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HEALTH IS NOT NEGOTIABLE

Action plan for counteracting
tobacco industry interference
with public policies



Why does the civil society have to monitor the tobacco industry's actions?



The tobacco industry's central goal is to make profits through the sale of its products. Therefore, its main effort is to avoid or diminish the creation or implementation of any public policy that would impact tobacco use.

Monitoring and denouncing the tobacco industry's actions is key for promoting effective policies and de-normalizing the image of the industry as "socially responsible".

Civil society organizations play an essential role in the defense of the right to health, so they must be capable of recognizing tobacco industry's tactics and strategies in order to expose them before they reach their goal, disseminate them and mitigate their effects.

Civil society must work to guarantee transparency in government's decision-making processes and denaturalize the tobacco industry's image as a valid stakeholder to participate in the debates about public policy.



Global consensus: the tobacco industry's interests and the goals of public health policies are irreconcilable



→ The **World Health Assembly** in its resolution 54.18 in 2001 urges the governments, with the support of the international community, to confront the tobacco industry interference with health policies.

→ **FCTC's Article 5.3 and its guidelines** state that public health policies with respect to tobacco control shall be protected from commercial and other tobacco industry's interests.

→ The **Political Declaration of the High-level Meeting of the General Assembly on the Prevention and Control of Non-communicable Diseases**, signed in 2011, in Article 38, recognizes the fundamental conflict of interest between the tobacco industry and public health.

→ The **United Nations Global Compact (UN Global Compact)**, with the aim of supporting the fight against the tobacco epidemic, excludes tobacco companies of its initiatives and does not accept funding from tobacco companies.

What is tobacco industry interference?

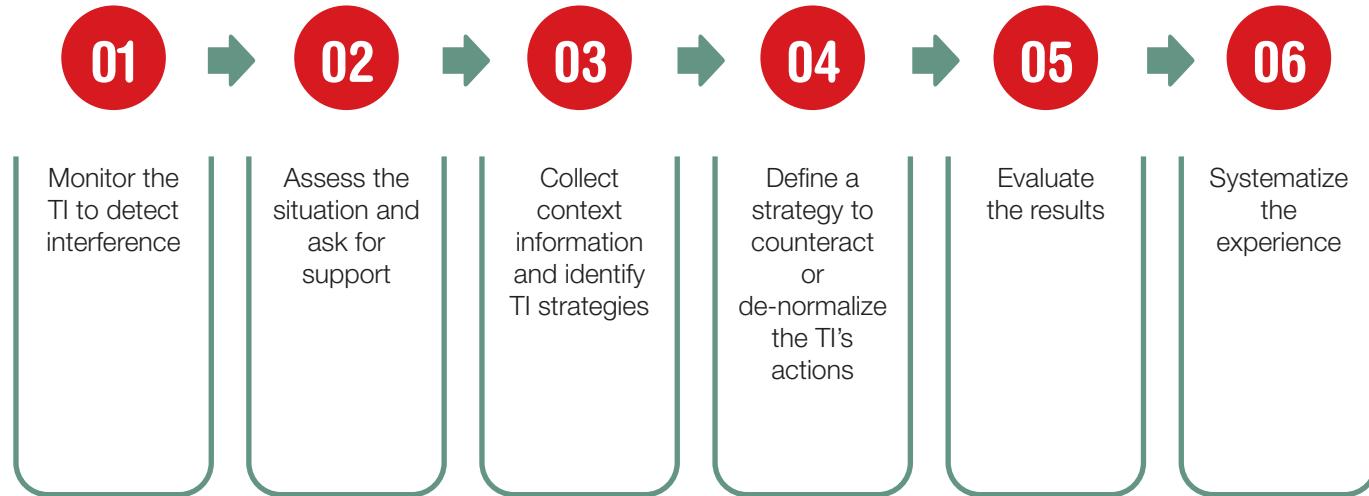
→ Actions aimed at blocking the creation of a health policy or weakening its implementation.

→ Actions carried out to position the industry as a "socially responsible" industry or to pressure different stakeholders to favor their commercial interests and against general rights.



Philanthropy **Biased investigations**
Litigation against the State **Violation of the legislation**
Use of front groups **Lobbying**
Smuggling **Information manipulation**
Corporate Social Responsibility

Action plan to counteract the tobacco industry (TI) interference



01

Monitor the TI to detect interference

Assess the tobacco industry's actions to determine whether they interfere with the goals of tobacco control policies.

THE ACTION DETECTED:

- Threatens to block the enactment of an effective tobacco control policy?
- Threatens to modify or repeal an already existent law?
- Seeks to position the industry as concerned about the community's well-being?
- Seeks to promote a positive image of the tobacco industry?
- Blocks or weakens the implementation of a tobacco control policy?
- Implies the enactment of a norm that does not comply with health standards?
- Violates an existent law?

If any of these actions is recognized, we are in the presence of a tobacco industry **interference action** that constitutes a **threat against the goals** of tobacco control.

02

Assess the situation and ask for support

**Assess the magnitude
of the interference action detected
and the need to counter it:**

- Check information source.
 - Assess the damage or potential damage caused by the tobacco industry interference action.
-

**Inform local and
regional civil society activists
to ask for support.**

Work as a team.

03

Collect context information and identify TI strategies

Build a key stakeholder map.

- A key stakeholder map will help identify possible allies and opponents specifically in the interference situation detected.
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**Consult information sources that confirm the
interference and provide further data.**

- The sources could be policy-makers, government documents or printed transcripts of legislative sessions, industry's or government's websites, news articles and any other relevant information source.
-

Identify arguments used by the tobacco industry.

**Identify similar strategies used by the tobacco
industry in other countries.**

**Assess the state of tobacco control and successful
experiences in the region.**

04

Define a strategy to counter or de-normalize the TI's actions

Once interference is detected, it must be promptly responded to through a multi-level strategy.

A multi-level action strategy to stop the tobacco industry interference will seek to denaturalize the actions of the tobacco corporations, influence decision-making and protect tobacco control policies.

THE DEFINED STRATEGIES COULD BE CARRIED OUT:

- Jointly with another organizations through alliances created for this purpose.
- With the support of organizations or international activists in order to broaden the scope of the strategy and attract international attention.



POLITICAL STRATEGY

- Definition of key messages
- Hearing requests with the most influential policymakers in each particular case
- Interviews with those who can provide information
- Elaboration and dissemination of fact sheets
- Participation in public hearings
- Offer of technical support
- Letter campaigns

COMMUNICATION STRATEGY

- Definition of messages that are most likely to resonate
- Carrying out media campaigns
- Use of social networks to disseminate information
- Developing public communication campaigns through advertising spaces (paid or free of charge)
- Performing demonstrations or public events

LEGAL STRATEGY

- **Definition of “attack” actions or strategic litigation:** legal action against the State or the tobacco industry with the aim of boosting or protecting a public health policy or countering the interference through a successful prosecution and a favorable court ruling.
- **Definition of “defense” actions:** participate as a third party in processes initiated by the tobacco industry against the State and its tobacco control policies.

Evaluate the results

05

**Assess whether the strategy chosen
was the most successful.**

DETERMINE WHETHER THE INTERFERENCE COULD BE COUNTERED:

- Which were the most and the least effective actions?

- What obstacles were encountered?

- Which are the achievements?

This assessment will help **redesign the strategy and implement new actions** aimed at deactivating the tobacco industry interference when necessary.

06

Systematize the experience



**Prepare a case report that summarizes
experience and results.**

THE REPORT SHOULD INCLUDE:

- Narrative of the events that account for the process of detecting the interference

- Stakeholders involved

- Definition of strategies to counteract or denaturalize the tobacco industry

- Actions performed

- Results

- Materials used or developed for the particular case

- Documentation (media articles, photos, law bills, etc.)

The preparation and dissemination of case reports among civil society organizations will help anticipate the interference actions and will facilitate decision-making and strategy implementation in similar situations.

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Fundación InterAmericana del Corazón - Argentina
www.ficargentina.org

Corporate Accountability International (Colombia)
www.stopcorporateabuse.org

ACT - Aliança de Controle do Tabagismo (Brasil)
www.actbr.org.br

Fundación InterAmericana del Corazón - México
www.ficmexico.org
