

Tobacco industry interference with tobacco control



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PREFACE

A large body of evidence demonstrates that tobacco companies use a wide range of tactics to interfere with tobacco control. Such strategies include direct and indirect political lobbying and campaign contributions, financing of research, attempting to affect the course of regulatory and policy machinery and engaging in social responsibility initiatives as part of public relations campaigns.

Although more and more is known about tobacco industry tactics, a systematic, comprehensive guide is needed to assist regulators and policy-makers in combating those practices. Guidelines and recommendations exist for countering and monitoring industry marketing, and recommendations have been issued to refuse industry funding of certain activities, but no broad policy has been published to assist government officials, policy-makers and nongovernmental organizations in their interactions with the tobacco industry.

The WHO Tobacco Free Initiative (TFI), the department in WHO with the mandate to control the global tobacco epidemic, monitors the activities of the tobacco industry in accordance with World Health Assembly resolution 54.18, which urges Member States to be aware of affiliations between the tobacco industry and members of their delegations, and urges WHO and Member States to be alert to any efforts by the tobacco industry to continue its subversive practice and to assure the integrity of health policy development in any WHO meeting and in national governments. As a continuing response to this mandate, TFI convened a group of experts to discuss tobacco industry interference in tobacco control and the public health policies and initiatives of WHO and its Member States. The meeting took place at the offices of the Pan American Health Organization (PAHO) in Washington DC, United States of America, on 29–30 October 2007.

Before the meeting, participants received a background paper commissioned by TFI, which served as the basis for discussions. The experts were asked to draw up a list of topics and concepts that should be included in policies to counter attempts by the tobacco industry to interfere with tobacco control. The list facilitated discussions on gaps in scientific evidence and the challenge of finding means for countering the wide range of types of interference (e.g. political, economic and scientific). This list also provided examples of proactive ways of eliminating tobacco companies' influence, including: policies refusing partnerships with tobacco companies; policies refusing tobacco company funding of research and programmes; rejecting self-regulatory or voluntary policies in tobacco control; encouraging divestment from tobacco investments; and promoting social indexing that excludes tobacco and businesses models that can be used to counter industry philanthropy.

The meeting participants agreed that the results of the discussions should be incorporated into a document, to broaden understanding in the global public health community of the tobacco industry's influence on tobacco control. This document is therefore a synthesis of the evidence-based discussions, revisions and suggestions of the experts and is presented in a format that can readily be used by policy-makers and is based on the best available evidence on tobacco industry attempts to interfere with tobacco control and public health.

The document begins by stating that effective tobacco control and the commercial success of the tobacco industry are fundamentally incompatible and that, accordingly, the tobacco industry can be expected to seek to avoid, prevent, weaken and delay effective policies and programmes, which are against its interests. Equally, tobacco control, in seeking to maximize the decline in tobacco-related disease and in the tobacco use that causes such disease, must be vigilant in monitoring

the wide range of tobacco industry actions to undermine effective tobacco control. Part I describes the means used by the tobacco industry and its allies to thwart effective tobacco control and summarizes the industry's history of undermining tobacco control, through direct lobbying and the use of third parties, academics and researchers. Part II describes the means used to monitor industry efforts to interfere with tobacco control.

TFI aims for this document to provide the Contracting Parties to the WHO FCTC, and other WHO Member States, background and contextual information that may assist with the implementation of the WHO FCTC Article 5.3 Guidelines which were adopted at the third session of Conference of Parties (COP) in Durban, South Africa in November 2008 to counter tobacco industry interference with tobacco control.

Part I. TOBACCO INDUSTRY EFFORTS TO THWART EFFECTIVE TOBACCO CONTROL

Effective tobacco control is, almost by definition, antithetical to the economic interests of the tobacco industry, associated industries, and entities or persons working to further the tobacco industry's agenda. Those interests depend largely on the prosperity of the tobacco industry and its means for ensuring its real or perceived commercial well-being. The primary goal of tobacco control is to prevent tobacco-caused disease and death. In the hierarchy of objectives for reaching this goal, preventing the uptake of tobacco use and assisting tobacco users in ceasing use of all forms of tobacco rank highest. Similarly, efforts designed to reduce exposure to second-hand smoke are most effective when smoking is prohibited in public areas.

This triumvirate of objectives—preventing uptake, maximizing cessation and prohibiting smoking in public places—stands in direct opposition to the commercial objectives of the tobacco industry. Although the industry sometimes makes expedient public statements to the contrary, it routinely seeks to maximize uptake of tobacco use, do all that is possible to ensure that tobacco users continue to be consumers and prevent the erosion of smoking opportunities by restrictions known to reduce smoking frequency (1) and promote cessation (2). Thus, when tobacco control succeeds, the tobacco industry fails. People employed by the tobacco industry have fiduciary responsibilities to their shareholders or government owners to take all legal steps possible to maximize profits. It is therefore entirely predictable that the tobacco industry does what it can to ensure that effective tobacco control policies fail.

In an analogy with the classic public health model of communicable disease control, the tobacco industry has been described as the principal 'vector' of tobacco-caused disease (3). Like efforts to understand the chain of transmission and death in communicable diseases, comprehensive tobacco control requires that public health authorities monitor and counteract the efforts of the tobacco industry to promote tobacco use and to undermine tobacco control.

Dr Gro Harlem Brundtland, former Director-General of the WHO, described tobacco use as "a communicated disease—communicated through marketing"(4). The promotional activities of the industry are directly responsible for the spread of tobacco use, especially among young people and women and in developing countries, who are the latest targets of tobacco industry marketing. Scrutinizing, countering and eliminating their activities will decrease the disease burden of tobacco use.

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