Malawi

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Executive Summary

Malawi demonstrates one the lowest levels of tobacco control in Sub-Saharan Africa having enacted almost no tobacco control legislation or regulations. It is also one of the largest producers of tobacco leaf on the continent and a top-ten producer in the world. Not surprisingly, it has not signed the FCTC. However, prospects for policy change may be brighter than one might expect under these circumstances because there is a very active civil society-based tobacco control movement and the presence of the tobacco manufacturing industry is limited compared to most countries in Sub-Saharan Africa.

The tobacco industry, in the form of the usual major players such as BAT, does not appear to be a major economic and/or political player. Malawians are generally very poor and prevalence rates are relatively low, so revenues from manufactured tobacco products are limited and the large firms have mostly stayed away from this country. Instead, it is the leaf-purchasing companies that wield major political and economic power. To date, these companies have not had to face substantial tobacco control measures. It is difficult to anticipate how much resistance any new measures might face from these groups and others (particularly agricultural organizations). There is, however, already general resistance to tobacco control measures from some key parts of the government because of the economic significance of tobacco leaf (leaf generates >60-70% of export exchange, depending on the year). For example, the finance and industry ministries have been promoting domestic tobacco manufacturing in their strategic planning, and the first cigarette factory opened in 2009. Similarly, many legislators and cabinet members are directly or indirectly involved in tobacco leaf cultivation.

At the moment, the tobacco control community has proceeded with a study that examines the state of advertising, promotion and sponsorship in Malawi. Furthermore, the community has been networking to bring together like-minded organizations and to promote tobacco control through the media. The ATSA team and other stakeholders believe that there is presently a window of opportunity to lobby for tobacco control policies, but that window is likely to close significantly over the next five years as influential people promote pro-tobacco economic strategies. With the importance of the tobacco leaf industry firmly established, the Malawian tobacco control community argues unequivocally that all emphases concerning tobacco control must be placed on health concerns, at least for the foreseeable future, and not on production.
Malawi

Geographical Size (Ranking): 118,484 sq km (106)
GDP Real Growth Rate – 2006-2008: 8.3%
GDP per Capita & Ranking: $800 US Dollars (218)
Main Industries: Tobacco, tea, sugar, sawmill products, cement, consumer goods
Languages: Chichewa (Official, 57.2%), Chinyanja (12.8%), Chiyao (10.1%), Chitumbuka (9.5%), Chisena (2.7%), Chilomwe (2.4%), Chitonga (1.7%), Other (3.6%), 1998 Census, English (Official)

2007 Official Development Assistance –
total commitments/disbursements (gross): 594.1/781 Current USD Millions
ODA as a percent of GDP: 21.8%
Largest Donors (disbursements): Japan: 221.8, UK 133.7, Global Fund 79.4, US 79, EC 77, Norway 54.8, Germany 24.4, Austria 22.9, Sweden 20.4

2007 Tobacco Production: 118000 MT, $215,140,000 (#7 in world)
2007 Tobacco Exports: tobacco unmanufactured: 130183 tons at $3,247 per ton, #1 export,
2007 Tobacco imports: Tobacco unmanufactured: 14210 tons at $2172 per Ton, #1 import; Cigarettes: 690 tons at $5,023 per ton, #10 import

Brief Description of Political System

Type: Malawi is a multiparty, presidential democracy.
Executive: Since 2004 the presidential chief of staff and head of government has been Bingu wa Mutharika of the Democratic Progressive Party (DPP). He beat 20-year incumbent president Hastings Banda with an anti-corruption and financial discipline campaign.
Cabinet: There is a 46-member cabinet appointed by the president.
Legislature: There is a unicameral National Assembly with 193 seats elected every five years by popular vote. As of 2009, the DPP has 119 seats and the Malawi Congress Party has 26 seats. There are also District Assemblies².
Judiciary: Supreme Court, high court, chief justice appointed by the president

² District Assemblies are part of the local government decentralization and devolution plan. There are 28 District, 4 city, and 8 town assemblies in 3 regions, north, center, and south. The central government appoints chief executives and district commissioners. The last local elections took place on November 21, 2000. The UDF won 70% of the seats. More elections were schedule for May 2005, but were cancelled, officially due to famine. As of early 2010, no new elections had been scheduled.
Prevalence

Summary: Prevalence rates for smokers appear to be approximately 15% for adults, and slightly higher for youth at roughly 19%. Men smoke more than women, but the trend points to recent increases in prevalence for young women.

There are several sets of statistics about prevalence, which give a reasonable snapshot of tobacco use. There are discrepancies between the different surveys, but this is likely the result of using differing methodologies. First, a World Health Survey (World Health Organization) from 2003 reports adult use rates, for people 18 and older, at 9.7% in urban areas and 14.8% in rural areas, and an age-standardized overall adult smoking prevalence rate of 12%. A 2005 WHOSIS survey reports that 15.0% of adults smoke (using a slightly different definition of adult: 15 years and above), of whom 6.2% are females and 23.7% are males. The same survey reports that 18.4% of adolescents (13-15 years) smoke tobacco, of whom 17.9% are females and 19.1% are males. The Global Youth Tobacco Survey from 2006 reports somewhat different numbers for youth: a 17.9% total smoking prevalence, with 21.1% for males and 14.7% for females (CDC, GYTS, 2006). The GYTS 2006 cites the usage by youth of other tobacco products such as snuff and chewing tobacco at 16.5%.

Despite the discrepancies (these differences are actually not enormous compared to differences in prevalence surveys in many other countries), there are some notable patterns. First, female prevalence rates, though once much lower, appear to be catching up to their male counterparts. Second, tobacco prevalence rates in rural areas are much higher, which likely reflects, at least in part, the large amount of tobacco production. Both patterns should inform future strategies by the tobacco control community. Finally, some recent World Bank data suggest that since the 1970s, average individual cigarette consumption by volume, among individuals older than 15 years, has increased by around 15 percent, from 9.5 packs to 11 packs per year (World Bank).

The non-governmental organization, Youth Alliance in Social and Economic Development (YASED), reports from its youth resource centres (in Dowa, Lilongwe and Salima) that many youth start smoking at drinking establishments, which are accessible even to those as young as 14. Moreover, most bars and pubs selling alcohol will directly sell cigarettes, including to minors. The Alliance argues that future tobacco control programmes will require partnerships between institutions dealing with substance abuse and youth outreach in an effort to incorporate anti-smoking messages holistically in their daily work.

There is a need to conduct more comprehensive studies of tobacco use in Malawi that examine not only smoking, but also the growing of tobacco leaf, and the growth of the tobacco sector in general. In addition to using the existing well documented effects of smoking on the human body, the Malawian tobacco control community would also like to be able to quantify the effects of smoke from the many processing plants, the effects of long-term exposure to tobacco leaf, and the long-term implications of the environmental degradation due to tobacco cultivation (including especially deforestation and its many problems such as airborne dust and erosion). A more complete package of studies related to the broader health implications of both tobacco use and cultivation will help the tobacco control community to make a stronger case to the Malawian
Government to sign the FCTC and to move general public opinion in favour of more tobacco control.

Politics of Tobacco Control

Summary: The politics of tobacco control in Malawi are dominated by the importance of tobacco leaf cultivation to the national economy. Not surprisingly, efforts to promote tobacco control policies, including ratification of the FCTC, have been unsuccessful to date. Existing restrictions on advertising and sponsorship have been challenged recently following the establishment of a local tobacco manufacturing plant. Detailed political mapping has identified potential supporters and detractors of tobacco control in Malawi as well as underscoring the need to focus all tobacco control efforts on health concerns rather than leaf production. “Smoke Free Malawi” is a broad based consortium that is working to increase public understanding of issues related to tobacco use and promote policy change.

Overall Context
Tobacco leaf growing definitely frames the politics of tobacco control in Malawi. Only 5% of the tobacco crop is consumed nationally and much of that is by the farmers themselves or through informal marketing at the community level. Furthermore, large, multinational tobacco manufacturing companies have not traditionally marketed and distributed widely in Malawi. At the same time, however, incomes appear to be rising in the country and smoking prevalence is growing amongst the surging youth population (half of the population is under the age of 25). At the present time, the ATSA team and various stakeholders believe that there is some political space to push for tobacco control but that the “policy window” will likely close over the coming years (~5 years) as manufacturing and consumption increase. With the importance of the tobacco leaf industry firmly established, the Malawian tobacco control community argues unequivocally that all emphases concerning tobacco control must be placed on health concerns, at least for the foreseeable future, and not on production.

There is a concerted effort by the government to increase value-added processing capability domestically, which would naturally increase the availability of end-use tobacco products in the country. Most notably, the Malawi Growth and Development Strategy (MGDS) 2006-2011, which is the country’s overarching economic growth strategy, not only articulates that Malawi would maintain the position of market leader in burley tobacco and seek to increase the production of flue-cured and Northern Dark Fired tobaccos, it also emphatically endorses the promotion of manufacturing as one of the priority areas to achieve sustainable economic growth. It was not surprising, therefore, that the 2008/09 national budget emphasized the need to introduce a tobacco cigarette manufacturing company in Malawi. In fact, a new local cigarette manufacturing plant, Nyasa Manufacturing Company (NMC), opened its doors in November, 2009. Furthermore, to protect it from dumped cigarettes (below cost products imported from other countries), the Minister of Trade has publicly promised protection to the industry. This promise is a direct response to the 2008 national budget taxation act amendment in which the national government introduced incentives for companies wanting to manufacture tobacco in the country.
Beginning with the highest office, recently re-elected President Bingu wa Mutharika has been mostly indifferent to tobacco control issues (though, somewhat encouragingly, no Malawian president has ever been a public smoker). Though the president can issue decrees and orders (that have to be based on certain laws), it has not been a realistic possibility in the case of tobacco control issues. Formal requests for more tobacco control measures and ratification of the FCTC to the Office of the President have only generated formal responses that promise to take note of the suggestions, without any concrete movement on any measure.

In a related development in September 2009, the President expelled representatives of major international leaf-buying companies to protest their setting prices below the floor set by the Malawian government. But this was not in any way a tobacco control measure, but rather a strategy to pressure the leaf companies to pay more for tobacco inputs. As of early 2010, it is not clear if this strategy has led to price increases.

At the cabinet level of the executive branch, there are some key powerful ministries that play or will play pivotal roles in tobacco control including Health, Education, Finance and Agriculture. From a policy/regulation-making perspective more generally, some ministers can actually issue decrees. In addition to limited decree power, ministers can also develop policies and then submit them to the Ministry of Justice directly, which then converts the policy into a draft law to be considered by the National Assembly. It is also, however, important to consider that ministers are political appointees – these are very fragile positions because they can be changed quickly. However, ministries are pretty stable in their permanent staffs from the chief bureaucrat, the Permanent Secretary, downwards. They are civil servants with minimal chances of transfers, and these actors can be pivotal in policy change or other campaigns. It is therefore important to identify the knowledge, attitudes and practices of all of these actors, elected and non-elected.

The Health and Education Ministers in early 2010 were believed to be sympathetic to tobacco control. In the Ministry of Education, the Deputy Minister of Basic and Secondary as of 2010 is a former teacher and is known to be very supportive of tobacco control (especially smoke-free schools, which might provide an opportunity for a short-term education initiative). Similarly, the long-serving Permanent Secretary is also openly supportive.

In terms of the legislative branch, it does not appear that any legislators are clear tobacco control advocates, and some are openly hostile. The largest challenge is that tobacco control is often construed by politicians and the public as contradictory to production, and since tobacco leaf production comprises the largest share of the economy, this is a tremendously important issue.

Like many economic and political elites in Malawi, many cabinet members are engaged in direct tobacco production on their own farms – 60% by some estimates. In the late 2000s, the Tobacco Tenants and Allied Workers Union and the Centre for Social Concern conducted field visits to tobacco estates with the media, and reported that many farms are owned by politicians across the political divide. For example, the main opposition Malawi Congress Party (MCP) president John Tembo, who has enormous influence in Parliament including assigning all parliamentary
committee memberships in the National Assembly, is a well known tobacco farmer, and for many years was board Chairman for the Limbe Leaf Tobacco Company.

Legislatively, the National Assembly has 193 members, which is organized for the sake of easier policymaking into area-specific committees. The Speaker of the 2004-2009 National Assembly was an influential political actor, and though he owns a tobacco grading company, he is known publicly to be a strong Christian – an important, positive cultural attribute to most Malawians – and the ATSA team believes that he could be particularly helpful if he were supportive (at least smoke-free schools for a start). Chairpersons and members of key Assembly committees (including Health, Education, Commerce and Industry, Legal Affairs, and Social Welfare) are also powerful political actors in the legislature. In an encouraging sign, the former Health Committee Chair participated in the initial ATSA stakeholder meeting. The ATSA team has been speaking to the new Chair about tobacco control efforts. The ATSA team believes that it is important to concentrate on members from the three target districts of Mchinji, Kasungu and Lilongwe, which are the leading tobacco leaf-producing districts, and to concentrate particularly on female members of the National Assembly. Notably, private members can sponsor bills on Thursdays; the ATSA team has suggested that advocating for a member of parliament to propose a tobacco control bill – for example, smoke-free schools – could be a realistic option in the short term.

There is also a District Assembly (DA), and though recently fraught with problems, it is an important institution, and one that may grow in importance. Malawi recently formally adopted a decentralised system, and the District Assemblies now spearhead development projects, and the majority of national resources in all key sectors are directly transferred to the Assemblies. In fact, the national budgeting process now starts at the district level. For stronger advocacy and positive opinion-building efforts, involvement of Assemblies will be very critical as they are allowed to formulate by-laws. These laws can have marked effects on public opinion. The issues related to tobacco control require a multi-faceted approach that not only challenges national policy and build grassroots opinion, but also carefully incorporates all appropriate levels of government.

Though DA counselors are normally elected, elections have been suspended for some time; they are scheduled now for 2010 but it is unclear if they will be held. National MPs and chiefs are ex officio members of the DA. Furthermore, in December of 2009, the Malawi parliament passed a constitutional amendment bill that empowers the country’s president to decide the date when local government elections would be conducted. In other words, for the foreseeable future, a great proportion of power continues to lie with the National Assembly. It is not clear when the Assembly will be reformed – in fact, foreign donors have recently stopped sponsoring efforts to reform the body.

In an unusual legislative twist, since 2004, there has been a Law Commission to which special interest groups can apply directly to consider drafting legislation. Comments are sought from the public and draft legislation is then forwarded to the National Assembly for consideration. The Commission is a semi-autonomous body under the Ministry of Justice. The members represent a broad range of interest groups and the current Head of the Commission is a child rights activist.
who is known to be supportive of issues relate to children/youth. More generally, the 
commission appears open to well researched and evidence-backed arguments that can be 
represented by legal opinion. The approach of the tobacco control community is to ensure that 
any presentation to the Law Commission to proceed and formulate a special law on tobacco 
control must cover more than competently all legal, public opinion and national policy interests. 
This is one possible viable long-term strategy for tobacco control in Malawi.

The Chiefs’ Council could potentially play a very important role, but may also present some 
challenges. Traditionally, there were four levels of chief (headman, group headman, child and 
paramount chief) but now there are many levels and chiefs are paid, so the process has been 
politicised. For example, there are about 10 chiefs in Kasungu, 17 for Lilongwe, and 10 for 
Mangochi. Chiefs wield tangible political power: they have some judicial powers; they are 
supposed to be on school committees; they can summon people to report; and they can issue 
fines and other penalties, etc. Chiefs will require special training on tobacco control as well as 
 systematic access to information, and if convinced, they can play a vital role in shaping public 
opinion. As of the late 2000s, they are among the influential community leaders who are 
advocating reduction in growing tobacco leaf on the grounds of the environmental implications.

Active members of the tobacco control community widely believe that it is very important to 
build up a team to undertake effective advocacy including strong representation from the health, 
education, media, and traditional leaders sectors. Unfortunately, many organizations are 
currently more engrossed in advocacy in areas where there is greater funding, particularly from 
international donors, and engagement in tobacco control remains very limited. However, 
YASED is currently hosting the “Smoke Free Malawi,” which is comprised of the following 
organisations that have confirmed explicitly their interest in supporting tobacco control in 
Malawi:

1. Youth Alliance in Social and Economic Development (YASED) – Smoke Free host and 
   coordinator
2. Cancer Registry of Malawi
3. Centre for Social Concern
4. Consumer Association of Malawi
5. Drug Fight Malawi
6. Health Communications Department of the Ministry of Health
7. Health Journalists Network
8. Journalists Union of Malawi
9. Link for Education Governance
10. Medical Doctors Association of Malawi
11. National Youth Council of Malawi
12. Tobacco Workers and Allied Union of Malawi
13. World Health Organisation Communication Office

Advocates believe that it is imperative to have a sustained and broad education program that 
targets government officials, journalists, youth, children and women. Accordingly, in June 2009, 
Smoke Free Malawi held its inaugural commemoration of the World No Tobacco Day (a month
late because of the national election) with a media briefing and a public presentation in Lilongwe. The two events were designed as a launch pad for a two-year public campaign to mobilise public opinion to ask the government to sign the Framework Convention on Tobacco Control and ban public smoking across the country. Presenters included representatives from government, civil society and the academy (e.g. College of Medicine at the University of Malawi). In addition to the FCTC ratification and smoking ban, other main issues included the country’s dependence on tobacco and effective ways of reducing smoking. The speakers at the conference were recorded and aired on several radio stations. The media briefing was well attended (19 journalists). Subsequently, Star Radio (a Zodiak broadcasting station) and Joy Radio have offered up to 100 minutes worth of air time to the Smoke Free project to discuss issues on tobacco control, which is an opportunity that will extend the campaign’s reach without any additional spending. Smoke Free Malawi, alongside institutions such as the Centre for Social Concern and Drug Fight Malawi are introducing a permanent weekly programme on smoking and health as one of the outcomes in Youth Centres that are run by the three institutions. Dr. Charles Dzamalala and other cancer registry medical personnel at the University of Malawi have offered to work with Smoke Free at no cost in an in-school public speaking tour on Tobacco and Health.

The organizers of the inaugural event pressed government hard and specifically on action. For example, they pointed out that local Assemblies can institute by-laws to ban public smoking very quickly. But they also sought systemic change, pointing out that the Ministry of Justice, the Ministry of Health, the Ministry of Local Government, and/or the Ministry of Youth and Sports could and should immediately introduce actual national legislation banning public smoking, and the buying and selling of cigarettes to minors.

Some other major NGOs that could or should be engaged more in tobacco control efforts include Linking Education and Governance (LEG, who are education advocates), the Coalition for Basic Education, the Human Rights Consultative Committee, the Malawi Health Equity Network, the Council of NGOs in Malawi (CONGOMA), and the Medical Doctors Society of Malawi. The Malawi Economic Justice Network (MEJN) has been involved previously in tobacco control, and their vocal organisation and effective advocacy would be helpful to the current effort. The National Organisation of Nurses and Midwives (NONM) could be willing to support tobacco control, and might be particularly effective because they have a good network of nurses at every hospital. Incidentally, the health sector in general has received a tremendous amount of funding to support tuberculosis control and there could be a useful link-in with tobacco-related diseases such as lung cancer. This avenue needs to be explored further in terms of cross-pollination of purposes and goals.

Kondwani Munthali from YASED highlighted great potential for integrating a media campaign into the work at the ATSA meeting in October, 2008. For example, he suggested a regular column in a newspaper about the health risks of smoking; the design of a small newsletter that can be inserted into national newspaper; and the development of instalments that can be added to radio programmes. The ATSA team mapped out most of the major media outlets including: TV Malawi, the Malawi Broadcasting Organisation, The Nation newspaper, the Blantyre newspaper, Zodiac Broadcasting, 101 Radio (youth station), Capital FM, Star Radio, two community radios
(Radio Maria in Mangochi; Dzimwe Radio), Abstract Beats, and Transworld Radio. Notably, the team referenced a previous program that is/was a hand-out of a wind-up radios to schools (an EU-sponsored project) that suggests that radio may be one of the best media for reaching large numbers of people, particularly in rural areas where tobacco use is highest. The team also noted the Malawi Institute of Journalism (MIJ), which is a training institution in journalism and also owns a radio with a nation-wide coverage.

The tobacco control community would like to engage more international support from organizations including the World Health Organization, UNICEF, Plan Malawi, Care, World Vision, the International Labour Organization (child labour), World Bank, UNFPA, Action Aid and the Canadian International Development Agency. In fact, Plan recently released a report on child labour in the industry. Unfortunately, they also received a lot of criticism for the report because they had not substantiated their claims sufficiently about nicotine absorption. It is hoped that like Plan, some of these organizations could be engaged in tobacco control initiatives in Malawi in the near future.

The tobacco industry is arguably a little different than in many other SSA countries because the manufacturers of end products are not nearly as visible, though the tobacco leaf companies such as Limbe Leaf are. It will be very important to monitor the industry throughout the current initiatives and over the coming years, particularly as tobacco processing and manufacturing increase in the country, as they appear poised to do. Other related possible opponents include the government’s Tobacco Control Commission (which monitors quality), and the Tobacco Association of Malawi (TAMA). It is important to note that TAMA is an association of tobacco growers in Malawi, who would oppose tobacco control from the production standpoint, but might support it from the health front. In an encouraging development, there has been a Tenancy Bill drafted recently with the support of these organizations that makes it illegal to hire workers under the age of 18 (with a five million kwacha fine and/or two years imprisonment). The Ministry of Labour as of late 2009 has the bill and it is to be submitted for approval in mid-2010.

A possible additional avenue for convincing elected officials that tobacco leaf growing is not a viable long-term economic growth strategy is to organize farmers in order to discuss openly and candidly the shocking economic and personal safety conditions of tobacco cultivation. According to advocates, among farmers, there is considerable conversation about the lack of viability of the crop and their interest in alternatives (already, IDRC and ICRIS from India are sponsoring programs that encourage ground nut cultivation as an alternative). There is a genuine political dimension to these discussions that needs to be pursued more by advocates – for example, the Minister of Agriculture has been publicly open to possibilities beyond tobacco leaf.

**ATSA Action – Research to Support an Advertising Ban**

The ATSA team conducted a research study between July and December 2009 entitled “Tobacco advertising, promotion and sponsorship: A Malawi research agenda towards MPOWER No.5”. The overall objective of the study was to provide research-based information and accurate data that can be used by policy makers to formulate legislation for an effective comprehensive ban on tobacco advertising, promotion and sponsorship in Malawi. Specifically, the study sought to examine the extent to which newspapers, magazines, radio, television and billboards are used in
tobacco advertising, and determine the primary targets of such advertising/promotion/sponsorship. Further, the study analyzed the attitude of smokers and non-smokers towards tobacco advertising, promotion and sponsorship. On tobacco promotion, the study analyzed the extent to which tobacco promotional activities involving sports and entertainment industries are being used in Malawi. It also sought to identify the primary targets of such activities.

The third objective of the study was to examine how different countries that are succeeding in promoting comprehensive bans in advertising, promotion and sponsorship in Africa are putting in place measures to ensure that the bans are effective. In other words, the study seeks to identify any best practices that Malawi can use in its formulation of legislation to ban tobacco advertising, promotion and sponsorship.

The study was conducted in the four major cities of Malawi (Blantyre, Lilongwe, Mzuzu and Zomba) where 258 respondents were interviewed. Among the interviewees, 46.6 percent were smokers and 53.4 percent were non-smokers. It is important to note that only 16.7 percent of all the smokers were females, and since the data were representative of the population in the four cities, it can be seen that smoking is dominated by males in the urban areas of Malawi. There are several findings from the study that are important for tobacco control advocates in Malawi. First, while tobacco advertising persists in the print media in Malawi, there has been no radio and TV tobacco advertising since 2005, following a directive from the Ministry of Health. Further, tobacco advertising in newspapers and other print media contain a health warning message.

Second, since 2005, there has been a total ban on tobacco sponsorship and promotional activities involving the sports and entertainment industries in Malawi. Furthermore, researchers have learned that the leadership of the Music Association of Malawi and the Football Association of Malawi, the governing bodies of musicians and football respectively, are in support of the ban and would favor a comprehensive ban on tobacco advertising, promotion and sponsorship in Malawi.

Unfortunately, in late 2009, much of the progress on advertising, sponsorship and promotion bans changed radically with the coming of the local cigarette manufacturing company, Nyasa Manufacturing. The company has waged an aggressive campaign in all forms of advertising including the use of misleading translations in local languages. In addition, they are re-introducing smoking parties and continue to use youthful celebrities (e.g. Joseph Nkasa and the Big Brother Africa Revolution reality show) in their campaigns.

Third, on health warnings that accompany tobacco advertisements in the print media, 44.4 percent of non-smokers said the warnings are clear and educative enough, while 36.8 percent of non-smokers indicated that the signs were clear but not legible enough. For the smokers, 40.8 percent said the warnings are clear and educative enough and 30.8 percent of the smokers indicated that the health warnings on tobacco advertisements were clear but not legible enough.

Further, on the attitude of smokers and non-smokers on a comprehensive ban on tobacco advertising, promotion and sponsorship, 87.3 percent of non-smokers indicated that they would support such a ban, while around 10.7 percent of non-smokers were indifferent. The remaining
percentage of non-smokers would oppose the ban. For the smokers’ category, it is encouraging to note that 55.4 percent would support the ban. Only 36.1 percent of smokers indicated that they would oppose the ban. This figure is significantly lower than anticipated. As such, a comprehensive ban on tobacco advertising, promotion and sponsorship would be supported by the majority of both urban smokers and non-smokers in Malawi.

Finally, the study also sought the opinion of smokers on cessation support services. It was found that 77.5 percent of the smokers expressed willingness to get expert help on quitting smoking if such a service existed. On the other hand, only 8.3 percent indicated that they would not be willing to get such support, and the remaining 14.2 percent were indifferent. This result point to the need for support services in Malawi to help smokers to quit smoking. If such a service existed, a significant proportion of smokers in Malawi would be getting the necessary support to help them quit smoking.

**Tobacco industry monitoring**

**Summary:** The tobacco industry in Malawi is dominated by the tobacco leaf companies. There is evidence, however, that multi-national manufacturing companies have a vested interest in supporting tobacco cultivation in Malawi, and government measures to encourage investment have resulted in the establishment of a local cigarette manufacturing plant. Questions abound as to the economic and social conditions of individual tobacco farmers and their families. Tobacco companies, meanwhile, continue to use their considerable resources to purchase influence.

The powerful players in the industry do not come from the manufacturing side, but rather from the tobacco leaf industry, which generates more than 60% of export earnings. This is the largest business in the country, and there are not only tobacco auction floors in all of the three major cities (Blantyre, Lilongwe, Mzuzu), but new ones are being set up in the major growing districts of Malawi, such as Mchinji and Kasungu. The tobacco leaf companies have well-built infrastructure and employ over 3,000 people. It is thought that the most powerful forces behind Malawi's tobacco-dependent economy are US tobacco-growing subsidiaries Limbe Leaf, and Alliance One (Stancom and Dimon merged in late 2008 to form the largest member of the buyers’ cartel), which together purchase over 95 percent of the tobacco crop and sell it to global tobacco firms like Phillip Morris and British American Tobacco. The national government also gave license to the growers association, TAMA, who formed a company with UK-based Premium Tobacco called Premium TAMA. The Premium TAMA company has invested around K3 billion (US$22 million), and a plant to process tobacco was opened in October 2009, operating officially as Kanengo Tobacco Processors. [2]

Though the tobacco manufacturing industry does not appear to be currently involved in vigorous “pro-” tobacco activities in Malawi, a recent UN report suggests that BAT and other tobacco firms desire to keep a critical mass of tobacco-farming households in Malawi that have an interest in the status quo – i.e. continued tobacco leaf cultivation.[3] Furthermore, recent government measures to provide incentives to improve tobacco production and to encourage investment have already led to one local cigarette manufacturing operation. So while foreign
manufacturing is not an issue now, manufacturing more generally is very clearly part of the government’s long term strategy, which has been endorsed publicly by the President and other members of the cabinet. It is not clear if the traditional large manufacturing players (BAT, JTI, Philip Morris, etc.) are interested in Malawi’s strategy, but recent Chinese activity in the Zimbabwean industry might portend to interest from upstart Chinese manufacturers. Already, there is anecdotal evidence that the Chinese are becoming more active in terms of purchasing raw tobacco leaf.

Returning to leaf production, and specifically the actual farming component, the market continues to be notably volatile, and the risks to farmers are large. A recent *Daily Times* article reports that production costs rose dramatically in 2008, by 70%. By the same token, *Bloomberg News* financial service reported in June, 2009 that Malawian tobacco prices had also increased dramatically by 64%. Early indicators suggest that the 2009 market season saw a downturn in prices of 23%, and a revenue decline of 9% (K66 billion to K61, or US$473million to US$423million). It is not entirely clear what the longer-term effect on production will be of these changes – on one hand, if production costs get too high, farmers might opt for alternative crops, while on the other hand, if prices also rise, it could keep farmers motivated to stay in the business. Tobacco control advocates hope that the recent downward trend will mean that more farmers will not be interested in growing the crop in the 2009/2010 farming season, which might also present an opportunity for more advocacy on leaf-growing reduction.

On a related note, whether price increases actually go to the farmer is an entirely different, but important, discussion. A recent news story from Africa News reports that farmers’ incomes in Malawi have actually decreased in recent years, and the arrangement between tobacco estate owners and farmers is tantamount to debt peonage (i.e. indentured labour). The Secretary General for the central region of the Tobacco Tenants and Allied Workers Union of Malawi (TOTAWUM), Edson Gideon, said his organization was receiving many complaints from tobacco tenants about declining economic conditions. Similarly, the Centre For Social Concern (CFSC) in Lilongwe said its research reveals that despite the fact that tobacco production is associated with economic development, employment provision, and contributes over 60 per cent of Malawi's foreign exchange, growers are clearly becoming poorer. Finally, tobacco-producing companies have come under criticism from their peers for using child labor. Producers have recently begun to recognize that this practice could jeopardize their international trade in tobacco.

The industry continues to get a pro-tobacco message out to the population, particularly young people. For example, in terms of exposure to tobacco-related messages, the 2006 Global Youth Tobacco Survey (GYTS) reports that 49% of youth non-smokers and 60% of youth smokers had seen pro-smoking messages; 12% of male non-smokers and 32% of male smokers had been offered free cigarettes by company representatives; and 38% of smokers owned an object with a brand logo.

Finally, in August 2009, Kondwani Munthali from YASED reported that BAT was engaged in a vigorous publicity campaign by advertising daily and donating 28 bicycles to the Ministry of Agriculture. In December 2009, it was reported in the local newspapers (*Malawi Nation* and *The
Daily Times) that a leading tobacco leaf company in Malawi, Limbe Leaf, had donated over MK 2.4 million (the equivalent of US$ 17,142) to one of the leading Christian churches in Malawi, known as the Church of Central Africa Presbyterian (CCAP) for its reforestation program.[7] Commentators have since argued that the donation should not be seen as the company’s corporate social responsibility, but rather as repayment for the damage that the tobacco companies cause, since the tobacco leaf companies are responsible for the significant loss of forests in tobacco growing areas of Malawi.

Existing tobacco control laws, executive orders and regulations, and pending legislation

Summary: There is very little in the way of existing or pending tobacco control legislation in Malawi. However, a set of 1999 regulations bans smoking in some public and private places, including on Air Malawi domestic flights, in airports and in fuel places. There is also a ban on tobacco advertising on Malawian radio and TV. The Ministry of Health claims that media advertising on tobacco is not allowed in Malawi though no official can produce the actual legislation. The Smoke Free Malawi project has recently engaged a full-time legal representative who is pursuing the issue and will handle other related legal and legislative matters for the project.

FCTC CORE PRIORITIES:

Advertising, Promotion and Sponsorship

Summary: There is some ambiguity regarding the existence of bans on advertising and promotion of tobacco products as well as the effectiveness of these bans. There is, however, ample evidence of ongoing advertising and promotion.

According to a 1999 World Bank report, there is a ban on tobacco advertising on Malawian radio from a Ministry of Health directive. Anecdotally, tobacco control advocates note that the ban also applies to television. Tobacco control advocates have begun to document how well the ban works (see above for a preliminary discussion). Beyond this ban, there is no record of other bans. The ATSA team reports that there is visible tobacco advertising, promotion and sponsorship. Initial research by YASED notes the following common modes of advertising and promotions by BAT and other small cigarette manufacturing companies, particularly the new (2009) Nyasa Manufacturing Company:

1. Smoking bashes – evening events were famous artists and musicians are invited. Not only is smoking permitted, but cigarettes and cigarette-winning competitions characterize the events. Non-smokers are mainly attracted by the musicians or other artists.
2. Branded umbrellas and sun shields – a common sight in markets, selling points and even hotel beaches.
3. Cigarette ash trays – are very visible in many public restaurants and pubs.
4. Posters and flyers – using state-of-the-art digital imaging on very attractive backgrounds, these advertisements are pasted and distributed in many different public places.
Also, the law for advertising in the print media is only for a required inclusion of a health warning. Recent research suggests that the tobacco advertisers attempt to use misleading warnings in many of their advertisements. For example, in 2009, NMC was using a warning in its print advertisements that stated in Chichewa: KUSUTU KUKHOZA KUUONONGA MOYO, which translates into English as “SMOKING MAY BE HAZARDOUS TO YOUR HEALTH.” Of course, such misleading warning labels would not be tolerated in most countries with even basic provisions.

**Packaging and Labeling**

**Summary:** There are no known packaging and labeling provisions yet in Malawi. BAT and Nyasa are using only small-letter health warnings. There are no pictorial warnings.

**Smoke-free Policies**

**Summary:** There appear to be no or extremely limited smoke-free policies currently in Malawi. The ATSA team's initial – though ultimately discarded – decision to pursue a smoke-free schools program was selected in part because it is a relatively “safe” choice politically for a first significant tobacco control action/intervention.

A recent World Bank global aggregation of smoking regulation cites a ban on smoking in “some public and private places.” The only documented bans are on Air Malawi flights, in airports and near places where there is fuel.

**Taxation**

**Summary:** There are some recent excise tax provisions (2008/09) on tobacco in Malawi that are designed to promote cigarettes that use Malawian-grown tobacco. No tax provisions are designed as tobacco control measures.

In his budget statement for 2008/09, Finance Minister Gondwe raised the issue of tobacco smuggling and proposed dealing with the problem through the introduction of a system of tax stamps (as in many other countries, including neighboring ones). In addition to introducing tax stamps, there is a duty system that is based on the quantity of cigarettes being imported or produced rather than based on value. The duties on cigarettes are flat rates as follows:

(a) the equivalent of US$18 per thousand sticks for a hinge lid packet, and  
(b) the equivalent of US$12 per thousand sticks for a soft packet.

As is done in Tanzania and Uganda, there is a much-reduced rate of excise tax on cigarettes that contain at least 70 per cent Malawian tobacco. The excise taxes on these cigarettes are:

(a) US$9 per thousand sticks for hinge lid packet
(b) US$6 per thousand sticks for a soft packet.

While the combined effect of the new excise rates and the introduction of tax stamps is expected to be a gain of K600 million annually, there could actually be a loss of revenue if the new NMC factory making cigarettes successfully takes advantage of the lower excise rate and gains significant market share.

Tobacco Control Community

Advocacy:

1) Centre for Social Concern – one of their major projects is to analyze the costs of a basic basket of goods, but in 2009 they received $50,000 from the European Union to report on tobacco farmers’ economic situation.

2) Consumer Association of Malawi (retail tobacco markets)

3) Drug Fight Malawi – includes tobacco component in their public education.

4) Malawi Health Equity Network

5) National Organization of Nurses and Midwives (NONM) – a recent health project funded by the Norwegian aid agency includes a component of tobacco control (in addition to a Wellness Centre in Lilongwe that provides education and counseling, in large part on HIV/AIDS)

6) Tobacco Tenants and Allied Workers Union of Malawi (TOTAWUM) – has been working with the Centre for Social Concern on tobacco workers’ rights and issues.

7) U.S.-Malawi Alumni Exchange Association – funded by the U.S. Embassy – has funded substance abuse programs

8) Youth Alliance for Social and Economic Development (YASED)

9) Ms. Martha Kwataine – Executive Director of the Malawi Health Equity Network – will be using the results from the ATSA advertising analysis to press for an advertising ban.

10) Ms. Ellen Mitole – is a communications specialist at Drug Fight Malawi and helps with tobacco control public education.

11) Mr. Kondwani Munthali: media consultant from YASED. He will lead the team’s media communication strategy.

12) Gift Nankhuni: legal advisor for the Smoke Free Malawi project.
12) Mr. Andrew Ussi – Advocacy and Policy Director, Link for Education Governance (LEG)

**Government:**

1) Malawi Human Rights Commission – constitutional body that executes investigations. There are central issues of rights in terms of exposure to tobacco and tobacco products, and this is a very legitimate avenue for short-term efforts.

2) National Youth Council of Malawi (NYCM) – parastatal body under the Ministry of Youth (receives its funding from the government, and rather confusingly, actually reports to the Department of Statutory Corporation as do all parastatals in Malawi), but it actually runs its own programs.

3) John Kapito – used to head the Consumer Association of Malawi, and was in charge of the GYTS in 2006. He is now the head of the Malawi Human Rights Commission. He is very supportive of tobacco control.

4) Ms. Wekha Khonje (National Youth Council of Malawi (NYCM)): A youth development officer. She will head advocacy for tobacco control stemming from the recent ATSA research effort on advertising, promotion and sponsorship.

5) Mr. Gerald Manthalu (Ministry of Health) – is a health economist.

**Academic:**

1) Center for Agricultural Research and Development (CARD), University of Malawi – lead organization in the provision of research-based information to guide TC in Malawi

2) Dr. Charles Dzamalala, Registrar of the Cancer Registry, College of Medicine, University of Malawi

3) Charles Jumbe – Researcher, CARD

4) Mr. Deusdedit Peter Kafere – is a training and consultancy coordinator at CARD, and has been active in recent tobacco control efforts in Malawi.

5) Mweemba Mainza – Institute of Social and Economic Research, University of Zambia

6) Dr. Donald Makoka – a research economist and development practitioner with over five years of experience in agricultural policy, poverty analysis, health policy and rural development. In the past he has worked with major international organizations including the World Bank. As part of the ATSA project, Dr. Makoka was the team leader and project coordinator with responsibilities including, monitoring work plan for research team; ensuring TOR Compliance; client correspondence; desk review; development of
data collection instruments, data collection, data analysis; report writing and dissemination of results.

7) Charles Malemba – Finance Officer, Bunda College

Media

1) Journalist Network Against Tobacco – chaired by Fazila Tembo (with Africa Press Agency); Kondwani Munthali from YASED is also a member.

2) Malawi Institute of Journalism – is a degree-granting institution that has its own radio station

3) Transworld Radio – Christian radio station that does a log of social programs. It is and could be an important vehicle for public education (though obviously cannot reach everyone)

4) Mr. Nathan Majawa – 101 Radio

5) Miss Rabecca Chimjeka – Joy Radio


