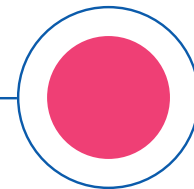


El Salvador



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SUMMARY OF FINDINGS

1. Industry Participation in Policy Development

There is no evidence that the tobacco industry (TI) participated in the drafting of legal frameworks or public policies for tobacco control. While the government has prioritized ratifying the Protocol for the Elimination of Illicit Tobacco Trade and formalizing a National Tobacco Control Policy and Plan, these measures have not yet been implemented. Some progress has occurred through the creation of the Superintendence of Health Regulation, now serving as the legal authority for tobacco control, a role previously lacking under FOSALUD. Nonetheless, evidence shows that the TI continues to maintain close relationships and collaborations with key government bodies, including the Vice-Presidency, the Secretariat of Innovation, the Ministry of Finance, and several municipalities.

2. Industry CSR Activities

The TI maintains interactions through corporate social responsibility (CSR) initiatives with key public officials, the Ministry of Finance, municipalities, and civil society organizations. These initiatives are framed around strengthening public administration, enhancing citizen services, investing in digital infrastructure, and supporting entrepreneurship programs. Additionally, the TI engages with civil society groups on environmental initiatives and research projects, projecting an image of solidarity with the Salvadoran population under the banner of technological innovation and environmental protection.

3. Benefits to the Industry

El Salvador maintains the Central America-Dominican Republic-United States Free Trade Agreement (CAFTA-DR), which grants significant advantages to the TI by gradually eliminating tariffs on products from signatory countries and exempting tobacco products originating in the Central American region from import duties. With around 80 percent of imported cigarettes coming from within the region, most enter duty-free. While these measures facilitate regional trade, they reduce potential tax revenues from tobacco products and pose challenges for public health policy, as static or low taxes undermine efforts to discourage consumption and limit resources for addressing the health and economic costs of smoking.

4. Unnecessary Interaction

Some government officials have engaged in unnecessary interactions that the TI leverages to improve its public image. The industry promotes initiatives such as environmental projects in several municipalities focused on cigarette butt collection and programs to expand digital access through satellite antenna installations for both government institutions and the public. While framed as socially beneficial, these actions serve to rehabilitate the TI's reputation and could, over time, pave the way for weaker regulation, ultimately undermining protections for the health of the Salvadoran population.

5. Transparency

Tobacco companies and state institutions jointly organized public activities, but details of preparatory or negotiation meetings were neither disclosed nor officially recorded.

While national law requires TI entities to register for manufacturing, importation, marketing, and taxation purposes, there are no equivalent regulations for trade unions, lobby groups, or other affiliated organizations representing industry interests, leaving a significant gap in transparency and oversight.

6. Conflict of Interest

Financing of political parties or candidates is not prohibited in El Salvador. TI companies can donate to political actors and lobby in favor of their interests. However, the Law of Political Parties requires political institutions and independent candidates to declare the origin of their

financing and publish the names of their donors, including TI companies, unions, or affiliated organizations.

7. Preventive Measures

Since 2023, El Salvador has made no progress on internal regulations; no procedure has been created to govern interactions between institutions, officials, and TI representatives. Although the Government Ethics Law prohibits officials from accepting gifts or benefits from industry, it does not regulate institutional-level benefits or collaborations. Nor is there any national regulation that limits interactions between officials and TI representatives, requires records of such interactions, or mandates publication of outcomes.

There is also no institutional plan or program to raise awareness among public officials and employees about the WHO FCTC Article 5.3 guidelines.

RECOMMENDATIONS

1. Strengthen regulatory frameworks for tobacco control by ratifying the Protocol for the Elimination of Illicit Tobacco Trade and formalizing and implementing the National Tobacco Control Policy and Plan.
2. Reform the Government Ethics Law to include explicit obligations for public servants to document and publish all interactions with TI representatives, and prohibit TI funding or sponsorship of institutional activities.
3. Establish a registry of TI companies and entities, or individuals acting on their behalf, covering commercial activities, marketing, philanthropy, lobbying, research, political contributions, and all other advertising, promotion, and sponsorship (TAPS) activities, including CSR and extended producer responsibility (EPR).
4. Strengthen awareness-raising by conducting a social media campaign on Article 5.3 of the WHO FCTC and implementing a national training plan for public officials and employees to address TI interference in laws, regulations, and policies.
5. Coordinate multisectoral actions for tobacco control by developing joint campaigns with civil society to improve public health outcomes.
6. Discourage tobacco use by increasing tobacco taxes through domestic policies that reduce consumption and generate revenue for health priorities.