
Romania

**TOBACCO
INDUSTRY
INTERFERENCE
INDEX
2023**

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Background and Introduction

Tobacco Industry is active for over 20 years in Romania, with 3 key players, British American Tobacco, Japan Tobacco International and Philip Morris International. The 3 companies had a cumulative net profit of 1016 Million RON (equivalent to approx. 207 Million EUR) in 2019, employing only 4,850 people in total. All 3 key companies have local manufacturing facilities, including regional manufacturing lines supplying heated tobacco products. Between 50 and 80% of the locally manufactured products are exported (60% of BAT, 80% PMI, 50-75% JTI, as per companies' public statements). As of 2015, PMI and BAT have launched heated tobacco products and significantly increased marketing investments behind promoting them, while lacking regulations on advertising, promotion and sponsorship for the new tobacco products.

JTI followed later with the launch of the Logic Compact electronic cigarettes, discontinued, though, in 2020. In 2021, JTI announced that it will invest €60 million (\$70.43 million) to upgrade its production capacities of its factory in Romania increasing the volume of cigarettes it manufactures in Romania.¹



¹ Tobacco Reporter. JTI to upgrade its Romanian cigarette factory. 31 Mar 2021. <https://tobaccoreporter.com/2021/03/31/jti-to-upgrade-its-romanian-cigarette-factory/>



The lack of regulations regarding tobacco advertising, promotion and sponsorship for all tobacco products (regular tobacco is not covered by comprehensive WHO Framework Convention on Tobacco Control (FCTC) compliant provisions on these areas either) leads to a heavy exposure in general communication channels to tobacco marketing messages- outdoor advertising, indoor/point-of-sale and internet advertising exploiting legislative loopholes are a common practice.

The tobacco control movement has been extremely active in Romania since 2015, successfully advocating for the adoption of a comprehensive smoke-free bill in 2015 and contributing to the submission of a comprehensive tobacco advertising, promotion and sponsorship ban bill in 2019. The tobacco control movement is actively engaged in monitoring tobacco industry interference and observing breach of FCTC provisions.

Romania ratified the WHO FCTC in 2005, subsequently transposing it in local legislation through Law no. 332/2005. Despite adopting several laws covering advertising, promotion and sponsorship and smoke-free environments, the legislation has been severely impacted by the TI interference in the adoption process, leading to significant gaps versus FCTC commitments and provisions. There are currently no specific provisions in the legislation to comply with art. 5.3 of the FCTC on preventing tobacco industry interference in the policy-making.

Mass-media in Romania is rarely engaged in exposing tobacco industry interference practices, primarily due to the heavy advertising budgets placed by TI in different media outlets. However, despite this, there are a few media stories that have exposed TI interference in the decision-making, especially over the last few years.

The findings of the 2023 Tobacco Industry Interference Index indicate an overall improvement, however, there is a significant lack of transparency in tobacco industry

interference in policy development and engagement with key governmental stakeholders which might reduce artificially the scores.

Methodology

This 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 - 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 includes information on incidents from April 2021 to March 2023, but also includes incidents prior to April 2021 that still have relevance today.

Summary Findings

1 INDUSTRY PARTICIPATION IN POLICY DEVELOPMENT

At this third round of rating tobacco industry interference in Romania, the results show a continued interference and lack of governmental action to counteract such practices. Tobacco industry has a long history of interference in policy development in Romania, especially during the years when the tobacco control civic movement was less organized in a joint effort. The tobacco industry in Romania continued to focus and strengthened the concluded partnerships with fiscal and customs authorities which allows them to severely tamper the policy development. The interference of the tobacco industry at the policy development level in the Romanian Parliament became even more intense in 2021-2023, focusing on the new tobacco products and on attempts to block and delay policy development of new tobacco products. During 2021-2023, Romania saw an increase of the number of industry-supported front groups to advance its' interests during policy development.

2 INDUSTRY CSR ACTIVITIES

Tobacco-related CSR activities are not banned as such in Romania due to inadequate implementation of the FCTC, although transposed into a law in Romania in 2005. Generally, tobacco industry contributions to different governmental agencies are "masked" into operational support or directed through third parties/ front-groups.

BAT has entered into a partnership with the District 3 Bucharest City Administration focused on green energy and sustainability. In November 2021, the campaign announced the installation of 5 solar trees and free wifi in key areas of the city.

3 BENEFITS TO THE INDUSTRY

Tobacco industry constantly lobbies for preferential treatment from the Government of Romania, either in the form of exemptions or benefits, or through delaying the adoption or implementation of specific policies as well as through the preferential taxation regime for new tobacco products (heated tobacco products, e-cigarettes). Although Romania is an EU country, the government still gives subsidies for tobacco farming- although very limited as number of beneficiaries. The tobacco farming subsidy is the highest available farming subsidy.

4 UNNECESSARY INTERACTION

Despite frequent changes of governmental structures over the last few years, the tobacco industry maintains a constant pace of engaging with top governmental officials. Existing finance and customs partnerships allow direct engagement at the highest level, participation in events and high-level meetings. Also, there were frequent instances of events organized through third parties, most of the times “disguising” the real purpose of the event behind different concepts. All the 3 big tobacco player companies, (PMI, BAT, JTI) meet the highest-level authorities on a regular basis, although these on-going interactions are never made public.

5 TRANSPARENCY

Currently, none of the interactions with the tobacco industry are made in a transparent manner. Moreover, specific attempts of the civic society in 2018 and 2019 to set transparency rules for engagement with the tobacco industry at least at Ministry of Health level were not embraced by the Ministry. During 2021-2023, there was an extensive engagement of the tobacco industry with the Ministry of Finance, Internal Affairs and Parliament of Romania.

6 CONFLICT OF INTEREST

Political parties' contributions, though governed by a specific law, were, historically, rarely scrutinized by the public opinion or media. In recent years, there has been an increase of civic society focus on these, however, almost never these inquiries focus on commercial interests or the links between specific industries' contributions and advancing the interests of such industries further. Also, due to significant tobacco industry investments of media channels, specific investigations are very rare.

A significant conflict of interest directly linked with the tobacco industry is the case of Teodor Meleşcanu, former Minister of External Affairs 2017-2019, president of the lower Chamber of the Parliament of Romania in 2019 (holding the 2nd position in the state), with relatives in high executive positions in the tobacco industry (later lobbying for tobacco industry). A note refers also to the current Corporate Affairs Director of BAT Romania who was acting in the Government of Romania Cabinet prior to the appointment.

7 PREVENTIVE MEASURES

Overall, there is almost no action taken to prevent and regulate the interference of tobacco industry in policy-making, no proactive approach towards it nor any willingness to accept civil society proposals to regulate the area. On the contrary, the government generally views the tobacco industry as a reliable and trustworthy business partner, there are frequent engagements and commitments to act to advance its' interests.

Recommendations

1. There should be a code of conduct for public officials to guide them when dealing with the tobacco industry. This code should provide a procedure to limit the interactions with the tobacco industry to only when strictly necessary.
2. There should be a strict code of conduct of all the health institutions and health professionals to guide them when dealing with the tobacco industry. This code and policy should provide a procedure to ban any financial or non-financial support from the tobacco industry and any engagement with the tobacco industry.
3. The government has to put in place a program to consistently raise awareness on policies relating to Article 5.3 to ensure all units of the government are aware of tobacco industry interference and to reduce unnecessary interactions.
4. The government has to require the tobacco companies to report on the various aspects of their business including marketing expenditures, revenues, lobbying and philanthropy.
5. The transparency registry must be re-installed.

Romania

Tobacco Industry Interference Index 2023 Results and Findings

	0	1	2	3	4	5
INDICATOR 1: Level of Industry Participation in Policy-Development						
1. The government ² 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. ³ in setting or implementing public health policies in relation to tobacco control ⁴ (Rec 3.4)						5
The existing and renewed announced partnerships between PMI, BAT, JTI and the Customs Agency and National Fiscal Agency, the institutions responsible with T&T implementation have facilitated significant interference in the development of policies.						

² 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

³ The term, "tobacco industry" includes those representing its interests or working to further its interests, including the State-owned tobacco industry.

⁴ "Offer of assistance" may include draft legislation, technical input, recommendations, oversees study tour

JTI's yearly awareness campaign on illicit trade in an extended partnership across governmental institutions- Romanian Police, the Romanian Border Police, the National Fiscal Administration Agency (ANAF) and the General Directorate of Customs was last renewed in May 2021.

JTI was the first tobacco company to sign a Protocol to combat smuggling in 2005, first with the National Fiscal Administration Agency, then in 2008 with the National Customs Authority, respectively in 2014 with the General Directorate of Customs. More than 50 dogs specially trained to detect drugs, tobacco products and cash have been donated by JTI over the last twelve years to the Customs Authority. Starting 2023, the Customs canine team training center will also train dogs to detect ammunition, in the context of the war in Ukraine.

In 2013, JTI signed a Cooperation Protocol with the Border Police, renewed in 2018, and in 2019 JTI donated state-of-the-art equipment necessary for border monitoring. Also, JTI Romania runs public anti-smuggling campaigns in partnership with the authorities since 2010. The campaigns have been extended in the last two years to the Republic of Moldova. The campaign that is currently underway, with the message "Smuggling is a serious disease", is taking place for the first time simultaneously in Romania and the Republic of Moldova.

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October 2021, the launch event for the 2021 edition of the JTI awareness campaign, attended by the Minister of Finance and the leadership of the National Fiscal Administration Agency (ANAF) and the General Directorate of Customs. The campaign also announced that 25 mobile canine units were donated to the Romanian Customs Police by JTI.

⁵ <https://www.revistabiz.ro/contrabanda-e-boala-grea-campanie-noua-a-anaf-si-politiei-cu-sprijinul-jti/> - Campania "Contrabanda e boală grea" a fost lansată în parteneriat cu Agenția Națională de Administrare Fiscală (ANAF), Direcția Generală a Vămirilor (DGV), Poliția de Frontieră, Poliția Română, cu sprijinul JTI România, Revista Biz, 30.09.2021

⁶ <https://www.bursa.ro/gilda-lazar-jti-scaderea-contrabandei-cu-tigarete-inseamna-cresterea-pietei-legale-si-incasari-mai-mari-la-buget-08824440> "Scăderea contrabandei cu țigărete înseamnă creșterea pieței legale și încasări mai mari la buget", Ziarul Bursa, 1 octombrie 2021.

In July 2021, BAT provided scanning equipment to the General Directorate of Customs, in a joint in partnership with the Romanian Police, the Romanian Border Police, the National Fiscal Administration Agency (ANAF) and the General Directorate of Customs.⁷

In September 2022, the Romanian authorities received another 300 scanners from BAT as the second round of the partnership.⁸

BAT is also running a joint awareness campaign with the National Fiscal Administration Agency (ANAF) and the General Directorate of Customs since 2017, with yearly renewed activities under the campaign: STOP Contrabanda.⁹

Philip Morris' Impact initiative on illicit trade is sponsoring 2 programs in Romania involving law enforcement agencies - the Romanian Police to "enhance capabilities for detecting and investigating tobacco smuggling at EU border", and SELEC (Southeast European Law Enforcement Center) which is a law enforcement international organization that brings together the Police and Customs.¹⁰ PMI had joint activities with the Customs Police, including a grant for equipment under the PMI Impact financing project (July 2018-July 2020). In February 2022, PMI stated that "PMI Impact is a global initiative that, since 2016, has allocated around 50 million dollars out of a total of 100 million dollars for anti-smuggling projects carried out by public, private institutions, and non-governmental organizations. The second round of the program was extended until April this year, and for the third-round registrations can be made until August 2022,"

All 3 transnational tobacco companies, JTI, BAT and PMI have concluded in 2014 a Cooperation Protocol with the Romanian Customs Authority for combating the illegal cigarette trade. According to the document, the signatory parties will agree on the most effective ways of cooperation to prevent and identify violations of customs and tax legislation related to the illicit traffic and trade in cigarettes and other tobacco products, as well as to improve legal regulations in the matter. The last renewal was done in September 2022, in an event attended by the president of the Romanian Customs Authority.

⁷<https://www.politiadefrontiera.ro/ro/main/i-250-de-noi-camere-speciale-de-supraveghere-instalate-pe-frontiera-romaniei-24590.html> "250 camere noi de supraveghere instalate pe frontiera României", politiadefrontiera.ro, 22 iulie 2021

⁸ <https://www.bursa.ro/supliment-tabac-contrabanda-din-nou-pe-trend-ascendent-62680848> - "Contrabanda, din nou pe trend ascendent", Bursa, Supliment Tabac, 27 octombrie 2022.

⁹ <https://www.hotnews.ro/stiri-esential-26051942-stop-contrabanda-circa-110-milioane-tigarete-contrabanda-capturate-autoritati-2022-crestere-traficului-ilicit-granitele-sud-ale-tarii.htm> STOP Contrabanda - Circa 110 milioane de țigărete de contrabandă capturate de autorități în 2022/ Creșterea a traficului ilicit la granițele de sud ale țării, HotNews.ro, 30 ianuarie 2023.

¹⁰ PMI. 2022 PMI-IMPACT Report. <https://www.pmi-impact.com/content/dam/pmi-impact/docs/2022-pmi-impact-report.pdf>



In March 2022, an international event announced the successful implementation by the Romanian Police of the EU funded project entitled: East Connection 2020 Transnational and multidisciplinary cooperation between law enforcement authorities in countering smuggling and intra-community fraud affecting the EU budget, event attended by all tobacco industry executives.



2. The government accepts, supports or endorses <u>policies or legislation drafted</u> by or in collaboration with the tobacco industry. (Rec 3.4)						5
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The Romanian Customs Authority has a long-term collaboration with the tobacco industry accepting and endorsing its plan to combat illicit trade of tobacco.

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) 1 Never 5 Yes		1				
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No such incident.

4. The government nominates or allows representatives from the tobacco industry (including State-owned) in the		1				
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	0	1	2	3	4	5
delegation to the COP or other subsidiary bodies or accepts their sponsorship for delegates. (i.e. COP 4 & 5, INB 4 5, WG) ¹¹ (Rec 4.9 & 8.3) For non-COP year, follow the previous score of COP year. For non-Parties, apply a score of '0'						
Romania's delegation to the COP9 or its related meetings did not include any representatives of the tobacco industry.						
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" or "sustainable". For example, environmental programs. (Rec 6.2) B. The government (its agencies and officials) receives CSR contributions ¹² (monetary or otherwise, including CSR 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>				3		
A. During 2020-2022, BAT has entered into a partnership with the District 3 Bucharest City Administration focused on green energy and sustainability. In November 2021, the campaign announced the installation of 5 solar trees and free wifi in key areas of the city. ¹³ B. Red Cross Romania, which serves as a public utility agency for the Romanian Government, has subsequently received donations ¹⁴ from the tobacco industry (PMI, BAT) during and after the pandemic ¹⁵ .						
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)						5

¹¹ Please see annex a list since 2009 so that the respondent can quantify the frequency. <http://www.who.int/fctc/cop/en/>

¹² Political, social financial, educations, community, technical expertise or training to counter smuggling or any other forms of contributions

¹³ <https://www.capital.ro/energie-verde-si-wi-fi-gratuit-disponibile-in-cinci-puncte-centrale-din-bucuresti-primaria-sectorului-3-bat-romania-si-green-academy-continua-parteneriatul-pentru-sustenabilitate.html> - Energie verde și wi-fi gratuit disponibile în cinci puncte centrale din București. Primăria Sectorului 3, BAT România și Green Academy continuă parteneriatul pentru sustenabilitate, capital.ro, 1 noiembrie 2021

¹⁴ <https://www.antena3.ro/coronavirus/philip-morris-doneaza-un-milion-de-dolari-pentru-crucea-rosie-romana-564504.html> - Philip Morris donează un milion de dolari pentru Crucea Roșie Română, antena3.ro, 27 martie 2020

¹⁵ <https://business-review.eu/sustainability/bat-romania-employees-donated-1400-kg-of-clothes-for-reuse-and-recycling-in-a-partnership-with-romanian-red-cross-245389> - BAT Romania employees donated 1,400 kg of clothes for reuse and recycling, in a partnership with Romanian Red Cross, business-review.eu, 5.05.2023

	0	1	2	3	4	5
In 2020-2021, the Romanian government has extended the implementation deadline for banning menthol flavours which Romania was supposed to implement as of 2020. An investigative series revealed the industry practices to provide the authorities with legislative arguments which are taken over fully in policies proposals. <ul style="list-style-type: none"> the deadline for banning menthol cigarettes was extended through an emergency ordinance on the management of the epidemiological situation; The Romanian authorities did not inform the European Commission of this postponement, although the marketing ban was implemented at community level¹⁶. 						
7. The government gives privileges, incentives, tax exemptions or benefits to the tobacco industry (Rec 7.3)						5
<p>Subsidies for tobacco farming are available, at one of the highest rates among all types of agricultural subsidies- at an average of 5000 EUR/ha. Details on the legislation for this in 2022 reflected on the governmental website¹⁷.</p> <p>News articles on the topic appeared in two key agricultural newspapers: The Director General of the Agency for Payments and Intervention for Agriculture, (APIA), announced that the payment is the largest subsidy paid for Transitional National Aid (NTA) granted for tobacco cultivation, “a culture with tradition in Romania”¹⁸. According to APIA aid per hectare doubled for 2022 compared to 2021¹⁹.</p> <p>Heated tobacco products benefit from preferential taxation in Romania and this has been reflected in a full investigative series in 2020-2022.²⁰</p> <p>International travellers entering Romania can bring in duty free 40 cigarettes or 100 cigarillos or 50 cigars or 250 g tobacco.</p>						
INDICATOR 4: Forms of Unnecessary Interaction						
8. Top level government officials (such as President/ Prime Minister or Minister²¹) 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)						5

¹⁶ <https://www.riseproject.ro/articol/cand-guvernul-fumeaza-ce-zice-corporatia/> - Când guvernul fumează ce zice corporația, riseproject.ro, 2 noiembrie 2021

¹⁷ <https://apia.org.ro/comunicat-de-presa/apia-a-stabilit-cuquanturile-ant-urilor-afere-nte-sectoarelor-vegetal-si-zootehnic-pentru-anul-de-cerere-2022/> - APIA a stabilit cuquanturile ANT-urilor aferente sectoarelor vegetal și zootehnic, pentru anul de cerere 2022, apia.org.ro, 2 februarie 2023

¹⁸ <https://agrointel.ro/187013/subventie-de-peste-5-000-euro-hectar-pentru-o-cultura-cu-traditie-in-romania/> - Subvenție de peste 5.000 euro/hectar pentru o cultură cu tradiție în România - Informațiile publicate de Agointeligența – AGROINTEL.RO pot fi preluate doar în limita a 500 de caractere și cu citarea în PRIMUL PARAGRAF a sursei cu LINK ACTIV. Orice abatere de la această regulă constituie o încălcare a Legii 8/1996 privind dreptul de autor, ca atare vom acționa în consecință. Agrointel.ro, 20 februarie 2023

¹⁹ <https://www.agroinfo.ro/politic/ajutorul-national-tranzitoriu-ant-care-si-a-dublat-cuquantumul-pe-hectar> - Ajutorul național tranzitoriu, ANT, care și-a dublat cuquantumul pe hectar!, agroinfo.ro, 2 februarie 2023

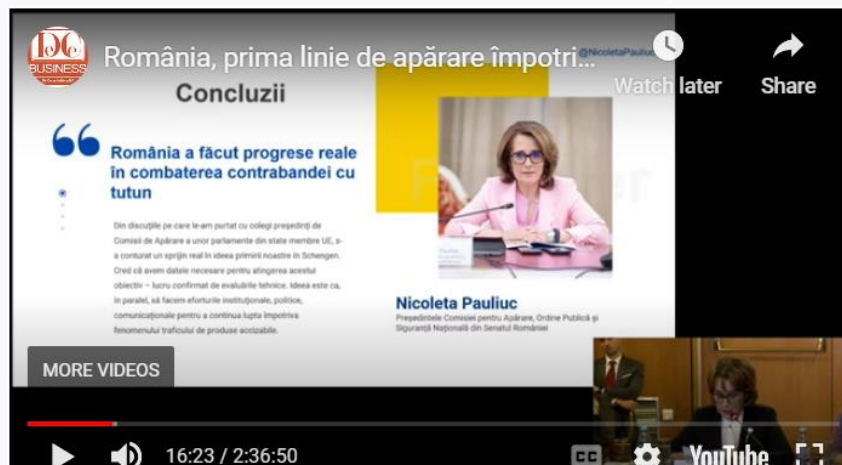
²⁰ <https://www.riseproject.ro/taxa-dintre-fum-si-abur/> - TAXA DINTRE FUM ȘI ABUR, riseproject.ro, 9 decembrie 2020

²¹ Includes immediate members of the families of the high-level officials

In November 2022, Lucian Bode, the Minister of Internal Affairs, Adrian Caciu, the Minister of Finance, Nicoleta Pauliuc, president of the Defense, Public Order and National Security Committee of the Senate (lower chamber of the Romanian Parliament) and other key leaders of customs and fiscal authorities attended an illicit trade event organized by the tobacco industry.



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²² <https://www.bursa.ro/aderarea-la-schengen-o-provocare-pentru-autoritati-in-combaterea-contrabandei-cu-tigarete-01732845> Aderarea la Schengen - o provocare pentru autorități în combaterea contrabandei cu țigărete, bursa.ro, 11 noiembrie 2022.

²³ https://www.dcnews.ro/contrabanda-cu-tigari-marcel-muntescu-director-general-la-autoritatea-vamala-romana-dupa-intrarea-in-schengen-va-fi-difical-sa-ii-mai-prindem_894479.html, După intrarea în Schengen, va fi dificil să îi mai prindem, dcnews.ro, 10 noiembrie 2022.



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)						5
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In June 2022, BAT announced a new campaign in partnership with the National Authority for Consumers Protection (ANPC), with 32,000 partner stores in Romania included in BAT`s campaign for zero tolerance for the sale of nicotine products to minors²⁴.



²⁴ https://www.economica.net/bat-si-anpc-toleranta-zero-fata-de-comercializarea-produselor-cu-nicotina-catre-minori-2_593124.html - BAT și ANPC – Toleranță zero față de comercializarea produselor cu nicotină către minori, economica.net, 22 Iunie 2022

	0	1	2	3	4	5
<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)</p> <p><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></p>						5
<p>Border Police partnership with BAT: <i>"... I welcome the collaboration with BAT, which supports this effort of the Border Police to secure the borders, including by donating surveillance cameras for the second consecutive year. It is a joint benefit that serves the interest of citizens and demonstrates that the partnership between the authorities and the private sector is a viable and timely one", said Victor-Stefan Ivascu, the Inspector General of the Romanian Border Police.²⁵</i></p>						
INDICATOR 5: Transparency						
<p>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)</p>						5
<p>In 2016, the Government of Romania has initiated a Registry of Interests Transparency, requiring the private and non-governmental entities to register, disclose meetings, etc. However, the Registry has functioned on a limited basis only during 2017 and was dropped upon subsequent changes of government. During 2021-2023, there are no entries of meetings for none of the 3 big tobacco companies, although multiple public events disclosed tobacco industry players in attendance.</p>						
<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)</p>						5
<p>No such policy.</p>						
INDICATOR 6: Conflict of Interest						
<p>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) 1 Never 5 Yes</p>						5
<p>No such policy to prohibit contributions from the tobacco industry. In fact such contributions are welcome as in the case of tackling illicit trade.</p>						

²⁵ BAT Romania. 500 km of Romanian border under video surveillance with special cameras
19 Oct 2022 <https://www.bat25.ro/en/news/112-19.10.2022-Stop-Contrabanda-Domanion.html>

	0	1	2	3	4	5
14. Retired senior government officials form part of the tobacco industry (former Prime Minister, Minister, Attorney General) (Rec 4.4)	0					
Not identified.						
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					
Not identified.						
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
The government has not put in place any procedure for disclosing the records of the interaction.						
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>						5
The government has not formulated, adopted or implemented any code of conduct for public officials, prescribing the standards with which they should comply in their dealings with the tobacco industry.						
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)						5
The government does not require 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.						

	0	1	2	3	4	5
19. The government has a program / system/ plan to consistently ²⁶ raise awareness within its departments on policies relating to FCTC Article 5.3 Guidelines. (Rec 1.1, 1.2)						5
The government does not have a program / system/ plan to consistently raise awareness within its departments on policies relating to FCTC Article 5.3 Guidelines						
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)						5
No such policy.						
TOTAL SCORE					80	

²⁶ 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.