Tobacco Control Data Initiative

Evidence and Recommendations from the Tobacco Control Data Initiative (TCDI) - South Africa

Exposing Tobacco Industry Interference in South Africa

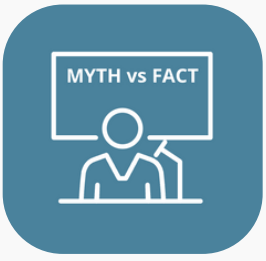
Executive Summary

Tobacco industry (TI) interference remains one of the greatest obstacles to advancing public health legislation in SA. Evidence from TCDI reveals consistent patterns of lobbying, misinformation campaigns, front groups and CSR initiatives designed to delay and weaken TC measures. These tactics have significantly stalled the passage of the long-awaited Tobacco Control Bill, despite broad public health support. Additionally, South Africa has not ratified the Protocol to Eliminate Illicit Trade in Tobacco Products since signing it in 2013, a delay widely attributed to TI influence. Exposing these practices is essential to ensure transparency, strengthen accountability, and advance effective tobacco control policies that protect public health.

South Africa's Performance in the Interference Index

According to the 2025 Global Tobacco Industry Interference Index, South Africa ranked **56th out of 100 countries** with a score of **64 out of 100**. This mid-tier ranking reflects a concerning degree of industry access to policymakers, lack of transparency in government–industry interactions, and continued efforts by tobacco companies to influence legislation. In the 2021, 2023, and 2025 tobacco industry interference reports, South Africa consistently scored 64, showing minimal progress in tackling industry interference in recent years. South Africa currently does not fully enforce **Article 5.3 of the WHO Framework Convention on Tobacco Control (FCTC)**, which requires governments to protect tobacco control policy from commercial and other vested interests of the tobacco industry.







Last updated: December 2025

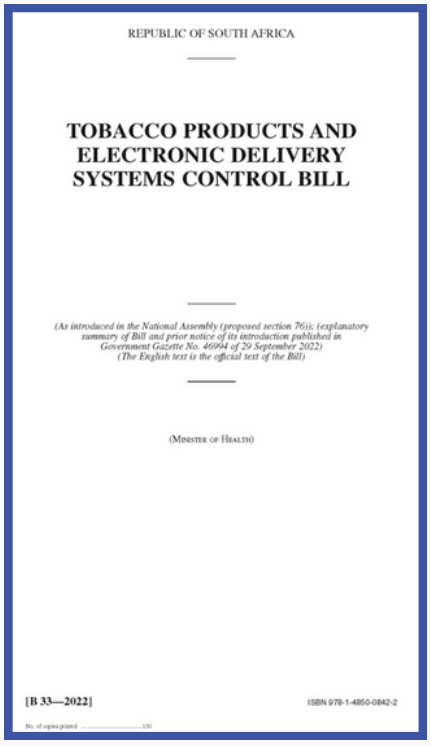
Scores of Different Indicators of Tobacco Industry Interference

Tobacco Industry Industry Interference Indicators	2019	2020	2021	2023	2025	Overall Performance Since 2020
Level of Participation in Policy Development	10	8	8	5	6	This measure has improved
Tobacco industry Corporate Social Responsibility Activities	5	5	5	4	3	This measure has improved
Benefits given to the Tobacco Industry	4	7	8	8	6	Benefits given to Tobacco Industry has deteriorated
Unnecessary Interaction between Government and Industry	14	5	9	11	10	This measure deteriorated after an improvement in 2020
Measures for Transparency	7	7	7	7	7	Measures for Transparency is Stagnant
Preventing Conflicts of Interest	9	5	6	7	9	This measure deteriorated after an improvement in 2020
Measures that Prevent Industry Influence	23	21	21	22	23	This measure deteriorated after an improvement in 2020

Source: Global Center for Good Governance in Tobacco Control

Industry Obstruction of Key Tobacco Control Reforms

The **Tobacco Products and Electronic Delivery Systems Control Bill**, first published for public comment in 2018, remains unpassed seven years later. Evidence shows that tobacco industry interference has been a central barrier to progress. TI & their allies have deployed recurring arguments, claiming that the Bill will fuel illicit trade, damage the economy, and infringe on personal freedoms. These narratives have been amplified through media campaigns, third-party front groups & direct engagement with policymakers. Notably, the TI has used the illicit trade argument to delay both the passage of the Bill & SA's ratification of the Protocol to Eliminate Illicit Trade in Tobacco Products, since 2013. Such sustained obstruction undermines SA's obligations under the WHO FCTC & prolongs preventable disease, death, and economic harm caused by tobacco &new & emerging nicotine products.



REPUBLIC OF SOUTH AFRICA

TOBACCO PRODUCTS AND ELECTRONIC DELIVERY SYSTEMS CONTROL BILL

(As introduced in the National Assembly (proposed section 76)); (explanatory summary of Bill and prior notice of its introduction published in Government Gazette No. 46994 of 29 September 2022) (The English text is the official text of the Bill)

(Minister of Health)

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Tactics Used by the Tobacco Industry

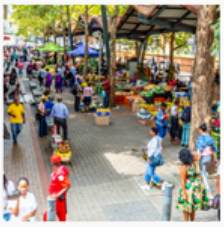
1. **Economic Fearmongering:** TI exaggerates claims of job losses, small business harm & growth in illicit trade to obstruct regulation, despite little credible evidence.
2. **Use of Third-Party Allies:** TI funded organisations, such as the Free Market Foundation (FMF) & the National African Federated Chamber of Commerce and Industry (NAFCOC), act as front groups to oppose tobacco control under the banner of "economic freedom.
3. **Participation in Policy Development**: Industry-aligned organizations participated in public hearings and lobbied against the tobacco control bill, and "TI experts" collaborated with SARS to detect illicit cigarettes.
4. **Media Influence:** TI like Phillip Morris International held workshops with journalists to promote "harm reduction" narratives that downplay the risks of new and emerging nicotine products & undermine support for stronger regulation.
5. **Social Media Campaigns:** Japan Tobacco International's #HandsOffMyChoices portrayed regulation as state overreach, while the Tobacco Institute of Southern Africa's #TakeBackTheTax campaign diverted attention toward illicit trade enforcement, using influencers to amplify messages
6. **Direct Lobbying:** The government does not disclose its interactions with the TI, even when such engagements are necessary for regulation, raising. concerns of undue influence on policy processes.
7. **CSR Activities:** Despite WHO FCTC guidance, TI continues to use CSR initiatives to build goodwill and access to decision-makers, framing themselves as legitimate partners in development. There has been documented evidence of direct government engagement in an industry-branded CSR activity.

Recommendations

1. **Ratify the Illicit Trade Protocol:** Expedite SA's ratification and implementation of the Protocol to Eliminate Illicit Trade in Tobacco Products (pending since 2013) to close loopholes that the industry exploits in opposing stronger tobacco control.
2. **Enforce FCTC Article 5.3:** Monitor and publish registers of companies affiliated with the TI, and also establish a mandatory disclosure and transparency policy for all government officials on interactions with industry or affiliated entities, including indirect partnerships.
3. **Prioritise the Tobacco Control Bill:** Prioritise adoption of the Bill without further delay to prevent the continued drive from TI for amendments to weaken its intent.

4. **Reject TI Narratives on the Economy:** Base decisions on independent evidence from reputable & trusted institutions like the SAMRC & academia recognizing that TI sponsored research is designed to protect profits rather than public health.
5. **Strengthen Civil Society Oversight**: Support CSOs such as CFTK, CANSA & SAMRC to monitor, expose, and challenge industry interference, while holding the government accountable for compliance with WHO FCTC Article 5.3.
6. **Limit Interactions with TI:** implement a comprehensive government code of conduct that limits interactions with the TI strictly to those necessary for regulation.
7. **Raise Public Awareness:** Inform the public about how TI tactics undermine health rights, fuel misinformation, and delay life-saving policies.

For references and more information, please visit the NENTPs page on the TCDI website:
https://southafrica.tobaccocontroldata.org/en/home/tobacco-industry-interference/



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