Tobacco industry corporate social responsibility activities and other interference after ratification of a strong tobacco law in Ethiopia

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ABSTRACT

Background Since strict new tobacco control laws were introduced in 2019 and 2020, the National Tobacco Enterprise (NTE), the main manufacturer and distributor of cigarettes in Ethiopia, strategically engaged in corporate social responsibility (CSR) activities and other tactics to interfere in tobacco control policymaking. This study systematically identified and reviewed tobacco industry activities that undermine Ethiopia’s strict new tobacco control laws.

Methods We collated, reviewed and analysed evidence on tobacco industry CSR activities from February 2019 to November 2022 in Ethiopia, including newspapers, organisational websites, social media and government documents related to tobacco industry activities, contract agreements and other policy interference attempts.

Results NTE’s CSR activities included: (1) Funding educational programmes (eg, postgraduate scholarships); (2) Community service (eg, donating COVID-19 prevention materials, providing water, sanitation and hygiene supplies); and (3) Supporting government programmes (eg, greening initiatives and training programmes). NTE facilitated CSR activities via a contract agreement with the Ethiopian government that was created when Japan Tobacco International purchased the Government’s majority share in NTE. NTE subsequently partnered with the Japanese Embassy in Addis Ababa and private law firms on CSR activities. The tobacco control community stopped NTE distributing free COVID-19 prevention products in Addis Ababa but had limited impact on other identified breaches of laws prohibiting advertising promotion and sponsorship.

Conclusion The new laws have not stopped NTE using multiple CSR activities to interfere in tobacco control policy. Regular monitoring of tobacco industry CSR activities to identify potential breaches is recommended. Moreover, the Ethiopian government should revise its contractual agreement with NTE to end NTE’s participation in law-making processes and partnerships on illicit tobacco control.

WHAT IS ALREADY KNOWN ON THIS TOPIC

⇒ It is well documented that in all global regions, the tobacco industry (TI) interferes in public health policy for financial gain and expansion of their commercial activities.
⇒ One major way the TI seeks to favourably influence a country’s public health policy and regulatory decision-makers is through corporate social responsibility (CSR) tactics and initiatives.
⇒ During the height of the COVID-19 pandemic crisis, TI interference through CSR activities to support both public and private public health emergency responses occurred in many countries.
⇒ There has been limited research on TI interference in Ethiopia, and no published evaluation of CSR activities by the TI after tobacco control law was enacted in February 2019 to ban such activities.

WHAT THIS STUDY ADDS

⇒ This is the first study to review publicly available information and government internal documents that were exchanged with the TI to identify and describe the types of CSR activities and mode of interference in public health policymaking and regulatory initiatives after TI CSR activities were banned in Ethiopia in February 2019.
⇒ The study identified key TI front groups and partners, and strategies that were used by the TI to present itself as a ‘good corporate citizen’ and to engage in unnecessary interaction with the government.
⇒ Our findings provide important knowledge of the profile of TI front groups such as law firms and tobacco farmers.
⇒ The study findings provide new insights for policymakers to protect public health laws from the activities of the TI.

HOW THIS STUDY MIGHT AFFECT RESEARCH, PRACTICE OR POLICY

⇒ Our results indicated that CSR activities were used by the TI to gain influence, meddle in lifesaving health policies and secure preferential treatment from government organisations.
⇒ Such evidence calls for increased protection of public health laws from financial interests posed by the TI not only in Ethiopia but across Africa and globally.
the most significant purchase in Ethiopia’s privatisation history. Today, NTE is owned by two entities: JTI (71% share) and Yemen-based Sheba Company (29% share).\(^2\) JTI will control NTE’s monopoly rights until 2025 with an option to renew this agreement in the contract. On the one hand, the Ethiopian government’s withdrawal from NTE demonstrates its commitment to the WHO Framework Convention on Tobacco Control (WHO FCTC) following government ratification of that Convention in January 2014.\(^3\) However, financial challenges and a domestic uprising in some parts of the country may also have motivated the decision to sell NTE.\(^4\)

Article 5.3 of the WHO FCTC states ‘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’. Article 5.3 empowers governments to protect themselves from tobacco industry (TI) tactics, such as the use of corporate social responsibility (CSR) activities.\(^5\) Tobacco companies have historically used CSR to not only remediate their public image, but also to gain access to policymakers and thereby influence public health policy.\(^6\) The Ethiopian government passed a series of tobacco control laws in 2019 and 2020 (Proclamation No. 1112/2019 and Excise Tax Proclamation No. 1186/2020) in line with its WHO FCTC obligations that included a total ban on TI CSR activities, such as prohibiting individuals with TI connections from participating in tobacco control training, and prohibiting government organisations from receiving any financial or in-kind support from the TI, along with smoke-free public places, graphic pack health warnings, a total ban on tobacco advertising, promotion and sponsorship (including at point of sale), and prohibition of sale to and by minors under 21 years of age.\(^7\)\(^8\)

Importantly, Proclamation No. 112/2019 prohibits TI interference in government activities by stating that interaction between the TI and health policymakers ‘shall be limited to only those strictly necessary for effective regulation of the tobacco industry or tobacco products’. Proclamation No. 112/2019 further states that ‘any person who prepares, publishes, transmits, or participates in the illegal or unauthorised advertisement or promotion of tobacco products should be punished by imprisonment not exceeding three years and/or with a fine not less than fifty thousand Birr (~USD$900).\(^7\)\(^8\) In terms of Excise Tax Proclamation No. 1186/2020 introduced in February 2020, Ethiopia’s new tobacco excise law aims to achieve a mixed-excise system for cigarettes consistent with WHO recommendations. The reform applied a 30% tax rate on the retail price of cigarettes and a specific excise rate of Ethiopian Birr (ETB) 8 on each pack (or US$0.25 at February 2020’s exchange rate). The Ministry of Finance is authorised to increase the tobacco tax by 10% each year without seeking authorisation from Ethiopia’s Council of Ministers.\(^9\)\(^10\)

Despite these strong legal measures by the Ethiopian government, the threat of TI interference remains and the 2020 and 2021 Global Tobacco Industry Interference Index Reports for Ethiopia highlight several ways the TI has interfered in policymaking in Ethiopia.\(^11\)\(^13\) TI interference most often occurs where there is limited understanding of tobacco control provisions and engagement in tobacco control activities beyond health agencies, and limited authority for coordination mechanisms among regional state and national governments.\(^14\)\(^16\) Conflicts of interest at personal and institutional levels among health and non-health agencies can also be barriers to minimising industry interference.\(^17\) The TI further obstructs government-led tobacco control efforts through various CSR-related tactics and strategies. For instance, to block the passage of Proclamations No. 1112/2019 and No. 1186/2020, Ethiopia’s TI promoted its ‘good’ corporate citizenry as a significant taxpayer and employer.\(^13\) Indeed, when the Proclamations were in draft form and under public discussion, NTE unsuccessfully used tobacco growers and members of the Addis Ababa Chamber of Commerce to form antitobacco control law alliances at public hearings.\(^18\) Such protobacco lobbyists attempted to rebuild NTE’s reputation as a platform for voluntary regulation and as a source of trustworthy information.\(^6\)

The TI’s strategic use of CSR activities to interfere in tobacco-control laws in Ethiopia is consistent with Big Tobacco’s leveraging of CSR initiatives globally.\(^19\) For example, the African Tobacco Control Alliance describes several TI CSR activities across African countries, including a poverty alleviation programme in Tanzania, the construction of a community drinking water facility in Burkina Faso, US$1.2 million in funding to address child labour and strengthen children’s rights in Mozambique, and financial support for a local rugby team in South Africa (among other activities).\(^20\) Further studies have also described TI CSR activity in low-income and middle-income countries in the Asian region.\(^21\) However, how Ethiopia’s TI has leveraged CSR narratives since Proclamations No. 1112/2019 and No. 1186/2020 were implemented has not been systematically examined. Therefore, this study aims to identify and document TI CSR activities in contravention of Ethiopia’s new tobacco control laws. To systematically explore this topic in the Ethiopian context postlaw implementation, we systematically reviewed publicly available evidence to identify TI CSR activities after 2019 to document TI image-building and self-promotion, as well as TI interaction with government bodies. As no publicly accessible repository exists mapping TI interference in Ethiopia’s tobacco-control policymaking (in contravention to Ethiopia’s new tobacco control laws), our findings may advance understanding and countering of TI interference in tobacco control policymaking processes not only in Ethiopia but elsewhere.

**METHODS**

We aimed to identify and review any CSR activities by the TI in Ethiopia since 2019 in contravention of Article 51 of the Ethiopian Food and Drug Authority (EFDA) Proclamation No. 112/2019. We searched online databases using the Google search engine and social media platforms such as Twitter, as well as Telegram for tobacco control-related media stories (Ethiopian and African newspaper websites) for occurrences of TI CSR-related interaction with Ethiopian government agencies and representatives. Key search terms included ‘Ethiopia’, ‘Tobacco Control’, ‘Framework Convention on Tobacco Control’, ‘FCTC’, ‘World Health Organization Framework Convention on Tobacco Control’, ‘WHO FCTC implementation’, ‘Tobacco Industry’, ‘industry interference’, ‘JTI’ and ‘National Tobacco Enterprise’. The search terms were customised for each data source to retrieve published articles and policy documents in Ethiopia from February 2019 until November 2022. Documents were included if they described any TI CSR activity in Ethiopia since the adoption of Proclamation No. 1112/2019 (February 2019). The search of newspaper articles, social media posts and government internal reports from all sources produced 47 results, of which 31 remained after duplicates were removed and these were included in the full-text review (see online supplemental table 1).

To strengthen the search, key public institutions that interact with NTE or have tobacco control regulatory functions were
contacted by letter, email and telephone. These were the EFDA (tobacco regulatory body) and the Customs Commission (who signed a memorandum of understanding (MOU) with NTE to fight contraband cigarettes). We requested any correspondence or documents exchanged between these government agencies with the TI that are on the public record but not available online. In addition, we approached a leading tobacco control advocacy civil society organisation (CSO), Mathiwo Wondà Ye-Ethiopia Cancer Society (MWECS) as a key informant on TI CSR-related activities and tobacco control community responses for the CSR activities that we identified in the data. We asked MWECS to provide details of TI CSR activities within the time period of study interest. Overall, 11 documents were obtained from the three organisations, including the NTE privatisation contract agreement document, NTE letters from the Prime Minister’s Office, minute records between EFDA and NTE, email exchanges between TI and EFDA, a letter to the Japanese Embassy in Addis Ababa from CSOs, and others.

Relevant information identified from the on-line and off-line searches, as well as contextual discussions with MWECS, were subsequently entered into tables, with the first author (SDM) leading the thematic analysis of the qualitative data guided by Braun and Clarke’s original framework for thematic analysis. The thematic analysis was an iterative process, involving SDM becoming familiar with the data by reading and re-reading the material, as well as developing and revising the thematic codes.

RESULTS

Three main themes were identified in the data:
1. TI’s CSR initiatives since the passing of Proclamations No. 1112/2019 and No. 1186/2020.
2. Questionable interaction between the TI and official government agencies.
3. Countermeasures against TI interference.

Theme 1: TI CSR activities since the passing of proclamations No. 1112/2019 and No. 1186/2020

NTE, via its major shareholder, JTI, has engaged in CSR activities including providing university scholarships for Ethiopian students and community water supply and sanitation services (Table 1). For instance, the Japanese Embassy in Addis Ababa and JTI entered into a MOU on 21 May 2021 to collaboratively provide postgraduate scholarships to Ethiopian students to study in Japan (online supplemental table 1). The MOU was signed by the Japanese Ambassador and a JTI representative and promoted as a mutually beneficial bridge between Japan and Ethiopia. JTI representatives committed to ongoing financial contributions to the scholarship programme. Moreover, JTI announced via Twitter CSR activities related to providing safe water and improved sanitation services for Ethiopian households, without providing details of the location/communities supplied.

NTE capitalised on the COVID-19 pandemic in Ethiopia, which commenced in March 2020 when the first case was reported in Addis Ababa. NTE produced hand sanitiser and distributed it without charge to disadvantaged groups in Lideta subcity in Addis Ababa. NTE’s head office and factories were located in Lideta at that time, which was among the subcities with the highest recorded numbers of confirmed positive COVID-19 cases.

We identified TI CSR activities connected to the Ethiopian Government’s National Greening Initiative. In July 2019, Ethiopia’s prime minister launched a nationwide four billion tree planting project at Adwa Park in Addis Ababa. At the launch, the prime minister was accompanied by NTE employees who planted over 2000 trees. As part of the National Greening Initiative, NTE further participated in tree planting as part of the country’s national reforestation campaign with seven corporate clients of the Mehrteab Leul & Associates Law Office. This law firm reported that its clients see the initiative as a ‘good opportunity’ to discharge their CSR responsibilities. On 26 July 2019, Ethiopian Television, the national television broadcaster, broadcasted and promoted the law firm initiative and NTE partnership. During the press conference, NTE’s corporate affairs and communication director emphasised that the company would plant over 2000 seedlings on Ethiopia’s Green Legacy Day (29 July 2019) and would support the government’s green policies by discharging its CSR obligations. Overall, NTE reported nearly 4000 saplings as part of the Green Legacy programme.

Additionally, we found that Ethiopia’s TI invests in training government workers, including Customs Commission staff, and members of the police and army, on controlling illicit tobacco trade. Email communication between NTE and a branch of the Customs Commission, following an NTE Customs Commission site visit, indicates this training is based on an active, inplace agreement. Three days of training were scheduled at the government Customs Commission branch office in Dire Dawa following the visit.

In June 2020, NTE members published an article about NTE contributions to the ‘Tobacco Production Practice of Smallholders’ on tobacco farms in Bilate, Wolaøta and Hawassa. The article highlighted how NTE supports these smallholder farmers

<table>
<thead>
<tr>
<th>Table 1</th>
<th>List of CSR activities carried out by National Tobacco Enterprise (NTE) since the passage of Proclamation No. 1112/2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type of CSR-related support from NTE</td>
<td>Partner</td>
</tr>
<tr>
<td>Funding scholarships for postgraduate Ethiopian students to study in Japan</td>
<td>Japanese Embassy in Addis Ababa</td>
</tr>
<tr>
<td>Providing safe water supplies and toilets (WASH) to more than 3000 households in Ethiopia</td>
<td>Undisclosed</td>
</tr>
<tr>
<td>Providing training to Customs Commission staff, including policy officers, on combating the illicit tobacco trade</td>
<td>Customs Commission</td>
</tr>
<tr>
<td>In response to the COVID-19 pandemic, producing and freely distributing hand sanitisers to disadvantaged communities in Lideta, a suburb of Addis Ababa where the NTE Head Office is located</td>
<td>Local government of Lideta in Addis Ababa</td>
</tr>
<tr>
<td>Supporting Ethiopian tobacco farmers with free seeds and agrochemicals</td>
<td>Smallholder farmers</td>
</tr>
<tr>
<td>Publicly participating in tree planting initiatives as part of the Ethiopian government’s Green Legacy national project</td>
<td>Motor &amp; Engineering Company of Ethiopia Limited S.C. (MOENCO), Coca Cola and other five client companies of Mehrteab Leul &amp; Associates Law Office (MLA)</td>
</tr>
</tbody>
</table>

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Original research

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by providing free seeds and pesticides, implicitly as part of NTE’s CSR commitments. The article also suggests that policymakers should foster and facilitate tobacco production and marketing.

**Theme 2: Questionable TI interactions with the government to obtain benefits**

Our study found that when JTI bought 71% of the government’s NTE share in two instalments in 2016 (40%) and 2017 (30.9%), JTI received privileges in the sale contract agreement with the government, which enabled the company to interfere in tobacco control efforts. The significant benefits to NTE included participating in law-making processes, obtaining foreign currency for investments, partnering with a government body that controls illicit tobacco and retention of NTE monopoly rights until 2025 (Box 1).

These examples demonstrate how the TI uses contractual privileges to influence public policy development and to hinder the impact of tobacco control laws. For example, using a contractual loophole, NTE signed an MOU with the Ethiopian Customs Commission to assist in activities to combat the illicit tobacco trade, particularly in eastern Ethiopia. As in other countries, the TI in Ethiopia has cited inflated figures of the market share of illicit tobacco trade. NTE subsequently interfered in excise tax reform, using its MOU with the government to weaken tax provisions, claiming illicit trade accounted for 45% of the market. Consequently, government officials cited this figure during the lawmaking process, giving it credibility. A high-level minister from Ethiopia’s Ministry of Finance is reported to have said, ‘If the country imposes a higher tax, it will push the industry out of the market’. The TI further used the MOU to advertise its products by labelling NTE tobacco products and its logo on promotional materials as part of combating illicit tobacco products. Moreover, the MOU allowed the TI to participate as a key stakeholder in government consultations about tobacco tax amendments and other tobacco control directives drafted by the EFDA that became part of Proclamation No. 1112/2019.

**DISCUSSION**

Our study findings demonstrate the TI’s use of diverse CSR activities to improve its reputation, image and credibility as a corporate citizen in Ethiopia. These activities included funding travel scholarships for students, donating hand sanitiser and personal protective equipment to control COVID-19, and tree planting to reduce climate change. NTE also used CSR activities to promote tobacco products, such as by displaying its corporate

**Box 1 Key loopholes in the contractual agreement in the 71% share sale by the Ethiopian government to Japan Tobacco International (JTI).**

1. Conclude a MOU with the NTE, with the objective of reducing the illegal trade of tobacco products, which is significant in Ethiopia. In this regard, the Government’s anti-illegal trade task force and the NTE should collaborate closely to define an action plan, and a list of measures to best ensure such an objective can be achieved.

2. During the law-making process, consulting and participating with relevant stakeholders and the public is a necessary precondition in Ethiopia. To this end, all branches of government and administrations, whose mission and efforts may be directly or indirectly impacted by any proposed modification or preparation of tobacco taxation, regulation or legislation should be consulted. The NTE should be consulted in a transparent manner during modification or preparation of tobacco taxation, regulations or legislation.

3. Take all measures necessary to ensure that the NTE retains its monopoly rights until December 2025, as per the contract of sale signed on 15 July 2016, and Proclamation No.181/1999 to issue business licenses in respect of the purchase, preparation, manufacture, sale, import, and export of tobacco and tobacco products.

4. Facilitate as much as possible the availability of foreign currency as may be reasonably required by the NTE, to implement its business plan.

MOU, memorandum of understanding; NTE, National Tobacco Enterprise.

Theme 3: Countermeasures against TI interference through CSR activities

In response to the challenge of TI interference, the EFDA established the TI Monitoring and Response Team as a subcommittee of the National Tobacco Control Coordination Committee. This team uncovered and actively responded to TI CSR activities (table 2). Among NTE’s CSR activities, the production and distribution of COVID-19 prevention hand sanitizer to the residents of Addis Ababa in the Lidet subcity was immediately halted by the EFDA with a countermeasure to stop further production and dissemination of these products. On 6 June 2020, MWECs exposed NTE’s CSR efforts related to COVID-19 prevention as a tactic to regain its acceptability among both the public and the government. Later in June 2020, MWECs further accused NTE of breaching the ban on advertising and promotion of tobacco products by using the MOU on combatting Ethiopia’s illicit tobacco trade to promote their products. MWECs exposed NTE’s tactics that included using advertising on wall clocks and plastic bags distributed to shops, bars and restaurants featuring a ‘Stop Contraband’ slogan with NTE’s name displayed underneath. Unfortunately, there is no evidence of regulatory action against NTE in response to MWECs exposing this advertising.
Our findings show TI strategic use of public CSR opportunities, such as the Green Legacy Project, to promote an image of itself as socially and environmentally responsible to deflect attention from the health and environmental impacts of tobacco products. These include the negative environmental impacts from tobacco production and curing, product manufacturing and distribution, product consumption, and the waste generated from tobacco use. Tobacco farming uses agrochemicals that reduce soil fertility and soil quality, uses a substantial quantity of water, and contaminates the air and water systems. Tobacco farming in Africa poses a medium-to-serious degree of tobacco-related deforestation particularly in southern and eastern African countries, with the percentage of tobacco-related deforestation in Ethiopia accounting for close to 1% in 1995. Almost 30 years since these estimates were made, it is anticipated this figure is substantially higher. According to the Global Center for Good Governance in Tobacco Control, harmful waste made up of cigarette butts and packs costs Ethiopia ETB911 million per year in water pollution and waste management. These environmental impacts, in addition to the well-known health impacts of tobacco smoking, are incompatible with Ethiopia’s Sustainable Development Goal (SDG) commitments, especially to achieve the health targets in SDG 3, notably the specific target of reducing premature mortality from non-communicable diseases by a third by 2030.

Our study highlights how NTE used the COVID-19 pandemic to develop an image of providing health-promoting assistance during a public health crisis through actively leading the distribution of hand sanitiser and personal protective equipment to disadvantaged communities. Similarly, in other global regions such as Europe, multinational tobacco companies used the COVID-19 pandemic to generate media attention to raise their corporate profile, advertise items like Heated Tobacco Products and to normalise tobacco use. For instance, a tobacco company donated ventilators to the government of Greece. Elsewhere in the world, the Canadian government partnered with Philip Morris International on COVID-19 vaccine development, providing an opportunity for the company to issue a press release that publicised the partnership. Such activities that exploit a public health crisis involving a respiratory disease are particularly inappropriate given tobacco is the leading cause of preventable death from respiratory diseases globally.

Tobacco companies have increased spending on CSR activities in countries where governments have adopted comprehensive bans on tobacco advertising, promotion and sponsorship, or severely restricted these marketing opportunities. Indeed, our results show that NTE has participated in multiple CSR activities since 2019 despite new laws expressly prohibiting this activity. We also found no evidence that NTE was penalised for these activities. Additional capacity-building and funding may be required to ensure total advertising restrictions, such as those in Ethiopia, are effectively enforced. In this regard, our study confirms that transnational tobacco companies can exploit CSR initiatives as one of their political operations to interfere with tobacco control efforts and to promote their products in low-income and middle-income countries.

Proclamation No. 1112/2019 Article 51(3) and (4) forbids the Ethiopian government from accepting any assistance from the TI on any enforcement activities or entering into any partnership with the TI. However, in contravention of Article 5.3 of the WHO FCTC, our findings confirm NTE receives strong government support via crucial articles in the contract agreement that transferred the government’s NTE shares to JTI in 2017 (box 1), predating the country’s new tobacco control law passed in 2019. The relationship between JTI and the Ethiopian government through NTE ownership has wider implications for tobacco control in Africa, which was acknowledged by JTI’s president and CEO: ‘This significant increase in our ownership of NTE shares reaffirms Ethiopia as an increasingly important place to do business in Africa’. Also, when announcing the purchase of a significant share in NTE, JTI claimed that ‘Ethiopia will be an essential expansion of our geographic footprint in emerging markets’, pointing to the country’s ‘double-digit economic development’ and the company’s anticipation that volumes would continue growing.

The signed MOU between the Customs Commission and JTI/NTE to fight illicit trade gave NTE an opportunity to aggressively promote its products in the eastern part of the country, where illegal trade is assumed to be higher, using a display frame with a sign listing NTE products as part of putative efforts to fight illicit products. However, an independent study estimated that the illicit market share of cigarettes was 19% in 2018, less than half the TI’s estimate.

### Table 2: Summary of countermeasures against the tobacco industry’s CSR activities in Ethiopia

<table>
<thead>
<tr>
<th>CSR activity</th>
<th>Countermeasure</th>
<th>Action period</th>
<th>Responsible body</th>
<th>Outcomes</th>
</tr>
</thead>
<tbody>
<tr>
<td>NTE produced hand sanitiser and distributed in response to the COVID-19 pandemic</td>
<td>EFDA ceased production and distribution</td>
<td>2020</td>
<td>TIMRT EFDA MWEC</td>
<td>NTE stopped from producing and distributing COVID-19 prevention materials</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>MWECs</td>
<td></td>
</tr>
<tr>
<td>Providing scholarships to Ethiopian students to study in Japan</td>
<td>CSOs sent a letter expressing concern over Japanese Embassy’s involvement in JTI’s CSR activity</td>
<td>2022</td>
<td>Consortium of Ethiopian NCD Associations</td>
<td>No change identified</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>TIMRT MWEC</td>
<td></td>
</tr>
<tr>
<td>NTE engagement in Tobacco Advertising Promotion and Sponsorship by using the MOU signed with the Customs Commission</td>
<td>NTE used the MOU agreement with government to promote its products. This activity was exposed by MWECs</td>
<td>2020</td>
<td>MWECs</td>
<td>NTE continues engaging in Tobacco Advertising Promotion and Sponsorship</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recognition of NTE as a loyal taxpayer</td>
<td>The tobacco control community strongly criticised the action of the Ministry of Revenue for recognising NTE as a loyal taxpayer</td>
<td>2020</td>
<td>TIMRT MWEC EFDA</td>
<td>NTE removed from 2020 award list</td>
</tr>
</tbody>
</table>

CSO, civil society organisation; CSR, corporate social responsibility; EFDA, Ethiopian Food and Drug Authority; JTI, Japan Tobacco International; MOU, memorandum of understanding; MWECs, Mathiwos Wonda Ye-Ethiopia Cancer Society; NCD, non-communicable disease; NTE, National Tobacco Enterprise; TI, tobacco industry; TIMRT, Tobacco Industry Monitoring and Response Team.
Similarly, the Global Adult Tobacco Survey Ethiopia 2016 indicated that 87% of respondents who purchased cigarettes bought Nyala, which is manufactured by NTE.59 Similarly, the TI has used exaggerated estimates of illicit trade to offset tax hikes in other countries such as South Africa, Vietnam and Georgia.60-62 Furthermore, data on cigarette prices in Ethiopia show that, despite price rises in both legal and illicit products following the excise tax modification in 2020, the price of legal products remains lower than the price of illicit cigarettes.63 This implies that factors other than tobacco tax drive the illicit tobacco trade in Ethiopia.

Despite a robust tobacco control legal framework in Ethiopia, our findings demonstrate challenges persist in implementation. Poor enforcement of laws and TI interference through a range of CSR initiatives undermine the impact of Ethiopia’s new tobacco control policies. Furthermore, according to the Global Tobacco Industry Index, TI interference in Ethiopia increased from 2020 to 2021.12 13 Our study revealed that the TI still uses CSR activities to gain influence, meddle in life-saving health policies and secure preferential treatment from government organisations.64 The TI uses CSR to promote voluntary measures to control tobacco, create an illusion of being a ‘changed’ company and establish partnerships with health interests.65-67 Likewise, the industry uses corporate donations and strategic stakeholder interactions beyond those that are necessary to regulate the industry to establish and maintain close relationships with non-health government bodies, such as through the MOU with the Customs Commission (table 1). Crobbie et al68 reported over 100 ‘illicit tobacco trade’-related MOUs that were signed and publicised on TI websites, demonstrating this is a common tactic of the TI internationally.69 This may be related to the fact that non-health government bodies have low awareness of TI interference strategies and the laws that prohibit interaction with the TI. Similarly, recent studies conducted in Ethiopia suggest low awareness among tobacco control stakeholders with greater awareness of Article 5.3 WHO FCTC among the health sector but not among non-health government sectors.15 16 In addition, NTE uses other non-governmental bodies, such as the Japanese Embassy in Ethiopia and private organisations (ie, Mehrteab Leul & Associates Law Office) as avenues to interfere in tobacco control efforts and exert pressure on the government. Furthermore, our findings show that the TI interferes through working with other government-affiliated entities such as Motor & Engineering Company of Ethiopia Limited S.C. Similarly, in India, the TI has entered the food market and supports numerous government initiatives directly or indirectly through their CSR schemes.60 70 Our findings are consistent with similar TI tactics observed in Zimbabwe. The Chinese TI that operates in that country leverages its ties with the Chinese embassy in Zimbabwe as well as engaging in CSR initiatives with other economic actors and development institutions to embed its interests and benefit from perceptions of state friendship.71 72 Regular monitoring of these types of CSR activities is needed to raise the visibility of such practices and to advocate better control of TI use of CSR.

Ethiopia’s tobacco control regulatory body, EFDA, and CSOs, such as MWECS, have attempted to counter some of the TI’s CSR activities in Ethiopia. However, there are challenges in detecting and responding to interference in a timely manner. Nonetheless, some countries have successfully combated such activities by collaborating with CSOs. In Colombia and Bolivia, for example, support from international health donors, as well as ongoing participation by local health groups, improved implementation capacity to oppose TI local health groups, improved implementation capacity to oppose TI interference and assure effective tobacco control implementation.71 72 Moreover, engaging local tobacco control advocacy groups and key policymakers is a key factor for passage of tobacco control laws, as evidenced in the passage of smoke-free laws in Mexico and Ethiopia.73 74 Hence, governments need more comprehensive vigilance concerning TI activities involving non-health portfolios to safeguard public health policies.

Contract agreements that allow the TI to participate in lawmaking, including commenting on draft legislation, regulation or excise tax, and participating in public hearings should be banned. Hence, Ethiopia needs to learn from the experience in other countries and rescind the MOU signed between JTI and the Customs Commission in compliance with WHO FCTC Article 5.3.75 It is well established that the TI has exploited various voluntary agreements with the government to protect its profit while impeding the implementation of health policy in both high-income and low-income countries. Trade agreements are a notable example that give the TI an unwarranted opportunity to advocate its interests without public scrutiny.76 All tobacco control and public health organisations, both within and beyond Ethiopia’s health sector, should collaborate to advocate for protecting public health from the TI. The tobacco control community, particularly CSOs should be involved in promoting measures to protect public health from commercial actors. Moreover, our findings highlight the need for greater enforcement of Proclamation No. 1112/2019 to protect public health policymaking from industry involvement. Other actions that have been recommended include developing a code of conduct for all government sectors and creating a publicly accessible repository for information about the TI’s activities in Ethiopia.15

Study strengths and limitations

Despite our extensive search of publicly available data, our findings may not have identified all CSR activities since the passing of Ethiopia’s strict tobacco control laws. This is due to the hidden or covert nature of TI interaction with government and other influential stakeholders. We traced publicly available data including government records to obtain information about CSR activities and other TI interference activities through targeted searches of likely data sources and information requests since there is no existing comprehensive repository to draw on. Despite these limitations, the findings provide insightful information about CSR activities in Ethiopia using available data from multiple sources. A strength of our study is the use of official letters in hard copies and documents exchanged between the government and the TI that were supplied by government departments on request.

CONCLUSION

Our study demonstrates that TI interference in tobacco control efforts in Ethiopia through CSR activities continues despite laws that prohibit these activities. Our study also highlights the main TI alliances and entities that work to benefit the industry. These alliances included non-health government offices, the Japanese embassy in Addis Ababa and private law firms. Regular TI CSR monitoring and response plans are needed to develop tailored and integrated interventions to combat this interference in health policymaking. The government, in partnership with appropriate stakeholders such as CSOs, needs to monitor and address CSR breaches of SDG 3 and the WHO FCTC. Moreover, all existing...
agreements with NTE should be revised to comply with the new law.

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**Supplementary Table 1: Source of information for identified CSR activities**

<table>
<thead>
<tr>
<th>S. N</th>
<th>Document/evidence source #</th>
<th>Source</th>
<th>date</th>
<th>description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Embassy of Japan and JTI reached an agreement to provide scholarships to Ethiopian students</td>
<td>Twitter¹</td>
<td>2021/6/19</td>
<td>Detail of the scholarship has been presented with 13 trends on personal Twitter accounts.</td>
</tr>
<tr>
<td>2</td>
<td></td>
<td>Japan Embassy Website²</td>
<td>2021/5/21</td>
<td>On official website of Embassy of Japan, the ceremony of MOU signing between the embassy and JTI representative available.</td>
</tr>
<tr>
<td>3</td>
<td></td>
<td>Newspaper³</td>
<td>2021/5/21</td>
<td>Ethiopian Semonegna Newspaper reported the scholarship agreement</td>
</tr>
<tr>
<td>4</td>
<td></td>
<td>Ethiopian News Agency (ENA)⁴</td>
<td>2021/5/21</td>
<td>The Ethiopian news agency (ENA), had reported the Scholarship agreement</td>
</tr>
<tr>
<td>5</td>
<td>Provision of Water supply and Sanitation</td>
<td>Twitter⁵</td>
<td>April 15, 2021</td>
<td>JTI has announced the snapshot information about the provision of water and sanitation services for 3000 households via its official twitter account</td>
</tr>
<tr>
<td>6</td>
<td>NTE produced hand sanitiser and distributed for COVID-19 pandemic response.</td>
<td>Government internal communication</td>
<td>Between March and June 2020</td>
<td>Lideta Sub-city regulatory officer informed about this CSR activity to the tobacco industry response and monitoring team in March 2020 and EFDA reacted and stop the production and distribution of hand sanitiser by June 2020.</td>
</tr>
<tr>
<td>7</td>
<td></td>
<td>Newspaper⁶</td>
<td>June 6, 2020</td>
<td>NTE has produced hand sanitisers and distributed them to economically disadvantaged groups in the community for free.</td>
</tr>
<tr>
<td>8</td>
<td>NTE provide trainings for Government staff in Dire Dawa, Ethiopia</td>
<td>Telegram⁷</td>
<td>Email exchange between NTE and government office over the scheduled training and list of participated was captured by member of TIMR team and the information posted in TIMR team official Telegram channel</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td></td>
<td>Website⁸</td>
<td>May 25-June 26</td>
<td>Regarding the number of COVID 19 case per sub-city of</td>
</tr>
<tr>
<td></td>
<td>Participation in Green Legacy</td>
<td>Televised Press Conference</td>
<td>July 26, 2019</td>
<td>Ethiopian Television had reported the press conference organised by Mehrteab Leul and Law firms that its employees and corporate clients including NTE to plant over 2, 500 seedlings at Adwa Park in Addis Ababa, on Monday, July 29, 2019</td>
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<tr>
<td></td>
<td>Newspaper</td>
<td>July 26, 2019</td>
<td>Ethiopian Monitor, a newspaper, reported the participation of NTE in green legacy by planting 2000 seedlings as individual company and 2500 seedlings as part of MLA corporate clients along other sever companies.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Website</td>
<td>July 29, 2019</td>
<td>MOENCO reported the participation of 8 companies including NTE in planting of seedlings on July 29, 2019 green legacy day.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>NTE contributions to the ‘Tobacco Production Practice of Smallholders’ on tobacco farms</td>
<td>Published article</td>
<td>2020</td>
<td>Researcher from NTE published an article on contribution of NTE to tobacco grower farmers proximate to NTE farms</td>
</tr>
<tr>
<td></td>
<td>Tobacco Illicit Trade and excise tax</td>
<td>News Paper</td>
<td>2020</td>
<td>Higher government officials from Ethiopia’s Ministry of Finance used NTE findings on illicit trade to decide not to raise tobacco taxes.</td>
</tr>
<tr>
<td></td>
<td>Contract agreement between NTE(JTI) and government of Ethiopia and NTE uses this advantage to promote its tobacco products</td>
<td>Government internal document</td>
<td>December 19, 2017</td>
<td>This agreement provides enormous advantage for tobacco industry to participate in law making process, signing an agreement to fight contrabands and so on.</td>
</tr>
<tr>
<td></td>
<td>Newspaper</td>
<td>September 16, 2019</td>
<td>NTE signed MOU with Customs Commission to control Illicit tobacco trade</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Newspaper</td>
<td>June 27, 2020</td>
<td>NTE bleach proclamation 1112/2019 by participating in TAPS</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Event Description</td>
<td>Document Type</td>
<td>Date</td>
<td>Notes</td>
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<tr>
<td>18</td>
<td>Federal Administrative Procedure Proclamation No. 1183/2020 and EFDA response to NTE request on Tobacco control directive adaptation process</td>
<td>Government publicly available Proclamation</td>
<td>2020</td>
<td>Give detailed procedures on how a directive or regulation is drafted, approved, and stakeholder participation</td>
</tr>
<tr>
<td>19</td>
<td>EFDA response to NTE request on Tobacco control directive adaptation process</td>
<td>Government internal document</td>
<td>October 2020</td>
<td>EFDA provided a response to NTE request to get the English version of Tobacco Control Directive No. 722/2021</td>
</tr>
<tr>
<td>20</td>
<td>Counter measure to stop production and distribution of Sanitiser by NTE</td>
<td>Government internal document</td>
<td>June, 2020</td>
<td>The government internal document reported that TIMRT and EFDA had successfully halted the production and distribution of COVID-19 prevention material by NTE.</td>
</tr>
<tr>
<td>21</td>
<td>Newspapers expose participation in COVID-19 response CSR active by saying this “NTE is using the current COVID-19 crisis as an opportunity to regain its image and acceptability among the government and the general public”</td>
<td>Newspaper</td>
<td>June 6, 2020</td>
<td>MWECS exposed the NTE participation in COVID-19 response CSR active by saying this “NTE is using the current COVID-19 crisis as an opportunity to regain its image and acceptability among the government and the general public.”</td>
</tr>
<tr>
<td>22</td>
<td>MWECS exposed NTE about breaching of TAPS law</td>
<td>Newspaper</td>
<td>June 27, 2020</td>
<td>Accusation hits NTE for breaching ban on tobacco advertising. NTE used MOU agreement with Customs Commission to promote its tobacco products.</td>
</tr>
<tr>
<td>23</td>
<td>EFDA percolation that totally ban tobacco industry interferences</td>
<td>Publicly Available Percolation 112/2019</td>
<td>January 2019</td>
<td>EFDA percolation that totally ban tobacco industry interferences</td>
</tr>
<tr>
<td>24</td>
<td>Excise tax percolation that se a mixed excise tax type and recommend a periodic increase of tax rate and adjust to inflation rate.</td>
<td>Publicly available Proclamation 1186</td>
<td>February 23020</td>
<td>Excise tax percolation that se a mixed excise tax type and recommend a periodic increase of tax rate and adjust to inflation rate.</td>
</tr>
<tr>
<td>25</td>
<td>Guidelines for implementation of Article 5.3 of the WHO Framework Convention on Tobacco Control on the protection of public health policies with respect to tobacco control from commercial land</td>
<td>Publicly available Article 5.3 implementation Guideline</td>
<td>2013</td>
<td>Guidelines for implementation of Article 5.3 of the WHO Framework Convention on Tobacco Control on the protection of public health policies with respect to tobacco control from commercial land</td>
</tr>
</tbody>
</table>
26. Government withdraws from NTE and JTI become major shareholder

Newspaper
July 18, 2016
Tobaccoreporter reported that JTI claimed that “Ethiopia will be an important expansion of our geographic footprint in emerging markets. As the largest shareholder, we expect to be able to exert significant influence over the direction of the company. The country is currently experiencing double-digit economic growth, with industry volume also expected to continue to increase.”

27. The Reporter reported that government withdraws from tobacco business and the JTI representative said that “This significant increase in our ownership of NTE shares reaffirms our strong belief in the company and Ethiopia as an increasingly important place to do business in Africa.”

28. Civil Society Letter to response to scholarship agreement

Internal Document
December 25, 2021
The civil society and TIMRT wrote a letter to stop NTE agreement with Embassy of Japan in Addis Ababa to stop the CSR

29. Recognition of NTE as a loyal taxpayer

Government internal document
2020
EFDA and CSOs advocate to stop awarding of NTE as best taxpayer, as a result the ministry of revenue cancelled in the list since 2020.

30. Ethiopian Tobacco Interference Index

Ethiopian Index 2020
2020
Global Center for Good Governance on Tobacco Control reports about TI interference

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