

Lebanon

Overall score:

76

Summary of Findings

1. Industry participation in policy development

Similar to 2018, the Regie kept receiving support from senior government officials, in particular from the Speaker of the House known to have the Regie fall under his patronage as well as the full support from the Minister of Finance. The minister of finance accepted a draft law proposal prepared by the legal department of the Regie to consider smuggling a misdemeanour. Earlier that year, the Regie signed an agreement with British American Tobacco (BAT) to produce Kent and Viceroy in Lebanon where the General Manager of the Middle East and Yemen, on behalf of BAT, said, "At the level of governments, we are working with them to develop a legislative framework that protects consumers and economy alike." He stressed the company's commitment to "support the efforts of the Lebanese government to combat illegal trade, especially as it affects the activities of companies legitimately licensed to operate within this sector."¹ Therefore, in addition to last year, this year's agreement is a clear offer from BAT to support setting tobacco control public health policies in Lebanon.

2. Industry CSR activities

In 2016, the Regie launched its Sustainable Development plan, the "Development Vision for a Brighter Tomorrow." Since it has been conducting CSR activities in line with its set priorities. Consequently, this year activities consisted of sending a delegation from the administration team to Turkey to participate in an educational training program, conduct guidance sessions for hundreds of tobacco farmers, and training on women empowerment for the daughters of the tobacco farmers.

3. Benefits to the industry

Similar to last year, the Minister of Finance's opinions are the Regie's opinions, too. Following the Regie request, within less than a month, the Minister of Finance issues decree 1/956 that regulates the price of e-cigarettes including heated tobacco products (IQOS). Seklaoui had previously expressed his hope to locally produce e-cigarettes in Lebanon while signing an agreement with Philip Morris International (PMI) back in 2018, however the e-cigarette was not legal yet in Lebanon.

By adopting the decree of legalising the sale of e-cigarettes, e-waterpipes and IQOS, Lebanon has regressed for a country that bans all forms of e-cigarettes via the decree 1/207 back in 2013, to a country that regulates the entry of e-cigarettes in 2015, via the decree 1/877, to finally a country that regulates its sale decree 1/956 and makes it available in the Lebanese market.

Seklaoui expressed his disagreement with increasing the price of tobacco, stressing that any increase is only in the favor of smugglers. In his turn, the Minister of Finance admitted that smuggling is causing heavy losses on the treasury each year.²

4. Unnecessary interaction

Similar to last year, senior government officials endorsed and/or attended tobacco-related functions organized by the Regie. These activities consisted of inaugurating projects in villages supported by the Regie. In return, many municipalities' delegations including deputy heads of municipalities visit Seklaoui to receive their financial grants as part of the CSR plan of the Regie.

5. Transparency

The situation did not change from 2018. There is still no procedure in place to ensure transparency when the government meets with the tobacco industry. There are no government rules for the disclosure or registration of tobacco industry entities.

6. Conflict of interest

The situation did not change from 2018. There is no publicly available data on senior retired officials taking part in the tobacco industry and the government does not have in place a procedure to prohibit contributions from the tobacco industry. Although the second lady Randa Berri, does not hold a position in the tobacco business, she hosted an event at the headquarters of Regie in Hadath where daughters of tobacco farmers received certificates for participating in women empowerment training sessions.

7. Preventive measures

The situation did not change from 2018. Lebanon does not have a plan for the implementation of Article 5.3. There is no procedure in place to disclose the government's interaction with the tobacco industry. The government has not adopted or implemented a code of conduct for public officials in their dealings with the tobacco industry.

While the tobacco industry is required to submit information on tobacco production and manufacture for tax purposes, there is no requirement for the industry to submit other information such as market share, marketing expenditures, lobbying, philanthropy and others.

There is no publicly available information to show the government has a program or plan to consistently raise awareness on Article 5.3 Guidelines within its departments.

Further, the National Tobacco Control tab under programs and projects on the Ministry of Public Health (MOPH) website no longer exists; it was replaced by a tab that says, "No Tobacco Control Program." Unlike the previous page, the current page has no information.

Recommendations

In 2018, the Regie was the fifth source of support for the state treasury. In 2019 its revenues increased by 34% compared to 2018.³

The same recommendations as last year still hold. Although the Regie is a state-owned monopoly, the Lebanese government needs to treat it like the international tobacco industry. Thus, it should be more attentive and critical toward the involvement of the tobacco industry in policy-making.

1. In line with the WHO Framework Convention on Tobacco Control (FCTC), further effort should be set in place to enhance public health policies.
2. Tobacco-related CSR activities must be banned.
3. The state-owned monopoly, the Regie, must be treated like any other tobacco company. Therefore, a law proposed by the Regie must not be accepted as this is a direct intervention in tobacco control policy-making, a "firewall" between the industry and tobacco control policy must be established.
4. There must be a procedure in place to disclose the records of government interaction with the tobacco industry. A code of conduct should be adopted by the government to guide officials when dealing with the tobacco industry. The MOPH, through its Tobacco Control Program could take the lead in writing those procedures.
5. The tobacco industry should be required to submit information on tobacco production, manufacture, market share, marketing expenditures, revenues and any other activity, including lobbying, philanthropy, political contributions and all other activities.
6. The government should work on raising awareness within its departments on policies related to FCTC Article 5.3. Similar activities could be coordinated between the MOPH through its National Tobacco Program, civil society and academia.

¹ <https://www.rlft.com.lb/Article/378/the-regie-signs-an-agreement-with-british-american/en>

² <https://www.dailystar.com.lb/Business/Local/2019/Jun-20/485682-regie-warns-against-raising-tobacco-prices.ashx>

³ <https://www.rlft.com.lb/Article/427/wazni-receives-the-2019-profits-from-the-regie-and/en>