

Thailand

Overall score:

43

I. Industry participation in policy development:

Thailand's biggest improvement from 2017 is there was no incident of government accepting/endorsing any offer of assistance from or collaboration with the tobacco industry in implementing health policies.

II. Tobacco industry-related CSR activities:

In July 2017, Tobacco Products Control Act 2017 came into force. This new law bans all tobacco industry-related CSR activities, as required under FCTC Article 13 and Article 5.3 Guidelines (Recommendation 6). Previously, the ban applied only to Thai Tobacco Monopoly (TTM), but the other transnational tobacco companies could conduct CSR activities. Some of the CSR activities captured in 2017 were carried out before May 2017. The TTM is seen as a government agency and conducted some CSR activities attended by several officials.

III. Benefits given to the tobacco industry:

No benefits were given to the tobacco industry. However, there is still a tax exemption for native tobacco leaves. International travellers are allowed to bring 200 cigarettes, or no more than 500 grams of smoking tobacco into Thailand.

IV. Unnecessary interaction with the tobacco industry:

Since the government owns the TTM, there were regular meetings (each trimester or 4 times a year) between TTM and senior officers from the Ministry of Finance. TTM involved government officials in their smuggling control program.

V. Procedure for transparency measures:

While minutes were taken during meetings between the government and the industry, these are not publicly accessible. At times, high-level officials also attend these meetings.

VI. Avoiding conflicts of interest:

Retired senior government officials have regularly been appointed as TTM board members. Current government officials such as a senior officer from the Excise Department and the Ministry of Finance are TTM board members. Since the TTM is a state enterprise, the appointment is seen as normal.

VII. Preventive measures:

The new Tobacco Products Control Act in Section 40 requires the manufacturer or importer of tobacco products to report the volume of production or importation, market share, marketing expense, income and expense in their annual report, audited financial statement and any other information for the benefits of tobacco products control to the Committee. The Rules, and procedures as stipulated in the Ministerial Regulations are being drawn up.

Currently there are guidelines for Ministry of Public Health (MOPH) when interacting with the tobacco industry. Other ministries can establish their respective regulation, following MOPH and the Office of the Civil Service Commission that has regulation to prohibit civil servants' interaction with the tobacco industry that applies to all ministries.

While there is no contribution from the tobacco industry offered to the government, there is no restriction on technical assistance or study visits.



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Recommendations

As Thailand makes progress in implementing Article 5.3 guidelines, there is room for improvement.

1. Strictly enforce the ban on tobacco related CSR activities under the new tobacco control law and ensure there are no loopholes for the tobacco industry to exploit.
2. Ensure retired senior government officials are not immediately appointed to the tobacco industry.
3. The implementation regulations of the new tobacco control law are drawn up as soon as possible to protect government officials from tobacco industry interference.