

# Conflict of interest and tobacco control: Why does it matter?

*Dharma N. Bhatta<sup>1</sup>, Ruchi Adhikari<sup>2</sup>*

Dear Editor,

Conflict of interest (COI) occurs when any individual or corporation (private or government), partakes in multiple social roles with different interests, including pecuniary or non-pecuniary interests, that could be in conflict with each other. These interests could include goals, duties or commitments linked to a specific social role. A COI is a set of conditions that generates the risk that professional judgement concerning a primary interest (health of the public, validity of research, duties of the civic officer etc.) is unduly influenced by a secondary interest (personal benefit, not just confined to monetary benefit, professional progression, direct or indirect benefit for family, friends or a third party)<sup>1</sup>.

Tobacco is one of the largest preventable causes of premature death and globally tobacco use causes 8.7 million deaths per year. More than 7 million deaths per year are the result of direct tobacco use and more than 1 million deaths are the result of secondhand smoke<sup>2</sup>. The WHO Framework Convention on Tobacco Control (FCTC) is the only international treaty devoted to public health, which commits the member parties to implement tobacco control policies to reduce its demand and supply. The member states are required to sanction tobacco control laws and show political commitment to bolster the objectives set out by the FCTC. Several governments have enacted and implemented their own tobacco control laws after they ratified the FCTC. The FCTC prohibits a relationship or activities between the tobacco industry and governments. The provision of the FCTC Article 5.3<sup>3</sup> completely bans investment in tobacco, in contradiction to the fact that around 50% of the global conventional cigarette market is controlled by government owned tobacco industries; for example, China National Tobacco Corporation alone holds around 44% of the global conventional cigarette market<sup>4,5</sup>. Globally, 17 parties of the FCTC hold shares in the tobacco industry [Algeria 49%, Bangladesh 13%, China 100%, Cuba 75% (signed and not ratified), Egypt 51%, India 24%, Iran 100%, Iraq 100%, Japan 33%, Laos 47% Lebanon 100%, Moldova 91%, Syria 100%, Thailand 100%, Tunisia 100%, Vietnam 100% and Yemen 34%] and among them 8 countries (China, Iran, Iraq, Lebanon, Syria, Thailand, Tunisia, Vietnam) hold 100% ownership of at least one tobacco industry conglomerate<sup>5-16</sup>. On the one hand, the parties are committed to work for the tobacco endgame and on the other hand they promote tobacco trade.

Similar to a COI for an individual, corporate COI may happen when an organization provides different types of services and these services come into conflict. Governments that participate in the manufacturing of tobacco products and at the same time regulate the tobacco industry or select tobacco industry representatives as members of tobacco control committees, are examples of COI in tobacco control. The term 'Revolving Door' describes the activities of high-level employees, legislators, or civil servants, who take up positions as consultants or lobbyists in the area of their past civic service, or the activities

## AFFILIATION

<sup>1</sup> Department of Medicine and Epidemiology, Peoples Dental College, Tribhuvan University, Kathmandu, Nepal

<sup>2</sup> School of Dentistry, University of California San Francisco, California, United States

## CORRESPONDENCE TO

Dharma N. Bhatta. Department of Medicine and Epidemiology, Peoples Dental College, Tribhuvan University, Kathmandu, Nepal.  
E-mail: [dnbhatta@yahoo.com](mailto:dnbhatta@yahoo.com)  
ORCID ID: <https://orcid.org/0000-0002-3065-7105>

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of past private sector employees who take up jobs in the government where they have the power to regulate the sector in which they once worked<sup>17</sup>. In several countries, government officials, politicians, and diplomats, are helping directly or indirectly the tobacco industry when they are in service or when they shift their job to the tobacco industry, after establishing a mutual relationship involving 'Revolving Door Phenomena'<sup>17</sup>. These people and states have a vested interest in tobacco corporation catalyzing its trade and thus such states are involuntarily in disagreement with the aim of developing tobacco control measures as per the FCTC.

A COI can become a legal matter when someone breaks their duty of loyalty to government obligations under the FCTC, and this depends on how they perceive their responsibilities. While a state holds shares in the tobacco industry, neither FCTC nor tobacco control measures can work or be implemented effectively. FCTC needs an urgent call for governments to enforce Article 5.3 with broader COI provisions. Each country must include broader descriptions of COI in their tobacco control laws, otherwise the dualistic role of governments related to tobacco will inevitably result in no endgame.

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