Kazakhstan

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SUMMARY OF FINDINGS

1. Industry Participation in Policy Development

The tobacco industry (TI), comprising a new Korean producer, two major established companies (Philip Morris International and Japan Tobacco International), and importer British American Tobacco, operates in a favorable environment supported by provisions in the Business Code. The TI continues to influence policy development indirectly through the Atameken association, which facilitates meetings with senior politicians, reviews official documents, and maintains membership in the Council of Foreign Investors established under the President in 1998. Although mid-level meetings lack transparency, their impact is evident in outcomes such as lower heated tobacco products (HTP) taxes in the Tax Code and the establishment of a new Korean tobacco factory. The Atameken receives regular annual fees from transnational tobacco companies and plays a significant role in blocking public health initiatives at the national level. The government appointed in February 2024 has adopted a pro-business stance, further strengthening the TI's position and continuing the long-standing practice of granting preferential treatment to tobacco interests over other sectors.

2. Industry CSR Activities

Legal loopholes continue to allow tobacco companies to conduct corporate social responsibility (CSR) activities, with various NGOs receiving sponsorships from the TI, including several well-known charities engaged in long-term partnerships. In 2024, as part of an advocacy campaign for a vaping ban in the lower chamber of Parliament (Majilis), the Smokefree Coalition proposed an amendment to the Health Act aimed at closing this loophole. However, the amendment faced strong opposition in the public sphere, media, and senior government levels, largely driven by NGOs with long-standing industry ties. Following this intervention, the TI reduced public reporting of its CSR activities, with only one confirmed instance involving the governor of Almaty Oblast, reported by PRNewswire. In April 2025, the Ministry of Ecology, Geology, and Natural Resources signed a Memorandum of Understanding with KT&G and the Asian Forest Cooperation Organization (AFoCO) under the Green Globe Project, which supports local reforestation efforts as part of the Abai wildfire recovery. This initiative is widely regarded as a CSR activity.

3. Benefits to the Industry

The TI in Kazakhstan continues to benefit from a favorable environment shaped by Business Code provisions, sustained industry influence within Customs Union decisions, and the pro-tobacco stance of the newly formed government, reflected in reduced HTP taxes under the revised Tax Code. In November 2024, the Ministry of National Economy proposed a thirty percent tax discount for HTPs without consulting or obtaining approval from the Ministry of Health.

4. Unnecessary Interaction

Since the WHO FCTC delegation's visit in 2022 and the introduction of a vaping market ban, the TI in Kazakhstan has become increasingly cautious and less transparent. Since 2022, companies have stopped publicly disclosing their visits or routine consultations. Beyond leveraging the legally incorporated Atameken platform, which continues to influence political decisions including those related to public health, the TI also maintains influence through private consultations and membership in the Council of Foreign Investors.

5. Transparency

WHO FCTC provisions and Article 5.3 guidelines continue to be neglected in Kazakhstan, resulting in the absence of regulations requiring disclosure of meetings or interactions with the TI, its affiliated entities, lobbying organizations, or individuals acting on its behalf. In practice, meetings with the TI remain common and, in some cases, are even mandated by law under the Business Act.

6. Conflict of Interest

Kazakhstan lacks procedures requiring government agencies, NGOs, or individuals to disclose conflicts of interest or affiliations with the TI. NGOs known to have financial relationships with the TI typically do not disclose these connections and, in some cases, actively remove tobacco-related information from their websites to avoid public scrutiny.

7. Preventive Measures

Despite neglect of Article 5.3 of the WHO FCTC in Kazakhstan, the Ministry of Health and the Smokefree Coalition remain the primary safeguard against TI interference. This collaboration has consistently worked to counter industry influence, addressing challenges from 2021 through the HTP tax preferences granted in 2024, with support from parliamentary champions. Without this partnership, no effective preventive measures have been established by either the government or Parliament to limit the TI's influence on policy decisions.

RECOMMENDATIONS

1. Fully align national laws with obligations under the WHO FCTC, particularly Article 5.3, by strengthening mechanisms for monitoring and regulating TI interference. This should include prohibiting the TI's membership in the Council of Foreign Investors, limiting Atameken's role in tobacco-related policy development, introducing a comprehensive ban on TI sponsorship under Article 110 of the Code on People's Health and the Healthcare System, and requiring full transparency from both state agencies and the TI on all meetings and interactions.
2. Adopt a proactive approach to protecting tobacco control achievements from TI influence by strengthening institutional mechanisms, raising awareness of Article 5.3 of the WHO FCTC at the senior political level, and increasing public understanding of the need to safeguard public health policies from interference.