

The Netherlands

Overall score:

39

Summary of Findings

1. Industry participation in policy development

The tobacco industry is excluded from participation in public health policy development in the Netherlands. The national tobacco control policy document (part of the National Prevention Agreement) specifically mentions the exclusion of the tobacco industry in any public health policies that aim to reduce tobacco use.

The industry and two government agencies were seated on the Tobacco Committee of the Netherlands Standardization Institute (NEN, a non-governmental organization which advises the International Organization of Standardization (ISO) technical committee on Tobacco and Tobacco products) until both government agencies retracted in 2018 in response to the large influence of the tobacco industry in the NEN.

2. Industry CSR activities

There is no evidence anymore of the Dutch government endorsing, supporting, forming partnerships with or participating in so-called CSR activities organized by the tobacco industry in 2018 or 2019. A collaboration between Japan Tobacco International (JTI) and the Ministry of Infrastructure and Water Management to promote clean beaches was finalized in January 2018.

3. Benefits to the industry

Except duty-free allowances, the government did not provide benefits, such as delaying implementation of tobacco control policies, to the industry in 2018 or 2019.

4. Unnecessary interaction

Dutch Customs and the tobacco industry signed a Memorandum of Understanding in 2011 stating to collaborate in combatting fraud and smuggling of tobacco products. While the government does not attend events organized or sponsored by the tobacco industry, several social events were found where high level public officials and representatives from the tobacco industry were present.

5. Transparency

Interactions between the national government and the tobacco industry are registered in the transparency registry. In 2018-2019, 93 interactions were publicly disclosed between the government and the tobacco industry or other parties that might favor tobacco-friendly policies (e.g. supermarkets). Almost all face-to-face meetings were between customs and the industry. Early 2018, a news website uncovered that one-third of the interactions between the industry and the government was not published in the registry.

6. Conflict of interest

There are no laws or regulations in place prohibiting contributions from specific industries or entities, including the tobacco industry, to political parties and/or campaigns. One national level politician had a relative working for the tobacco industry, and one member of a provincial council is also seated in the supervisory board of a tobacco producer. Both are not involved in setting tobacco control or public health policy.

7. Preventive measures

The Dutch government has multiple procedures, protocols and codes of conduct put in place to limit contact and influence with the tobacco industry. No plan or system is in place to systematically raise awareness within the government on Article 5.3 of the WHO Framework Convention on Tobacco Control (FCTC), although the importance of full implementation of Article 5.3 has been re-communicated by the government to its government officials in 2019.

Recommendations

- 1. Reduce and/or limit collaboration between Dutch Customs and the tobacco industry.** The Dutch Customs and the tobacco industry signed a Memorandum of Understanding in 2011. Dutch Customs is part of the Ministry of Finance, which drafts and sets taxation policy in the Netherlands. Multiple face-to-face meetings and (digital) interaction takes place between the parties on a yearly basis. Through collaboration between the two, the tobacco industry might try to influence tobacco control policies, especially taxation policy. In line with WHO FCTC Article 5.3, the MoU should be terminated.
- 2. Increase registration and/or transparency though:**
 - Implementing a registry for tobacco industry entities, affiliated organizations and individuals acting on their behalf including lobbyists;
 - Requesting additional information from tobacco producers, such as revenue and spending on lobbying; and
 - Obligating political parties to publish financial contributions by the tobacco industry.