



**BRIEFING PAPER:**  
**ECONOMICALLY VIABLE ALTERNATIVES TO TOBACCO –**  
**THE STUDY GROUP ON ALTERNATIVE CROPS**

**Second Session of the Conference of the Parties to the WHO FCTC**  
**Bangkok, Thailand**  
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## Background

The Framework Convention Alliance supports the work of the Study Group on Alternative Crops, created by Decision FCTC/COP1(17) of the first session of the Conference of the Parties (COP) to the WHO Framework Convention on Tobacco Control (FCTC). The objectives of the Study Group are:

- to summarize the uptake of existing economically viable alternatives for tobacco workers, growers and, as the case may be, individual sellers;
- to recommend to the COP mechanisms to assess the impact over time of the tobacco companies' practices;
- to report on initiatives that are being taken at national level in accordance with Article 17 of the FCTC (Provision of support for economically viable alternative activities); and
- to recommend cost-effective diversification initiatives.

The Study Group is mandated to work closely with competent international organizations, in particular the Food and Agriculture Organization of the United Nations (FAO) and the World Bank, and to cooperate with the United Nations Ad Hoc Inter-Agency Task Force on Tobacco Control (UN Task Force).

The Study Group held its first meeting in Brasilia, Brazil on 27-28 February 2007, with the objective of summarizing the uptake of existing economically viable alternatives for tobacco growers. A one-day Public Hearing on agricultural diversification and crop alternatives to tobacco was held prior to the meeting. Members of the Framework Convention Alliance (FCA) made a number of presentations at the Public Hearing and participated as observers in the meeting of the Study Group.

FCA supports the continuation of the Study Group's efforts to achieve the objectives outlined in Decision FCTC/COP1(17), with a view to avoiding future hardship for families engaged in tobacco agriculture due to an anticipated eventual decrease in global demand for tobacco products. As acknowledged at its first meeting, the Study Group's objectives will take time to achieve, and will require it to engage in an ongoing and gradual process of research and consultations.<sup>1</sup> Both the meeting and the Public Hearing that preceded it highlighted the insufficiency of existing research to inform policy decisions on the complex issues associated with agricultural diversification and crop alternatives to tobacco. In order to achieve its mandate, the Study Group will need to work to collate existing research in the area, and then to stimulate further research. This work should be undertaken in partnership with governments and competent intergovernmental and nongovernmental organizations.

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<sup>1</sup> See 'Matters identified in decisions taken by the Conference of the Parties that call for action in the period between its first and second sessions: Establishment of a study group on alternative crops (decision FCTC/COP1(17))' (World Health Organization, Conference of the Parties to the WHO Framework Convention on Tobacco Control, second session, provisional agenda item 5.5, A/FCTC/COP/2/11, 9 May 2007) 4; 9-12, available online at [http://www.who.int/gb/fctc/PDF/cop2/FCTC\\_COP2\\_11-en.pdf](http://www.who.int/gb/fctc/PDF/cop2/FCTC_COP2_11-en.pdf).

## **Recommendations to the second session of the Conference of the Parties in relation to the ongoing work of the Study Group**

The COP should request the Study Group to continue its efforts to achieve the objectives outlined in Decision FCTC/COP1(17) as follows:

- 1. In order to summarize the uptake of existing economically viable alternatives for tobacco growers, the Study Group will need to develop a systematic method for collection of the relevant data from current and former tobacco producing countries. As a summary of the uptake of existing alternatives was set as the objective for the first meeting of the Study Group and has not yet been fulfilled, collection of the relevant data should be given priority in the ongoing work of the Study Group.**
- 2. In order to report on initiatives that are being taken at national level in accordance with Article 17 of the FCTC, the Study Group will need to develop a systematic method for collection of data relating to initiatives being taken by Parties to ‘promote, as appropriate, economically viable alternatives for tobacco workers, growers and, as the case may be, individual sellers’.**
- 3. In order to place itself in a position to make useful recommendations to the COP on: (i) mechanisms to assess the impact over time of the tobacco companies’ practices; and (ii) cost-effective diversification initiatives, the Study Group will need to coordinate the carrying out of further research into the complex issues surrounding tobacco cultivation and its alternatives. Such research should be comprehensive, multisectoral, and based on standardised methodologies so as to ensure comparability of data. Particular issues requiring further investigation include the impacts of unconscionable tobacco industry practices; the links between tobacco cultivation and poverty and between tobacco cultivation and malnutrition; and the negative effects of tobacco cultivation on the health of those engaged in it and on the environment.**
- 4. In carrying out its mandate, the Study Group is required to work closely with competent international organizations, in particular the FAO and the World Bank, and to cooperate with the UN Task Force. The Study Group should work actively to build concrete partnerships with these and other relevant organizations and institutions, which may provide it with significant assistance in the carrying out of its research and in the development of practical diversification initiatives.**
- 5. In accordance with WHA Resolution 54.18 and Article 5.3 of the FCTC, the Study Group should protect its work from influence by commercial and other vested interests of the tobacco industry.**

## Recommendations for further research by the Study Group

Existing research suggests a number of very significant impacts of tobacco cultivation on tobacco growers and on tobacco producing countries, which require further investigation in order that the Study Group on Alternative Crops can fulfil its mandate to make recommendations to the COP on (i) mechanisms to assess the impact over time of the tobacco companies' practices; and (ii) cost-effective diversification initiatives. These include: the impacts of unconscionable tobacco industry practices; the links between tobacco cultivation and poverty and between tobacco cultivation and malnutrition; and the negative effects of tobacco cultivation on the health of those engaged in it and on the environment.

### *Tobacco industry practices impacting on tobacco farmers and tobacco producing countries*

In many tobacco producing countries in the developing world, big tobacco companies employ unconscionable tactics to reap benefits at the expense of small tobacco farmers, growers and workers. Tobacco companies, in collusion with leaf companies, have been known to engage in price fixing, manipulation of supply, production and demand, and altering of the engineering of cigarettes to reduce the amount of tobacco in each stick. It is important to closely monitor, assess and expose the impact of tobacco industry practices on tobacco farmers and producing countries. Such monitoring will be essential to the achievement of the Study Group's mandate to 'recommend to the COP mechanisms to assess the impact over time of the tobacco companies' practices'.

Small-scale tobacco farmers and workers have repeatedly voiced significant concerns regarding practices of the tobacco manufacturing industry that threaten their livelihoods. A particular concern, especially in many parts of Africa and South America, is the 'debt bondage' effect produced by the contractual arrangements under which growers are bound to companies.<sup>2</sup> The Cooperativa Mista dos Fumicultores do Brasil (Mixed Cooperative of Brazilian Tobacco Growers) (COOPERFUMOS), in attendance at the Public Hearing in Brasilia, noted that most tobacco growers in Brazil are bound to a manufacturing company under contracts stipulating the exclusive supply of equipment and agricultural inputs by the manufacturer to the grower, 'to pay with interest, in values that are gradually deducted from the tobacco he/she sells... The guarantee for the payment of committed debts each year is the production itself, contractually given in pawn. The commercialisation is done individually, with very little monitoring from the public power and at the grounds of the tobacco industries, which manipulate leaf classification and diminish the growers' income'.<sup>3</sup> COOPERFUMOS' submission to the Public Hearing described tobacco farming in Brazil as 'a programmed indebteding that

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<sup>2</sup> World Health Organization (WHO), *The Millennium Development Goals and Tobacco Control* (2004) 41. See also Firdousi Naher and Debra Efroymsen, *Tobacco Cultivation and Poverty in Bangladesh: Issues and Potential Future Directions* (Study conducted as a technical document for the first meeting of the Ad Hoc Study Group on Alternative Crops, February 2007) 6-9.

<sup>3</sup> Cooperativa Mista dos Fumicultores do Brasil (COOPERFUMOS), Submission to the Public Hearing on Agricultural Diversification and Crop Alternatives to Tobacco for the WHO FCTC (Brasilia, Brazil, 26 February 2007), available online at <[http://www.who.int/tobacco/framework/cop/events/cooperfumos\\_do\\_brasil.pdf](http://www.who.int/tobacco/framework/cop/events/cooperfumos_do_brasil.pdf)>.

promotes the subjection of the small farmer to a true modern servitude'. The Movimento dos Pequenos Agricultores (Small Farmers' Movement) also expressed its concern regarding the 'relentless cycles of debt' in which tobacco farmers are caught, describing the contract system in Brazil as 'a system of indentured labour',<sup>4</sup> as did the Federação dos Trabalhadores na Agricultura Familiar da Região Sul (Federation of Workers in Family Farming in the Southern Region).<sup>5</sup>

In most tobacco producing countries, the full impacts of the manufacturing industry's practices on growers and on national economies are not yet sufficiently understood. Promoting awareness of the large scale of harmful industry practices and their impacts through ongoing monitoring will help to improve understanding of such issues. While in some countries, such as Brazil, small farmers are already speaking out against industry practices and welcoming diversification initiatives, in others, such as India, many farmers continue to rely on tobacco companies to protect their interests. In this they are, as Joossens has noted, generally mistaken: 'Apart from exploiting farmers financially, manufacturers encourage them to remain trapped in a situation in which they have much more to lose than the companies, which are themselves diversifying into other areas'.<sup>6</sup> Monitoring, assessing and publicising the unconscionable tactics of the manufacturing industry will be an important contribution by the Study Group to increase receptivity to diversification initiatives.

In addition to being essential to the Study Group's mandate to recommend to the COP mechanisms to assess the impact over time of the tobacco companies' practices, understanding the impacts of industry practices on tobacco farmers and tobacco producing countries will be important to ensuring that assessments of the economic costs and benefits of tobacco growing are accurate and comprehensive, and, in turn, that the Study Group can make realistic recommendations to the COP on cost-effective diversification initiatives.

#### *Links between tobacco cultivation and poverty*

Contrary to the common perception that growing tobacco is highly profitable – a notion propagated by the tobacco manufacturing industry, which has for decades 'encouraged countries and families to grow tobacco, claiming that it will bring them prosperity' –<sup>7</sup> the reality is that while 'some large-scale tobacco farmers have undoubtedly become wealthy, many tobacco farmers are barely making a living producing a crop that is labour and input intensive, and brings with it a host of health and environmental dangers, from pesticide exposure to nicotine poisoning'.<sup>8</sup> While many studies document the contribution

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<sup>4</sup> Movimento dos Pequenos Agricultores (MPA), Submission to the Public Hearing on Agricultural Diversification and Crop Alternatives to Tobacco for the WHO FCTC (Brasilia, Brazil, 26 February 2007), available online at <[http://www.who.int/tobacco/framework/cop/events/small\\_farmers\\_movement.pdf](http://www.who.int/tobacco/framework/cop/events/small_farmers_movement.pdf)>.

<sup>5</sup> Federação dos Trabalhadores na Agricultura Familiar da Região Sul (FETRAF-SUL), Submission to the Public Hearing on Agricultural Diversification and Crop Alternatives to Tobacco for the WHO FCTC (Brasilia, Brazil, 26 February 2007), available online at <<http://www.who.int/tobacco/framework/cop/events/fetrafsul.pdf>>.

<sup>6</sup> Luk Joossens, 'Diversification is the Future for Many Tobacco Farmers' (1996) 5 *Tobacco Control* 177, 178.

<sup>7</sup> WHO, 'Tobacco and Poverty: a Vicious Circle' (2004) 5, available online at <[www.who.int/tobacco/communications/events/wntd/2004/en/wntd2004\\_brochure\\_en.pdf](http://www.who.int/tobacco/communications/events/wntd/2004/en/wntd2004_brochure_en.pdf)>.

<sup>8</sup> Ibid. See also WHO, *The Millennium Development Goals*, above n 2, 41.

of tobacco cultivation to developing economies, there are very few that fully assess the associated adverse health, environmental, and economic burdens.<sup>9</sup> According to WHO, ‘the contribution of tobacco to developing economies, through employment and government revenue, is more than offset by the opportunity costs (tobacco versus food), public health effects, and the costs to national economies and the environment’.<sup>10</sup>

The care of tobacco seedlings and the harvesting of leaves are very labour intensive processes, which often require whole families, including children, to devote their time to the tobacco production process.<sup>11</sup> Poor families who depend on tobacco cultivation rely heavily on the labour of their children from a very early age.<sup>12</sup> These children are placed at high risk of injury and illness, and are denied ‘vital educational opportunities that could help lift them out of poverty’.<sup>13</sup> The costs associated with family labour have often been left out of estimates which suggest that tobacco is a cost-effective crop for small farmers. Moreover, the prevailing system under which transnational tobacco companies enter into direct contracts with small farmers in developing countries – giving them loans, seed, fertilizer, pesticides and technical support in return for exclusive purchase of their crops ‘at prices outside their control’ – means that many small farmers ‘do not make enough to pay off their loans, let alone make a profit’.<sup>14</sup>

The Study Group should coordinate comprehensive research analysing the economic costs and benefits of tobacco growing in comparison to alternative livelihoods. Such research will be essential to place the Study Group in a position to recommend cost-effective diversification initiatives to the COP, and will assist governments in their obligation under Article 17 to promote economically viable alternatives to tobacco cultivation.

#### *Links between tobacco cultivation and malnutrition*

In very poor countries, where fertile land is used to grow tobacco rather than food, tobacco cultivation contributes directly to hunger and malnutrition. WHO cites studies indicating that 5.3 million hectares of arable land are taken up by tobacco cultivation.<sup>15</sup> If devoted to food production, it has been estimated that this land could feed between 10 and 20 million people.<sup>16</sup> Incentives offered by the tobacco industry, such as ready supply of agricultural inputs and the promise of guaranteed crop sales, ‘push farmers towards tobacco rather than food production’, so that many thousands of small farmers in the developing world have replaced traditional food crops with tobacco.<sup>17</sup> In reality, most

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<sup>9</sup> Dr Vinayak M Prasad, *Case Study of Tobacco Cultivation and Alternate Crops in India* (Study conducted as a technical document for the first meeting of the Ad Hoc Study Group on Alternative Crops, February 2007) 12.

<sup>10</sup> WHO, *The Millennium Development Goals*, above n 2, 42. See also generally Prabhat Jha and Frank Chaloupka (eds), *Tobacco Control in Developing Countries* (OUP, Oxford 2000).

<sup>11</sup> WHO, *The Millennium Development Goals*, above n 2, 41.

<sup>12</sup> WHO, ‘Tobacco and Poverty’, above n 7, 5.

<sup>13</sup> Ibid.

<sup>14</sup> Ibid.

<sup>15</sup> WHO, *The Millennium Development Goals*, above n 2, 42.

<sup>16</sup> A Shah, *Hunger and Poverty: Causes of Hunger Are Related to Poverty* (2003), available online at <<http://www.globalissues.org/TradeRelated/Poverty/Hunger/Causes.asp>>, cited in WHO, *The Millennium Development Goals*, above n 2, 42.

<sup>17</sup> WHO, *The Millennium Development Goals*, above n 2, 42.

small tobacco farmers find that they ‘make barely enough money to eat’.<sup>18</sup> Thus, as WHO states, ‘hunger and malnutrition are made worse when countries use scarce land for tobacco production rather than for growing food’.<sup>19</sup>

Country-level studies have also commented on the links between tobacco cultivation and malnutrition in tobacco growing families. In Bangladesh, for example, the study conducted for the first meeting of the Study Group by Firdousi Naher and Debra Efroymson observed that: ‘tobacco cultivation and malnutrition seem to go together. Not only does land under tobacco directly compete with other crops such as fruits and vegetables, but the tedious farming process leaves no time for growing other food crops. During the harvesting season, when every possible pair of hands available in the household is on the field, there is no time even to cook. In addition, the returns left for the household after paying off all loans is too meagre to afford a balanced diet’.<sup>20</sup>

Further research should be undertaken to better understand the links between tobacco cultivation and malnutrition, and discussions on crop alternatives to tobacco and agricultural diversification must take into account the direct impacts of tobacco cultivation on hunger and malnutrition in the developing world. Sustainable food crops should be privileged in the search for economically viable alternatives to tobacco cultivation.

#### *Negative health effects on people engaged in tobacco cultivation*

Tobacco farming has deleterious consequences upon the health of those who are engaged in it. Large and frequent applications of pesticides – including aldicarb, chlorpyrifos, and 1,3-Dichloropropene – are required to protect tobacco plants from disease and insects, taking ‘an enormous toll on the health of tobacco farmers’.<sup>21</sup> The health effects of farmers’ ongoing frequent contact with such pesticides include genetic damage, nausea, muscle twitching and convulsions, respiratory problems, kidney damage, skin and eye irritation, and possibly neuro-psychiatric effects (with studies indicating links between organophosphate pesticides and increased rates of depression and suicide).<sup>22</sup> Although the use of pesticides is not unique to tobacco growing, tobacco is a very sensitive plant prone to many diseases, and farmers who grow tobacco are exposed to particularly large quantities of pesticides. Tobacco also poses its own unique health risks due to the absorption of nicotine into the skin of those who tend tobacco crops, leading to ‘green tobacco sickness’. Common symptoms of this illness include nausea, vomiting, weakness, dizziness, headaches, abdominal cramps, breathing difficulties, and fluctuations in blood pressure and heart rate.<sup>23</sup>

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<sup>18</sup> Ibid, 43.

<sup>19</sup> Ibid.

<sup>20</sup> Naher and Efroymson, above n 2, 15-16.

<sup>21</sup> WHO, ‘Tobacco and Poverty’, above n 7, 6.

<sup>22</sup> Ibid. See also Prasad, above n 9, 4-9; Naher and Efroymson, above n 2, 12-13; Dr Samuel Ochola and Professor Willis Kosura, *Case Study on Tobacco Cultivation and Possible Alternative Crops – Kenya* (Study conducted as a technical document for the first meeting of the Ad Hoc Study Group on Alternative Crops, February 2007) 6.

<sup>23</sup> WHO, ‘Tobacco and Poverty’, above n 7, 6.

As noted above, because tobacco is a highly labour intensive crop, the use of child labour is common practice in tobacco producing countries in the developing world. While tobacco farming 'is not unique in its use of child labour, the particular hazards posed by tobacco cultivation place these children at increased risk of injury and illness'.<sup>24</sup>

Further research is necessary to better understand the negative health impacts of tobacco growing, and to monitor their extent and incidence. Again, such research will be essential to place the Study Group in a position to make useful recommendations to the COP, and will assist governments in promoting economically viable alternatives to tobacco cultivation.

### *Negative impacts of tobacco cultivation on the environment*

Parties to the FCTC have agreed that, in carrying out their obligations under the Convention, they will 'have 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 their respective territories' (Article 18). Discussions on crop alternatives to tobacco and agricultural diversification must take into account the negative effects of tobacco cultivation on the environment, which include depletion of soil nutrients; pollution from pesticides and fertilisers; and deforestation (due to land clearance for tobacco cultivation and use of wood to cure tobacco leaves), contributing to adverse climate change.

WHO cites studies which show that tobacco plants leach nutrients from the soil, leading to its degradation and unsuitability for growing further crops.<sup>25</sup> Respondents to a survey conducted among Kenyan tobacco farmers for the first meeting of the Study Group noted that the cultivation of tobacco plants 'destroys our soils'.<sup>26</sup> Soil on which tobacco is cultivated is also affected by the large quantities of pesticides applied to tobacco crops.<sup>27</sup> The chemicals in pesticides and fertilisers are known to leach into the soil and into nearby waters.<sup>28</sup> In addition, because of the use of wood as fuel to cure tobacco leaves and to construct curing barns in the cultivation of Virginia flue-cured tobacco, the most widely grown variety of tobacco, tobacco cultivation is a major contributor to deforestation.<sup>29</sup> The growing of tobacco has been estimated to destroy 200,000 hectares of forests and woodlands each year, mostly in the developing world, where natural environments are often particularly fragile.<sup>30</sup> WHO notes that: 'Serious deforestation has occurred among major cultivators such as China, Malawi and Zimbabwe', with other affected countries including Bangladesh, Jordan, Pakistan, Korea, the Syrian Arab Republic, Uruguay, and

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<sup>24</sup> Ibid.

<sup>25</sup> WHO, *The Millennium Development Goals*, above n 2, 53, citing HJ Geist, 'Global Assessment of Deforestation Related to Tobacco Farming' (1999) 8 *Tobacco Control* 18-28. See also WHO, 'Tobacco and Poverty', above n 7, 8.

<sup>26</sup> Ochola and Kosura, above n 22, 5.

<sup>27</sup> See Prasad, above n 9, 9.

<sup>28</sup> WHO, 'Tobacco and Poverty', above n 7, 8.

<sup>29</sup> Ibid. See also Prasad, above n 9, 9; Ochola and Kosura, above n 22, 5.

<sup>30</sup> Geist, above n 25.

Vietnam.<sup>31</sup> Over time, forest removal for tobacco cultivation ‘can lead to “desertification” of land... contributing to adverse climate changes’.<sup>32</sup>

The Study Group on Alternative Crops should coordinate further research to assist it in understanding and monitoring the effects of tobacco cultivation on the environment. This is an important factor by which tobacco cultivation should be measured against alternatives. Further research will be useful to the Study Group, the COP, and Parties in their discussions on economically viable alternatives to tobacco cultivation.

### **Recommendations to Parties in relation to the promotion of economically viable alternatives to tobacco cultivation**

Parties should work with other Parties, with the Study Group, and with competent intergovernmental and nongovernmental organizations to promote economically viable alternatives to tobacco cultivation. FCA recommends the following:

- 1. The paramount consideration of Parties in all discussions taking place under the FCTC, including discussions about agricultural diversification and crop alternatives to tobacco, should be the achievement of the objective outlined in Article 3 of the Convention: to ‘protect present and future generations from the devastating health, social, environmental and economic consequences of tobacco consumption and exposure to tobacco smoke by providing a framework for tobacco control measures to be implemented by the Parties at the national, regional and international levels in order to reduce continually and substantially the prevalence of tobacco use and exposure to tobacco smoke’.**

The FCTC contains a number of provisions particularly relevant to the work of the Study Group on Alternative Crops, including Article 17 (Provision of support for economically viable alternative activities), Article 20 (Research, surveillance and exchange of information), and Article 22 (Cooperation in the scientific, technical, and legal fields and provision of related expertise). In implementing these provisions, Parties should keep in mind the overall objective of the Convention as stated in Article 3. At the Public Hearing on Agricultural Diversification and Alternative Crops to Tobacco in Brasilia, some participants, in particular those representing the tobacco industry, were primarily concerned with the economic impacts of exploring alternatives to tobacco. This approach ignores the very basis of the FCTC. Public health imperatives should always take precedence over economic considerations. Achieving the ultimate objective of the FCTC should be the primary concern of its Parties in all discussions about agricultural diversification and crop alternatives to tobacco.

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<sup>31</sup> WHO, *The Millennium Development Goals*, above n 2, 54.

<sup>32</sup> *Ibid.*

**2. Parties which produce tobacco should take measures at the national level to explore economically viable alternatives to tobacco crops, encourage diversification and develop mechanisms to promote alternative livelihoods.**

Parties to the FCTC have committed under Article 17 of the Convention to ‘promote, as appropriate, economically viable alternatives for tobacco workers, growers and, as the case may be, individual sellers’. Parties also undertake, under Article 20, to develop and promote national research and to coordinate research programmes at the regional and international levels in the field of tobacco control, and to this end must ‘initiate and cooperate in, directly or through competent international and regional intergovernmental organizations and other bodies, the conduct of research and scientific assessments, and in so doing promote and encourage... research for identification of alternative crops’ (Article 20.1(a)). These commitments to the promotion of economically viable alternatives to tobacco and to the conduct of research towards this end will need to be given particular attention by major tobacco producing countries.

**3. Parties which produce tobacco should take measures available to them to reduce dependence on tobacco cultivation. This includes identifying and curtailing support measures that currently prop up tobacco cultivation, often in spite of its non-feasibility for the economies concerned.**

In various tobacco producing Parties, tobacco cultivation is made more attractive to small farmers by the availability of government support. In India, for example, government support is provided for the cultivation of tobacco, with benefits such as cash discounts on items including seeds and fertilizers, and subsidized rates for electricity and water.<sup>33</sup> The Tobacco Board, under the Indian Ministry of Commerce, promotes the cultivation of Virginia flue-cured tobacco in India through price support, facilities, marketing, technical research, dissemination of information, sales and export promotion.<sup>34</sup> Similarly, in Malaysia, the National Tobacco Board, established as a federal statutory body under the *National Tobacco Act (Incorporation) 1973* (Act 111) to develop and enhance the tobacco industry, continues to provide significant financial and technical support to farmers who cultivate tobacco.

Parties to the FCTC should adopt a whole of government approach to the promotion of economically viable alternatives to tobacco cultivation. Government ministries should work together to identify government policies and institutions currently working to support the cultivation of tobacco, and should, over time, curtail these support measures. Government subsidies currently used to promote tobacco cultivation could usefully be redirected towards activities to promote diversification and rural development.

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<sup>33</sup> Prasad, above n 9, 7-8.

<sup>34</sup> Ibid.

- 4. All Parties should ensure that there is policy coherence between their various departments on this issue so that, for example, one department is not encouraging crop diversification while another is supporting tobacco growing as a development strategy.**

In order for the promotion of crop diversification and other economically viable alternatives to tobacco cultivation to be successful, it is essential that Parties adopt a whole of government approach to the issue. Ministries of health should work with other relevant ministries to ensure policy coherence and a consistent approach to tobacco control issues. Particularly in major tobacco producing Parties, the promotion of economically viable alternatives to tobacco cultivation will require ministries dealing with agriculture and ministries dealing with trade and foreign affairs to play an active role alongside ministries of health.

In India, for example, while the Ministry of Health has begun to promote alternative crops to tobacco, such as medicinal plants, the Ministry of Agriculture and associated institutions are undermining these efforts by continuing to work actively to promote tobacco cultivation through the support measures outlined above. In a study conducted for the first meeting of the Study Group, Dr Vinayak Prasad notes that in order for the Indian government to be successful in promoting alternatives to tobacco cultivation: 'It would be essential to encourage the Ministry of Agriculture and the Agricultural Marketing Boards to create an enabling environment for the farmers to switch from tobacco to other equally viable alternate crops', and for the Indian Council of Agricultural Research and the Agriculture Universities to provide 'technical support for the effective transfer of technologies on alternate crops to the farming community'.<sup>35</sup>

Ministries dealing with trade and foreign affairs should also be engaged in the promotion of alternatives to tobacco cultivation, and should not encourage the cultivation of tobacco. In China, the cultivation of tobacco is being promoted externally through bilateral agreements, such as the recent agreement with Zimbabwe under which China will provide a US \$58 million phased loan and farm equipment to be used in the production of tobacco.<sup>36</sup> In the first 'phase', China provided equipment including 424 tractors and 50 trucks for use in tobacco cultivation. Zimbabwe will be expected to export 30 million kilograms of tobacco to China by the end of 2007, and as much as 80 million kilograms by the fifth year after the loan.

- 5. All Parties should cooperate in strengthening the capacity of tobacco producing Parties to fulfil their obligations in respect of the promotion of economically viable alternatives.**

Article 22.1 requires Parties to the FCTC to cooperate, directly or through competent international bodies, to 'strengthen their capacity to fulfill the obligations arising from

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<sup>35</sup> Prasad, above n 9, 10-11.

<sup>36</sup> 'Chinese Equipment to Boost Tobacco Production' (Zimbabwe, 25 April 2007), available online at <[www.tobaccoreporter.com](http://www.tobaccoreporter.com)>.

this Convention, taking into account the needs of developing country Parties and Parties with economies in transition'. Such cooperation 'shall promote the transfer of technical, scientific and legal expertise and technology, as mutually agreed, to establish and strengthen national tobacco control strategies, plans and programmes'. Cooperation may be aimed at the provision of 'technical, scientific, legal and other expertise to establish and strengthen national tobacco control strategies, plans and programmes, aiming at implementation of the Convention' through means which include assisting, as appropriate, tobacco workers 'in the development of appropriate economically and legally viable alternative livelihoods in an economically viable manner' (Article 22.1(b)(ii)), and tobacco growers 'in shifting agricultural production to alternative crops in an economically viable manner' (Article 22.1(b)(iii)).

**6. All Parties should support practical measures designed to encourage crop diversification. Impractical measures, such as paying farmers not to grow tobacco or paying compensation to countries for future losses from tobacco growing, should not be supported.**

The tobacco manufacturing industry has worked hard to promote the notion that there are no economically viable alternative crops to tobacco. In fact, successful alternatives to tobacco cultivation do exist, and examples of such successes are increasing with greater recognition of the desirability of diversification and increased investment and attention by organizations which can assist in the necessary transitions.

A study prepared for the first meeting of the Study Group by John Keyser, an independent consultant who conducted case studies on crop substitution in Indonesia, Zimbabwe, Malawi, Brazil, China, and Canada, showed that although there are many difficulties facing small farmers shifting to alternative crops, there are several crops that 'can be more profitable than tobacco and may offer a possibility of better financial returns'.<sup>37</sup> A presentation at the meeting by FAO noted recent examples of successful diversification in Malawi and India, two major tobacco producing economies. Small tobacco farmers in these countries have successfully shifted to various other crops including groundnuts and cotton, and into alternative industries including textiles and tourism.<sup>38</sup> Presentations by experts from India, Bangladesh and Kenya also indicated the availability of successful alternatives to tobacco cultivation. Some of the options identified included mixed non-tobacco cropping including, for example, sugarcane, onion, maize, groundnut, soybean, and eggplant.<sup>39</sup> In Kenya, empirical analysis undertaken by Dr Samuel Ochola and Professor Willis Kosura for the meeting indicated that tobacco had 'the least returns per acre in the study area,

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<sup>37</sup> John C Keyser, *Crop Substitution and Alternative Crops for Tobacco* (Study conducted as a technical document for the first meeting of the Ad Hoc Study Group on Alternative Crops, February 2007) 2.

<sup>38</sup> See 'Matters identified in decisions taken by the Conference of the Parties that call for action in the period between its first and second sessions: Establishment of a study group on alternative crops (decision FCTC/COPI(17))', above n 1, 5.

<sup>39</sup> Prasad, above n 9, 13; Naher and Efrogmson, above n 2, 18-19.

when compared to Passion fruits, Watermelon, Soya beans, Pineapples, and Pepper'.<sup>40</sup>

Diversion of FCTC funds to pay farmers not to grow tobacco or to pay compensation to countries for future losses from shifting away from tobacco growing would be a less effective use of limited resources than applying these resources to targeted measures aimed at promoting economically viable alternative activities. Available funds to assist families engaged in tobacco cultivation to shift to alternative crops or alternate livelihoods should be employed in identification and development of markets (including identification of suitable commercial crops, which will differ according to region), development of infrastructure at local and regional levels, and education and training programs for farmers and workers.

Pilot projects, which can help to identify suitable alternatives for specific locations and to develop the infrastructure to support such alternatives, will be a significant means by which progress can be made in the shift away from tobacco cultivation. Recent and ongoing examples of such projects were provided at the first meeting of the Study Group by the International Development Research Centre (IDRC), which is currently supporting three large, long-term pilot projects and five smaller studies (including cultivation of giant bamboo by Kenyan tobacco farmers, diversified food production in Bangladesh, and diversification for Malawian tobacco farmers with a focus on legumes).<sup>41</sup> Development of agricultural credit systems to financially support small tobacco farmers in shifting to alternative crops is another example of a potentially very useful tool in encouraging diversification.<sup>42</sup> Private sector financial institutions, which play a significant role in supporting tobacco cultivation through access to credit, might usefully be engaged in the promotion of crop diversification.<sup>43</sup> Enhancing access to information and technical expertise will also be crucial. To assist in these processes, Parties should actively engage with the Study Group, and partnerships should be formed with and between Parties, intergovernmental organizations, nongovernmental organizations, academic institutions, and private sector institutions.

**7. All Parties should protect their policies in this area from commercial and other vested interests of the tobacco industry, in accordance with World Health Assembly resolution 54.18 and Article 5.3 of the FCTC.**

In WHA Resolution 54.18 (Transparency in tobacco control process), the Member States of the WHO noted with great concern the findings of the Committee of Experts on Tobacco Industry Documents, 'namely, that the tobacco industry has operated for years with the express intention of subverting the role of governments and of WHO in

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<sup>40</sup> Ochola and Kosura, above n 22, 18.

<sup>41</sup> See 'Matters identified in decisions taken by the Conference of the Parties that call for action in the period between its first and second sessions: Establishment of a study group on alternative crops (decision FCTC/COP1(17))', above n 1, 6.

<sup>42</sup> See Prasad, above n 9, 10-12; Naher and Efroymsen, above n 2, 13-15; Ochola and Kosura, above n 22, 15-16, 18.

<sup>43</sup> Ibid.

implementing public health policies to combat the tobacco epidemic'.<sup>44</sup> Resolution 54.18 urged Member States to be aware of affiliations between the tobacco industry and members of their delegations; urged the 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; and called on the WHO to continue to inform Member States of activities of the tobacco industry that have a negative impact on tobacco control efforts. Recognition of 'the need to be alert to any efforts by the tobacco industry to undermine or subvert tobacco control efforts and the need to be informed of activities of the tobacco industry that have a negative impact on tobacco control efforts' is included in the Preamble to the FCTC. Each Party to the Convention agrees that in setting and implementing their public health policies with respect to tobacco control they shall 'act to protect these policies from commercial and other vested interests of the tobacco industry in accordance with national law' (Article 5.3).

A submission to the Public Hearing on Agricultural Diversification and Crop Alternatives to Tobacco by a group of four academics – Marty Otañez of the University of California, Preeti Patel and Anna Gilmore of the London School of Hygiene and Tropical Medicine, and Jeff Collin of the University of Edinburgh – expressed concern that: 'Global cigarette manufacturers Philip Morris and British American Tobacco, and leaf buying companies such as Universal Leaf Corporation and Alliance One International, and industry groups such as the International Tobacco Growers' Association confuse and weaken public debate and policies of crop diversification in countries dependent on tobacco growing. They do so through lobbying governments and publishing reports that exaggerate the economic benefits of tobacco growing and promote improbable disaster scenarios'.<sup>45</sup> Tobacco companies have 'overtly and covertly funded research on tobacco crops to draw attention to the economic benefits of tobacco and prevent crop diversification in tobacco growing communities'.<sup>46</sup> Industry representatives have also been reported to have discouraged diversification through direct contact with small farmers: the presentation by the IDRC at the first meeting of the Study Group, for example, noted that its pilot project in Bangladesh had been complicated by British American Tobacco, which held meetings of local farmers at which it threatened to boycott the crops of farmers who participated in IDRC's diversification initiatives.

It is concerning that tobacco industry representatives have been actively pushing for greater involvement in discussions on crop alternatives to tobacco and agricultural diversification. At the Public Hearing in Brasilia, various industry groups requested that they be closely involved in the ongoing work of the Study Group. It is also concerning that some industry groups have attempted to present themselves as representatives of tobacco growers in a bid to add legitimacy to their requests to be

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<sup>44</sup> WHO Committee of Experts on Tobacco Industry Documents, *Tobacco Company Strategies to Undermine Tobacco Control Activities at the World Health Organization* (2000).

<sup>45</sup> University of California, San Francisco, Submission to the Public Hearing on Agricultural Diversification and Crop Alternatives to Tobacco for the WHO FCTC (Brasilia, Brazil, 26 February 2007), available online at <<http://www.who.int/tobacco/framework/cop/events/universitycalifornia.pdf>>.

<sup>46</sup> Ibid.

included in work on agricultural diversification. In particular, the International Tobacco Growers' Association (ITGA) continues to represent itself as 'an organization created by tobacco farmers for tobacco farmers'.<sup>47</sup> Publicly accessible documents show that the ITGA was created by the tobacco manufacturing industry and continues to be funded by the industry.<sup>48</sup> The ITGA's expressions of support for the work of the Study Group are undermined by its expressly stated objectives as an organization: 'working with the industry to defend its interests *against* the global anti-tobacco drive' is listed on the ITGA's website as one its primary activities.<sup>49</sup> In order to ensure the integrity of discussions on agricultural diversification and crop alternatives to tobacco, Parties to the FCTC must ensure that the work of the Study Group on Alternative Crops is not influenced by commercial and other vested interests of the tobacco industry. Parties must also protect their domestic policies to promote economically viable alternatives to tobacco cultivation from industry influence.

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<sup>47</sup> ITGA, Submission to the Public Hearing on Agricultural Diversification and Crop Alternatives to Tobacco for the WHO FCTC (Brasilia, Brazil, 26 February 2007), available online at <<http://www.who.int/tobacco/framework/cop/events/itga.pdf>>.

<sup>48</sup> See Emma Must, *ITGA Uncovered: Unravelling the Spin – the Truth behind the Claims* (PATH Canada, 2001) available online at <<http://www.healthbridge.ca/Assets/Images/PDF/Tobacco/Publications/itgabr.pdf>>.

<sup>49</sup> ITGA, 'Membership Benefits', online at <<http://www.tobaccoleaf.org/membership/index.asp?op=2>> [emphasis added].