

Maldives

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Summary of Findings

1. Industry participation in policy development

The government does not accept support or endorse any offer of assistance or collaborate with the tobacco industry or through tobacco importers/distributors in the country. However, it should be noted that the distributors are also involved in other retail businesses such as food, beverages and cosmetics which provides more avenues of access to the government.

The Tobacco Control Board allocates a representation slot for the business community who may have direct connections to tobacco importers/retailers that could influence policies being made in relation to tobacco control.

2. Industry CSR activities

The government or its officials do not endorse or support forms of partnerships with or participates in so-called corporate social responsibility (CSR) activities organized by the tobacco industry. All forms of tobacco sponsorship are prohibited. Officials must sign a declaration of interest (DOI) document to ensure there is no conflict of interest. It is difficult to verify if "bribes" have been given; there are no reports of tobacco-related cases in the public domain. There may be ways to indirectly influence an official, but this cannot be verified.

3. Benefits to the industry

The Tobacco Control Board, pursuant to the Tobacco Control Act of 15/2010, implemented the regulation on packaging and labeling of tobacco products in 2019. This regulation mandates all tobacco packaging to be labelled

in accordance with the warning notice of the Ministry of Health. The warning statement should be inside the 90% (ninety percent) of the pack where warning notice is required, proportionate to the size of the pack.

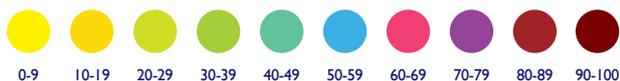
This Act requires tobacco products not previously sold in the Maldives or introduced to the Maldivian market to obtain approval from the Ministry of Health. All tobacco products must carry a health warning label as prescribed by the Ministry of Health. All passengers are eligible for import duty allowance up to a limit of 200 cigarettes, 25 cigars and 250g of tobacco.

In addition, Act No. 31/79 (Export Import Act of Maldives) requires that "200% of the cost, insurance and freight (CIF) value of tobacco products (other than cigarettes) and articles used in the consumption of tobacco products, are levied at the time of importation; further, a 6% goods and services tax (GST) is levied at the time of sale. However, gadgets used in the consumption of ENDS/ENNDS are taxed as electronic devices rather than as articles used for consumption of tobacco products."

Bilateral free trade agreements exist between Maldives and some other countries where tax exemptions are given. This may come up to zero tax in an incremental decline on a yearly basis.

4. Unnecessary interaction

No evidence from the reporting period indicates that top-level government officials meet with/ foster relations with the tobacco companies such as attending social functions and other events sponsored or organized by tobacco companies or those furthering their interests. No evidence also indicates that the government accepted, supported, endorsed or entered into partnerships or agreements with the tobacco industry.



5. Transparency

The government does not disclose records of any meetings the government may have had with the tobacco distributors. It does not have any mechanisms to ensure that the public has access to a wide range of information on tobacco industry activities relevant to the objectives of the Framework Convention on Tobacco Control (FCTC).

Rules for the disclosure or registration of tobacco industry entities or affiliated organizations do not exist.

6. Conflict of interest

The government does not prohibit contributions from the tobacco industry or any entity working to further its interests to political parties, candidates or campaigns. However, Maldives has witnessed relatives or owners of the tobacco importers/retailers becoming government officials in the past. They occupy positions across all sectors, health or non-health, actively influencing the government's policies.

7. Preventive measures

The Tobacco Control Act (Articles 26 and 27) specifies information to be made public as well as the format of report in accordance with the requirements of the regulations to be submitted

to the Ministry of Health. While the procedures are in place, information is not disclosed on a regular basis.

Moreover, the government of Maldives did not utilize the "Guidelines for Implementation of Article 5.3 of the WHO FCTC" over the past reporting periods since 2016. Currently it still does not provide access to a wide range of information on the tobacco industry to the general public.

The Tobacco Control Act (Act No. 15/2010) requires relevant government ministries to organize and conduct sound programs and activities to create awareness and provide information to the public on the harmful effects of tobacco production and tobacco smoking on health, the economy, the environment and society.

This Act also requires government ministries to provide information and training on tobacco control to health service providers, social workers, journalists and media personnel, law enforcement officers and other relevant persons. It explicitly mentions the need to make information on tobacco businesses publicly available in accordance with the law and regulations. However, the government does not have a program to consistently implement it to raise awareness publicly or within its departments.

Recommendations

1. Disallow the tobacco industry from participating in the Tobacco Control Board which determines and sets policies concerning tobacco control.
2. Prohibit any incentives provided to importing tobacco into the country.
3. Restrict interaction with the tobacco industry to only when necessary. To facilitate this, funds/technical assistance from entities that have ties with the tobacco industry should be rejected and all necessary interactions should be carried out in a transparent manner.
4. Hasten the draft and implementation of the code of conduct for government institutions.
5. Implement the rules set by the Health Protection Agency for public officials and organizations in regard to use of tobacco and other unhealthy products.
6. Monitor enforcement and ensure implementation of the existing regulations under the Tobacco Control Act.
7. Implement a ban on smoking on roads under regulation for "smoke-free public spaces."