

***ASSESSMENT of the CONFORMITY
of NATIONAL POLICIES with the
FRAMEWORK CONVENTION
on TOBACCO CONTROL
in MONGOLIA***

Acknowledgements

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Executive summary

Mongolian society is increasingly experiencing devastating health and social consequences of tobacco consumption with 68.5 percent of males and 30.4 percent of females currently smoking.¹ Tobacco-related disorders such as cardiovascular diseases and cancer are on rise, and have become the first two leading causes of mortality in Mongolia.

Yet, many politicians and decision-makers have traditionally refused to acknowledge smoking as a development issue. As a result, there has always been a lack of political will to make tobacco control a policy priority in Mongolia.

The current assessment looks at the conformity of the national tobacco control legislation with the WHO Framework Convention on Tobacco Control through the review of relevant national policy documents, monitoring of the print and broadcast media for the status of banning tobacco advertising, promotion and sponsorship, and an interview of the randomly selected members of the parliament to elucidate their opinions regarding problems with FCTC enforcement and possible strategies for its improvement.

In general, the national tobacco control legislation and policies are in good compliance with the purpose and key principles of the FCTC. However, not all aspects of a comprehensive tobacco control policy required to optimally reduce tobacco use in the country are addressed. In particular, none of the policy documents has a provision to establish a national coordinating mechanism for tobacco control, which is essential for mobilizing potential partners and encouraging their active participation. Smoking in public places is not banned completely, it is allowed in specially designated areas in indoor workplaces and other public places.

The enforcement of national tobacco control policies is extremely weak. Despite the ban of tobacco advertisement by three laws (Law on Tobacco Control, Law on Advertisement and Law on Public Radio and Television), the tobacco industry freely advertises its products via all communication channels. In doing so, it uses misleading messages to promote their product as not harmful to health.

These weaknesses stem largely from the lack of political commitment to tobacco control. The tobacco industry apparently has connections with political forces,² and has a strong economic influence on the media. It is alarming that none of twelve randomly selected MPs had known of the FCTC, and all but one recommended to leave tobacco manufacturing to market forces without much involvement of the state.

The findings of the current assessment reveal a need for a national intersectoral tobacco control committee to provide leadership for comprehensive tobacco control, for the greater involvement of local authorities in tobacco control and law enforcement, and for more scientific evidence to effectively counter the industry's misleading messages, including an audit of tobacco industry's spending on advertisements.

Assessment of the Conformity of National Policies with the Framework Convention on Tobacco Control in Mongolia

¹ N. Nyamdavaa, J. Chinburen *Study on Public KAPB as It Relates to Primary Liver Cancer*. Ulaanbaatar, 2003 (www.moh.mn/moh%20db/HealthReports.nsf)

² Interview with Mr. Sharavdorj Ts., MP

1. Background

Mongolian society is increasingly experiencing devastating health and social consequences of tobacco consumption with 68.5 percent of males and 30.4 percent of females currently smoking.¹ These rates are higher than the average of both developed and developing countries.²

Increase in smoking by young people and women is particularly alarming. A 1999 nationwide survey found that 86.3% of college students were smokers. The average age of smoking initiation was 16.7 and 17.2 years for boys and girls, respectively. There were four times more boys who smoked compared to girls in 10-13 year age group, while in 14-20 year age group the numbers were fairly similar with slightly more boys smoking.³

Tobacco-related disorders such as cardiovascular diseases and cancer are on rise, and have become the first two leading causes of mortality in Mongolia.⁴ In particular, lung cancer is currently the second and fifth leading cause of cancer mortality in men and women, respectively.⁵

Yet, many politicians and decision-makers have traditionally refused to acknowledge smoking as a development issue. As a result, there has always been a lack of political will to make tobacco control a policy priority in Mongolia. The first policy document on tobacco control in the country (Law of Mongolia to Combat Tobacco Hazards) appeared only in 1993 under the leadership of the Minister of Health and with the support of WHO. It was followed by the approval of four other policy documents on tobacco control until the end of 1996, when a new government was formed and a new Minister of Health and Social Welfare was appointed. Four years of the new cabinet administration were not marked with significant advances in tobacco control. In 2000 a new cabinet was formed, and the former Minister of Health under the leadership of whom the first anti-tobacco legislation was approved, was re-appointed, and once again led Mongolia's battle against tobacco. A dozen of policy documents on tobacco control, including the FCTC have been ratified during the administration of this cabinet (2000-2004). Subsequent approval of the Law of Mongolia on Tobacco Control and National Programme on Non-Communicable Disease Control in 2005, was also the work initiated under the leadership of the Minister of Health.

However, the enforcement of the FCTC and national tobacco control legislation remains inadequate, especially in terms of the adoption of "comprehensive multi-sectoral national tobacco control strategies in accordance with the Convention" (Article 5, FCTC), "prohibition of the sales of tobacco products to under age persons" (Article 16, FCTC), and "undertaking a comprehensive ban of all tobacco advertising, promotion and sponsorship" (Article 13, FCTC).

¹ N. Nyamdavaa, J. Chinburen *Study on Public KAPB as It Relates to Primary Liver Cancer*. Ulaanbaatar, 2003 (www.moh.mn/moh%20db/HealthReports.nsf)

² World Health Organization. *Worldwide trends in tobacco consumption and mortality* (<http://www.druglibrary.org/SCHAFFER/tobacco/who-tobacco.htm>)

³ *KAP of Adolescents on Health Survey Report*, MOH and WHO Mongolia, 1999

⁴ *Annual Health Statistics Report*, MOH Mongolia, 2005

⁵ *Annual Cancer Report*, National Cancer Center of Mongolia, 2005

Therefore, the current assessment is initiated to look at the conformity of the national tobacco control legislation with the FCTC, and to propose strategies for effective enforcement of the FCTC in Mongolia.

2. Goal and Objectives

The overall goal of the current study is to assess the enforcement of the WHO Framework Convention on Tobacco Control in Mongolia and to disseminate its findings and recommendations for public awareness-building and drawing due attention of both implementing agencies and decision-makers.

Specific objectives are:

1. To assess the compliance of the national tobacco control legislation, policies and programs with the purpose and key principles of the FCTC
2. To assess the enforcement of the FCTC provisions on ban of tobacco advertising, promotion and sponsorship
3. To recommend strategic options for improving the FCTC enforcement
4. To disseminate the research findings to the general public and decision-makers

3. Methodology

Relevant national policy documents have been reviewed to assess their compliance with FCTC purpose, key principles and provisions (see Appendix 1 for a list of policy documents reviewed). A total of 29 policy documents have been reviewed, of which 25 were issued prior to 2004, the year when the FCTC was ratified in Mongolia.

Print and broadcast media were also monitored for the status of banning tobacco advertising, promotion and sponsorship. All issues of the most read weekly newspaper (“Seruuleg”) and two major national daily newspapers (“Onoodor” and “Odriin medee”) for 2004, the weekend TV programs of two national TV broadcasting companies (MN and UBS) for December 2005 and billboards on three major streets of the city (Peace Avenue, Youth Avenue and Sunway Street) have been reviewed and assessed for tobacco advertisement and promotion.

Finally, twelve randomly selected members of the parliament were interviewed to elucidate their opinions regarding problems with FCTC enforcement and possible strategies for its improvement.

Data were collected using validated policy review checklist (Appendix 2), media review checklist (Appendix 3) and legislator interview form (Appendix 4).

4. Results

4.1 Policy Review Findings

Review of the tobacco control policy documents has demonstrated that they do not address all aspects of a comprehensive tobacco control policy required to optimally reduce tobacco use in the country. In particular, several FCTC provisions to reduce demand for tobacco are not reflected in national policy documents, including:

- requirement for manufacturers and importers of tobacco products to disclose to the Government fair information about the toxic constituents and emissions of tobacco products;
- requirement that unit packets and packages of tobacco products for retail and whole sale use carry the statement “Sales only allowed in (insert name of the country or region)”;
- requirement for all sellers of tobacco products to place a clear and prominent indicator/board inside their point of sale about the prohibition of tobacco sales to minors;
- ban of the sale of tobacco products in any manner by which they are directly accessible, such as store shelves; and
- ban of the manufacture and sale of sweets, snacks, toys or any other objects in the form of tobacco products.

However, in general the national tobacco control legislation and policies are in good compliance with the purpose and key principles of the FCTC.

4.1.1 *Coordination and financing of tobacco control*

National policies fail to promote the establishment of mechanisms for mobilizing potential partners and encouraging their active participation in tobacco control. None of the policy documents has a provision to establish a national coordinating mechanism for tobacco control. Officials argue that the National Committee on Public Health established by the Government Resolution No.149 (2002) could be viewed as such a mechanism, since the Committee is responsible for the coordination of inter-sectoral cooperation in the implementation of public health programs. However, the Committee has never discussed tobacco control issues since its establishment. Furthermore, the Law of Mongolia on Tobacco Control, which was approved in 2005 after the ratification of the FCTC, has limited inter-sectoral collaboration to the state administrative organizations in charge of health, professional inspection and customs affairs, and a national committee on standardization by spelling out the role of only the above organizations in tobacco control.

Effective tobacco control requires self-financing, and this prerequisite is well addressed in policy documents. The State Policy on Public Health approved by the Parliament Resolution 81 (2001) states that certain amount of excise tax should be spent for health promotion and protection. This provision is further endorsed by the Law on Tobacco Control (2005), which holds that two percent of excise tax revenue should be used for setting up a health promotion fund. **Thus, the law has provided a legal basis for establishing a sustainable source of funding for tobacco control measures.**

4.1.2 *Reduction of demand for tobacco*

Price and tax measures

The Law on Tobacco Control (2005) holds that tobacco control and health promotion activities will be financed through continuously increasing taxes on tobacco, which is proven to decrease tobacco consumption especially among children and young people. Excise tax on tobacco was increased six times through amendments to the Law on Excise Tax in 1995, 1997, 1999, 2000, 2001 and 2004. Currently, excise tax is set at 0.60 USD per 100 domestic cigarettes, 0.30 USD per 100 imported cigarettes and 0.30 USD per kilogram of pipe and other loose tobacco products.

As for restricting sales to and/or importations by international travelers of tax- and duty-free tobacco products, according to the Order of the Head of the Customs General Office No.115 (2002), for travelers aged above 16 tax exemption is granted for importation of not more than 200 cigarettes, 50 cigars and 250 grams of loose tobacco.

Protection from exposure to tobacco smoke

Smoking in public places is not banned completely. The Law on Tobacco Control (2005) prohibits smoking in public transport, but allows it in specially designated areas in indoor workplaces and other public places. It also requires public dining places and restaurants to have a non-smoking hall only if the place has two or more halls.

Health warnings are only applicable at the point of sale. Furthermore, policy provisions concerning health warnings are ambiguous. The National Standard of General Technical Requirements for Cigarettes (2001) holds that health warnings shall be written on each unit packet and package of tobacco products in either Mongolian or English. The warnings shall be more than 20% of the principle display area on both sides (front and back) of the packet, and placed so that it can not be broken or damaged when opening the packet. However, the Law on Tobacco Control (2005) has a provision to have health warnings in Mongolian, which shall be not less than one-third of the principle display area on both sides of the packet, and may be in the form of or include pictures or pictograms.

The Law on Tobacco Control (2005) has no provision to disclose information about toxic constituents of tobacco products and their emissions. However, Order of the Minister of Health No. A/15 of 1994 and Order of the Minister of Health and Social Welfare No. 194 of 2000 set the maximum tar and nicotine content, and require that packaging and labeling of each unit packet and package of tobacco products shall bear information on tar and nicotine content.

Tobacco advertisement

Tobacco advertisement through press and other media (including radio, television and internet), cinemas, billboards, posters, announcements, passenger tickets and other direct advertisement using tobacco and tobacco trademark is banned by the Law on Tobacco Control (2005). In addition, the Law on Advertisement (2002) prohibits the advertisement of excise tax products, and the Law on Public Radio and Television (2005) bans commercial and indirect advertising of tobacco on radio and television.

It is prohibited for tobacco manufacturers to sponsor cultural, sports and other public events, and to provide any donation and/or aid according to the Law on Tobacco Control (2005). The Law on Public Radio and Television (2005) states that any legal entity, which produces goods and services banned to be advertised, is prohibited to sponsor public radio and TV programs.

4.1.3 Reduction of the supply of tobacco

Illicit trade in tobacco products

The Law on Tobacco Control (2005) banned import, export and trade of tobacco products with no excise tax stamp, or with “Made in Mongolia” label if manufactured in other countries. It also requires the notification of the manufacturer’s name, country of origin, date, name of importer and permission to trade in Mongolia.

“Regulation on confiscated alcohol and tobacco products without excise tax stamp or with counterfeit stamp” (Order of the Director of State Taxation Agency No. 84 of 2001) requires confiscated tobacco products, which do not meet the quality requirements of the National Standard of General Technical Requirements for Cigarettes (2001) to be destroyed. However, no policy documents have provision to confiscate and destroy equipment used in illicit production of tobacco products.

Measures to monitor, document and control the movement of tobacco products include special licensing of production and distribution of tobacco products, and mandatory reporting of excise tax stamp use and confiscation/destruction of illicit tobacco products. Law on Special Licensing for Business Entities (2001) holds that the operations to grow, manufacture and trade tobacco products must be licensed. In accordance with the Law on Tobacco Control (2005) the Government issues special license to grow, manufacture and import tobacco products based on the recommendations from the Ministry of Food and Agriculture and the Ministry of Trade and Manufacture. Special licenses for trading tobacco products are issued by local governors. Recording and reporting of the movement of tobacco products is regulated by “Regulation on information exchange for importing tobacco and alcohol products” (Joint Order of Director of State Taxation Agency and Director of State Custom Agency No. 159/446 of 2002), “Approval of updated reporting forms” (Order of Director of State Taxation Agency No. 115 of 2005) and “Bylaw of Border Inspection Unit” (Order of Director of State Professional Inspection Agency No. 134 of 2003).

Tobacco sales to and by minors

Law on Tobacco Control (2005) banned tobacco sales to minors below 16, and tobacco sales by individuals below 18 years of age. It defines a wide range of penalties including monetary fine and confiscation of the income generated by such illegal sales, as well as penalties for officers and legal bodies that breached the above provision.

The Law on Tobacco Control (2005) prohibits the sale of cigarettes individually or in small packets and loose and pipe tobacco by opening packets. The National Standard of General Technical Requirements for Cigarettes (2001) set the requirement of the minimum of 20 cigarettes per pack. The donation and distribution

of free tobacco products is banned by the Order of the Minister of Health and Social Welfare No. 228 (2000).

4.1.4 *Research, surveillance and exchange of information*

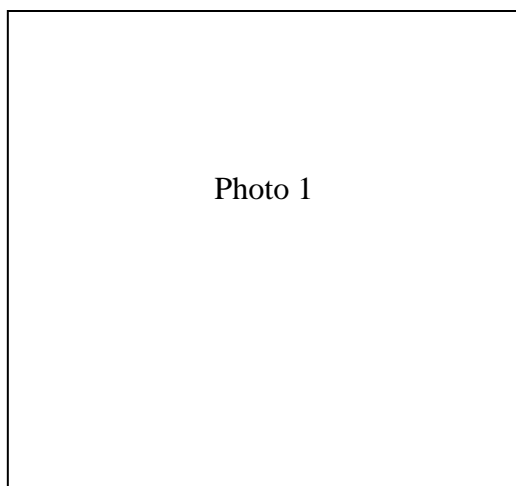
The National Programme on Prevention and Control of Non-Communicable Diseases contains a number of broadly stated provisions on promotion of research, exchange of information on tobacco control, including the establishment of an integrated system of tobacco surveillance.

4.2 Media Review Findings

Media review has revealed that despite the ban of tobacco advertisement by three laws (Law on Tobacco Control, Law on Advertisement and Law on Public Radio and Television), the tobacco industry freely advertises its products via all communication channels.

Of 784 newspaper issues reviewed, tobacco advertisements appeared in 52 (6.7%) issues. In contrast, anti-tobacco messages were found in only 4 (0.5%) newspaper issues, of which one was a press release from MOH on Tobacco-Free Day, one was a statement from the Ministry of Health and two articles against tobacco advertisement.

The advertisements ranged from vacancy announcements for tobacco salespersons in regular classifieds to announcements of upcoming cultural events sponsored by tobacco companies and tobacco sweepstakes.



Symbol of the perfect, LANDUS BRAND is proud of presenting ELEGANCE fashion show

“The mission of the world famous Korean KT&G company is to invest in social wellbeing. Our motto is THE PERFECT WORLD, and our products are intended for the elite, who define contemporary trends in life and fashion”

*O. Amartuvshin
General Director
Official Distributor of Landus*

Tobacco companies especially emphasize “western style”, “luxury” and “good living” in their advertisement to appeal to young people and the poor.

“Discover a new Davidoff pack. We created for you the next level in luxury smoking. If we are this particular about our packs, imagine how perfect our cigarettes must be. Some brands have soul, but this brand, Davidoff, has passion for the art of living”.

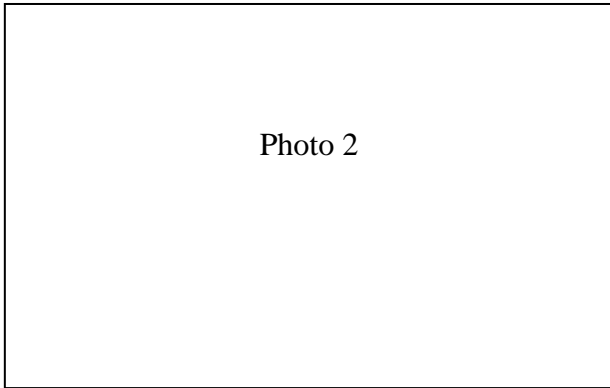


Photo 2

**ENGLISH QUALITY
Sweepstakes**

- Get 2 packs of pasta for 30 empty LD boxes
- 2 bags of flour for 50 boxes
- 5 kg of flour for 100 boxes
- 5 kg of rice for 150 boxes
- 3 kg of sugar & 3 kg of rice for 200 boxes
- 10 kg of flour & 3 kg of rice for 300 boxes
- 10 kg of flour, 3 kg sugar & 3 kg of rice for 500 boxes

Tobacco advertisements focus on tobacco manufacturing processes to demonstrate “the use of the latest technology for the protection of your health”.

“Coal filter – Guarantee of your health. Double coal filter offers maximum filtration of all toxic elements in tobacco and protects your health”

“Is your choice right? Mongolian stars choose light cigarettes and health. KT&G continuously improves its technology to preserve the original taste of tobacco while decreasing tar and nicotine contents in its LANDUS and MOUNT brands. We spend 50 million US dollars annually in the search of a product not harmful to human health. Next time you make a choice, think about what you really need”

Screening of the weekend TV programs of two national broadcasting companies (MN and UBS) found that 5 of 15 movies portrayed images of smoking people. Moreover, the UBS weather forecast used recordings of the annual “Elegance” fashion show (with on-stage tobacco advertisement billboards), which was sponsored by “Landus” tobacco brand. Video clips of two popular bands sponsored by the same tobacco brand with images of singers lighting up “Landus” cigarettes were broadcasted during the screening period as well.

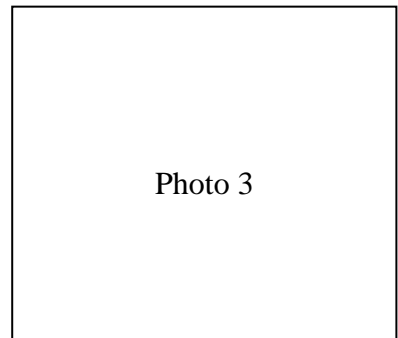


Photo 3

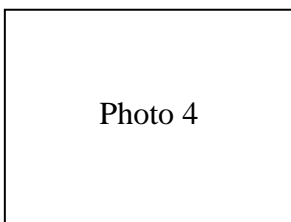


Photo 4

Assessment of outdoor billboards on three major streets of the city (Peace Avenue, Youth Avenue and Sunway Street) has detected 12 tobacco billboards, of which eight bear “Davidoff” advertisements. Besides, almost all bus stops and kiosks were “decorated” with tobacco advertisement.

4.3 Legislator Interview Findings

Twelve randomly selected members of the parliament were interviewed (see Appendix 5 for a list of interviewees). Of them, 11 were males and four smoked.

Two interviewees could not name any legal instruments governing tobacco control in the country. Others only knew the Law on Tobacco Control (2005). None of the respondents knew about the FCTC. Overall, the interviewees considered the implementation of the Law on Tobacco Control to be poor, especially with regards to the ban of smoking in public places, the ban of tobacco sales to under age persons,

and the prohibition of the sale of cigarettes individually or in small packets. The reasons for that were seen in inadequate enforcement of the law, lack of political leadership and tobacco industry's connections with political forces in the country.

“Laws are passed and forgotten. Endorsement of the law becomes a one time event. Yet, tobacco harm is only increasing ”

Mr. Badamjunai T., MP

“There have been and still are high level officials who own tobacco businesses. The state is very inactive and is failing to fulfill its responsibilities. Tobacco advertisement is growing. The issue of health promotion fund is not discussed by the Parliament. All involved parties fail to do their job. Not much is heard about the implementation of the Law on Tobacco Control ”

Mr. Sharavdorj Ts., MP

The majority of the interviewees agreed that the ban of all forms of tobacco advertisement should be enforced more rigorously, and that currently tobacco advertisement was abundant in the country in all forms including street billboards, sponsorship of sports and cultural events, brand name advertisements and distribution of free cigarettes in the House of the Parliament. However, four MPs considered tobacco advertisement to be almost inexistent in the country. Furthermore, one of them even held the view that *“tobacco advertisement should not be banned. It is only important for the people not to get fooled by the advertisements”*.

Surprisingly, only one respondent considered tobacco manufacturing as unnecessary in Mongolia. The rest agreed that there should be tobacco manufacturing in the country given the demand and economic benefits, and that *“there is no need for the state's involvement in this issue, which should be regulated purely by market rules. The state should only be involved in the quality assurance to ensure that tobacco products with minimal health hazards are produced”*. One of the respondents even saw the need for *“a serious consideration of starting to grow tobacco in the country”*.

When asked how to reduce tobacco use and strengthen tobacco control, four MPs expressed an opinion that *“human addiction cannot be regulated by law”* and *“there is not much the state can do about tobacco advertisement, sale of cigarettes individually and tobacco manufacturing since these issues are regulated by market forces”*. The others suggested to include in the Law on Tobacco Control provisions to ban tobacco advertisement, indoor smoking, tobacco sales to under age persons and sale of cigarettes individually, albeit the Law has already have the above provisions. Much importance has been given to educating the public (especially children and youth) about tobacco harm, increasing the role and responsibilities of local authorities in tobacco control, and encouraging political leadership.

“There is very little tobacco control activity in schools. Anti-tobacco education needs to be incorporated into the secondary school curriculum”

Mr. Badamjunai T., MP

“Local authorities need to take the lead in tobacco control. They need to have this issue on their meeting agendas regularly. We need to increase the responsibility of local governors in tobacco control”

Mr. Adiya G. , MP

“Initiatives from NGOs are essential”

Mr. Lambaa S., MP

“We have a very comprehensive law on tobacco control. What is needed is just its enforcement. Law enforcement agencies need to do their job”

Mr. Eredeneburen R., MP

“When we talk about tobacco control, there should be no room for compassion, apology and compromise. In the current situation of strong networking between the politics and business, the state is inept. A strong political coalition against tobacco industry is needed ”

Mr. Sharavdorj Ts., MP

5. Conclusions

The current assessment has revealed that in general the national tobacco control legislation and policies are in good compliance with the purpose and key principles of the FCTC. However, some policy provisions are ambiguous, and the enforcement of national tobacco control policies is extremely weak.

Mongolia remains the country with one of the highest rates of smoking among both males and females, yet with no national coordinating mechanism for tobacco control and with one of the lowest excise taxes on tobacco.

Although there is a legal provision to establish a health promotion fund using two percent of excise tax revenue, no information regarding the fund operations could be obtained. Smoking in public places is not banned completely. It is allowed in specially designated areas in indoor workplaces and other public places.

Despite the ban of tobacco advertisement by three laws (Law on Tobacco Control, Law on Advertisement and Law on Public Radio and Television), the tobacco industry freely advertises its products via all communication channels. In doing so, it uses misleading messages to promote their product as not harmful to health.

These weaknesses stem largely from the lack of political commitment to tobacco control. Moreover, the tobacco industry apparently has connections with political forces, and has a strong economic influence on the media. It is alarming that none of twelve randomly selected MPs had known of the FCTC, and all but one recommended to leave tobacco manufacturing to market forces without much involvement of the state. Furthermore, MPs commonly voiced an opinion that there was not much the state could do about tobacco control, and it was an individual responsibility not to get lured by the tobacco industry.

6. Recommendations

- To establish a national intersectoral tobacco control committee with the representatives from the government, non-governmental organizations and civil society to provide leadership for comprehensive tobacco control;
- To institutionalize an advocacy campaign for policy and decision-makers at all levels to build political commitment to tobacco control;

- To decentralize tobacco control initiatives by supporting and encouraging the involvement of local authorities;
- To bring tobacco control policies in conformity with the FCTC and each other by making necessary revisions and amendments, particularly concerning health warnings, indoor smoking and disclosure of fair information about the toxic constituents and emissions of tobacco products;
- To institute tobacco control policies and programs in schools;
- To generate more scientific evidence to effectively counter the industry's misleading messages;
- To conduct a comprehensive assessment of the economic impact of tobacco;
- To carry out an audit of tobacco advertisements as to how much is spent and in which media;
- To collaborate with neighboring countries in order to strengthen tobacco control in the region.

List of Policy Documents Reviewed

1. Law of Mongolia on Combating Tobacco Hazards (approved in 1993; amended in 1995 and 1997)
2. Law of Mongolia on Excise Tax (approved in 1993; amended in 1994,1995,1998, 1999, 2000 and 2004)
3. Law of Mongolia on Value Added Tax (1998)
4. Law of Mongolia on Excise Tax Stamp (approved in 2000; amended in 2001, 2002 and 2003)
5. Law of Mongolia on Special Licensing for Business Entities (2001)
6. Law of Mongolia on Advertisement (2002)
7. Law of Mongolia on Tobacco Control (2005)
8. Law of Mongolia on Public Radio and Television (2005)
9. State Policy on Public Health approved by the Resolution of the Parliament No.81 (2001)
10. Resolution of the Government No.224 (2001) on Scaling-Up of Health Promotion
11. Resolution of the Government No.149 (2002) to approve the Membership of the National Committee on Public Health
12. Bylaw of the State Professional Inspection Agency approved by the Resolution of the Government No.37 (2003)
13. National Programme on Prevention and Control of Non-Communicable Diseases approved by the Resolution of the Government No.246 (2005)
14. Order of the Ulaanbaatar City Mayor No.A/88 (1994) on Measures to Implement the Law on Combating Tobacco Hazards
15. Order of the Chief Inspector of Public Hygiene and Epidemiology No.2 (1994) on Measures to Combat Tobacco Hazards
16. Order of the Minister of Trade and Manufacture No.48 (1994) on Measures to Combat Tobacco Hazards
17. Order of the Minister of Infrastructure No.33 (1994) on Measures to Combat Tobacco Hazards
18. Order of the Minister of Health No.A/15 (1994) on Measures to Intensify Tobacco Control
19. Order of the Minister of Health and Social Welfare No.A/402 (1997)

20. Order of the Minister of Finance No.41 (2001)
21. National Program on Cardiovascular Disease Prevention approved by the Order of the Minister of Health and Social Welfare No.194 (2000)
22. Regulation on Importing and Hygienic Inspection of Tobacco Products approved by the Order of the Minister of Health and Social Welfare No.228 (2000)
23. National Standard of General Technical Requirements for Cigarettes (2001)
24. Regulation on Confiscated Alcohol and Tobacco Products without Excise Tax Stamp or with Counterfeit Stamp approved by the Order of the Director of State Taxation Agency No.84 (2001)
25. Regulation on Information Exchange for Importing Tobacco and Alcohol Products approved by the Joint Order of the Director of State Taxation Agency and the Director of State Custom Agency No.159/446 (2002)
26. Regulation on Customs Declaration of Goods and Medicines for Personal Use approved by the Order of the Director of State Custom Agency No.115 (2002)
27. Bylaw of Public Health Sub-Committees approved by the Decision of the Public Health Committee meeting of Sep 30, 2002
28. Bylaw of Border Inspection Unit approved by the Order of the Director of State Professional Inspection Agency No.134 (2003)
29. Approval of Updated Reporting Forms by the Order of the Director of State Taxation Agency No.115 (2005)

Policy Review Checklist

Name of the policy document

Date of approval

Implementation period

ONE. General article

1. Is there any article on establishment of national coordinating mechanisms for tobacco control?

Yes (indicate the article) _____

No

2. Is there any article to support the establishment of national coordinating mechanisms for tobacco control?

Yes (indicate the article) _____

No

3. Is there any article on funding of national tobacco control coordinating mechanism?

Yes (indicate the article) _____

No

4. Is there any article on prevention or reduction of tobacco consumption?

Yes (indicate the article) _____

No

TWO. Price and tax measures to reduce the demand of tobacco

5. Is there any article on tobacco taxation policy?

Yes (indicate the article) _____

No

6. Is there any article on price of tobacco products?

Yes (indicate the article) _____

No

7. Is there any article on tax exemption for importation/selling or prohibition/limitation for international passengers?

Yes (indicate the article) _____

No

THREE. Measures to protect from tobacco harm

8. Is there any article to protect people from exposure to tobacco smoke at workplaces, public transportations and other public places?

Yes (indicate the article) _____

No

9. Is there any article on investigation of toxic constituents in tobacco products and their emission?

Yes (indicate the article) _____

No

10. Is there any article on requirement from tobacco producers or importers to give true information to the Government on toxic constituents and their emission of tobacco products?

Yes (indicate the article) _____

No

11. Is there any article on requirement from tobacco producers and importers to make open to the public the content of toxic substances and their emissions?

Yes (indicate the article) _____

No

FOUR. Measures against tobacco advertisement

12. Is there any article on prohibition of placement of false or misleading information on health impact, content of toxic substances (for example: light, low content of tar, etc.) on the tobacco packages?

Yes (indicate the article) _____

No

13. Is there any article requiring placement of true information on health impact and characteristics of the product on tobacco packages?

- Yes (indicate the article) _____

- No
14. Is there any article requiring approval of information to be placed on the package of tobacco by authorised body?
- Yes (indicate the article) _____

- No
15. Is there any article on requirements of information (for example: big, visible, occupying not less than 30% etc.)?
- Yes (indicate the article) _____

- No
16. Is there any article requiring placement of true information on content of toxic substances, their emission on the package?
- Yes (indicate the article) _____

- No
17. Is there any article requiring placement of information on the whole and retail sale packages?
- Yes (indicate the article) _____

- No
18. Is there any article requiring placement of information written in official language?
- Yes (indicate the article) _____

- No
19. Is there any article to provide the public with information and education on tobacco harm?
- Yes (indicate the article) _____

- No
20. Is there any article requiring or supporting participation of public and private sectors in tobacco control activities?
- Yes (indicate the article) _____

- No
21. Is there any article on ban of tobacco advertisement on radio, TV, press, internet and any other all means of media?
- Yes (indicate the article) _____

- No

22. If tobacco advertisement is not banned, is there any article requiring the tobacco producers and importers to give the Government true information on total amount of expenses for tobacco advertisement?

Yes (indicate the article) _____

No

23. Is there any article on prohibition of tobacco producers and importers' sponsorship of international events and participants?

Yes (indicate the article) _____

No

24. Is there any article on prohibition of direct and indirect forms of promotion of tobacco consumption (lucky draw, winnings etc.)?

Yes (indicate the article) _____

No

FIVE. Tobacco cessation measures

25. Is there any article on implementation of effective tobacco cessation programs at the educational, health organizations and other workplaces and during sports events?

Yes (indicate the article) _____

No

26. Is there any article on implementation of diagnostic, treatment, preventive and consultation programs of tobacco addiction in health institutions and rehabilitation centres?

Yes (indicate the article) _____

No

SIX. Illicit trade of tobacco products

27. Is there any article requiring clear information of producer of tobacco on packages?

Yes (indicate the article) _____

No

28. Is there any article on requirement of indication of places (country and region etc.) permitted trade of tobacco products on packages?

Yes (indicate the article) _____

No

29. Is there any article on requirement of collection of information on transborder and illicit trade of tobacco products?

Yes (indicate the article) _____

No

30. Is there any article on prohibition and/or penalty of illegal trade of tobacco products?

Yes (indicate the article) _____

No

31. Is there any article on confiscation of income from illegal production and trade of tobacco?

Yes (indicate the article) _____

No

32. Is there any article on liquidation of equipments and products used for illegal tobacco production and trade?

Yes (indicate the article) _____

No

33. Is there any article on controlling, documenting and monitoring measures of producing, storing and selling tobacco products in certain places?

Yes (indicate the article) _____

No

34. Is there any article on licensing of tobacco production and trade in order to exterminate illegal actions?

Yes (indicate the article) _____

No

SEVEN. Prohibition of tobacco trade to and by minors

35. Is there any article on prohibition of tobacco sales to children?

Yes (indicate the article) _____

No

36. Is there any article requiring that all sellers of tobacco products place a clear and prominent indicator inside their point of sale about the prohibition of tobacco sales to minors?

Yes (indicate the article) _____

No

37. Is there any article prohibiting sale of tobacco products in any manner by which they are directly accessible, (such as store shelves)?

Yes (indicate the article) _____

No

38. Is there any article prohibiting manufacture and sale of sweets, snacks, toys or any other objects in the form of tobacco products, which appeal to minors?

Yes (indicate the article) _____

No

39. Is there any article prohibiting free distribution of tobacco products?

Yes (indicate the article) _____

No

40. Is there any article prohibiting sale of cigarettes individually or in small packets?

Yes (indicate the article) _____

No

41. Is there any article prohibiting sale of tobacco products by minors?

Yes (indicate the article) _____

No

42. Is there any article on penalties for violations of sale of tobacco to and by minors?

Yes (indicate the article) _____

No

EIGHT. Tobacco research and exchange of information

43. Is there any article supporting researches on causes and outcomes of tobacco consumption?

Yes (indicate the article) _____

No

44. Is there any article on supporting and training of bodies engaged in tobacco control activities, including research, implementation and evaluation?

Yes (indicate the article) _____

No

45. Is there any article on guidance to collection, analysis and dissemination of information on tobacco surveillance?

Yes (indicate the article) _____

No

46. Is there any article on establishment of legislation information fund of tobacco control and regular update of it?

Yes (indicate the article) _____

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NINE. Others

Media Review Checklist

Name of media

Issue number and
date

1. Is there any deceptive and misleading information about the health effects and toxic constituents of tobacco products? ("mild", "low tar" etc.)

Yes (indicate the article) _____

No

2. Is there any correct information on characteristics and health effects of tobacco products?

Yes (indicate the article)

No

3. Is there any large and visible information on health effects and characteristics of tobacco products? (no less than 30% of the principal display areas)

Yes (indicate the article)

No

4. Is there any correct information on contents and emissions of toxic products in tobacco?

Yes (indicate the article)

No

5. Is there any information on tobacco health effects and characteristics written in official language?

Yes (indicate the article)

No

6. Is there public educational information on tobacco harm?

Yes (indicate the article) _____

No

7. Is there any information on sponsorship of public events by tobacco producers and importers?

Yes (indicate the article) _____

No

8. Is there any information on direct or indirect promotion of tobacco consumption? (lucky draw, winnings etc.)

Yes (indicate the article) _____

No

9. Is there any clear and visible information about not to sale of tobacco products to minors?

Yes (indicate the article) _____

No

10. Is there any information on manufacture and sale of sweets, snacks, toys or any other objects in the form of tobacco products which appeal to minors?

Yes (indicate the article) _____

No

11. Is there any information on free distribution of tobacco?

Yes (indicate the article) _____

No

12. Is there any information on retail sale of tobacco products?

Yes (indicate the article) _____

No

Others

Legislator Interview Form

NAME

Position

Date of interview

47. Please name the legislations and regulations on the tobacco control in Mongolia

- _____
- _____
- _____

48. What do you think about enforcement of tobacco control laws and regulations?

- good fair bad

49. What acts of these laws and regulations are most violated?

50. What do you think about the reasons of violations?

51. What is your opinion regarding the tobacco advertisement and sponsorship in Mongolia?

52. What actions need for ban of tobacco advertisement totally?

53. Your opinion regarding selling of cigarettes in pieces?

54. What is your opinion on how to stop selling of cigarettes in peices?

9. Is there a tobacco industry in Mongolia? Your opinion on tobacco industry?

10. What is your opinion regarding the actions to reduce tobacco consumption?

11. What measures can be taken to improve the enforcement of tobacco control legislations?

12. Do you smoke?

Appendix 5

List of the Members of the Parliament Interviewed

1.	R. Erdeneburen	2006. 07. 06
2.	N. Batbayar	2006. 07. 06
3.	B. Batbaatar	2006. 04. 03
4.	T. Badanjunai	2006. 07. 06
5.	B. Batbayar	2006. 07. 06
6.	D. Dondog	2006. 06. 29
7.	D. Arvin	2006. 04. 12
8.	R. Bud	2006. 07. 06
9.	Ts. Sharavdorj	2006. 04. 02
10.	G. Adiya	2006. 06. 29
11.	S. Lambaa	2006. 07. 06
12.	R. Badamdandin	2006. 07. 06