTION GHANA," *BAT A BETTER TOMORROW*, 2021, 322[Online]. Available: [https://www.batwca.com/group/sites/BAT\\_BUCDFL.nsf/vwPagesWebLive/DOBZ2JYT/\\$FILE/Interview\\_about\\_our\\_Corporate\\_Evolution\\_-\\_Ghana.pdf?openelement](https://www.batwca.com/group/sites/BAT_BUCDFL.nsf/vwPagesWebLive/DOBZ2JYT/$FILE/Interview_about_our_Corporate_Evolution_-_Ghana.pdf?openelement)

<sup>57</sup> BAT, "Interview with Freddy Messanvi-BAT CORPORATE EVOLUTION GHANA," *BAT A BETTER TOMORROW*, 2021, 322[Online]. Available: [https://www.batwca.com/group/sites/BAT\\_BUCDFL.nsf/vwPagesWebLive/DOBZ2JYT/\\$FILE/Interview\\_about\\_our\\_Corporate\\_Evolution\\_-\\_Ghana.pdf?openelement](https://www.batwca.com/group/sites/BAT_BUCDFL.nsf/vwPagesWebLive/DOBZ2JYT/$FILE/Interview_about_our_Corporate_Evolution_-_Ghana.pdf?openelement)

<sup>58</sup> H. Ross, *Tobacco Industry Strategies to Reduce Tax Liability*, no. 225. 2018

	0	1	2	3	4	5
<p>The GRA, a government agency, awarded a 5-year Digital Tax Stamp (DTS) solution deal to De la Rue, an industry player in September 2020<sup>59</sup>. The deal was however temporarily suspended by the GRA due to procurement flaws detected by the Public Procurement Authority (PPA). Publicly available information points to the fact that De la Rue still prints the Ghana tax stamp<sup>60</sup></p>						
<b>INDICATOR 5: Transparency</b>						
11. The government does not publicly disclose meetings/ interactions with the tobacco industry in cases where such interactions are strictly necessary for regulation. (Rec 2.2)						5
<p>There is no disclosure of information on meetings between government and the tobacco industry.</p>						
12. The government requires rules for the disclosure or registration of tobacco industry entities, affiliated organizations, and individuals acting on their behalf including lobbyists (Rec 5.3)			2			
<p>Tobacco Control Regulation, 2016 (LI. 2247)<sup>61</sup>, requires the registration of only tobacco industry and products, unfortunately it excluded affiliated organizations, and individuals acting on their behalf including lobbyists. These guidelines apply to all body-corporates duly registered by the Registrar-General Department that want to import tobacco products into Ghana.</p>						
<b>INDICATOR 6: Conflict of Interest</b>						
13. 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. (Rec 4.11) / Never 5 Yes					4	
<p>There is no legislation prohibiting 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.</p> <p>Though L.I.2247 provides for a code of conduct for public officers in relation to the tobacco industry, the document is yet to be developed<sup>62</sup>.</p>						
14. Retired senior government officials form part of the tobacco industry (former Prime Minister, Minister, Attorney General) (Rec 4.4)	0					
<p>There is no such happening, to suggest that retired senior government officials have joined the tobacco industry.</p>						

<sup>59</sup> De La Rue signs 5 year deal with Ghana Revenue Authority <https://www.delarue.com/media-center/de-la-rue-signs-5-year-deal-with-ghana-revenue-authority> [Accessed: 02-08-2022]

<sup>60</sup> <https://www.theghanareport.com/two-sentenced-as-gra-changes-tax-stamps-in-march/>

<sup>61</sup> TOBACCO CONTROL REGULATION, 2016 (LI2247) <https://www.tobaccocontrol.org/files/live/Ghana/Ghana%20-%20TC%20Regs%202016%20-%20national.pdf> [Accessed: 12-07-2022]

<sup>62</sup> Tobacco Control Regulations (LI 2247). Accessed on 2<sup>nd</sup> April, 2021 from <https://www.tobaccocontrol.org/files/live/Ghana/Ghana%20-%20TC%20Regs%202016%20-%20national.pdf>

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15. <u>Current government officials</u> and relatives hold positions in the tobacco business including consultancy positions. (Rec 4.5, 4.8, 4.10)					4	
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A careful review of current and former government positions, officials, and their relatives reveals a link between some officials and the tobacco industry. Mr. Samuel Dentu, the current Deputy CEO of the Ghana Export Promotion Authority was previously the Head of Finance at British American Tobacco Ghana, where he was deputized as the Managing Director for the BAT Ghana, Ivory Coast, Mali, Burkina Faso, Gambia, Liberia, and Sierra Leone cluster market.<sup>63</sup> In 2014, he was appointed as the Chief of Finance for British American Tobacco's West Africa West Cluster. Around that time, he was appointed to the Board of Directors of British American Tobacco, Ghana and in 2018, he was appointed Deputy CEO of the Ghana Export Promotion Authority, which is a component of the Ministry of Trade and Industry<sup>64</sup>. In the absence of an official declaration from Mr. Dentu regarding his reported board of director membership at BAT Ghana, his current position as a Deputy Director at the Ministry of Trade and Industry can be viewed as a strategic move by the industry to position its members within existing governmental structures.

Mr. Edward Prince Amoati Younge, Executive Director of Sales and Marketing at Target Link Company Limited, who earlier worked as Head of Trade Marketing and Distribution at BAT Ghana, was appointed a board member of the Ghana Commercial Bank from 2019 to the end of 2021<sup>65</sup>. Throughout his tenure as a board member, he kept his role at Target Link Ghana Limited.<sup>66</sup>

Samuel Cudjoe Hanu is an addiction specialist and currently works as the head of research with the Ghana Mental Health Authority<sup>676869</sup>. He is also the Director of the Harm Reduction Alliance of Ghana, a Civil Society Organization that works closely with the tobacco industry to fight for the adoption of policies on harm-reduction products such as e-cigarettes as a public health strategy. As the head of the Ghana Mental Health Authority's research section, he is responsible for conducting research to influence policies and mental health practices. Because of the catastrophic effects of tobacco use and its association with mental health, his position as the director of HARG is a complete conflict of interest. HRAG's principal goal has been to advocate for the acceptance of e-cigarettes in Ghana, a product that significantly increase and worsen mental health disorders.<sup>70</sup>

### INDICATOR 7: Preventive Measures

16. The government has put in place a procedure for disclosing the records of the interaction (such as agenda, attendees, minutes and outcome) with the tobacco industry and its representatives. (Rec 5.1)						5
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<sup>63</sup> <https://www.gepaghana.org/about-us/gepa-management/> accessed on 27<sup>th</sup> January 2023

<sup>64</sup> <https://www.linkedin.com/in/samuel-dentu-fcca-mba-bcom-8a671431/details/experience/> accessed on 27<sup>th</sup> January 2023

<sup>65</sup> <https://www.ghanaweb.com/GhanaHomePage/business/Edward-Amoatia-Younge-appointed-GCB-board-member-712717>

<sup>66</sup> [https://www.linkedin.com/feed/update/urn:li:activity:6938536062956793857?updateEntityUrn=urn%3AIn%3Afs\\_feedUpdate%3A%28V2%2Curn%3AIn%3Aactivity%3A6938536062956793857%29](https://www.linkedin.com/feed/update/urn:li:activity:6938536062956793857?updateEntityUrn=urn%3AIn%3Afs_feedUpdate%3A%28V2%2Curn%3AIn%3Aactivity%3A6938536062956793857%29)

<sup>67</sup> [https://books.google.com.gh/books?id=YqM\\_EAAAQBAJ&pg=PR22&lpg=PR22&dq=Samuel+Cudjoe+Hanu&source=bl&ots=GaAIBFTmQI&sig=ACfU3U2BwBMwSARVAPeESLIw05WV3oEMJQ&hl=en&sa=X&ved=2ahUKewiYod6Cs9n9AhUDVqQEHbfxCjo4ChDoAXoECBQQAaw#v=onepage&q=Samuel%20Cudjoe%20Hanu&f=false](https://books.google.com.gh/books?id=YqM_EAAAQBAJ&pg=PR22&lpg=PR22&dq=Samuel+Cudjoe+Hanu&source=bl&ots=GaAIBFTmQI&sig=ACfU3U2BwBMwSARVAPeESLIw05WV3oEMJQ&hl=en&sa=X&ved=2ahUKewiYod6Cs9n9AhUDVqQEHbfxCjo4ChDoAXoECBQQAaw#v=onepage&q=Samuel%20Cudjoe%20Hanu&f=false)

<sup>68</sup> [https://www.issup.net/kk/network/3/members-list?field\\_full\\_name=Samuel+Hanu&field\\_organisation\\_institution\\_value=](https://www.issup.net/kk/network/3/members-list?field_full_name=Samuel+Hanu&field_organisation_institution_value=)

<sup>69</sup> <https://www.researchgate.net/profile/Samuel-Hanu-2>

<sup>70</sup> Javed, S., Usmani, S., Sarfraz, Z., Sarfraz, A., Hanif, A., Firoz, A., Baig, R., Sharath, M., Walia, N., Chérrez-Ojeda, I., & Ahmed, S. (2022). A Scoping Review of Vaping, E-Cigarettes and Mental Health Impact: Depression and Suicidality. *Journal of community hospital internal medicine perspectives*, 12(3), 33–39. <https://doi.org/10.55729/2000-9666.1053>

	0	1	2	3	4	5
Government does not share information on its interaction with the tobacco industry and their associates.						
17. The government has formulated, adopted or implemented a code of conduct for public officials, prescribing the standards with which they should comply in their dealings with the tobacco industry. (Rec 4.2); <i>1 for whole of government code; 2 for Yes but partial if only MOH</i>					4	
Even though the Tobacco Control Regulations (L.I 2247) <sup>71</sup> have mandated the Minister of Health to develop a code of conduct for government officials, this document is yet to be drafted and operationalized.  However, section 17, of the LI 2247, under “Tobacco industry interaction with public authorities and officers” states that “Any interaction or meeting between the public authority or public officers with a role in tobacco control and the tobacco industry shall be limited to the extent strictly necessary for effective tobacco control and enforcement of relevant laws”. This provision gives some direction on how official interactions must be carried. This is however not comprehensive enough and does not comply strictly with the FCTC.						
18. The government requires the tobacco industry to periodically submit information on tobacco production, manufacture, market share, marketing expenditures, revenues and any other activity, including lobbying, philanthropy, political contributions and all other activities. (5.2)					4	
The tobacco marketing companies operating in Ghana are obligated to submit audited reports to the registrar general’s department annually and this document will provide information on their expenditures and revenues. Information on lobbying, philanthropy, political and other activities remain blank.						
19. The government has a program / system/ plan to consistently <sup>72</sup> raise awareness within its departments on policies relating to FCTC Article 5.3 Guidelines. (Rec 1.1, 1.2)						5
The government do not have a program/system/plan to consistently raise awareness within its departments on policies relating to Article 5.3. Despite this, CSOs led by VALD Ghana in collaboration with some government entities like the FDA carry out general awareness including education on the FCTC Article 5.3.						

<sup>71</sup> Tobacco Control Regulations (L.I 2247). Accessed on 2<sup>nd</sup> March, 2021 from <https://www.tobaccocontrol.org/files/live/Ghana/Ghana%20-%20TC%20Regs%202016%20-%20national.pdf>

<sup>72</sup> For purposes of this question, “consistently” means: a. Each time the FCTC is discussed, 5.3 is explained. AND b. Whenever the opportunity arises such when the tobacco industry intervention is discovered or reported.

	0	1	2	3	4	5
20. The government has put in place a policy to disallow the acceptance of all forms of contributions/ gifts from the tobacco industry (monetary or otherwise) including offers of assistance, policy drafts, or study visit invitations given or offered to the government, its agencies, officials and their relatives. (3.4)		1				
<p>Tobacco Control Law 2012 section 60 prohibits government officials from accepting all forms of contributions/ gifts from the tobacco industry.</p> <p>Specifically, (1) A person shall not initiate or engage in any form of tobacco sponsorship. (2) In furtherance of subsection (1), a person concerned with tobacco or a tobacco product shall not</p> <p>(a) organise or promote an organised activity in the country,</p> <p>(b) make a financial contribution to an organised activity in the country or make a financial contribution to a person in respect of</p> <p>(i) the organisation or promotion of an organized activity in the country by that person, or</p> <p>(ii) the participation by that person in an organized activity in the country.</p> <p>There are however gaps in sharing adequate information periodically to alert and prevent agencies, officials, and their relatives from falling prey to the negative advances and manipulations of the tobacco industry in Ghana.</p>						
<b>TOTAL SCORE</b>					<b>58</b>	

## Annex A: Sources of Information

Table 1: Information on Top Tobacco Companies/Distributors in Ghana

	TOP TOBACCO COMPANIES/ DISTRIBUTORS	MARKET SHARE	BRANDS	SOURCE
1	British American Tobacco Ghana	N/A	Rothmans and Pall Mall, Craven A, London, State Express 555, Concorde and Rothmans Royals	<a href="https://tobaccotactics.org/wiki/ghana-country-profile/">https://tobaccotactics.org/wiki/ghana-country-profile/</a> <a href="https://bit.ly/3AOfwXB">https://bit.ly/3AOfwXB</a>
2	Target Link Ghana Limited	N/A	N/A	<a href="https://tobaccotactics.org/wiki/ghana-country-profile/">https://tobaccotactics.org/wiki/ghana-country-profile/</a>

Table 2: Tobacco Industry Allies and Front Groups in Ghana

	MAIN TOBACCO INDUSTRY ALLIES/ FRONT GROUPS	TYPE (FRONT GROUP, LOBBY GROUP, INDIVIDUAL)	SOURCE
1	Harm Reduction Alliance of Ghana	Lobby/Allied Group	<a href="https://www.hragh.org/achievements.html">https://www.hragh.org/achievements.html</a>
2	American Chamber of Commerce-Ghana	Lobby Group	<a href="https://tobaccotactics.org/wiki/us-chamber-of-commerce/">https://tobaccotactics.org/wiki/us-chamber-of-commerce/</a>
3	Foundation for Consumer Freedom and Advancement (FCFA)	Allied Group	<a href="https://thefcfa.org/">https://thefcfa.org/</a>
4	The Institute of Liberty, Policy, and Innovation	Allied Group	<a href="https://ilapi.org/">https://ilapi.org/</a>

Table 3: Top Media/Newspaper Outlets in Ghana

	TOP MEDIA/ NEWSPAPERS	URL
1	Modern Ghana	<a href="https://www.modernghana.com">https://www.modernghana.com</a>
2	Ghana Web	<a href="https://www.ghanaweb.com">https://www.ghanaweb.com</a>
3	Pulse Ghana	<a href="https://www.pulse.com.gh">https://www.pulse.com.gh</a>
4	Ghana News Agency	<a href="https://gna.org.gh/">https://gna.org.gh/</a>
5	Business News	<a href="https://www.ghanabusinessnews.com/">https://www.ghanabusinessnews.com/</a>
6	Africa Times	<a href="https://www.africatimes.com">https://www.africatimes.com</a>
7	Graphic Online	<a href="https://www.graphic.com.gh">https://www.graphic.com.gh</a>
8	YEN	<a href="http://yen.com.gh/">http://yen.com.gh/</a>
9	Ghana Today	<a href="https://ghanatoday.gov.gh/">https://ghanatoday.gov.gh/</a>
10	News Ghana	<a href="http://newsghana.com.gh/">http://newsghana.com.gh/</a>