

# Ukraine



## SUMMARY OF FINDINGS

### 1. Industry Participation in Policy Development

The tobacco industry (TI) was involved in drafting and promoting legislation that introduced tax benefits for heated tobacco products (HTPs) compared to conventional cigarettes over a three-year period, with the government acknowledging that a compromise on excise rates was reached with industry representatives. The tobacco producers' association "Ukrutun" also opposed new excise taxes on certain products and challenged enforcement measures during martial law. Several draft laws were initiated by Members of Parliament (MPs) with past ties to the TI or its front groups, including proposals to restore hookah use in public venues, allow online tobacco sales, block bans on point-of-sale tobacco displays, and introduce domestic tobacco farming through production quotas. Additionally, industry representatives were included in the working group for the new e-Tobacco reporting platform, raising concerns about potential influence over data transparency and the classification of sensitive information.

### 2. Industry CSR Activities

There is no documented evidence of government officials receiving or endorsing tobacco-related corporate social responsibility (CSR) activities.

### 3. Benefits to the Industry

Several legislative and regulatory activities related to tobacco control in Ukraine aimed to provide benefits or preferential regulations for the TI. These included unsuccessful attempts

by MPs to postpone the enforcement of the ban on flavored tobacco products and the successful passage of a government tax law introducing a lower taxation regime for certain products over a three-year period compared to conventional tobacco. TI front groups, such as the association "Ukrutun," actively lobbied for tax benefits and opposed a government-initiated draft law prohibiting point-of-sale displays, which was also resisted by certain government institutions. Additionally, several MPs organized a letter campaign to the Cabinet of Ministers challenging enforcement procedures by the State Service of Ukraine on Food Safety and Consumer Protection in cafes, bars, and restaurants, aligning with complaints from the NGO "Ukrainian Hookah Association," which may have vested interests in undermining compliance checks.

### 4. Unnecessary Interaction

A few cases of unnecessary interactions and meetings were documented. Government representatives held meetings with the TI and included their representatives in working groups. Additionally, a government investment agency publicly supported one of the tobacco companies, while enforcement authorities promoted cooperation with the TI on illicit trade issues.

### 5. Transparency

National legislation in Ukraine does not mandate public disclosure of meetings between the government and the TI, with transparency instead governed by the law "On Access to Public Information." While this law permits public access through information requests, its effectiveness has



been undermined during martial law, with some authorities unlawfully delaying responses to conceal information, leading to reduced transparency regarding TI interactions. Although the law requires the registration of tobacco manufacturers and distributors, there is no system for disclosing or registering tobacco-affiliated organizations and lobbyists, highlighting a lack of regulation on lobbying activities.

## 6. Conflict of Interest

The Law of Ukraine No. 2899 prohibits the TI from providing financial or other support to events, activities, individuals, or groups, including political parties, sports teams, artists, and educational institutions. It also bans financial support for public informational campaigns, including youth smoking prevention programs, regardless of whether the support is publicized. The Law “On Political Parties in Ukraine” mandates public disclosure of financial contributions to political parties, with no violations

reported during the period. However, concerns remain about indirect cooperation with politicians through third parties like NGOs. Additionally, Ukraine has measures to prevent senior government officials from joining the TI, requiring dismissal within three days if a conflict of interest is confirmed.

## 7. Preventive Measures

The lack of transparency of interactions between public officials and the TI is a growing concern, as there is no specific procedure for disclosing records of such interactions. While government authorities and MPs may publicize information about their meetings with the TI, there is no obligation to announce these meetings, and public access is limited. There is no explicit policy guiding public officials on standards for dealing with the TI, though the Ethical Code for public servants generally regulates business interactions.

## RECOMMENDATIONS

1. Implement a whole-of-government policy to limit TI participation in policy development, aligned with Article 5.3 of the WHO FCTC.
2. Ensure transparency of all interactions with the TI by requiring public disclosure of meetings, contributions, gifts, or support from tobacco-affiliated entities.
3. Strengthen conflict of interest prevention across all government sectors.
4. Create and institutionalize a national awareness program on Article 5.3 of the WHO FCTC.
5. Support independent monitoring mechanisms for TI interference, and deepen cooperation with civil society to strengthen public oversight.