

Philip Morris-sponsored event may violate international law

A corporate lobbying event in Washington, DC tomorrow tonight - sponsored in part by Philip Morris International - is contrary to the spirit of the 2009 Family Smoking Prevention and Tobacco Control Act, as well as other U.S. laws. The \$1200-\$1500-per-plate event, being held at the historic Willard Hotel, is a chance for corporate executives to lobby on the TransPacific Partnership, a free trade agreement currently under negotiation between the United States and eight other Pacific Rim countries. The "exclusive" function will be attended by U.S. Federal and state officials, ambassadors from other TPP countries and business executives. After official remarks, the press will be asked to leave for the informal reception. Public interest groups are not invited.

The event also violates a tobacco industry non-interference clause in a global public health treaty, the Framework Convention on Tobacco Control, which the United States signed in 2004. Article 5.3 of the Convention prohibits closed-door meetings between government officials and the tobacco industry, as well as financial contributions to government activities, among other provisions.

"This is precisely the sort of back-room deal making that the FCTC was intended to stop," said Laurent Huber, Director of Action on Smoking and Health, a U.S. public health organization. "There is an inherent conflict of interest between the tobacco industry and public policy. Their goals are diametrically opposed to the goals of public health."

The participation of Philip Morris also violates two other U.S. laws focused on tobacco exports. Executive Order 13193, signed by President Clinton and still in force, forbids the U.S. government in its trade policy from promoting "the sale or export of tobacco or tobacco products." The Doggett Amendment reinforces this ban, and goes further in prohibiting the government from promoting the interests of the tobacco industry overseas.

"Governments around the world, including the U.S., have recently agreed through a United Nations process to exclude the tobacco industry in policy discussions," said Huber. "This is specifically stated in the Political Declaration adopted by the United Nations Summit on Non-communicable Diseases held in 2011." Tobacco is the leading risk factor for non-communicable diseases.

Lowering tariffs and gaining access to markets is only part of the potential benefit of the TPP agreement to the tobacco industry. In the past, Philip Morris International has repeatedly used trade agreements to delay or block countries' implementation of strong tobacco control laws, and sees in the TPP the potential to greatly increase their ability to exact an economic cost, in the form of legal defense fees, on governments attempting to protect their populations from tobacco addiction.

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