

## Press Statement

### For Immediate Release

Date: March 20, 2024

### Subject: Advocates Support Calls For Strengthened Tobacco Control Measures in Kenya

**Nairobi, Kenya:** In a unified effort to stop the 9,000 deaths linked to tobacco every year, and the growing incidences of diseases linked to tobacco such as heart diseases, cancer, and diabetes, a coalition of tobacco control advocates, led by the National Taxpayers Association (NTA), is fervently supporting the review of Kenya's Tobacco Control Act, 2007 and Regulation, 2014 and curbing of illicit narcotic drugs.

This collective endeavor aims to reinforce the nation's commitment to reducing tobacco and nicotine products affordability, curtailing tobacco industry influence, and fostering transparent and inclusive policy-making processes. It must be noted that Kenya's civil societies were key players during WHO FCTC ratification and subsequently in the enactment of the Tobacco Control Act, 2007. To date, they have actively played a vital role in supporting government tobacco control efforts as well as fostering government accountability.

Furthermore, this will ensure regulation to stop the early onset of tobacco use by children and young adults. According to WHO's news release, the usage rate of e-cigarettes amongst Children (13–15-years) are higher than adults in all WHO regions.

Tobacco use has failed, principally because of the current tax system (two-tiers of Ksh. 2,630 per mille for cigarettes with filters and Ksh. 1,893 per mille for plain cigarettes) and 35% excise tax which is extremely low as compared to WHO recommendation of 70% of recommended retail price, and is among the lowest in the world.

WHO's evidence shows taxing tobacco products is the most effective way to reduce consumption, thus reducing diseases such as cancer, diabetes and heart disease.

According to the WHO's Framework Convention on Tobacco Control, which Kenya is a signatory to, tobacco taxation can contribute to prevention of 9,000 deaths every year.

By leveraging tax policies to elevate tobacco prices, Kenya can render tobacco less accessible to children and young people, thus discouraging consumption and safeguarding public health.

Since 2023, the momentum for the review of Kenya's Tobacco Control Act and Regulation has steadily gained traction, signaling a pivotal moment in the nation's journey towards a healthier, tobacco-free future. The latest calls coming from the Ministry of Health and Ministry of Interior and National Administration. This is another opportunity to ensure that our Tobacco Control Policies align with public health objectives of reducing consumption of tobacco products.

The key demands and position of our campaign is as follows:

**1. Affirmation of Support for Review:** We unequivocally express our support for the comprehensive review of Kenya's Tobacco Control Act of 2007 and Regulation of 2014. Recognizing the evolving landscape of tobacco use and its detrimental impact on public health, we advocate for robust measures to strengthen existing legislation and enact new provisions that align with international best practices. Emerging tobacco products like Nicotine pouches, such as

Velo, should be banned. Other tobacco products should bear high resolution graphic images to show their true impact. They can cause abortion, damage the developing brains of children and adolescents, according to the WHO. Additionally, promotions and sales targeting children through social media and influencers, should also be considered during the review.

**2. Call for Inclusivity and Transparency:** We urge stakeholders involved in the review process to prioritize inclusivity and transparency. A participatory approach ensures that diverse perspectives are considered, fostering the development of effective and equitable tobacco control policies that resonate with the needs of all Kenyans.

**3. Counteraction Against Tobacco Industry Influence:** We remain vigilant against the undue influence of the tobacco industry in shaping policy agendas. It is imperative to safeguard the integrity of the review process and prevent any form of interference that may compromise public health objectives in favor of commercial interests. Article 5.3 of WHO FCTC offers guidelines to ensure that efforts to protect tobacco control from commercial and other vested interests of the tobacco industry are comprehensive and effective.

**4. Transparency on the Operationalization of the Solatium Fund:** We demand transparency regarding the operationalization of the Solatium Fund, which was established to assist in funding national programs for cessation and rehabilitation as well as capital and ongoing expenses related to research, documentation, and informational distribution on tobacco and tobacco products. To guarantee that the fund fulfills its intended role and aids in tobacco control initiatives, certain regulations and supervision procedures are necessary.

**5. Demonstration of Collaboration and Shared Vision:** Through our collective action, we underscore our commitment to a shared vision of a tobacco-free Kenya. By uniting as tobacco control advocates, we amplify our impact, demonstrating the strength of collaboration in advancing public health agendas and safeguarding the well-being of our communities.

As we embark on this pivotal journey towards strengthening tobacco control measures in Kenya, we call upon all stakeholders, including government agencies, civil society organizations, healthcare professionals, and the public, to join hands in this noble endeavor. Together, we can create a future where tobacco-related diseases are relegated to the annals of history, and the health and well-being of all Kenyans are prioritized.

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