



SEATCA

SOUTHEAST ASIA TOBACCO CONTROL ALLIANCE

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**WARNING: THE TOBACCO
INDUSTRY IS DANGEROUS
TO YOUR COUNTRY'S
HEALTH**

Just say NO:

- × No “closed-door meetings” with the tobacco industry;
- × No consultation with the industry as a stakeholder;
- × No to money from the tobacco industry for Corporate Social Responsibility (CSR) activities;
- × No partnerships and MOUs with the tobacco industry;
- × No special privileges or incentives to the tobacco industry such as tax holidays.

Call for Actions:

- ✓ Make public all meetings with the tobacco industry;
- ✓ Prioritise public health over economic gains;
- ✓ Prohibit so-called CSR activities by the tobacco industry;
- ✓ Require all government officials to declare their vested interests in the tobacco industry and prohibit government officials from working/consulting for the industry within 5 years of leaving government service;
- ✓ Require the tobacco industry to disclose all spending on marketing and political lobbying activities.

31 May, World No Tobacco Day: Stop tobacco industry interference

Burdens from Tobacco Use

About 31% (125.8 million) of the adult ASEAN population are current smokers, accounting for 10% of the world's 1.25 billion adult smokers.ⁱ Tobacco kills half its regular users prematurely. The ASEAN region accounts for almost 10% of global tobacco-related deaths, losing one person for every five lives claimed by tobacco. The region has among the highest rates of male smoking, and the fastest increase of tobacco use among women and young people. In the Western Pacific Region it is estimated that two people die every minute from tobacco-related disease, and half of all men, women, and children are regularly exposed to secondhand smoke at home and in public places.ⁱⁱ

Tobacco is not like any other product and this industry is not like any other industry.

The UN General Assembly issued a red-alert in 2011 stating there is a "fundamental conflict of interest between the tobacco industry and public health".ⁱⁱⁱ

The Director-General of WHO describes the tobacco industry as a "ruthless and devious enemy" whose "tactics aimed at undermining

anti-tobacco campaigns, and subverting the Framework Convention, are no longer covert or cloaked by an image of corporate social responsibility. They are out in the open and they are extremely aggressive."^{iv}

The internal documents of the transnational tobacco companies, now made public, provide evidence that the industry indeed fights tobacco control measures and the public health community:

"Our objective remains to develop and mobilize the necessary resources ... to fight the social and legislative initiatives against tobacco...We shall carefully target our opponents. We shall precisely identify, monitor, isolate, and contest key individuals and organizations."

Philip Morris, 1989, Bates: 2500066142-6194

This year, we celebrate World No-Tobacco Day to the theme of "Stopping Tobacco Industry Interference". Are your tobacco control policies vulnerable to sabotage? If the answer is "Yes" then this is an opportunity to take concrete collective action to challenge the tobacco industry's tactics and halt industry intimidation.

The Industry protects profits¹

Countries	Billion Sticks
Cambodia	4.5
Indonesia	180.5
Lao PDR	2.73
Malaysia	52.1
Philippines	93.8
Thailand	27.6
Singapore	7.5
Vietnam	116.5

Governments should protect lives*

Countries	Smokers
Cambodia	2,600,000
Indonesia	57,600,000
Lao PDR	1,500,000
Malaysia	3,600,000
Philippines	20,700,000
Thailand	9,600,000
Singapore	500,000
Vietnam	17,600,000

*adult smokers per country based on latest data

What the industry is up to in the ASEAN region

In Southeast Asia the tobacco industry has attempted to interfere with tobacco control policies in several ways including requesting to be part of the tobacco control task force, drafting pro-industry legislation, and submitting position papers and letters to policy makers that directly oppose stringent regulatory measures.

Cambodia: BAT opposed a comprehensive ban of tobacco advertising and promotion, calling it “unnecessary burden put on the business”. BAT claimed in the press that the industry had consulted with government agencies on its position.

Indonesia: The direct cost of smoking is \$13,900 million, yet Indonesia lags behind other ASEAN countries in tobacco control as it faces industry interference from different fronts. For example a clause in the Health Law 2009, which declares “tobacco is addictive” disappeared after the law was approved in Parliament but before signing into law by the President. The missing clause re-appeared after the issue was exposed in the press. That same clause was later challenged, unsuccessfully, for judicial review in the Constitutional Court.

Lao PDR: Local tobacco companies lobbied high level officials and National Assembly members to weaken draft legislation. A draft to ban tobacco advertising, promotions and sponsorship ended with a ban on all, except at points of sale & parasols. The proposed 50% pictorial health warning was modified to a text-only warning occupying just 30%.

Malaysia: The industry cites economic issues as an excuse for why a strong tobacco control measure cannot be adopted as when the Confederation of Malaysian Tobacco Manufacturers (CMTM) presented results of its Illicit Cigarettes litter study to various government ministries in Malaysia claiming the high illicit cigarette problem (39%) will worsen if there was a tobacco tax increase.

Philippines: Tobacco companies are refusing to comply with the Department of Health Administrative Order requiring pictorial health warnings on cigarette packs and filed legal action against the government in five different local courts over this matter.

Thailand: The tobacco industry fought against the cigarette pack display ban at point of sale. Tobacco farmers submitted a petition to the government to not adopt WHO FCTC Art 9 and 10 guidelines.

Vietnam: Providing incentives to government officials and politicians to take a pro-industry position such as organizing study tours abroad for members of parliament or government officials.

Put health first

When considering stringent action to control tobacco, some policy makers believe there has to be a “balance” between health and trade. There is however a fundamental and irreconcilable conflict between the tobacco industry’s interests and public health policy. This is captured eloquently in His Majesty, Sultan Haji Hassanal Bolkiah, of Brunei’s statement at an International Seminar on Tobacco or Health:

“There are those who may argue from the economic standpoint that tobacco is one of the factors that can generate revenue. However, from another perspective, others found as a matter of fact that smoking brings with it grave dangers that pose a threat to health, and indeed life itself... There are no alternatives as far as health and life are concerned, because health and life are all that we have. Therefore, the issue before us is really quite obvious, whether we want to

survive with smoking from the economic viewpoint, which has many alternatives, or do we choose one that totally has no alternative, that is to safeguard health and save lives?”^v

Stop this industry

A tobacco company executive once said, “If you can market a product that kills people, you can sell anything.”^{vi} In 2010, the combined profits of six leading tobacco companies were US\$35.1 billion.^{vii}

The tobacco industry is the problem and cannot be part of the solution. Hence it needs to be de-normalised and its tactics exposed. To date the tobacco industry has not admitted wrongdoing and continues to deny in the courts that its products cause disease and death. The industry has targeted Southeast Asian countries as an important region to grow its profits. Within the region Indonesia, Philippines and Vietnam are vital markets for the industry, and it fights regulations aggressively. Other countries in the region that have enacted strong regulations such as Brunei, Malaysia, Singapore and Thailand continue to experience pressure from the industry, which seeks to fight off further restrictions.

Tobacco companies spend millions of dollars annually trying to influence public policy and legislation. In reality, most countries do not require them to report their political contributions, so a complete picture of the tobacco industry’s investment is not available. In addition to political influence, tobacco companies make charitable contributions under the guise of corporate social responsibility (CSR). Often these donations and efforts promote the image of tobacco companies rather than benefit humanitarian efforts in the long term. In 2010 Philip Morris International (PMI) spent \$25 million in donations which is just a small fraction of the company’s \$7.5 billion in profits.^{viii} However the amount PMI spent advertising their so-called CSR activities is not factored in.

The influence of the tobacco industry is extensive, and tobacco companies’ so-called CSR contributions allow tobacco companies to legitimize themselves with policymakers and the public and enable them to counter tobacco control efforts. According to WHO-FCTC Article 5.3, Parties are warned to “be alert to any efforts by the tobacco industry to undermine or subvert tobacco control efforts” and are obligated to protect their public health policies from commercial and other vested interests of the tobacco industry.

Countries are urged to adopt measures to require the tobacco industry to periodically submit such information. Demanding this information for purposes of regulation is a mode of asserting our government’s right and duty to develop and implement public health policies. If governments seek this information, we can have potent tools to challenge the devious tactics of the tobacco industry.

ⁱ ASEAN Tobacco Control Report Card, SEATCA, www.seatca.org

ⁱⁱ Tobacco Free Initiative, WHO-WPRO <http://www.wpro.who.int/entity/tobacco/en/index.html>

ⁱⁱⁱ Political Declaration of the High-level Meeting of the General Assembly on the Prevention and Control of Non-communicable Diseases, United Nations, http://www.un.org/ga/search/view_doc.asp?symbol=A/66/L.1

^{iv} Dr Margaret Chan, DG World Health Organization, The Changed Face of the tobacco industry, 15th World Conference on Smoking or Health, Singapore, http://www.who.int/dg/speeches/2012/tobacco_20120320/en/index.html

^v Tobacco: Economy or health, HM Sultan Haji Hassanal Bolkiah Mu'izzaddin 11 July 2002, <http://bit.ly/JGTR3Q>

^{vi} Chris Reiter, R.J. Reynolds Campaign Program Manager, US, 2003

^{vii} The Tobacco Atlas, 2012, <http://www.tobaccoatlas.org/industry/marketing/text/>

^{viii} The Tobacco Atlas, 2012, <http://www.tobaccoatlas.org/industry/marketing/text/>