

UNIVERSITY *of* HAWAI'I *at* MĀNOA

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**How Does Big Tobacco Love
Government Interference?
Let Us Count the Ways**

**Ending the Tobacco Epidemic:
Protecting and Keeping Healthy Lives
APACT 2013, August 18-21, 2013**



FCTC Art. 5.3 (2003)

General Obligations

3. In setting and implementing their public health policies with respect to tobacco control, Parties shall act to protect these policies from commercial and other vested interests of the tobacco industry in accordance with national law.



FCTC Art. 5.3 Guidelines (2008)

Introduction

The broad array of strategies and tactics used by the tobacco industry to interfere with the setting and implementing of tobacco control measures. . . is documented by a vast body of evidence.



So, what should we do?

The answer has already
been written....



FCTC Art. 5.3 Guidelines (2008)

The screenshot shows the WHO FCTC website interface. At the top, there is a navigation bar with the WHO logo and the text 'FCTC WHO FRAMEWORK CONVENTION ON TOBACCO CONTROL'. To the right of the logo are language options: عربي | 中文 | English | Français | Русский | Español. Below the navigation bar is a search bar with a magnifying glass icon and a 'Search' button. The main content area is divided into a left sidebar and a main content area. The sidebar contains a list of navigation links: WHO FCTC, Conference of the Parties, Protocol, Guidelines (with a dropdown arrow), Adopted guidelines, Working groups, Implementation and assistance, Parties' reports, Documents and publications, and Convention Secretariat. The main content area features the title 'Guidelines for implementation of Article 5.3' in bold. Below the title is a sub-heading: 'Guidelines on the protection of public health policies with respect to tobacco control from commercial and other vested interests'. The text below the sub-heading states: 'At its third session in November 2008, the Conference of the Parties (COP) adopted guidelines for implementation of Article 5.3 of the WHO FCTC on the protection of public health policies with respect to tobacco control from commercial and other vested interests of the tobacco industry (decision FCTC/COP3(7)).' To the right of the main text are 'Share' and 'Print' icons. Below the main text is a download icon and the text: 'Guidelines for implementation of Article 5.3 of the WHO Framework Convention on Tobacco Control (decision FCTC/COP3(7)) pdf, 108kb'. At the bottom of the page, there is a breadcrumb trail: 'WHO Framework Convention on Tobacco Control > Guidelines for implementation of the WHO Framework Convention on Tobacco Control > Adopted guidelines'. Below the breadcrumb trail is a footer section with the WHO FCTC logo on the left. To the right of the logo are three columns of links: 'Resources' (Contacts, Employment, Privacy), 'Sitemap' (WHO FCTC, Conference of the Parties, Protocol and guidelines, Parties' reports, Implementation assistance, Documents and publications, Convention Secretariat), and 'Index' (Topics). At the bottom left of the footer is the copyright notice: '© WHO 2013'.

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FCTC Art. 5.3 Guidelines (2008)

Recommendations

http://www.who.int/fctc/guidelines/adopted/article_5_3/en/index.html

日本語版もあるそうです。(望月先生作)

Here is our “bible”!

Read it, use it, don't let government officials forget it!



FCTC Art. 5.3 Guidelines (2008)

Guiding Principles

Principle 1:

There is a fundamental and irreconcilable conflict between the tobacco industry's interests and public health policy interests.



FCTC Art. 5.3 Guidelines (2008)

Guiding Principles

Principle 2:

Parties, when dealing with the tobacco industry or those working to further its interests, should be accountable and transparent.



FCTC Art. 5.3 Guidelines (2008)

Guiding Principles

Principle 3:

Parties should require the tobacco industry and those working to further its interests to operate and act in a manner that is accountable and transparent.



FCTC Art. 5.3 Guidelines (2008)

Guiding Principles

Principle 4:

Because their products are lethal, the tobacco industry should not be granted incentives to establish or run their businesses.



KEY POINTS:

- **TRANSPARENCY:** Make visible all the connections between TI and government are often hidden. TI operates in every way – openly and secretly, directly and indirectly, at all levels of government.
- **ACCOUNTABILITY:** Demand that governments not partner with TI. As Prakit noted on Monday: “We’ll meet you downstream to regulate you; not get your advise upstream in deciding what the regulation will be.”



WHO MIGHT BE DOING BIG TOBACCO'S WORK?

- Trade associations
- Tobacco agriculture interests
- Tobacco retail interests (e.g. convenience store companies), other tobacco-related businesses (e.g. paper, filters, machinery)
- Banks and other investors
- Consultants and academics who get TI gifts and money
- Media, advertising, media production companies
- Entertainers, other influential persons who get TI gifts and money
- Law firms and accounting firms
- NPO's and think tanks.

ETC. ◻



FCTC Art. 3 (2003)

Objective

... to protect present and future generations from the devastating health, social, environmental and economic consequences of tobacco consumption and exposure to tobacco smoke



Conclusion

Without a doubt, Article 5.3 is the beating heart of the FCTC.

Big Tobacco insinuates itself into public policy choices in every way that it can.

We must take note of the obvious and hidden routes, and make ourselves ready to block them wherever we can.



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Thanks to AFACT Organizers and Secretariat staff!

Thanks also to our great interpreting team.

Comments and suggestions welcome
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