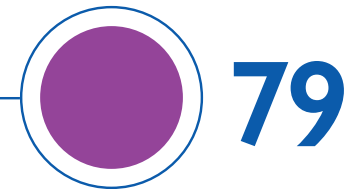


Argentina



SUMMARY OF FINDINGS

1. Industry Participation in Policy Development

Despite the creation of the National Tobacco Control Commission, which explicitly excludes the tobacco industry (TI) from tobacco control policies, there have been attempts to interfere. MPs from various parties introduced bills to legalize and regulate e-cigarettes and heated tobacco products in reaction to a 2023 ministerial resolution banning such products.

Recent tax reforms in Argentina have been heavily lobbied by large and medium-sized TI companies, sometimes pursuing conflicting interests.

2. Industry CSR Activities

The National Tobacco Control Law does not restrict corporate social responsibility (CSR) activities by the TI in the context of social and educational projects carried out by civil society organizations. This enables the TI to connect with decision-makers at local, provincial, and national levels. Reported CSR initiatives include projects on access to water, rural education centers for children, child development, and environmental awareness. These CSR activities improve the TI's public image and facilitate engagement with government and community leaders.

3. Benefits to the Industry

The main benefits to the TI came from reduced tax obligations secured through judicial channels. Some medium-sized tobacco companies used court injunctions to delay or avoid paying taxes, allowing them to sell cigarettes at lower prices. This reduced tax revenues in tobacco-producing provinces, prompting disputes.

In 2024, changes to the tax structure removed the minimum tax on cigarettes. This benefited large companies such as Massalin (PMI) and British American Tobacco, allowing them to lower prices on cheaper brands and expand their market share.

4. Unnecessary Interaction

There was evidence of increased unnecessary interactions between government actors and the TI. In 2024, senior national government officials met with PMI to discuss opening the e-cigarette market, linked to proposed investments worth millions of dollars. PMI also provided financial support to national security forces, presented as assistance to combat smuggling.

Additional meetings between government representatives and the TI occurred during business forums and CSR events. At the subnational level, officials also engaged with small and medium-sized TI stakeholders.



5. Transparency

The Public Hearings registration system is the only tool ensuring transparency of national government meetings. Even so, full information on interactions between officials and the TI is not always published. In some hearings with TI executives, details of the discussions are limited.

At the regulatory level, Argentina lacks a framework requiring registration of entities, organizations, or individuals acting on behalf of the TI, including lobbyists.

6. Conflict of Interest

The Political Parties Financing Law does not prohibit contributions from the TI to electoral campaigns. In 2023, there were reports of donations from the TI to major presidential campaigns.

While there is no evidence that former officials currently work in tobacco companies, former Massalin (PMI)

executives have later held government or advisory positions. One of these individuals was involved in the tax reform processes that benefited large companies.

7. Preventive Measures

Argentina has no specific codes of conduct governing interactions between public officials and the TI. There is also no regulation prohibiting contributions or gifts from the TI in public policy discussions.

Existing regulations require the TI to publish daily production and sales statistics, but they do not require disclosure of advertising activities, lobbying actions, or CSR initiatives. The National Tobacco Control Law prevents the TI from participating in the National Tobacco Control Commission or in related initiatives.

Argentina has not yet ratified the Framework Convention on Tobacco Control, and there are no specific policies to raise awareness of Article 5.3 of the WHO FCTC.

RECOMMENDATIONS

1. Ratify the WHO FCTC by approving the long-pending ratification to align with global and regional tobacco control standards.
2. Adopt a Code of Conduct to establish transparency rules for all interactions between the TI and government officials, and prohibit contact between health ministries and the TI at both national and provincial levels.
3. Create a TI registry at the national and subnational levels covering TI companies, associations, and lobbyists, including vaping organizations.
4. Amend Law 26.687 to expand the advertising ban to all tobacco and nicotine products, regulate CSR activities, strengthen monitoring, and require regular public reporting of TI activities.
5. Reform tobacco taxes through an open, evidence-based parliamentary debate with civil society, health, and academic sectors to adopt a tax scheme that increases prices, reduces affordability, and lowers consumption.