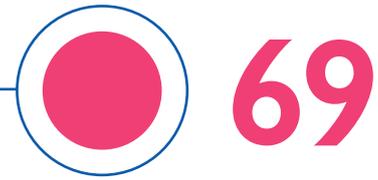


Madagascar



Summary of Findings

1. INDUSTRY PARTICIPATION IN POLICY DEVELOPMENT

The National Office of Tobacco Control, which is under the Ministry of Public Health, coordinates the overall tobacco control work of the government as well as within civil society. It does not have a direct or indirect link with the tobacco industry (TI). The members of the National Office of Tobacco Control have developed the tobacco control policies of Madagascar.

2. INDUSTRY CSR ACTIVITIES

Despite ratifying the WHO Framework Convention on Tobacco Control and the Protocol to Eliminate Illicit Trade in Tobacco Products, the Ministry of Environment and Sustainable Development has an agreement for the development of a major environmental project called Madagasikarantsika: "Madagascar We Belong" with the Imperial Brand as part of its corporate social responsibility activities.

The Akbaraly Foundation, which is linked to the TI, supports the government; especially the Ministry of Public Health and the Ministry of Education. On January 25, 2022, the Akbaraly Foundation made a donation to over 1,000 families affected by the floods that ravaged the capital in January. Those affected received cereals, cartons of Reeve instant noodles, Iriko soaps and Maronjana candles.

3. BENEFITS TO THE INDUSTRY

The Madagasikarantsika Project is growing at the level of the Malagasy State. The project is part of the 10 priority axis projects of the President of the Republic, hence the Imperial Brand Group has become an important partner of the Malagasy State. This partnership comes with a preferred status. The Malagasy State relies heavily on their partners

to fulfill their projects for protecting the environment and poverty eradication.

A 2% tax rebate was applied to cigarettes manufactured with 70% or more of tobacco produced in Madagascar.

4. UNNECESSARY INTERACTION

The Malagasy State participates in various TI projects for which it receives dividends from several companies. A partnership agreement was signed between the Ministry of National Education (MNE), represented by the Minister, and the Akbaraly Foundation represented by its Executive Director and the President of the NGO, La Vita per Te.

Despite ratifying the WHO FCTC and Article 5.3 in 2004, the government still engages in partnership agreements with the TI - ignoring its treaty obligations.

Decree 2016/1017 of July 26, 2016, facilitates and increases the interest of TI such as OFMATA (Malagasy Tobacco Office). The OFMATA is under the supervision of the Vice-Minister of Agriculture and the Ministry of Budget who grants premiums allocated to tobacco farmers each year.

5. TRANSPARENCY

The Malagasy state has not disclosed any information about their meetings with the TI. The TI owns shares in state-owned companies. According to state reporting, the TI contributes 20% of the state budget.

The Kintana Center of the Akbaraly Foundation in Antananarivo has reopened at the request of the Ministry of Health and is now fully operational to receive patients affected by COVID-19.

6. CONFLICT OF INTEREST

High state level senior officials have relatives who work in the TI. The mayor of the capital of Antananarivo and former Minister of Foreign Affairs belong to the family who owns the Andriatsitohaina Group, who are involved in tobacco plantation.

The Imperial Brand Group currently manages the logistics of Ivato International Airport and the SDV Company, a forwarding agent. This service provider carries out all the customs formalities of goods, as well as manages their import and export. The company is active in the eight

cities of the island: Tananarive, Tamatave, Mahajanga, Diégo, Tuléar, Antsirabe and Fort Dauphin. Tobacco is smoothly transported to all these areas.

7. PREVENTIVE MEASURES

The government has not adopted or implemented a code of conduct for public officials to guide their interactions with the TI. The government also has no plan to publicise Article 5.3 to other departments, nor compel the TI to provide information about its marketing expenditure or lobbying activities.

Recommendations

1. Create a mechanism to allow for a vote on the anti-tobacco bill to ensure it enters the agenda of parliament on October 18, 2023- thus far it has been in the hands of the Head of Government for 2 years without progress.
2. Set up a strong advocacy committee to ensure the Malagasy authorities comply with the WHO FCTC and the Protocol on the Illicit Trade in Tobacco Products, starting in February 2024 with the new government following the election of the President of the Republic, who will be sworn in in January 2024.
3. Set up a system to monitor TI interference in the Office Nationale de Lutte Antitabac in Madagascar from June 2024.
4. Create a platform for tobacco control NGOs in Madagascar to monitor the implementation of the WHO FCTC and the Protocol on Illicit Trade from October 2023.
5. Build the capacity of this platform (stipulated in recommendation 4) in terms of forms or practices on TI interference from February 2024.