

Mongolia

**TOBACCO
INDUSTRY INTERFERENCE
INDEX 2025**

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Background and Introduction

1. Introduction – Significance of the Index to Mongolia

The Tobacco Industry Interference Index serves as a crucial tool for Mongolia to assess and monitor the influence of tobacco industry and distribution networks on the country's political, economic, and public health policies, as well as the implementation of relevant legislation. Although Mongolia was one of the earliest countries to ratify the WHO Framework Convention on Tobacco Control (WHO FCTC), the Index is increasingly needed to evaluate attempts by industry stakeholders to influence policy-making and to address emerging challenges in the tobacco market, ensuring appropriate regulatory measures are in place.

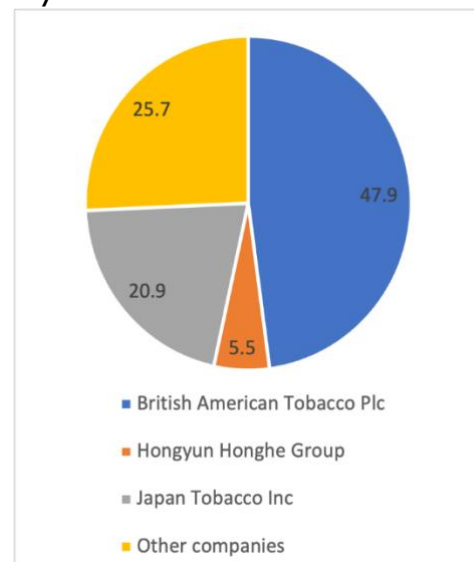
2. Updated Tobacco Burden data

Tobacco use remains high in Mongolia. Recent surveys indicate that approximately 28% of adults smoke, with a prevalence of 51% among men and 6.7% among women¹. Annual tobacco-attributable deaths exceed 2,600, and the associated economic burden significantly impacts healthcare costs and productivity losses. Effective tobacco control and taxation policies are critical to supporting Mongolia's Sustainable Development Goals and play an essential role in the government's "Healthy Mongolia" program and related initiatives.

3. Key players in Mongolia's Tobacco Market

Mongolia's tobacco market is relatively small but highly competitive. The domestic company Mongol Tobacco SO LLC² holds an estimated 40% of the market share, largely serving the economy-priced, mass-consumer segment. The remaining 60% is dominated by major international companies, including Philip Morris International (PMI), British American Tobacco (BAT), and Japan Tobacco International (JTI).

These transnational corporations primarily focus on premium and mid-range market segments. While Mongol Tobacco leads in volume, international brands maintain strong brand recognition and consumer loyalty in urban centers. This market composition reflects a dual-tiered structure where both price-sensitive and brand-conscious consumer preferences are actively targeted.



4. Key Focus of this Year's Index

The principal concern highlighted by this year's Index is the insufficient implementation of Article 5.3 of the Tobacco Control Law, which seeks to prevent tobacco industry interference in government policy and decision-making. There is limited awareness and

¹ World Health Organization. 2019 STEPS Country Report Mongolia– 2019.

[https://www.who.int/publications/m/item/2019-steps-country-report-mongolia-\(brief-summary\)](https://www.who.int/publications/m/item/2019-steps-country-report-mongolia-(brief-summary))

² https://www.tobaccoasia.com/features/mongolia-cigarette-market-small-but-hotly-contested/?utm_source

understanding of this provision among relevant agencies, coupled with inadequate oversight and enforcement mechanisms. The Index underscores the urgent need for stronger regulatory and legal frameworks to prevent commercial interests from influencing public health policies. Additionally, while efforts to amend the Tobacco Control Law and increase tobacco taxes are ongoing, substantive progress has yet to be achieved.

5. Comparison with previous Index – Progress, Decline, and Future Outlook

Mongolia has taken certain steps in tobacco control; however, the latest results of the Tobacco Industry Interference Index show that implementation and impact remain insufficient. The country scored 38 points in 2023. In the 2025 assessment, the score increased to 44, indicating a need to further clarify the legal framework and strengthen enforcement.

In particular, the lack of clear regulation regarding electronic cigarettes poses risks, such as weakening the control of smoked tobacco and creating legal ambiguities. Moving forward, there is an urgent need to train and build the capacity of cross-sectoral government officials, enhance understanding among enforcement agencies, and establish clearer and more comprehensive policies and regulations governing tobacco production, importation, sale, use, and related interactions.³

Methodology

The report is based on a questionnaire developed by the Southeast Asia Tobacco Control Alliance. There are 20 questions based on the Article 5.3 guidelines. Information used in this report is obtained from the public domain only. A scoring system is applied to make the assessment. The score ranges from 0 to 5, where 5 indicates highest level of industry interference, and 1 is low or no interference. Hence the lower the score, the better for the country. The 0 score indicates absence of evidence or not applicable. Where multiple pieces of evidence are found, the score applied reflects an average. The report covers information on incidents from **April 2023** up to **March 2025**, but also includes incidents prior to **2023** that still have relevance today.

³ Information source: https://blogs.bmj.com/tc/2021/11/03/who-fctc-article-5-3-a-vaccine-for-curbing-the-tobacco-pandemic/?utm_source

Summary of Findings

I INDUSTRY PARTICIPATION IN POLICY DEVELOPMENT

In Mongolia, the Tobacco Control Law and related legislation include provisions to prohibit the involvement of the tobacco industry in public health policy and to keep their vested interests separate from government decisions. The national consultation held in 2025 on the “Implementation and Challenges of the Tobacco Control Law,” which involved Members of Parliament, the Ministry of Health, and international organizations such as WHO, highlighted efforts to limit tobacco industry influence. This indicates that the tobacco industry does not have direct participation in policy-making processes.

However, criticism has been raised regarding the recent draft amendments to the Tobacco Control Law, which some view as favoring one side too strongly and lacking evidence-based measures on tobacco harm. In particular, the proposed high excise tax on electronic cigarettes—set significantly higher than that on traditional cigarettes—may inadvertently promote smoked tobacco products, raising concerns about potential industry influence on policy formulation. Therefore, it is necessary to ensure more transparent, evidence-based regulations that effectively exclude industry interference and protect public health interests.

2 INDUSTRY CSR ACTIVITIES

The Government of Mongolia supports public-private partnerships and enacted the Law on Public-Private Partnership in 2022. In 2024, amendments were made to this law to explicitly exclude illegal activities from such partnerships and to prohibit collaboration in these activities under the guise of social responsibility. In line with this, the prohibitions outlined in Mongolia’s Tobacco Control Law forbid tobacco producers from sponsoring health, education, sports, and cultural events, as well as from providing financial or material donations and assistance directly or indirectly to social welfare, health, and environmental organizations under the name of corporate social responsibility.

3 BENEFITS TO THE INDUSTRY

The Government of Mongolia has not received or approved any requests to delay or extend the implementation period of the Tobacco Control Law, and no evidence of such postponements has been reported in public media. Licenses for tobacco production and cultivation are issued and revoked by the Government based on recommendations from the relevant central state authorities responsible for food, agriculture, industry, and trade. Tobacco sales licenses are issued by local authorities; however, there are concerns that this licensing process may sometimes involve corruption, abuse of power, or conflicts of interest, and may not fully comply with legal requirements. During the preparation of the 2023–2024 report, no information was found indicating that the tobacco industry received tax exemptions, incentives, subsidies, or financial benefits. Amendments made to the Tobacco Control Law in 2024 specify that small retail shops with annual revenues not exceeding 1.5 billion MNT may qualify for a 90% tax reduction, but legal entities engaged in tobacco

cultivation, production, or importation are strictly prohibited from receiving any tax exemptions. Additionally, businesses are allowed to allocate up to 1% of their corporate income tax to activities that promote public welfare, such as supporting educational or health institutions.

4 UNNECESSARY INTERACTION

There is no recorded information indicating that high-level government officials in Mongolia have direct meetings or participate in social events organized by tobacco companies. Likewise, there is no evidence that tobacco manufacturers have met with senior officials. The government does accept assistance from the tobacco industry in law enforcement activities such as combating illicit tobacco trade and implementing smoke-free policies. In 2024, legislation was introduced allowing businesses to allocate up to 1% of their corporate income tax to activities supporting public welfare. However, there is no public information about the government formally collaborating, partnering, or entering into agreements with tobacco companies. Regarding transparency, there are no legal requirements for the government to publicly disclose necessary meetings with the tobacco industry for regulatory purposes. Furthermore, no rules exist for the disclosure or registration of tobacco industry entities, affiliated organizations, representatives, or lobbyists.

5 TRANSPARENCY

Under the Law on Tobacco Control of Mongolia, the relationship between tobacco manufacturers and the Government is limited solely to activities related to tobacco production, cultivation, importation, sale, and advertising. However, there is no information available about meetings or interactions beyond these business areas, and there is no legal obligation to disclose or report such meetings to the public. Additionally, Mongolia lacks rules or legal frameworks requiring the disclosure or registration of tobacco industry entities, their affiliates, representatives, or lobbyists. Therefore, there is a need to clearly define and regulate such interactions.

6 CONFLICT OF INTEREST

In Mongolia, while there are several restrictions on who can make donations to political parties, candidates, and election campaigns, tobacco producers, traders, and importers are still allowed to make such contributions. However, there is no publicly available information on the amount of donations or which tobacco companies have made them. Additionally, there is no information indicating that retired high-ranking officials have joined the tobacco industry, nor are there records of current government officials or their close relatives holding positions within the tobacco business. This situation highlights a lack of transparency.

7 PREVENTIVE MEASURES

The government has no established procedure for publicly disclosing records of meetings with tobacco industry representatives, and no such regulation has been developed. However, the Tobacco Control Law prohibits tobacco companies from

making any contributions to government entities, and public officials are required by a code of conduct to avoid conflicts of interest. There is no obligation for tobacco manufacturers to regularly submit detailed operational information, except for certain technical and financial documents required when renewing licenses. While an ongoing awareness program related to FCTC Article 5.3 guidelines among government agencies has not been fully developed, the government has implemented a policy that prohibits accepting any form of contributions, gifts, assistance, policy drafts, research, or study visit invitations from the tobacco industry to government bodies, officials, or their close relatives.

Recommendations

Recommendation 1:

First, establish a legal requirement for annual public disclosure of comprehensive financial and operational information from all tobacco industry actors. This will ensure transparency and reduce undue influence.

Recommendation 2: Second, develop clear regulations and legal frameworks to register and disclose activities of tobacco-related entities, representatives, and lobbyists to increase accountability.

Recommendation 3: Third, implement strict laws and oversight mechanisms requiring full transparency on political donations, partnerships, and other influences from the tobacco industry to uphold integrity in policymaking.

Recommendation 4: Fourth, improve systems to identify and restrict conflicts of interest by government officials and their close relatives involved with the tobacco sector, minimizing risks of bias or corruption.

Recommendation 5:

Fifth, enhance the licensing process for tobacco production and sales by making it more transparent, fair, and protected from corruption, thereby strengthening enforcement of tobacco control laws.

Implementing these recommendations will significantly strengthen Mongolia's tobacco control governance, promote accountability, and protect public health policymaking from industry interference.

Mongolia

Tobacco Industry Interference Index 2025

Results and Findings

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INDICATOR 1: Level of Industry Participation in Policy-Development						
I. The government ⁴ 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 . ⁵ in setting or implementing public health policies in relation to tobacco control ⁶ (Rec 3.4)		I				
I. A two-day national consultation titled “Implementation and Challenges of the Tobacco Control Law” was held in January 2025, co-organized by the Working Group established by the Speaker of Parliament’s Order No. 110, the Ministry of Health, and the WHO Representative Office in Mongolia. The event aimed to reduce the health impacts of tobacco use, address legal gaps—particularly concerning electronic nicotine products—and strengthen policy implementation by learning from international best practices.⁷ This consultation aimed to address pressing issues related to tobacco use and to improve the legal environment in order to reduce the health impacts of tobacco consumption. The discussions also focused on reforming tobacco taxation policy, regulating electronic cigarettes and nicotine-containing products not currently covered by the Tobacco Control Law, and improving the legal mechanisms for enforcing smoking bans in designated areas and controlling tobacco sales in prohibited locations. International best practices and experiences were shared to support the development of effective tobacco control policies. Members of Parliament Ms. A. Ariunzaya and Mr. O. Saranchuluun participated in the consultation and shared their views. Dr. Adriana Blanco, Head of the Secretariat of the WHO Framework Convention on Tobacco Control (FCTC), delivered a keynote presentation on “The Influence of the Tobacco Industry Worldwide and Article 5.3 of the WHO FCTC.” She emphasized the importance of protecting national public health policies on tobacco control from commercial and other vested interests of the tobacco industry, as stipulated in the Convention. She noted that in countries with limited capacity and resources to enforce anti-tobacco legislation, an outright ban on e-cigarettes may be the most effective approach. She stated, “There is no need to classify tobacco products by their level of harm—what matters is helping people understand the dangers of tobacco.” As a party to the WHO FCTC, Mongolia must combine its responsibilities and opportunities to implement internationally aligned, evidence-based public health measures. Presentations were made on how to sustain and effectively implement the progress Mongolia has made in creating smoke-free environments. The Coordinator of the						

⁴ 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

⁵ The term, “tobacco industry” includes those representing its interests or working to further its interests, including the State-owned tobacco industry.

⁶ “Offer of assistance” may include draft legislation, technical input, recommendations, oversees study tour

⁷Information source: <https://www.parliament.mn/nn/74004/>

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Noncommunicable Disease Prevention Unit at the WHO Western Pacific Regional Office, highlighted the need for Mongolia to intensify its policy measures to promote smoke-free environments. Following this, the Technical Officer from the WHO FCTC Secretariat, gave a presentation on “Challenges in Banning Tobacco Advertising, Promotion and Sponsorship, and Tobacco Packaging.” He outlined strategies to ban tobacco advertisements and shared best practices related to plain packaging and health warnings. The Assistant Secretary of the Tobacco and E-Cigarette Control Division at the Australian Department of Health, joined the event virtually to present Australia’s comprehensive experience in tobacco control. She emphasized Australia’s strategic focus on implementing plain packaging, running wide-reaching anti-tobacco campaigns, and enforcing penalties for violations of tobacco control laws. For instance, Australia has imposed region-specific penalties amounting to AUD 6.6 million annually. As of 2025, all forms of direct and indirect tobacco advertising have been completely banned in Australia. The consultation continued with discussions on effective tobacco taxation policies. The Director of Health Promotion at WHO, introduced WHO’s recommendations on tobacco taxation and shared lessons from the Philippines’ tax reform efforts. In turn, the Senior Specialist from the Tax Policy Department of Mongolia’s Ministry of Finance, delivered a presentation on increasing tobacco taxes in Mongolia as a key measure to protect public health.						
2. The revised draft of the Tobacco Control Law includes several important amendments. Notably, it prohibits the free distribution, gifting, discounting, or bartering of tobacco products, and restricts support for public sports, cultural events, election candidates, political party activities, as well as the activities of governmental and non-governmental organizations.⁸ The draft law was developed in January 2025 and is currently at the stage of collecting public comments, in accordance with the Law on Legislation of Mongolia. 3. Tobacco traders have expressed concerns that the proposed increase of 139% in tobacco taxes under the new draft Law on Tobacco Control is excessively high and unreasonable. Specifically, the accompanying amendments to the draft Law on Tobacco Control stipulate a 139% increase in tobacco taxes starting in 2026. If the tax is raised by this amount, the price of a pack of cigarettes could increase by approximately 2.5 times. According to research, the average price of the most used cigarettes could reach around 18,000 MNT.⁹ 4. The anti-smoking campaign was launched by the Ministry of Health in December 2024 and was organized with a focus on reducing tobacco use among adolescents and youth.¹⁰						
2. The government accepts, supports or endorses <u>policies or legislation drafted</u> by or in collaboration with the tobacco industry. (Rec 3.4)		I				
No evidence has been found indicating any involvement of tobacco producers or sellers in the newly revised draft Law on Tobacco Control being developed in 2025.						

⁸ Information source: <https://d.parliament.mn/tusul/9a48b1a8-2293-4a66-9b04-b4665898dc2f>

⁹ Information source: <https://www.facebook.com/watch/?v=1676207626512092>

¹⁰ Information source: <https://ikon.mn/n/3aqs>

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1.	According to the Law on Legislation, the right to initiate legislation belongs to entities free from conflicts of interest, namely the Government, the State Great Khural (Parliament), and the President. In doing so, Article 4 of the Law must be observed, which requires transparency and openness (4.1.1), ensuring public participation (4.1.2), avoiding conflicts of interest (4.1.3), and basing the law on research and analysis (4.1.4). ¹¹					
2.	The Ministry of Economic Development of Mongolia is leading the development of government policy. In recent years, several attempts have been made to revise the Law on Tobacco Control and issues related to tobacco taxation, but they have not been particularly successful. No evidence has been found indicating any involvement of specific tobacco manufacturers or traders in this matter.					
3.	Mongolia has also enacted a new Law on Public Health Services, which came into effect on April 1, 2024. ¹² This law emphasizes the importance of disease prevention and the provision of health education.					
4.	A new Government of Mongolia was formed in 2024, and Clause 2.3 of its Action Plan focuses on "Healthy Mongolian Citizens." Sub-clause 2.3.1.2 states that the Government aims to reduce the leading causes of illness and death, address health risk factors, and decrease alcohol and tobacco consumption. It also commits to protecting public health through mobile-based strategic assistance, while promoting physical activity and healthy eating. ¹³ However, no significant change has yet been observed in society.					
5.	The Constitution of Mongolia grants members of the State Great Khural (Parliament) the right to initiate legislation in order to protect the interests of the majority. However, many have criticized the draft Law on Tobacco Control for including provisions that appear to favor only one side. ¹⁴ An article with this content was published on May 30, 2025. The article stated that: There is no research or analysis estimating how much adult smoking would decline under the new bill. There is no estimation of how many billions of tugriks tax revenue would increase. The lack of studies on how much children's tobacco use would decrease is viewed as a serious shortcoming.					
	Legislators who claim to care about children have clearly sided with the cigarette industry, and have quietly pushed the draft Tobacco Control Law forward in Parliament, now ready for submission.					
	The Constitution of Mongolia grants members of Parliament the right to initiate legislation to protect the majority's interests, but many criticize the Tobacco Control draft for having provisions that favor one side too strongly.					
	According to customs data, the quantity of imported cigarettes into Mongolia is increasing yearly. In 2024, 3.5 billion cigarettes were imported. That equals, on average, about 1,000 cigarettes (50 packs) per person per year. Meanwhile, 7.8 million e-cigarettes were imported.					

¹¹ <https://legalinfo.mn/mn/detail?lawId=11119>

¹² <https://legalinfo.mn/mn/detail?lawId=17048065407791>

¹³ <https://legalinfo.mn/mn/detail?lawId=17141368388631&showType=1>

¹⁴ Information source: <https://news.mn/r/2804550/>

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6. Citizens who support the legalization of smoke-free tobacco products have submitted their signatures to members of Parliament, reflecting the active engagement of civil society organizations.¹⁵ There is no factual evidence that tobacco manufacturers or traders have influenced policy decisions in any way.						
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)		I				
1. Article 4 of Mongolia's 2005 Law on Tobacco Control, under the section on State Policy, stipulates the following: - To protect public health policy within the legislative framework from the negative influence of tobacco manufacturers; - To support the involvement of private sector and non-governmental organizations unconnected to tobacco manufacturers in the development and implementation of tobacco control policies and programs; - To keep tobacco manufacturers and their representatives from direct participation or indirect influence in drafting, adopting, and implementing tobacco control laws and regulations; - To ensure that public health policy development and implementation strategies are protected from the influence of tobacco manufacturers; .¹⁶ 2. Currently, tobacco manufacturers have no involvement, support, cooperation, or participation in management and organizational activities that could lead to a conflict of interest.						
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 & 5, INB 4 5, WG)¹⁷ (Rec 4.9 & 8.3) For non-COP year, follow the previous score of COP year.		I				
In our country, representatives of the tobacco industry did not participate in the 10th sessions held in 2024. ¹⁸						
INDICATOR 2: Industry CSR activities						
5. A. Government agencies or their officials endorse, support, form partnerships with or participates in activities of the tobacco industry described as socially responsible. For example, environmental programs. (Rec 6.2)		I				

¹⁵ <https://zarig.mn/leeo>

¹⁶ <https://legalinfo.mn/mn/detail?lawId=469>

¹⁷ Please annex a list since 2009 so that the respondent can quantify the frequency, <http://www.who.int/fctc/cop/en/>

¹⁸ <https://fctc.who.int/convention/conference-of-the-parties/sessions/tenth-session-of-the-conference-of-the-parties>

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B. The government (its agencies and officials) receives CSR contributions ¹⁹ (monetary or otherwise, including CSR contributions) from the tobacco industry or those working to further its interests (eg political, social, financial, educational, community or other contributions (Rec 6.4) including environmental or EPR activities (COPI0 Dec). NOTE: exclude enforcement activities as this is covered in another question						
1. The Government of Mongolia supports public-private partnerships and enacted the Law on Public-Private Partnership in December 2022. Amendments were made to this law in 2024, specifying that activities prohibited by law do not fall under public-private partnerships and that such partnerships will not collaborate within the scope of social responsibility for these activities.²⁰ 2. The prohibition provisions of the Mongolian Law on Tobacco Control are as follows²¹. - 8.1.4. Participate as a sponsor in health, education, culture, physical culture, sports and other public events, and provide various donations, assistance and grants from tobacco producers; - 8.4. It is prohibited for a tobacco producer to make financial or material donations and assistance to social welfare, health and environmental protection organizations directly or through other organizations in the name of social responsibility.						
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)			2			
There is no specific evidence reported in public media regarding any delay or postponement in the implementation of the Law on Tobacco Control. 1. According to the Law on Tobacco Control, licenses for tobacco production and cultivation of tobacco plants shall be issued and revoked by the Government based on the recommendation of the central state administrative body responsible for food and agriculture. Licenses for tobacco importation shall be issued and revoked by the Government based on the recommendation of the central state administrative body responsible for industry and trade.. 2. Licenses for tobacco sales are issued by local authorities. 3. In some cases, the process of obtaining and issuing these licenses may involve corruption, abuse of power, or conflicts of interest, and may not fully comply with legal requirements. ²²						
7. The government gives privileges, incentives, tax exemptions, subsidies, financial incentives, or benefits to the tobacco industry (Rec 7.3)		1				

¹⁹ political, social financial, educations, community, technical expertise or training to counter smuggling or any other forms of contributions

²⁰ <https://legalinfo.mn/mn/detail?lawId=16532629445571>

²¹ Tobacco control law section 8; <https://www.legalinfo.mn/law/details/469>

²² <https://iaac.mn/1545/nitem>

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1. During the preparation of the 2023–2024 report, no information or evidence was found indicating that any tax exemptions, incentives, subsidies, or financial benefits were granted to the tobacco production sector. 2. In 2024, amendments were made to the Law on Tobacco Control, which regulate tax exemptions as follows:²³ Retail sales of tobacco are mainly conducted through small shops located within residential neighbourhoods. If the annual income of such shops does not exceed 1.5 billion MNT, they may be eligible for a 90% tax reduction. However, legal entities engaged in the cultivation of tobacco plants, tobacco production, or tobacco importation are strictly prohibited from receiving any form of tax exemption. Meanwhile, the law allows businesses to allocate up to 1% of their corporate income tax to activities that contribute to public welfare. For example, this amount can be spent on supporting educational or health institutions.						
INDICATOR 4: Forms of Unnecessary Interaction						
8. Top level government officials (such as President/ Prime Minister or Minister²⁴) meet with/ foster relations with the tobacco companies such as attending social functions and other events sponsored or organized by the tobacco companies or those furthering its interests. (Rec 2.1)	0					
1. While there is information indicating that key private sector representatives have met with the President, the Prime Minister, and ministers, no such information has been found regarding representatives of the tobacco industry.²⁵ 2. Tobacco manufacturers are not included among the top 100 enterprises selected by the Mongolian National Chamber of Commerce and Industry.²⁶ Therefore, there is no information indicating that they have met with high-level government officials. Information in this area remains limited.						
3. 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)					4	
In 2024, amendments were made to the Law on Corporate income tax the law allows businesses to allocate up to 1% of their corporate income tax to activities that contribute to public welfare. For example, this amount can be spent on supporting educational or health sector capacity building. This law does not make an exception for the tobacco industry from utilising their 1% of corporate income tax for this purpose. ²⁷						

²³ <https://legalinfo.mn/mn/detail?lawId=469>

²⁴ Includes immediate members of the families of the high-level officials

²⁵ Information source: <https://www.ivoice.mn/news/uynG72u>

²⁶ Information source: <https://www.mongolchamber.mn/>

²⁷ <https://legalinfo.mn/mn/detail?lawId=14407>

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4. 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>	0					
There is no public information available.						
INDICATOR 5: Transparency						
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)					4	
Under the Law on Tobacco Control of Mongolia, the relationship between tobacco manufacturers and the Government is regulated only in connection with activities such as tobacco production, cultivation of tobacco plants, importation, sale, and advertising. There is no information available regarding any other business-related meetings. Moreover, there is no legal obligation to publicly disclose or report such meetings.						
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)						5
There is no rules for the disclosure or registration of tobacco industry entities, affiliated organizations, and individuals acting on their behalf including lobbyist does not exist.						
INDICATOR 6: Conflict of Interest						
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						5
Any citizen or legal entity may participate in making donations to political election campaigns. However, donations are prohibited from the following sources: - 56.1.1. Foreign countries, foreign organizations, international organizations, foreign-invested entities, and government or local self-governing bodies; - 56.1.2. Foreign citizens or stateless persons; - 56.1.3. Individuals under the age of 18; - 56.1.4. State- or locally owned legal entities, or entities with state or local ownership participation; - 56.1.5. Legal entities with outstanding tax liabilities or that have been declared bankrupt by a court decision; - 56.1.6. Trade unions or religious organizations; - 56.1.7. Legal entities that have been established for less than one year.						

	0	1	2	3	4	5
There are no other restrictions or prohibitions beyond those stated. ²⁸ Therefore, tobacco producers, traders, and importers are eligible to make donations; however, there is no publicly available information on which tobacco companies have donated or the amount of their contributions. ²⁹						
14. Retired senior government officials form part of the tobacco industry (former Prime Minister, Minister, Attorney General) (Rec 4.4)	0					
In Mongolia, there is no information indicating that retired high-ranking government officials have joined tobacco companies.						
15. <u>Current government officials</u> and relatives hold positions in the tobacco business including consultancy positions. (Rec 4.5, 4.8, 4.10)	0					
There are no records of current government officials or their relatives holding positions within the tobacco industry.						
INDICATOR 7: Preventive Measures <i>SCORING for this section: 1. Yes, 2. Yes but partial only, 3. Policy/ Program being developed 4. Committed to develop such a policy/ program 5. None</i>						
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
There is no established procedure for documenting meetings with tobacco companies or for publicly disclosing the meeting protocols, and no progress has been made in advancing this issue.						
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>Yes – for whole of government code; Yes but partial if only MOH</i>			2			
Additionally, Article 2.1.2 of the Code of Conduct for Public Administration and Civil Service Employees stipulates that officials must uphold justice and remain free from conflicts of interest. ³⁰						
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 <i>and all other TAPS</i>						5

²⁸ <https://legalinfo.mn/mn/detail/14869>

²⁹ Information source: www.time.mn

³⁰ Public administration and service office Code of Ethics.2019;<https://www.legalinfo.mn/annex/details/9237?lawid=14044>

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activities such as CSR or EPR (COP10), as well as on tobacco industry entities, affiliated organizations and individuals acting on their behalf, and tobacco industry funded groups and their research and marketing activities (Rec 5.2, 5.3, and COP9 and 10 Decision)						
The Government of Mongolia does not require tobacco manufacturers to regularly submit information regarding tobacco production, product output, market share, marketing expenditures, income, or other operational details. However, certain reports and documentation are required when renewing a license. These include: - Technical and economic assessment of the project on tobacco cultivation and production – up to 15 points - Production equipment, including planned advanced technologies – up to 10 points - Production technology, including planned advanced methods – up to 15 points - Sanitary conditions – up to 5 points - Availability of professional staff – up to 4 points - Laboratory and technological control – up to 10 points - Occupational safety and health conditions, including internal labor regulations – up to 8 points - Fire safety measures – up to 4 points - Completeness of production design and documentation – up to 9 points - Design of cigarette packs and packaging, including compliance with standards and health warnings – up to 6 points - Completeness of documentation, including application, Governor's recommendation, state registration certificate or notarized copy of national ID, environmental impact assessment, and other documents required by law – up to 14 points.³¹ In addition, the Law on Tobacco Control sets out conditions under which tobacco advertising is prohibited, but it does not impose any further obligations for reporting or disclosure beyond those provisions.³²						
19. The government has a program / system/ plan to consistently ³³ raise awareness within its departments on policies relating to FCTC Article 5.3 Guidelines. (Rec 1.1, 1.2)						5
Under the 2024 Law on Public Health Services, an intersectoral council on public health, chaired by the Prime Minister of Mongolia, has been established. The law also includes provisions related to the implementation of the Tobacco Control Law and the promotion of health education. ³⁴ No specific or dedicated plan has been identified so far.						

³¹ Regulation of License of tobacco industry and planting tobacco related plants
<https://legalinfo.mn/mn/detail?lawId=202190>

³² Tobacco Control Law of Mongolia, <https://legalinfo.mn/mn/detail?lawId=469>

³³ 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.

³⁴ Public health law of Mongolia, <https://legalinfo.mn/mn/detail?lawId=17048065407791>

	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				
The Tobacco Control Law also prohibits tobacco companies from making contributions or providing any form of support. Additionally, the anti-corruption law is in effect and applies comprehensively to all relevant activities. ³⁵ It likewise prohibits any government agency or official from accepting contributions of any kind from the tobacco industry. ³⁶						
TOTAL	44					

ADDITIONAL QUESTIONS <i>Based on COP9 and COP10 Decisions highlighting Article 5.3 recommendations</i>	
A. LIABILITY: Government has adopted or enforced mandatory penalties for the tobacco industry in case it provided false or misleading information (Rec 5.4) [5.4 Parties should impose mandatory penalties on the tobacco industry in case of the provision of false or misleading information in accordance with national law.]	
Evidence The law prohibits the following forms of tobacco advertising ³⁷ : • Advertising tobacco, rolling papers, cigarette filters, devices used for rolling tobacco, other tobacco accessories, the name, logo, tobacco products, brand names, trademarks, colors or color combinations associated with tobacco manufacturers, words, designs, images, symbols, smells, sounds, or involving celebrities such as famous actors, athletes, artists, or cultural figures through media, films, clothing fashion shows, arts, sports events, competitions, mobile phones, new technologies, billboards, posters, signage, passenger tickets, and other tangible means; • 8.1.2. Teaching or encouraging children to smoke; • 8.1.3. Naming a legal entity after tobacco or tobacco manufacturing; • 8.1.4. Tobacco manufacturers sponsoring public events related to health, education, culture, arts, physical education, sports, or other social activities, or providing various donations, assistance, or scholarships; • 8.1.5. Using tobacco or tobacco manufacturer's images, names, or logos on goods, clothing, or consumer products; • 8.1.6. Producing candy, toys, or other products resembling tobacco products in appearance, distributing free gifts or product samples, organizing lotteries, contests, competitions, discounts, promotions, or scholarships as forms of tobacco advertising; • 8.1.7. Providing any information other than the name, price, or physical display of tobacco products at points of sale;	

³⁵ Tobacco Control Law of Mongolia, <https://legalinfo.mn/mn/detail?lawId=469>

³⁶ Tobacco Control Law of Mongolia, <https://legalinfo.mn/mn/detail?lawId=469>

³⁷ Tobacco Control Law of Mongolia, <https://legalinfo.mn/mn/detail?lawId=469>

- 8.1.8. Including any additional images, words, or information on cigarette packs or packaging beyond the national standards that attract consumer attention;
- 8.1.9. Tobacco brand extension or brand sharing activities;
- 8.1.10. Tobacco manufacturers or other entities directly or indirectly promoting tobacco by giving financial or material donations or assistance;
- 8.1.11. Displaying tobacco brand images or logos in entertainment or service venues;
- 8.1.12. Any false, misleading, or deceptive tobacco advertising that may cause incorrect impressions.
- 8.2. All types of tobacco advertising materials are prohibited from crossing the national border.
- 8.3. Cross-border tobacco advertising, sponsorship, and promotional activities are prohibited.
- 8.4. Tobacco manufacturers are prohibited from providing financial or material donations or assistance to social welfare, health, or environmental organizations under the name of corporate social responsibility, either directly or through other organizations, in any form of tobacco advertising.

In Mongolia, the enforcement of these advertising prohibitions is overseen by the Anti-Monopoly Authority. If a prohibited advertisement is found and it does not constitute a criminal offense, the business entity is fined 5 million MNT and individuals are fined 500,000 MNT.

While there is no specific regulation for electronic cigarettes, all forms of advertising are banned under the law due to the inclusion of electronic cigarettes under the definition of tobacco products. In line with this, in 2022, following official orders by the Anti-Monopoly Authority's inspectors, advertising billboards and promotional signs related to electronic cigarette advertising were removed across Ulaanbaatar city. ³⁸

B. KH RESOURCE DATABASE: Government adopted and implemented measures to ensure public access to information on TI activities
[5.5 Parties should adopt and implement effective legislative, executive, administrative and other measures to ensure public access, in accordance with Article 12(c) of the Convention, to a wide range of information on tobacco industry activities as relevant to the objectives of the Convention, such as in a public repository.]

Evidence

There is currently no example or evidence available in this area.

³⁸ Information source: <https://montsame.mn/mn/read/301626>

Annex A: Sources of Information

	TOP MULTINATIONAL TOBACCO GROUPS	MARKET SHARE	BRANDS	SOURCE
1	Japan Tobacco international	N		Tobaccoasia.com and internet
2	KT&G	N (34.2%)	Esse	Tobaccoasia.com and internet
3	Philip Morris International	N	Benson & Hedges Camel Glamour Mevius (Mild Seven)	
4	Mongol Tobacco So Co. Ltd ³⁹	N (53%)	Red falcon, Golden Leaves, White house, Golden falcon, Totem, Spirit, Red Falcon	Website and Tobaccoasia.com
5	British American Tobacco	N	Dunhill, Kent, Lucky Strike, Pall Mall, Rothmans.	Tobaccoasia.com

	TOP LOCAL TOBACCO GROUPS	BRANDS	SOURCE
1	Valtom Co., Ltd	LD, Winston, Caster, Mevius	Tobaccoasia.com and Voltam.mn
2	Tsakhur LLC	West, Davidoff, Jade	Market's internal control information
3	Tenger Khishigten Partners LLC	Esse, Marlboro, Sigar, Parliament, Raison	Market's internal control information
4	Namuun tabak LLC		Market's internal control information
5	Mongol Tobacco So Co. Ltd	Ulaan shonkhor, Dublis Blue, Dublis Black Altan shonkhor, Altan navchis, Suld	Mongoltamkhiso.mn

³⁹ <https://en.mongoltamkhiso.mn/news/2>