







EFFECTIVE REGULATION OF TOBACCO PRODUCTS Round Table Meeting Report

MONGOLIAN NATIONAL CHAMBER OF COMMERCE AND INDUSTRY

ULAANBAATAR, MONGOLIA 2017.10.25



AGENDA

9:30 - 9:50 Registration

9:50 - 10:05 Moderator M.SARANDAVAA / Deputy CEO of MNCCI/

· Welcome, Introduction of Participants

10:05 – 10:30 D.Narantuya /Retailor association consultant/

"Current Situation of Effective regulation of tobacco products"

10:30 – 11:00 Zhibek Azhibaeva / Retail Association Vice President/

- International experience
- Creating new anti-tobacco committees (10% of taxes from the budget for financing new unknown committees) - effectiveness and impact
- Giving the same status for FCTC as local legislation effectiveness and impact
- RDB effectiveness and impact

11:00 - 11:20 Coffee Break

11:20 - 11:40 E.Chuluunbaatar / Retailor association consultant

 "Current effectiveness of anti-tobacco draft of legislation on retailers in Mongolia"

11:40 – 12:10 Natalya Kornienko / Deputy head of tax laboratory, Gaidar economic policy institute/

- International experience Roundtable discussions on effectiveness of the proposed norms, impact of the amendments on the retailers, customers and government.
- SIPP ban effectiveness and impact
- 50m. outside smoking ban effectiveness and impact
- 500m selling ban effectiveness and impact
- Increasing the PHW's till 75% effectiveness and impact

12:10 – 12:30 Rhoda Severino /APTRA (Asia Pacific Travel Retail Association) representative/

- International experience
- Taxation for duty-free shops effectiveness and impact

12:30 - 12:45 Participants

 Reports and Discussion on Proposals/Ideas for More Effective Methods of Tobacco Control

12:45 – 13:00 Moderator M.SARANDAVAA / Deputy CEO of MNCCI/

Round Table Meeting Conclusion

13:00 - Lunch



SUMMARY

The Retailer's Association of Mongolia and the Mongolian National Chamber of Commerce and Industry have organized a Round table meeting on "Effective Regulation of Tobacco Products". There were 63 people participating in the "Effective Regulation of Tobacco Products" Round table meeting. For instance, Member of Parliament of Mongolia, N.Oyundari took part in this event and a Member of Parliament Ms.Undarmaa's representative came and shared their opinions on the "Effective Regulation of Tobacco Products".

Also from the Ministry of Finance the Director of Budget Policy & Planning Department attended the Round Table along with the other participants representing the Mongolian National Chamber of Commerce and Industry, Ministry of Food, Agriculture and Light Industry, Tax Authority, Ulaanbaatar City Mayor's office (Department of Trade and Service), Food and Agriculture Association NGO, Duty Free councils, Retailer's Association and other Supermarket and Small stores. All attendees have shared their views on the draft anti-tobacco legislation and contributed to the discussions with facts and opinions.

The Round Table meeting started with the Moderator Mr. N.Sarandavaa's (Deputy CEO of MNCCI) strong points on international experiences of anti-tobacco legislation and practices on enforcing the regulations. Following this the Retailer's Association's consultant Ms.Narantuya made a presentation that was full of facts of how Mongolian small shop owners are affected by the anti-tobacco legislation and how people still sell tobacco products under the table, in a hidden manner.

Member of Parliament Ms. N.Oyundari shared her opinion about retailers, who are one of the key people in the country's economic development. She informed that the parliamentarians have been working on development of improved legal framework for business environment in Mongolia. She admitted that, in reality, some of those decisions are not working as they were intended for.

Invited international speakers Ms.Zhibek Azhibaeva and Ms.Natalya Kornienko talked about how other countries approached the same situation and which solutions could best fit to Mongolia.

The Executive Director of Retailer's association of Mongolia, Mr.E.Chuluunbaatar came well prepared and explained to participants about loopholes in the current anti-tobacco legislation and about the draft law to be submitted to parliament hearings. He also showed to the audience a map, where 90% of Ulaanbaatar territory is covered with prohibited places to sell tobacco products, if the draft anti-tobacco legislation will be approved.

The Round table meeting has successfully finished after Moderator's summary of discussions and after reaching a consensus on the Manifesto document based on opinions and ideas from retailers and other participants. The Manifesto will be targeted to all decision-making government organizations and the public.





EVENT

MEETING ROOM





ENTERANCE / REGISTRATION/







PRINTS











PRESENTATIONS







M.SARANDAVAA MODERATOR /DEPUTY CEO OF MNCCI/

PRESENTATION TOPIC:

"CURRENT
EFFECTIVENESS OF
ANTI-TOBACCO
DRAFT OF
LEGISLATION ON
RETAILERS IN
MONGOLIA"

MAIN POINTS OF THE PRESENTATION

- Moderator introduced himself, the speakers of the meeting and explained the objectives of event, organized by the Retailer's Association and the MNCCI.
- Briefly mentioned about international experiences on how antitobacco legislation is enforced and how other countries approached the situation.
- And asked the participating international experts to elaborate on how problems are being solved in their countries.















N.OYUNDARI

MEMBER OF PARLIAMENT MONGOLIA

PRESENTATION TOPIC:

"CURRENT EFFECTIVENESS OF **ANTI-TOBACCO** DRAFT OF **LEGISLATION ON** RETAILERS IN MONGOLIA"

MAIN POINTS OF THE SPEECH

- Retailors are the key people for Development of Mongolia as a country. Parliament of Mongolia have been working on legislation of draft to improve business environment in Mongolia. But in reality those decision are not working as it has intended.
- As you just from Narantuya's /Retailor Association consultant/ presentation, small business owners are still selling tobacco products under the table even though it is prohibited in their shop's area. We cannot give all wrongs instead we should make better open minded anti-tobacco legislation of draft and introduce better monitoring system.
- I think people in this room all worried about better future for Mongolians. But just like other countries in the world, Mongolia has business environment. I believe we can think of better solution and discuss what is not working of anti-tobacco legislation of draft today.
- We will be happy to listen your opinion on to creating new legal environment.









You Tube Click here to watch presentation







D.NARANTUYA RETAILOR ASSOCIATION: **CONSULTANT**

PRESENTATION TOPIC:

"CURRENT SITUATION OF **EFFECTIVE** REGULATION OF **TOBACO** PRODUCTS"

MAIN POINTS OF THE PRESENTATION

- Mongolian Retailer's Association is a union of retailers who's trading business is conducted at the counter not exceeding 200 square meters' space. There are more than 900 members.
- According to our survey of 3000 small shop owners, the draft anti-tobacco legislation would encourage hidden sell or smuggling. Because of lack of monitoring, fake products can be sold extensively. Fake tobacco products will be very harmful for people because they usually don't meet standard requirements.
- Since the enforcement of the existing anti-tobacco law, revenues of retailers have got decreased by 15%-20%.
- FACT: There are 700 small cabin shops (kiosks) that are located outside of prohibited area of tobacco product market in Ulaanbaatar. And 375 of them have official license to sell tobacco products. Other small shops sell tobacco products ignoring the ban and pay no any taxes.









You Tube Click here to watch presentation







ZHIBEK AZHIBAEVA RETAIL ASSOCIATION VICE PRESIDENT

PRESENTATION TOPIC:

"CURRENT
EFFECTIVENESS OF
ANTI-TOBACCO
DRAFT OF
LEGISLATION ON
RETAILERS IN
MONGOLIA"

INTERNATIONAL EXPERIENCE

- International experiences
- How Kazakhstan approached the in same situation.
- SIPP ban effectiveness and impact
- 50m. outside smoking ban effectiveness and impact
- 500m selling ban effectiveness and impact















E.CHULUUNBAATAR

RETAILER ASSOCIATION: **EXECUTIVE DIRECTOR**

PRESENTATION TOPIC:

"CURRENT
EFFECTIVENESS OF
ANTI-TOBACCO
DRAFT OF
LEGISLATION ON
RETAILERS IN
MONGOLIA"

MAIN POINTS OF THE PRESENTATION

- Because of the banning provisions in the anti-tobacco law, there
 is a fear and mistrust between shop owners and customers. I
 think it is not fault of retailers. As long as there is demand there
 will be selling business. We need healthy business
 environment. In order to prevent illegal sell, it is necessary to
 find suitable approaches.
- If new draft law is approved, retailers cannot sell tobacco products in 90% of locations in Ulaanbaatar. This will directly impact incomes of retailers of the city.
- From our Retailer's Association's perspectives, instead of banning sell of tobacco products we could introduce solutions from best international practices. For example:
- Surveillance If we introduce surveillance system, we can prevent hidden markets and monitor if the retailers are selling tobacco to under aged customers.
- Automated tobacco selling machine If we introduce automated machine for selling tobacco products, we can directly exclude sell of tobacco to minors.















NATALYA KORNIENKO

DEPUTY HEAD OF TAX LABORATORY, GAIDAR ECONOMIC POLICY INSTITUTE

PRESENTATION TOPIC:

"INTERNATIONAL EXPERIENCE – ROUNDTABLE DISCUSSIONS ON EFFECTIVENESS OF THE PROPOSED NORMS, IMPACT OF THE AMENDMENTS ON THE RETAILERS, CUSTOMERS AND GOVERNMENT"

MAIN POINTS OF THE PRESENTATION

- International experience
- Giving the same status for FCTC as local legislation effectiveness and impact
- · RDB effectiveness and impact
- Increasing the PHW's till 75% effectiveness and impact

















RHODA SEVERINO

ASTRA (Asia Pacific Travel Retail Association representative)

PRESENTATION TOPIC:

"TAXATION FOR DUTY - FREE SHOPS -**EFFECTIVENESS** AND IMPACT"

MAIN POINTS OF THE PRESENTATION

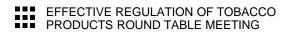
- International experience
- **Duty Free**
- Taxation for duty-free shops effectiveness and impact













ROUND TABLE DISCUSSION

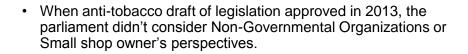


Key Discussion Pointer:



MAIN POINTS OF THE DISCUSSION

Ministry of Food, Agriculture and Industry NGO





D.BULGAN

D.NAMSRAI

Governor's Office of District Chingeltei /Head of Trade and Service Department/

MAIN POINTS OF THE DISCUSSION

- Mentioned the anti-tobacco draft of legislation was working properly just in 2 months. Now every small cabin shop owners are selling under the table.
- Showed her support on Narantuya's presentation and gave participants examples of the district (Chingiltei District) that she is representing

Key Discussion Pointer:



Key Discussion Pointer:

Michael Raj **Duty Free /Director/**

MAIN POINTS OF THE DISCUSSION

Duty Free



ROUND TABLE MEETING CONCLUSION MANIFESTO

Roundtable Meeting on "Effective Regulation of Tobacco Products" Initiated by the Mongolian National Chamber of Commerce and Industry and Mongolian Retail Association took place.

Foreign experts participated in the meeting upon invitation and exchanged their opinion regarding the current implementation of the "Law on Tobacco Control", how the implementation of the law affects not only retailers but also consumers and country's economy. Principals of Retail Association of Kazakhstan, Deputy Head of Gaidar Economic Policy Institute of Russia, Management of the Asia Pacific Travel Retail Association (APTRA) took part in the meeting. They shared international experience concerning the implementation of "Law on Tobacco Control" and openly discussed the effective solutions that will enhance the tobacco control in our country.

The existing "Law on Tobacco Control" has been in force since 1st of March, 2013. Within the framework of this Law, it is forbidden to sell tobacco within 500 m of radius of schools and kindergartens. A number of significant provisions have been incorporated into the Law such as prohibited smoking in public places like bars, restaurants and service points. However, in reality, everybody is aware that this Law is not being enforced perfectly. In prohibited areas shops, kiosks and retailers are selling tobacco free of permission. As tobacco sales operates in such hidden form, it adversely affects the tax revenue to be allocated to the state budget. Most dangerous is, underage smoking is out of control. Underage kids are smoking not only in the vicinity of apartments, establishments but also school. As seen from the study, 61.3 percent of the students have smoked before reaching 14 years. While 10 percent of 13-17 year old students have smoked in the last month.

Despite having introduced various prohibitions through "Law on Tobacco Control", the fact that smoking does not reduce is evident from the study. As of 2016, 26.5 percent of Mongolian population smoke while after one year, this number increased by one percent. Gender wise, half of the male and 5.3 percent of female are smokers. The solution for this number not to increase is introduce an effective tobacco control. Therefore, the roundtable meeting discussed the draft for amendments to be incorporated into the Law on Tobacco Control that was submitted to the Parliament. As addressed by the representatives of retailers, government and non-government organizations, the implementation of the existing Law on Tobacco Control does not even reach 50 percent. In spite of such circumstances, it was stated that, a re-submission of a stricter draft law will not be feasible for implementation in reality. In particular, the meeting participants were critical of the proposal concerning "increase the warning image on the tobacco box by 75 percent" into the new draft law. This proposal shall not only increase the tobacco packaging manufacturing costs but also may lead to counterfeit tobacco production. The reason is, since the special tobacco packaging will be replaced by a similar not varying picture, it will enable a counterfeit production. In addition, there is no facts and statistics that show the stickers on the tobacco box reduces smoking.

The draft law also additionally includes a proposal such as "New National Committee against Tobacco shall be established under the Standing Committee on Social Policy, Education, Arts and Science and National Committee against Tobacco shall be established under the Prime Minister and their financing shall be funded by 10 percent of the excise tax". The participants of the roundtable meeting emphasized that this was inappropriate and corruption nature. Plus, there is an adverse effect where a large amount of money will be spent by the state budget.

Another proposal included in the draft law was "Prohibition of smoking in public places and this includes restaurants which have no rights to set up a smoking area" and "it is forbidden to smoke up to 50-meter radius from the exit of the establishment". As highlighted by the experts, in countries where such prohibitions are applied, it is not effective for the cause of reducing smoking. Number of smoking in secret shall increase and people who smoked in the vicinity after eating are subject to fine, then they do not visit the place again. Another adverse consequence as detailed by the experts, a corruption may take place in the regulatory agency and restaurants, tourist agencies will have a favorable context to hide their business environment.



ROUND TABLE MEETING CONCLUSION MANIFESTO

The existing Law on Tobacco Control states that it is forbidden to sell tobacco within 500 metre radius of schools and kindergartens. Whereas the new draft law states that "Expand areas where smoking is prohibited into children's kindergarten, development center and children's establishment and it shall be prohibited to sell tobacco within 500 meter radius of these establishments." If this provision is implemented, 90 percent of Ulaanbaatar city shall be subject to prohibition of tobacco sales. Nowhere in the world there is such restriction of 500 meter. In addition, the provision concerning the prohibition of tobacco sales within 500 meter of schools and kindergartens is not realistic.

Kiosks and shops which have no permission to sell tobacco are still selling in secret behind the counter. This restriction which is not put into action in large scale has adverse consequences such as expanding illegal tobacco sales and reducing state budget revenue.

The roundtable meeting participants expressed their positions that many stricter provisions that are not put into effect in reality need to omitted from the draft law and on the basis of international experience, there needs to be effective measures in regards to tobacco control.

Therefore, for the purpose of enhancing the tobacco control, several proposals are to be submitted to the Parliament and Government. The proposals were:

- 1. Tobacco shall be sold through a special automatic machine and the automatic machine shall complete sales upon verifying the age of the buyer. Or by verifying the ID as well as through a special card, the age can be verified. In doing so it shall be fully feasible to recognize the adult smoker. Hence, such automatic system shall completely remove human factor and possibility of underage smoking shall be limited.
- 2. Apply price and tax methods in the cause against smoking; as determined by the Framework Convention on Tobacco Control, WHO these are the most effective methods. In relation to it, the minimum price shall be determined by the government intervention or Government decree. As of preliminary estimation, by determining the minimum retail price, within one year US budget revenue was increased by 10-15 million USD. This adjustment measure affected the tobacco availability and increased state budget.
- 3. Apply strict requirement in special smoking areas.
- 4. In case the tobacco product use restriction requirements have been violated, the penalty shall be increased greatly.
- 5. Research the possibility of placing an obligatory video camera in retail networks where the competent authorities can monitor tobacco sales. Currently, monitoring agency does not have such possibility.
- 6. The draft law shall reflect that the tobacco producers or companies operate in this sector shall understand their social responsibility and bring good deeds in the society. There is a standard in international practice where such entrepreneurs do not announce their names. However, they are aware of their social responsibility and can be contributors to the many good causes.













TV CHANNEL SUMMARY

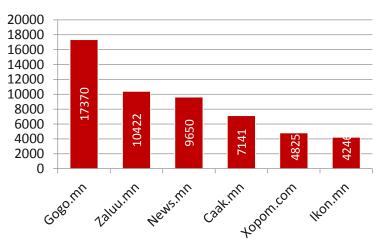
RANK OF WEBSITES IN MONGOLIA

TOP sites in Mongolia

Daily visitors of Mongolian TOP sites

	2017 1HY			
Rank	Website			
1	Google.mn			
2	Youtube.com			
3	Facebook.com			
4	Google.com			
5	Gogo.mn			
6	Zaluu.mn News.mn			
7				
8	Caak.mn			
9	Yahoo.com			
10	Xopom.com			

2017 1st Half year



- Foreign websites dominated on the digital market of Mongolia. Mongolian websites gogo.mn, zaluu.com, news.mn, caal.mn, xopom.com shared top 10 website rank position in Mongolia. Their position in rank change almost every months. Most of these Mongolian sites have news content.
- · There isn't any national social networks.
- However there are few video content sites, but mostly of them are closed by government according to intellectual law.
- · Caak.mn and Xopom.com post daily life contents and celebrity news.





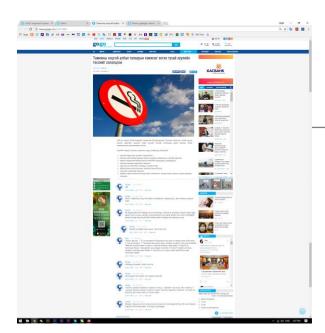




Gogo.mn

Gogo.mn posted articles about antitobacco legislation draft. They were strongly recommending how the new law is not taking full force.

http://news.gogo.mn/r/216701





Gogo.mn

Gogo.mn published article about "Effective Regulation of Tobacco Products" round table and included it's main points.

http://news.gogo.mn/r/215402





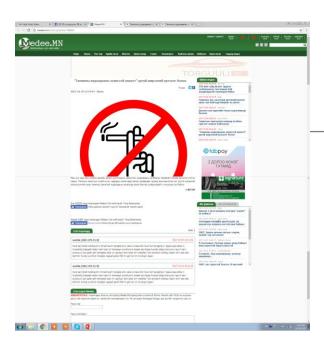




Medee.mn published article about "Effective Regulation of Tobacco Products" round table and included it's main points. They summarized speech of Member of Parlianment N.Oyundari.

http://www.medee.mn/main.php?eid=98861









Medee.mn

Gogo.mn published article about "Effective Regulation of Tobacco Products" round table and included it's main points.

http://medee.mn/main.php?eid=98808



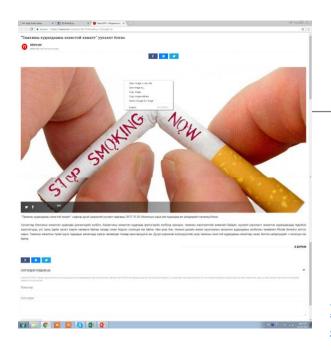


Medee.mn

Articles about strong points of how new anti-tobacco draft of legislation is not affecting people it's indented to.

http://medee.mn/main.php?eid=98861



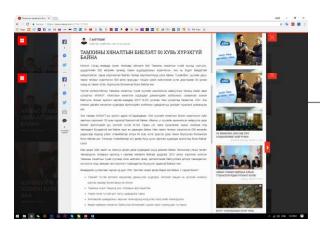






Reminder about upcoming Round table meeting.

https://news.mn/mobile/13013?isDesktop=1 &night=0





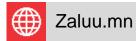
Articles about international experts and their presentation summaries with main points.

https://www.news.mn/c/2?id=13106









Post about upcoming Round table meeting and how it is important for small business owners.

http://www.zaluu.mn/p/40287.html



Zaluu.mn

zaluu.mn published article about "Effective Regulation of Tobacco Products" round table and included it's main points.

http://www.zaluu.mn/p/40299.html









Small article about upcoming "Effective Regulation of Tobacco Products" Round table meeting.

http://chuhal.mn/r/26801







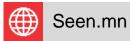
Dorgio.mn's opinions on how Antitobacco draft of legislation is not working propertly. Instead it is directly affecting incomes of small shop owners.

http://dorgio.mn/p/80744









Reminder about upcoming Round table meeting on Mongolian National Chamber of Commerce and Industry

http://seen.mn/p/150531





Seen.mn included strong facts about new anti-tobacco legislation of draft and included summary from international expert's presentation.

http://seen.mn/p/150549









Shuumj.com

Small article about anti-tobacco law and how it is affecting incomes of small retailers.

http://shuumj.com/p/149564





Shuumj.com

Well detailed summary of "Effective Regulation of Tobacco products" Round table meeting.

http://shuumj.com/p/149565









Dnn.mn

Article about retailer's are losing incomes because of new anti-tobacco law.

https://dnn.mn%D1%82%D0%B0%D0%BC%D1%85%D0%B8%D0%BD%D1%8B%D1%85%D1%83%D0%B4%D0%B0%D0%BB%D0%B4%D0%B0%D0%B0%D0%BD%D1%8B%D0%B7%D0%BE%D1%85%D0%BB%D1%81%D1%82%D0%BE%D0%B9%D1%85%D1%85%D0%B5%D0%BB%D1%85%D0%BB%D1%82%D0%B4%D1%85%D0%B0%B0%B0%D0%B8%D1%82-

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Dnn.mn

Strong statements about how small shops are sell tobacco products under the table.

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mongolchamber.mn

Small summary about event that took place in MNCCI's meeting room and listed participants of the Round table meeting.

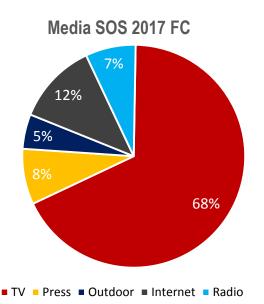
http://www.mongolchamber.mn/mn/newsDetail/603







SHARE OF MEDIA BY BUDGET



- Consequently it is the most attractive carrier for advertisers. But 70% of auditorium watch only top 10 channels. There are 56 channels operate in UB. Penetration of TV is 97%
- TV media is the main method to approach audience in Mongolia.
- TV dominates in Media advertising by 68% SOS.





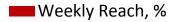


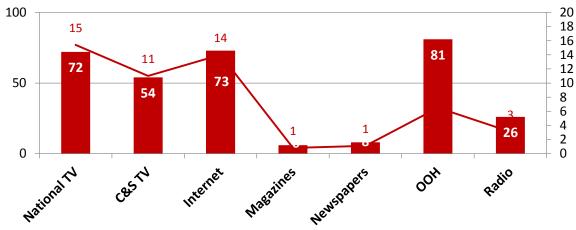




















MN25 2017.10.25 / 19:00 "25 TSAG" Information program

MN25 showed during their news program a reportage from the meeting and an interview with the Retailer's Association Executive Director Mr. Chuluunbaatar.













Eagle TV 2017.10.25 / 19:00 "EAGLE NEWS" Information program













Eagle news broadcasted repeatedly about how the Retailer's Association and the Mongolian National Chamber of Commerce and Industry organized Round table meeting on the "Effective Regulation of Tobacco Product".















TV8 broadcasted their interviews with Moderator Sarandavaa / Deputy CEO of MNCCI / and Narantuya /Consultant of Retailer's Association of Mongolia/.















Mongol TV 2017.10.25 / 18:30 "NAASHAA TSAASHAA" Interview



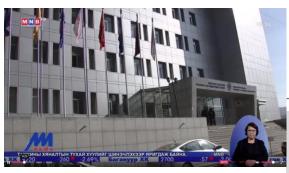
Interview - Retailer's association Consultant Narantuya

Shared Retailer's association's view of Effective regulation of Tobacco Products.













MNB 2017.10.25 / 20:00 "TSAGIIN KHURD" Information program

MNB aired pack shots of Round Table meeting and interviews with Moderator Mr. Sarandavaa and Ms.Zhibek Azhibaeva (Kazakhstan Expert)

















C1 2017.10.25 /19:30 "C1" Information program

C1 channel broadcasted Round table meeting's pack shots and mentioned main points of participants.















ECO TV 2017.10.25 / 21:00 "SEDEV" Information program













ECO TV channel broadcasted speech of the Member of Parliament of Mongolia Ms. N.Oyundari's and showed other important highlights of the meeting.













Like TV 2017.10.25 / 19:00

"TSAG UE - ERUUL MEND" Information program

Like HD channel broadcasted Zhibek Azhibaeva's /Russian Expert/ interview and Moderator's speech about effective regulation of tobacco products.















NEWPAPER INTERVIEW, PUBLISHED CONTENTS



NEWPAPER INTERVIEW, PUBLISHED CONTENTS

PRESS SUMMARY

- Although Mongolia is experiencing an economic recession, the loyal readers have been continuously subscribed to the top 5 newspapers.
- Bank, Insurance, Finance, Communication, Construction sector business are mostly advertised on Newspapers.
- 25,000 subscribers with disposable income, and 30 000 citizens with above average income.
- Electronic version is available by each newspaper. But advertising through newspaper's electronic version is not possible.

	Publication	Content	Size	Readers	Circulation
1	Udriin sonin	News	A2	All 25-65	13500
2	Unuudur	News	A2	All 25-65	10000
5	Mongoliin Unen	News	A2	All 25-65	6000
3	Zuuny medee	News	A2	All 25-65	4000
4	Zasgiin gazriin medee	News	A2	All 25-65	4000





NEWPAPER INTERVIEW, PUBLISHED CONTENTS





"UNUUDUR" NEWSPAPER

Strong opinions about anti-tobacco draft of legislation.



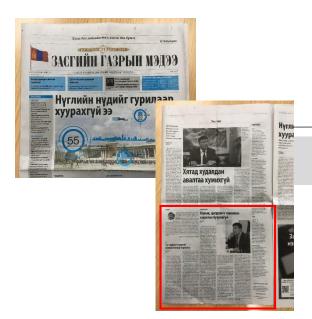


"UNDESNII SHUUDAN" NEWSPAPER

Small article about important messages from "Effective Regulation of Tobacco Products" round table meeting.



NEWPAPER INTERVIEW, PUBLISHED CONTENTS



ЗАСГИЙН ГАЗРЫН МЭДЭЭ

~ THE OFFICIAL GAZETTE ~

"ZASGIIN GAZRIIN MEDEE" NEWSPAPER

Message for people prohibiting selling tobacco product it not best way to approach the situation. Also article included Moderator N.Sarandavaa's interview.





"UNDESNII SHUUDAN" NEWSPAPER

Summary of speech of international expert's presentation and other important highlights.







PHOTO REPORT















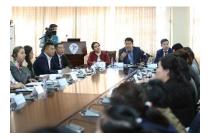




PHOTO REPORT



















PHOTO REPORT















- "City Tower" Business center #1003, Chinggis Square, Altangerel Street-5, 8r khoroo, Sukhbaatar District,
- (976) 77220252
 - ULAANBAATAR, MONGOLIA 2017.10.25