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ENSP European survey on tobacco industry interference - results

Dear members and friends of ENSP,

Thank you for responding to our recent survey. We enclose herewith the findings, for your information and possibly as material for your own press releases on World No Tobacco Day. The link to the article (which will be activated on the morning of 31 May 2012) is: <http://www.ensp.org/node/773>

ENSP European survey on tobacco industry interference

Article 5.3 of the WHO Framework Convention on Tobacco Control (WHO FCTC) requires that: ***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.***

In accordance with its statutes European Network for Smoking and Tobacco Prevention (ENSP) is an independent, international not-for-profit organisation, which aims to put an end to tobacco consumption and develop a common strategy amongst organisations active in smoking prevention and tobacco control in Europe, by sharing information and experience and through co-ordinated activities and projects. ENSP's two top-priority objectives are:

- (i) to have the WHO FCTC implemented in Europe by 2020 and
- (ii) to reduce the prevalence of tobacco use in Europe to less than 5% by 2040.

This brief ENSP survey aims to study and map compliance with WHO FCTC Article 5.3 in European countries. As the basis of the survey we have used the seven questions used by FCA and Corporate Accountability International for the 2012 Shadow Report, as published in the latest *Tobacco Watch 2012* [\[1\]](#), plus a few of our own questions.

Period covered: 18 April 2012 to 10 May 2012

Responses received: 35**Questions:****1. Which European country are you responding for?****Responses from 25 countries received**

	Country	No. of responses
1	Albania	1
2	Austria	1
3	Belgium	2
4	Bulgaria	1
5	Cyprus	2
6	Czech Republic	2
7	Denmark	1
8	Estonia	1
9	Finland	1
10	France	1
11	Georgia	2
12	Greece	1
13	Italy	1
14	Lithuania	1
15	Netherlands	1
16	Portugal	2
17	Romania	2
18	Serbia	2
19	Slovenia	1
20	Spain	2
21	Sweden	1
22	Switzerland	2
23	Turkey	2
24	Ukraine	1
25	United Kingdom	1

2. Does your government (including individual members of parliament and parliamentary committees) hold consultations with tobacco corporations or anyone acting on their behalf?

YES 21 = 84.00%

NO	3	=	12.00%
N/A	1	=	4.00%

Selected quotations from responses received:

"...such meetings have a long tradition."

"It is well known that industry representatives have regular access to parliament and government."

"The meetings are not made transparent."

3. Do government officials accept meetings and consultations on the initiative of tobacco industry representatives or others acting on their behalf?

YES	22	=	88.00%
NO	2	=	8.00%
N/A	1	=	4.00%

Selected quotations from responses received:

"Tobacco industry representatives meet with officials of the Ministries of Finance, Economy and Health."

"Several meetings of tobacco industry representatives and Ministry officers have taken place even recently at the Ministries of Health and Financial Affairs."

"There are frequent contacts with the Ministry of Health, Ministry of Finance and Ministry of Economic Affairs (at least). There is no transparency about these meetings."

"There are no official records and no transparency."

"Government officials accept meetings and consultations with tobacco industry representatives, records of meetings may exist, but they are not publicly available."

4. Are tobacco corporations represented on any government bodies responsible for tobacco control or public health?

YES	6	=	24.00%
NO	18	=	72.00%
N/A	1	=	4.00%

Selected quotations from responses received:

"... not officially."

"Yes, they are invited officially and without formalities."

5. Are you aware of any former tobacco industry officials being hired by your government or of any former government officials being hired by the tobacco industry?

YES	11	=	44.00%
NO	14	=	56.00%
N/A	0	=	0.00%

Selected quotations from responses received:

"Beppo Mauhart was secretary of the Minister of Finance and afterwards Director General at Austrian Tobacco Works (ATW)."

"Lars-Erik Rutqvist works for Swedish Match as the Vice President of Scientific Affairs. Previously he worked for regional governments as a medical doctor."

"Yes, MPs and Senators."

"PMI hired a former government official."

"... former head of customs was nominated President of SEITA, then Vice President of Imperial Tobacco before returning to the Ministry of Finance in charge of investment for the French Republic."

"...a former government spokesperson is the current Director of JTI."

"It has happened on several occasions that high-ranking officials from the Ministry of Finance became directors in transnational tobacco corporations after their mandate."

6. Has your government entered into any partnerships or non-enforceable agreements with tobacco corporations, subsidiaries, affiliates or agents?

YES	11	=	44.00%
NO	12	=	48.00%
N/A	2	=	8.00%

Selected quotations from responses received:

"A former Minister of Health co-operated with the tobacco industry on a youth project. The Marketing Director of ATW was on the board of this research project (attempting to analyse Austrian youth). Also recently the Chamber of Commerce, having a heavy influence on the government, ran an advertising campaign (against smuggling) with Philip Morris and defeated regulations concerning smoke-free places in the hospitality industry."

"...there are of course the agreements concerning illicit trade."

"Yes, e.g. Alliance 18 (enforcing the ban to sell tobacco products under 18 y.o.)."

"The Portuguese customs authorities and fiscal enforcement policy joined the Philip Morris campaign against illicit tobacco trade. This was denounced to the Portuguese law authorities by the Portuguese Society for Tobacco Control; no response was received. Cf.: <http://www.pmi.com/marketpages/FinancialDocuments/Leaflet.pdf>"

"Yes, in some reforestation projects in the Canary Islands, for instance (the regional government)"

"The Ukrainian customs services have signed an agreement with TTCs on preventing smuggling in 2011. In 2010 tobacco companies had an agreement with the government about a significant tax increase since July 2010, but no major excise increases in 2011. This agreement was kept by the government."

7. Is the tobacco industry promoting voluntary self-regulations as an alternative to legal, binding regulations?

YES	14	=	56.00%
NO	10	=	40.00%
N/A	1	=	4.00%

Selected quotations from responses received:

"TTCs said they have voluntary marketing restrictions and massively opposed new WHO FCTC-based legislation on a tobacco advertising ban."

“Until the ban on vending machines, which came into effect in October 2011, the tobacco companies argued that self-regulation was adequate to prevent sales to youth.”

8. Are PMI, BAT or JTI promoting their so-called corporate social responsibility (CSR)?

YES	20	=	80.00%
NO	5	=	20.00%
N/A	0	=	0.00%

Selected quotations from responses received:

“All the major tobacco companies engage in CSR although this tends to be focused on activities in developing countries rather than the UK.”

“BAT: www.bat.ch (see under icon notre responsabilité: Corporate Social Investment as well as Stakeholder Reporting PM and JTI do finance different institutions re. violence to women, culture etc.”

“PMI has a partnership with Swedish Match. Swedish Match gives a prize out to organizations working with children’s and older persons’ issues. The last prize was awarded to Queen Sylvia. Swedish Match also has signs in stores to limit sales to minors. Swedish Match serves on the Board of Eliminating Child Labour in Tobacco Growing which is a tobacco industry sponsored CSR tactic. <http://www.eclt.org/>”

“Yes, they even invite representatives of government to their CSR meetings and including prominent and famous people for their CSR activities.”

“Scandinavian Tobacco Group used to own House of Prince together with BAT (but are now mostly in cigars and smoke free tobacco) and they own the world famous Tivoli amusement park in the centre of Copenhagen. They also sponsor the Royal Danish Theatre and other cultural events.”

“The most outrageous was JTI’s sponsorship of the George Enescu International Festival and Contest, a prestigious classical music festival. JTI also funds “The JTI meetings”, cultural events with known opera/ ballet performers, aired on the national television.”

9. Are PMI, BAT or JTI running or funding programmes they claim are designed to prevent youth smoking?

YES	11	=	44.00%
NO	12	=	48.00%
N/A	2	=	8.00%

Selected quotations from responses received:

“There have been attempts in the past to promote such programmes in partnership with the government. Nowadays, such attempts are announced at local level, particularly areas where tobacco companies are located.”

“Yes, they have provided funds for a smoking-cessation project in Sicily.”

“Yes, in partnership with the Ministry for Education.”

Based on the above results, it is clear that WHO FCTC Art 5.3 is thus not implemented in Europe.

31 May is celebrated annually as World No Tobacco Day. As this year's theme WHO has selected **tobacco industry interference**.

Today ENSP is calling on all European governments, in line with their obligations as signatories of the WHO FCTC, to implement WHO FCTC Article 5.3 and its guidelines in all branches of government.

Reference: http://www.who.int/fctc/guidelines/article_5_3.pdf

Guidelines for implementation of Article 5.3 of the WHO Framework Convention on Tobacco Control on the protection of public health policies with respect to tobacco control from commercial and other vested interests of the tobacco industry

http://fctc.org/index.php?option=com_content&view=article&id=748:world-no-tobacco-day-2012&catid=230:industry-interference-&Itemid=234

<http://www.who.int/tobacco/wntd/2012/announcement/en/>

[1] Bostic, C. (ed.) Tobacco Watch Monitoring Countries' Performance on the Global Treaty, Geneva, Framework Convention Alliance 2012

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