REPORTING INSTRUMENT

1. Origin of the report \Box Help

П Uala	KENYA
(a) Name of Contracting Party Help	
(b) Information on National Contact/Focal	
Point Help	
Name and title of contact officer	DR.WILLIAM K. MAINA
	HEAD,DIVISION OF NON-COMMUNICABLE DISEASES (MOH)
Mailing address	P.O BOX 30016
	00100, GPO
	NAIROBI-KENYA
Telephone number	+254-20-2717077
Fax number	+254-20-2722599
E-mail	drwilliammaina@yahoo.co.uk, noncom@health.go.ke
(c) Information on contact officer submitting the national report if different from the above Help	
Name and title of contact officer	Ms DORCAS J. KIPTUI
	PROGRAMME OFFICER FOR TOBACCO CONTROL (MOH)
Mailing address	P.O BOX 30016
	00100 - GPO
	NAIROBI-KENYA
Telephone number	+254-20-2717077
Fax number	+254-20-2722599
E-mail	djkiptui@yahoo.com
	noncom@health.go.ke
(d) Signature of the officer responsible for submitting report Help	
Name and title of officer	DR. WILLIAM K. MAINA- HEAD,
	DIVISION OF NON-COMMUNICABLE DISEASES
Full name of the institution	MINISTRY OF HEALTH
Mailing address	P.O BOX 30016
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		00100) - GPO		
			OBI-KENYA		
Telephone nun	nber	+254-	-20-2717077		
Fax number		+254-	-20-2722599		
E-mail		drwill	liammaina@yaho	oo.co.uk	
		nonco	m@health.go.ke	;	
Web page		www.	health.go.ke		
(e) Period reported [1]	Help	Febru	ary 2007-JANU	ARY 2008	
(f) Date the report was	submitted Help	3rd M	IARCH 2008		
(a) Age a	and sex: Help	reate Age	Group		
Year	Age groups	reate Age	Percentage of male	Percentage of <i>female</i>	Percentage of total
	and sex:	reate Age	Percentage of		
Year	Age groups 18YEARS AND O	VER	Percentage of male	of female	total
Year (latest available)	Age groups	VER	Percentage of male population	of female population	total population
Year (latest available) 2007	Age groups 18YEARS AND O	VER EARS	Percentage of male population	of female population	total population

Prevalence (ref. Article 19.2(a), Article 20.2 and Article 20.3(a)) \Box Help

3.

(a)

Tobacco use

Smoking tobacco: ☐ Help

i.

	Age groups ¹ (adults) 18YEARS AND OVER	Tobacco products included	Year of data (latest available)	Prevalence (%)
Males				
Daily smokers ²	2106620	Cigarettes	2005	26
Occasional smokers ²				
Females				
Daily smokers ²	252993	Cigarettes	2005	3
Occasional smokers ²				
Total (males and female	es)			
Daily smokers ²	2359613	Cigarettes	2005	14
Occasional smokers ²				

If available, please provide the average number of cigarettes smoked per day by the smoking population:

	Age groups ³ (adults) 18YEARS AND OVER	Tobacco products included	Year of data (latest available)	Average number of cigarettes smoked per day
Male smokers ⁴				
Female smokers ⁴				
Total smokers ⁴				

(b) Smokeless tobacco, including snuff and chewing tobacco (optional): Help

	Age group ³ 18YEARS AND OVER	Tobacco products included	Year of data (latest available)	Prevalence (%)
Male				
Daily users				
Occasional users ⁴				

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¹ Preferably by 10-year categories; e.g. 25-34, 35-44, etc.

² Definitions to be provided by the Parties.

³ De préférence, par tranches de dix ans, par ex. : 25-34, 35-44. etc.

⁴Definitions to be provided by the Parties.

Female		
Daily users		
Occasional users ⁴		
Total		
Daily users		
Occasional users ⁴		

(c) If prevalence data is appropriate and available for ethnic groups, please provide. \Box Help

	Ethnic group Black	Tobacco products included	Year of data (latest available)	Prevalence (%)
Daily users				
Occasional users ⁴				

(d) If prevalence data is appropriate and available for youth groups, please provide. Felp

Create Youth Group

	Youth groups ⁵ 13YEARS TO 15 YEARS	Tobacco products included	Year of data (latest available)	Prevalence ⁶ (%)
Males		Cigarettes	2007	12.7
Females		Cigarettes	2007	6.5

ii. Supply □ Help

⁵ Definitions to be provided by the Parties.

⁶ Parties should provide definition for youth smoking; e.g. at least one cigarette in the past 30 days.

(a) Licit supply of toba	acco (ref. Article 20.4(c	and Article 15.4(a)) in accordance with
	Domestic production	Exports	Imports
Year (latest available)	2007	2007	2007
Quantity (specify product and unit; e.g. millions of cigarettes)	9584860605	9568865788	65644
Note: licit supply = domestic pro	oduction + (imports - exp	oorts)	
(b) Please provide □ Help	information regarding	duty-free sales vol	lumes, if available.
68,160Milles			
(c) Seizures of illic	rit tobacco (ref. Article	15.4(a) in accordanc	e with Article 15.5)
	Year (late available		zed (specify unit, e.g., ons of pieces)
Cigarettes	2007	114	1210 Milles
Other tobacco products (optional specify product):	ıl; please		
(ref. Article 15.	information regarding 4(a) in accordance with	Article 15.5). Hel	_
Total amount of smuggled cigarr	etes in 2007 was 1,505,0	OU milles	

4. Taxation ☐ Help

(a) Please provide your rates of taxation for tobacco products for all levels of government, and be as specific as possible (specify the type of tax: excise, VAT or sales, import duties) (ref. **Article 6.3**). Help

TAX RATES FOR	YEARS 2006/2007	
CATEGORY	RETAIL PRICE	RATE OF EXCISE DUTY
	Per Mille (1000 cigarettes)	Ksh. per Mille
A	UPTO KSH. 1,500	500
В	KSH. 1501 TO KSH.2500	800
С	KSH. 2501 TO KSH. 3500	1,200
D	KSH 3,501 and more	2,000
IMPORTED CIGAL	RETTES	
EXCISE RATES:	SAME AS ABOVE	
IMPORT DUTY:	25%OF COST OF IN	ISURANCE AND FREIGHT (CIF)
VAT :	16% OF (CIF + IMI	PORT DUTY + EXCISE DUTY
SUB-NATIONAL I	LEVELS: NO TAXES	
Source of Data - Ke	enya Revenue Authority	

- (b) Please attach the relevant documentation (ref. **Article 6.3**). (Please provide documentation in one of the six official languages, if available.) Help
- (c) Please provide retail prices for the three most popular brands of domestic and imported tobacco products in your jurisdiction, and the relevant year (ref. **Article** 6.2(a)). Help

Cigarretes	Retail price	(KSH)	
Brand Name	per stick	Per pack of 20	per pack of 10
1. Sportsman	4.00	80.00	N/A
2. Supermatch	3.00	60.00	N/A
3. Embassy Lights	6.00	120.00	N/A

	retail prices in Ksh., 1USD equivalent to Ksh. 69. Retail price all levels and all outlets.	for all c	igarrette	es are
5. L	egislative, executive, administrative and other measures	Help		
i.	Core questions Help			
	be noted that the measures identified below are not exhaustive, but ne Convention.	reflect t	he spirit	and
	eck yes or no. For affirmative answers, you are asked to attach a be occumentation. (Please provide documentation in one of the six			
Article	Pursuant to Article 21.1(a) , have you adopted and implemented legislative, executive, administrative and/or other measures on:	Yes (ple attach a summar relevant docume	brief ry and	No
Price and ta	x measures to reduce the demand for tobacco			
6.2(b)	Prohibiting or restricting sales to and/or importations by international travellers of tax- and duty-free tobacco products?	Y Y		□ No
Protection f	rom exposure to tobacco smoke	Ful	ll/Partial	/None
8.2	in indoor workplaces?			
☐ Help	- government buildings			
	- health care facilities			
	- educational facilities			
	- private workplaces			
	- other			
	in public transport?			
	in indoor public places?		П	П
	- cultural facilities			
	- bars and night clubs			
	- restaurants			
	- other			
If you responds ban here:	Inded "Partial" to the measures outlined in Article 8.2, please provide spec			_
Regulation	of tobacco product disclosures			

10 □ Help	Requiring manufacturers and/or importers of tobacco products to disclose to governmental authorities information about contents?		
Illicit trade	in tobacco products		
15.2(a)	Requiring marking of packaging to assist in determining the origin of the product?		
	and to assist in determining whether the product is legally for sale on the domestic market?		
15.3 Help	Requiring that marking is in legible form and/or appear in its principal language or languages?		
15.4(b)	Enacting or strengthening legislation against illicit trade in tobacco products?		
15.4(e)	Enabling the confiscation of proceeds derived from the illicit trade?	\boxtimes	
15.7	Licensing or other actions to control or regulate production and distribution?		
Sales to and	l by minors		
16.1 □ Help	Prohibiting the sales of tobacco products to minors?	Specify legal age: 18	
16.2	Prohibiting or promoting the prohibition of the distribution of free tobacco products to the public and especially minors?		
16.3	Prohibiting the sale of cigarettes individually or in small packets?	\boxtimes	
16.6	Providing for penalties against sellers and distributors?	\boxtimes	
16.7	7 Prohibiting the sales of tobacco products by minors?		
Liability			
19.1 Dealing with criminal and civil liability, including compensation where appropriate?			

ii. Optional questions \Box Help

It should be noted that responses to these questions are not required at the time of Group 1 reports, but may be answered at this time if applicable.

Article	Have you adopted and implemented legislative, executive, administrative and/or other measures on:	Yes (please attach a brief summary and relevant documentation) ⁷	No
Regulation of	the contents of tobacco products		
9	Testing and measuring the contents of tobacco products?		
☐ Help	Testing and measuring the emissions of tobacco products?		
•	Regulating the contents of tobacco products?		
	Regulating the emissions of tobacco products?		
Packaging an	d labelling of tobacco products		
11.1(a) ☐ Help	Requiring that packaging and labelling do not promote a product by any means that are false, misleading, deceptive or likely to create an erroneous impression?	\boxtimes	
11.1(b)	Requiring that packaging and labelling also carry health warnings describing the harmful effects of tobacco use?	\boxtimes	
11.1(b)(i)	Ensuring that the health warnings are approved by the competent national authority?	\boxtimes	
11.1(b)(ii)	Ensuring that the health warnings are rotating?	\boxtimes	
11.1(b)(iii)	Ensuring that the health warnings are large, clear, visible and legible?	\boxtimes	
11.1(b)(iv)	Ensuring that the health warnings occupy no less than 30% of the principal display areas?	\boxtimes	
, , , ,	Ensuring that the health warnings occupy 50% or more of the principal display areas?	\boxtimes	
11.1(b)(v)	Ensuring that the health warnings are in the form of, or include, pictures or pictograms?		
11.2	Requiring that packaging and labelling contains information on relevant constituents and emissions of tobacco products?		
11.3	Requiring that the warnings and other textual information appear on each unit package, and on any outside packaging and labelling in your principal language or languages?		

⁷ Please provide these documents in one of the six official languages, if available, and please specify sections of your legislation related to each "yes" response.

Tobacco adve	ertising, promotion and sponsorship Help		
13.2	Instituting a comprehensive ban of all tobacco advertising, promotion and sponsorship?		
	including on cross-border advertising, promotion and sponsorship originating from its territory?		
13.3	Applying restrictions, in the absence of a comprehensive ban, on all tobacco advertising, promotion and sponsorship?	\boxtimes	
	Restricting or instituting a comprehensive ban on cross-border advertising, promotion and sponsorship originating from its territory?	\boxtimes	
13.4(a)	Prohibiting all forms of tobacco advertising, promotion and sponsorship that promote a tobacco product by any means that are false, misleading, deceptive or likely to create an erroneous impression?		
13.4(b)	Requiring that health or other appropriate warnings or messages accompany all tobacco advertising and promotion and sponsorship?		
13.4(c)	Restricting the use of direct or indirect incentives that encourage the purchase of tobacco products by the public?	\boxtimes	
13.4(d)	Requiring the disclosure to relevant governmental authorities of expenditures by the tobacco industry on advertising, promotion and sponsorship not yet prohibited?	\boxtimes	
13.4(e)	Restricting tobacco advertising, promotion and sponsorship on radio, television, print media and other media, such as the Internet?	\boxtimes	
13.4(f)	Prohibiting or restricting tobacco sponsorship of international events, activities and/or participants therein?	\boxtimes	

If you have any additional legislation or other measures not covered in Question 5, you may provide additional details here: \square Help

The Tobacco Control Act provides for the establishment of the Tobacco Control Board and a Tobacco control Fund . The Board advices the Government on all matters of tobacco control while the fund meets the cost of tobacco control activities of the Board.

6. Programmes and plans \Box Help

i. Core questions \Box Help

It should be noted that the measures identified below are not exhaustive, but reflect the spirit and intent of the Convention.

	Yes (please attach the relevant documentation) ⁸	No
Have you developed and implemented comprehensive multisectoral national tobacco control strategies, plans and programmes? (Article 5.1)	\boxtimes	
If no, have some partial strategies, plans and programmes been developed and implemented? (Article 5.1)	\boxtimes	

If you responded yes to either of the first two questions, which of the following do these strategies, plans and programmes cover? Please check, and provide a brief summary. (Please provide the summary in one of the six official languages.)

General o	bligations Help	
5.2(a)	A national coordinating mechanism or focal point(s) for tobacco control? YES.	
	THE TOBACCO CONTROL ACT, WHICH COMMENCED ON 8TH OCTOBER 2007, PROVIDES FOR THE ESTABLISHMENT OF A TOBACCO CONTROL BOARD WHICH IS A MULTISECTORAL BODY. THIS BOARD ADVICES THE GOVERNMENT ON ALL TOBACCO CONTROL MATTERS. THERE IS ALSO A NATIONAL TOBACCO-FREE INITIATAIVE COMMITTEE (NTFIC) WHICH HAS THE DIVISION OF NON-COMMUNICABLE DISEASES (MoH) AS THE FOCAL POINT FOR TOBACCOC CONTROL.	
5.3	Protection of policies from the commercial and other vested interests of the tobacco industry? YES	
	THE TOBACCO CONTROL ACT PROHIBITS ANY INTEREFERNCE, COLLABORATION AND OR CONSULTATION WITH TOBACCO INDUSTRY IN THE FORMULATION AND IMPLEMENTATION OF ALL TOBACCO CONTROL POLICVIES.	
Education	, communication, training and public awareness Help	
12(a)	Broad access to effective and comprehensive educational and public awareness programmes on the health risks? NO	
	targeted at adults and/or the general public? NO	\boxtimes
	targeted at children and youth? NO	\boxtimes
12(b)	Public awareness about the health risks of tobacco consumption and exposure to tobacco smoke, and about the benefits of the cessation of tobacco use and tobacco-free lifestyles? YES.	
	Minimal public awareness being undertaken by the Division of Non-Communicable Diseases. Mainly through media and press briefing. Erratic awareness messages, usually	

⁸ Please provide these documents in one of the six official languages, if possible.

	riding on other programmes due to lack of financial ability.	
	Demand for cesation and information is high however we lack the capacity to provide for these as there exists no cessation programme.	
12(c)	Public access to a wide range of information on the tobacco industry? NO	\boxtimes
12(e)	Awareness and participation of public and private agencies and nongovernmental organizations not affiliated with the tobacco industry in developing and implementing intersectoral programmes and strategies for tobacco control? YES.	
	There exists close partnership between the government and nongovernmental organizations in tobacco control efforts. This has created an alliance for tobacco control comprising of the public sector, NGos, Religious and proffessional Organizations.	
Demand	reduction measures concerning tobacco dependence and cessation Help	
14.1	Comprehensive and integrated guidelines based on scientific evidence and best practices to promote cessation of tobacco use and adequate treatment for tobacco dependence? NO	
14.2(d)	Facilitation of accessibility and affordability for treatment of tobacco dependence including pharmaceutical products? NO	
Provision	of support for economically viable alternative activities Help	
17	Promotion of economically viable alternatives for tobacco workers, growers and, as the case may be, individual sellers? NO	
Research	, surveillance and exchange of information Help	
20.1(a)	Research that addresses the determinants and consequences of tobacco consumption and exposure to tobacco smoke as well as research for identification of alternative crops?	
	NO	
20.4(b)	Updated data from national surveillance programmes? NO	\boxtimes

ii. Optional questions \Box Help

Education, commun	nication, training and public awareness Help	
12(d)	Appropriate training or awareness programmes on tobacco control addressed to persons such as health, community and social workers, media professionals, educators, decision-makers, administrators and other concerned persons? YES.	
	The Tobacco Control Act obligates the government to put in place awareness and training programmes for various cadres such as healthworkers, media professions, educators, leaders and other decision makers. It also requires the incoporation of tobacco control matters in school curriculum	
12(f)	Public awareness of and access to information regarding the adverse health, economic, and environmental consequences of tobacco production and consumption? Minimal public awareness being undertaken by the Division of Non-Communicable Diseases. Mainly through media and press briefing. Erratic awareness	

		1
	messages, usually riding on other programmes due to lack of financial ability.	
	Demand for cesation and information is high however we lack the capacity to provide for these as there exists no cessation programme.	
Demand reduction mea	asures concerning tobacco dependence and cessation Help	
14.2(a)	Design and implementation of programmes aimed at promoting the cessation of tobacco use, in such locations as educational institutions, health care facilities, workplaces and sporting environments? NO	
14.2(b)	Diagnosis and treatment of tobacco dependence and counselling services on cessation of tobacco use in national health and education programmes, plans and strategies, with the participation of health workers, community workers and social workers? NO	
14.2(c)	Establishment in health care facilities and rehabilitation centres of programmes for diagnosing, counselling, preventing and treating tobacco dependence? NO	
Protection of the envir	onment and the health of persons Help	
18	Due regard to the protection of the environment and the health of persons in relation to the environment in respect of tobacco cultivation and manufacture within its territory? NO	
Research, surveillance	and exchange of information Help	
20.1(b)	Training and support for all those engaged in tobacco control activities, including research, implementation and evaluation? NO	
20.2	Programmes for national, regional and global surveillance of the magnitude, patterns, determinants and consequences of tobacco consumption and exposure to tobacco smoke? NO	
20.3(a)	A national system for epidemiological surveillance of tobacco consumption and related social, economic and health indicators?	
20.4	The exchange of publicly available scientific, technical, socioeconomic, commercial and legal information, as well as information regarding practices of the tobacco industry and the cultivation of tobacco? NO	
20.4(a)	An updated database of laws and regulations on tobacco control, and information about their enforcement, as well as pertinent jurisprudence? NO	

7	Tachnical	and :	financial	assistance	H	le.	lp
7.	i ecnnicai	ana	tinanciai	assistance			•

The goal of this section is to assist the Secretariat in facilitating the coordination of available skills and resources with identified needs.

Pursuant to Article 21.1(c), have you either provided or received financial or technical assistance (be it through unilateral, bilateral, regional, subregional or other multilateral channels, including relevant regional and international intergovernmental organizations and financial and development institutions) for the development and strengthening of multisectoral comprehensive tobacco control programmes of developing country Parties and Parties with economies in transition in any of the following areas:

transition in any of the foli	owing areas:				
				nce d give pelow)	Assistance received (please give details below)
Development, transfer and acque capacity and expertise related to			□Yes /	['] ⊠ No	□Yes / ⊠ No
Provision of technical, scientification strengthen national tobacco core (Article 22.1(b))			□Yes /	⊠ No	□Yes / ⊠ No
Appropriate training or sensitiz in accordance with Article 12?		ppropriate personnel	□Yes /	⊠ No	□Yes / ⊠ No
Provision of the necessary material, equipment and supplies, as well as logistical support, for tobacco control strategies, plans and programmes? (Article 22.1(d))			□Yes /	⊠ No	□Yes / ⊠ No
Identification of methods for tobacco control, including comprehensive treatment of nicotine addiction? (Article 22.1(e)) ☐Yes / ☑ No ☐Yes / ☑				□Yes / ⊠ No	
Promotion of research to increase the affordability of comprehensive treatment of nicotine addiction? (Article 22.1(f)) □Yes / □Yes			□Yes / ⊠ No		
Other. Specify:					
Additional details:					
If you answered no to any of the above, please identify any financial or technical assistance that may be under consideration.					
NONE					
If you answered yes to any of the above, please identify the country or countries from/to which assistance was received/provided.					
Pursuant to Article 21.3 , he support developing countrobligations?					
Assistance provided Help	☐Yes / ☒ No (please give details below)	Assistance received ☐ Yes / ☒ No (please gidetails below)			

Additional details:		
If you answered no to any of the above, please identify consideration.	any financial or technical assistance that may be under	
If you answered yes to any of the above, please identify the country or countries from/to which assistance was received/provided.		
Have you identified any specific gaps between th	e resources available and the needs assessed, for	
the financial and technical assistance provided or	received? Help	
Yes (please give details below)	□No	
Additional details:		
8. Priorities for implementation of Tobacco Control Help	the WHO Framework Convention on	
What are the priority areas for implementation of Control in your jurisdiction? (Ref. Article 21.1(b		
1. Capacity building for tobacco control through tra	aining of various cadres as mentioned above	
2. Raising Public awareness on the dangers of toba	acco use and exposure to tobacco	
3. Planning and initiation of Cessation programmes	at the pimary health care level	
4. Enforcement of the Tobacco Control Law		

What, if any, are the constraints or barriers you have encountered in implementing the Convention? (ref. $Article\ 21.1(b)$)

1. No budgetray allocations for tobacco control activities
2. Lack of capacity. No trainings have been held for the people spearhedading tobacco control in the country
3. The tobacco control unit is poorly resouced to handle a national programme for tobacco control
4. Lack of accurate and comprehensive national data on tobacco and its use
5. Lack of research funding to support tobacco control efforts
6. Inavailability of tobacco ceasation programmes and also affordable pharmacological therapies
9. Additional comments Help
Please provide any relevant information not covered elsewhere that you feel is important.
10. Questionnaire feedback
(a) Please provide feedback for improvement of the Group 1 questionnaire. Help
The Tables involving creation of age groups should be made editable in order to correct any errors made.
(b) Please provide input for the future development of the Group 2 questionnaire. □ Help