

# JAPAN: Tobacco Industry Interference Index

**Summary points:** Japan is lagging far behind in practically every aspect in the implementation of FCTC Article 5.3 Guidelines.

1. **Industry participation in policy development:** 20/20  
The existence of tobacco business law, strong association between JT and the Government (through 33% ownership) and Policy Makers enables JT to participate in policy development which facilitates interference to weaken policies such as reducing level of tax and delaying smoke-free legislation .
2. **Industry CSR activities:** 5/5  
JT conducts numerous CSR activities including sponsoring sports tournaments, games and cultural activities. The tobacco and Salt Museum is part owned by the government.
3. **Benefits to the industry:** 10/10  
Allowing the tobacco industry to advertise, sponsor activities, applying ineffective text only warnings on cigarette packs, allowing smoking in indoor public places are all benefits that the tobacco industry enjoys. These requirements under FCTC are not implemented and this benefits the tobacco industry.
4. **Unnecessary interaction:** 9/15  
The tobacco industry has a close relationship with the ruling political party, Liberal Democratic Party (LDP), and the Minister of Finance (who is also Deputy Prime Minister) who even questioned the evidence on harmful effects of smoking on health.
5. **Transparency:** 8/10  
Meetings between top level officials, such as Ministers, with the JT are not publically disclosed. There is no register for private tobacco companies operating in Japan such as PMI and BAT or their lawyers and consultants acting on their behalf.
6. **Conflict of Interest:** 15/15  
There is no prohibition on contributions from the tobacco industry to political campaigns. High level officials, upon their retirement from government service, move to top leadership position in JT.
7. **Preventive measures:** 23/25  
The government has not put in place a procedure for disclosing records of interaction with the tobacco industry and its representatives. The government has not implemented a code of conduct for public officials, prescribing the standards with which they should comply in their dealings with the tobacco industry. There is no public record of effort by the government to regularly raise awareness within its departments on policies relating to FCTC Article 5.3 Guidelines.

INDICATORS	0	1	2	3	4	5
<b>Level of Industry Participation in Policy-Development</b>						
1. The government <sup>1</sup> accepts, supports or endorses any offer for assistance by or in collaboration with the tobacco industry <sup>2</sup> in setting or implementing public health policies in relation to tobacco control <sup>3</sup> (Rec 3.1)						5
List down all such incidents based on a search using key words to search the top 15 government websites, tobacco websites/sources, and the top 5 dailies for articles within the period. See <b>Annex A Country Guide</b> for dailies, <b>Annex B</b> for a guide to keywords that could be used during the search. Follow the scoring instructions and make the necessary adjustments when scoring. Also take note of the general						

<sup>1</sup> The term “government” refers to any public official whether or not acting within the scope of authority as long as cloaked with such authority or holding out to another as having such authority

<sup>2</sup> The term, “tobacco industry” includes those representing its interests or working to further its interests, including the State-owned tobacco industry.

<sup>3</sup> “Offer of assistance” may include draft legislation, technical input, recommendations, oversees study tour

INDICATORS	0	1	2	3	4	5
<p>instructions on the average scores and adjustment of final scores.</p> <p>JT's 2016 annual report states it collaborates on anti-illicit trade issues with the Japanese government and other industries and claims will continue to do so.<sup>4</sup> JT "promotes the understanding of relevant authorities that a disruptive tax increase does not necessarily serve their purpose."<sup>5</sup> There has been no tax increase in recent years.</p> <p>More than that, JT has even placed their tax for the so-called "Heat-not-Burn" tobacco for much less than that of PM or BAT. Tax of their Ploom Tec is 15%, BAT's GLO 36%, and PM's IQOS is 50% (source: Ministry of Finance).</p> <p>Indoor public places are not 100% smoke-free as required under FCTC Article 8. There is a Tobacco White paper that has remained untouched for 15 years.<sup>6</sup> In 2016, the Health Ministry estimated about 15,000 people die annually in Japan from diseases related to passive smoking.<sup>7</sup> JT has successfully interfered on policy to ban on smoking in public places by promoting its "Smoking manners" campaign.<sup>8</sup></p>						
<p><b>2. The government accepts, supports or endorses policies or legislation drafted by or in collaboration with the tobacco industry. (Rec 3.4)</b></p>						5
<p>Please refer to <b>Annex C</b> for policy features and typical tobacco industry positions as well as a scoring guide to ensure that the severity of influence by the tobacco industry is reflected in a consistent manner among countries.</p> <p>The Tobacco Business Act, which in essence protects the tobacco industry, also covers regulation (or the non-regulation) of tobacco advertising. There is no ban on tobacco advertising and promotions - Self-regulation based on JT's Global Marketing Principles.</p> <p>Japan Tobacco claims, "The Tobacco Business Act, related acts and statutes and voluntary standards set forth the regulations for the sale and promotion activities of tobacco products in Japan that include the indication of warning labels on tobacco product advertisements and packages that urge caution over the relationship between the consumption of tobacco products and health."<sup>9</sup></p> <p>The Tobacco Business Act requires JT to annually enter into purchase contracts with tobacco growers about the aggregate cultivation area for specific varieties of leaf tobacco and the <b>prices</b> for leaf tobacco by variety and grade. Leaf prices decided by recommendation from Japan Tobacco Inc. – in November 2016 the Leaf Tobacco Deliberative Council (LTDC) released its annual determinations for domestic leaf tobacco cultivation area and grower prices for 2017, in response to a proposal submitted by JT.<sup>10</sup></p> <p>The Health Ministry filed a Bill in Parliament aimed to restrict smoking in public places such as schools, hospitals, government buildings, bars and restaurants. There is no support for the bill from the majority ruling party.<sup>11</sup> The Japanese government owns 33 percent of JT.</p>						
<p><b>3. The government allows/invites the tobacco industry to sit in government</b></p>						5

<sup>4</sup> JT's efforts in Anti-Illicit trade, [https://www.jt.com/about/division/tobacco/anti\\_contraband/index.html](https://www.jt.com/about/division/tobacco/anti_contraband/index.html)

<sup>5</sup> JT Annual Report 2016, [https://www.jt.com/investors/results/annual\\_report/pdf/annual.fy2016\\_E\\_all.pdf](https://www.jt.com/investors/results/annual_report/pdf/annual.fy2016_E_all.pdf)

<sup>6</sup> Health Ministry urges smoking ban restaurants indoor spaces, The Japan Times 31 Aug 2016 <http://www.japantimes.co.jp/news/2016/08/31/national/science-health/health-ministry-urges-smoking-ban-restaurants-indoor-spaces/#.V8kDLpN96Rt>

<sup>7</sup> Passive smoking kills 15,000 people a year in Japan, study finds. 1 May 2016, The Japan Times <http://www.japantimes.co.jp/news/2016/05/31/national/science-health/passive-smoke-kills-15000-people-annually-japan-health-study-finds/#.WVRg1FLfDA>

<sup>8</sup> Kashiwabara, M. Armada, F. Mind Your "Smoking Manners": The Tobacco Industry's Tactics to Normalise Smoking in Japan, WHO Centre for Health Development, Kobe, Japan, Sep 2013. <http://www.med.kobe-u.ac.jp/journal/contents/59/E132.pdf>

<sup>9</sup> Japan Tobacco Inc. Annual Report 2016, Pg 64 [https://www.jt.com/investors/results/annual\\_report/pdf/annual.fy2016\\_E\\_partition03.pdf](https://www.jt.com/investors/results/annual_report/pdf/annual.fy2016_E_partition03.pdf)

<sup>10</sup> No price rise for Japan growers, Tobacco reporter, 9 Nov 2016 <http://www.tobaccoreporter.com/2016/11/no-price-rise-for-japans-growers/>

<sup>11</sup> Push towards a smoke-free Olympics by Kanoko Matsuyama and Yuki Hagiwara Bloomberg News, 25 Apr 2017 <https://www.bloomberg.com/news/articles/2017-04-24/japanese-restaurants-thwart-push-toward-smoke-free-olympics>

INDICATORS	0	1	2	3	4	5
interagency/ multi-sectoral committee/ advisory group body that sets public health policy. (Rec 4.8) 1 Never 5 Yes						
<i>Evidence to support your choice. If this is by law, cite the relevant legislation</i>						
<p>Since the government part owns JT and has a Tobacco and Salt Industries Bureau in the Ministry of Finance, JT's interests would be taken into account in public health policy development.</p> <p>In February 2016, it was reported the Finance Ministry was considering whether cigarette manufacturers be required to apply more prominent health warnings on the negative health impacts of smoking. A Ministry Advisory Panel was asked to discuss tobacco-product health warnings and deliver a report in May or June after hearing opinions from tobacco-industry representatives and other experts.<sup>12</sup> The Finance Ministry planned to have the relevant law revised in 2016 following receipt of the panel's report. There is no report on the findings of the Advisory Panel. Two medical representatives strongly proposed the need for more rigorous health warnings. However, their opinion has been dismissed, and they resigned. They were replaced by more pro-tobacco industry persons this year. Health warning on cigarette packs is still text only, and it occupies an area less than 30%. Only a frame around the text covers 30% of the surface area.</p>						
4. The government nominates or allows representatives from the tobacco industry (including State-owned) in the delegation to the COP or other subsidiary bodies or accepts their sponsorship for delegates. (i.e. COP 6 & 7) <sup>13</sup> (Rec 4.9 & 8.3)						5
<p><i>For evidence:</i> <a href="http://www.who.int/fctc/en/">http://www.who.int/fctc/en/</a> click on "Conference of the Parties", "COP Sessions", select relevant COP, click "Documentation", "List of Participants"</p> <p>Representative from the Tobacco and Salt Industries Office attend every COP session. COP7 and COP5: Mr M. Takagi, Deputy Director, Tobacco and Salt Industries office, Financial Bureau, Ministry of Finance attended.<sup>14</sup> COP6: Mr Y. Sakuma, Deputy Director, Tobacco and Salt Industries Office<sup>15</sup> COP4: Mr Akira Takahashi, Deputy Director, Tobacco and Salt Industries Office<sup>16</sup></p>						
<b>So-called CSR activities</b>						
5. A. The government agencies or its officials endorses, supports, forms partnerships with or participates in so-called CSR activities organized by the tobacco industry. (Rec 6.2) B. The government (its agencies and officials) receives contributions <sup>17</sup> (monetary or otherwise) from the tobacco industry (including so-called CSR contributions). (Rec 6.4) <i>NOTE: exclude enforcement activities as this is covered in another question</i>						5
List down all such incidents based on a search using key words to search the top 15 government websites, tobacco websites/sources, and the top 5 dailies for articles within the period* See <b>Annex B (Part III)</b> for a guide to keywords that could be used during the search. As a starting point, keywords						

<sup>12</sup> Japanese cigarette packs may get bigger health warning label. Kyodo. The Japan Times, 1 Feb 2016, <http://www.japantimes.co.jp/news/2016/02/01/national/japanese-cigarette-packs-may-get-bigger-health-warning-label/#.WV5ckIFLrDA>

<sup>13</sup> Please annex a list since 2009 so that the respondent can quantify the frequency, <http://www.who.int/fctc/cop/en/>

<sup>14</sup> COP7: List of Participants, FCTC/COP7/DIV/Rev2

[http://www.who.int/fctc/cop/cop7/COP7\\_LoPDelegatesList.pdf?ua=1](http://www.who.int/fctc/cop/cop7/COP7_LoPDelegatesList.pdf?ua=1)

<sup>15</sup> [http://apps.who.int/gb/fctc/PDF/cop6/FCTC\\_COP6\\_DIV1Rev1.pdf?ua=1](http://apps.who.int/gb/fctc/PDF/cop6/FCTC_COP6_DIV1Rev1.pdf?ua=1)

<sup>16</sup> [http://apps.who.int/gb/fctc/PDF/cop4/COP4\\_DIV\\_Rev1.pdf](http://apps.who.int/gb/fctc/PDF/cop4/COP4_DIV_Rev1.pdf)

<sup>17</sup> political, social financial, educations, community, technical expertise or training to counter smuggling or any other forms of contributions

INDICATORS	0	1	2	3	4	5
<p>should be based on at least the top 5 areas of interest of TI CSR (environment, disaster, education, poverty, women empowerment). Search the websites of the government agencies relating to these issues for any tobacco related activity. Follow the scoring instructions and make the necessary adjustments when scoring. Also take note of the instructions on the average scores and adjustment of final scores. <i>Where possible, please provide the amounts or estimated value of the contributions</i></p> <p>JT Biohistory Research Hall endorsed by a Japanese Government, and affiliated with the University of Osaka.</p> <p>Tobacco and salt museum which is endorsed by Japanese Government.</p> <p>JT scholarship.</p> <p>JT volley ball team. Every year they hold Volley ball World Cup in Japan.</p> <p>JT Japanese Chess Championship</p> <p>JT Cup Golf Japan series.</p> <p>Affinis Cultural Foundation endorsed by Japanese Government, and JT Art Hall Affinis.</p> <p>JT's forest - in 8 places in Japan. Green bird to pick up tobacco butts.</p> <p>Physical distribution of JT is authorized as an eco-rail mark industry by the Ministry of Land, Infrastructure and Transport.</p>						
<b>Benefits to the Tobacco Industry</b>						
<p>6. The government accommodates requests from the tobacco industry for a longer time frame for implementation or postponement of tobacco control law. (e.g. 180 days is common for PHW, Tax increase can be implemented within 1 month) (Rec 7.1)</p>						5
<p>Please provide a list of tobacco control laws (national level) and the number of days given for implementation or if a postponement was allowed, for how long. Please provide a separate list for local legislation or policies. Evidence to support your choice can include news articles or meetings where decision was made</p> <p><b>SCORING:</b> For each incident, provide a base score of 3 if there is a policy that remains pending due to tobacco industry efforts. Do not place a score if there is no proposed or pending policy at all (Place N/A: Instead of a 0 score, this question will be disregarded when comparing with other countries)</p> <p><b>SPECIFIC RECOMMENDED ADJUSTMENTS:<sup>18</sup></b> <i>Time Frame</i> +1 Longer time frame was granted , +1 extremely long time is granted (see Annex C for a guide), -1 if there is a justifiable reason (elections, calamity, etc) <i>Type of Health Policy / Type of Government Agency Involved</i> -1 if related to local government, -2 if related to agriculture, -2 if related to trade, +1 if referring to a policy of the health department, women, children, or education</p> <p><b>FINAL SCORE:</b> After computing the average of the scores for each incident, follow the rules on final scoring as indicated on the instruction page</p> <p>Japan has not banned tobacco advertising, promotions and sponsorship, instead applies self-regulation. Most of Japan's public places are not smoke-free. White paper on tobacco has been shelved for 15 years. No pictorial warnings on cigarette packs although JTI exports its brands with PHW to many countries that require this. Health warning on packs have not changed in many years.</p>						
<p>7. The government gives privileges, incentives, exemptions or benefits to the tobacco industry (Rec 7.3)</p>						5
<p>Conduct a comprehensive search of all sources of relevant fiscal, trade, agricultural, investment or related</p>						

<sup>18</sup> Use this recommended adjustment instead of the "Standard" one listed in the instruction page

INDICATORS	0	1	2	3	4	5
<p>policies as listed in <b>ANNEX A</b>, using key words such as “except,” “exempt,” “grant,” “shall not apply” to name a few. At the minimum, please list all exemptions found in the Bureau/ Office/ Ministry of Investments and all exemptions provided to any company similarly situated as the tobacco industry by the Ministry of Finance or internal revenue/tax office.<sup>19</sup> A desk research of policy issuances on exemptions <b>that are likely given or available to tobacco</b> industry can be provided even if actual evidence of exemptions <b>actually granted</b> cannot be found.</p> <p>SCORING: For each incident/incentive/benefit, provide a base score of 3.</p> <p>SPECIFIC RECOMMENDED ADJUSTMENTS:<sup>20</sup></p> <p><i>Subject</i> +1 if the incentive is specific to the tobacco company/ industry (not to all investors or general group of business)</p> <p><i>Term/Period</i> +1 if the term of the benefit extends beyond the usual term of elected officials/term of office or if the term of the benefit is permanent or an indefinite period</p> <p><i>Granting Authority</i> -1 if the grant is granted by local government</p> <p><i>Type</i> +1 if exemption refers to excise tax or duty free + if a subsidy is involved</p> <p>FINAL SCORE: After computing the average of the scores for each incident, follow the rules on final scoring as indicated on the instruction page</p> <p>Existence of the Tobacco Business Act is evidence that the government protects the tobacco industry and gives it benefits to protect its business. The government’s 33% ownership of JT gives incentives to the government to protect JT’s success and increased profits.</p> <p>The Ministry of Finance fixes the price of tobacco leaves at \$16.90 (¥1,877.57) and ensures all the tobacco leaves produced by the growers are purchased. This will ensure their income is protected. 2017: <a href="https://www.jt.com/media/news/2016/pdf/20161109_E02.pdf">https://www.jt.com/media/news/2016/pdf/20161109_E02.pdf</a></p> <p>According to a Japan Times report, “Cigarette prices in Japan are kept lower than in many other countries because the government manipulates them to prevent a sharp decline in consumption. According to a tobacco industry insider, Japan is unique in that the government determines the retail prices of cigarettes, and that manufacturers have no freedom to set prices on their own. Thus, he says, the government controls supply and demand from the standpoint of securing tax revenue.” <a href="http://www.japantimes.co.jp/opinion/2017/04/23/commentary/japan-commentary/poverty-politics-tobacco-policy/#.WYWe51FLfiU">http://www.japantimes.co.jp/opinion/2017/04/23/commentary/japan-commentary/poverty-politics-tobacco-policy/#.WYWe51FLfiU</a> [2017 April issue of Sentaku]</p>						
<b>Forms of Unnecessary Interaction</b>						
<p>8. Top level government officials (such as President/ Prime Minister or Minister<sup>21</sup>) meet with/ foster relations with the tobacco companies such as attending social functions and other events sponsored or organized by the tobacco companies or those furthering its interests. (Rec 2.1)</p>				3		
<p>List down all such incidents based on a search using key words to search the top 15 government websites and the top 5 dailies for articles within the period. See <b>ANNEX D-I</b> for the detailed scoring guide</p>						

<sup>19</sup> Examples of benefits include: reduced income tax rates or property tax exemption, duty free imports of machineries and capital assets, subsidies for tobacco production, delayed implementation of excise tax increase, other incentives granted to foreign investors, duty free tobacco distribution in government owned facility or shop.

<sup>20</sup> Use this recommended adjustment instead of the “Standard” one listed in the instruction page

<sup>21</sup> include immediate members of the families of the high level officials

INDICATORS	0	1	2	3	4	5
<p>JT has a champion in the Minister of Finance (who is also the Deputy Prime Minister) who has been opposing regulations to ban smoking in indoor public places. He has even questioned the harmful health effects of smoking.</p> <p>Nearly 70% of MPs from the Liberal Democratic Party (LDP), to which Mr Aso belongs, have joined a group that opposes the ban. Through strong leading LDP Parliamentary group for tobacco, which houses 280 people. <a href="https://www.economist.com/news/asia/21723881-it-brings-lot-money-makes-lots-people-ill-japans-government-two-minds-about">https://www.economist.com/news/asia/21723881-it-brings-lot-money-makes-lots-people-ill-japans-government-two-minds-about</a></p>						
<p>9. The government accepts assistance/ offers of assistance from the tobacco industry on enforcement such as conducting raids on tobacco smuggling or enforcing smoke free policies or no sales to minors. (including monetary contribution for these activities) (Rec 4.3)</p>			2			
<p>List down all such incidents based on a search using key words to search the top 15 government websites, tobacco industry websites, and the top 5 dailies for articles within the period. See <b>ANNEX B</b> for the keyword search guide.</p> <p>According to Japan Tobacco website: “JT will continue to fight against illicit trade in collaboration with governments, including the Japanese government.”  <a href="https://www.jt.com/about/division/tobacco/anti_contraband/index.html">https://www.jt.com/about/division/tobacco/anti_contraband/index.html</a></p>						
<p>10. The government accepts, supports, endorses, or enters into partnerships or agreements with the tobacco industry. (Rec 3.1)  <i>NOTE: This must <u>not</u> involve CSR, enforcement activity, or tobacco control policy development since these are already covered in the previous questions.</i></p>					4	
<p>List down all such incidents based on a search using key words to search the top 15 government websites, tobacco industry websites, and the top 5 dailies for articles within the period. See <b>ANNEX B</b> for the keyword search guide. This may include capacity building for trade negotiations or partnership in dispute settlement proceedings. As with most questions, if no such incident is found after conducting the suggested search, then the answer should be 0.</p> <p>Tobacco and salt industries office is a department within the MOF. This official route for collaboration is always open.</p> <p>There is no penalty for violation of smoking in no-smoking areas. Japan Tobacco conducts ‘manners campaign’.</p> <p>According to JT website: “Toward the goal of creating a society where smokers and non-smokers can coexist in harmony, in Japan, JT has been carrying out various activities, such as calling for better smoking manners and promoting separation between smoking and non-smoking areas. By doing so, we will aim to create a society comfortable for both smokers and non-smokers.”  <a href="https://www.jt.com/about/division/tobacco/index.html">https://www.jt.com/about/division/tobacco/index.html</a></p> <p>By virtue of the government owning 33% of JT, it also owns the Tobacco and Salt Museum which is a promotional outfit for JT. The Museum was renovated in 2015 and holds regular exhibitions and is open to children. <a href="https://www.jti.co.jp/Culture/museum_e/index.html">https://www.jti.co.jp/Culture/museum_e/index.html</a></p>						
<b>Transparency</b>						
<p>11. The government does not publicly disclose meetings/ interactions with the tobacco industry in cases where such interactions are strictly necessary for regulation. (Rec 2.2)</p>				3		
<p>SCORING:  For each incident (meeting or interaction that was not disclosed), a base score of 3 should be given</p> <p>SPECIFIC RECOMMENDED ADJUSTMENTS:  +2 if the meeting is not strictly necessary  -1 if minutes were taken during the meeting</p>						

INDICATORS	0	1	2	3	4	5
<p>-1 if champions/advocates were asked to be present during the meeting  -1 if the meeting takes place in a public office,  +1 if photos were taken,  +1 if high level officials were involved  -1 if a mechanism or rule is available for disclosure of tobacco meetings</p> <p>FINAL SCORE:  After computing the average of the scores for each incident, follow the rules on final scoring as indicated on the instruction page</p> <p>The Finance Ministry gets annual dividend revenue from Japan Tobacco shares - more than ¥70 billion. That revenue is kept in a special account for fiscal investment and loans, and according to the Finance Ministry is spent on industrial investment projects that are too risky for the private sector to undertake.<sup>22</sup></p> <p>The Reuters expose on the tobacco industry shows political mapping of pro-tobacco ministers in Prime Minister Abe's Cabinet. <a href="https://www.reuters.com/investigates/special-report/pmi-who-ctc/">https://www.reuters.com/investigates/special-report/pmi-who-ctc/</a> Philip Morris Training document Slide No.16: Meetings of Ministers with the JT are not publically disclosed. Slide No.17 provides evidence of Philip Morris Fiscal Affairs and International Trade Executive meeting with Ministry of Finance and Ministry of Foreign Affairs officials on taxation issue in Japan. Purpose of this meeting is to influence the COP outcome.</p> <p>Through the high rank OB meeting of the MOF. This meeting is confidential, though the tax rate is widely discussed according to the JT's profit.</p>						
<p>12. The government requires rules for the disclosure or registration of tobacco industry entities, affiliated organizations, and individuals acting on their behalf including lobbyists</p>						5
<p>Conduct a comprehensive search of all sources of such rules (including in trade, agriculture, food and drug authority, etc.) as listed in <b>ANNEX A</b>.  SCORING:  If rules exist for tobacco companies, provide a base score of 3. -1 if affiliated organizations are included, -1 if individuals such as lobbyists are also included,  If no rules currently exist, the score would be 5. -1 If a policy is being considered</p> <p>While government officials who work for the Tobacco and Salt Industries Unit are easily identified, however there is no register for private tobacco companies operating in Japan such as PMI, or its lawyers and consultants acting on its behalf.</p>						
<b>Conflict of Interest</b>						
<p>13. The government does not prohibit contributions from the tobacco industry or any entity working to further its interests to political parties, candidates, or campaigns or to require full disclosure of such contributions. (Rec 4.11)  1 Never 5 Yes</p>						5
<p>Conduct a comprehensive search of all sources of such rules (including election laws, etc.)  SCORING:  If such a prohibition/requirement does not exist for tobacco companies, provide a base score of 5: -1 If a policy is being considered, -1 if there is a policy but it is partial, -1 if there is a policy but it is not enforceable/ not followed</p> <p>There is no prohibition on contributions from the tobacco industry.</p>						

<sup>22</sup> The poverty of politics and tobacco poverty, Commentary, The Japan Times, 23 April 2017, <http://www.japantimes.co.jp/opinion/2017/04/23/commentary/japan-commentary/poverty-politics-tobacco-policy/#.WVSLdFFLfDA>

INDICATORS	0	1	2	3	4	5
14. Retired senior government officials form part of the tobacco industry (former Prime Minister, Minister, Attorney General) (Rec 4.4)						5
See <b>Annex D</b> for a guide in scoring						
High level officials, upon retirement from government service, move to top leadership position in JT <sup>23</sup> Chairman of JT, Yasutake Tango, Chairman of the Board: started his career in Ministry of Finance in 1974 rising to position of Administrative Vice Minister of MOF in 2009; being appointed Special Advisor to the Cabinet (2012 – Apr 2014). Appointed Chair of JT in June 2014.						
Tomotaka Kojima, Standing Audit & Supervisory Board Member: began his career in MOF in 1976; in July 2000 appointed Director-General of the Fukuoka Local Finance Branch Bureau; in Jan 2008: Director General of Equity and Investigation Bureau, General Secretariat of National Personnel Authority.						
Hiroshi Obayashi - Audit & Supervisory Board Member: appointed as Public Prosecutor in 1972; appointed Vice-Minister of Justice in June 2006; prosecutor-General in 2010						
Private connection between Prime Minister Shinzo Abe and Katsuhiko Honda, who is former president of JT. Honda is said to be a private teacher when Abe studied for the entrance examination of the University. Honda is now a second person of NHK(national broadcasting company) <a href="http://www.nosmoke55.jp/action/1310jt_nhk.html">http://www.nosmoke55.jp/action/1310jt_nhk.html</a>						
15. <u>Current government officials</u> and relatives hold positions in the tobacco business including consultancy positions. (Rec 4.5, 4.8, 4.10)						5
See <b>Annex D</b> for a guide in scoring						
Officials representing the Tobacco and Salt Industries represent the industry						
<b>Preventive Measures</b>						
<i>SCORING for this section: 1. Yes, 2. Yes but partial only, 3. Policy/ Program being developed 4. Committed to develop such a policy/ program 5. None</i>						
16. The government has put in place a procedure for disclosing the records of the interaction (such as agenda, attendees, minutes and outcome) with the tobacco industry and its representatives. (Rec 5.1)						5
None						
17. The government has formulated, adopted or implemented a code of conduct for public officials, prescribing the standards with which they should comply in their dealings with the tobacco industry. (Rec 4.2)						5
None						
18. The government requires the tobacco industry to periodically submit information on tobacco production, manufacture, market share, marketing expenditures, revenues and any other activity, including lobbying, philanthropy, political contributions and all other activities. (5.2)				3		
JT, being part owned (33%) by the government submits records on production, manufacture, market share, revenues. However no record available on lobbying expenditure, political contributions.						
According to news reports Japan Tobacco spends <b>¥20 billion</b> a year on advertising, almost all of which						

<sup>23</sup> Japan Tobacco Inc. Annual Report 2016, Pages 50-55,  
[https://www.jt.com/investors/results/annual\\_report/pdf/annual.fy2016\\_E\\_partition03.pdf](https://www.jt.com/investors/results/annual_report/pdf/annual.fy2016_E_partition03.pdf)



INDICATORS	0	1	2	3	4	5
promotes “manners.” The real reason, according to Sentaku (magazine), that Japan Tobacco buys space and air time is to quash anti-smoking reporting by making media dependent on JT-related ad revenue. <sup>24</sup>						
19. The government has a program / system/ plan to consistently <sup>25</sup> raise awareness within its departments on policies relating to FCTC Article 5.3 Guidelines. (Rec 1.1, 1.2)						5
None						
20. The government has put in place a policy to disallow the acceptance of all forms of contributions/ gifts from the tobacco industry (monetary or otherwise) including offers of assistance, policy drafts, or study visit invitations given or offered to the government, its agencies, officials and their relatives. (3.4)						5
None						
<b>TOTAL 90</b>						

<sup>24</sup> Media sidesteps calling Japan Tobacco out on advertising conflicts, Philip Brator, The Japan Times, 14 Jan <http://www.japantimes.co.jp/news/2017/01/14/national/media-national/media-sidesteps-calling-japan-tobacco-advertising-conflicts/#.WVSPzFFLfdA>

<sup>25</sup> For purposes of this question, “consistently” means: a. Each time the FCTC is discussed, 5.3 is explained. AND b. Whenever the opportunity arises such when the tobacco industry intervention is discovered or reported.