

თამბაქოს კონტროლის ალიანსი
THE TOBACCO CONTROL ALLIANCE IN GEORGIA

თბილისი, ვანის ქ. 4/72
ფაქს: 2347750; ვებ: www.fctc.org.ge



4a/72, Vani st., Tbilisi, Georgia
Tel/Fax.: (995-32) 2347750; Web site: www.fctc.org.ge

17.04.17

To: Speaker of Parliament of Georgia, Mr. Irakli Kobakhidze

Prime-Minister of Georgia, Mr. Giorgi Kvirikashvili

Chief Prosecutor of Georgia, Mr. Irakli Shotadze

Special Statement of Tobacco Control Alliance

We would like to kindly remind you that on April 5, Georgian Parliament adopted amendments in tobacco control legislation on first hearing. Package of amendments was elaborated in 2013 in the Ministry of Health with participation of all key stakeholders. Proposed changes in tobacco control legislation are aiming to meet the requirements of Framework Convention on Tobacco Control (FCTC) part of which Georgia become since 2006, also to harmonize with EU accession requirements, to ensure universal human rights and rights of children, to guarantee rights under Constitution of Georgia, in order to create healthy environment for all, to ensure security of the country because none of the other products bring economic and humanitarian catastrophe in such large scale as tobacco products, that directly affect demographic and economic interests of the country.

We would like to remind you that in 2013 your government has stated the political will to improve tobacco control situation in the country and because of this was created appropriate governmental commission and there was adopted state strategy and action plan. It is especially noteworthy that in 2017 governmental plan 2 articles are dedicated to increase of tobacco taxes and ban of smoking in public places. Even more, for years the population (app. 90%) is supporting the strict regulations regarding tobacco control.

On the level of principles the Parliament of Georgia has affirmed the political will, that:

1. Smoking will be prohibited in all public places except private homes and prisons, since 2018;
2. Electronic cigarettes will be regulated like tobacco products, since 2018;
3. All kinds of tobacco advertisement, sponsorship and promotion will be prohibited, including display of tobacco products in points of sale both outside (since 2018), as well as inside (since 2019);
4. Size of health warnings on the cigarette packs will be increased from 30% to 65% and there will be introduced pictorial warnings, since 2018;
5. Administration process will be simplified and size of fines will increase.

Despite the fact that in June 2016 the Government officially presented conclusion on the proposed legislative package and majority of them were considered in the draft adopted by the first hearing, on April 5, in the Parliament there was hastily distributed new consolidated conclusion of the Government, signed by the Parliamentary Secretary of Government, Mr.

Tadumadze. It was aiming to influence decision of Parliament and derail adoption of draft legislation on first hearing.

So-called conclusion of Parliamentary Secretary is under our strong critique, because majority of new comments directly repeat the official positions of tobacco industry and pose the threats to public health and life. Namely, the Government requests participation of tobacco industry in decision making processes regarding health issues, which directly contradicts with the requirements of FCTC article 5.3 and guidelines to this article.

Government requires consultations with the tobacco industry, which contradicts with the same internationally taken obligations, violates international regulations and affirms official relations and collaboration of Government officials included in elaboration of health decision, with tobacco industry, which is responsible for every fifth premature deaths in Georgia. This creates the doubt that Parliamentary Secretary is in illegal relations with the tobacco industry or forces other governmental bodies to legalize such relations, which is clear violation.

Following interests of specific businesses, the government requires to make loopholes in tobacco control legislation, namely requires to allow smoking in some enclosed places, circle of which could be quite wide, not to ban display of tobacco products in trading points. In those attempts also the lobbying of tobacco industry is visible, which will put hospitality sector providers in unequal conditions and create risks for implementation of the law.

Parliamentary Secretary also leaves the issue of enforcement unclear and had no transparent consultations in this regard in order to clearly mark in the conclusion which governmental structures will be responsible for main pillars of the law. Therefore, this issue may cause postponement or even failure of final adoption of the legislation. This is the interest of tobacco industry and hopefully, not the interest of Government. Industry wants to leave this law like powerless paper only and continue involving our youth in this abusive business, cause of deaths of our population and in this way gain enormous profits, transfer millions of Lari from our country and cause economic crisis in the country.

Several days ago, the Secretariat of the FCTC, with the support of British Government, decided to support Georgian Government in its initiative to halve the tobacco consumption till 2030. The situations developed recently in the country and namely, the irresponsible activities of several governmental officials, make this support questionable.

Following the all above mentioned, the Tobacco Control Alliance categorically requests, that:

1. Prime-Minister to make official statement and declare his position regarding ongoing processes;
2. Chief Prosecutor of Georgia to begin investigation of relations and financial interests of high governmental officials and public servants with the tobacco industry and during this investigation suspend their authority;
3. Parliament of Georgia to realize the political will declared during first hearing and ensures real protection of public interests and not the interests of specific businesses. Ones and irreversibly Georgia should join the list of the countries that care for their citizens.
4. If during the second hearings the Parliament will change its position and will vote for tobacco industry interests, we as the co-authors of the draft legislation will be forced to distance ourselves from these dirty games and declare publicly that the Government is serving not the people, but the tobacco industry.