

HANDBOOK

ON THE IMPLEMENTATION OF WHO FCTC

ARTICLE 5.3



POLICIES AND PRACTICES THAT PROTECT AGAINST TOBACCO INDUSTRY INTERFERENCE

EDITION | NOVEMBER 2025

Acknowledgment

This 2025 edition of the Handbook on Implementation of WHO FCTC Article 5.3: Policies and Practices that Protect Against Tobacco Industry Interference was prepared by Deborah K. Sy, Head of Global Policy and Strategy at the Global Center for Good Governance in Tobacco Control (GGTC). Research and editorial contributions for this edition were provided by Farah Niazi, who coordinated the research and supported the verification/ updates of various tables and general content; David de los Santos, who led the country table's legal analysis and verified/finalized general content; Alvin Escritor, who assisted in verifying the lobby tables; and Rajika Mahajan, who managed layout and design.

Alice Granger Gasser contributed to the international case studies and global institutional updates, while Dr. Mary Assunta Kolandai and Ms. Bungon Ritthiphakdee provided general directions and suggestions to this version.

This 2025 revision builds on the foundation established in earlier editions (2018–2021), which benefited from the contributions of Emmanuelle Béguinot (Comité National Contre le Tabagisme – CNCT), Dr. Prakit Vathesatogkit (ASH Thailand), Dr. Nuntavarn Vichit-Vadakan (Knowledge Hub for Article 5.3), and the previous GGTC editorial team.

Suggested Citation

Global Center for Good Governance in Tobacco Control (GGTC). (2025). Handbook on Country Practices in Preventing Tobacco Industry Interference. Bangkok: GGTC. Available at: <https://ggtc.world/knowledge/who-fctc-article-53-policy-instruments/handbook-on-implementation-of-who-fctc-article-53-policies-and-practices-that-protect-against-tobacco-industry-interference-2025>

About GGTC

GGTC collaborates with advocates, governments, and institutions around the world to tackle the single greatest obstacle in tobacco control implementation: tobacco industry interference. Its mission is to equip change-makers with cutting-edge strategies and tools to ensure that the health of millions of people around the globe does not suffer at the hands of the tobacco industry.

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I. OVERVIEW

A. What's new in this edition

This 2025 edition expands the Handbook with new documented government practices and institutional developments in the implementation of World Health Organization Framework Convention on Tobacco Control (WHO FCTC) Article 5.3. All additions reflect policies that have been formally adopted, or practices documented either in Party Reports or official websites.

Country-level updates

- Comparative review of administrative guidance models from Australia, Canada, and the United Kingdom (UK), highlighting differences in disclosure rules, scope of officials covered, interaction procedures, and accountability measures.
- A cross-sector case study of Finland's exclusion of the tobacco industry from Extended Producer Responsibility (EPR) under environmental law.
- Legislative model from Botswana, demonstrating full incorporation of Article 5.3 into national law.
- Civil enforcement enabled through state-funded civil society monitoring in France.
- Updated country practices table of Article 5.3 implementation in the past 5 years as reported in the FCTC reporting instrument and validated by national policies.
- Case studies are reorganized into implementation types (national law, regulation or government / administrative guidance, and practice or procedural rules).
- A new section on WHO and the FCTC Secretariat's efforts to raise awareness of tobacco industry interference.

Global-level updates

- Documentation of delinking UN Global Compact's from the tobacco-funded ECLT Foundation, reinforcing the expansion of Article 5.3 principles across UN partnership policy.
- Updates on Red Cross's efforts to reject funding from the tobacco industry.
- Reference to the UN system due-diligence framework which excludes tobacco industry partnerships and other efforts to raise awareness.

B. How to use this handbook

This Handbook is a reference of actual policies, laws, regulations, and institutional rules that have been adopted to implement WHO FCTC Article 5.3. It is intended for governments, legislators, legal drafters, civil society monitors, and technical agencies.

Use this handbook to:

- Identify real examples of Article 5.3 implementation that match your legal and political context.
- Compare policy options (law, regulation, internal guidelines, cross-sector mechanisms)
- Extract model elements such as penalties, disclosure rules, conflict-of-interest clauses, and enforcement pathways.
- Understand how countries have applied Article 5.3 beyond the health sector (e.g., plastics, ESG, trade, human rights).

Where to begin, depending on your context:

If you need to...	Go to...
Embed Article 5.3 in national law	Case studies – embedding 5.3 in legislation
Implement 5.3 through regulation or ministry rules	Case studies – regulatory models
Apply 5.3 without changing law (administrative action)	Case studies – government guidance models
Address industry interference outside health sector	Case studies – cross-sector applications
Compare multiple countries at a glance	Country practices table
Identify which Article 5.3 recommendations a country has adopted	Mapping table / annex

Relationship to other resources:

- This Handbook serves as a record of real government measures
- The Global Tobacco Industry Interference Index (GTI)¹ serves as a monitoring tool showing how countries perform

- The FCTC Article 5.3 Toolkit (Preventing Tobacco Industry Interference)² serves as an operational template for implementation and enforcement

C. Implementation pathway for governments starting from zero

Countries typically follow four stages when adopting protections against tobacco industry interference. The sequence can be political, legal, or administrative, but the stages are consistent across countries.

1. Government commitment

Public announcement, cabinet decision, or ministerial instruction recognizing the obligation to protect public policy from industry influence.

2. Procedural rules

Administrative guidance, circulars, or regulations establishing:

- Limits on interaction
- Mandatory documentation
- Conflict-of-interest rules
- Corporate Social Responsibility (CSR) and partnership bans

3. Legal or regulatory framework

Binding rules and obligations through legislation, regulation, or statutory instrument — including penalties for violation.

4. Enforcement mechanisms

Assignment of authority, complaint routes, sanctions, publication or reporting requirements, and civil or administrative liability.

Countries may enter this pathway at different stages depending on existing law. Examples for each stage appear in the Case Study section.

5.. Enforcement and accountability models in practice

Implementation of Article 5.3 is effective only when rules are paired with enforcement mechanisms. Examples from existing government practice show four enforcement types:

Enforcement Type	Example in Practice
Civil enforcement	France: State-funded Civil Society Organization, Comité National Contre le Tabagisme (CNCT), authorized to initiate legal action and trigger financial penalties.
Administrative sanctions	Thailand: Corporate Social Responsibility (CSR) and partnership violations trigger action under Ministry of Health regulatory authority.
Criminal penalties	Botswana: Violations of conflict-of-interest and partnership provisions subject to fine and imprisonment.
Public official accountability pathway	In the European Union, violations of rules restricting interaction with the tobacco industry may constitute an administrative breach, enabling complaints, investigation, and sanction against public officials.

Enforcement requires a designated authority, a defined violation, a penalty, and a complaint or monitoring channel. Without these mechanisms, legal recognition alone does not ensure accountability.

Table 1. Four policy approaches to implementing article 5.3

Governments have implemented Article 5.3 using four distinct models. These may operate independently or together.

Approach	Description	Examples
Legislation	Article 5.3 protections embedded in national law; binding across sectors	Uganda, Botswana
Regulation	Ministry-issued rules operationalizing 5.3 without amending primary law	Thailand, Kenya
Administrative / Government Guidance	Internal rules or circulars instructing or informing officials; no legislative reform required (may be ministry-issued or issued by a higher body e.g., independent constitutional body)	United Kingdom, Canada, Australia Philippines
Practice (e.g., on Cross-Sector Application)	Article 5.3 principles applied outside the health sector (e.g., environment)	Finland

II. IMPLEMENTING ARTICLE 5.3 IN NATIONAL POLICY AND PRACTICE

A. Good practices at country level

Reports of tobacco industry tactics to undermine tobacco control policies have progressively increased since the public health community agreed to implement the life-saving measures outlined in the WHO FCTC. The treaty itself, particularly Article 5.3, anticipated the tobacco industry's strategies: In setting and implementing their public health policies with respect to tobaccocontrol, Parties shall act to protect these policies from commercial and other vested interests of the tobacco industry in accordance with national law. With this provision, a number of countries started taking measures to prevent tobacco industry interference... mostly in the form of general principles embodied in legislation.

After the Article 5.3 Guidelines were adopted in 2008, Parties were provided with the much-needed guidance to articulate the measures needed to protect health policies from tobacco industry interference. Article 5.3 covered various means of protecting policies such as requiring transparency from the tobacco industry, rejecting partnerships, de-normalizing so-called corporate social responsibility (CSR) activities, raising awareness of tobacco industry tactics, strengthening code of conduct (avoiding conflicts, limiting interactions, rejecting partnerships), and refusing any preferential treatment for the tobacco industry.

With the recommendations provided by the Guidelines, Parties to the WHO FCTC have since adopted more sophisticated measures to prevent tobacco industry interference.

The eight (8) recommendations to address tobacco industry interference under the Guidelines for the Implementation of Article 5.3 are summarized below and used to categorize the types of activities undertaken by FCTC Parties:

- I. Raise awareness about the addictive and harmful nature of tobacco products and about tobacco industry interference with Parties' tobacco control policies.

2. Establish measures to limit interactions with the tobacco industry and ensure the transparency of those interactions that occur.
3. Reject partnerships and non-binding or non-enforceable agreements with the tobacco industry.
4. Avoid conflicts of interest for government officials and employees.
5. Require that information provided by the tobacco industry be transparent and accountable.
6. De-normalize and, to the extent possible, regulate activities described as “socially responsible” by the tobacco industry, including but not limited to activities described as “corporate social responsibility.”
7. Do not give preferential treatment to the tobacco industry.
8. Treat state-owned tobacco industry in the same way as any other tobacco industry.

The practices on the implementation of Article 5.3 are collected from publicly available reports, such as:

1. Reports of Parties submitted to WHO FCTC from 2007 to 2025 as required under Article 21.1 of the Convention.³
2. Tobacco control and other laws from government websites as well as from Tobacco Control Laws Database

The Global Tobacco Interference Index 2021 to 2025 was utilized to verify information and fill gaps.

Table 2. Good Practices at Country Level on the Implementation of Article 5.3

Country	Law/ Policy / Sources	Details	Recommendations
Australia ⁴	Guidance for public officials on interacting with the tobacco industry (2019)	The government applies Article 5.3 to Members of Parliament, their staff, and public officials, covering tobacco and nicotine products. Officials must declare any personal or family ties to the industry, avoid interactions that create the appearance of partnership, and document all meetings. CSR engagement, partnerships, and voluntary agreements are prohibited, while internal recording ensures accountability, though mandatory public disclosure and statutory penalties are not required. ⁵	(2) Limit interactions and ensure transparency of interactions that occur; (4) Avoid conflicts of interest; (5) Require information to be transparent and accountable; (6) De-normalize and regulate its so-called CSR

	<p>Ministry of Health Decision No. (3) of 2011 Regarding the Controls for Advertising and Promotion of Tobacco and Tobacco Products</p>	<p>The government prohibits contributions to any event, activity, or individual or collective action aimed at promoting tobacco products or their use.⁶</p>	<p>(6) De-normalize and regulate its so-called CSR</p>
Bolivia	Interinstitutional Technical Commission adopted Supreme Decree No. 4972 of Luis Alberto Arce Catacora (2023)	<p>The decree excludes the participation of groups associated with the tobacco industry from ordinary/extraordinary meetings of the Interinstitutional Technical Commission.⁷</p>	<p>(2) Limit interactions and ensure transparency of interactions that occur</p>
Bosnia and Herzegovina	The Law on the Control and Restricted Use of Tobacco, Tobacco Products, and Other Smoking Products (2022)	<p>The Government of the Federation and other bodies and institutions of state administration limit their relations with the tobacco industry to matters absolutely necessary in the effective regulation of the industry and its products.⁸</p> <p>The government prohibits a public official or public employee to request or accept any gift, service, or benefit from a tobacco manufacturer or any person acting on behalf of the tobacco manufacturer.⁹</p> <p>The government is prohibited from providing support or privilege to a person or company engaged in any phase of the import or sale of tobacco products and other smoking products.¹⁰</p>	<p>(2) Limit interactions and ensure transparency of interactions that occur</p> <p>(4) Avoids conflicts of interest</p> <p>(7) Do not give preferential treatment</p> <p>(8) Treat state-owned tobacco industry in the same way as any other tobacco industry</p>
Botswana ¹²	Tobacco Control Act (2021)	<p>The country's tobacco control law requires meetings between tobacco companies and government officials to be held in public. The minutes of such meetings must be recorded and made available to the public.¹³</p> <p>The law requires the disclosure or registration of tobacco industry entities, affiliated organizations, and individuals acting on their behalf, including lobbyists.¹⁴</p>	<p>(2) Limit interactions and ensure transparency of interactions that occur</p> <p>(4) Avoid conflicts of interest for government officials and employees.</p>

		<p>The law prohibits contributions from the tobacco industry or any associated entity working to further its interests to political parties, candidates, or campaigns. The Act requires disclosure of all contributions made to them by any person, including tobacco industry entities.¹⁵</p> <p>The law prohibits partnerships, endorsements, solicitations, and voluntary contributions from the tobacco industry.¹⁶</p>	(5) Require information to be transparent and accountable (6) De-normalize and regulate its so-called CSR
Brunei Darussalam	<p>Prime Minister's Department Circular No.: 8/2019</p> <p>State of Brunei Darussalam</p> <p>Restraint on Involvement with Tobacco Industry and Smoking Ban on Government Premises</p>	<p>Any interactions with the tobacco industry in cases where such interactions are strictly for regulation must be conducted in a transparent manner.¹⁷</p> <p>The government does not accept, support, or endorse any offer for assistance by or in collaboration with the tobacco industry or any entity or person working to further its interest in setting or implementing public health policies in relation to tobacco control.¹⁸</p>	(2) Limit interactions and ensure transparency of interactions that occur (3) Reject partnerships and non-binding or non-enforceable agreements with the tobacco industry; (6) De-normalize and regulate its so-called CSR
Burkina Faso	Law N°080-2015/CNT Concerning the Regulation of Advertising in Burkina Faso	The government prohibits any sponsorship or patronage by the tobacco industry. ¹⁹	(6) De-normalize and regulate its so-called CSR
Cabo Verde	Law No. 8/X/2022	<p>The actions of CICQ members must be guided by Article 5(3) of the FCTC, intended to prevent interference from the tobacco industry in tobacco control policies.²⁰</p> <p>The government requires CICQ members to submit a declaration of no conflict of interest upon appointment.²¹</p> <p>The government prohibits the direct or indirect sponsorship of any social responsibility activity as well as sponsorship of information campaigns by the tobacco industry.²²</p>	(1) Raise Awareness (4) Avoid conflicts of interest (6) De-normalize and regulate its so-called CSR
Cambodia	Circular on Implementation of “Tobacco-Free Sports” (2023)	<p>A circular from the Ministry of Education, Youth and Sport prohibits partnering with or offering any venue to companies associated with tobacco, electronic cigarettes or heated tobacco products (HTPs) for any event.²³</p> <p>The Ministry of Education, Youth and Sport does not allow partnership and sponsorship from tobacco, e-cigarette,</p>	(3) Reject partnerships and non-binding agreements (6) De-normalize and regulate its so-called CSR

		or HTP companies for any event regardless of the form and purpose. ²⁴	
Canada ²⁵	Interacting with the tobacco industry - Guidance for Federal Public Service Representatives and Employees (2025)	Officials must complete conflict-of-interest forms, verify industry connections, and follow a two-official rule for meetings. Attendance at industry-sponsored events is prohibited, and meetings are conducted in a “listen-only” stance. Public summaries of interactions are published with standardized fields, and partnerships, contributions, and CSR activities are disallowed to prevent industry influence. ²⁶	(2) Limit interactions and ensure transparency of interactions that occur; (4) Avoid conflicts of interest
Chad	Decret N° 1523 / PR/ MSP / 2019	The government obligates, for any meeting, to communicate the agenda and the contact details of the participants. ²⁷	(2) Limit interactions and ensure transparency of interactions that occur
		The government prohibits tobacco industry involvement in policymaking. ²⁸	(3) Reject partnerships and non-binding agreements
		The government prescribes standards to be followed in their interactions with the tobacco industry. ²⁹	(4) Avoid conflicts of interest
		The government prohibits granting any preferential treatment to the tobacco industry. ³⁰	(7) Do not give preferential treatment
Congo	Order No. 1250/CAB/MIN/SPHP/041/ DCA/PNLCT/2022 banning the advertising, promotion and sponsorship of tobacco, tobacco products and derived products and smoking in public places	The government prohibits any interference by the tobacco industry in the implementation of public health policies for tobacco control. ³¹	(1) Raise awareness
	Decree No. 2018-218 Implementing the Ban on Advertising and Promotion of Tobacco and Its Derived Products and Sale to Minors and By Minors	The government adopted a comprehensive ban on the advertising, promotion, and sponsorship of tobacco and its derived products, including activities described as social responsibility or charity. ³²	(6) De-normalize and regulate its so-called CSR
Cook Islands	Tobacco Products Control Amendment Act 2024	The amendment to the tobacco control law provides that an importer or manufacturer of tobacco products must not offer or make a contribution of any nature to any event, activity, cause or person. ³³	(6) De-normalize and regulate its so-called CSR
		The decree establishes a monitoring and traceability system for tobacco products	(3) Reject partnerships and

Côte d'Ivoire	Décret n° 2022-76 du 26 janvier 2022	that cannot be delegated to the tobacco industry or any entity with related interests. ³⁴	non-binding agreements
		The law prohibits all forms of advertising, promotion, and sponsorship of tobacco and its products, including any activity of any kind sponsored or underwritten by the tobacco industry or its branches. ³⁵	(6) De-normalize and regulate its so-called CSR
		The guidance limits meetings to what is necessary for public officials or agencies to enact effective tobacco control measures. Further, it lists actions that public officials must take when interacting with the tobacco industry. ³⁶	(2) Limit interactions and ensure transparency of interactions that occur
		The guidance prohibits partnerships of any kind with the tobacco industry. Further, it lists examples of partnerships that public officials must reject. ³⁷	(3) Reject partnerships and non-binding agreements
		The guidance prohibits any public official in public health from having a commercial or vested interest in the tobacco industry. ³⁸	(4) Avoid conflicts of interest
		The guidance recommends communications with tobacco industry and its representatives regarding policy issues should be publicly available, such as through a public registry. ³⁹	(5) Require information to be transparent and accountable
Estonia	Tobacco Act (RT I 2005, 29, 210) (as amended through December 16, 2020)	The law requires manufacturers and importers of tobacco products to submit electronic reports to the Health Board before marketing new or modified products, and mandates the publication of this information online while respecting the protection of business secrets. ⁴¹	(5) Require information to be transparent and accountable
	The Alcohol, Tobacco, Fuel and Electricity Excise Duty Act (2008)	The law allocates a portion of tobacco excise revenue to public health and cultural funds, with no exemptions granted to the tobacco industry. ⁴²	(7) Do not give preferential treatment
Eswatini	The Tobacco Control Products Act, 2013 (Act No. I6 of 2013)	The law requires board members to disclose any interest in matters under consideration and disqualifies them from participating in related deliberations, while also prohibiting offering gifts or incentives to promote tobacco products and banning all forms of sponsorship or promotional activities. ⁴³	(4) Avoid conflicts of interest

Ethiopia	Tobacco Control Directive Number 771/2021	The law prohibits the tobacco industry from making any financial or material contribution related to corporate social responsibility or providing support or expertise for any event, meeting, training, or similar activity. ⁴⁴	(6) De-normalize and regulate its so-called CSR
	Food and Medicine Administration Proclamation No.1112/2019	The proclamation prohibits financial or in-kind contributions from the tobacco industry to political parties, candidates, or campaigns, and bars government officials involved in public health policy from engaging in any tobacco-related business or consultancy. ⁴⁵	(4) Avoid conflicts of interest
		The proclamation requires full transparency and proper documentation of any interaction initiated by the tobacco industry with government officials. ⁴⁶	(5) Require information to be transparent and accountable
Finland	1096/2022 Act Amending the Waste Act	This special amendment of the law assigns all responsibilities for tobacco waste collection and public information to municipalities, limits producers' role to financing only, and entrusts cost decisions to an independent authority. ⁴⁷	(3) Reject partnerships and non-binding agreements; (6) De-normalize and regulate its so-called CSR
France ⁴⁸	Public Health Code, Livre V, Article L3512-7	The law requires public disclosure of all expenses related to influence or interest representation activities by tobacco manufacturers and distributors. ⁴⁹	(5) Require information to be transparent and accountable
	Order n° 2016-623 of May 19, 2016, concerning transposition of Directive 2014/40/UE on the manufacture, display and sale of tobacco products and related products	The law prohibits any sponsorship or underwriting by tobacco manufacturers, importers, or distributors, as well as any activity that directly or indirectly promotes tobacco or vaping products. ⁵⁰	(6) De-normalize and regulate its so-called CSR
Ghana	Excise Duty (Amendment) Bill (2022)	The bill revises excise tax rates for cigarettes and other tobacco products to align with ECOWAS Protocols and introduces new excise taxes on sweetened beverages. It set excise rates at 50 percent of the ex-factory price plus specific, also taxing electronic cigarettes for the first time. ⁵¹	(7) Do not give preferential treatment
	Public Health Act 2012	The law prohibits any form of tobacco sponsorship, including organizing, promoting, or financially supporting activities or individuals, and establishes penalties for violations. ⁵²	(6) De-normalize and regulate its so-called CSR
India	Code Of Conduct For Public Officials In Compliance To Article 5.3 of WHO FCTC (2020)	The code of conduct prevents industry interaction with members and departments within the Ministry's jurisdiction. ⁵³	(4) Avoid conflicts of interest

Kyrgyzstan	<p>No. 121 of September 15, 2021 – On the Protection of the Health of the Citizens of the Kyrgyz Republic</p> <p>from the Effects of Tobacco and Nicotine Consumption and from Exposure to Ambient Tobacco Smoke and Aerosol</p>	The law prohibits representatives of tobacco organizations and their affiliates from participating in any government committees or advisory groups involved in forming or implementing policies related to tobacco regulation. ⁵⁴	(2) Limit interactions and ensure transparency of interactions that occur
		The government is prohibited from establishing partnerships or providing any form of preferential treatment or subsidies to tobacco organizations in order to protect public health policies from industry influence. ⁵⁵	(3) Reject partnerships and non-binding agreements; (7) Do not give preferential treatment
		The law prohibits tobacco organizations and their affiliates from publicly disclosing information or expenses related to corporate social responsibility activities, except when required under tax legislation. ⁵⁶	(6) De-normalize and regulate its so-called CSR
Laos	<p>Tobacco Control Law (Amended) (2021)</p>	The law prohibits civil servants and state officials from engaging in the tobacco industry except when required by law for transparency and accountability, and from allowing tobacco company representatives to record meetings or interactions for commercial purposes. ⁵⁷	(2) Limit interactions and ensure transparency of interactions that occur
		The law prohibits the recruitment of representatives of tobacco companies or business operators as members or consultants of the Tobacco Control Committee. ⁵⁸	(4) Avoid conflicts of interest
		The law prohibits directly or indirectly accepting any form of sponsorship or support from tobacco companies or business operators, including financial aid, grants, gifts, hospitality, or other material benefits. ⁵⁹	(6) De-normalize and regulate its so-called CSR
Malaysia	Act 852 – Control of Smoking Products For Public Health Act 2024	The law prohibits all forms of promotion, sponsorship, and advertising of tobacco or substitute tobacco products, including indirect or stealth marketing and any arrangements involving gifts, prizes, rewards, scholarships, or promotional offers that encourage purchase or use. ⁶⁰	(6) De-normalize and regulate its so-called CSR
Maldives	Act No.: 15/2010 (Tobacco Control Act)	The law requires relevant ministries to organize and conduct programs to create awareness. ⁶¹	(1) Raise awareness
	Act No. 6/2025, Second Amendment to Act No. 15/2010 (Tobacco Control Act)	The amendment banned the sale, purchase, and use of tobacco products for individuals born on or after January 1, 2007. ⁶²	(1) Raise awareness
Mauritius	Public Health (Restrictions on Tobacco Products) Regulations 2022	The law prohibits offering, providing, or facilitating any scholarship or sponsorship from tobacco	(6) De-normalize and regulate its so-called CSR

		manufacturers, including contributions made under corporate social responsibility or similar activities that directly or indirectly promote tobacco use. ⁶³	
Mexico	DECREE amending, adding, and repealing various provisions of the Regulation of the General Law for Tobacco Control, 2022	The amendment prohibits public institutions and public servants from the participation, association, or acceptance of corporate social responsibility activities, such as contributions or donations in any form, including support for agricultural, educational, political, social, financial, community, environmental, health, welfare, or development activities. ⁶⁴	(6) De-normalize and regulate its so-called CSR
Netherlands	Code of Conduct on Integrity for BZ (Gedragscode Integriteit Rijk)	The law prohibits any person or entity involved in tobacco control policy or its implementation from soliciting or accepting contributions from the tobacco industry. ⁶⁵	(4) Avoid conflicts of interest
	Decree of 17 June 2021, laying down rules on designated single-use plastic products, products made of oxo-degradable plastics and fishing gear containing plastic, and amending the Packaging Management Decree 2014 (Decree on Single-Use Plastic Products)	The law requires tobacco manufacturers producing plastic-containing filters to bear the costs of government measures and public waste collection systems aimed at reducing litter from these products. ⁶⁶	(6) De-normalize and regulate its so-called CSR
	Regulation of the State Secretary for Infrastructure and Water Management, dated 29 March 2022, No. IENW/BSK-2022/50452, containing rules on designated single-use plastic products (Regulation on single-use plastic products)	The law requires producers and importers of plastic products, including tobacco filters, to pay contributions covering waste management costs to a minister-designated organization, which allocates and manages the funds for compensation and related environmental measures. ⁶⁷	
New Zealand	Ministry of Health (MoH) procurement paperwork released under the OIA	The paperwork has standard clauses that state that a disclosed conflict does not necessarily exclude a respondent if it can be managed, but failure to disclose may lead to exclusion from the process. ⁶⁸	(4) Avoid conflicts of interest
Nigeria	National Film and Video Censors Board Regulations, 2024	The law requires producers or directors of films or music videos to ensure that their works do not include unnecessary smoking scenes, allowing depictions of tobacco use only when justified by historical accuracy, educational purpose,	(6) De-normalize and regulate its so-called CSR

		or to portray negative lifestyles. ⁶⁹ It also mandates producers or directors of firms to disclose to the Board any financial, social, or other relationships with the tobacco or nicotine industry. ⁷⁰	
	National Tobacco Control Regulations, 2019	The law mandates public authorities to adopt mechanisms to raise awareness within its mandate about the interference and vested interests of the tobacco industry. ⁷¹	(1) Raise Awareness
		The law restricts the involvement of tobacco industry in the development of tobacco control policies and laws except in public forums. The tobacco control law also provides that these interactions must be done in a transparent manner. ⁷²	(2) Limit Interactions and ensure transparency of interactions that occur
	National Tobacco Control Act, 2015	The law prohibits any person employed by the tobacco industry to be a member of any government body, committee or advisory group. ⁷³	(4) Avoid conflicts of interest
Peru	Law No. 32159, Law on the Consumption Control of Tobacco and Nicotine Products, or their Substitutes, for the Protection of Life and Health	The law requires all interactions between authorities and the tobacco or nicotine industry to be public and transparent under the Code of Ethics of Public Service and prohibits industry intervention in the development or implementation of tobacco, nicotine, or substitute control policies, standards, and measures. ⁷⁵	(2) Limit interactions and ensure transparency of interactions that occur; (3) Reject Partnerships and non-binding agreements
Philippines ⁷⁶	CSC-DOH JMC 2010-01: Protection of the Bureaucracy against Tobacco Industry Interference, 2010 ⁷⁷	The joint memorandum, followed by supplementary memoranda and sector-wide policies, to protect government officials from tobacco industry interference. It prohibits interactions except when strictly necessary for regulation, bans gifts, donations, partnerships, and sponsorships, and mandates reporting, monitoring, and conflict-of-interest procedures. Over 70 national and local agencies, including Department of Education (DepEd), Department of Foreign Affairs (DFA), Department of Environment and Natural Resources (DENR), Department of the Interior and Local Government (DILG), and Commission on Higher Education (CHED), have implemented these rules, creating a whole-of-government firewall, though uneven application across	(2) Limit interactions and ensure transparency of interactions that occur; (3) Reject Partnerships and non-binding agreements; (4) Avoid conflicts of interest; (6) De-normalize and regulate its so-called CSR
	DOH Department Memorandum No. 2010-0126, Protection of the Department of Health, including all of its Agencies, Regional Offices, Bureaus or Specialized/ Attached Offices/ Units,		

	against Tobacco Industry Interference ⁷⁸	sectors highlights ongoing compliance challenges.	
	Department Memorandum No 2020-0246 Interim Guidelines on Tobacco Control in light of the COVID-19 Pandemic ⁷⁹		
Seychelles	Seychelles Strategy for the Prevention and Control of Non-communicable Diseases, 2016-2025 (2016)	The strategy report aims to protect tobacco control policies from commercial and vested interests of the tobacco industry, in line with Article 5.3 of the WHO FCTC, as part of broader efforts to reduce modifiable risk factors for non-communicable diseases. ⁸⁰	(1) Raise Awareness
Sierra Leone	The Tobacco and Nicotine Control Act 2022	The law prohibits any person, body, or entity involved in tobacco control policy from interacting with the tobacco industry, except when strictly necessary for the regulation of tobacco or nicotine products, and requires such interactions to be transparent. ⁸¹	(2) Limit interactions and ensure transparency of interactions that occur
Thailand ⁸²	2022–2027 National Tobacco Control Action Plan ⁸³	The country treats its state-owned tobacco enterprise like any industry actor, banning contributions, CSR, and industry ties for officials and experts. Annual reporting, conflict-of-interest rules, and the 2022–2027 National Tobacco Control Action Plan embed whole-of-government safeguards, including in trade and investment decisions, to prevent industry interference.	(2) Limit interactions and ensure transparency of interactions that occur; (4) Avoid conflicts of interest; (6) De-normalize and regulate its so-called CSR; (8) Treat state-owned tobacco industry in the same way as any other tobacco industry
Togo	Administrative Order No. 107/MS/CAB/SG Setting the terms for the implementation of Article 28 of Law No. 2010-017 of December 31, 2010, concerning conflicts of interest between the objectives of public health and the commercial interests of tobacco companies	The order requires public officials interacting with the tobacco industry or its representatives to act with full transparency and take responsibility for protecting the public from the harmful effects of tobacco use. ⁸⁴	(2) Limit interactions and ensure transparency of interactions that occur
	Decree No. 2012-072 Concerning the Prohibition of Advertising, Promotion and	The order prohibits members of the National Committee for Tobacco Control from having any direct or indirect ties or interests with the tobacco industry or any entity involved in manufacturing, importing, supplying, or distributing tobacco products. ⁸⁵	(4) Avoid conflicts of interest
		The law prohibits the tobacco industry from engaging in any form of sponsorship or support, including financial or other contributions to	(6) De-normalize and regulate its so-called CSR

	Sponsorship of Tobacco and its Derivative Products in Togo	events, activities, operators, or programs, whether or not publicity is involved. ⁸⁶	
Ukraine	National Agency on Corruption Prevention (NACP) added Philip Morris International and Japan Tobacco International to the list of international war sponsors (2023) ⁸⁷	The government declaration, supported by Ukraine's NACP, lists leading tobacco companies, including Japan Tobacco International (JTI) and Philip Morris International, as international sponsors of war due to their substantial investments and revenue generation in the country. ⁸⁸	(1) Raise Awareness
	Law No. 1978-IX of 2021 On Amendments to Certain Laws of Ukraine on Public Health Protection from Harmful Effects of Tobacco	The amended law also prohibits any financial or other support to events, activities, individuals, or groups for HTP manufacturers. ⁸⁹	(6) De-normalize and regulate its so-called CSR
United Kingdom of Great Britain and Northern Ireland ⁹⁰	Guidance for government engagement with the tobacco industry (last updated 2025)	The government applies Article 5.3 in all ministries, agencies, and local authorities, and broadly defines the tobacco industry to cover proxies. Officials must screen interactions, avoid industry-organized events, ensure transparency through publication, and de-normalize industry CSR. ⁹¹	(2) Limit interactions and ensure transparency of interactions that occur; (4) Avoid conflicts of interest; (5) Require information to be transparent and accountable; (6) De-normalize and regulate its so-called CSR
Vietnam	Circular No. 11/2023/TT-BYT	The issuance established the non-reception of funds from tobacco industry and salers as a criterion for a Tobacco-Free Award. ⁹²	(6) De-normalize and regulated its so-called CSR

Box 1: Joint Nordic Guidance for Public Officials on Interacting with the Tobacco Industry: Denmark, Iceland, and Norway

This joint Nordic guidance sets out practical measures for public officials that correspond to the WHO FCTC Article 5.3 recommendations, including measures to raise awareness of tobacco industry interference, limit interactions and ensure the transparency of any interactions that occur, reject partnerships and non-binding agreements, avoid conflicts of interest, require information provided by the tobacco industry to be transparent and accountable, denormalise and regulate its so-called CSR activities, and do not give preferential treatment to the tobacco industry.

Key Features include:

- A. Requires government officials to be aware of Article 5.3, especially when interacting with the tobacco industry.⁹³
- B. Limits meetings to what is necessary for public officials or agencies to enact effective tobacco control measures. Further, it lists actions that public officials must take when interacting with the tobacco industry.⁹⁴
- C. Prohibits partnerships of any kind with the tobacco industry. Further, it lists examples of partnerships that public officials must reject.⁹⁵
- D. Prohibits any public official in public health from having a commercial or vested interest in the tobacco industry.⁹⁶
- E. Recommends communications with tobacco industry and its representatives regarding policy issues should be publicly available, such as through a public registry.⁹⁷
- F. Defines corporate social responsibility activities and reiterates its prohibition under the general TAPS ban.⁹⁸
- G. Recommends avoiding preferential treatment to tobacco industry and lists examples of such treatment.⁹⁹

Countries that maintain a register of lobbyists

Some Parties maintain official registers of lobbyists, although these are not always reflected in their national reports under the WHO FCTC. In several cases, even where such registers exist, tobacco companies or their known affiliates are not explicitly listed. This suggests that the industry may exert influence through intermediaries—such as law firms, consultancies, or front groups—thereby obscuring its involvement and undermining the transparency objectives of these systems.

Under Article 5.3 of the WHO FCTC, the tobacco industry is required to act transparently and be held accountable for its interactions with government. Transparency is particularly critical when the industry attempts to submit policy drafts or position papers, as Article 5.3 Guidelines stipulate that governments should not receive or rely on materials prepared or sponsored by the tobacco industry and should exclude it from participation in public health policymaking. The burden of disclosure should rest on the tobacco industry—not on governments—to proactively report its lobbying activities, affiliations, and expenditures.

Some lobbying registers require registrants to specify the topics or policy areas on which they lobby—such as tobacco control, vaping regulation, or related products (e.g., the European Union Transparency Register)—thereby helping to capture third parties representing or acting on behalf of the tobacco industry. However,

many Parties continue to face challenges in identifying front groups or intermediaries linked to the tobacco industry, compounded by the limited availability of national disclosure systems.

In response, the decision adopted at COP8 to establish a global database of tobacco industry submissions serves as an important complementary measure.¹⁰⁰ This database requires identifying or defining tobacco industry actors to make their activities and affiliations more transparent across jurisdictions. In that spirit, a list of known tobacco industry actors and those furthering its interests, developed by the Global Center for Good Governance in Tobacco Control (GGTC) in collaboration with the Knowledge Hub for Art 5.3, has been made publicly available to assist Parties in recognizing entities that may be acting on the industry's behalf.

Given that few countries maintain comprehensive lobbying registers—and that such mechanisms can be resource-intensive—Parties should consider adopting specific rules applicable to the tobacco industry to ensure transparency and accountability. These may include mandatory reporting of lobbying expenditures (as in France), disclosure of affiliated entities, and declaration of interactions with public officials.

Table 3. Countries that maintain a register of lobbyists

Australia	Australian Government Register of Lobbyists, Attorney-General's Department, Australian Government ¹⁰¹
Canada	Registry of Lobbyists, Office of the Commissioner of Lobbying of Canada ¹⁰²
European Union	European Union Transparency Register ¹⁰³
France	Lobbying Directory, High Authority for the Transparency of Public Life, France ¹⁰⁴
Ireland	Ireland Register of Lobbyists ¹⁰⁵
United Kingdom	UK Lobbying Register ¹⁰⁶
Belgium	Chamber of Representatives (federal) Lobby Register ¹⁰⁷
Finland	Finnish Transparency Register ¹⁰⁸
Germany	German Federal Lobby Register ¹⁰⁹
Italy	Register of interest representatives ¹¹⁰
Peru*	Online Visitor Registration ¹¹¹
Poland	Register of entities performing professional lobbying ¹¹²
Mexico*	Lobby Registry ¹¹³
Netherlands*	Lobbyists ¹¹⁴

Slovenia*	Commission for the Prevention of Corruption (KPK) Lobbyist Register ¹¹⁵
United States of America	United States Lobbying Disclosure ¹¹⁶

*Note: *public lobbying/interest register exists, but no entries for tobacco companies or identified affiliates were found*

B. Case studies

I. Embedding Article 5.3 into national law: Uganda and Botswana

Article 5.3 of the WHO Framework Convention on Tobacco Control (FCTC) requires Parties to protect public health policy from the commercial and vested interests of the tobacco industry.¹¹⁷ In certain jurisdictions, this treaty obligation is most appropriately implemented through incorporation into national legislation to ensure its full force and effect. While such legislative incorporation may not be necessary in all legal systems, codifying the principles and recommendations of the FCTC Article 5.3 Guidelines can provide a stronger legal foundation for preventing tobacco industry interference.

Uganda

Uganda is the first country known to have embedded the full scope of WHO FCTC Article 5.3 directly into primary legislation — the Tobacco Control Act, 2015¹¹⁸ — adopted by Parliament and enforceable across all branches of government. Because the protections are written into national law rather than delegated regulations, Uganda is highlighted here as a leading example of statutory implementation of Article 5.3.

Uganda's government has developed measures to embed the letter and spirit of WHO FCTC Article 5.3 in its national legislation and policy process. On 28 July 2015, its Parliament passed a comprehensive, WHO FCTC-compliant tobacco control law, with a whole section covering Recommendations 2-4, 7 of the Article 5.3 Guidelines.¹¹⁹

The law contains provisions banning all forms of tobacco sponsorships and requiring submission by a tobacco manufacturer, distributor, supplier or importer of detailed information on a periodic basis or upon request.¹²⁰ Failure to comply with the law leads to a fine and imprisonment not exceeding six (6) months.¹²¹ The law has an extensive annex (20 items) elaborating on the information to be provided by the tobacco industry (see Sixth Schedule),¹²² and regulations will be developed to make the information available and accessible to the public.

Any person providing partnerships and endorsements of the tobacco industry, receiving voluntary contributions from it, and giving incentives or privileges, is considered to have committed an offense and is liable to cancellation of partnership or endorsement or memorandum of understanding, forfeiture of the contribution made, and revocation on any benefit, incentive, privilege or preferential tax exemptions.¹²³ For violating the conflict-of-interest provisions, a private or public person may suffer a penalty that includes a fine and imprisonment of up to five (5) years. In addition, the person can be accountable for compensation for losses suffered by the government or public body through a civil law procedure.¹²⁴

Conflict of interest (COI)

Conflict of interest provisions apply to anyone who contributes to or may contribute to the development of “public health policies on tobacco control.” Conflicts arise where one deals with a matter where he has interest and is in a position to influence the matter directly or indirectly; the service he offers to another is in conflict with his duties due to his official position; and, he solicits or receives a bribe for his actions.¹²⁵ In addition to requirement of disclosure of former tobacco industry work, there is a two (2) years gap before assigning one who has worked in the tobacco industry to contribute to policy development. Also, one is allowed to take up tobacco industry occupation only two (2) years after leaving public service, and a confidentiality clause shall apply to the said person.¹²⁶ In Kenya, cooling off period is 3 years.¹²⁷

The MOH harnessed support of civil society groups and identified civil society allies to the national committee. Civil society groups established a tobacco industry monitoring team, provided effort into drafting to ensure the provisions will be enforced, and provided support to ensure that Article 5.3 provisions are included in the first working draft and are maintained in the bill at every stage.¹²⁸

The tobacco industry challenged¹²⁹ four (4) of the aforementioned provisions pertaining to Article 5.3 and sought a preliminary injunction. (See Annex)

Botswana

Botswana adopted the Tobacco Control Act, 2021, which incorporates protections against tobacco industry interference directly into primary legislation through a dedicated section entitled “*Protection of tobacco control policies from commercial and other interests of the tobacco industry.*”¹³⁰ These provisions apply to all public bodies at every level of government, not only the Ministry of Health, and are legally enforceable nationwide.

The Act prohibits government agencies, officials, and public institutions from entering into partnerships, voluntary agreements, corporate social responsibility arrangements, or similar forms of collaboration with the tobacco industry, including informal or non-binding arrangements that could serve as channels of influence.¹³¹ Unlike Uganda's law, which focuses on prohibiting the *acceptance* of industry contributions,¹³² Botswana's Act makes it unlawful both for the industry to offer or make voluntary contributions¹³³ and for public bodies to solicit or accept them.¹³⁴

A further distinction is the Act's explicit prohibition on granting the tobacco industry any incentive or privilege, specifying types of state assistance that are banned, such as subsidies, investment incentives, tax reductions, loans, and research and development grants.¹³⁵ Botswana also includes a statutory ban on political donations, forbidding the tobacco industry from providing financial or in-kind support to political parties, candidates, or campaigns, and prohibiting political actors from accepting such support.¹³⁶ This places Botswana among the few countries that have operationalized Recommendation 4 of the Article 5.3 Guidelines by elaborating on common forms of benefits enjoyed by the tobacco industry.

Any interaction with the tobacco industry that is considered strictly necessary for regulatory purposes must follow procedural safeguards, including advance written notice, a documented agenda, minutes, and retention of records that are accessible to the public, subject only to legally defined exceptions related to issues such as ongoing investigations.

The Act assigns high-value penalties for violations of these provisions. A first offence may result in a fine of up to P1,000,000 (approximately USD 73,000) and imprisonment for up to five years, while a repeat offence may incur a fine of up to P 2,000,000 (approximately USD 146,000) and imprisonment for up to ten years.¹³⁷ These penalties apply directly to breaches of the prohibitions on partnerships, contributions, incentives, and political donations, giving Botswana one of the strongest sanction frameworks for enforcing Article 5.3 in national legislation.

Botswana – Core Article 5.3 Safeguards in Law (Tobacco Control Act, 2021)

(All provisions appear in primary legislation, not regulations)

Protection	How It Appears in the Law	Why It Matters
Ban on political donations	Tobacco industry prohibited from contributing to political parties, candidates, or campaigns; political actors prohibited from accepting	Prevents political capture and institutionalized influence
Ban on incentives / state benefits	Law lists prohibited forms of support: subsidies, investment incentives, tax reductions, loans, R&D grants	Closes government–industry financial dependency channels
Ban on industry contributions (both directions)	Illegal for the industry to offer or make contributions and for public bodies to solicit or accept them	Stronger than models that ban only acceptance (e.g., Uganda)
Mandatory transparency for necessary interactions	Any permitted contact must have advance notice, agenda, written records, minutes, and public access (with limited exceptions)	Prevents informal or off-record access to policymakers
High-value penalties	First offence: P 1,000,000 (≈ USD 73,000) + up to 5 yrs imprisonment; repeat offence: P 2,000,000 (≈ USD 146,000) ↓ to 10 yrs	One of the highest statutory penalty structures for 5.3 violations globally

Box 2: Implementing Article 5.3 through tobacco control regulations: Kenya

Kenya has adopted similar Article 5.3 measures through the Tobacco Control Regulations, 2014,¹³⁸ which function as implementing rules under the Tobacco Control Act, 2007.¹³⁹ These regulations were issued under Section 53 of the Act,¹⁴⁰ which grants the Cabinet Secretary for Health the authority to make regulations for the implementation of the law.

Although these measures are subordinate to the Act rather than enacted by Parliament, they provide procedural safeguards that are not specified in Uganda's statute and may be useful for countries drafting implementing rules, subnational measures, or administrative protocols.

Key features include:

A. Prohibition on partnerships and voluntary agreements with the tobacco industry, plus a requirement that any permitted interaction be recorded in writing and attended by at least two public officials.¹⁴¹

B. Exclusion of tobacco industry representatives from government committees and treaty delegations — a safeguard not written into Uganda's Act, but increasingly relevant in light of strategic attempts by the tobacco industry to influence COP processes through indirect participation.¹⁴²

C. A separate offence for “subverting tobacco control law,” which enables enforcement action against attempts to undermine implementation of the Act or its regulations.

These measures illustrate how regulation-level detail can reinforce Article 5.3 in practice, particularly when the primary law does not spell out procedural rules for interaction, disclosure, or eligibility to serve on public bodies.

2. Incorporating Article 5.3 into the civil service rules: Philippines

The Philippines paved the way for countries looking to incorporate WHO FCTC Article 5.3 Guidelines into national policy. On June 24, 2010, the Civil Service Commission (CSC), an constitutional body that serves as the human resource arm of the government, and the Department of Health (DOH) announced a Joint Memorandum Circular (JMC) to protect the bureaucracy against tobacco industry interference.¹⁴³ The CSC is a widely respected independent body that decides on the welfare of civil servants.

The JMC closely follows WHO FCTC Article 5.3 Guidelines. It prohibits government workers from interacting with the tobacco industry, except when strictly necessary for regulation, supervision, or control.¹⁴⁴ It establishes a code of conduct, a monitoring and reporting process, and administrative sanctions. In 2016, the CSC issued a supplementary memorandum reiterating the prohibition on soliciting or accepting any gifts or donations from the tobacco industry.¹⁴⁵

The JMC was the first of its kind in the country as it provides special rules on how public officers must conduct themselves when it comes to the tobacco industry. In the same way that no other commercial industry relating to a consumer product has ever been isolated and denounced through a treaty, no other commercial industry has been given such distinct treatment in the country.¹⁴⁶

The tobacco control law, reportedly the outcome of strong tobacco industry influence in 2003, provides for a partial sponsorship ban limited only to sports, culture, concert, and other youth activity. This created a loophole for industry contributions in other areas, including donations during natural calamities and funding for environmental and educational programs. It also created an inter-agency committee that included a

representative from a tobacco industry research institution,^{147,148} reinforcing the need for a stronger and sector-wide firewall mechanism such as the JMC.¹⁴⁹

Despite gaps in the 2003 law, more than 70 national and local government bodies have since issued their own policies and administrative orders implementing the JMC beyond the health sector. These include, among others, the Department of Education (DepEd),^{150,151} Department of Foreign Affairs (DFA),¹⁵² Department of Environment and Natural Resources (DENR),¹⁵³ Bureau of Internal Revenue (BIR),¹⁵⁴ and a growing number of local government units. These issuances institutionalized procedures for rejecting donations, recording interactions, and raising awareness of tobacco industry interference in government.

In May 2020, at the height of COVID-19, the DOH issued a memorandum reiterating Article 5.3 protections, banning tobacco and vapor product donations, partnerships, and sponsorships, and requiring all donors to file a Declaration of Interest Form. The memo de-classified tobacco and vapor products from the list of essential goods and reminded government officials that accepting tobacco industry donations contradicts established policy.¹⁵⁵

In 2021, the Commission on Higher Education (CHED) issued a national memorandum directing all higher education institutions to raise awareness of tobacco industry interference and ensure compliance with Article 5.3, including rejecting partnerships, funding, or sponsorships from the tobacco industry.¹⁵⁶

The Department of Social Welfare and Development (DSWD), which coordinates all donations to government agencies, including during disasters, has strictly complied with the Joint Memorandum Circular (JMC) and has refused donations from the tobacco industry. In 2023–2024, following a proposed donation from Philip Morris, the DSWD sought the opinion of the Department of Justice to limit the application of the JMC to government officials but not to government agencies—creating a contradictory situation in which the agency could accept a donation that its officials could not.¹⁵⁷

In early 2025, the Office of the President publicly accepted a donation of mobile clinics from Philip Morris International and held a courtesy visit and photo opportunity with senior company executives inside the presidential palace.¹⁵⁸ The donation was coursing through DSWD, and not through the DOH,¹⁵⁹ which had used the JMC as basis to refuse tobacco industry donations during the pandemic. The incident raised concerns regarding uneven application of the JMC across agencies, particularly among institutions outside the health sector that are not accustomed to applying Article 5.3 rules in practice.

Through the JMC and the growing number of implementing issuances, the Philippines demonstrates how a single civil service rule can evolve into a whole-of-government firewall against tobacco industry interference. At the same time, recent developments illustrate ongoing risks when compliance is not consistently applied across all branches and levels of government.

3. Implementing Article 5.3 through government guidance: United Kingdom, Canada, and Australia

While many Parties reference Article 5.3 in legislation or national strategies, three countries—the United Kingdom, Canada, and Australia—have gone further by issuing detailed operational guidance that tells public officials exactly how to comply in day-to-day government practice. These instruments convert a treaty obligation into administrative rules, meeting protocols, transparency mechanisms, and conflict-of-interest procedures that can be replicated by other Parties without legislative reform.

I. Scope of Application

The United Kingdom provides the broadest application of Article 5.3 in practice. Its government-wide guidance applies not only to national ministries but also to arm's-length bodies, agencies, and local authorities, and to any person or organization acting on behalf of government.¹⁶⁰ This policy closes the institutional gap between “health ministries” and other decision-making bodies, ensuring that procurement units, trade agencies, and economic development departments are equally bound.

Australia contributes a complementary strength: it explicitly names Members of Parliament and their staff as “public officials” subject to Article 5.3 obligations. This is an important corrective, as industry lobbying often shifts from the civil service to elected officials when guidance applies only to ministries.¹⁶¹

Canada currently applies its guidance to federal public service officials but encourages adoption by provinces and public health institutions. Although not whole-of-government, it is the most fully operationalized at the federal level.¹⁶²

The UK model provides mandatory whole-of-government coverage, while Australia closes the political-office loophole by including MPs and staff.

2. Defining the Tobacco Industry

All three countries adopt a broad definition of the tobacco industry, extending coverage beyond manufacturers to include lobbyists, agents, and third-party representatives.

- The UK goes further by explicitly including organizations receiving tobacco industry funding or acting to further its interests,¹⁶³ which squarely captures front groups and proxy organizations.
- Canada reinforces its definition through a procedural screening mechanism (see below), which detects indirect links even when not disclosed voluntarily.^{164,165}
- Australia is the only one to explicitly extend Article 5.3 protections to “new and emerging products, such as e-cigarettes and heated tobacco products,” noting their growing corporate integration with traditional tobacco companies.¹⁶⁶ This future-proofs the guidance against industry shifts toward nicotine branding rather than cigarette branding.

3. Screening and Conflict-of-Interest Procedures

Canada provides the most developed administrative system for detecting conflicts of interest. It requires officials to obtain a conflict-of-interest declaration form¹⁶⁷ before any interaction, and to verify whether the requesting organization has tobacco industry board members, founders, funding sources, speaking arrangements, or other covert ties.

Australia requires officials to declare any current, past, or proposed connection with the tobacco industry, including through close family members, and directs officials to treat with caution any information provided by the industry outside formal legal disclosure requirements¹⁶⁸—an important safeguard against industry public-relations influence.

The UK applies a scenario-based screening approach,¹⁶⁹ requiring officials to consider who is funding or organizing the meeting and how interaction may be perceived publicly.

Canada offers the most transferable model for due diligence; Australia adds coverage of family-linked conflicts and information-trust safeguards.

4. Interaction Rules and Prohibited Content

All three countries apply the treaty’s baseline rule: interactions with the industry may occur only when strictly necessary to regulate the tobacco industry or its products.

Canada strengthens this requirement through a diagnostic necessity test, asking whether the meeting could:¹⁷⁰

- advance industry interests,
- create the appearance of partnership, or
- be handled through written exchange instead.

The UK prohibits officials from attending any industry-organized event¹⁷¹, while Canada¹⁷² and Australia¹⁷³ prohibit attendance at industry-sponsored events and panels.

Australia adds the strongest perception-based safeguard: officials must not accept hospitality, participate in social events, or engage in any interaction that could create the perception of partnership or cooperation with the industry.¹⁷⁴ This protects against influence even when no formal policy content is discussed.

5. Conduct of Meetings

- Canada¹⁷⁵ and Australia¹⁷⁶ require a two-official rule for all meetings and correspondence, preventing private influence.
- Canada adds a “listen-only” stance, instructing officials not to enter policy dialogue.¹⁷⁷
- The UK gives the meeting chair an explicit stop-the-meeting authority if Article 5.3 obligations are breached¹⁷⁸—an internal enforcement mechanism that other countries could adopt.
- Australia provides the most detailed recordkeeping standard, requiring documentation of date, method, participants, matters discussed, decisions taken, and follow-up actions.¹⁷⁹

6. Transparency and Publication

- The UK mandates system-wide publication of correspondence and meeting minutes, redacted only where legally required.¹⁸⁰
- Canada publishes meeting summaries with standard fields (date, purpose, participants, topic) on a public website,¹⁸¹ creating a replicable disclosure model.
- Australia requires internal recording but does not mandate publication,¹⁸² relying on agency discretion.

7. Partnerships, Contributions, and CSR

All three prohibit partnerships and voluntary agreements with the tobacco industry.

- UK emphasizes the obligation to de-normalize industry “social responsibility” activities.¹⁸³

- Canada lists enforceable examples (no MOUs, joint operations, grants, or co-branded initiatives).¹⁸⁴
- Australia directs officials to be cautious of CSR¹⁸⁵ claims and prohibits any engagement that generates the impression of collaboration.

8. Enforcement and Accountability

None of the three instruments establishes statutory penalties. In addition to administrative disciplinary measures that could potentially apply to public officials, enforcement is achieved through:

- United Kingdom: mandatory publication, chair authority, and civil society monitoring signal
- Canada: process requirements (two-official rule, COI form, public summaries)
- Australia: the conflict-of-interest declaration framework and perception safeguard, but weaker publication obligations

Table 4: Brief Summary of Best Models by Purpose or Features

Purpose/ Target/ Features	Model that Best Serves the Purpose
Government-wide binding coverage	United Kingdom
Ensure political offices are covered	Australia
Detect industry front groups and proxy funding	United Kingdom and Canada
Require written COI screening before interaction	Canada
Include novel nicotine products by default	Australia
Limit interaction to strictly necessary cases	Canada (diagnostic test)
Prevent soft influence (hospitality, informal access)	Australia (perception rule)
Guarantee public transparency	United Kingdom and Canada

4. Treating state-owned enterprises the same way — and embedding Article 5.3 in national policy: Thailand

Although the Thai Tobacco Monopoly (TTM) is a state-owned enterprise,¹⁸⁶ Thailand has demonstrated that it needs to halt any possible avenue for tobacco industry interference, and that its state-owned tobacco enterprise is to be treated in the same way as any other tobacco industry.

As early as 2010, the Ministry of Health (MOH) adopted a regulation to protect its Department of Disease Control from tobacco industry interference.¹⁸⁷ Through a cabinet decision in 2012, Thailand prohibited the

acceptance of all forms of contributions from TTM, including offers of assistance, policy drafts, or study visit invitations to the government and its officials.¹⁸⁸ In practice, TTM is not included in any MOH-hosted meetings to develop tobacco control policy.¹⁸⁹

In July 2017, Thailand adopted a comprehensive ban on tobacco-related CSR activities, covering tobacco advertising, promotions, and sponsorship.¹⁹⁰ This law requires tobacco manufacturers and importers to submit reports annually on their marketing expenses, revenues, lobbying activities, and contributions.¹⁹¹ The Tobacco Products Control Board is authorized to require, as needed, further information from the tobacco industry to be used as evidence for tobacco control policy development. Recruited expert committee members cannot own or be a related person or a stakeholder in a business involving tobacco products, whether directly or indirectly.¹⁹²

Since 2022, Thailand has extended Article 5.3 implementation beyond individual agencies and into national planning. The National Tobacco Control Action Plan, Third Edition (2022–2027) includes explicit measures to monitor and counter tobacco industry influence. Under Strategy 2, the government commits to “promote awareness of, and act against, the marketing strategies of the tobacco industry,” supported by activities to build capacity among officials to analyze and counter industry tactics.¹⁹³ The Plan also addresses interference beyond the health sector by directing government bodies to “take action to prevent interference or threats to tobacco control policy, including during trade and investment negotiations between relevant countries which have an impact on tobacco control operations.”¹⁹⁴ This makes Thailand one of the few Parties to embed Article 5.3 protections within trade- and investment-related decision-making.

Together, these legal and policy measures demonstrate how Thailand has institutionalized Article 5.3 across both state-owned and private commercial actors, combining statutory reporting obligations, CSR and partnership prohibitions, conflicts-of-interest rules, and whole-of-government safeguards against industry influence.

5. Requiring information from the tobacco industry and civil enforcement: France

Requiring Information

France is one of the first countries to require mandatory disclosure from the tobacco industry not only on product contents, but also on financial influence and lobbying. Under the French Public Health Code,

manufacturers, importers, and distributors of tobacco products — as well as companies, professional organizations, or associations representing them — must submit an annual report detailing spending on lobbying, marketing influence, and benefits, whether in cash or in kind, provided directly or indirectly to public officials. The report must include the number of staff involved in influence activities, names of consultants, amounts spent, and the identity of beneficiaries.¹⁹⁵ Failure to comply carries a financial penalty. Information includes the number of staff working on lobby or influence activities, names of consultants hired, amount spent, and name of beneficiaries. Through a Decree,¹⁹⁶ the MOH has provided a format for the report, submission details, and the conditions on making the information publicly available on the website, while Civil Society Organizations (CSOs) vigilantly monitor the reports.

France's 2016 Order (n° 2016-623) requires tobacco manufacturers, importers, and distributors to publicly disclose all lobbying, marketing, and influence-related expenses—including payments or benefits to officials and consultants—with violations punishable by fines of up to €45,000 and enforceable through civil actions by qualified consumer or tobacco control associations. (see Annex)

Civil Enforcement

Feedback from a civil society representative¹⁹⁷ monitoring the implementation of the afore-stated policy revealed that the policy was enacted only after years of civil-society-led exposure of tobacco industry practices, during which the industry's reputation was already damaged and it chose not to oppose the rules. And while the data submitted by the industry is technically public, accuracy cannot always be verified, and tobacco companies often use third-party organizations to obscure financial influence — especially in lobbying. Nevertheless, it remains a valuable source of publicly accessible information used by journalists to monitor its influence.¹⁹⁸

Civil society organizations have played a central role in exposing and tracking industry activities under this law.¹⁹⁹ For instance, Comité National Contre le Tabagisme (CNCT) receives public funding from the French government to support enforcement and legal actions.^{200,201} In this last decade alone, 500 enforcement cases /complaints were filed by CNCT or other NGOs under this law where the amount of fine for only a single case (violations of advertising ban/ IQOS) was more than 1 million €.²⁰² For example, ALCOME, the producer responsibility organization created and funded by tobacco companies, was sanctioned/fined for non-compliance with waste-management obligations under France's EPR system.²⁰³

The French model remains one of the strongest examples of mandatory industry disclosure under Article 5.3, but it also demonstrates that transparency alone is not sufficient unless accompanied by active monitoring, independent verification, and legal enforcement mechanisms. Nevertheless, the civil enforcement aspect not only helps implement transparency or conflict of interest measures, it also helps hold the tobacco industry to account and prevent further interference.

6. Applying Article 5.3 into Environment/EPR: Finland

Finland demonstrated that Article 5.3 principles apply beyond traditional tobacco control, extending them to waste management and environmental protection, effectively protecting tobacco-related environmental policies from tobacco industry interests as called for in the Tenth Session of the Conference of the Parties (COP10) to the World Health Organization Framework Convention on Tobacco Control (WHO FCTC) Decision FCTC/COP10(14).²⁰⁴ The country's approach to Extended Producer Responsibility (EPR) serves as a model for preventing tobacco industry interference in non-health sectors.

Background

Globally, tobacco companies have increasingly used Extended Producer Responsibility systems²⁰⁵ and environmental initiatives as corporate social responsibility (CSR) opportunities to gain legitimacy and access to policymakers.²⁰⁶ Under the guise of environmental stewardship and addressing cigarette butt waste, the industry seeks involvement in waste management policy, joins clean-up campaigns, and partners with municipalities and environmental organizations.²⁰⁷ These activities serve to rehabilitate the industry's image, create platforms for engagement with government officials, and position tobacco companies as responsible corporate citizens—all while deflecting attention from the fundamental harm caused by their products.²⁰⁸ Finland's 2021 Government draft proposal to implement the European Union (EU) Single-Use Plastics Directive would have allowed tobacco companies to participate in waste operations, consumer information on cigarette butts, and join producer responsibility organizations alongside municipalities.²⁰⁹ This was inconsistent with WHO FCTC Article 5.3²¹⁰ and the Finnish Tobacco Act.²¹¹

In 2022, ASH Finland filed a complaint to the Parliamentary Ombudsman, arguing that cooperation with tobacco producers in policymaking, monitoring, or public communication creates an irreconcilable conflict of interest.²¹²

Legislative Action

On December 10, 2022, Parliament adopted the amended Act (1096/2022),²¹³ removing provisions that would have enabled tobacco industry participation.²¹⁴ The final law assigns all operational responsibilities for tobacco waste collection and public information to municipalities, limits producers' role to paying costs only, and entrusts cost-related decisions to an independent authority (Pirkanmaa ELY).²¹⁵

Key Features

The amended framework applies Article 5.3 principles to waste management through:

- **Exclusion from Operations and Policy:** Tobacco companies cannot participate in waste operations, policy development, or join producer responsibility organizations, preventing the industry from using environmental concerns to gain legitimacy.²¹⁶
- **Separation of Financial and Operational Roles:** Producers finance waste management costs but are excluded from operational decisions, monitoring, and public communication about cigarette butt waste.²¹⁷
- **Independent Oversight:** Municipalities control waste collection and public information, while an independent authority makes cost-related decisions, ensuring no tobacco industry role in these processes.²¹⁸

Civil Society's Role

ASH Finland monitored the legislative process and filed the formal complaint that prompted the amendments. Following the law's passage, public authorities and the Association of Finnish Local and Regional Authorities established a joint monitoring group to prepare implementation instructions for municipalities on waste collection and cleaning practices.²¹⁹

Broader Implications

This case demonstrates that Article 5.3 obligations extend beyond health departments to all government sectors where the tobacco industry might seek influence. The EPR system shows how waste management can become a vehicle for tobacco industry legitimization if not carefully designed to exclude industry participation in policy, monitoring, and communication—even while requiring financial contributions.

III. GLOBAL LEVEL

A. Global endorsement of the principle of protecting public health from tobacco industry interference

The principle of protecting public health policies from tobacco industry interference is now firmly embedded across the international system. Since the adoption of the WHO FCTC Article 5.3 Guidelines in 2008, this norm has been repeatedly reaffirmed through major UN and WHO resolutions—including the Political Declaration on NCDs (2012), the Sustainable Development Goals (2015), the WHO’s Framework for Engagement with Non-State Actors (2016), and ECOSOC resolutions in 2017 and 2020—demonstrating broad institutional recognition of the need for consistent separation between public health governance and tobacco industry influence. See Annex: International Instruments that Take Tobacco Industry Interference into Consideration.

B. Tobacco industry interference in UN agencies and the international community’s response

Global and institutional responses to tobacco industry interference

Tobacco industry interference is not confined within national borders. The same transnational actors that influence domestic policymaking also engage with intergovernmental bodies, financing systems, and global development frameworks. To address this, the international community has progressively extended the principles of WHO FCTC Article 5.3 to the governance of partnerships, investments, and accountability mechanisms.

This section describes how international institutions—particularly the World Health Organization (WHO), the United Nations (UN) system, and related global organizations—have reinforced their own standards to prevent industry interference. Together, these developments demonstrate how Article 5.3 has evolved from a treaty obligation into a cross-cutting norm of institutional integrity and good governance.

International instruments and decisions reinforcing Article 5.3

Since the adoption of the WHO Framework Convention on Tobacco Control (WHO FCTC), successive Conferences of the Parties (COP) have reaffirmed Parties' obligations to protect public health policies from the commercial and other vested interests of the tobacco industry. These decisions now extend beyond the health sector to development, environment, labour, investment, and trade—positioning Article 5.3 as a principle of whole-of-government conduct.

Since 2008, the COP has progressively strengthened implementation of Article 5.3. COP3 (2008) adopted the Guidelines for Implementation of Article 5.3,²²⁰ establishing the guiding principles and recommendations for Parties to protect public health policies from the commercial and other vested interests of the tobacco industry. COP6 (2014) requested the Convention Secretariat to examine tobacco industry engagement in international and regional organizations, seek collaboration with them to raise awareness of their role in Article 5.3 implementation, propose tools to facilitate awareness-raising, develop sustainable mechanisms for information exchange, and stimulate reporting of Parties' experiences.²²¹ COP7 (2016) established the Knowledge Hub for Article 5.3, tasked to coordinate expert work, assist Parties in developing counter-interference strategies, and promote mechanisms and tools for country-level implementation. It also requested the Secretariat to continue promoting the UN Model Policy for agencies of the United Nations system, study UN-business cooperation guidelines for compatibility with Article 5.3, and increase media awareness of tobacco industry interference.²²² COP8 (2018) considered the growing use of front groups such as the Foundation for a Smoke-Free World and requested the Secretariat to develop a resource database on tobacco industry actors in coordination with the Knowledge Hub.²²³ COP9 (2021) further raised concerns about tobacco-industry investments in pharmaceuticals and other sectors, calling for enhanced monitoring of such conflicts of interest.²²⁴

COP10 (2024) strengthened the accountability and environmental dimensions of Article 5.3. Through Decision FCTC/COP10(13) on Article 19 (Liability), Parties reaffirmed that industry accountability extends to harms caused to the environment and urged stronger liability regimes, effective sanctions, and international cooperation to hold the industry financially and legally responsible.²²⁵ Complementing this, Decision FCTC/COP10(14) on Article 18 (Environment) explicitly reiterated that all tobacco-related environmental policies must be protected from tobacco industry interference, calling on Parties to regulate and monitor tobacco's environmental impacts and reject deceptive industry-led "sustainability" initiatives inconsistent with Article 5.3.²²⁶

A chronological summary of key COP and UN decisions—from COP 1 (2006) through COP 11 (2024)—is provided in Annex 2: Key International Decisions Supporting Article 5.3 Implementation.

Scope of Article 5.3 in international policy

The [Political Declaration on the Prevention and Control of Non-Communicable Diseases \(2011\)](#) — adopted by the UN General Assembly (UNGA Resolution A/RES/66/2), recognizes “the fundamental conflict of interest between the tobacco industry and public health” in the context of public private partnerships.²²⁷

The high-level political commitment among all UN Member States affirms that engagement with the tobacco industry is incompatible with global health and development objectives, not just in the area of tobacco control but also in the fight against NCDs. In effect, tobacco industry interference is recognized not just by FCTC parties but also by all UN Member States.

The inclusion of FCTC implementation as a key target under the Health pillar of the Sustainable Development Goals also extends the duty under Art 5.3 to the rest of the UN Member States, not just FCTC Parties. SDGs cannot be reached without implementing the FCTC which includes the cross-sectional obligation to protect tobacco control and related policies from the interests of the tobacco industry and those furthering its interests.

This international recognition of tobacco industry interference as a cross-cutting obstacle to sustainable development prompted the need for system-wide coherence across the UN. While the Political Declaration and SDGs established the principle that all Member States must protect public policy from tobacco influence, practical guidance was still required to operationalize this within the UN system. Responding to this need, Parties to the WHO FCTC and the UN Economic and Social Council initiated efforts to translate these political commitments into institutional policies—culminating in the development of the UN Model Policy on Preventing Tobacco Industry Interference.

Evolution of the UN model policy on preventing tobacco industry interference

A series of Secretary-General reports to the UN Economic and Social Council (ECOSOC) from 2006 first documented evidence of tobacco industry interference within the UN systems.²²⁸ These reports prompted concerns raised by several Parties—most notably Thailand—which requested the inclusion of this issue in the COP6 agenda. Subsequently, the Conference of the Parties (COP) meeting at its 6th Session adopted Decision FCTC/COP6(14), mandating the Convention Secretariat to collaborate with UN bodies to strengthen measures against tobacco industry engagement. Acting on this mandate, the Secretariat worked with the UN Inter-Agency Task Force on the Prevention and Control of Non-Communicable Diseases (UNIATF) to

develop coherent, system-wide safeguards—culminating in the UN Model Policy on Preventing Tobacco Industry Interference, later endorsed by ECOSOC in 2017.²²⁹

[The Model Policy for Agencies of the United Nations System on Preventing Tobacco Industry Interference](#), developed by the WHO FCTC Secretariat and the UN Inter-Agency Task Force on the Prevention and Control of Non-Communicable Diseases (UNIATF) and adopted by reference at the UN Economic and Social Council (ECOSOC) in 2017, provides guidance for all UN entities to:

- Refrain from accepting financial or in-kind contributions from the tobacco industry or from those working to further its interests;
- Reject partnerships, non-binding or voluntary agreements, and joint initiatives with the tobacco industry or related entities;
- Ensure that any interactions with the tobacco industry are strictly limited to those necessary for regulatory or public-interest purposes and conducted transparently; and
- Apply these standards when engaging contractors, suppliers, or other entities whose clients include or represent the tobacco industry.²³⁰

The UN Model Policy created a unified framework that institutionalizes non-engagement with tobacco interests across the UN system and is intended to be the reference standard for all UN agency policies. Subsequently, UN Agencies had adopted policies and practices consistent with the Model Policy, including at WHO, ILO, UN Global Compact, and the UN Sustainable Development Group (UNSDG).

WHO's global leadership and awareness raising

[WHO Framework of Engagement with Non-State Actors \(FENSA\)](#) (WHA Resolution 69.10, 2016) codifies within WHO's administrative law the same principle as Article 5.3: a prohibition of engagement with the tobacco industry and any entity working to further its interests.²³¹ It states that the WHO does not engage with the tobacco and arms industry and a Handbook for FENSA (Handbook for non-State actors on engagement with the World Health Organization, second edition) sets out details on how to identify potential conflicts with the tobacco industry.

The WHO and the FCTC Secretariat continue to lead global efforts to raise awareness about tobacco industry interference.

Annual World No Tobacco Day campaigns (2012 theme Tobacco Industry Interference; 2024 theme – Protecting children from tobacco industry interference; 2025 – Unmasking the appeal: Exposing Industry Tactics on Tobacco and Nicotine Products) have made interference a recurring global theme.

Note Verbales from the FCTC Secretariat (2014, 2016) alert Parties to industry attempts to influence tax, trade, regulatory, and other measures.²³²

Civil society's monitoring efforts have been consistently recognized by WHO and FCS. The WHO acknowledged that youths are calling on govts to "...adopt decisions that shield us from the manipulative practices of tobacco and related industries."²³³ In a 2025 statement, FCS encouraged vigilant monitoring of tobacco tactics including through the Global Tobacco Industry Interference Index, a civil-society accountability mechanism, has been recognized by the FCTC Secretariat.²³⁴

Reforms across the UN system

The Model Policy has guided successive reforms across UN agencies and international organizations:

UN system due diligence and partnership policies

The inclusion of FCTC implementation as a key target under the health pillar of the Sustainable Development Goals

In 2022, the UN Sustainable Development Group (UNSDG), which guides, supports, tracks and oversees the coordination of development operations worldwide, adopted a [Common Approach to Due Diligence in Partnerships](#), mandating screening of prospective partners and exclusion of entities that produce or promote tobacco.²³⁵

This harmonized approach aligns with FENSA, the Model Policy, and Article 5.3, ensuring that all UN agencies apply the same exclusionary standard in managing partnerships and conflicts of interest.

I. UN GLOBAL COMPACT (UNGC)

The UN Global Compact (UNGC), which encourages responsible business conduct worldwide, reaffirmed in 2017 that tobacco manufacturers are permanently ineligible for participation. In 2025, it published its policy regarding tobacco industry ties and has resulted in the withdrawal of the Eliminating Child Labour in Tobacco Growing Foundation (ECLT).²³⁶

Case Study

No tobacco in corporate good: UN Global Compact

The United Nations Global Compact (UNGC) is a multistakeholder initiative that works to *mobilize a global movement of responsible companies and stakeholders to create the world we want.*²³⁷ Chaired by the UN Secretary General, its board brings together business, civil society, and labour and encourages companies to align practices with 10 principles on human rights, labour, environment and anti-corruption.²³⁸

On September 12, 2017, following a comprehensive integrity review contributing to its new 2030 strategy and vision, the UNGC decided to exclude *companies that produce and/or manufacture tobacco or are part of a joint venture, have a subsidiary or affiliate stake in a company that produces and/or manufactures tobacco.*²³⁹ Tobacco companies that had been members were subsequently delisted from the UNGC.

Eliminating Child Labour in Tobacco Growing (ECLT) is an organization that was founded and is still funded and governed by tobacco producers (see section on ILO). After tobacco companies were delisted from the UNGC in 2017, ECLT continued to participate as an active member of the UNGC Child Labour Platform.²⁴⁰

On April 30, 2021, over 70 leaders in public health and 120 health organizations from around the world wrote²⁴¹ UNGC President Ojiambo noting that the ECLT is an alliance of tobacco producers and manufacturers, recalling the UNGC's 2017 Integrity Policy Update and the UN Model Policy for Agencies of the UN System²⁴² and requesting that UNGC apply its exclusion of tobacco companies to the ECLT.

An August 2025 revision of the UNGC *Joining Policy* clarifies that *organizations that receive from or provide significant support to companies that fall within the product-based exclusionary criteria cannot join the UNGC.*²⁴³ On August 12, 2025, ECLT requested withdrawal and was delisted from the UNGC.²⁴⁴

Why This Is a Good Practice

The UNGC's 2017 Integrity Policy Update recognizes that the production of tobacco products contradicts the goals the SDGs. It puts tobacco companies alongside other harmful companies like those producing landmines and cluster bombs, recognizing that they cannot be meaningful partners for *making the world we want.* It acknowledges that this exclusion is critical to the integrity of the Global Compact and to maintaining its trusted role in defining corporate sustainability leadership in support of the Sustainable Development Goals.²⁴⁵

This aligns UNGC with the global norm that harmful companies should not be engaged with as partners in sustainable development.

UNGC's 2025 revision of exclusion criteria²⁴⁶ — extending them to organizations receiving support from companies under product-based exclusion — closes a major loophole and strengthens the coherence and integrity of the initiative. This case illustrates how adherence to the UN Model Policy and alignment with Article 5.3 norms protect the integrity of UN partnerships and ensure that development cooperation remains free from vested interests.

2. UN PRINCIPLES FOR RESPONSIBLE INVESTMENT (UNPRI)

UN Principles for Responsible Investment (UNPRI) have further extended Article 5.3's reach into financial governance, making tobacco a standard exclusion category in environmental, social, and governance (ESG) frameworks.^{247,248} ESG criteria are now used globally by institutional investors to evaluate the ethical and sustainability performance of companies and portfolios. In line with these standards, UNPRI classifies tobacco as a sector inherently inconsistent with sustainable investment objectives due to its conflict with public health and human rights.

Several countries have institutionalized these exclusions in public investment policy. For example, Norway's Government Pension Fund Global²⁴⁹ prohibits investments in tobacco companies on ethical and sustainability grounds, a practice mirrored by public funds in New Zealand,²⁵⁰ Sweden,²⁵¹ and other jurisdictions aligning with WHO FCTC principles. The Tobacco-Free Portfolios Initiative (TFP), a Non-Governmental Organization (NGO) that promotes responsible finance, has announced that over US\$20 trillion in assets under management are now invested through tobacco-free policies.²⁵²

3. INTERNATIONAL LABOUR ORGANIZATION (ILO)

Following sustained advocacy by civil society and trade unions, the International Labour Organization (ILO) terminated its financial and programmatic relationships with tobacco-industry-funded entities in 2019, ending its historical partnership with tobacco companies.²⁵³

This transition, now formalized under [ILO Decision GB.337/POL/2/1 \(2019\)](#), aligns the organization with the UN Model Policy and Article 5.3 principles by rejecting tobacco-linked funding in all labour and development programs.

Case Study

Tobacco industry cannot help eliminate child labor: International Labour Organization (ILO)

Since 1919, the ILO has set labour standards, developed policies and devised programmes promoting decent work in its 187 Member States.²⁵⁴ Its work and governance involve governments, employers and workers in a tri-partite structure^{255,256} that is unique among United Nations (UN) organizations.

As a member of the United Nations Interagency Task Force on NCDs (UNIATF)²⁵⁷ at the time the *Model Policy for agencies of the United Nations on preventing tobacco industry influence* was introduced in 2017,²⁵⁸ the ILO was prompted to reconsider two public-private partnerships that were implemented with and funded by the tobacco industry;²⁵⁹ one to which Japan Tobacco International (JTI) provided US\$10 million, and another to which Eliminating Child Labor in Tobacco Growing (ECLT) provided US\$ 5 million.²⁶⁰ ECLT is a corporate alliance of tobacco manufacturers and leaf-buying companies, established and governed by the industry itself, and therefore represents a direct channel of tobacco industry influence.^{261,262}

This Model Policy (2017) provided a UN-system standard for limiting engagement with the tobacco industry and directly informed subsequent internal reviews across UN agencies, including debate within the ILO Governing Board in 2017–2018.²⁶³

When the ILO Governing Board (GB) debated the question over several sessions in 2017-2018, well over 100 health organizations from around the world²⁶⁴ wrote to urge ILO to cut financial ties with the tobacco industry.²⁶⁵

The ILO concluded that it would not renew its contracts with JTI and ECLT²⁶⁶, and in 2019, at the 337th session of its Governing Body, adopted an integrated strategy to address decent work deficits²⁶⁷ in Tanzania, Malawi, Uganda and Zambia, to be funded by ILO and development funding. The decision, which was widely supported by civil society, reaffirmed that the ILO would no longer rely on funding from the tobacco industry to implement its programs and that contracts with tobacco industry entities, including JTI and the ECLT Foundation, would not be renewed.

In 2021, more than 120 organizations and 50 individuals from the public health and labour sectors wrote to the UN Global Compact urging it to end ECLT's participation.²⁶⁸ While ECLT remained listed as of September 2025,²⁶⁹ its withdrawal in August 2025²⁷⁰—prompted by the Global Compact's new joining policy²⁷¹—represents an important step toward greater policy coherence across the UN system.

Why This Is Good Practice

The ILO's decision to end financial partnerships with tobacco companies set a valuable precedent for other UN agencies and international bodies. It demonstrated how institutions can identify and manage conflicts of interest, transition away from industry-linked funding, and uphold the credibility of their sustainable development commitments. The ILO's action reinforced the principle that industries whose products harm health and violate labour rights cannot be credible partners in achieving the Sustainable Development Goals (SDGs).

Continuing Challenges

Although the ILO has severed financial ties with the Eliminating Child Labour in Tobacco Growing (ECLT) Foundation, challenges remain in fully disentangling from its influence and legacy. Despite being recognized within the ILO as an industry-established entity, ECLT has continued to appear in international and national fora alongside ILO initiatives—notably within the ILO-hosted Alliance 8.7²⁷² and, until recently, as a member of the UN Global Compact Child Labour Platform. Following the UN Global Compact's 2025 policy revision that extended its exclusion criteria to entities funded or governed by tobacco companies,²⁷³ ECLT withdrew its membership from the Global Compact.²⁷⁴

Notwithstanding the withdrawal of ECLT in August, ECLT's name continues to be on the list as of September 2025. ECLT's continued visibility in these spaces has long drawn criticism for shaping narratives that downplay the structural labour abuses²⁷⁵ underpinning tobacco supply chains. ECLT's activities and positioning in global dialogue are reported to divert attention from its members' violations of human and workers' rights²⁷⁶ and turn the focus of stakeholder exchange away from the actions which address the root causes of child labor—which lie in the fundamentally exploitative business models that underlie industry profits.²⁷⁷ Both British American Tobacco (BAT) and Imperial Brands are represented on the board of ECLT.²⁷⁸ These concerns remain highly relevant: in the United Kingdom, legal proceedings against British American Tobacco and Imperial Brands allege exploitative labour practices in Malawi's tobacco sector. The claimants argue that their working conditions meet the ILO's definition of forced labour and violate the UN Convention on the Worst Forms of Child Labour as well as Malawian labour law. Their families filed a claim in UK courts against British American and Imperial Tobacco, accusing them of knowingly facilitating unlawful and dangerous conditions of work through an exploitative tenancy system that creates a vicious cycle of indebtedness and

obliges farmers to make their children work just so that they can produce enough harvest to pay their debts.²⁷⁹

4. RED CROSS

Involving more than 16 million staff, members and volunteers in 191 countries, the International Red Cross/Red Crescent Movement is the world's largest humanitarian network.²⁸⁰ Operational around the world well before the founding of the United Nations (UN),²⁸¹ the Red Cross/Red Crescent Movement has a longstanding role setting global standards for humanitarian action.

While independent and required to operate according to the Fundamental Principles of the Movement,²⁸² Red Cross/Red Crescent Societies work closely with national governments in a role that is officially recognized;²⁸³ they are often important partners in the provision of critical humanitarian, public health or social services and their emblems are widely accepted symbols of health and safety.²⁸⁴ For these reasons, Red Cross/Red Crescent Societies are in a good position to influence debate on national health policy.

Already well before the World Health Organization Framework on Tobacco Control (WHO FCTC) came into effect, Red Cross/Red Crescent Movement decisions and regulations recognized that tobacco industry activity was incompatible with Red Cross/Red Crescent Principles.²⁸⁵ By the time tracking of tobacco industry donations was set up in connection with FCTC Article 5.3, neither the International Federation of the Red Cross (IFRC) nor the International Committee of the Red Cross (ICRC) accepted funding from tobacco companies,²⁸⁶ but some National Red Cross Societies and branches still did. Some (most notably in the USA, Switzerland and Vietnam) not only accepted donations to appeals, but also developed ongoing cooperation with tobacco companies.²⁸⁷

Following an exchange with the global tobacco control movement concerning the contradiction of tobacco industry funding of Red Cross/Red Crescent activities,²⁸⁸ in May 2013 the IFRC Governing Board urged National Societies to refrain from accepting funds from the tobacco industry.²⁸⁹ In June 2015 it distributed a policy briefing note, *Red Cross Red Crescent non-engagement with tobacco companies*²⁹⁰ to all National Societies. The briefing reiterated the Governing Board decision and explained its rationale.

Why This Is a Good Practice

The IFRC and the ICRC, the two international arms of the Movement, have demonstrated leadership by taking a clear stance against accepting tobacco industry funding. IFRC's Governing Board resolution (2013)²⁹¹ and

internal guidance (2015)²⁹² aimed to institutionalize this principle within the Movement, anchoring it at all levels and setting a strong standard for other global health and humanitarian networks.

Reinforced by advocacy from tobacco control activists, these measures have had some effect. In March 2021, the Swiss Red Cross Council (SRC) decided to adhere to IFRC recommendations by revising its guidelines for cooperation with the private sector to exclude tobacco companies and foundations, explicitly prohibiting the acceptance of tobacco industry donations across all its organizations. This decision followed earlier reports of the Swiss Red Cross Society²⁹³ accepting funding from Philip Morris International (PMI) for programs abroad as late as 2020. However, after pressure from health advocates, it announced that it would cease to accept tobacco industry donations. Furthermore, in 2021, the Red Cross branch in the canton of Vaud also confirmed in a letter to health advocates that it no longer accepted funding from the tobacco industry.²⁹⁴

This policy appears to have gained traction, and local advocacy may have influenced other National Societies. For instance, PMI's report showed that it has ceased funding the Red Cross in Vietnam.²⁹⁵

Continuing Challenge

In spite of these advances, since the IFRC published the policy briefing, tobacco industry donations to Red Cross/Red Crescent Societies have increased dramatically. Between 2018 and 2024, Red Cross/Red Crescent Societies around the world accepted contributions of well over USD 8.7 million dollars from PMI alone,²⁹⁶ averaging over a million dollars a year—ten times more than the annual average of PMI donations to Red Cross Societies prior to the publication of the IFRC policy briefing in 2015. Since 2023, PMI has donated USD 3.6 million to the Philippines Red Cross alone. American Red Cross branches accepted funding from PMI as late as 2024, and in 2025 the American Red Cross still maintains a long-standing partnership with Altria.²⁹⁷ These violations of Red Cross Principles compromise the integrity and credibility of the entire Red Cross/Red Crescent Movement and call for renewed action from within its global network.

UN-wide common approach

Across the United Nations system, several agencies—including United Nations Development Programme (UNDP), United Nations International Children's Emergency Fund (UNICEF), United Nations Educational, Scientific and Cultural Organization (UNESCO), and United Nations Environment Programme (UNEP)—have long maintained exclusionary policies against engaging with or investing in the tobacco industry. Building on these institutional safeguards, the United Nations Sustainable Development Group (UN SDG)—which brings together over 40 UN entities working to advance the 2030 Agenda for Sustainable Development—adopted

the Common Approach to Due Diligence in Partnerships (2022), developed under the leadership of the UN Development Coordination Office (DCO).

The Common Approach applies to all UN SDG member entities, including UN funds, programmes, specialized agencies, and regional commissions. It establishes system-wide requirements for due diligence screening and risk management in all private-sector collaborations to ensure alignment with UN values, development objectives, and relevant international health agreements such as the WHO Framework Convention on Tobacco Control (FCTC).

By embedding due diligence standards that exclude partnerships with the tobacco industry, the Common Approach effectively recognizes and operationalizes Article 5.3 of the WHO FCTC across the entire UN system. It affirms that engagement with the tobacco industry is fundamentally incompatible with the UN's mission, principles, and the Sustainable Development Goals (SDGs).

Core UN SDG member entities include UNDP, UNICEF, WHO, ILO, Food and Agriculture Organization (FAO), UN Women, United Nations High Commissioner for Refugees (UNHCR), World Food Programme (WFP), United Nations Educational, Scientific and Cultural Organization (UNESCO), United Nations Population Fund (UNFPA), UNEP, and International Organization for Migration (IOM), among others. While not all of these entities have adopted their own agency-specific policies, several have independently developed or updated internal safeguards against tobacco industry interference over time.

The following table shows the different policies of international and UN system organizations that protect against tobacco industry interference.

Table 5. Policies of International Intergovernmental Organizations and UN agencies that Protect against Tobacco Industry Interference

International Organization/ Year	Document / Details
UNGC Joining Policy August 2025	UNGC Joining Policy's Eligibility for admission, states; “Applicants that meet the following exclusionary criteria cannot join the UN Global Compact:..Derive revenue from the production and/or manufacturing of tobacco” ²⁹⁸

<u>UNDP Policy on Due Diligence and Partnerships with the Private Sector, 2023/2024</u>	<p>UNDP Policy on Due Diligence and Partnerships with the Private Sector applies exclusionary criteria to, “Manufacture, sale or distribution of tobacco or tobacco products”.²⁹⁹</p>
<u>Model Policy for Agencies of the United Nations System on Preventing Tobacco Industry Interference (full text), 2021</u>	<p>Guiding Principle states, “...The United Nations system, including the intergovernmental agencies that are observers to COP and members of the UN Inter Agency Task Force, must work as One, ensuring a consistent and effective separation between its activities and those of the tobacco industry, to preserve its integrity and reputation and in promoting development. Engagement with the tobacco industry is contrary to the United Nations system’s objectives, fundamental principles and values...”³⁰⁰</p>
<u>ILO (International Labour Organization), 2018</u>	<p>The Governing Body of the ILO has directed the ILO Director General “to continue efforts to mobilize various sustainable sources of funding from the public and private sector with appropriate safeguards.”³⁰¹</p>
<u>UN Global Compact (UNGC), 2017</u>	<p>UN Global Compact Integrity Policy Update, states, “As of 15 October 2017, the UN Global Compact will de-list participating companies which fall under the tobacco exclusion. This new exclusionary criterion is strictly limited to companies that produce and/or manufacture tobacco or are part of a joint venture, have a subsidiary or affiliate stake in a company that produces and/or manufactures tobacco.”³⁰²</p>
<u>WHO Framework Convention on Tobacco Control (FCTC), 2013</u>	<p>WHO FCTC Article 5.3 recommendation no. 3 states “(3) Reject partnerships and non-binding or non-enforceable agreements with the tobacco industry.”³⁰³</p>

<p><u>United Nations Development Programme (UNDP), 2013</u></p>	<p>“Guiding Principles for Partnerships: Advance UNDP goals; Maintain integrity, independence, and impartiality; Ensure transparency; non-exclusivity and no unfair advantage; Cost-effectiveness; Clearly defined roles and responsibilities and shared risk and benefits.</p> <p>UNDP has defined a set of exclusionary criteria outlining those business practices considered unacceptable to the organization, and these include the ‘manufacture, sale or distribution of tobacco or tobacco products.’”³⁰⁴</p>
<p><u>UN General Assembly Sixty-sixth Session Agenda item 117 Resolution adopted by the General Assembly on 19 September 2011</u></p>	<p>The resolution/political declaration, “Recognize the fundamental conflict of interest between the tobacco industry and public health;”³⁰⁵</p>
<p>United Nations Children's Fund (UNICEF), 2001</p>	<p>“In 2001, UNICEF adopted guidelines that rejected all partnerships with tobacco companies or organization.”³⁰⁶ “UNICEF’s corporate engagement guidelines, which were developed in 2001, codified a pre-existing, organization-wide policy of not accepting funding or entering into partnership with tobacco manufacturers.”³⁰⁷</p>
<p><u>United Nations Educational, Scientific and Cultural Organization (UNESCO), 1997</u></p>	<p>The Guidelines forbid any private sector involved in the “production or distribution of tobacco (products)...” to be a funding source for collaboration with UNESCO.³⁰⁸</p>
<p><u>World Bank, 1999</u></p>	<p>“The Bank does not lend directly for, invest in, or guarantee investments or loans for tobacco production, processing, or marketing.”³⁰⁹</p>

United Nations Environment Programme (UNEP), 2025	<p>As Secretariat of the Basel Convention, the January 2025 amendment classified e-cigarettes under “Electrical and electronic waste”³¹⁰ in Annex VIII.</p> <p>Because of UNEP’s role in the Basel Convention, they must within the UN system’s partnership and conflict-of-interest rules. Therefore, the Secretariat must apply the same UN policies that prohibit partnership with the tobacco industry or its allies. This ensures policy coherence between the administering agency (i.e., UNEP) and the conventions it hosts.</p>
International Atomic Energy Agency (IAEA)	“The IAEA has a checklist for partnership agreements to exclude the manufacturers or distributors of goods widely recognized as harmful to public health, or against public morals. Tobacco products are included in the list.” ³¹¹

C. Case studies on responses to efforts by international/regional organizations that represent tobacco industry interests

Other intergovernmental organizations applying Article 5.3

While the UN system has progressively institutionalized Article 5.3 principles through the Model Policy, FENSA, and agency-specific measures, a growing number of non-UN intergovernmental and quasi-governmental bodies have policies that are aligned with implementing WHO FCTC Article 5.3. These organizations operate across development finance, humanitarian response, and trade governance, and

prohibited activities range from incentivizing tobacco business to receiving tobacco funding—demonstrating that Article 5.3 has become a cross-sectoral standard of institutional integrity.

I. World Bank Group

The World Bank does not provide financing for production or trade in tobacco. In 2021, this exclusion is reiterated in its [Environmental and Social Framework \(ESF\)](#) and reinforced through due diligence procedures applied to all lending operations and trust funds.³¹²

This first appeared in its [Guidance Note on Addressing Tobacco in Development Policy Operations \(1991\)](#), where the Bank elaborates on the rationale for treating tobacco differently.³¹³ In 1999, the bank explicitly provided that it does not lend directly to invest in or guarantee, investments or loans for tobacco producing processing or marketing.³¹⁴

The World Bank's position reflects a broader shift within multilateral development banks: tobacco is incompatible with poverty reduction, health systems strengthening, and sustainable development goals.

2. Asian Development Bank (ADB) and Regional Development Banks

In 2024, the **Asian Development Bank's** [Environment and Social Framework](#) includes tobacco in its investment prohibition list.³¹⁵ Since 2009, its Safeguard Policy Statement³¹⁶ had included its investment prohibition list which states that those that are in the production of or trade in tobacco, among others, do not qualify for ADB funding. This is a common feature in other regional development banks that apply an exclusion criteria consistent with ESG standards and responsible investment principles. (e.g., **African Development Bank (AfDB)**, **Inter-American Development Bank (IDB)**, etc.)

These policies ensure that public development finance does not inadvertently support industries whose products undermine the health and economic outcomes that development institutions are mandated to advance.

3. International Federation of Red Cross and Red Crescent Societies (IFRC)

The IFRC adopted a [Policy on Non-Engagement with the Tobacco Industry](#) in 2015, becoming the first major humanitarian organization to align with Article 5.3.³¹⁷

The policy prohibits:

- Accepting donations, sponsorships, or partnerships from tobacco companies or their front groups;
- Participating in tobacco-industry-funded corporate social responsibility (CSR) initiatives;
- Allowing tobacco industry representatives to serve on IFRC governing or advisory bodies.

This decision was informed by evidence that tobacco-industry philanthropy in disaster relief and humanitarian contexts serves primarily as a reputation-laundering mechanism, designed to undermine tobacco control policies and gain access to policymakers.³¹⁸

The IFRC's stance has influenced National Red Cross and Red Crescent Societies worldwide, with many adopting similar non-engagement policies at the country level. (See *Red Cross case study*).

4. Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP)

Although not adopted by international organizations, certain trade and government measures have had global significance in advancing the objectives of Article 5.3 of the WHO FCTC by preventing the normalization and subsidization of the tobacco industry.

A key example is the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP), a multilateral free trade and investment agreement among eleven Asia-Pacific and Latin American countries—Australia, Brunei Darussalam, Canada, Chile, Japan, Malaysia, Mexico, Peru, New Zealand, Singapore, and Viet Nam—which entered into force on 30 December 2018.

It allows governments to bar tobacco industry access to a mechanism commonly enjoyed by all foreign investors: It effectively deprives the tobacco industry the privilege of suing a government under the Investor-state dispute settlement (ISDS) proceedings, unless the government expressly allows it.³¹⁹

Subsequently, a few Free Trade Agreements (FTAs) entered into by members of the CPTPP also reflected the same provision. For example, Singapore-Australia FTA (2016)³²⁰ and the Singapore-Kazakhstan Bilateral Investment Treaty (2018).³²¹

The exclusionary provision came about around 2010-2011, when in the midst of concerns raised by civil society, Malaysia called for a tobacco carve out during the negotiations.³²² The broad carve out was eventually replaced with a restricted one nestled in the ISDS chapter.³²³

By excluding tobacco from ISDS, the CPTPP affirms that:

- Parties retain full regulatory authority to implement WHO FCTC obligations without fear of litigation;
- Tobacco industry interference through trade law is a recognized threat to sovereignty and public health.

Separately, the United States issued Executive Order 13193³²⁴ (Federal Leadership on Global Tobacco Control and Prevention) in 2001, which predates both the Convention and its Guidelines. The Executive Order directs all executive departments and agencies to refrain from promoting the sale or export of tobacco products or seeking to reduce foreign restrictions on their marketing or advertising. In practice, this prevents the normalization of the tobacco industry within government functions and prohibits any subsidy, promotion, or diplomatic support that could benefit the industry, including on foreign soil. It also bars any form of interference with, or influence over, foreign government policies on tobacco control.

These instruments demonstrate that even outside the FCTC framework, governments can and do adopt trade and policy measures consistent with the spirit and intent of Article 5.3—to ensure that the tobacco industry receives no privileges, subsidies, or policy influence that could undermine public health.

Global front groups and tobacco industry interference at international fora

While international institutions have progressively strengthened their defenses against tobacco industry interference, the industry itself has adapted by creating and funding a network of global front groups, think tanks, and business associations designed to obscure tobacco interests and gain access to policymaking processes.

These organizations operate across multiple sectors—trade, development, agriculture, labor, and environment—allowing the tobacco industry to influence policy indirectly, even where direct engagement is prohibited.

The nature and function of front groups

A front group is an organization that claims independence but is funded, controlled, or significantly influenced by the tobacco industry. Front groups serve several strategic functions:

- I. Obscuring the source of interference: By operating under neutral-sounding names (e.g., "GAES" "ITGA" ECLT), these groups present industry positions as independent research or stakeholder input.³²⁵

2. Gaining access to closed policy spaces: Where tobacco companies are excluded, front groups can attend consultations, submit comments, and lobby officials without triggering Article 5.3 safeguards.³²⁶
3. Forum-shifting and venue-shopping: When health ministries apply Article 5.3, the industry shifts its efforts to trade, finance, agriculture, or labor ministries—often through front groups that claim expertise in those sectors.³²⁷
4. Reputation-laundering through CSR: Industry-funded foundations focused on "sustainable agriculture," "child labor elimination," or "disaster relief" create favorable narratives that distract from the harms caused by tobacco products.³²⁸

Key global front groups and their tactics

I. GAES formerly Foundation for a Smoke-Free World (FSFW)

The *Foundation for a Smoke-Free World (FSFW)*, established in 2017 with a USD 1 billion commitment from Philip Morris International (sole funder) claimed to support “harm reduction” and “smoking cessation.” In 2022, it rebranded as the *Global Action to End Smoking (GAES)* but retained the same funding source and leadership.³²⁹

Despite its new name, the FCTC Secretariat, WHO,³³⁰ and leading civil-society organizations^{331,332} have maintained that collaboration with GAES or any of its affiliates constitutes a clear breach of Article 5.3. GAES continues to fund research and advocacy organizations that promote alternative nicotine products under the guise of public health.³³³

One such entity is the International Network of Nicotine Consumer Organizations (INNCO), which receives support through GAES, its grantees, and coordinates global messaging defending vaping and heated tobacco products. Both entities have been cited by civil society as part of the industry’s evolving strategy to re-enter public health discourse through “harm reduction” narratives.³³⁴

FSFW's activities include:

- Funding research that promotes "reduced-risk" tobacco products (e.g., heated tobacco, e-cigarettes) while downplaying their harms;³³⁵

- Attempting to influence the scientific community by offering grants to researchers and institutions, many of whom have declined on ethical grounds;³³⁶
- Positioning PMI as a "public health partner" in tobacco control, undermining Article 5.3 by blurring the line between industry and independent public health actors.³³⁷

Governments and academic institutions that have declined FSFW funding cite Article 5.3 and the fundamental conflict of interest inherent in accepting money from a tobacco company to fund tobacco control research. (See Annex *FSFW Case study*)

2. Eliminating Child Labour in Tobacco Growing Foundation (ECLT)

ECLT was established in 2000 with funding from major tobacco companies, ostensibly to address child labor in tobacco farming.³³⁸ However, the foundation has been widely criticized for:

- Deflecting attention from the root cause of child labor: the poverty and exploitative labor practices endemic to tobacco supply chains;³³⁹
- Allowing tobacco companies to claim "social responsibility" while continuing to source tobacco from farms where child labor persists;³⁴⁰
- Gaining access to intergovernmental organizations (including, until recently, the International Labour Organization³⁴¹) by presenting as a legitimate CSR partner.

In 2024, the UN Global Compact delisted ECLT³⁴² after determining that its ongoing ties to tobacco manufacturers were incompatible with UN principles and Article 5.3.³⁴³ This decision followed years of advocacy by civil society and public health organizations documenting ECLT's role as a tobacco industry front group. (See case study- UNGC/ ILO).

3. International Tobacco Growers' Association (ITGA)

The International Tobacco Growers' Association (ITGA) has been tagged as a tobacco industry front group, funded by major tobacco companies³⁴⁴, and actively works to undermine effective WHO Framework Convention on Tobacco Control (FCTC) policies, particularly Articles 9, 10, 17, and 18 concerning regulation of tobacco products and crop diversification.³⁴⁵ ITGA has mobilized tobacco farmers globally to oppose tobacco control, framing such policies as threats to rural livelihoods and economic stability. However, civil society organizations (CSOs) have taken a leading role in exposing ITGA's industry ties and undermining its influence. Before ITGA's events at COP sessions, CSOs publicized their front group status. Regional alliances

like the Southeast Asia Tobacco Control Alliance have publicly condemned ITGA's interference³⁴⁶ and advocated for stronger Article 5.3 implementation to block such industry tactics.³⁴⁷ Due to its links to the tobacco industry, the COP had denied its application for observe status.³⁴⁸

4. American Chamber of Commerce (AmCham)

Various AmCham chapters, especially the U.S. Chamber of Commerce, have historically lobbied against comprehensive tobacco control regulations, including smoking bans and tobacco taxation, often under the guise of protecting trade and business interests. These chambers serve as indirect channels for tobacco industry interference, complicating the application of Article 5.3 guidelines meant to prevent industry influence in policymaking. Civil society monitoring and advocacy have been critical in revealing these indirect lobbying efforts and pushing governments to apply greater transparency and exclusion measures. CSOs have used investigative reporting, public campaigns, and policy advocacy to challenge AmCham's pro-tobacco industry positions and strengthen the integrity of tobacco control measures.³⁴⁹

5. Others

There is an increasing number of globally coordinated front groups and this field is evolving. Where groups like ITIC were previously active in countering tobacco industry interference, organizations such as Transnational Alliance to Combat Illicit Trade (TRACIT) have since taken on that role. Similarly, when plain packaging legislation was introduced, intellectual property groups like ASEAN IPA were also active in opposing such measures (see corresponding case studies in the annex). It is important to continuously monitor entities that further tobacco industry interests. Several resources already provide information on such entities and help identify emerging ones. For instance, the Global Center for Good Governance in Tobacco Control (GGTC) and the Knowledge Hub (KH) developed a database³⁵⁰ on the tobacco industry and its allies as part of the implementation of the Article 5.3 Decision adopted at the Eighth session of the Conference of the Parties (COP8) to the WHO FCTC (COP8).³⁵¹ In addition, many observers to the COP maintain their own resources to expose organizations and individuals advancing tobacco industry interests.

CONCLUSION

From National Practice to Global Norm

The implementation of Article 5.3 of the WHO FCTC has evolved from a public health safeguard into a universal standard of governance. Countries such as Botswana, France, and Thailand have demonstrated how legislation, administrative rules, and enforcement mechanisms can institutionalize protection against tobacco industry interference, while others—like Finland—have extended these safeguards beyond health into environmental and trade policy.

At the global level, the United Nations system has operationalized the same principles through the UN SDG Common Approach to Due Diligence in Partnerships, FENSA, and the UN Model Policy on Preventing Tobacco Industry Interference, embedding Article 5.3 principles across all agencies, funds, and programmes. These frameworks affirm that engagement with the tobacco industry is incompatible with UN values and the 2030 Agenda for Sustainable Development.

Beyond the UN, certain trade and government measures have effectively extended the reach of Article 5.3 beyond national borders. The Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) and similar free-trade agreements introduced provisions that deny the tobacco industry access to investor-state dispute settlement (ISDS) mechanisms, safeguarding regulatory sovereignty and protecting governments from foreign industry-led litigation. Likewise, the United States Executive Order 13193—though predating the FCTC and adopted by a non-Party—directs federal agencies to refrain from promoting tobacco exports or influencing foreign tobacco control policies. Together, these measures prevent the normalization, subsidization, or diplomatic promotion of the tobacco industry, ensuring that no arm of government advances its interests domestically or abroad.

Importantly, these examples show that multiple models already exist—from administrative disclosure systems and trade carve-outs to inter-agency policies and due diligence frameworks. Governments can readily adapt, combine, or build upon these existing models rather than develop new mechanisms from scratch.

Taken together, these developments confirm that protecting public policy from tobacco industry interference is no longer confined to the health sector or to FCTC Parties. It is now a universal principle of integrity, transparency, and accountability, recognized across national, regional, and international systems—and increasingly applied extra jurisdictionally to safeguard public health and sovereignty from tobacco industry influence.

ANNEXES

Annex I

Comparative Approaches to Preventing Tobacco Industry Interference in Government Operations

This table compares key administrative instruments adopted by the United Kingdom, Canada, and Australia to operationalize Article 5.3 of the WHO FCTC across government institutions. Each have common features but take varying approaches.

Element	United Kingdom (DHSC, 2025)	Canada (Health Canada, 2024–25)	Australia (Dept. of Health, 2019/2023 update)
Scope / who is covered	Whole-of-government: ministries, agencies, arm's-length bodies, local authorities, and any person acting on behalf of government.	Federal public service officials; adoption encouraged for provinces, public health bodies, and other levels of government.	Applies to Commonwealth public officials incl. Members of Parliament and their staff, statutory authorities, diplomats, defence personnel.
Definition of tobacco industry	Includes manufacturers, wholesalers, importers, and organizations that receive funding or work to further industry interests (front groups).	Includes entities, lobbyists, and groups acting under contract or mandated by industry; strengthened by required screening.	Extends definition to “new and emerging products such as e-cigarettes and heated tobacco products” due to corporate integration.
Due-diligence / conflict-of-interest checks	Scenario-based screening (“Who is funding? How will it be perceived?”).	Formal COI form required before interaction; verifies boards, founders, funding, speaking engagements.	Officials must declare current, past, or proposed links include close family; instructed to treat with caution any information provided outside legal disclosure requirements.
Limiting interactions (necessity test)	Interaction only when “strictly necessary to regulate.”	Diagnostic questions: Will this advance industry policy interests? Create perception of partnership? Could this be done in writing instead?	Interaction only if needed to enact regulation; applies to tobacco and novel nicotine products.
Prohibited content / red lines	No attendance at industry-organized events or social meetings.	No policy discussion, feedback, or influence attempts allowed; no	No hospitality, social events, side meetings, or any interaction creating

		attendance at industry-sponsored events.	“perception of partnership or cooperation.”
Conduct of meetings	Chair must state 5.3 obligations and stop meeting if breached; minutes must be recorded and published.	Two-official rule; listen-only stance; written record required.	Two-official rule; full record incl. date, method, participants, decisions, follow-up.
Transparency / publication	Mandatory: publish correspondence, minutes, and replies sent to industry; FOI exemptions only.	Publish meeting summaries online with required fields (date, participants, topic, purpose).	Recording mandatory but publication not required (agency discretion).
Partnerships, CSR, contributions	Must reject partnerships and de-normalize CSR activities.	Lists specific prohibited forms: MOUs, joint ops, grants, co-funded projects.	Warns against CSR claims; prohibits interactions that imply partnership.
Strengths unique to each country	Broadest legal reach + mandatory publication + explicit civil-society monitoring signal.	Most operationalized system (COI form, two-official rule, publish-with-fields template).	Future-proofed scope (HTPs/e-cigs), political-office coverage, strongest perception-based prohibition.

Annex 2

Philippines: Multisectoral Collaboration to Adopt Policies to implement Article 5.3

1. Policy Development Process

The JMC was developed through an 18-month multi-sectoral process involving the Ministry of Health, Civil Service Commission, the anti-graft office, civil society organizations, and the academe. The process began at the first meeting on Article 5.3 sponsored by the Southeast Asia Tobacco Control Alliance (SEATCA).³⁵² The think tank HealthJustice coordinated the consultations and documented tobacco industry tactics in media, noting that the most common forms of interference at the time involved CSR-branded donations and engagements with key government agencies such as the Department of Education (DepEd), Department of Environment and Natural Resources (DENR), and the Bureau of Internal Revenue (BIR).

2. Continuing Industry Pressure on the JMC

Once adopted, the JMC became a repeated target of lobbying and political pressure. Industry representatives and allied lawmakers attempted to challenge the policy during budget hearings, calling for its revocation and invoking the industry’s “stakeholder rights.”³⁵³ These attempts highlighted both the strength of the JMC as a policy firewall and the persistence of industry efforts to weaken or overturn Article 5.3 implementation.

3. Structural Gap in the 2003 Tobacco Control Law

The earlier Tobacco Regulation Act (2003) established an Inter-Agency Committee that included a representative from a tobacco-industry research institution.³⁵⁴ This structure, along with the partial sponsorship ban limited only to sports, culture, concerts, and youth activities³⁵⁵, enabled tobacco companies to continue making financial contributions to government-linked programs, particularly in disaster relief, environmental initiatives, and education support. After the JMC came into force, agencies became more cautious about inter-agency meetings, applying Article 5.3 rules to ensure transparency, avoid unnecessary interaction, and reject tobacco industry contributions.

4. Adoption of the JMC Across Government Agencies

Following the issuance of the JMC in 2010, more than 70 national and local government bodies adopted internal policies reinforcing Article 5.3 protections. These included major regulatory, educational, foreign affairs, environmental, taxation, and local government agencies. Each issuance adapted the JMC framework to the agency's mandate, reinforcing restrictions on interaction, rejecting donations, and requiring documentation of any meetings with the tobacco industry.

Government Unit/Agency	Policy Name	Date
Food and Drug Administration (FDA)	DOH Department Memorandum No. 2010-0126	May 6, 2010
Department of Science and Technology (DOST)	Memorandum (Commitment to the World Health Organization Framework Convention on Tobacco Control (WHO FCTC))	May 25, 2010
Food and Drug Administration (FDA)	DOH Department Circular No. 2011-0101	March 22, 2011
Department of Education (DepEd)	Department Order No. 6, s. 2012	January 18, 2012
Department of Labor and Employment (DOLE)	Memorandum (Civil Service Issuances on...)	May 30, 2012
Bureau of Customs	Customs Memorandum Circular No. 127-2012	June 14, 2012
Department of Interior and Local Government Region III (DILG)	Regional Order No. 2012-145	July 9, 2012
Department of Foreign Affairs (DFA)	Memorandum on CSC-DOH Joint Memorandum Circular No. 2010-01	May 24, 2013
Metro Manila Development Authority (MMDA)	Memorandum (Amended Code of...)	August 20, 2013
Commission on Audit (COA)	Memorandum (Joint Memorandum Circular...)	September 12, 2013
Department of Justice (DOJ)	Department Circular No. 080	October 23, 2013

Biñan City Jail, Bureau of Jail Management and Penology	Biñan City Jail in Biñan City, Laguna issued a...	December 9, 2013
Department of Finance (DOF)	Revenue Memorandum Order No. 28-2014	July 15, 2014
Governance Commission for Government Owned and Controlled Corporations (GCG)	Protection of the Governance Commission	August 25, 2014
Civil Service Commission (CSC)	Office Memorandum No. 76, s. 2014	December 2014
Department of Social Welfare and Development	DSWD Memorandum from the Secretary CSC...	March 8, 2016
Bureau of Fire Protection National Headquarters (BFP)	Memorandum	March 16, 2016
Office of the Ombudsman	Office Circular No. 13, s. 2016	April 13, 2016
Department of Environment and Natural Resources (DENR)	DENR Memorandum Circular 2018-12	September 13, 2018
Department of Tourism (DOT)	Office Circular No. 2019-01	January 23, 2019
National Commission for Culture and Arts (NCCA)	Memorandum Order-Office of Executive...	May 28, 2019
Commission on Higher Education (CHED)	CHED Memorandum Order No. 06, s. 2021	May 2021
Career Executive Service Board (CESB)	Resolution no. 1223 “Guidelines requiring full...	N/A

Source: *Private communications with HealthJustice, a leading NGO in the Philippines that monitors tobacco industry interference*

5. Recent Example of Interference Affecting Implementation (2024–2025)

In early 2025, the Office of the President accepted a donation of mobile clinics from Philip Morris International and hosted a courtesy call and photo session with company executives at the presidential palace.³⁵⁶ The donation did not go through the Department of Health³⁵⁷, which had previously relied on the JMC to refuse tobacco industry donations during the COVID-19 period. The incident drew public attention because it illustrated the uneven application of the JMC across different branches of government, especially among offices without prior experience in applying Article 5.3 compliance rules.

Annex 3

Uganda: Provisions Implementing Article 5.3 Challenged in Court

The tobacco industry challenged³⁵⁸ four (4) of the aforementioned provisions pertaining to Article 5.3. IN particular, British American Tobacco (BAT) sought a preliminary injunction on the implementation of these provisions:

- The two (2) years gap after public service or tobacco industry employment in relation to tobacco control policy contribution. BAT argued that this would discriminate against tobacco industry employees and create an unfair barrier to further employment.
- Penalty clauses for violations of conflict-of-interest rules (fine, imprisonment up to 5 years, damages). BAT contended that these are harsh, unreasonable, and disproportionate, and contravenes practice of lawful trade or occupation guaranteed by the constitution.
- Conflict of interest provision relating to compensation for losses and its execution shall be deemed a decree under the Civil Procedure Act. BAT argued that this is unreasonable.
- The coverage for the prohibition on preferential treatment, investment in tobacco venture, establish a tobacco business (wholesale, manufacturing or import, given any incentive to any phase of tobacco growing and tobacco product production or marketing, is broad; particularly, “a person, body or entity that contributes to, or could contribute to, the formulation, implementation, administration, enforcement or monitoring of public health policies on tobacco control” covers the entire arm of government: the executive, legislature, and judiciary. BAT claims that this discriminates against entities doing lawful business, trade, and occupation within the tobacco industry.

Annex 4

Features of French policy on mandatory disclosures

In France, the Order n° 2016-623 of May 19, 2016, concerning transposition of Directive 2014/40/UE on the manufacture, display and sale of tobacco products and related products, Art. L. 3512-7,³⁵⁹ provide the following features;

- a) Definition of lobbying or related expenses: The following are considered expenses related to activities of influence or representation of interests and must be reported by tobacco manufacturers, importers, and distributors:
 - a. “The remuneration of personnel employed in whole or in part to exercise influence or interest representation activities;
 - b. Purchases of services from consulting firms in influential or interest representation activities;
 - c. Benefits in kind or in cash, in any form whatsoever, directly or indirectly, the value of which exceeds 10 €, provided to:
 - d. Members of the Government;
 - e. Members of ministerial offices or collaborators of the President of the Republic;
 - f. Collaborators of the President of the National Assembly or the President of the Senate;
 - g. Parliamentarians;
 - h. Persons entrusted with a public service mission which their mission or the nature of their function calls for taking or preparing the decisions and opinions of the public authorities relating

to tobacco products;

- i. Experts, natural or legal persons, appointed by agreement with a public person, to advise on behalf of a public person whose mission it is to take or prepare the decisions and opinions of the authorities' public information on tobacco products."

b) Penalties: The law provides for a fine of €45,000 in case of failure to comply with the reporting requirement or to knowingly omit making public the pertinent expenses. The fine is imposed on manufacturers, importers, and distributors of tobacco products, as well as companies, professional organizations or associations representing them, e.g., consulting firms, etc.

c) Enforcement: The law provides that consumer associations as well as long-standing (at least 5 years old) tobacco control civil society groups can file civil suits for violations of the reporting requirement.³⁶⁰

Annex 5

Below table summarizes the international instruments that have been adopted or developed to be consistent with or to support the implementation of WHO FCTC Article 5.3 which provides: In setting and implementing their public health policies with respect to tobacco control, Parties shall act to protect these policies from commercial and other vested interests of the tobacco industry in accordance with national law.

Decisions of the International Community that Support the Implementation of WHO FCTC Article 5.3

International Organization / Year / Parties	International Instrument / Details
UN Economic and Social Council (ECOSOC) — 2020; 54 members.	<p>Resolution adopted by the Economic and Social Council on 22 July 2020</p> <p>“II. Encourages members of the Task Force, as appropriate and in line with their respective mandates, to continue to develop and implement their own policies on preventing tobacco industry interference, including those related to novel and emerging tobacco products, bearing in mind the model policy for agencies of the United Nations system on preventing tobacco industry interference, in order to ensure consistent and effective separation between the activities of the United Nations system and those of the tobacco industry;..”³⁶¹</p>

<p>UN Economic and Social Council (ECOSOC), 2017 Number of Members: 54</p>	<p>Resolution E/2017/L.21: Model Policy for Agencies of the United Nations System on Preventing Tobacco Industry Interference</p> <p>“10. Encourages members of the Task Force, as appropriate and in line with their respective mandates, to develop and implement their own policies on preventing tobacco industry interference, bearing in mind the model policy for agencies of the United Nations system on preventing tobacco industry interference, in order to ensure a consistent and effective separation between the activities of the United Nations system and those of the tobacco industry.”³⁶²</p>
<p>World Health Assembly (WHA), 2016 Number of Members: 194</p>	<p>WHA Resolution 69.10: Adoption of the Framework for Engagement with Non-State Actors</p> <p>In 2016, the WHA’s Resolution 69.10 adopting the Framework for Engagement with Non-State Actors (FENSA) provided clear rules for non-engagement with the tobacco industry and other non-state actors that work to further the interests of the tobacco industry. Setting the standard for private sector engagement with a United Nations (UN) agency, FENSA provides: “WHO does not engage with the tobacco industry or non-State actors that work to further the interests of the tobacco industry.”^{363,364}</p> <p>“WHO does not engage with the tobacco industry or with non-State actors that work to further the interests of the tobacco industry. The latter includes but is not limited to: entities and subsidiaries engaged in the manufacturing, distribution and/or sale of tobacco or tobacco-related products; entities working to specifically further the interests of the tobacco industry through lobbying, advertising, legal advice or similar activities; entities being funded, supported or influenced in their governance by tobacco-related entities; and entities having tobacco</p>

	industry or their representatives among their members.” ^{365,366}
United Nations, 2015 Number of Parties: 193	<p>United Nations General Assembly Resolution 70/1: Sustainable Development Goals (SDGs)</p> <p>“Goal 3: Ensure healthy lives and promote well-being for all at all ages Strengthen the implementation of the World Health Organization Framework Convention on Tobacco Control in all countries, as appropriate.”³⁶⁷</p>
United Nations, 2012 Number of Parties: 193	<p>United Nations General Assembly Resolution 66/2: Political Declaration of the High-Level Meeting of the General Assembly on the Prevention and Control of Non-Communicable Diseases</p> <p>“38. Recognize the fundamental conflict of interest between the tobacco industry and public health.”³⁶⁸</p>
WHO FCTC, 2008 Number of Parties: 183	<p>Decision FCTC/COP3(7): Guidelines for the Implementation of Article 5.3 of the WHO FCTC</p> <p>“Guiding Principles: Principle 1: There is a fundamental and irreconcilable conflict between the tobacco industry’s interests and public health policy interests. Principle 2: Parties, when dealing with the tobacco industry or those working to further its interests, should be accountable and transparent. Principle 3: Parties should require the tobacco industry and those working to further its interests to operate and act in a manner that is accountable and transparent. Principle 4: Because their products are lethal, the tobacco industry should not be granted incentives to establish or run their businesses.”³⁶⁹</p>

Annex 6

International Tax and Investment Center

ITIC Relationship with the Tobacco Industry

The International Tax and Investment Center (ITIC) claims to be an international think tank that works closely with governments on fiscal and trade issues,³⁷⁰ but its board includes representatives coming from four (4) tobacco companies, namely, PMI, JTI, BAT, and Imperial Tobacco. Based on analysis of internal tobacco industry documents,³⁷¹ the organization has been identified as a tobacco industry front group.³⁷²

ITIC Tactics in Interfering with the WHO FCTC during the Adoption of the Article 6 Guidelines (Price Measures)

ITIC sponsored an event intended to challenge COP6 adoption of Article 6 Guidelines; the time and venue was strategically set just before/during the COP6 and near the COP6 session venue in Moscow. It invited tax officials from FCTC Parties and WHO member-states that are observers to the COP.³⁷³

Response: Note Verbale of the Framework Convention Secretariat

The Framework Convention Secretariat (FCS) issued a Note Verbale (NV) to warn against attending the event.¹⁰² For many delegates and government officials, it was the first time they were apprised that the ITIC event is not an activity related to or endorsed by COP, and that ITIC is tobacco industry-funded. In addition, CSOs circulated information about ITIC arguments and how they undermine the proposed Article 6 Guidelines.³⁷⁴ Due to these efforts, the ITIC event was hardly attended by COP delegates.

On 04 March 2016, the FCS issued another NV that expressed concern about meetings organized by ITIC and advised Parties that tobacco industry interference (e.g., ITIC organized regional and global meetings) is “damaging for tobacco-control efforts worldwide.”³⁷⁵ It reminds Parties to “reject partnerships and non-binding or nonenforceable agreements with the tobacco industry.”³⁷⁶ It issued the NV amidst reports that tobacco companies are proposing to some FCTC Parties to sign agreements in which the former will take on certain tasks in controlling the tobacco supply chain; and, reports that the tobacco industry is actively endorsing the use of Codentify, a coding system it developed.

The aforesaid NVs have increased the awareness of FCTC Parties and COP observers about ITIC and its activities; thus, many of them have refused to participate in ITIC events.

ITIC and its Involvement in Tax/ Customs Global Events

On its website, ITIC claims that it regularly sponsors and participates in global events where tax and customs officials from all over the world will be in attendance. For instance, in 2014, ITIC presented its report on “The Illicit Trade in Tobacco Products and How to Tackle It” to over 150 enforcement officials from various countries during the World Customs Organization (WCO) meeting in Brussels.³⁷⁷ One such widely promoted event was the 12th Annual Asia-Pacific Tax Forum, held in New Delhi on 5- 7 May 2015.

Response: World Bank and Host Country Response

After much global campaigning from CSOs, the World Bank withdrew from the 12th Annual Asia-Pacific Tax Forum, held in New Delhi on 5-7 May 2015, which was coorganized by a consortium financed by several transnational tobacco companies. The Indian government officials, touted by ITIC to inaugurate the event, also decided not to participate.³⁷⁸³⁷⁹

ITIC Challenging Civil Society Groups

In 2015, the Southeast Asia Tobacco Control Alliance (SEATCA) published “ITIC’s ASEAN Excise Tax Reform: A Resource Manual,” which revealed how ITIC’s report is undermining global best practice in tobacco taxation in the region.³⁸⁰ In 2014, it also critiqued ITIC’s Asia-III Illicit Tobacco Indicator 2012,³⁸¹ which together with other ITIC reports, were widely disseminated to finance ministers in Southeast Asia. Shortly after, ITIC president Daniel Witt sought to meet with SEATCA to have a “round-table discussion” with stakeholders on the matter. It was later revealed that the meetings are meant to make SEATCA rectify its “errors.” A series of letters were written to complain about SEATCA’s inaccuracies and refusal to engage with ITIC. Letters were written to various individuals associated with SEATCA to pressure its executive director to participate in ITIC meetings. A subsequent letter, written by an Australian consultant, accused SEATCA of unreasonableness, lack of transparency, accountability, and good governance, and of continuing to “dismiss competing views and disparage those who hold them.”³⁸²

Response: Civil Society Groups Unified in the Denouncement of Tobacco Industry Funds/ Ties

Various civil society groups responded to defend SEATCA’s position and criticized ITIC for its tobacco industry tactics. In 2017, ITIC announced that it has removed tobacco industry representatives from its board and declared that it would no longer receive sponsorships from the tobacco industry.³⁸³ Its previous papers supporting tobacco industry interests are no longer available on its website’s resources list.

Outcome: ITIC Rejects Tobacco Industry to Safeguard Reputation

In 2017, ITIC announced that it has adopted a resolution to immediately sever links with tobacco companies. ITIC’s Board resolved that it will no longer accept sponsorship from tobacco companies and that representative from tobacco firms will no longer serve in it. ITIC’s president admits that this is due to pressures that have consistently petitioned the organization to support the WHO FCTC. He added that this “was a necessary step to safeguard ITIC’s reputation and ensure its long-term effectiveness.” The Commonwealth Association of Tax Administrators has welcomed this policy.³⁸⁴

Annex 7

ASEAN Intellectual Property Association

- i. ASEAN IPA is an association of intellectual property owners that meets annually to celebrate World Intellectual Property Day.
- ii. ASEAN IPA's Tactics in Interfering with the WHO FCTC as well as Intellectual Property and Plain Packaging in ASEAN

The ASEAN Intellectual Property Association (IPA) is a Philippine-based organization that aims to promote the development and protection of intellectual property in Southeast Asian countries. It is one of the over forty (40) organizations that submitted a total of thirty-six (36) *amicus curiae* in opposing Australia's plain packaging at the World Trade Organization (WTO). Its *amicus brief* had been adopted by oppositors Honduras, Indonesia, and Dominican Republic.³⁸⁵ In 2016, it wrote a series of letters to governments in ASEAN to warn against the harmful consequences of cigarette plain packaging in the region.

Response: SEATCA Counters ASEAN IPA Arguments

The regional non-government organization, SEATCA, refuted ASEAN IPA's arguments. Through letters, it informed governments in the region of the association's background and agenda.³⁸⁶ The ASEAN IPA continues to raise intellectual property issues on plain packaging in light of the planned adoption of the measure by some countries in the region. Nevertheless, despite its tactics in the region, the Singapore Ministry of Health launched public consultations for plain packaging in February 2018.

Annex 8

US/ American Chamber of Commerce

Relationship with the Tobacco Industry

The US Chamber of Commerce, known in other parts of the world as American Chamber of Commerce (AmCham), is a global network of US business associations, most of which includes PMI.³⁸⁷ It has been reported to promote tobacco industry interests in various countries all over the world as evidenced, among others, by its own internal documents.³⁸⁸ Five (5) US Chambers of Commerce (Mexico, Netherlands, Russia, Thailand, and United States) have *amicus curiae* opposing Australia's plain packaging at the WTO. Its *amicus brief* had been adopted by oppositors Honduras, Indonesia, and Dominican Republic.³⁸⁹

In June 2015, the New York Times released a report on the extent of lobbying that AmCham had undertaken in Australia, Burkina Faso, El Salvador, the European Union, Ireland, Jamaica, Kosovo, Moldova, Nepal, New Zealand, the Philippines, Ukraine, United Kingdom, and Uruguay³⁹⁰ to dilute and delay life-saving tobacco control measures.

Response: CVS Leaves US Chamber of Commerce

As a response to the New York Times exposé, CVS Health Corporation (a pharmacy healthcare company in the United States with more than 9,700 retail locations) decided to leave the association in 2015.³⁹¹ US senators released a public statement critical of US Chamber of Commerce's actions, and sent letters to companies represented by Board Members to find out their positions on the Chamber's efforts to challenge tobacco control measures.

Globally, business associations continue to influence tobacco control policies on behalf of the tobacco industry. Over forty (40) business associations and organizations across the world publicly opposed plain packaging.³⁹² A more regional strategy is exemplified by the ASEAN Business Council, which annually sets meetings with high-level officials in each country in the ASEAN region, making way for meetings/ unnecessary interactions between US tobacco company leaders and top-level government officials.³⁹³

Annex 9

International Tobacco Growers Association

ITGA Relationship with the Tobacco Industry

The International Tobacco Growers Association (ITGA) claims to represent the interest of farmers at various global and regional fora, yet its main supporters are transnational tobacco-related companies, including Alliance One International, Imperial Tobacco International, Universal Leaf, PMI, BAT, JTI, etc.³⁹⁴

ITGA claims that the WHO FCTC puts the livelihoods of millions of growers at risk. According to the Framework Convention Alliance (FCA), the global civil society group supporting tobacco control, “ITGA does nothing to help tobacco farmers and farm workers trapped in cycles of poverty and debt bondage because of the industry’s exploitative tobacco buying practices and unfair contracts.”³⁹⁵

ITGA Tactics in Interfering with the WHO FCTC during the Adoption of Guidelines (Articles 9/10, 17/18)

In 2010, during the FCTC COP4, the ITGA reportedly rallied tobacco farmers from several countries together in order to influence the negotiations and to thwart the approval of Articles 9 and 10 Guidelines and progress report on Articles 17 and 18.³⁹⁶

Response: Rejection of Application for Observer Status

When ITGA applied for observer status in 2010, the COP4 took note of the report that information available on the official website of the organization shows that its activities “may not be in line with the aims and spirit of the Convention,” in particular with regard to Article 5.3. The COP4 then rejected ITGA’s application for observer status.³⁹⁷

Annex 10

Foundation for a Smoke-Free World (FSFW)

Foundation for a Smoke-Free World and its Relationship with the Tobacco Industry

On 13 September 2017, PMI announced that it will commit US\$1 billion to FSFW over the next twelve (12) years. It was reported that FSFW will focus on funding research to support policy and collaborative initiatives on harm reduction. FSFW's president was formerly with the WHO.³⁹⁸

Response: WHO and Public Health Community Warn against Cooperating with FSFW

WHO and WHO FCTC Secretariat

Within two weeks of PMI's announcement of FSFW, the Convention Secretariat for the WHO FCTC issued a statement denouncing key aspects of FSFW such as, but not limited to, its leadership, the funding, new tobacco products, and potential interactions with the tobacco industry. It reminds FCTC Parties that: "Any collaboration with this Foundation, due to its current funding arrangement that comes from a tobacco multinational, would constitute a clear breach of Article 5.3 of the Convention concerning tobacco industry interference."³⁹⁹

Below are excerpts of the WHO statement dated 28 September 2017:

"Article 5.3 of the WHO Framework Convention on Tobacco Control (WHO FCTC) obliges Parties to act to protect public health policies from commercial and other vested interests of the tobacco industry in accordance with national law. Guidelines for implementation of Article 5.3 state clearly that governments should limit interactions with the tobacco industry and avoid partnership. These Guidelines are also explicit that Governments should not accept financial or other contributions from the tobacco industry or those working to further its interests, such as this Foundation.

Strengthening implementation of the WHO FCTC for all tobacco products remains the most effective approach to tobacco control... If PMI were truly committed to a smokefree world, the company would support these policies. Instead, PMI opposes them. PMI engages in large scale lobbying and prolonged and expensive litigation against evidence-based tobacco control policies such as those found in the WHO FCTC and WHO's MPOWER tobacco control, which assists in implementation of the WHO FCTC. For example, just last year PMI lost a six-year investment treaty arbitration with Uruguay, in which the company spent approximately US\$ 24 million to oppose large graphic health warnings and a ban on misleading packaging in a country with fewer than four million inhabitants."⁴⁰⁰

Public Health Schools

Since the launch of FSFW, more and more public health advocates have renounced its efforts.⁴⁰¹ Seventeen (17) deans of the top schools of public health in the USA have announced that their schools are not accepting funding from or pursuing work with it.⁴⁰² The list of schools have grown to over 30 across the globe.⁴⁰³

Governments

In January 2018, the Polish Health Ministry used the WHO statements to warn universities against receiving research funding from the foundation.⁴⁰⁴ Vietnam's MOH also issued a memo “calling on the cabinet, local government, and mass organizations to coordinate the implementation of the WHO recommendation and to inform governments and health communities not to cooperate with FSFW.”⁴⁰⁵

Conference Bodies

In March 2018, during the 17th World Conference on Tobacco or Health (WCTOH), a global gathering of about 2,000 participants from the public health community, the conference organizers refused entry of FSFW representatives.⁴⁰⁶ In its Declaration, WCTOH urged “governments, scientists, research entities, foundations, and civil society organizations to reject or cease engagement with the Philip Morris International-funded Foundation for a Smoke-Free World and other initiatives of the tobacco industry.”⁴⁰⁷ The 17th WCTOH Declaration also adopted the Cape Town Declaration on Human Rights and a Tobacco-Free World, which urged everyone to reject or cease collaboration with FSFW and similar public relations initiatives of the tobacco industry.⁴⁰⁸

In September 2018, the Asia Pacific Conference on Tobacco or Health (APACT), a regional gathering of tobacco control delegates and key stakeholders seeking to end the tobacco epidemic, adopted a Declaration stating a similar position that: “Partnership with the tobacco industry is detrimental to all SDGs and the FCTC. To ensure good governance, governments, scientists, research entities, and civil society organizations must reject or terminate all partnerships or support from the tobacco industry, including the Philip Morris International-funded Foundation for a Smoke-Free World, and other initiatives of the tobacco industry...”⁴⁰⁹

WHO Executive Board

When the FSFW wrote to the Executive Board of the WHO (WHO EB) in January 2019, seeking a partnership with the WHO to “give global tobacco control new energy and a new path” and stating “FSFW is ready to accelerate work with WHO to achieve this [end smoking],”⁴¹⁰ over 100 organizations and individuals from the public health community raised concerns over any kind of involvement with the foundation and urged WHO to denounce any collaboration with FSFW.⁴¹¹

Notably, around the same time FSFW wrote its proposal to partner with the WHO EB; its funder, PMI, was at a side event at World Economic Forum in Davos talking about the possibility and immediate need of the tobacco industry and “anti-tobacco lobbies” to work together to solve global health issues.⁴¹²

WHO FCTC Conference of the Parties (COP)

An FSFW grantee, International Network of Nicotine Consumer Organisations (INNCO), the largest network of Novel and Emerging Nicotine and Tobacco Products (NENTPs) proponents, was denied observer status in the Eighth session of the COP in 2018 due to conflict of interest in view of its ties to the tobacco industry and its front groups.⁴¹³ Although INNCO claims to have no ties or funds from the “tobacco or vaping industry” despite the FSFW funding, it admits that its goals overlap with FSFW’s, having been in fact set up following a meeting held during the 2016 Global Forum on Nicotine.

Annex 11

Addressing Front Groups

These tobacco industry front groups employ several tactics to interfere in global / national policymaking:

- Parallel events and side meetings: During COP sessions, or UNGA, front groups host workshops, receptions, and "stakeholder consultations" to disseminate industry positions.⁴¹⁴
- Observer status and written submissions: Where rules permit, front groups register as NGOs or business associations to submit comments and attend sessions, exploiting gaps in transparency and conflict-of-interest policies.⁴¹⁵
- Coalition-building: The industry recruits allies from agriculture, trade, labor, and business sectors to co-sign letters, present joint statements, and create the appearance of broad opposition to tobacco control measures.⁴¹⁶
- Litigation and regulatory challenges: Front groups provide funding and coordination for legal challenges to tobacco control laws, often working with law firms and economists on retainer to the industry.⁴¹⁷

Addressing front-group interference requires:

1. Mandatory disclosure of funding sources for all organizations participating in policy consultations, with clear consequences for non-disclosure.⁴¹⁸
2. Robust due diligence by governments and intergovernmental bodies to screen prospective partners, using publicly available databases and civil society monitoring tools (e.g., the Global Tobacco Industry Interference Index, Courage Against Tobacco).⁴¹⁹
3. Exclusion policies that apply not only to tobacco companies but to entities "working to further the interests" of the industry, as specified in Article 5.3 Guidelines.⁴²⁰
4. Capacity-building for officials to recognize front groups and understand their tactics, particularly in non-health ministries where awareness may be lower.^{421,422}

The persistence and sophistication of global front-group networks underscore why Article 5.3 must be applied system-wide—not only by health authorities, but across all sectors and levels of government.

Annex 12

Countries that Initiated Article 5.3 Implementation

Country	Brief Description
Czech Republic	The government approved a Code of Ethics that governs the conduct of all government officials and employees. ⁴²³

Ecuador	The government initiated a legislation with unequivocal measures to protect against tobacco industry interference. ⁴²⁴
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Annex I3

Previously Reported Implementation of Art 5.3 with no Recent Updates

Country	Description / Details	Official Documents
Antigua and Barbuda	(3) Reject partnerships and non-binding agreements The government does not involve the tobacco industry in any decisions regarding public health policies. Its new draft tobacco control legislation includes a requirement protecting public health policies from the industry. ⁴²⁵ The legislation speaks against public officials interacting with industry persons.	Document N/A ⁴²⁶
Argentina	(6) De-normalize and regulate its so-called CSR The law of the country prohibits tobacco industry's contributions to any public event or activity that may promote tobacco use.	Law 26687 on Advertising and Promotion and Tobacco Product Consumption Arts. 4(f), 8 ⁴²⁷
Armenia	(6) De-normalize and regulate its so-called CSR The law of the country prohibits all forms of tobacco industry sponsorship.	Law on Reduction and Prevention of the Damage Caused by the Use of Tobacco Products and Substitutions for Them Art. 7.5 ⁴²⁸
Azerbaijan	(6) De-normalize and regulate its so-called CSR The law of the country prohibits people involved in production and sale of tobacco from sponsorship of events that can promote tobacco sale and use.	The Law of the Republic of Azerbaijan on restriction of tobacco use ⁴²⁹
Bahrain	(3) Reject partnerships and non-binding agreements In 2014, Ministry of Health denied the request of Bahrain's business association, a tobacco investor, to be included as member of the National Anti-Smoking Committee, emphasizing that tobacco industry representatives are not allowed to interfere with tobacco control policies. ⁴³⁰ Additionally, tobacco industry's efforts to underestimate tobacco control policies such as taxation, smoke free places, advertisements and promotion ban were all rejected.	Policy N/A

	<p>(5) Require information to be transparent and accountable</p> <p>Central Information & eGovernment Authority annually publishes a report on imports and exports of tobacco products including revenues from taxation.</p> <p>(6) De-normalize and regulate its so-called CSR The government bans tobacco industry sponsorship, directly or indirectly, of any event related to health, sports, and welfare, and prohibits industry interference in tobacco control policies.⁴³¹</p> <p>(7) Do not give preferential treatment</p> <p>All tobacco products regulations and decisions including taxes are being implemented without giving preferential treatment to the tobacco industry.</p>	
Benin	<p>(1) Raise awareness</p> <p>In 2014, a network to monitor the tobacco industry was established after a workshop on WHO FCTC Article 5.3 implementation.⁴³² No tobacco factory has settled in Benin.</p> <p>(3) Reject Partnerships and non-binding agreements</p> <p>The Ministry of Health disallows public sector collaboration with the tobacco industry and tobacco industry participation in all its meetings. In 2020, the National Society of Tobacco and Matches of Mali proposed CODENTIFY (under the name INEXTO), but this proposal was refused by the Government.</p> <p>(6) De-normalize and regulate its so-called CSR</p> <p>The law of the country bans all forms of tobacco sponsorship, funding or underwriting.</p>	<p>Law No. 2017-27 of December 18, 2017 Concerning the Production, Packaging, Labeling, Sale and Use of Tobacco, its Derivatives and Similar Items in the Republic of Benin⁴³³</p>
Brazil	<p>(2) Limit interactions and ensure transparency of interactions that occur</p> <p>The government's multi-sectoral national committee for tobacco control (CONICQ)'s policy requires its members to adhere to be transparent in information on the tobacco industry as well its interference in tobacco control.⁴³⁴</p> <p>(3) Reject partnerships and non-binding agreements</p> <p>The government bans tobacco industry to be members of CONICQ.</p> <p>(4) Avoid conflicts of interest The government requires CONICQ members to prevent conflicts of interest with the tobacco industry.</p>	<p>Administrative Rule N° 713, 2012⁴³⁵</p>

	<p>(6) De-normalize and regulate its so-called CSR</p> <p>CONICQ bans acceptance of gifts or offers of partnerships from the tobacco industry.</p> <p>(7) Do not give preferential treatment</p> <p>CONICQ disallows giving of preferential treatment to the tobacco industry.</p>	
Bulgaria	<p>(1) Raise awareness</p> <p>A website, maintained within the frame of the National Programme for Tobacco Control is used to expose industry tactics.</p> <p>(2) Limit interactions and ensure transparency of interactions that occur</p> <p>Ministry of Health officials shun any type of communication with tobacco industry representatives.</p> <p>The government is planning to come up with a normative act to oblige all public institutions and municipal structures to ascertain transparency in all interactions with the industry.⁴³⁶</p>	National Programme for Limitation of Tobacco Smoking in the Republic of Bulgaria, 2007-2010 ⁴³⁷
Chile	<p>(1) Raise awareness</p> <p>The government uses letters as warnings to raise awareness on tobacco industry interference.</p> <p>(2) Limit interactions and ensure transparency of interactions that occur</p> <p>Because of the country's tobacco control law, government agencies have been requested that in cases it is absolutely necessary to meet with tobacco companies, civil society organizations (CSOs) should be summoned to the meeting, and that proceedings of the same should be recorded and made publicly available in accordance with the WHO FCTC Article 5.3 Guidelines.⁴³⁸</p> <p>(5) Require information to be transparent and accountable</p> <p>The country's tobacco control policy requires the tobacco industry to report every year to the Ministry of Health any donations made to public institutions, sports organizations, community, academic, cultural, and non-government organizations.⁴³⁹</p>	Law No. 20660, Amending Law N° 19419, Regarding Smoke-Free Environments, 2013 ⁴⁴⁰
China (Hong Kong)	<p>(7) Do not give preferential treatment</p> <p>In 2012, the Hong Kong Monetary Authority revealed the initial steps to divest from tobacco and instructed its contractors to divest from all tobacco stock</p>	Communication from Hong Kong Monetary Authority to Clear Air NGO and Charity, February 2, 2012 ⁴⁴²

	portfolio holdings. ⁴⁴¹ Effectively, this could remove some forms of incentive for the tobacco industry to run its business.	
Colombia	(1) Raise awareness Colombia holds workshops to raise awareness on tobacco industry interference. (3) Reject partnerships and non-binding agreements The Colombia Congress eliminated the tobacco industry's seat from the policy table during the development of the country's 2009 national tobacco control legislation ⁴⁴³ , thereby facilitating and speeding up negotiations that resulted in regulations compliant with the WHO FCTC. ⁴⁴⁴	Document N/A
Comoros	(6) De-normalize and regulate its so-called CSR The law of the country prohibits all forms of tobacco industry sponsorship.	Law No. 11-002/AU of 27 March 2011 on Tobacco Control (as promulgated by Decree No. 11-140/PR) ⁴⁴⁵
Costa Rica	(6) De-normalize and regulate its so-called CSR The law of the country prohibits tobacco industry sponsorship of any event or activity promoting tobacco products and derivatives, especially socially responsible activity.	Regulation of the General Law for the Control of Tobacco and its Harmful Effects on Health, Executive Decree No. 37185 ⁴⁴⁶
Cyprus	(2) Limit interactions and ensure transparency of interactions that occur The law limits interactions with the tobacco industry and ensures transparency. (3) Reject partnerships and non-binding agreements; The Ministry of Health informed the tobacco industry that it will not meet with the latter to discuss policy issues and allow industry interference in tobacco control policies. (4) Avoid conflicts of interest The Ministry of Health has no conflicts of interest and does not have partnerships/agreements with the tobacco industry. ⁴⁴⁷	Law on the Protection of Health (Control of Smoking) of 2002, No. 75(I) (as amended through 2008) ⁴⁴⁸
Denmark	(1) Raise awareness Denmark raises awareness through publications found on the Danish Health Authority website. (3) Reject partnerships and non-binding agreements In 2017, a state-funded entity on human rights rejected engagement with Philip Morris International (PMI) stating that the production and marketing of tobacco is irreconcilable to the human right to health. ⁴⁴⁹ (4) Avoid conflicts of interest	Code of Conduct in the Public Sector, 2017 ⁴⁵¹

	The Agency for the Modernization of Public Administration published a Code of Conduct stipulating the essential terms and conditions of work in the public sector. ⁴⁵⁰	
Djibouti	<p>(1) Raise awareness; (4) Avoid conflicts of interest The country's tobacco control law requires that in defining and applying sectorial public health policies in connection with tobacco control, the different sectors shall see to it that these policies are not influenced by commercial or other interests of the tobacco industry, in accordance with national legislation.⁴⁵²</p> <p>(3) Reject partnerships and non-binding agreements In 2007, the same law requires the intersectoral tobacco control committee to safeguard the country's national tobacco control policy from industry interference.⁴⁵³</p> <p>(6) De-normalize and regulate its so-called CSR The law of the country enforces a comprehensive ban on financial sponsorship by tobacco merchants, growers and manufacturers at regional and national levels.</p>	Law n°175/AN/07/5è me L concerning organization for the protection of health against the tobacco habit, 2007 ⁴⁵⁴
El Salvador	(6) De-normalize and regulate its so-called CSR The law of the country bans tobacco industry sponsorship of any activity that may directly or indirectly promote tobacco products and derivatives.	Decree No. 63 on Regulation of the Law for Tobacco Control ⁴⁵⁵
Fiji	<p>(1) Raise awareness A Cabinet submission is currently drafted within the MOHMS to raise awareness about Article 5.3 and TII among Parliamentarians.</p> <p>(5) Require information to be transparent and accountable The Ministry of Health, through the Minister or Permanent Secretary of Health, relays information to the Tobacco Control Enforcement Unit when the British American Tobacco (BAT) submits quarterly reports on manufacture, imports, and sale of tobacco products.⁴⁵⁶</p>	Policy/ Document N/A
Gabon	(3) Reject partnerships and non-binding agreements The country's tobacco control law provides measures to safeguard tobacco oversight policies from commercial and other interests of the tobacco industry and starts with a vital overarching principle of protection for tobacco control policies. ⁴⁵⁷ It includes	Law No. 006/2013, Concerning the enactment of measures supporting the campaign for tobacco controlling the Republic of Gabon, 2013 ⁴⁵⁹

	<p>ban on any partnerships (direct or indirect) between the government and industry.⁴⁵⁸</p> <p>(6) De-normalize and regulate its so-called CSR The law of the country bans financial or other contributions by the tobacco industry. It does not allow engagement in philanthropy or patronage as well as conducting misinformation campaigns.</p>	Decree No. 0285 Concerning Advertising Promotion and Sponsorship of Tobacco Products ⁴⁶⁰
Gambia	(6) De-normalize and regulate its so-called CSR The law of the country prohibits all forms of tobacco sponsorship, especially in youth prevention programs or educational campaigns.	Tobacco Control Act, 2016 ⁴⁶¹
Honduras	(3) Reject partnerships and non-binding agreements The country's special law on tobacco control bans interference by commercial and other interests linked with the tobacco industry. ⁴⁶²	Special Tobacco Control Law Approved by the National Congress of Honduras, June 9, 2010, Decree No.92-2010 ⁴⁶³
Hungary	(1) Raise awareness The Tobacco Control Focal Point provides information on practices of the tobacco industry. ⁴⁶⁴	Document N/A
Iran	(3) Reject partnerships and non-binding agreements The country's tobacco control law prohibits the tobacco industry from attending policy-making sessions on tobacco control. ⁴⁶⁵	Comprehensive Act on National Control and Campaign Against Tobacco, 2006 ⁴⁶⁶
Ireland	<p>(1) Raise awareness</p> <p>The government uses letters and warnings to raise awareness on tobacco industry interference.</p> <p>(2) Limit interactions and ensure transparency of interactions that occur</p> <p>Department of Health officials meet with tobacco industry representatives only when such meetings are needed to effectively regulate the latter and advance tobacco control policies.⁴⁶⁷ In November 2017, the Minister of State and the Chief Medical Officer sent an open letter to the Taoiseach, all government ministers, and all heads (secretaries general) of government departments, reminding them of the country's obligation under WHO FCTC to implement strict and transparent interactions between the government and industry.⁴⁶⁸</p> <p>(6) De-normalize and regulate its so-called CSR The country's tobacco control law bans tobacco companies' financial assistance in the promotion of tobacco products.</p>	Public Health (Tobacco) (Amendment) Act 2004 ⁴⁶⁹

Jamaica	<p>(1) Raise awareness; (2) Limit interactions and ensure transparency of interactions that occur; The government uses letters and warnings to raise awareness on tobacco industry interference. The Ministry of Health tabled a tobacco control bill that, among others, restricts interaction between government bodies and the tobacco industry. The government officials were sensitized on the issue of industry interference, and on the country's obligations under WHO FCTC Article 5.3. Persons who have violated Article 5.3 were informed, and civil society groups share this information to the public.⁴⁷⁰</p> <p>(4) Avoid conflicts of interest</p> <p>The Ministry of Health has taken steps to ensure that the tobacco industry does not participate in public health policies related to tobacco control. The Ministry of Health successfully removed a tobacco company official from the board of the Bureau of Standards where decisions on labeling of products are made.</p>	Jamaica's Proposed Tobacco Control Act, 2020 ⁴⁷¹
Japan	<p>(4) Avoid conflicts of interest</p> <p>According to Japan's 2010 report on its implementation of Article 5.3, two (2) national laws appropriately regulate commercial and other vested interests of the tobacco industry, namely, Penal Code⁴⁷² and Political Funds Control Act⁴⁷³, which include prohibition on acceptance of consideration in exchange for influence.</p>	<p>Penal Code, Act No. 45 of 1907⁴⁷⁴</p> <p>Political Funds Control Act of 1948 (last amended in 2014)⁴⁷⁵</p>
Kenya	<p>(3) Reject partnerships and non-binding agreements</p> <p>The country's tobacco control law forbids tobacco industry interference and collaboration/ consultation with the industry in preparing and carrying out tobacco control policies.</p> <p>(4) Avoid conflicts of interest</p> <p>The country's tobacco control law disallows any member of the Tobacco Control Board to be linked (directly or indirectly) with the industry or its subsidiaries and requires disclosure of tobacco industry affiliation. Failure to disclose is punishable under the law.⁴⁷⁶</p>	The Tobacco Control Act, 2007 ⁴⁷⁷
Kosovo	(3) Reject partnerships and non-binding agreements	Law No. 04/L-156 on Tobacco Control, 2013 ⁴⁷⁹

	<p>The country's tobacco control law forbids partnerships between the government and the tobacco industry.</p> <p>(7) Do not give preferential treatment The same law prohibits any support or privileges given to tobacco businesses.</p> <p>(4) Avoid conflicts of interest</p> <p>It includes provisions that disallow hiring of persons formerly engaged with tobacco companies, and that prohibit government officials from being employed in management positions of tobacco companies within one (1) year after leaving public service.⁴⁷⁸</p> <p>(6) De-normalize and regulate its so-called CSR The law also prohibits tobacco industry from stimulating, facilitating and taking part in any sponsorship of events or activities, including receiving sponsorship contributions.</p>	
Kuwait	<p>(3) Reject partnerships and non-binding agreements;</p> <p>(6) de-normalize and regulate its so-called CSR</p> <p>The government prohibits receipt of tobacco industry support for any activities as well as industry sponsorships.⁴⁸⁰</p>	Policy N/A
Latvia	<p>(3) Reject partnerships and non-binding agreements</p> <p>The government does not allow any tobacco industry member/representative to take part in policy development on tobacco control.⁴⁸¹</p>	Policy N/A
Lebanon	<p>(1) Raise awareness</p> <p>The government uses letters and warnings to raise awareness on tobacco industry interference.</p> <p>(2) Limit interactions and ensure transparency of interactions that occur; (4) Avoid conflicts of interest</p> <p>The government prevented tobacco industry representatives from taking part in parliamentary committee meetings deliberating on a tobacco control legislation.⁴⁸² In 2014, the Ministry of Finance had a focal point to serve as information source and as a firewall between the state-owned tobacco monopoly and the Ministry of Public Health and other tobacco control advocates.⁴⁸³</p>	Document N/A
Madagascar	<p>(1) Raise awareness</p> <p>In 2014, the government reported that three (3) national workshops on tobacco industry interference</p>	Interministerial Order No. 18171/2003 Laying Down the Rules on Industrialization,

	<p>were conducted for ministerial departments, journalists, and NGOs, with the assistance of The Union and WHO. They also used letters to warn against tobacco interference.</p> <p>(2) Limit interactions and ensure transparency of interactions that occur</p> <p>Various government departments were also issued letters enjoining them to identify their interactions and relationships with the tobacco industry.⁴⁸⁴</p> <p>(6) De-normalize and regulate its so-called CSR The country's tobacco control law bans incentives and sponsorships that publicize sale and use of tobacco products.</p>	Importation, Marketing and Consumption of Tobacco Products ⁴⁸⁵
Mali	<p>(5) Require information to be transparent and accountable</p> <p>Tobacco manufacturers and importers need to submit a report to National Committee for Tobacco Control that contains information on ingredients, manufacturer/ importer, brand and country of origin of the product.</p> <p>(6) De-normalize and regulate its so-called CSR The country's tobacco control law prohibits any sponsorship or promotional activity that promotes use of tobacco products, or the product itself.</p>	Decree No. 2012-343 Determining the Procedures for Implementation of Law No. 10-033 of July 12, 2010, Concerning the Sale and Consumption of Tobacco and Tobacco Products ⁴⁸⁶
Moldova	<p>(1) Raise awareness</p> <p>Under the country's tobacco control law, the Ministry of Health is tasked to raise awareness of tobacco industry tactics.</p> <p>(2) Limit interactions and ensure transparency of interactions that occur</p> <p>The country's tobacco control law safeguards tobacco control policies from commercial and other vested interests of the tobacco industry. One who is to participate in tobacco control policy development and implementation must declare his/her tobacco-related interest in the past twenty-four (24) months.</p> <p>(3) Reject partnerships and non-binding agreements</p> <p>Government officials are prohibited from receiving any form of contribution from tobacco companies including retailers. One who has managed or promoted tobacco business in the past twenty-four</p>	Law for amendment and supplementation of certain legislative acts, 2015 ⁴⁸⁷ Law No. 278-XVI on Tobacco and Tobacco Products (as amended) ⁴⁸⁸

	<p>(24) months is not allowed in tobacco control policy development and implementation</p> <p>(4) Avoid conflicts of interest</p> <p>The country's tobacco control law prevents/manages conflicts of interest for government officials and employees.</p> <p>(5) Require information to be transparent and accountable</p> <p>The National Public Health Agency requires tobacco manufacturers and importers to submit information on ingredients and quantities with an explanation for their functions, emission levels, toxicological data and details of any sponsorship and charitable activities.</p> <p>(6) De-normalize and regulate its so-called CSR The country's tobacco control law prohibits representatives of the tobacco industry from sponsorship and promotion of any activity that promotes tobacco products and consumption.</p>	
Mongolia	<p>(1) Raise awareness</p> <p>The country's tobacco control law seeks to raise awareness on industry abuses.</p> <p>(3) Reject partnerships and non-binding agreements</p> <p>The country's tobacco control law bans industry partnerships in policy development.</p> <p>(4) Avoid conflicts of interest</p> <p>The country's tobacco control law stipulates that the WHO FCTC will prevail over local laws in cases of conflict, and that its policy is to safeguard public health policies from the negative influences of the tobacco industry.</p> <p>(6) De-normalize and regulate its so-called CSR The tobacco control law forbids industry CSR⁴⁸⁹ and obliges the government to refuse industry offers of CSR. Government officials that had been involved in setting and implementing tobacco control are prohibited from promoting tobacco industry interests. Citizens and entities have a duty not to receive tobacco industry sponsorship.⁴⁹⁰</p> <p>(7) Do not give preferential treatment</p> <p>The country's tobacco control law disallows giving of preferential treatment to tobacco industry.</p>	Law on Tobacco Control (as amended), 2005 ⁴⁹¹

	(8) Treat state-owned tobacco industry same as others Treatment of the tobacco industry must be the same regardless of ownership.	
Montenegro	(6) De-normalize and regulate its so-called CSR The government prohibits the tobacco industry from funding any CSR activity associated with protection of public health (e.g., concerning promotion, prevention, treatment, and rehabilitation). ⁴⁹²	Policy N/A
Myanmar	(1) Raise awareness The Tobacco Control Cell under the Department of Health – Public Health Division organized a national workshop with the goal to increase awareness among government and NGOs on how to tackle the problem of tobacco industry interference. It is now in the process of crafting guidelines and regulations to protect public health policies from the industry's commercial and vested interests. ⁴⁹³	Document N/A
Namibia	(3) Reject partnerships and non-binding agreements The country's tobacco control law prohibits entities associated with the industry or with tobacco industry interests from joining the Tobacco Products Control Committee. (4) Avoid conflicts of interest The same law has provisions on conflicts of interest. (6) De-normalize and regulate its so-called CSR The law also prohibits the industry from giving financial support to any organized activity. ⁴⁹⁴	Tobacco Products Control Act, 2010 ⁴⁹⁵
Norway	(4) Avoid conflicts of interest The tobacco control law avoids conflicts of interest for enforcers. ⁴⁹⁶ The Norwegian Government decided to divest all its funds from tobacco companies and invest those stocks elsewhere. ⁴⁹⁷ (6) De-normalize and regulate its so-called CSR The tobacco control law provides for a ban on all tobacco contributions and sponsorships. (7) Do not give preferential treatment In 2014, the Parliament passed ethical standards to prevent the Government Pension Fund Global from investing in tobacco companies. ⁴⁹⁸	Law amending the Tobacco Control Act (implementation of Directive 2014/40/EC and standardized tobacco packs). ⁴⁹⁹ Guidelines for observation and exclusion from the Government Pension Fund Global, 2014 ⁵⁰⁰ Act No. 14 of 9 March 1973 relating to Prevention of the Harmful Effects of Tobacco (with 2013 amendments) ⁵⁰¹
Oman	(1) Raise awareness	Document N/A

	<p>The government uses letters as warnings to raise awareness on tobacco industry interference.⁵⁰²</p> <p>(3) Reject partnerships and non-binding agreements</p> <p>The Ministry of Health warned all concerned government agencies not to receive assistance and donations from tobacco companies.⁵⁰³</p> <p>(4) Avoid conflicts of interest</p> <p>The National Committee for Tobacco Control initiated a conflict-of-interest report form.</p>	
Pakistan	<p>(3) Reject partnerships and non-binding agreements;</p> <p>(6) De-normalize and regulate its so-called CSR</p> <p>The Head of State was reported in the news to have expressly withdrawn participating in a tobacco sponsored media event.⁵⁰⁴</p>	Document N/A
Panama	<p>(2) Limit interactions and ensure transparency of interactions that occur</p> <p>The National Commission for the Study of Smoking is responsible for all tobacco industry interactions with the Ministry of Health. Its meetings with the industry are recorded for transparency purposes and are limited only to regulation of the latter.</p> <p>(4) Avoid conflicts of interest</p> <p>The members of the National Commission for the Study of Smoking must not have worked for the industry in the previous three (3) years, nor may they work for the industry within three (3) years after their appointment to the Commission.⁵⁰⁵</p> <p>(6) De-normalize and regulate its so-called CSR The tobacco control law bans any contribution that promotes a tobacco product, especially cross-border sponsorship.</p>	<p>Resolution No.745, 2012⁵⁰⁶</p> <p>Law No. 13 of January 24, 2008 “Which Adopts Measures to Control Tobacco and its Harmful Effects on Health”⁵⁰⁷</p>
Paraguay	<p>(6) De-normalize and regulate its so-called CSR The tobacco control law prohibits sponsorship of any event or activity that may tobacco products and use.</p>	<p>Law No. 5538, Official Gazette, Republic of Paraguay⁵⁰⁸</p>
Poland	<p>(1) Raise awareness</p> <p>The government uses letters as warnings to raise awareness on tobacco industry interference. The Ministry of Health raised awareness among all Chancellors, Vice Rectors, and Deans of Medical Schools in Poland about the PMI-funded Foundation for a Smoke-Free World (FSFW), in accordance with the WHO FCTC Article 5.3.</p>	<p>Ministry of Health Letter to Chancellor, Vice Rectors, and Deans, January 09, 2018⁵⁰⁹</p>

	<p>(3) Reject partnerships and non-binding agreements;</p> <p>(6) De-normalize and regulate its so-called CSR</p> <p>The Ministry of Health declared that it will not consider for policy development or legislation any research receiving support from FSFW.</p>	
Portugal	<p>(4) Avoid conflicts of interest</p> <p>The government prohibits all members of the National Scientific Tobacco Prevention Board from having any conflicts of interest with the tobacco industry.⁵¹⁰</p>	Policy N/A
Qatar	<p>(6) De-normalize and regulate its so-called CSR</p> <p>The law bans tobacco industry sponsorship of events and activities.</p>	Law No. 10 of 2016 on the Control of Tobacco and Its Derivatives ⁵¹¹
Russia	<p>(1) Raise Awareness</p> <p>The tobacco control law requires raising awareness not only of tobacco harms but also of tobacco industry.</p> <p>(2) Limit interactions and ensure transparency of interactions that occur;</p> <p>The tobacco control law requires that interactions with the tobacco industry should be done in public, and that industry appeals and answers to the same should be placed on the official websites of state authorities and local governments.⁵¹² It obliges public authorities and local governments to ensure accountability and transparency in their interactions with the industry.⁵¹³</p> <p>(6) De-normalize and regulate its so-called CSR</p> <p>The tobacco control law calls for a ban on tobacco industry sponsorship.</p>	Federal Law N15-FZ "On Protecting the Health of Citizens from the Effects of Second-Hand Tobacco Smoke and the Consequences of Tobacco Consumption," 2013 ⁵¹⁴
Saint Lucia	<p>(2) Limit interactions and ensure transparency of interactions that occur</p> <p>The government refuses to engage tobacco industry representatives in dialogues on development and implementation of tobacco control policy.⁵¹⁵</p>	Document N/A
Senegal	<p>(2) Limit interactions and ensure transparency of interactions that occur</p> <p>Since 2012, the Ministry of Health no longer has contact with the industry.⁵¹⁶</p> <p>(6) De-normalize and regulate its so-called CSR</p> <p>The country's tobacco control law forbids tobacco industry interference in national health policies and bans tobacco sponsorship.</p>	Law No. 2014-14 concerning the manufacture, packaging, labeling, sale and use of tobacco 2014 ⁵¹⁷

Serbia	<p>(2) Limit interactions and ensure transparency of interactions that occur</p> <p>The government prohibits health care institutions from receiving any support from the tobacco industry.</p> <p>(4) Avoid conflicts of interest</p> <p>Members of the Council for Tobacco Control and National Committee are not allowed to have any form of relations with the industry that can be viewed as creating a conflict of interest, and all are required to sign a declaration of interests.⁵¹⁸</p> <p>(6) De-normalize and regulate its so-called CSR The government disallows industry sponsorship of tobacco control activities.</p>	Policy N/A
Singapore	<p>(2) Limit interactions and ensure transparency of interactions that occur</p> <p>The Health Promotion Board has established guidelines governing interactions with the tobacco industry. Deliberations adhere to an agreed agenda and proceedings of meetings with the industry are recorded.⁵¹⁹</p>	Policy N/A***
Spain	<p>(6) De-normalize and regulate its so-called CSR The law prohibits all forms of tobacco sponsorship.</p>	Law 28/2005 on health measures regarding smoking and its sales regulation, supply, use and advertising of tobacco products (as amended by Law 42/2010) ⁵²⁰
Suriname	<p>(6) De-normalize and regulate its so-called CSR The law prohibits all forms of tobacco sponsorship.</p>	Act of February 20, 2013 Laying Down Rules Limiting the Use of Tobacco and Tobacco Products (Tobacco Act) ⁵²¹
Turkey	<p>(1) Raise Awareness</p> <p>Ministry of Health and WHO had organized in October 2016 a workshop on the implementation of FCTC Art 5.3.</p> <p>(4) Avoid conflicts of interest</p> <p>In 2014, the Ministry of Health and the National Regulatory Agency adopted its internal code of practice reflecting all principles of the guidelines for Article 5.3 implementation.⁵²²</p>	Policy N/A
Turkmenistan	<p>(5) Require information to be transparent and accountable</p> <p>The country's tobacco control law requires information from the tobacco manufacturers and</p>	Law on Protecting the Health of Citizens from the Effects of Tobacco Smoke and the

	<p>importers ingredients of tobacco products, specifically harmful substances in cigarettes.</p> <p>(6) De-normalize and regulate its so-called CSR; The law prohibits all forms of tobacco sponsorship.</p>	Consequences of Tobacco Product Consumption ⁵²³
Uganda	<p>(2) Limit interactions and ensure transparency of interactions that occur</p> <p>The country's tobacco control law established the duty of government to safeguard tobacco control policies from tobacco industry interference and to ensure transparency of any interactions with it.</p> <p>(4) Avoid conflicts of interest</p> <p>A person who has engaged in any occupational activity with the tobacco industry within less than two (2) years is not allowed to hold a position that has a bearing on tobacco control policy.</p> <p>(5) Require information to be transparent and accountable</p> <p>The law also requires periodic reporting and provides a list of information required.</p> <p>(6) De-normalize and regulate its so-called CSR</p> <p>Furthermore, the law prohibits partnerships and endorsements of the industry and voluntary industry contributions.⁵²⁴</p> <p>(7) Do not give preferential treatment</p> <p>The law prohibits giving of incentives or privileges to the tobacco industry.⁵²⁵</p>	Tobacco Control Act, 2015 ⁵²⁶
Uruguay	<p>(2) Limit interactions and ensure transparency of interactions that occur</p> <p>The government restricts its interactions with the tobacco industry only to the extent necessary for its regulation. Civil society representatives are invited when the government holds meetings with the industry.⁵²⁷</p> <p>(6) De-normalize and regulate its so-called CSR</p> <p>The law does not allow the tobacco industry to participate in or sponsor national or international, cultural, sports, or any other kinds of activities.⁵²⁸</p>	<p>Law No. 18,256, Smoking Control Regulations, 2008⁵²⁹</p> <p>Law No. 19.244 Amending Law No. 18.256⁵³⁰</p>
Venezuela	(6) De-normalize and regulate its so-called CSR	<p>The law prohibits all forms of tobacco sponsorship. The law specifically prohibits actions performed in the name of corporate social responsibility.</p> <p>Resolution No. 071 of July 18, 2019 on Comprehensive Ban on Tobacco Advertising, Promotion and Sponsorship⁵³¹</p>

Annex 14

WHO, WHO FCTC Secretariat: Selected Actions and Statements on Tobacco Industry Interference (2017 – 2025)

Consistent with the WHO Framework of Engagement with Non-State Actors (FENSA, WHA 69.10, 2016) and Article 5.3 of the WHO FCTC, the WHO and the FCTC Secretariat have repeatedly reaffirmed their policy of non-engagement with the tobacco industry and its affiliates. These actions reinforce global awareness of the need to prevent and counter tobacco industry interference in health and development policy. In 2018, COP8 further requested the FCTC Secretariat to enhance communication and visibility on this complex issue. The table below compiles major public statements, campaigns, and advisories issued by WHO and the FCTC Secretariat that expose and address tobacco industry interference.

Date	Issuer	Title / Reference	Key Message or Excerpt
Oct 2025	WHO FCTC Secretariat	Press Statement: “Parties urged to stay vigilant” (Note Verbale)	Alerts governments that the tobacco industry is intensifying interference at COP/MOP; urges use of the Global Tobacco Industry Interference Index.
May 2025	WHO	World No Tobacco Day 2025 – “Unmasking the Appeal”	Exposees how the tobacco industry uses flavors, colors, and sleek designs to lure youth.
May 2024	WHO	World No Tobacco Day 2024 – “Protecting children from tobacco industry interference”	Supports Global Youth Voices (GYV) in calling out governments to shield youth from manipulative industry tactics including a GGTC Global Media Competition – WHO Co-sponsor and STOP Report: “Hooking the Next Generation”
Feb 2024	WHO FCTC Secretariat	COP10 adopted historic decisions..	Highlights, among others, Declaration that draws attention to tobacco industry interference and Global Youth Voices' call to action
May 2022	WHO	World No Tobacco Day 2022 – “Tobacco: Threat to our environment”	Warns that the tobacco industry greenwashes its reputation by marketing itself as environmentally friendly.
May 2020	WHO FCTC Secretariat	Statement on Tobacco Industry Interference in COVID-19 Responses	Denounces industry efforts to exploit the pandemic for image rehabilitation.
May 2020	WHO	World No Tobacco Day 2020 – “Protecting youth from industry manipulation”	Highlights marketing and misinformation targeting young people.
2017	WHO	Official Statement on FSFW (PMI-funded)	States WHO does not engage with the Foundation for a Smoke-Free World (PMI-funded).

Annex 15

Core GGTC resources supporting Article 5.3 implementation

This annex compiles key technical and advocacy resources that directly inform or complement the Handbook on the Implementation of Article 5.3. Each document below provides practical or evidentiary support for strengthening governance, transparency, and accountability in line with the WHO FCTC:

Resource Title	Short Description	How it helps with Article 5.3 Implementation
Milestone Calendar (GGTC)	Timeline highlighting key milestones, COP decisions and implementation of Article 5.3 over two decades.	Reviewing context of Article 5.3 Implementation
UN/UNGA Brief – Protecting Public Health from the Tobacco Industry (ExposeTobacco)	Brief explaining UN policy coherence and the need for excluding industry from partnerships.	Briefing on UN Agencies that reject tobacco industry
Tobacco Industry and Corruption – Issue Brief (ExposeTobacco)	Issue brief mapping the corruption and policy-capture strategies of the tobacco industry.	Supporting legal basis for Article 5.3 implementation; governance tools.
An Inherent Contradiction: The Tobacco Industry's ESG Activities (GGTC 2022)	Report analysing the contradictions in how the tobacco industry presents itself via ESG frameworks.	Understanding the global trend to remove tobacco from ESG Frameworks
Screening & Prevention Protocol (Courage Against Tobacco) (GGTC)	Operational protocol offering screening tools, COI workflows, monitoring templates.	Screening to prevent conflict of interest
Toolkit for the Implementation of art 5.3 (SEATCA/HealthJustice/GGTC)	Comprehensive advocacy & operational toolkit including templates, checklists, training modules.	Training and capacity building for Article 5.3 Implementation
Global Tobacco Industry Interference Index (GGTC)	Online repository of GTI data which ranks countries in their implementation of Article 5.3 including Country Fact Sheet	Monitoring and evaluation of the country's current level of Article 5.3 implementation
Tobacco Industry Indicators (WHO/GGTC)	Lists typical tobacco industry tactics in various policy fields	Identifying indicators of tobacco industry presence and influence based on its interference style and tactics
Extended Producer Responsibility and Tobacco Products (Sy et al., BMJ Tobacco Control 2025)	Peer-reviewed paper outlining legal liability and cost recovery through EPR/EPL frameworks for tobacco waste.	Applying Article 5.3 across sectors (environment)

<u>Tobacco's Toxic Plastics – A Global Outlook</u> (GGTC / STPA)	Global brief exposing cigarette filters as toxic plastics and recommending treaty-action including country fact sheet How Tobacco Polluters Must Pay..	Initiating discussions with the environment sector on tobacco plastics.
<u>Electronic Nicotine Delivery Systems and Novel NENTPs</u> Fact Sheet (GGTC)	Fact sheet summarizing ENDS/ENNDS policy issues and how industry <u>interference</u> frames " <u>harm reduction</u> ".	Identifying "harm reduction" groups furthering tobacco industry interests
<u>Tobacco Industry Accountability in the Time of COVID-19</u> (ExposeTobacco)	Policy brief analyzing how the tobacco industry exploited the COVID-19 context and how governments responded. Resources on how the tobacco industry is held accountable	Liability/Enforcement chapter (emergency context) – builds case for crisis policies and accountability frameworks.
<u>Towards Health with Justice</u> (BMJ Tobacco Control, 2025)	Peer-reviewed article linking human rights, justice frameworks and tobacco control accountability.	Providing additional examples of how to make the tobacco industry accountable

References

¹ Global Center for Good Governance in Tobacco Control (GGTC), Global Tobacco Industry Interference Index 2023. Available at: <https://globaltobaccoindex.org/gti/2023>.

² GGTC, Southeast Asia Tobacco Control Alliance (SEATCA), and HealthJustice, FCTC Article 5.3 Toolkit Preventing Tobacco Industry Interference (2023). Available at: [https://files.gttc.world/uploads/2024-02-01/03-07-53-470050/GGTC%20Toolkit%20\(Redesign\)%20171123.pdf](https://files.gttc.world/uploads/2024-02-01/03-07-53-470050/GGTC%20Toolkit%20(Redesign)%20171123.pdf)

³ Government sites may contain some information about Article 5.3 implementation but are not utilized except to validate certain information that appears in the Parties' reports.

⁴ See case study for a complete discussion

⁵ Guidance for Public Officials on Interacting with the Tobacco Industry. Department of Health, Australian Government, updated November 13, 2019. Available at: <https://www.health.gov.au/sites/default/files/2023-05/guidance-for-public-officials-on-interacting-with-the-tobacco-industry.pdf>

⁶ “Article (1) Direct or indirect Publicity, promotion or advertising is prohibited on all media (visual, audio and printed, including the Internet, mobile phones and new media) for all tobacco products. Direct or indirect sponsorship is also prohibited. The ban also includes: ... 3) Contributions to any individual or collective event, activity or action with the aim of promoting or using tobacco products.” Source: Ministry of Health – Bahrain, Decision No. (3) of 2011 regarding Control of Advertising and Promotion of Tobacco and Tobacco Products (2011). Available at: <https://assets.tobaccocontrollaws.org/uploads/legislation/Bahrain/Bahrain-Decision-No.-32011.pdf>

⁷ “The Interinstitutional Technical Commission may summon other ministries, public or private entities... to ordinary and/or extraordinary meetings... excluding the participation of groups associated with the tobacco industry.” Source: Constitutional President of Plurinational State of Bolivia, Supreme Decree No. 4972 (28 June 2023) Art. 5, II. Available at: <https://assets.tobaccocontrollaws.org/uploads/legislation/Bolivia/Bolivia-Supreme-Decree-No.-4972.pdf>

⁸ “Relations between the Government of the Federation, other bodies and institutions of state administration and the tobacco industry are limited only to those relations necessary for the effective regulation of the tobacco industry and its products.” Source: State of Bosnia and Herzegovina, The Law on the Control and Restricted Use of Tobacco, Tobacco Products and Other Smoking Products (2022) Art 31(1). Available at: <https://assets.tobaccocontrollaws.org/uploads/legislation/Bosnia%20and%20Herzegovina/Bosnia-and-Herzegovina-2022-TC-Law.pdf>

⁹ “(5) A holder of public office and candidate for public office may not, and it is considered to be in a conflict of interest, if he/she: (a) receive contributions, gifts or privileges from representatives of the tobacco industry or (b) otherwise is involved in the work of such societies.” Source: State of Bosnia and Herzegovina, The Law on the Control and Restricted Use of Tobacco, Tobacco Products and Other Smoking Products (2022) Art 31. Available at: <https://assets.tobaccocontrollaws.org/uploads/legislation/Bosnia%20and%20Herzegovina/Bosnia-and-Herzegovina-2022-TC-Law.pdf>

¹⁰ “(4) The Government of the Federation, bodies and institutions of state administration, as well as public institutions and political parties are not allowed to: ... d) provide support or privilege to a person or company engaged in any phase of the import or sale of tobacco products and other smoking products.” Source: State of Bosnia and Herzegovina, The Law on the Control and Restricted Use of Tobacco, Tobacco Products and Other Smoking Products (2022) Art 31. Available at: <https://assets.tobaccocontrollaws.org/uploads/legislation/Bosnia%20and%20Herzegovina/Bosnia-and-Herzegovina-2022-TC-Law.pdf>

¹¹ “(3) Factories for the production of tobacco and tobacco products, as well as import companies owned by the Government of the Federation must operate under the conditions and restrictions as prescribed by this law.” Source: ibid.

¹² See case study for a complete discussion

¹³ “57. (1) A public body's interactions with the tobacco industry shall be limited to interactions necessary for effective regulation of the tobacco industry or tobacco products. (2) A public body that interacts with the tobacco industry in accordance with subsection (1), shall ensure full transparency of the interaction. (3) For the purposes of subsection (2), “full transparency” shall require, at a minimum — (a) conducting any interaction in public, such as through public hearings, unless doing so would jeopardise effective regulation or would not be possible, such as in the case of inspections, investigations or litigation interactions; (b) providing, for any interaction, timely advance notice and agenda to the public and to the Committee, unless doing so would jeopardise effective regulation or would not be possible, such as in the case of inspections, investigations or litigation interactions; (c) requiring minutes or other documentation of all interactions, communications, and contacts that provide sufficient detail to identify, at a minimum, the parties involved, matters discussed or considered, any decisions taken, any follow-up activity planned or anticipated, the date, location, method of the interaction or contact, and any other details as may be prescribed; (d) forwarding all documentation to the Committee in a timely manner and making all records of and documents related to interactions, communications, and contacts readily accessible to the public, unless public disclosure would not be legally possible, and provided that timeliness of public accessibility shall be subject to ensuring effective regulation, such as in the case of ongoing investigations; and (e) any other transparency measures as may be prescribed.

^{58.} (1) A public body shall not participate in, support, endorse, or accept — (a) partnerships of any kind with the tobacco industry, including with respect to initiatives or activities of the tobacco industry described, characterised, implied, or likely to be perceived as socially responsible; (b) any non-binding or non-enforceable agreement, memorandum of understanding, voluntary arrangement, or tobacco industry code of conduct in the place of legally enforceable tobacco control measures; (c) any direct or indirect financial or resource contribution or involvement in any manner in any initiative, campaign, or programme directly or indirectly related to tobacco control or public health, including but not limited to, youth access and education programmes, public education campaigns, and other initiatives; or (d) any proposals, drafts, or offers of assistance with the development or implementation of any tobacco control policies.” Source: Parliament of Botswana, Tobacco Control Act, 2021 (18 October 2021). Available at: <https://assets.tobaccocontrollaws.org/uploads/legislation/Botswana/Botswana-TC-Act-2021-native.pdf>

¹⁴ “19. (1) If a member or any person assisting the Committee is present at a meeting, at which any matter in which the member or immediate family member of the member is directly or indirectly interested in a private capacity is the subject of consideration, the member shall, as soon as practicable after the commencement of the meeting, disclose such interest and shall not, unless the Committee otherwise directs, take part in any consideration or discussion of, or vote on, any question concerning the matter.” Source: ibid.

¹⁵ "59. (1) A person — (a) in the tobacco industry shall not offer or make; or (b) being a public body, shall not accept, any voluntary contribution of any kind, financial or otherwise from the tobacco industry, unless such contribution results from legal requirements or litigation settlements. (2) Notwithstanding anything contained in any electoral laws, a person — (a) in the tobacco industry or working on its behalf or to further its interests shall not offer or make any financial or other contribution of any kind to a political party, candidate, or campaign; and (b) being a political party, candidate or campaign, shall not solicit or accept any financial or other contribution of any kind from the tobacco industry." Source: *ibid*.

¹⁶ *ibid*.

¹⁷ "4. "Government agencies and Government officers and employees are prohibited from interacting with the tobacco industry except when necessary for the regulation and supervision of the industry, which must be carried out transparently to avoid any negative perceptions and conflicts of interest." Source: Negara Brunei Darussalam, SURAT KELILING JABATAN PERDANA MENTERI BIL: 8/2019 (2019). (unofficial translation). Available at: <https://www.ipm.gov.bn/Circulars%20PDF%20Library/jpmek08-2019.pdf>

¹⁸ "4.1. Prohibited from providing preferential treatment to the tobacco industry, including providing any incentives, privileges, benefits or exemptions, providing support or encouragement, forming partnerships, promoting investment, acting as representatives or other activities related to the tobacco industry.... 4.3. Prohibited from receiving any funding from the tobacco industry, whether in terms of finance, expertise or technical assistance for projects or activities organized by the Government including those involving tobacco control, education and public awareness or aimed at improving public health and others even on the basis of corporate social responsibility whether directly or indirectly." Source: *ibid*.

¹⁹ "Article 27: It is prohibited to cause to appear in any way whatsoever the name, brand or advertising emblem for a tobacco product or the name of a producer or merchant of tobacco or tobacco products, on the occasion of, or in the course of a sporting, cultural, political or any other kind of public event for young people. The provisions in the foregoing sub-paragraph also apply to operations of sponsorship or patronage by the tobacco industry." Source: Burkina Faso, LAW N°080-2015/CNT CONCERNING THE REGULATION OF ADVERTISING IN BURKINA FASO (23 November 2015). Available at: <https://assets.tobaccocontrollaws.org/uploads/legislation/Burkina%20Faso/Burkina-Faso-Law-No.-080-2015.pdf>

²⁰ "The actions of CICQ members shall be guided by Article 5(3) of the FCTC, whose intent is to prevent interference from the tobacco industry in tobacco control policies." Source: Republic of Cabo Verde, Law No. 8/X/2022 of 16 May 2022. Available at: <https://assets.tobaccocontrollaws.org/uploads/legislation/Cabo%20Verde/Cabo-Verde-Law-No.-8X2022.pdf>

²¹ "At the time they are appointed, CICQ (Framework Convention on Tobacco Control Implementation Committee) members shall submit to the Coordinator a declaration that they possess no conflicts of interest against the objectives of the CICQ." Source: *ibid*.

²² "Sponsoring either directly or indirectly any social responsibility activity by public or private individuals or companies... is prohibited. Information campaigns... that are either directly or indirectly promoted or sponsored by companies that market tobacco products... is prohibited." Source: *ibid*.

²³ "Do not accept sponsorship from tobacco, electronic cigarettes or heated tobacco products (HTPs) companies for any event regardless of the form and purpose. Do not partner with or offer any venue for any event associating with tobacco, electronic cigarettes or heated tobacco products (HTPs) company." Source: Kingdom of Cambodia, Ministry of Education, Youth and Sport, Circular No 003/23 SN on Implementation of "Tobacco-Free Sports" (27 Dec 2023). Available at: <https://assets.tobaccocontrollaws.org/uploads/legislation/Cambodia/Cambodia-MoE-Tobacco-Free-Sports-Circular.pdf>

²⁴ *ibid*.

²⁵ See case study for a complete discussion

²⁶ Interacting with the tobacco industry - Guidance for Federal Public Service Representatives and Employees. Health Canada. Available at: <https://www.canada.ca/en/health-canada/services/publications/healthy-living/interacting-tobacco-industry-guidance.html>

²⁷ "Article 6: Relations between the State and the tobacco industry are governed by the principle of transparency. Respect for this principle implies that all meetings with a representative of public authorities, regardless of the area concerned, involving a representative of the tobacco industry, are made public, with the agenda and contact information of the persons present at the meeting being provided. This information may not be used for communication or promotional purposes by the tobacco industry." Source: Republic of Chad, DECRET N° 1523 /PR/ MSP /2019 Portant Prévention de l'Ing érenc e de l'Industrie du tabac dans les Politiques de Santé (11 September 2019). (unofficial translation). Available at: <https://assets.tobaccocontrollaws.org/uploads/legislation/Chad/Chad-Decree-No.-1523-native.pdf>

²⁸ "Article 5: In accordance with the provisions of Article 3 above, the tobacco industry may not, in any capacity whatsoever, be associated with the development, implementation, and evaluation of public policies for tobacco control." Source: *ibid*.

²⁹ "CHAPTER III: CONFLICTS OF INTEREST Article 7: It is prohibited for any person employed by the tobacco industry or an entity that promotes its interests to be a member of any public body, committee, or advisory group that develops or implements tobacco control measures or public health policy. This prohibition remains in effect for up to five (5) years after the cessation of their activities." Source: *ibid*.

³⁰ "Article 11: It is prohibited to grant preferential treatment to the tobacco industry." Source: *ibid*.

³¹ "Any interference by the tobacco industry in the implementation of public health policies for tobacco control is prohibited." Source: Democratic Republic of the Congo, Ministry of Public Health, Hygiene and Prevention, Order No. 1250/CAB/MIN/SPHP/041/DCA/PNLCT/2022 (26 Nov 2022) Art 4. Available at: <https://assets.tobaccocontrollaws.org/uploads/legislation/Democratic%20Republic%20of%20the%20Congo/Democratic-Republic-of-the-Congo-Order-No.-12502022.pdf>

³² "the ban on advertising, promotion and sponsorship of tobacco and its derived products means a comprehensive ban extending to any form of...Article 3: Under this Decree, the expressions below are defined as follows:..Sponsorship: any form of contribution in favor of an event, activity or person that may directly or indirectly promote the sale or consumption of tobacco and its derived products, including any form of activities described as social responsibility or charity activities or with other similar descriptions." Source: Decree No. 2018-218 Implementing the Ban on Advertising and Promotion of Tobacco and Its Derived Products and Sale to Minors and By Minors. Tobacco Control Laws. Available at: <https://www.tobaccocontrollaws.org/files/live/Congo/Congo%20-20Decree%20No.%202018-218.pdf>

³³ "(4) An importer or manufacturer of tobacco products or imitation tobacco products, or any other person who works to further the interests of the manufacturer or importer, must not offer or make a contribution of any nature (whether money, goods, services or any other form of in-kind contribution) to any event, activity, cause or person." Source: Ministry of Health under the authority of the Cook Islands Parliament, Tobacco Products Control Amendment Act 2024 (Cook Islands) s 10(4). Available at: <https://assets.tobaccocontrollaws.org/uploads/legislation/Cook%20Islands/Cook-Islands-TC-Amdt-Act-2024-native.pdf>

³⁴ Republic of Côte D'Ivoire, DECRET № 2022-76 DU 26 JANUARY 2022, Instituant un Systeme de Suivi, de Tracabilite et de Verification Fiscale des Produits du Tabac (26 January 2022). Available at: <https://assets.tobaccocontrollaws.org/uploads/legislation/Cote%20d%27Ivoire/Cote-dIvoire-Decree-No.-2022-76-native.pdf>

³⁵ "Advertising, including cross-border advertising, promotion, direct or indirect publicity for tobacco and tobacco products, sponsoring, sponsorship and underwriting, in any place, of any kind or character, is prohibited. Any other communication in favor of tobacco and its products is also prohibited. Anyone who is found guilty of engaging in advertising for tobacco or sponsors, causes to sponsor or underwrites any activity of any kind whatsoever by the tobacco industry or its branches, shall face a punishment of imprisonment of one to three years and a fine of 10 000,000 to 100 000,000 francs CFA, or only one of these two punishments. The jurisdiction in question shall order, moreover, the confiscation and destruction of the items and the advertising supports." Source: Republic of Côte D'Ivoire, LAW № 2019-676 OF JULY 23, 2019, CONCERNING TOBACCO CONTROL IN CÔTE D'IVOIRE (2010). (unofficial translation). Available at:

<https://assets.tobaccocontrollaws.org/uploads/legislation/Cote%20d%27Ivoire/Cote-dIvoire-Law-No.-2019-676.pdf>

³⁶ Levels of interaction with the tobacco industry will vary from entity to entity. For some, interactions would be highly unusual. Entities that wish to further make sure that their interactions with the tobacco industry is limited to what is necessary should apply one or more of the following restrictions, as appropriate:

- Have more than one official present at any meeting.
- Have communication in writing and for email interaction, other officials should be on copy.
- Ensure to take minutes/written summary of all meetings or interactions, with sufficient detail to establish, at a minimum:
 - the date, location, nature and method of the interaction or contact
 - the names of the parties and individuals involved
 - the matters discussed or considered and any decisions taken
 - any follow up activity planned or anticipated.
- Do not agree to side meetings or accept invitations to social events or hospitality, such as offers for lunch, product or gifts.
- Do not engage in any interaction that creates the perception of cooperation." Source: Joint Nordic Guidance for Public Officials on Interacting with the Tobacco Industry. November 17, 2025. Available at: <https://www.regjeringen.no/en/documents/joint-nordic-guidance-for-public-officials-on-interacting-with-the-tobacco-industry/id3139773/>

³⁷ "The Nordic countries want to minimise tobacco industry interference by rejecting any partnership of any kind with the tobacco industry... Partnerships with the tobacco industry are inappropriate, including but not limited to:

- legal and voluntary agreements with the tobacco industry, including contracts or memoranda of understanding,
- accepting offers from the tobacco industry or agents of the tobacco industry to assist with the development of tobacco control legislation or policy, or to participate in industry-sponsored tobacco control measures,
- accepting, supporting or endorsing any voluntary code of conduct or regulatory instrument drafted by the tobacco industry or agent,
- engaging in a 'joint operation' with the tobacco industry on any aspect of law development or law enforcement and
- supporting or endorsing the tobacco industry organising or promoting any public education initiative, environmental issues and actions against illicit trade and excise fraud" Source: Joint Nordic Guidance for Public Officials on Interacting with the Tobacco Industry. November 17, 2025. Available at: <https://www.regjeringen.no/en/documents/joint-nordic-guidance-for-public-officials-on-interacting-with-the-tobacco-industry/id3139773/>

³⁸ "No organisation or individual with a commercial or vested interest in the tobacco industry should be involved in developing or implementing public health and related policies/programs on tobacco control." Source: Joint Nordic Guidance for Public Officials on Interacting with the Tobacco Industry. November 17, 2025. Available at: <https://www.regjeringen.no/en/documents/joint-nordic-guidance-for-public-officials-on-interacting-with-the-tobacco-industry/id3139773/>

³⁹ "The Nordic countries recommend that whenever possible, information about meetings, consultations and other communications with tobacco industry and its representatives regarding policy issues, should be publicly available. This can be achieved in different ways, such as, but not limited to, information on the relevant organisation's website or in a registry for the relevant public authority." Source: Joint Nordic Guidance for Public Officials on Interacting with the Tobacco Industry. November 17, 2025. Available at: <https://www.regjeringen.no/en/documents/joint-nordic-guidance-for-public-officials-on-interacting-with-the-tobacco-industry/id3139773/>

⁴⁰ "The tobacco industry undertakes corporate social responsibility activities that are intended to promote, enhance or market the corporate brand, product, public relations or related image. These may include any youth, public education, political, social, financial, educational or community contribution, such as:

- financial contributions to non-government organisations,
- promoting or encouraging activities to work with governments, for example to address the illicit trade in tobacco or supporting environmental projects,
- promoting products purportedly claiming to be less harmful than conventional tobacco products,
- providing scholarships or awards and
- hosting events where often influential people are invited

Many such activities would be in breach of the ban on tobacco sponsorship and the advertising ban." Source: Joint Nordic Guidance for Public Officials on Interacting with the Tobacco Industry. November 17, 2025. Available at: <https://www.regjeringen.no/en/documents/joint-nordic-guidance-for-public-officials-on-interacting-with-the-tobacco-industry/id3139773/>

⁴¹ "(4) The information submitted on the basis of subsections (1)–(3) of this section shall be published on the website of the Health Board. Upon publication of the information, except in the case of information concerning the tar, nicotine and carbon monoxide yields of tobacco products, account shall be taken of the need to protect business secrets relating to the ingredients of tobacco products" Source: Estonia, Tobacco Act RT I 2005, 29, 210 (as amended December 2020) (26 May 2021). Available at: <https://assets.tobaccocontrollaws.org/uploads/legislation/Estonia/Estonia-Tobacco-Act-as-amended.pdf>

⁴² "(2) 3.5 per cent of the excise duty on alcohol and tobacco which is received in the state budget shall be transferred to the Cultural Endowment of Estonia, including 0.5 per cent to be transferred to the physical fitness and sport endowment within the Cultural Endowment of Estonia. 93

Transfers from the excise duty received in the state budget during a calendar month shall be made to the Cultural Endowment of Estonia by the twentieth day of the month following the month of receipt of the excise duty.” Source: Estonia, Alcohol, Tobacco, Fuel and Electricity Excise Duty Act [RT I 2007, 45, 319 - entry into force 01.01.2008] (1 May 2021). Available at:

<https://assets.tobaccocontrollaws.org/uploads/legislation/Estonia/Estonia-Tobacco-Act-as-amended.pdf>

⁴³ “A person shall not promote tobacco, a tobacco product or a tobacco product related brand element by means of organizing or sponsoring a sporting, cultural, artistic, recreational, educational, entertainment programme or in any other form.” Source: Eswatini, Act No. 16 of 2013, THE TOBACCO PRODUCTS CONTROL ACT, 2013 (1 August 2013). Available at:

<https://assets.tobaccocontrollaws.org/uploads/legislation/Eswatini/Eswatini-2013-TC-Act-native.pdf>

⁴⁴ “7) The tobacco industry is prohibited from making any financial or material contribution in any form of fulfilling a corporate social responsibility, and providing financial and material support or assigning an expert for the organization of an event, meeting, training or for any other similar occasion.” Source: Federal Democratic Republic of Ethiopia, Number 771/2021, Ethiopian Food, Medicine and Healthcare Administration and Control Authority, Tobacco Control Directive (2021). Available at: <https://assets.tobaccocontrollaws.org/uploads/legislation/Ethiopia/Ethiopia-TC-Directive-2021-native.pdf>

⁴⁵ “(1) Any interaction between a government organ and the tobacco industry shall be strictly necessary for proper regulation of tobacco. (2) Any interaction ... with the tobacco industry shall be transparent and shall be documented as appropriate.” Source: Federal Democratic Republic of Ethiopia, Proclamation No. 1112/2019, Food and Medicine Administration Proclamation.....Page 11099, A Proclamation to Provide for Food and Medicine Administration (28 Feb 2019), Available at: <https://assets.tobaccocontrollaws.org/uploads/legislation/Ethiopia/Ethiopia-2019-Proclamation-native.pdf>

⁴⁶ “2/ Any interaction made in accordance with sub-article (1) of this article, and whenever the tobacco industry contacts the government to initiate an interaction of any kind, the appropriate government official shall ensure full transparency of the interaction and of the contact, and it shall be appropriately documented.” Source: *ibid*.

⁴⁷ “Section 48 a. Cost liability of producers of certain single-use plastic products By way of derogation from the provisions of Section 46(1), the following producers shall only have cost liability in accordance with Section 48b for waste management and cleaning measures carried out by municipalities: ... 3) producers of tobacco products with filters and tobacco filters, which are single-use plastic products.” Source: Republic of Finland, 1096/2022, Laki jätelain muuttamisesta (20 December 2022). (unofficial translation). Available at:

https://www.finlex.fi/fi/lainsaadanto/saadoskokoelma/2022/1096?utm_

⁴⁸ See case study for complete discussion

⁴⁹ Article L3512-7. Ordinance No. 2016-623 of 19 May 2016 transposing Directive 2014/40 / EU on manufacturing, presentation and sale of tobacco products and related products. Available at: https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000032548837

⁵⁰ Order n° 2016-623 of May 19, 2016, concerning transposition of Directive 2014/40/UE on the manufacture, display and sale of tobacco products and related products. (unofficial translation). Available at: <https://assets.tobaccocontrollaws.org/uploads/legislation/France/France-Order-No.-2016-623-Transposing-TPD.pdf>

⁵¹ “Page 3: “The Bill amends Act 878 by substituting the First Schedule with a new Schedule. The rationale for the amendment is to revise the excise tax rates for cigarettes and other tobacco products to align with the ECOWAS Protocols and impose new excise tax rates on sweetened beverages.” Pages 11–13: “Tobacco Products: (a) Cigarette – 50 per centum of the ex-factory price and a specific duty of 28 pesewas per stick; (b) Cigars – 50 per centum of the ex-factory price and a specific duty of 28 pesewas per stick; (c) Negrohead – GH¢280 per kilogramme; (d) Snuff and other tobacco – GH¢280 per kilogramme; (e) Electronic cigarette liquids ... 60 per centum of the ex-factory price and a specific duty of 50 pesewas per millilitre; (f) Electronic cigarettes ... 50 per centum of the ex-factory price.” Source: Republic of Ghana, Excise Duty (Amendment) Bill, 2022. Available at: https://extranet.who.int/fctcapps/sites/default/files/2024-07/370_Excise%20Duty%20Amendment%20Bill2022.pdf

⁵² “(1) A person shall not initiate or engage in any form of tobacco sponsorship. (2) In furtherance of subsection (1), a person concerned with tobacco or a tobacco product shall not (a) organise or promote an organised activity in the country, (b) make a financial contribution to an organised activity in the country or make a financial contribution to a person in respect of (i) the organisation or promotion of an organised activity in the country by that person, or (ii) the participation by that person in an organised activity in the country...” Source: Republic of Ghana, Act 851, Public Health Act 2012. Available at: <https://assets.tobaccocontrollaws.org/uploads/legislation/Ghana/Ghana-Pub.-Health-Act-2012-native.pdf>

⁵³ “Interaction with Tobacco Industry 5.1 Officials and employees of Ministry of Health and Family Welfare, its Departments and all the autonomous institutions and Offices under its jurisdiction and to any person acting on their behalf shall interact with the tobacco industry only when and to the extent strictly necessary to enable them to effectively regulate, supervise or control the tobacco industry and their products.

7. Conflict of Interest

7.1 Officials shall ensure that no person employed by the tobacco industry or any entity working to further its interests be a member of any government body, committee or advisory group that sets or implements tobacco control or public health policy.

7.2 The Department should not award contracts for carrying out any work related to setting and implementing public health policies with respect to tobacco control to candidates or tenderers who have conflict of interest with established tobacco control policies.” Source: Ministry of Health & Family Welfare Government of India, CODE OF CONDUCT FOR PUBLIC OFFICIALS IN COMPLIANCE TO ARTICLE 5.3 OF WHO FCTC (July 2020). Available at: https://smokelessstobaccocontrolindia.com/wp-content/uploads/2020/07/Code-of-Conduct-for-Public-Officials-6th-July.pdf?utm_

⁵⁴ “3) representatives of tobacco organizations and their affiliated persons are prohibited from participating in any committees or advisory groups under state bodies that develop or implement policies on issues that are the subject of regulation of this Law;” Source: Kyrgyz Republic, No. 121, On the Protection of the Health of the Citizens of the Kyrgyz Republic from the Effects of Tobacco and Nicotine Consumption and from Exposure to Ambient Tobacco Smoke and Aerosol (15 September 2021). Available at:

<https://assets.tobaccocontrollaws.org/uploads/legislation/Kyrgyzstan/Kyrgyzstan-Law-No.-1212021.pdf>

⁵⁵ “1) state bodies are prohibited from establishing any partnership relations with tobacco organizations and providing preferential treatment for tobacco organizations, including in the form of subsidizing them in any way whatsoever;” Source: *ibid*.

⁵⁶ “2) tobacco organizations and their affiliated persons are prohibited from publicly disclosing information on activities within the framework of corporate social responsibility or on related expenses, except in cases when the tax legislation of the Kyrgyz Republic establishes the obligation to disclose such expenses;” Source: *ibid*.

57 "It is prohibited for relevant civil servants and officials of the State to engage in the following acts: ... 5. To be involved in the tobacco industry, except in cases where it is necessary on the basis of transparency, openness and accountability according to the laws. 10. To allow employees or representatives of tobacco companies to record video and/or audio of meetings, discussions and other interactions with civil servants or government officials, for commercial purposes." Source: Lao People's Democratic Republic Peace Independence Democracy Unity Prosperity, Tobacco Control Law (Amended) 2021, Art. 50 (amended) "Prohibitions for relevant Staff-Civil servants and Officials of State". Available at: <https://assets.tobaccocontrollaws.org/uploads/legislation/Lao%20PDR/Lao-PDR-TC-Law-Amended.pdf>

58 "It is prohibited for relevant civil servants and officials of the State to engage in the following acts: ... 6. To recruit the representatives of tobacco companies or tobacco business operators to be members or consultants of the Tobacco Control Committee.... 8. To directly or indirectly accept sponsorship and support from tobacco companies or business operators in the form of cash, loans, awards, research grants, scholarships, study tours, vehicles, materials, hospitality, gifts, endorsements...." Source: ibid.

59 ibid.

60 "9. (1) No person shall promote or sponsor, or participate in any arrangement that promotes any tobacco product, smoking substance or substitute tobacco product, which is intended or likely to encourage any person to smoke or to be promoted as a quit smoking product. (2) For the purposes of this section, 'arrangement' includes any agreement, undertaking or understanding that has or likely to have the effect of promoting any tobacco product, smoking substance or substitute tobacco product — (a) by giving or accepting any sponsorship, gift, prize, reward, scholarship or other like benefit; or (b) by organising any campaign, course, workshop, forum, road show, consultation or event." Source: Laws of Malaysia, Control of Smoking Products for Public Health Act 2024 (Act 852) ss 9(1)-(2). Available at: <https://seatca.org/dmdocuments/Control%20of%20Smoking%20Products%20for%20Public%20Health%20Act%202024.pdf>

61 "38. Relevant government Ministries shall organise and conduct sound programmes and activities to create awareness and provide information to the public on the harmful effects of tobacco production and tobacco smoking on health, economy, environment, and society. Such activities include the following.... (d) Provide information and training on tobacco control to health service providers, social workers, journalists and media personnel, law enforcement officers, and other relevant persons" Source: Republic of Maldives, Act. No. 15/2010, Tobacco Control Act (2 August 2010). Available at: <https://assets.tobaccocontrollaws.org/uploads/legislation/Maldives/Maldives-TC-Act.pdf>

62 "The sale, purchase, and use of tobacco products are prohibited for individuals born on or after January 1, 2007." Source: Republic of Maldives, Act No. 6/2025, Second Amendment to Act No. 15/2010 (1 November 2025). (unofficial translation). Available at: <https://assets.tobaccocontrollaws.org/uploads/legislation/Maldives/Maldives-TC-Second-Amend.-Act-native.pdf>

63 "Restrictions on advertising (1) No person shall – (c) offer, provide or facilitate any scholarship or any form of sponsorship." Source: Republic of Mauritius, Public Health (Restrictions on Tobacco Products) Regulations 2022, reg 4. (b)(c) (as cited). Available at: <https://assets.tobaccocontrollaws.org/uploads/legislation/Mauritius/Mauritius-PH-Regs-2022-native.pdf>

64 "XIX. CORPORATE SOCIAL RESPONSIBILITY refers to the public corporate action or activity of the tobacco industry through financial, social, or other contributions ... These contributions may include any support or donations in agricultural, educational, political, social, financial, community, environmental, health, welfare, emergency and disaster reconstruction, community development or any other related activity." Source: United Mexican States. - Presidency of the Republic, DECREE amending, adding, and repealing various provisions of the Regulation of the General Law for Tobacco Control. Regulations of the General Law for Tobacco Control(16 December 2022), Art 2, sec XIX. Available at: <https://assets.tobaccocontrollaws.org/uploads/legislation/Mexico/Mexico-RGLTCA.pdf>

65 "In the course of your work, you may encounter lobbyists: representatives trying to influence the decision-making process in their favour. This is not against the law. But are you always aware of it? And how do you then deal with these individuals? Make sure that you are both transparent and independent in the performance of your duties. Be aware of the interests of lobbyists and of the different ways of exerting influence. Lobbying techniques can be very direct (for example a visit or invitation), but also more indirect (for example co-financing research that influences policy). Discuss with your colleagues or supervisor where these situations may occur in the course of your work. Sometimes it is in the public interest to avoid contact with lobbyists. In specific cases, for example the tobacco industry, contact with lobbyists is not permitted. International agreements stipulate that you cannot allow the determination and implementation of government policy to be influenced by the commercial and other vested interests of the tobacco industry. Where contact does occur, transparency is paramount. Amongst other things, this means that reports of permitted consultations with the tobacco industry are published on the website of the government organisation involved. Ministers are also legally prohibited from carrying out lobbying activities for two years after leaving office, to prevent conflicts of interest or the appearance thereof. For you, this means that, during that two-year period, you cannot have any business contact with the former minister in the course of your civil service duties in his or her former policy area. If you are ever faced with a situation like this, refer to your Secretary General." Source: Ministry of Foreign Affairs Netherlands, Central Government Code of Conduct on Integrity for BZ (2020). Available at: <https://www.government.nl/documents/publications/2024/03/04/code-of-conduct-on-integrity-for-bz>

66 "Article 5 (Extended Producer Responsibility for Tobacco Products) 1. As of January 5, 2023, manufacturers of tobacco products with plastic filters and plastic filters sold for use in combination with tobacco products are responsible for contributing to the reduction of litter from those tobacco products in the environment by covering the costs of the government measures referred to in Article 4, paragraph 1, subparagraphs (a) and (b), as well as the costs of public waste collection systems for those products, their installation and operation." Source: Netherlands, 294 Decree of 17 June 2021, containing rules regarding designated single-use plastic products, products made of oxo-degradable plastics, and plastic-containing fishing gear, and amending the Packaging Management Decree 2014 (Decree on Single-Use Plastic Products) (2021). (unofficial translation). Available at: <https://zoek.officielebekendmakingen.nl/stb-2021-294.pdf>

67 "Article 3.1 (contribution to cleaning up litter) 1. A producer or importer shall cover the costs referred to in Articles 4, paragraph 1(b), and 5, paragraph 1, of the Single-Use Plastic Products Decree and in Article 15f, paragraph 3, of the Packaging Management Decree 2014, for a reference year, by paying a contribution to an organisation designated by the Minister for each plastic product listed in Annex E to the EU Single-Use Plastic Products Directive placed on the market by him in the reference year." Ministry of Infrastructure and Water Management Netherlands, Government Gazette 2022, 8376, Regulation of the State Secretary for Infrastructure and Water Management, dated 29 March 2022, No. IENW/BSK-2022/50452, containing rules on designated single-use plastic products (Regulation on single-use plastic products) (29 March 2022). (unofficial translation). Available at: <https://zoek.officielebekendmakingen.nl/stcr-2022-8376.html#d17e67>

⁶⁸ “6.15.1 Each Respondent must complete the Conflict of Interest declaration in the Response Form and must immediately inform the Ministry should a Conflict of Interest arise during the RFP process. A material Conflict of Interest may result in the Respondent being disqualified from participating further in the RFP, or being required to agree to an appropriate process for managing the Conflict of Interest as a condition of further participation in the RFP process “ Source: New Zealand Ministry of Health, Ministry of Health (MoH) procurement paperwork released under the OIA (31 January 2023). Available at: https://www.health.govt.nz/system/files/2023-02/h2023019147_response.pdf

⁶⁹ “2(a). A producer or director of a Film or musical video shall ensure that the work does not contain unnecessary smoking of tobacco or tobacco use scene. (b). In this regulation, unnecessary smoking scene is one where the use of tobacco or nicotine product is not required for historical accuracy, educational purposes and to depict negative lifestyle and a necessary smoking scene the converse.” Source: Federal Republic of Nigeria, National Film and Video Censors Board Regulations, 2024 (15 October 2024). Available at:

<https://assets.tobaccocontrollaws.org/uploads/legislation/Nigeria/Nigeria-Natl-Film-Video-Regs-2024-native.pdf>

⁷⁰ “A producer or director of film shall disclose to the Board, any relationship he has, whether financial, social or otherwise, existing between him and a tobacco or nicotine industry.” Source: *ibid*.

⁷¹ “A public authority shall... adopt mechanisms to raise awareness within its mandate about the interference and vested interests of the tobacco industry....” Source: Federal Republic of Nigeria, National Tobacco Control Regulations, 2019 (20 December 2019). Available at: <https://assets.tobaccocontrollaws.org/uploads/legislation/Nigeria/Nigeria-2019-Regulations-native.pdf>

⁷² “(e) restrict involvement of the tobacco industry in the development of tobacco control policies and laws except in public forums where the industry is presenting its views to the public authority on relevant tobacco control laws and policies...” Source: Federal Republic of Nigeria, National Tobacco Control Regulations, 2019 (20 December 2019), r 18(e). Available at:

<https://assets.tobaccocontrollaws.org/uploads/legislation/Nigeria/Nigeria-2019-Regulations-native.pdf>

⁷³ “(f) not allow any person employed by the tobacco industry... to be a member of any government body, committee or advisory group...” Source: Federal Republic of Nigeria, National Tobacco Control Regulations, 2019 (20 December 2019), r 18(f). Available at:

<https://assets.tobaccocontrollaws.org/uploads/legislation/Nigeria/Nigeria-2019-Regulations-native.pdf>

⁷⁴ “No business in the tobacco industry shall—offer or make, and no government institution... shall accept a voluntary contribution of any kind, financial or otherwise, from the tobacco industry...”

¹⁹. Provision of financial or other support to events, activities, individuals or groups, such as sporting or arts events, individual sports people or teams, individual artists or artistic groups, welfare and other public interest organisations, government institutions or organisations, politicians, and political candidates or political parties, whether or not in exchange for attribution, acknowledgement or publicity, including corporate social responsibility activities of any kind.” Source: Federal Republic of Nigeria, National Tobacco Control Act 2015. Available at:

<https://faolex.fao.org/docs/pdf/nig192387.pdf>

⁷⁵ “Any interaction between authorities and officials with the industry must be conducted publicly and transparently, prioritizing public health policies over commercial interests. Any interaction between the State and the industry must adhere to the scope of the WHO Framework Convention on Tobacco Control (WHO FCTC) and the guidelines established for interpreting Article 5.3 of the Convention.” Source: Commission on Economy, Banking, Finance and Financial Intelligence, Peru, Law on the Consumption Control of Tobacco and Nicotine Products, or Their Substitutes for the Protection of Life and Health. Available at: <https://assets.tobaccocontrollaws.org/uploads/legislation/Peru/Peru-Law-No.-32159.pdf>

⁷⁶ See case study for complete discussion

⁷⁷ CSC-DOH JMC 2010-01: Protection of the Bureaucracy against Tobacco Industry Interference,” Civil Service Guide: A Compilation of Issuances on Philippine Civil Service, <http://www.csguide.org/items/show/821>

⁷⁸ Republic of the Philippines Department of Health, Department Memorandum No. 2010-0126, June 24, 2010, <http://www.tobaccocontrollaws.org/files/live/Philippines/Philippines%20-20%20JMC%202010-01%20-%20national.pdf>

⁷⁸ CSC-DOH JMC 2010-01: Protection of the Bureaucracy against Tobacco Industry Interference,” Civil Service Guide: A Compilation of Issuances on Philippine Civil Service, <http://www.csguide.org/items/show/821>

⁷⁹ Interim Guidelines on Tobacco Control in light of the COVID-19 Pandemic. Department Memorandum No 2020-0246. Department of Health, Republic of the Philippines; May 15, 2020. Available at: <https://www.nnc.gov.ph/phocadownloadpap/userupload/Ro5-webpub/DOH%20DM%202020-0246%20Interim%20Guidelines%20on%20Tobacco%20Control%20in%20Light%20of%20the%20COVID-19%20Pandemic.pdf>

⁸⁰ “Accelerate the full implementation of the WHO Framework Convention on Tobacco Control (FCTC) in order to reduce tobacco use and exposure to tobacco smoke, including implementing the guidelines adopted by the Conference of the Parties to the FCTC, for the implementation of the following measures as part of a comprehensive multisectoral package, including:... 2) Protect tobacco control policies from commercial and other vested interests of the tobacco industry, consistent with Article 5.3 of the FCTC.” Source: Ministry of Health Republic of Seychelles, Seychelles Strategy for the Prevention and Control of Noncommunicable Diseases, 2016-2025 (30 May 2016). Available at:

<https://www.health.gov.sc/wp-content/uploads/2023/02/Seychelles-Strategy-for-the-Prevention-and-Control-of-Non-communicable-Diseases-2016-2025.pdf>

⁸¹ “A person, body or entity that contributes to or could contribute to, the formulation, implementation, administration, enforcement or monitoring of public health policies on tobacco control shall not interact with the tobacco industry except where it is strictly necessary for effective regulation of the tobacco industry or the tobacco and nicotine product and such interaction must be transparent.” Source: Republic of Sierra Leone, The Tobacco and Nicotine Control Act, 2022 (28 Apr 2023) s 46(1). Available at:

<https://assets.tobaccocontrollaws.org/uploads/legislation/Sierra%20Leone/Sierra-Leone-TC-Act-2022-native.pdf>

⁸² See case study for complete discussion

⁸³ National Tobacco Control Action Plan, Third Edition (2022–2027) — English edition. Available at: https://fliphmt5.com/hvpv/xakj/National_Tobacco_Control_Action_Plan_3rd_Edition_%282022-2027%29/

⁸⁴ “Art. 3 ... Public officials involved in any relationship with the tobacco industry or its representatives must conduct themselves with total transparency, and assume responsibility for their acts involving protection of the public from the harmful effects of tobacco use.” Source: Republic of Togo, Ministry of Health, Administrative Order No. 107 / MS/CAB/SG (1 Sep 2014), Setting the terms for the implementation of Article 28 of

Law No. 2010-017 of December 31, 2010, concerning conflicts of interest between the objectives of public health and the commercial interests of tobacco companies. Available at: <https://assets.tobaccocontrollaws.org/uploads/legislation/Togo/Togo-Order-No.-1072014.pdf>

⁸⁵ “Article 5: Special provisions applicable to members of the National Committee for Tobacco Control (CNLT – Comité National de Lutte contre le Tabac). No member of the CNLT may have any tie or direct or indirect interest with the tobacco industry, or with any person or entity that manufactures, imports, supplies or distributes tobacco and its derivative products. Before assuming their duties, every member of the CNLT must sign a declaration of no conflict of interest with the tobacco industry or anyone who defends its interests.” Source: *ibid*.

⁸⁶ Decree No. 2012-072 Concerning the Prohibition of Advertising, Promotion and Sponsorship of Tobacco and its Derivative Products in Togo. Tobacco Control Laws. Available at: <https://www.tobaccocontrollaws.org/files/live/Togo/Togo%20-%20Decree%20No.%202012-072.pdf>

⁸⁷ Not included in Party Reports but was found in the National Agency on Corruption Prevention's website.

⁸⁸ National Agency on Corruption Prevention Ukraine, NACP added Philip Morris International and Japan Tobacco International to the list of international war sponsors (24 August 2023). Available at: <https://web.archive.org/web/20251004202242/https://nazk.gov.ua/uk/novyny/nazk-vneslo-philip-morris-international-ta-japan-tobacco-international-do-pereliku-mizhnarodnyh-sponsoriy-vijny/>

⁸⁹ “Tobacco sponsorship is prohibited, including: the sponsorship of television broadcasts, radio broadcasts, theater and concert events, sports and other events, programs and individuals or sponsorship using trademarks for the goods and services, other objects of intellectual property rights under which tobacco products are issued; the provision by manufacturers of tobacco products or organizations associated with them of financial or other support to events, activities, individuals or groups, including political parties or politicians, sportsmen or sports teams, artists or artist groups, educational institutions of any form of ownership; and the conduct of informational campaigns or events for the public, including in order to prevent smoking among young people, with the direct or indirect financial support of the manufacturers of tobacco products or organizations associated with them.” Source: Law of Ukraine, Law No. 1978-IX, On Amendments to Certain Laws of Ukraine on Public Health Protection from Harmful Effects of Tobacco (1 June 2022). Available at: <https://assets.tobaccocontrollaws.org/uploads/legislation/Ukraine/Ukraine-Law-No.-1978-IX-of-2021.pdf>

⁹⁰ See case study for a complete discussion

⁹¹ Guidance for government engagement with the tobacco industry. 2025. Available at: <https://www.gov.uk/government/publications/protocol-for-engagement-with-stakeholders-with-links-to-the-tobacco-industry/guidance-for-government-engagement-with-the-tobacco-industry>

⁹² “No reception of funding from tobacco industry and salers in accordance with the Law on Prevention and Control of Tobacco Harms.” Source: Socialist Republic of Vietnam, Ministry of Health, Circular No. 11/2023/TT-BYT, Regulation on enforcement of smoke-free places and nomination for Tobacco-Free Award, (11 May 2023) Art 11 (1) (d). Available at: <https://assets.tobaccocontrollaws.org/uploads/legislation/Viet%20Nam/Viet-Nam-Circular-No.-112023.pdf>

⁹³ “These agencies should also ensure that staff members are aware of Article 5.3 and are mindful of any interactions that are out of the ordinary.” Source: Joint Nordic Guidance for Public Officials on Interacting with the Tobacco Industry. November 17, 2025. Available at: <https://www.regjeringen.no/en/documents/joint-nordic-guidance-for-public-officials-on-interacting-with-the-tobacco-industry/id3139773/>

⁹⁴ Levels of interaction with the tobacco industry will vary from entity to entity. For some, interactions would be highly unusual. Entities that wish to further make sure that their interactions with the tobacco industry is limited to what is necessary should apply one or more of the following restrictions, as appropriate:

- Have more than one official present at any meeting.
- Have communication in writing and for email interaction, other officials should be on copy.
- Ensure to take minutes/written summary of all meetings or interactions, with sufficient detail to establish, at a minimum:
 - the date, location, nature and method of the interaction or contact
 - the names of the parties and individuals involved
 - the matters discussed or considered and any decisions taken
 - any follow up activity planned or anticipated.
- Do not agree to side meetings or accept invitations to social events or hospitality, such as offers for lunch, product or gifts.
- Do not engage in any interaction that creates the perception of cooperation.” Source: Joint Nordic Guidance for Public Officials on Interacting with the Tobacco Industry. November 17, 2025. Available at: <https://www.regjeringen.no/en/documents/joint-nordic-guidance-for-public-officials-on-interacting-with-the-tobacco-industry/id3139773/>

⁹⁵ “The Nordic countries want to minimise tobacco industry interference by rejecting any partnership of any kind with the tobacco industry...

Partnerships with the tobacco industry are inappropriate, including but not limited to:

- legal and voluntary agreements with the tobacco industry, including contracts or memoranda of understanding,
- accepting offers from the tobacco industry or agents of the tobacco industry to assist with the development of tobacco control legislation or policy, or to participate in industry-sponsored tobacco control measures,
- accepting, supporting or endorsing any voluntary code of conduct or regulatory instrument drafted by the tobacco industry or agent,
- engaging in a ‘joint operation’ with the tobacco industry on any aspect of law development or law enforcement and
- supporting or endorsing the tobacco industry organising or promoting any public education initiative, environmental issues and actions against illicit trade and excise fraud” Source: Joint Nordic Guidance for Public Officials on Interacting with the Tobacco Industry. November 17, 2025. Available at: <https://www.regjeringen.no/en/documents/joint-nordic-guidance-for-public-officials-on-interacting-with-the-tobacco-industry/id3139773/>

⁹⁶ “No organisation or individual with a commercial or vested interest in the tobacco industry should be involved in developing or implementing public health and related policies/programs on tobacco control.” Source: Joint Nordic Guidance for Public Officials on Interacting with the Tobacco Industry. November 17, 2025. Available at: <https://www.regjeringen.no/en/documents/joint-nordic-guidance-for-public-officials-on-interacting-with-the-tobacco-industry/id3139773/>

⁹⁷ “The Nordic countries recommend that whenever possible, information about meetings, consultations and other communications with tobacco industry and its representatives regarding policy issues, should be publicly available. This can be achieved in different ways, such as, but not limited to, information on the relevant organisation's website or in a registry for the relevant public authority.” Source: Joint Nordic Guidance for Public Officials on Interacting with the Tobacco Industry. November 17, 2025. Available at: <https://www.regjeringen.no/en/documents/joint-nordic-guidance-for-public-officials-on-interacting-with-the-tobacco-industry/id3139773/> 97

⁹⁸ "The tobacco industry undertakes corporate social responsibility activities that are intended to promote, enhance or market the corporate brand, product, public relations or related image. These may include any youth, public education, political, social, financial, educational or community contribution, such as:

- financial contributions to non-government organisations,
- promoting or encouraging activities to work with governments, for example to address the illicit trade in tobacco or supporting environmental projects,
- promoting products purportedly claiming to be less harmful than conventional tobacco products,
- providing scholarships or awards and
- hosting events where often influential people are invited

Many such activities would be in breach of the ban on tobacco sponsorship and the advertising ban." Source: Joint Nordic Guidance for Public Officials on Interacting with the Tobacco Industry. November 17, 2025. Available at: <https://www.regieringen.no/en/documents/joint-nordic-guidance-for-public-officials-on-interacting-with-the-tobacco-industry/id3139773/>

⁹⁹ "The Nordic countries should avoid preferential treatment to tobacco industry (including perceptions of such treatment) by, but not limited to:

- Reporting any and all attempts to accept contributions from the tobacco industry, except for compensation due to legal settlements, mandated by law or pursuant to legally binding agreements.
- Not providing preferential tax exemptions to the tobacco industry.
- Not granting incentives, privileges or benefits to the tobacco industry.
- Not investing in the tobacco industry.
- Not giving or receiving any awards or accolades to/from the tobacco industry.

• Not engaging with foreign governments in their capacity as representatives of their tobacco interests." Source: Joint Nordic Guidance for Public Officials on Interacting with the Tobacco Industry. November 17, 2025. Available at: <https://www.regieringen.no/en/documents/joint-nordic-guidance-for-public-officials-on-interacting-with-the-tobacco-industry/id3139773/>

¹⁰⁰ "to set up, through or with support from the Convention Secretariat's Knowledge Hub for Article 5.3, a resource database comprising evidence-based information, such as tobacco industry policy submissions and funded groups, derived from the Parties and observatories and other evidence-based information from WHO and observers to the COP;" Source: DECISION FCTC/COP8(18) Protection of public health policies with respect to tobacco control from commercial and other vested interests of the tobacco industry. 2018. Available at:

<https://iris.who.int/server/api/core/bitstreams/27ff3a91-302f-4c5f-8622-8515cb61f285/content>

¹⁰¹ Australian Government Register of Lobbyists, Attorney-General's Department, Australian Government. Available at:

<https://lobbyists.ag.gov.au/register>

¹⁰² Registry of Lobbyists, Office of the Commissioner of Lobbying of Canada. Available at: <https://lobbycanada.gc.ca/app/secure/ocl/lrs/do/guest>

¹⁰³ European Union Transparency Register. Available at: https://transparency-register.europa.eu/index_en

¹⁰⁴ Lobbying Directory, High Authority for the Transparency of Public Life, France. Available at: <https://www.hatvp.fr/le-repertoire/>

¹⁰⁵ Ireland Register of Lobbyists. Available at: <https://www.lobbying.ie/>

¹⁰⁶ UK Lobbying Register. Available at: <https://lobbying-register.uk/about/>

¹⁰⁷ Chamber of Representatives (federal) Lobby Register. Available at:

https://www.lachambre.be/kvcr/showpage.cfm?language=fr§ion=%2Flobby&story=general.xml&utm_

¹⁰⁸ Finnish Transparency Register. Available at: https://www.avoimiusrekisteri.fi/en?utm_

¹⁰⁹ Lobbypedia. Lobby register Germany. Available from:

https://lobbypedia.de/wiki/Lobbyregister_Deutschlandhttps://www.bundestag.de/resource/blob/871508/1a4600db0b29dcab356f0b937a23add9/Handbuch.pdf

¹¹⁰ Register of interest representatives. Available at: https://rappresentantidiinteressi.camera.it/sito/?utm_

¹¹¹ Online Visitor Registration. Available at: https://visitas.servicios.gob.pe/?utm_

¹¹² Register of entities performing professional lobbying. Available at: https://www.gov.pl/web/mswia/dzialalnosc-lobbyingowa?utm_

¹¹³ The Senate of Mexico. Lobbyist Register-Third Year of Exercise of the LXV Legislature. Available from:

https://www.senado.gob.mx/65/padron_de_cabildeos

Chamber of Deputies. Lobbyist Registry. Available from: <https://www.diputados.gob.mx/cabildeos/inicio.htm>

¹¹⁴ Tweede Kamer. Lobbyisten. 2025. Available from: https://www.tweedeekamer.nl/contact_en_bezoek/lobbyisten

¹¹⁵ Commission for the Prevention of Corruption (KPK) Lobbyist Register. Available at: https://www.kpk-rs.si/en/institutes/lobbying/lobbyist-register?utm_

¹¹⁶ United States Lobbying Disclosure. Available at: <https://lda.senate.gov/filings/public/filing/search/>

¹¹⁷ Guidelines for implementation of Article 5.3. WHO Framework Convention on Tobacco Control. Source: <https://fctc.who.int/resources/publications/m/item/guidelines-for-implementation-of-article-5.3>

¹¹⁸ THE TOBACCO CONTROL ACT, 2015. THE REPUBLIC OF UGANDA. Available at: <https://bills.parliament.ug/attachments/Laws%20of%20Uganda%20%28Acts%29%20-%20THE%20TOBACCO%20CONTROL%20ACT%2C%202015.pdf>

¹¹⁹ Sections 19-25, Uganda Tobacco Control Act, 2015,

<https://www.tobaccocontrollaws.org/files/live/Uganda/Uganda%20-%20TCA%20-%20national.pdf>.

¹²⁰ Sections 43, Uganda Tobacco Control Act, 2015, <https://www.tobaccocontrollaws.org/files/live/Uganda/Uganda%20-%20TCA%20-%20national.pdf>.

¹²¹ Sections 44, Uganda Tobacco Control Act, 2015, <https://www.tobaccocontrollaws.org/files/live/Uganda/Uganda%20-%20TCA%20-%20national.pdf>.

122 Sections 44, Uganda Tobacco Control Act, 2015, <https://www.tobaccocontrollaws.org/files/live/Uganda/Uganda%20-%20TCA%20-%20national.pdf>.

123 Sections 24, Uganda Tobacco Control Act, 2015, <https://www.tobaccocontrollaws.org/files/live/Uganda/Uganda%20-%20TCA%20-%20national.pdf>.

124 Section 25, Sub-sections 8-9, Uganda Tobacco Control Act, 2015, <https://www.tobaccocontrollaws.org/files/live/Uganda/Uganda%20-%20TCA%20-%20national.pdf>.

125 Section 25, Sub-sections 3-6, Uganda Tobacco Control Act, 2015, <https://www.tobaccocontrollaws.org/files/live/Uganda/Uganda%20-%20TCA%20-%20national.pdf>.

126 Section 25, Sub-sections 3-6, Uganda Tobacco Control Act, 2015, <https://www.tobaccocontrollaws.org/files/live/Uganda/Uganda%20-%20TCA%20-%20national.pdf>.

127 "A public officer who has or had a role in setting and implementing public health policies with respect to tobacco control shall—(a)inform the respective public authority where the person served, about any intention to engage in an occupational activity within the tobacco industry, whether gainful or not within a period of at least three years after leaving service; and(b)not engage in such occupational activity within a period of three years from the time the persons ceases being a public officer." Source: TOBACCO CONTROL ACT

THE TOBACCO CONTROL REGULATIONS. LEGAL NOTICE 169 OF 2014. Published in Kenya Gazette Vol. CXVI—No. 143 on 5 December 2014. Commenced on 5 June 2015. Available at: <https://new.kenyalaw.org/akn/ke/act/ln/2014/169/eng%402022-12-31>

128 Global Center for Good Governance in Tobacco Control, Uganda Case Study on Implementation of FCTC Article 5.3: Incorporating Article 5.3 into National Law (unpublished manuscript), 2018.

129 BAT Uganda Ltd. v. Attorney General & Center for Health, Human Rights and Development. Tobacco Control Laws. Available at: <https://www.tobaccocontrollaws.org/litigation/decisions/bat-uganda-ltd-v-attorney-general-center-for-health-human-rights-and-development?utm>

130 "PART X – Protection of tobacco control policies from commercial and other interests of the tobacco industry." Source: TOBACCO CONTROL ACT, 2021. Supplement A — Botswana Government Gazette dated 29th October, 2021. Available at: <https://assets.tobaccocontrollaws.org/uploads/legislation/Botswana/Botswana-TC-Act-2021-native.pdf>

131 "(I) A public body shall not participate in, support, endorse, or accept — (a) partnerships of any kind with the tobacco industry, including with respect to initiatives or activities of the tobacco industry described, characterised, implied, or likely to be perceived as socially responsible; (b) any non-binding or non-enforceable agreement, memorandum of understanding, voluntary arrangement, or tobacco industry code of conduct in the place of legally enforceable tobacco control measures;" Source: TOBACCO CONTROL ACT, 2021. Supplement A — Botswana Government Gazette dated 29th October, 2021. Available at: <https://assets.tobaccocontrollaws.org/uploads/legislation/Botswana/Botswana-TC-Act-2021-native.pdf>

132 "A person, body or entity that contributes to or may contribute to, the formulation, implementation, administration, enforcement or monitoring of public health policies on tobacco control shall not solicit or accept contributions from the tobacco industry." Source: THE TOBACCO CONTROL ACT, 2015. Available at: <https://assets.tobaccocontrollaws.org/uploads/legislation/Uganda/Uganda-TCA-native.pdf>

133 "(I) A person — (a) in the tobacco industry shall not offer or make; or (b) being a public body, shall not accept, any voluntary contribution of any kind, financial or otherwise from the tobacco industry, unless such contribution results from legal requirements or litigation settlements." Source: TOBACCO CONTROL ACT, 2021. Supplement A — Botswana Government Gazette dated 29th October, 2021. Available at: <https://assets.tobaccocontrollaws.org/uploads/legislation/Botswana/Botswana-TC-Act-2021-native.pdf>

134 "being a political party, candidate or campaign, shall not solicit or accept any financial or other contribution of any kind from the tobacco industry." Source: TOBACCO CONTROL ACT, 2021. Supplement A — Botswana Government Gazette dated 29th October, 2021. Available at: <https://assets.tobaccocontrollaws.org/uploads/legislation/Botswana/Botswana-TC-Act-2021-native.pdf>

135 "(I) A public body shall not provide any incentive or privilege to any person to establish or run a tobacco manufacturing, wholesale, or import business, or any incentive or privilege related to any phase of the production or marketing of tobacco products or growing of tobacco. (2) The prohibition under subsection (1) includes — (a) subsidies; (b) investment incentives; (c) direct investment or loans; (d) tax exemptions or reductions or any other favourable tax treatment; and (e) research and development grants or loans." Source: TOBACCO CONTROL ACT, 2021. Supplement A — Botswana Government Gazette dated 29th October, 2021. Available at: <https://assets.tobaccocontrollaws.org/uploads/legislation/Botswana/Botswana-TC-Act-2021-native.pdf>

136 "Notwithstanding anything contained in any electoral laws, a person — (a) in the tobacco industry or working on its behalf or to further its interestshall not offer or make any financial or other contribution of any kind to a political party, candidate, or campaign; and (b) being a political party, candidate or campaign, shall not solicit or accept any financial or other contribution of any kind from the tobacco industry." Source: TOBACCO CONTROL ACT, 2021. Supplement A — Botswana Government Gazette dated 29th October, 2021. Available at: <https://assets.tobaccocontrollaws.org/uploads/legislation/Botswana/Botswana-TC-Act-2021-native.pdf>

137 "A person who contravenes a provision of this section commits an offence and is liable to a fine — (a) in the case of a political candidate, not exceeding P10 000 or imprisonment for a term not exceeding one year, or to both; (b) in the case of a political party or campaign, a fine not exceeding P100 000; and (c) in the case of any person acting on behalf of the tobacco industry, not exceeding P1 000 000 or to imprisonment for a term not exceeding five years, or to both, and for a second or subsequent offence, not exceeding P2 000 000 or to imprisonment for a term not exceeding 10 years, or to both." Source: TOBACCO CONTROL ACT, 2021. Supplement A — Botswana Government Gazette dated 29th October, 2021. Available at: <https://assets.tobaccocontrollaws.org/uploads/legislation/Botswana/Botswana-TC-Act-2021-native.pdf>

138 The Tobacco Control Regulations, 2014". Available at: <https://assets.tobaccocontrollaws.org/uploads/legislation/Kenya/Kenya-TC-Regs-2014-native.pdf>

139 The Tobacco Control Act, 2007. Available at: <https://assets.tobaccocontrollaws.org/uploads/legislation/Kenya/Kenya-Tobacco-Control-Act-native.pdf>

140 "The Minister may, on recommendation of the Board, make Regulations - (a) for prescribing anything required by this Act to be prescribed; (b) prohibiting anything required by this Act to be prohibited; (c) generally for the better carrying out of the objects of this Act. 25 (2) The Minister may, in consultation with the Ministers for the time being responsible for matters relating to agriculture, trade and industry, finance, education, information and communication, foreign affairs, internal security and any other relevant ministry, formulate the policy framework regarding - (a) the multidisciplinary and inter-sectoral implementation of this Act; and (b) any other matter which is necessary or expedient to prescribe in order

achieve or promote the objects of this Act." Source: The Tobacco Control Act, 2007. Available at: <https://assets.tobaccocontrollaws.org/uploads/legislation/Kenya/Kenya-Tobacco-Control-Act-native.pdf>

¹⁴¹ "Any interactions between public authorities or public officers and the tobacco industry shall be limited to the extent strictly necessary... A minimum of two public officers shall be present in any interactions... Any public officer... shall prepare a formal record of the interaction and submit [it] to the relevant public authorities including the Cabinet Secretary on request."

"A public authority shall "not accept, support or endorse partnerships, sponsorships, services and any monetary or non-monetary assistance from the tobacco industry..." and "not enter into or endorse... any voluntary arrangement or joint tobacco control... activities with the tobacco industry." Source: The Tobacco Control Regulations, 2014". Source: Available at: <https://assets.tobaccocontrollaws.org/uploads/legislation/Kenya/Kenya-TC-Regs-2014-native.pdf>

¹⁴² "A person employed by the tobacco industry or any entity working to further the interests of the tobacco industry shall not serve on Kenyan delegations to meetings of the Conference of Parties..." Source: The Tobacco Control Regulations, 2014".

"A public authority shall not allow any person employed by the tobacco industry or any entity working to further its interests to be a member of any government body, committee or advisory group that sets or implements tobacco control or public health policy."

Source: Available at: <https://assets.tobaccocontrollaws.org/uploads/legislation/Kenya/Kenya-TC-Regs-2014-native.pdf>

¹⁴³ Republic of the Philippines Department of Health, Department Memorandum No. 2010-0126, June 24, 2010, <http://www.tobaccocontrollaws.org/files/live/Philippines/Philippines%20-%20JMC%202010-01%20-%20national.pdf>

¹⁴⁴ CSC-DOH JMC 2010-01: Protection of the Bureaucracy against Tobacco Industry Interference," Civil Service Guide: A Compilation of Issuances on Philippine Civil Service, <http://www.csguide.org/items/show/821>

¹⁴⁵ Philippines Civil Service Commission Memorandum Circular No. 29, s. 2016, <http://seatca.org/dmdocuments/Philippines%20MC%20No.%2029%2C%202016.pdf>.

¹⁴⁶ This information was reported to the Article 5.3 Committee Meetings that were convened by the CSC and DOH.

¹⁴⁷ Tobacco Regulation Act of 2003 (RA 9211), <http://www.officialgazette.gov.ph/2003/06/23/republic-act-no-9211/>

¹⁴⁸ Inter-Agency Committee-Tobacco Memorandum Circular No. 1, s. of 2008, <https://www.tobaccocontrollaws.org/files/live/Philippines/Philippines%20-%20IACT%20circular%20-%20national.pdf>.

¹⁴⁹ This information was reported to the Article 5.3 Committee Meetings that were convened by the CSC and DOH.

¹⁵⁰ DepEd Order No. 6, s. 2012, Guidelines on the adoption and implementation of public health policies on tobacco control and protection against tobacco industry interference, <http://www.healthjustice.ph/wp-content/uploads/2014/09/DepEd-Order-No.-06-s.-2012-Adopting-JMC.pdf>.

¹⁵¹ DepEd DO 48, s. 2016, <http://www.deped.gov.ph/2016/06/28/do-48-s-2016-policy-and-guidelines-on-comprehensive-tobaccocontrol/191/>: "For the effective implementation of a cohesive and comprehensive tobacco control program to promote a healthy environment in and around schools and DepEd offices."

¹⁵² Philippines Department of Foreign Affairs Memorandum re: CSC-DOH JMC No. 2010-01, May 24, 2013

¹⁵³ DENR Memorandum Circular 2018-12, Adoption and implementation of CSC-DOH Joint Memorandum Circular No. 2010-01 on the protection of the bureaucracy against tobacco industry interference, <https://server2.denr.gov.ph/uploads/rmdd/dmc-2018-12.pdf>.

¹⁵⁴ Bureau of Internal Revenue Memorandum Order No. 16-2012, Smoking Prohibition based on 100% Smoke-Free Environment Policy, Restrictions on Interactions with the Tobacco Industry and Imposition of Sanctions for Violation of the Rule, <https://www.tobaccocontrollaws.org/files/live/Philippines/Philippines%20-%20Revenue%20Memo%20No.%2016-2012%20-%20national.pdf>

¹⁵⁵ Interim Guidelines on Tobacco Control in light of the COVID-19 Pandemic. Department Memorandum No 2020-0246. Department of Health, Republic of the Philippines; May 15, 2020. Available at: <https://www.nnc.gov.ph/phocadownloadpap/userupload/Ro5-webpub/DOH%20DM%202020-0246%20Interim%20Guidelines%20on%20Tobacco%20Control%20in%20Light%20of%20the%20COVID-19%20Pandemic.pdf>

¹⁵⁶ Policy and Guidelines on Anti-Smoking and Tobacco Control. Commission on Higher Education Memorandum Order No. 6, s. 2021. CHED, Republic of the Philippines; 2021. Available at: <https://ched.gov.ph/wp-content/uploads/CMO-No.-6-Series-of-2021-%E2%80%93-Policy-and-Guidelines-on-Anti-Smoking-and-Tobacco-Control.pdf>

¹⁵⁷ Cabalza, D. (2024, August 12). DSWD hit for accepting tobacco firm's donations. Inquirer.net. <https://newsinfo.inquirer.net/1971731/dswd-hit-for-accepting-tobacco-firms-donations>

¹⁵⁸ Cabalza, D. (2025, March 24). Anti-smoking advocates hit Herbosa for accepting Mobile Laboratory Clinics. Inquirer Plus. <https://plus.inquirer.net/news/anti-smoking-advocates-hit-herbosa-for-accepting-mobile-laboratory-clinics/>

¹⁵⁹ Banal, A. (2025, April 4). Doh vows to reject all tobacco industry donations. SunStar Publishing Inc. <https://www.sunstar.com.ph/manila/doh-vows-to-reject-all-tobacco-industry-donations>

¹⁶⁰ "The FCTC, including article 5.3, applies across the UK government, including: government departments, arm's length bodies, agencies, local authorities, any person or organisation acting on behalf of the above bodies.." Source: Guidance for government engagement with the tobacco industry. 2025. Available at: <https://www.gov.uk/government/publications/protocol-for-engagement-with-stakeholders-with-links-to-the-tobacco-industry/guidance-for-government-engagement-with-the-tobacco-industry>

¹⁶¹ "For the purposes of this Guidance, you are a public official if: • You are an official, representative or employee in a Commonwealth government agency, body or entity, for example: o a Member of Parliament or their staff.." Source: Guidance for Public Officials on Interacting with the Tobacco Industry. Department of Health, Australian Government, updated November 13, 2019. Available at: <https://www.health.gov.au/sites/default/files/2023-05/guidance-for-public-officials-on-interacting-with-the-tobacco-industry.pdf>

¹⁶² "This Guidance has been prepared by HC and is intended for FPSREs. HC welcomes the use of this Guidance by other orders of government and public health organizations in their tobacco control activities, and in developing their own guidance for interacting with the tobacco industry." Source: Interacting with the tobacco industry - Guidance for Federal Public Service Representatives and Employees. Health Canada. Available at: <https://www.canada.ca/en/health-canada/services/publications/healthy-living/interacting-tobacco-industry-guidance.html>

¹⁶³ "Article 1 of the FCTC defines the tobacco industry as "tobacco manufacturers, wholesale distributors and importers of tobacco products". This includes, but is not limited to:

- organisations or individuals with commercial or vested interests in the tobacco industry
- those that receive funding from the tobacco industry

- those that work to further the interests of the tobacco industry, including organisations with directors from the tobacco industry
- tobacco growers
- associations or other entities representing any of the above
- industry lobbyists”

Source: Guidance for government engagement with the tobacco industry. 2025. Available at: <https://www.gov.uk/government/publications/protocol-for-engagement-with-stakeholders-with-links-to-the-tobacco-industry/guidance-for-government-engagement-with-the-tobacco-industry>

¹⁶⁴ “When contacted by a stakeholder, it is important to verify whether there are existing links to the tobacco industry... [check] the organization’s board... founders... membership, and whether it receives any funding/donations from the tobacco industry.” Source: Interacting with the tobacco industry - Guidance for Federal Public Service Representatives and Employees. Health Canada. Available at: <https://www.canada.ca/en/health-canada/services/publications/healthy-living/interacting-tobacco-industry-guidance.html>

¹⁶⁵ “Conditionally accept invitation to meet and request proposed agenda items and a list of participants (including names, titles, affiliations).” Source: Decision Tree – Steps to follow when interacting with tobacco industry. Health Canada. Available at: <https://www.canada.ca/en/health-canada/services/publications/healthy-living/decision-tree-steps-interacting-tobacco-industry.html>

¹⁶⁶ “It is consistent with the requirements of Article 5.3 for Australia to extend the obligation to protect tobacco control policies from commercial and other vested interests of the tobacco industry to new and emerging products, such as e-cigarettes and heated tobacco products.” Source: Guidance for Public Officials on Interacting with the Tobacco Industry. Department of Health, Australian Government, updated November 13, 2019. Available at: <https://www.health.gov.au/sites/default/files/2023-05/guidance-for-public-officials-on-interacting-with-the-tobacco-industry.pdf>

¹⁶⁷ “Additionally, to ensure groups do not have ties to or receive funds from the tobacco industry, a Conflict-of-Interest form (provided by HC) should be completed by all individuals or organizations requesting engagement with FPSREs to declare any links with, or funding received from, the tobacco industry.” Source: Interacting with the tobacco industry - Guidance for Federal Public Service Representatives and Employees. Health Canada. Available at: <https://www.canada.ca/en/health-canada/services/publications/healthy-living/interacting-tobacco-industry-guidance.html>

¹⁶⁸ “You should declare any current, previous or proposed connection, involvement or relationship with the tobacco industry by you or a close family member, including: • occupational activity with the tobacco industry, whether gainful or not • any and all contributions from the tobacco industry, including research funding • any intention to engage in an occupational activity within the tobacco industry within one year after leaving service as a public official.” Source: Guidance for Public Officials on Interacting with the Tobacco Industry. Department of Health, Australian Government, updated November 13, 2019. Available at: <https://www.health.gov.au/sites/default/files/2023-05/guidance-for-public-officials-on-interacting-with-the-tobacco-industry.pdf>

¹⁶⁹ “Officials should look carefully for evidence of an actual conflict of interest,. Some example scenarios and recommended actions to take are set out below. The examples are grouped into 3 categories:

1. Do not engage.
2. Contact the DHSC Tobacco Control team before engaging.
3. Engage following the guidelines set out in this document.”

Source: Guidance for government engagement with the tobacco industry. 2025. Available at: <https://www.gov.uk/government/publications/protocol-for-engagement-with-stakeholders-with-links-to-the-tobacco-industry/guidance-for-government-engagement-with-the-tobacco-industry>

¹⁷⁰ “Step 2: Assess the necessity to interact.. Would this interaction advance tobacco industry policy interests/initiatives?.. Could the tobacco industry portray the interaction in a way that implies that it is a partner with government in tobacco control public health efforts, or that it is engaged with the government in its efforts? Could the interaction take place through written communication rather than through “live” meetings, so that all interaction is clearly on record and not open to interpretation?..” Source: Interacting with the tobacco industry - Guidance for Federal Public Service Representatives and Employees. Health Canada. Available at: <https://www.canada.ca/en/health-canada/services/publications/healthy-living/interacting-tobacco-industry-guidance.html>

¹⁷¹ “UK government officials should not attend conferences or events which are organised by the tobacco industry.” Source: Guidance for government engagement with the tobacco industry. 2025. Available at: <https://www.gov.uk/government/publications/protocol-for-engagement-with-stakeholders-with-links-to-the-tobacco-industry/guidance-for-government-engagement-with-the-tobacco-industry>

¹⁷² “Under no circumstances should a FPSRE attend an event sponsored by the tobacco industry or participate in a panel that includes individuals or groups linked to the tobacco industry.” Source: Interacting with the tobacco industry - Guidance for Federal Public Service Representatives and Employees. Health Canada. Available at: <https://www.canada.ca/en/health-canada/services/publications/healthy-living/interacting-tobacco-industry-guidance.html>

¹⁷³ “Do not agree to side meetings or accept invitations to social events or hospitality, such as offers for lunch, product or gifts.” Source: Guidance for Public Officials on Interacting with the Tobacco Industry. Department of Health, Australian Government, updated November 13, 2019. Available at: <https://www.health.gov.au/sites/default/files/2023-05/guidance-for-public-officials-on-interacting-with-the-tobacco-industry.pdf>

¹⁷⁴ *ibid*

¹⁷⁵ “When organizing meeting attendees, it is recommended to arrange for a minimum of two FPSREs to be present at all times in any interaction.” Source: Interacting with the tobacco industry - Guidance for Federal Public Service Representatives and Employees. Health Canada. Available at: <https://www.canada.ca/en/health-canada/services/publications/healthy-living/interacting-tobacco-industry-guidance.html>

¹⁷⁶ “A minimum of two officials should be present at all times in any meeting or interaction.” Source: Guidance for Public Officials on Interacting with the Tobacco Industry. Department of Health, Australian Government, updated November 13, 2019. Available at: <https://www.health.gov.au/sites/default/files/2023-05/guidance-for-public-officials-on-interacting-with-the-tobacco-industry.pdf>

¹⁷⁷ “During the meeting, it is generally advised to take a listening stance and not comment on policy development.” Source: Guidance for Public Officials on Interacting with the Tobacco Industry. Department of Health, Australian Government, updated November 13, 2019. Available at: <https://www.health.gov.au/sites/default/files/2023-05/guidance-for-public-officials-on-interacting-with-the-tobacco-industry.pdf>

¹⁷⁸ “When opening the meeting, the chair should remind attendees of the government’s article 5.3 obligations and should stop the meeting if these obligations are breached. “Source: Guidance for government engagement with the tobacco industry. 2025. Available at: <https://www.gov.uk/government/publications/protocol-for-engagement-with-stakeholders-with-links-to-the-tobacco-industry/guidance-for-government-engagement-with-the-tobacco-industry>

¹⁷⁹ “Ensure all meetings or interactions are recorded, with sufficient detail to establish, at a minimum: o the date, location, nature and method of the interaction or contact o the names of the parties and individuals involved o the matters discussed or considered and any decisions taken o any follow up activity planned or anticipated.” Source: Guidance for Public Officials on Interacting with the Tobacco Industry. Department of Health, Australian Government, updated November 13, 2019. Available at: <https://www.health.gov.au/sites/default/files/2023-05/guidance-for-public-officials-on-interacting-with-the-tobacco-industry.pdf>

¹⁸⁰ “To ensure transparency in interactions with the tobacco industry, all UK government departments or bodies should publish:

- correspondence received from tobacco industry representatives
- replies sent to tobacco industry representatives
- minutes of any meetings

DHSC is committed to publishing commercially non-sensitive correspondences and minutes of meetings held with stakeholders. Publications will be redacted using the Freedom of Information Act exemptions. “ Source: Guidance for government engagement with the tobacco industry. 2025. Available at: <https://www.gov.uk/government/publications/protocol-for-engagement-with-stakeholders-with-links-to-the-tobacco-industry/guidance-for-government-engagement-with-the-tobacco-industry>

¹⁸¹ “Material that is made public should include such details as the date of meeting, company name, topic, and the purpose and a summary of the meeting, as well as noting the industry representatives and government officials involved, as appropriate.

Meeting summaries between TCD and the tobacco industry are published online by Health Canada.” Source: Interacting with the tobacco industry - Guidance for Federal Public Service Representatives and Employees. Health Canada. Available at: <https://www.canada.ca/en/health-canada/services/publications/healthy-living/interacting-tobacco-industry-guidance.html>

¹⁸² “Ensure all meetings or interactions are recorded, with sufficient detail to establish, at a minimum: o the date, location, nature and method of the interaction or contact o the names of the parties and individuals involved o the matters discussed or considered and any decisions taken o any follow up activity planned or anticipated.” Guidance for Public Officials on Interacting with the Tobacco Industry. Department of Health, Australian Government, updated November 13, 2019. Available at: <https://www.health.gov.au/sites/default/files/2023-05/guidance-for-public-officials-on-interacting-with-the-tobacco-industry.pdf>

¹⁸³ “Organisations should not endorse, support, form partnerships with, or take part in activities of the tobacco industry that could be described as ‘socially responsible’.” Source: Guidance for government engagement with the tobacco industry. 2025. Available at: <https://www.gov.uk/government/publications/protocol-for-engagement-with-stakeholders-with-links-to-the-tobacco-industry/guidance-for-government-engagement-with-the-tobacco-industry>

¹⁸⁴ “Partnerships between the tobacco industry and those with a link with public health policies with respect to tobacco control are incompatible with Article 5.3 and should be avoided. Examples of partnerships include, but are not limited to, legal and formal agreements concluded between the Parties and the industry, such as contracts or memoranda of understanding, engaging in ‘joint operations’ with the tobacco industry in law development or enforcement, supporting the tobacco industry’s youth or public education initiatives, any ad hoc/informal agreements, and establishing partnerships or agreements with the tobacco industry through grants and contributions to tobacco companies or stakeholders with ties to the tobacco industry.” Source: Interacting with the tobacco industry - Guidance for Federal Public Service Representatives and Employees. Health Canada. Available at: <https://www.canada.ca/en/health-canada/services/publications/healthy-living/interacting-tobacco-industry-guidance.html>

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216 "Producers shall jointly carry out a report on the composition of the waste collected and cleaned up by the municipality in the areas referred to in Section 48 c (composition report) at least every three years. Municipalities shall provide producers with the information required for the report and otherwise assist in carrying out the report by taking the necessary measures. The report shall be submitted to the Ministry of the Environment." Source: ibid

217 "the producers' share of the costs reported by the municipalities for waste management and cleaning activities carried out in the areas referred to in Section 48 c, as well as for information and advice activities that must be considered necessary to prevent and reduce littering;". Source: ibid

²¹⁸ "Producers shall jointly carry out a report on the composition of the waste collected and cleaned up by the municipality in the areas referred to in Section 48 c (composition report) at least every three years. Municipalities shall provide producers with the information required for the report and otherwise assist in carrying out the report by taking the necessary measures. The report shall be submitted to the Ministry of the Environment". Source: *ibid*

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⁴⁵⁶ WHO FCTC, Examples of implementation of Article 5.3 communicated through the reports of the Parties, https://web.archive.org/web/20220307201243/http://www.who.int/fctc/parties_experiences/en/.

⁴⁵⁷ WHO FCTC, Good country practices in the implementation of WHO FCTC Article 5.3 and its guidelines: Report commissioned by the Convention Secretariat, Prepared by Mary Assunta, January 15, 2018, <http://www.who.int/fctc/publications/fctc-article-5-3-best-practices.pdf>

⁴⁵⁸ Gabon Law No. 006/2013, Concerning the enactment of measures supporting the campaign for tobacco control in the Republic of Gabon, August 21, 2013, <http://tobaccocontrollaws.org/files/live/Gabon/Gabon%20-%202013%20TC%20Law.pdf>: "Chapter 7: Measures to protect tobacco oversight policies from commercial interests and other interests. Article 32: The State shall see to it that activities or attempts by the tobacco industry do not undermine, compromise or destroy the credibility of national and international public health policy for tobacco control. It shall also act to prevent any action enabling commercial interests or other private interests of the tobacco industry to interfere with the development and implementation of the tobacco control policy."

⁴⁵⁹ Law No. 006/2013, Concerning the enactment of measures supporting the campaign for tobacco control in the Republic of Gabon, 2013, <http://tobaccocontrollaws.org/files/live/Gabon/Gabon%20-%202013%20TC%20Law.pdf>.

⁴⁶⁰ Decree No. 0285 Concerning Advertising Promotion and Sponsorship of Tobacco Products. Tobacco Control Laws. Available at: <https://www.tobaccocontrollaws.org/files/live/Gabon/Gabon%20-%20APS%20Decree.pdf>

⁴⁶¹ Tobacco Control Act, 2016. Gambia, Tobacco Control Laws. Available at: <https://www.tobaccocontrollaws.org/files/live/Gambia/Gambia%20-%20TCA%202016%20-%20national.pdf>

⁴⁶² "ARTICLE 7. - PRIMARY ACTIONS. With the participation of civil society, the Honduran Institute for the Prevention of Alcoholism, Drug Addiction and Drug Dependency (IHADFA) shall have primary responsibility for formulating, coordinating, executing and assessing public policies related to the prevention and control of tobacco consumption and advisory services on its cessation. It shall also establish smoking cessation programs carried out by available centers of the Office of the Secretary of State at the Department of Public Health or other private and State institutions or at those established by IHADFA under its exclusive premises and responsibility. All interference by commercial interests and others tied to the tobacco industry is totally banned."

⁴⁶³ Honduras Special Tobacco Control Law Approved by the National Congress of Honduras, June 9, 2010, Decree No.92-2010 (unofficial translation), <https://www.tobaccocontrollaws.org/files/live/Honduras/Honduras%20-%20Decree%20No.%2092-2010.pdf>.

⁴⁶⁴ Hungary Reporting Instrument of the WHO Framework Convention on Tobacco Control, 2014.

⁴⁶⁵ Iran FCTC Report on Implementation of Article 5.3, 2012.

⁴⁶⁶ Iran Comprehensive Act on National Control and Campaign Against Tobacco, 2006, <https://www.tobaccocontrollaws.org/files/live/Iran/Iran%20-%20Comp.%20TC%20Act.pdf>

⁴⁶⁷ WHO FCTC, Examples of implementation of Article 5.3 communicated through the reports of the Parties, https://web.archive.org/web/20220307201243/http://www.who.int/fctc/parties_experiences/en/

⁴⁶⁸ Ireland: Ministers reassert the importance of eliminating tobacco industry interference, November 29, 2017,

<http://untobaccocontrol.org/impldb/ireland-ministers-reassert-the-importance-of-eliminating-tobacco-industry-interference/>.

⁴⁶⁹ Public Health (Tobacco) (Amendment) Act 2004. Ireland, Tobacco Control Laws. Available at: <https://www.tobaccocontrollaws.org/files/live/Ireland/Ireland%20-%20PHA%202004%20-%20national.pdf>

⁴⁷⁰ Jamaica FCTC Report on Implementation of Article 5.3, 2016.

⁴⁷¹ Jamaica's Proposed Tobacco Control Act, 2020. Pan American Health Organization, World Health Organisation Region of the Americas. Available at: <https://www.paho.org/en/campaigns/jamaicas-proposed-tobacco-control-act-2020>

⁴⁷² "Article 197-4. (Acceptance for Exertion of Influence) – A public officer who accepts, solicits or promises to accept a bribe as consideration for the influence which the official exerted or is to exert, in response to a request, upon another public officer so as to cause the other to act illegally or refrain from acting in the exercise of official duty shall be punished by imprisonment with work for not more than 5 years."

⁴⁷³ Japan FCTC Report on Implementation of Article 5.3, 2010.

⁴⁷⁴ Penal Code, Act No.45 of 1907, <http://www.cas.go.jp/seisaku/hourei/data/PC.pdf>

⁴⁷⁵ Political Funds Control Act of 1948 (last amended in 2014), <http://aceproject.org/ero-en/regions/asia/JP/japan-political-fundscontrol-act-1948/view>.

⁴⁷⁶ Kenya The Tobacco Control Act, 2007, <https://www.tobaccocontrollaws.org/files/live/Kenya/Kenya%20-%20Tobacco%20Control%20Act%20-%20national.pdf>.

⁴⁷⁷ Kenya The Tobacco Control Act, 2007, <https://www.tobaccocontrollaws.org/files/live/Kenya/Kenya%20-%20Tobacco%20Control%20Act%20-%20national.pdf>.

⁴⁷⁸ "Article 17 – Incompatibility: 1. The government should not hire, contract, or engage any person to perform work or serve in any capacity with responsibility for tobacco control, if that person is professionally engaged with the tobacco industry, or worked there in the last twelve (12) months or if that person has any other conflict of interest with the responsibilities of the position, contract, or service for tobacco control. 2. The senior officer who finishes the mandate of public function, for one (1) year from the termination of contract, has no right of employment or be appointed to managing positions or be involved in tobacco control of companies, if his duties during the last two (2) years before the end of his public function were directly related to the supervision or control of the business of those companies.

Article 18 – Prohibition of the support and privileges of tobacco business: No institution or state body should offer support or privilege to any person or company for wholesale or retail selling, tobacco import, or any support or privilege related to any phase of the import and export of tobacco products."

⁴⁷⁹ Kosovo Law No. 04/L-156 on Tobacco Control, 2013, <https://www.tobaccocontrollaws.org/files/live/Kosovo/Kosovo%20-%20TC%20Law%202013.pdf>.

⁴⁸⁰ WHO FCTC, Examples of implementation of Article 5.3 communicated through the reports of the Parties, https://web.archive.org/web/20220307201243/http://www.who.int/fctc/parties_experiences/en/.

⁴⁸¹ WHO FCTC, Examples of implementation of Article 5.3 communicated through the reports of the Parties, https://web.archive.org/web/20220307201243/http://www.who.int/fctc/parties_experiences/en/

⁴⁸² WHO FCTC, Examples of implementation of Article 5.3 communicated through the reports of the Parties, https://web.archive.org/web/20220307201243/http://www.who.int/fctc/parties_experiences/en/

⁴⁸³ Lebanon FCTC Report on Implementation of Article 5.3, 2016.

⁴⁸⁴ Madagascar FCTC Report on Implementation of Article 5.3, 2014.

⁴⁸⁵ Interministerial Order No. 18171/2003 Laying Down the Rules on Industrialization, Importation, Marketing and Consumption of Tobacco Products. Madagascar, Tobacco Control Laws. Available at: <https://www.tobaccocontrollaws.org/files/live/Madagascar/Madagascar%20-%20Order%20No.%2018171.pdf>

⁴⁸⁶ Decree No. 2012-343 Determining the Procedures for Implementation of Law No. 10-033 of July 12, 2010, Concerning the Sale and Consumption of Tobacco and Tobacco Products. Tobacco Control Laws. Available at: <https://www.tobaccocontrollaws.org/files/live/Mali/Mali%20-%20Decree%20No.%202012-343.pdf>

⁴⁸⁷ Moldova law for amendment and supplementation of certain legislative acts, 2015, <http://tobaccocontrollaws.org/files/live/Moldova/Moldova%20-%202015%20TC%20Amdts.pdf>

⁴⁸⁸ Law No. 278-XVI on Tobacco and Tobacco Products (as amended). Tobacco Control Laws. Available at: <https://www.tobaccocontrollaws.org/files/live/Moldova/Moldova%20-%20TC%20Law%20-%28as%20amended%29.pdf>.

⁴⁸⁹ Mongolia Law on Tobacco Control (as amended), 2005, <https://www.tobaccocontrollaws.org/files/live/Mongolia/Mongolia%20-%20Law%20on%20TC.pdf>: "The State Policy on Tobacco Control shall be intimate part of the State Policy on Public Health and shall be guided by the principles set out below:

4.1.1. Prevent the initiation of the minors and reduce the consumption of tobacco products by sustainable financing of tobacco control and health promoting activities through tax increases reaching to the level indicated in the Convention Framework on Tobacco Control;

4.1.2. Protect the public health policies from negative influences of tobacco industry within the legal framework; 4.1.3. Support for participation of private and non-governmental organizations without any affiliation with tobacco industry in developing and implementation of policy and programs on tobacco control;

4.1.4. Increase the accessibility of scientific and comprehensive information, education and communication activities on health hazards, economic and environmental consequences of tobacco consumption and passive smoking and affordability of treatment of nicotine addiction;

4.1.5. Require the tobacco industry and those "legal entities" working to further its interests to operating and acting in the manner that is accountable and transparent;

4.1.6. It is not recommended to give rewards, tax discounts and other fringe benefits to the tobacco industry; 4.1.7. Treat tobacco industry equally regardless of form of ownership in the implementation of Tobacco Control Law;

4.1.8. Tobacco industry and those working to further its interests shall not be involved directly or indirectly in drafting, endorsing and implementing tobacco control legislation or policy;

4.1.9. All branches of government and the public shall be provided with information about strategies and tactics used by the tobacco industry including setting and implementation of the government's public health related policies and need to be protected from vested interests of the tobacco industry and its advertisement, promotion and sponsorship activities.

5.1.3. Any personnel working for setting and implementing public health policy and public education activities shall avoid from partnering with legal entities or individuals working for tobacco industry or for the industry's interests; 5.1.4. Dismiss any offer proposed by the tobacco industry when there is conflict of interest in implementing the Tobacco Control Law;

5.1.5. Government official working in the post of setting and implementing the Tobacco Control Law shall not partner with other workers in resolving issues related to vested interests and thereby reject such offers.”

⁴⁹⁰ Specifically, it bans tobacco industry sponsorship of cultural, sports, and other social events, and any donations, contributions, or grants from the tobacco industry.

⁴⁹¹ Mongolia Law on Tobacco Control (as amended), 2005, <https://www.tobaccocontrollaws.org/files/live/Mongolia/Mongolia%20-%20Law%20on%20TC.pdf>.

⁴⁹² WHO FCTC, Examples of implementation of Article 5.3 communicated through the reports of the Parties, https://web.archive.org/web/20220307201243/http://www.who.int/fctc/parties_experiences/en/

⁴⁹³ Myanmar Reporting Instrument of the WHO Framework Convention on Tobacco Control, 2014.

⁴⁹⁴ Namibia Tobacco Products Control Act, 2010, <https://www.tobaccocontrollaws.org/files/live/Namibia/Namibia%20-%20Tobacco%20Products%20Control%20-%20national.pdf>

⁴⁹⁵ Namibia Tobacco Products Control Act, 2010, <https://www.tobaccocontrollaws.org/files/live/Namibia/Namibia%20-%20Tobacco%20Products%20Control%20-%20national.pdf>.

⁴⁹⁶ Act No. 14 of 9 March 1973 relating to Prevention of the Harmful Effects of Tobacco (with 2013 amendments),

<https://www.tobaccocontrollaws.org/files/live/Norway/Norway%20-%20Tobacco%20Ctrl.%20Act%20%28No.%2014%20of%201973%29.pdf>.

⁴⁹⁷ Norway divests \$2 billion from tobacco companies. Framework Convention Alliance, 3 April 2009. Available at: <https://fctc.org/norway-divests-2-billion-from-tobacco-companies/>

⁴⁹⁸ Guidelines for observation and exclusion from the Government Pension Fund Global, 2014, <https://www.regjeringen.no/en/topics/the-economy/the-government-pension-fund/responsible-investments/guidelines-for-observation-and-exclusion/id594254/>

⁴⁹⁹ Law amending the Tobacco Control Act (implementation of Directive 2014/40/EC and standardised tobacco packs). Norway, Tobacco Control Laws. Available at: <https://www.tobaccocontrollaws.org/files/live/Norway/Norway%20-%20Law%20Amd%27ing%20TC%20Act%20%282017%29.pdf>

⁵⁰⁰ Guidelines for observation and exclusion from the Government Pension Fund Global, 2014, <https://www.regjeringen.no/en/topics/the-economy/the-government-pension-fund/responsible-investments/guidelines-for-observation-and-exclusion/id594254/>

⁵⁰¹ Act No. 14 of 9 March 1973 relating to Prevention of the Harmful Effects of Tobacco (with 2013 amendments),

<https://www.tobaccocontrollaws.org/files/live/Norway/Norway%20-%20Tobacco%20Ctrl.%20Act%20%28No.%2014%20of%201973%29.pdf>

⁵⁰² Ministry of Information Decree o. 43/2018 to Amend Some Provisions of the Executive regulations of the Press and Publications Law. Oman, Tobacco Control Laws. Available at: https://www.tobaccocontrollaws.org/files/live/Oman/Oman%20-%20Decree%20No.%2043_2018.pdf

⁵⁰³ WHO FCTC, Examples of implementation of Article 5.3 communicated through the reports of the Parties,

https://web.archive.org/web/20220307201243/http://www.who.int/fctc/parties_experiences/en/

⁵⁰⁴ STOP Welcomes the Withdrawal of the Tobacco Industry from the “Future of Asia” International Conference. STOP, May 19, 2021. Available at: <https://exposetobacco.org/news/withdrawal-future-of-asia/>

⁵⁰⁵ Panama Resolution No. 745, 2012, <https://www.tobaccocontrollaws.org/files/live/Panama/Panama%20-%20Res.%20No.%20745%20-%20national.pdf>.

⁵⁰⁶ Panama Resolution No. 745, 2012, <https://www.tobaccocontrollaws.org/files/live/Panama/Panama%20-%20Res.%20No.%20745%20-%20national.pdf>.

⁵⁰⁷ 0 Law No. 13 of January 24, 2008 “Which Adopts Measures to Control Tobacco and its Harmful Effects on Health”. Tobacco Control Laws. Available at: <https://www.tobaccocontrollaws.org/files/live/Panama/Panama%20-%20Law%2013%20of%202008.pdf>

⁵⁰⁸ Law No. 5538, Official Gazette, Republic of Paraguay. Tobacco Control Laws. Available at:

<https://www.tobaccocontrollaws.org/files/live/Paraguay/Paraguay%20-%20Law%20No.%205538.pdf>

⁵⁰⁹ Poland Ministry of Health (MOH) letter to Chancellor, Vice Rectors, and Deans, January 09, 2018,

<https://ggtc.world/dmdocuments/Unofficial%20translation%20Poland%20considers%20PM%20part%20of%20TI%20English.pdf>

⁵¹⁰ Portugal FCTC Report on Implementation of Article 5.3, 2014.

⁵¹¹ Law No. 10 of 2016 on the Control of Tobacco and Its Derivatives. Tobacco Control Laws. Available at:

<https://www.tobaccocontrollaws.org/files/live/Qatar/Qatar%20-%20TC%20Law%202016.pdf>

⁵¹² Russia Federal Law N 15-FZ “On Protecting the Health of Citizens from the Effects of Second Hand Tobacco Smoke and the Consequences of Tobacco Consumption,” 2013, <https://www.tobaccocontrollaws.org/files/live/Russia/Russia%20-%20Law%20No.%2015-FZ%20%282013%29.pdf>

⁵¹³ Russia FCTC Report on Implementation of Article 5.3, 2016.

⁵¹⁴ Russia Federal Law N 15-FZ “On Protecting the Health of Citizens from the Effects of Second Hand Tobacco Smoke and the Consequences of Tobacco Consumption,” 2013, <https://www.tobaccocontrollaws.org/files/live/Russia/Russia%20-%20Law%20No.%2015-FZ%20%282013%29.pdf>

⁵¹⁵ Sta. Lucia FCTC Report on Implementation of Article 5.3, 2012

⁵¹⁶ Senegal FCTC Report on Implementation of Article 5.3, 2014

⁵¹⁷ Senegal Law No. 2014-14 concerning the manufacture, packaging, labeling, sale and use of tobacco (unofficial translation), 2014, <https://www.tobaccocontrollaws.org/files/live/Senegal/Senegal%20-%202014%20TC%20Law.pdf>.

⁵¹⁸ WHO FCTC, Examples of implementation of Article 5.3 communicated through the reports of the Parties, https://web.archive.org/web/20220307201243/http://www.who.int/fctc/parties_experiences/en/

⁵¹⁹ WHO FCTC, Examples of implementation of Article 5.3 communicated through the reports of the Parties, https://web.archive.org/web/20220307201243/http://www.who.int/fctc/parties_experiences/en/

⁵²⁰ Law 28/2005 on health measures regarding smoking and its sales regulation, supply, use and advertising of tobacco products (as amended by Law 42/2010). Tobacco Control Laws. Available at: <https://www.tobaccocontrollaws.org/files/live/Spain/Spain%20-%20Law%202005.pdf>

⁵²¹ Act of February 20, 2013 Laying Down Rules Limiting the Use of Tobacco and Tobacco Products (Tobacco Act). Tobacco Control Laws. Available at: <https://www.tobaccocontrollaws.org/files/live/Suriname/Suriname%20-%20Tobacco%20Act%202013.pdf>

⁵²² WHO Tobacco control in Turkey, November 2015, <http://www.who.int/tobacco/about/partners/bloomberg/tur/en/>.

⁵²³ Law on Protecting the Health of Citizens from the Effects of Tobacco Smoke and the Consequences of Tobacco Product Consumption. Tobacco Control Laws. Available at: <https://www.tobaccocontrollaws.org/files/live/Turkmenistan/Turkmenistan%20-%202013%20TC%20Law.pdf>

⁵²⁴ Uganda FCTC Party Report on Article 5.3 implementation; forthcoming paper on non-involvement of tobacco industry in policy development.

⁵²⁵ Uganda Tobacco Control Act, 2015, <https://www.tobaccocontrollaws.org/files/live/Uganda/Uganda%20%20TCA%20-%20national.pdf>.

⁵²⁶ Uganda Tobacco Control Act, 2015, <https://www.tobaccocontrollaws.org/files/live/Uganda/Uganda%20-%20TCA%20-%20national.pdf>.

⁵²⁷ Uruguay FCTC Report on Implementation of Article 5.3, 2010.

⁵²⁸ Law No. 18,256, Smoking Control Regulations, 2008, <https://www.tobaccocontrollaws.org/files/live/Uruguay/Uruguay%20-%20Law%20No.%2018.256.pdf>.

⁵²⁹ Law No. 18,256, Smoking Control Regulations. Tobacco Control Laws. Available at: <https://www.tobaccocontrollaws.org/files/live/Uruguay/Uruguay%20-%20Law%20No.%2018.256.pdf>

⁵³⁰ Law No. 19.244 Amending Law No. 18.256. Tobacco Control Laws. Available at: <https://www.tobaccocontrollaws.org/files/live/Uruguay/Uruguay%20-%20Law%20No.%2019.244.pdf>

⁵³¹ Resolution No. 071 of July 18, 2019 on Comprehensive Ban on Tobacco Advertising, Promotion and Sponsorship. Tobacco Control Laws. Available at <https://assets.tobaccocontrollaws.org/uploads/legislation/Venezuela/Venezuela-Res.-No.-071.pdf>