

Tobacco Industry
Interference at
the 74th Session
of the United
Nations General
Assembly

EXECUTIVE SUMMARY

The tobacco industry's goal to profit despite the deaths and diseases it causes is inherently irreconcilable with the United Nation's (UN's) goal towards sustainable development. The tobacco industry's products continue to kill up to 8 million people annually, and the tobacco industry's business leads to a net loss to the world economy. And yet, the tobacco industry remains the single greatest barrier to the adoption of lifesaving measures under the World Health Organization (WHO) Framework Convention on Tobacco Control (WHO FCTC), the implementation of which is embodied in the UN Sustainable Development Goals (SDG) Target 3A.

Association with the UN General Assembly (UNGA) or UN bodies, allows the tobacco industry to clean its sordid corporate image, to gain legitimacy and credibility, to sell more lethal products, and to detract attention from the harms caused to health and the environment. Hence, the tobacco industry will continue to associate itself with the UN/SDGs as part of its corporate affairs strategy; use third parties to access UNGA/ SDG events; and co-opt delegates to speak on behalf of the tobacco industry to promote tobacco partnerships.

Recognizing the importance of strengthening the implementation of the WHO FCTC in order to achieve the SDGs and SDG 3A in particular, the UN Secretary General discouraged the receiving of funds from or partnering with the tobacco industry and encouraged all entities in the UN system to adhere to the model policy for preventing tobacco industry interference, in accordance with Article 5.3 of the FCTC.¹

Recommendations

The UNGA delegates should:

- 1. Avoid attending meetings that are sponsored by or feature tobacco companies or those furthering its interests
- 2. Make firm statements on aligning the SDG implementation with global treaty obligations, such as the WHO FCTC, in particular Article 5.3 on protecting against tobacco industry interference
- 3. Recommend safeguards that protect UN-private sector partnerships from tobacco industry interference, especially in the areas of Universal Health Coverage (UHC), innovative financing for development, agriculture development, science and technology and all aspects of partnerships
- 4. Report any attempt by tobacco companies or those furthering its interests to interfere with the UN, UNGA or any of their respective bodies

Background

- 1. On 12 July 2019, Foreign Policy reported that outgoing Director General of the UN Office in Geneva (UNOG) Michael Møller wrote a memo dated 28 June 2019 to UN Secretary General António Guterres, regarding the possible role for the tobacco industry in the 2030 Agenda. Mr. Møller questioned the "blanket exclusion of the entire tobacco industry," and called for "considering a more nuanced approach by the UN system vis-à-vis the tobacco industry." Although he acknowledged the obligation under the WHO FCTC to exclude tobacco industry from any contact with the UN system, Mr. Møller argued that "the SDGs imperative to 'not leave anyone behind' leaves a question as to the appropriateness of the ban, and implies the need to help the more than one billion smokers as well as all those employed by the tobacco industry. He pointed out that we have yet to see the impact of partnerships with the private sector, which has a role in creating economic prosperity. He also argued that those "legitimate enough to pay taxes to the governments should be legitimate enough to participate in discussions concerning joint efforts to minimize health risks and address other problems of a common nature," especially "those that have highly advanced research efforts to minimize the harmful effects of their own products."
- 2. This garnered harsh criticisms on social media. Helen Clark, former prime minister of New Zealand tweeted that it was "shocking" that the outgoing UNOG head would advocate that, and praised WHO for dismissing it. An opinion published in The Brussels Times observed that the UN memo may point to the tobacco industry's "enduring influence," and has fueled speculation that it is becoming more and more pervasive in the UN and WHO. The article recounted the industry's "long and sordid history of looking after its own interests by whatever means necessary," "[f]rom burying early reports that tobacco is tied to cancer, to smuggling its own products and going to remarkable lengths to thwart and shape the WHO FCTC and the EU's [European Union's] Tobacco Product Directive (TPD). It noted that, historically, "the industry has pushed governments worldwide to adopt its preferred, and evidently compromised, system." It stated that, "Given all of this history, and despite the claim by Møller's former chief of staff that the memo was simply meant to 'raise the question of effectiveness in implementing the SDGs,' the idea that the tobacco industry is trustworthy enough for the UN to engage with is naïve at best." The industry is trustworthy enough for the UN to engage with is naïve at best.
- 3. On 19 July 2019, <u>Stopping Tobacco Organizations & Products</u> (STOP), a global watchdog, joined the Framework Convention Alliance (FCA), Action on Smoking and Health (ASH), and Campaign for Tobacco-Free Kids (CTFK) to respond with a <u>letter</u> asking the UN Secretary General to reject the memo. The letter pointed out that "it is impossible to produce, market and sell tobacco products in a way that is compatible with public health or the UN's 2030 Agenda" and that a relationship between the UN system and the tobacco industry threatens progress towards the SDGs. Such a relationship is in direct conflict with international law, as provided in Article 5.3 of the WHO <u>FCTC</u>, which states "parties shall act to protect these policies from commercial and other vested interests of the tobacco industry." They also pointed out that "tobacco companies have a long-standing history of interfering with the implementation of tobacco control policies through lobbying, legal action, and intimidation, and posited that the UN official's "controversial proposal" "would be detrimental to global health but beneficial to the tobacco industry." The letter demanded that the UN Secretary General reject the note and ask staff to disregard it in order to avoid casting any "doubt about the UN's commitment to global tobacco control, the WHO FCTC, and the 2030 Agenda."

ISSUES:

I. Why is there an irreconcilable conflict of interest between the tobacco industry and advancing the aims of the UN / UNSDGs?

The tobacco industry's goal to profit, despite the deaths and diseases it causes, the deliberate targeting of women and the youth in marketing, and the use of child labor, is inherently irreconcilable with the UN's goal towards sustainable development. The tobacco industry's products kill 8 million people annually and the tobacco industry's business leads to a net economic loss globally. Yet the tobacco industry remains the single greatest barrier to the adoption of lifesaving measures under the WHO FCTC, the implementation of which is embodied in the UN SDG Target 3.

- 1. The UN plays a critical role in assisting governments in attaining a sustainable future and the SDGs embody the blueprint for sustainable development. The tobacco industry's business and practices go against sustainable development goals. While economists estimate annual losses from tobacco at \$1.4 trillion, vii an investment analyst estimates that the tobacco industry creates at least five times more societal cost than benefits. Viii Among others, the tobacco industry: exploits labor, uses "predatory" marketing to target children and women in order to increase its customer base, ix constantly blocks tobacco tax increases and reinvestments in health that can reduce health inequities, and undermines efforts to combat illicit trade with growing evidence that it has been and remains involved therein. Xi
- 2. The implementation of WHO FCTC is a key SDG target (target 3.a) and treaty Parties continue to consider tobacco industry interference as the main barrier to implementing the WHO FCTC. Furthermore, tobacco industry interference has led to uneven implementation of tobacco control measures among nations.^{xii} Despite the tobacco industry's corporate affairs message that it has "transformed," the industry continues to challenge effective tobacco control measures all over the world including suing governments for enacting smoke-free laws, and marketing tobacco products in ways that attract children.^{xiii}
- 3. Human rights principles are fundamental to every undertaking of the UN. But, according to human rights experts, the tobacco industry "flagrantly violates human rights" by "producing, marketing and selling a product that is deadly by design."xiv
- II. What are the dangers of tobacco industry interference at the UN?

Association with UNGA or UN bodies allows the tobacco industry to clean its sordid corporate image, gain legitimacy and credibility to influence policy and sell more lethal products, and detract attention from the harms caused to health and the environment.

Allowing tobacco industry partnerships with SDGs or the UN and publicity thereof:

- Lends legitimacy to the tobacco industry and normalizes its business, enabling it to interfere with public health
 policies. The tobacco industry has been documented to leverage influence through other UN agencies in its
 effort to undermine tobacco control efforts at the WHO.xv
- 2. Detracts attention from the decades of harms caused to health and the environment, and sends a **misleading message that their products are safe or benign**.^{xvi} Such perception of "safety"^{xvii} coupled with intense "trendy" marketing of the attractive products in innovative channels, ^{xviii} have enticed new users of tobacco products, including young ones.^{xix}

3. Portrays the tobacco industry as a socially responsible corporate citizen. Tobacco companies use Corporate Social Responsibility (CSR) as a political tool including by funding research that **obfuscates the science of product harm**. Historically, the tobacco industry's links to scientists have led to **massive disinformation.****

Legitimizing tobacco sponsorships or so-called CSR is contrary to the recommendation to "denormalize" tobacco industry's so-called CSR. xxi It is a corporate strategy tool that allows the tobacco industry to establish credibility and to influence policymakers to water down legislation or adopt ineffective measures. xxii

III. What is the threat of tobacco industry interference in the UN?

The tobacco industry will associate itself with UN/SDGs as part of its corporate affairs strategy; use third parties to access UNGA/ SDG events; and co-opt delegates to speak on behalf of the tobacco industry to promote tobacco partnerships.

Tobacco industry infiltration at the UN has been systematic. Recorded attempts of tobacco partnerships in UN Agencies such as the International Labor Organization (ILO), the International Criminal Police Organization (INTERPOL), the World Customs Organization (WCO), among others, xxiii had raised concern at the WHO FCTC Conference of the Parties (COP) and prompted the development of the Model Policy for UN agencies on preventing tobacco industry interference (Model Policy). In 2017, the UN Economic and Social Council (ECOSOC) adopted Resolution E/2017/L.21xxiv calling upon all UN agencies to "implement their own policies on preventing tobacco industry interference," bearing in mind the Model Policy.

The governing body of the WHO FCTC recognized that the tobacco industry has been associating itself with UNGA, and in particular, on matters relating to SDGs and NCDs.xxv Here are some examples:

- 1. Seeking access to UNGA and SDG events through third party organizations and events.
 - a. **International Chamber of Commerce (ICC)**, a partner of the UN in convening an annual **Private Sector forum and the SDG business forum***xxvi, has been promoting activities that feature or support representatives of tobacco companies, including British American Tobacco or Philip Morris International (Philip Morris).*xxvii Care must be taken to ensure that this does not form a gateway for tobacco industry access. Early this year, a collaborator of ICC, Business and Industry Advisory Committee (BIAC), was responsible for bringing Philip Morris*xxviii to the integrity forum of the Organization for Economic Co-Operation and Development (OECD), which outraged public health groups.*xxix
 - b. Concordia, a non-profit organization that holds high-level annual summits on public-private partnerships during the week of the UNGA, has also been found to have been supported by the tobacco industry. Most recently, Philip Morris sponsored the Concordia Latin American event held on 13 to 14 May 2019 in Bogotá, Colombia.** This was graced by the former chair and current advisor of Concordia who has been lobbying Latin American countries to promote the tobacco company's flagship brand IQOS. Last year, the WHO Director-General had to pull out of Concordia at the last minute after discovering the tobacco link.**xxi
 - c. **Transnational Alliance to Combat Illicit Trade (TRACIT)**, a non-profit organization which counts tobacco companies among its sponsors, xxxiii remains a member of the UN Global Compact. Further, TRACIT recently co-organized with the UN Conference on Trade and Development (UNCTAD) a forum to discuss the role of illicit trade in SDGs. XXXIII At the meeting, TRACIT moreover launched its report, Mapping the Impact of Illicit Trade on the UN Sustainable Development Goals, which investigates illicit trade in various sectors, including tobacco, and their impact on SDGs. XXXIII

- 2. Coopting delegates to speak on behalf of industry interests at UN SDG and NCD events. At the 2018 Civil Society Organization (CSO) interactive hearing ahead of the UN High-Level Meeting on NCDs organized by the President of UNGA with the support of WHO, xxxv xxxvi pro-tobacco industry parliamentarians intervened at several sessions to state that tobacco taxes must not be increased, and instead, tobacco companies must be treated as partners in reducing smoking.xxxvii
- 3. Use of SDG logos and its replicas in its marketing materials. In recent years, transnational companies like British American Tobacco and Philip Morris sprinkle their "sustainability reports" with SDG logos. In 2016, Djarum, the world's leading clove cigarette producer placed its logo alongside SDG logos during an SDG-linked event in Indonesia. This was eventually taken down upon notice to organizers.**xxxviii

Even WHO, which has a strong policy on non-engagement with the "tobacco industry and those furthering its interests," has not been spared. Tobacco industry front group, Foundation for a Smoke-Free World (FSFW or Foundation), which receives funding from Philip Morris, appointed former WHO executives as its leaders. On 24 January 2019, FSFW published and advertised an open letter to the WHO Executive Board (WHO EB) enjoining it to "consider how best to work with the Foundation" despite its policy of non-engagement and framed its support in the context of attaining the SDGs. The letter also called for a review of WHO's "initial statement recommending that researchers and governments should not collaborate with FSFW," referring to a 2017 WHO statement urging the governments and public health community not to partner with FSFW because of its sponsor's "known history of funding research to advance its own vested interest." The FSFW's open letter, which almost coincided with a similar open letter from Philip Morris offering partnerships to global leaders at the World Economic Forum in Davos, was countered with outrage from the public health community, resulting in WHO reiterating its position to reject the FSFW.

When the WHO FCTC's governing body noted that the tobacco industry's "utilization of global philanthropic approaches to finance or partner with health, scientific and economic networks" would undermine the objectives of the WHO FCTC, it was primarily referring to tobacco funded entities like FSFW.xlv

IV. What can UNGA delegates do to prevent tobacco industry interference?

The UNGA delegates should:

- 1. Avoid attending meetings that are sponsored by or feature the tobacco companies or those furthering its interests
- 2. Make firm statements on aligning the SDG implementation with global treaty obligations, such as the WHO FCTC, in particular Article 5.3 on protecting against tobacco industry interference
- Recommend safeguards that protect UN-private sector partnerships from tobacco industry interference, especially
 in the areas of UHC, innovative financing for development, agriculture development, science and technology and
 all aspects of partnerships
- 4. Report any attempt by tobacco companies or those furthering its interests to interfere with the UN, UNGA or any of their respective bodies

The UN has a history of good practices on excluding the tobacco industry and its interests:

1. In 2017, the UN ECOSOC endorsed a **Model Policy for agencies of the UN system** to prevent tobacco industry interference^{xlvi} to ensure "a consistent and effective separation between the activities of the United Nations system and those of the tobacco industry." xlvii

- 2. In the same year, the UN Global Compact adopted its **UN Global Compact Integrity Policy Update**^{1, xlviii} where it increased scrutiny of companies upon entry into the initiative, reviewed engagement with existing participants, and instituted new exclusionary criteria for companies involved in certain high-risk sector including the production and manufacture of tobacco products.² UN Global Compact subsequently delisted tobacco businesses.³
- 3. In 2013, **UNDP adopted a Policy on Due Diligence and Partnerships with the Private Sector**, which establishes Guiding Principles for Partnerships and defined a set of exclusionary criteria outlining those business practices considered unacceptable to the organization, including the "manufacture, sale or distribution of tobacco or tobacco products." xlix
- 4. In 2012, the Political Declaration of the High-Level Meeting of the General Assembly on the Prevention and Control of Non-Communicable Diseases recognized the fundamental conflict of interest between the tobacco industry and public health.

UNGA has consistently expressed its commitment to ensuring coherence and alignment with its goals and values. In its previous resolution **Towards global partnerships: a principle-based approach to enhanced cooperation between the United Nations and all relevant partners**, ii the UNGA:

- 1. emphasized the UN system's need to develop a common and coherent approach on partnerships that places importance on transparency, impact, accountability, **due diligence, and risk management,** without imposing undue rigidity in partnership agreements;
- asked the UN Secretary General to continue implementation of the guidelines on a principle-based approach to Cooperation between the UN and the business sector, the primary concern of which is maintaining "the integrity of the United Nations, its independence and impartiality, in particular by clearly advancing the aims, activities and purposes of the United Nations" lii;
- 3. underlined the **importance of integrity measures as taken and advocated by the UN Global Compact**^{lii}, recognized the UN Global Compact^{liv} office's role in advancing UN Values and responsible business practices within the UN system and the global business community,^{lv} and stressed that partnerships have to be aligned with national laws and strategies, and the role of governments in promoting responsible business practices;^{lvi}
- 4. invited the UN System to engage in a more coherent manner with the private sector, particularly those that **support the core values of the UN**, as reflected in the UN Charter and other relevant conventions and treaties, which include the WHO FCTC, and that **commit to the principles of the UN Global Compact**, by **translating these norms into operational corporate or management policies, codes of conduct, and reporting systems** among others.^[vii]

V. In what key areas of the UNGA's Agenda are we expecting tobacco industry interference?

The UNGA must remain vigilant and further strengthen measures to protect its 2030 Agenda from the commercial and vested interests of the tobacco industry. In particular, as UNGA undertakes reforms in involving the private sector to respond to the Agenda 2030, care must be taken to consider the fundamental and irreconcilable conflict of interest between the tobacco industry and public health.

1. UN High-level Dialogue on Financing for Development (UNHLD on FFD)

In the discussions around Financing for Development (FFD), there is a common emphasis on the need for domestic resource mobilization in improving development finance^{|viii|} and welcoming private sector investments.

¹ As of 12 September 2017

² and nuclear, chemical, or biological weapons.

³ Effective 15 October 2017.

lix lx There is interest in facilitating private sector involvement in achieving the SDG including in "impact investment" and "innovative solutions to economic social and environmental challenges." lxi

However, there are no safeguards to exclude the tobacco industry from these strategies. Despite the gap between public resources and financing needs in many countries^{lxii}, the tobacco industry continues to undermine tobacco tax increases, a well-recognized important and effective source of financing for development.^{lxiii} Studies have shown how the tobacco industry is the main impediment to tobacco tax reform, despite the fact that public support for tobacco taxes are high, even among smokers, and even higher when revenues are reinvested back into tobacco control or health.^{lxiv}

To align with WHO FCTC and SDG goals, UNHLD on FFD must recognize the importance of tobacco tax reforms and ensure exclusion of the tobacco industry in its recommendations to facilitate private sector involvement.

2. High-level Meeting on Universal Health Coverage 2030 (UN HLM on UHC 2030)

While the private sector is also given a critical role in advancing UHC 2030, some safeguards are in place: the private-sector membership criteria for the UHC 2030 Private Sector Constituency, provides clear provisions to exclude those involved in or engaged in any way with the tobacco industry and those furthering its interests. Private Sector Constituency, provides clear provisions to exclude those involved in or engaged in any way with the tobacco industry and those furthering its interests.

This is an important safeguard that could be reflected in all aspects of the work and policies towards UHC 2030, given the tobacco industry's encroachment on this area. For example, Philip Morris had established a "separate, independent" life insurance business called Reviti, that provides incentives for consumers of its novel tobacco products; and, as the Philip Morris-funded "independent" FSFW promotes Health, Science, and Technology Grants among research institutions.

As shown below, several aspects of UNGA's past resolutions and draft decisions that are part of this year's agenda, are of interest to the tobacco industry based on its corporate affairs approach. Because some provisions in these resolutions open the door for private sector involvement or partnerships without providing safeguards against tobacco industry interference, these are areas that the tobacco industry could exploit.

Agenda Item	Areas that the Tobacco Industry is likely to Exploit
Universal Health Coverage	Engagements through high level meetings and interactive multi-stakeholder
	hearings/ panels ^{lxix}
	Inclusion in delegations ^{lxx}
	Engagements through non-state initiatives like International Health Partnerships for UHC 2030 ^{lxxi}
Agriculture	The need to increase private and public sector funding xxiii
development, food	Calls on UN system to ensure that no one is left behind behi
security and nutrition ^{lxxii}	Encouragement of countries to consider voluntary guidelines ^{lxxv} (none of which provide due diligence safeguards in light of the "agricultural transformation" grants of Philip Morris- and FSFW-funded Agricultural Transformation Initiative)
Science, technology	Attracting private investment and corporate social responsibility
and innovation for sustainable	Recognizing the active contribution from the private sector
development lxxvi	

Conclusion

At a minimum, private sector involvement should include a blanket protection against risks, in that private sector involvement will be encouraged but qualified with the clause "while giving due regard to managing conflicts of interest, through due diligence." Ixxvii

To further ensure policy coherence, safeguard measures against the involvement of the tobacco industry and those furthering its interests must be specifically reflected in all the undertakings and resolutions related to private sector involvement in development, including Agenda 2030.

The tobacco industry will continue to aggressively find means to interfere in the UN because the recognition and visibility that comes with UN partnerships^{|xxviii|} would assist it in achieving its goals. Consistently applying WHO FCTC's governance rules to protect against the commercial and vested interests of the tobacco industry in various aspects of the UNGA agenda could minimize the risk of the tobacco industry's interference in sustainable development.

Acknowledgments and Authorship

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"Recognizing that the tobacco industry and those representing its interests have been attempting to associate themselves with United Nations agencies, initiatives and programmes, including in the area of addressing the Sustainable Development Goals (SDGs) and programmes to control noncommunicable diseases (NCDs)"

xxvi United Nations, Global Compact, *United Nations Private Sector Forum 2017*. 28 September 2017, https://www.unglobalcompact.org/take-action/events/1051-united-nations-private-sector-forum-2017

"UNGA 73 Notes with appreciation the convening of the annual United Nations Private Sector Forum as well as the Sustainable Development Goals business forum, organized by the United Nations and the International Chamber of Commerce to foster the implementation of the Goals"

xxvii Bialous, S. (2015, November). Article 5.3 and International Tobacco Industry Interference. [pdf file]. Retrieved from
https://ggtc.world/dmdocuments/11.%20WHO_ARTICLE%205.3%20and%20international%20TII_2015.pdf.

"ICC has extensive ties to the industry through three primary avenues:

- (1) Direct membership. While its membership list is not publicly available, BAT was a member as recently as May 2012.
- (2) Membership in the ICC initiative, Business Action to Stop Counterfeiting and Piracy (BASCAP), the objective of which is to "combat product counterfeiting and copyright piracy worldwide." PMI, BAT, and JTI are members of BASCAP, which states that its members "drive the group's agenda, directly contribute to policy recommendations and work with high-level experts and government leaders to implement tangible IPR

improvements." BASCAP claims that it allows members to "communicate directly with national government ministers and IGO officials through personal meetings, letters or via the media." The BASCAP website lists ITGA, Tobacco International, and Tobacco Manufacturers Association are listed as its "contacts."

(3) Membership in national committees. Many of ICC's national chapters have extensive ties to the tobacco industry; for example, ICC Georgia lists Philip Morris Georgia, JTI, and BAT as members. A full list of ICC's national committee connections and gateways is available online.ICC's US affiliate, the US Council for International Business (USCIB), listed PMI as a member as recently as May 2014, and its Board of Directors includes Myron A. Brilliant, who serves as Head of International Affairs at the US Chamber. More information on USCIB can be found in Annex 1. Examples of activities

The activities of ICC have advanced the interests of the tobacco industry on numerous occasions. ICC has communicated the messages of the tobacco industry and, at various points, has facilitated meetings between the tobacco industry and government officials. For example, in 1998, ICC organized a meeting between UN Secretary General Kofi Annan and BAT chairman Lord Cairns through an ICC delegation on trade. ICC also hosts conferences, which have had keynote speeches by representatives from BAT and PMI. Much of ICC's activities regarding tobacco control in recent years have been executed through BASCP. The website for BASCAP has a section dedicated to plain packaging in which it details its position and actions on plain packaging, including: (1) letters to the Canadian government and to the European Commission opposing plain packaging; (2) a letter signed by 160 associations on "trademark elimination via plain packaging;" and (3) a web page that promotes a legal opinion by Sir Franklin Berman on Article 5.3 of the FCTC, which was commissioned by JTI."

See also: Tobacco Tactics. (2013, June 19). International Chamber of Commerce. Retrieved from https://tobaccotactics.org/index.php/International Chamber of Commerce#cite note-22

"International Chamber of Commerce: This Paris-based organization was founded in 1919 and bills itself as the world's largest business organization. It regularly issues reports sympathetic to the tobacco industry and lobbied against plain packaging proposals. British American Tobacco, Japan Tobacco International and Philip Morris International sit on its influential anti counterfeiting and piracy initiative." tobaccoTactics.org The ICC set up the Business Action to Stop Counterfeiting and Piracy (BASCAP) group, which produced or promoted reports and meetings sympathetic to the tobacco industry. In 2009, an ICC conference featured keynote speeches by British American Tobacco and Philip Morris International representatives"

- xxviii According to reply letter of the OECD SG in explaining PMI presence (Private)
- xxix Global Center for Good Governance in Tobacco Control. (2019, March 20). STOP's letter to the OECD Secretary General. Retrieved from https://ggtc.world/2019/03/21/stops-letter-to-the-oecd-secretary-general/

See also: Global Center for Good Governance in Tobacco Control. (2019, July 18). Issues Concerning a Tobacco Company at an OECD Session on Integrity and Lobbying. Retrieved from https://ggtc.world/2019/07/18/issues-concerning-a-tobacco-company-at-an-oecd-session-on-integrity-and-lobbying/

- xxx Concordia. 2019 Concordia Americas Summit. 13-14 May 2019. See https://www.concordia.net/americas/2019bogota/ (accessed on 08 August 2019).
- xxxii Michael Igoe. Big tobacco, global health, and the limits of shared value. Devex. 25 May 2019. Retrieved from https://www.devex.com/news/big-tobacco-global-health-and-the-limits-of-shared-value-94263 (accessed on 08 August 2019).
- xxxii See TRACIT web page on Partners, available at https://www.tracit.org/partners.html (accessed 01 September 2019).
- wow.ii UNCTAD and TRACIT. Dialogue on Illicit Trade and the Sustainable Development Goals. 18 July 2019. Geneva, Switzerland. See web pages regarding the same by UNCTAD available at https://unctad.org/en/Pages/MeetingDetails.aspx?meetingid=2182; and by TRACIT, as a "featured event" on its home page, available at https://www.tracit.org/, on its events web page, available at https://www.tracit.org/event-dialogue-on-illicit-trade-and-the-sdgs.html. All websites/webpages accessed on 01 September 2019).
- UNCTAD and TRACIT. Dialogue on Illicit Trade and the Sustainable Development Goals. 18 July 2019. Geneva, Switzerland. See web pages regarding the same by UNCTAD available at https://unctad.org/en/Pages/MeetingDetails.aspx?meetingid=2182; and by TRACIT, as a "featured event" on its home page, available at https://www.tracit.org/event-dialogue-on-illicit-trade-and-the-sdgs.html. All websites/webpages accessed on 01 September 2019). Copies of the report entitled, Mapping the Illicit Trade on the Sustainable Development Goals. 2019 are available on both UNCTAD's and TRACIT's websites: https://unctad.org/meetings/en/Contribution/DITC2019 TRACIT IllicitTradeandSDGs fullreport en.pdf and https://www.tracit.org/event-dialogue-on-illicit-trade-and-the-sdgs.html
- www.World Health Organization. (2018). Third UN High-level Meeting on NCDs. Retrieved from https://www.who.int/ncds/governance/third-un-meeting/en/www.who.int/ncds/governance/third-un-meeting/en/ www.who.int/ncds/governance/third-un-meeting/interactive-hearing/en/
- xxxvii Transcript from Civil Society attendee, (private) HealthJustice
- xxxviii Southeast Asia Tobacco Control Alliance. SDGs. Available at http://www.seatca.org/dmdocuments/SDG%20CSR%20Handoud.pdf (accessed on 09 August 2019). See also: Southeast Asia Tobacco Control Alliance. Tobacco Industry Watch. Fast Action ends a sick promotion by Indonesian tobacco company. 7 October 2016. Available at https://tobaccowatch.seatca.org/index.php/2016/10/08/fast-action-ends-a-sick-promotion-by-indonesian-tobacco-company/?fbclid=lwAR0R-5xrZcgpT17kDYqm2dUsndNiWY7G5dib a-Juyw3GEhXkPx1XVK2E6g (accessed on 09 August 2019).
- www. Global Center for Good Governance in Tobacco Control. (2019, July 18). The Attempt of the Tobacco Industry Funded Entity to Partner with the World Health Organizations (WHO). Retrieved from https://ggtc.world/2019/07/18/the-attempt-of-the-tobacco-industry-funded-entity-to-partner-with-the-world-health-organizations/

"The WHA has adopted the Framework for the Engagement of Non-State Actors (FENSA) which provides that: "WHO does not engage with the tobacco industry or non-State actors that work to further the interests of the tobacco industry."

- xl FSFW president Derek Yach's open letter to the WHO Executive Board, dated 24 January 2019. Retrieved from https://www.smokefreeworld.org/sites/default/files/uploads/reflections/fsfw who letter jan 2019.pdf (accessed on 25 January 2019). xli Ibid.
- wiii World Health Organization. (2017, September 28). Home/Newsroom/Detail/WHO Statement on Philip Morris funded Foundation for a Smoke-Free World. Retrieved from https://www.who.int/news-room/detail/28-09-2017-who-statement-on-philip-morris-funded-foundation-for-a-smoke-free-world
- The FCTC Secretariat regards FSFW as "a clear attempt to breach the WHO FCTC by interfering in public policy...aimed at damaging the treaty's implementation, particularly through the Foundation's contentious research programmes."

xiiv Foundation for a Smoke-Free World (FSFW) was established through Philip Morris International's (PMI) funding of \$1 billion over a 12-year period. FSFW has been reaching out to research organizations and NGOs in search of partners for "smoke free" and scientific initiatives that promote smoking alternatives such as electronic nicotine delivery systems (including IQOS, a device PMI aggressively markets). Recent evidence from STOP, shows that the FSFW has been engaging with PR, legal, and research organizations with ties to the tobacco industry, spending more on PR than on research, and "playing a key public relations role for PMI," but that its press coverage has largely been negative despite its PR expenditure.

ww Decision FCTC/COP8(18) Protection of public health policies with respect to tobacco control from commercial and other vested interests of the tobacco industry. Conference of the Parties to the WHO Framework Convention on Tobacco Control, eighth session, Geneva, Switzerland, 6 October 2018, FCTC/COP8(18), p.1. Retrieved from https://www.who.int/fctc/cop/sessions/cop8/FCTC_COP8(18).pdf?ua=1

"Noting with concern the aggressive and/or misleading tactics of the tobacco industry, and the utilization of global philanthropic approaches to finance or partner with health, scientific and economic networks and, consequently, undermine the Parties' obligations under Article 5.3 of the WHO FCTC as well as the overall objectives of the Convention"

www.WHO Framework Convention on Tobacco Control. (2017, July 10). ECOSOC Resolution calls for the UN agencies to prevent interference from the tobacco industry. Retrieved from https://www.who.int/fctc/mediacentre/news/2017/ecosoc-resolution-calls-un-prevent-tobacco-industry-interference/en/
See also: Model policy for agencies of the United Nations system on preventing tobacco industry interference. (n.d.) [pdf file]. Retrieved from https://www.who.int/ncds/un-task-force/events/model-policy-agencies-united-nations1.pdf

xivii UN ECOSOC Resolution 2017/L.21, United Nations Inter-Agency Task Force on the Prevention and Control of Non-communicable Diseases, E/2017/L.21 (30 May 2017), available from https://undocs.org/en/E/2017/L.21

xviii UN Global Compact Integrity Policy Update (12 September 2017). Retrieved from https://www.globalcompact.de/wAssets/docs/Newscenter/Integrity-Recommendation_Statement-for-Website_-12-September-2017.pdf (accessed on 08 August 2019)

xilix United Nations Development Programme. (2013). Policy on Due Diligence And Partnerships with the Private Sector (2013). [pdf file]. Retrieved from https://business.un.org/en/assets/2cbdc941-6f3f-4ac3-99f7-7d0ad92005c5.pdf,

https://popp.undp.org/ layouts/15/WopiFrame.aspx?sourcedoc=/UNDP POPP DOCUMENT LIBRARY/Public/BERA Partnerships UNDP%20private%20sector%20due%20diligence%20policy%202013 FINAL.pdf&action=default (accessed on 08 August 2019).

General Assembly resolution, 66/2, *Political Declaration of the High-level Meeting of the General Assembly on the Prevention and Control of Non-communicable Diseases*, A/RES/66/2 (24 January 2012) Retrieved from https://www.who.int/nmh/events/un_ncd_summit2011/political_declaration_en.pdf

^{II}General Assembly resolution, 73/254, Towards global partnerships: a principle-based approach to enhanced cooperation between the United Nations and all relevant partners. Retrieved from https://www.unglobalcompact.org/docs/publications/A-RES-73-254.pdf

See also: Leone, F. (2018, September 20). UN System Heads Consider Approach to Private Sector Partnerships. SDG Knowledge Hub. Retrieved from https://sdg.iisd.org/news/un-system-heads-consider-approach-to-private-sector-partnerships/.

See also: Guidelines on a principle-based approach to the Cooperation between the United Nations and the business sector. [pdf file]. Retrieved from https://www.unglobalcompact.org/docs/issues-doc/un-business-partnerships/guidelines-principle-based-approach-between-un-business-sector.pdf

Iiii General Assembly resolution, 73/254, Towards global partnerships: a principle-based approach to enhanced cooperation between the United Nations and all relevant partners, A/RES/73/254 (16 January 2019) Retrieved from https://undocs.org/pdf?symbol=en/A/RES/73/254

"17. Also welcomes the commitment of the Secretary-General to continuing to retain the integrity and unique role of the United Nations Global Compact, and underlines the importance of integrity measures as taken and advocated by the United Nations Global Compact"

liv Report of the UN Secretary General. Repositioning the United Nations development system to deliver on the 2030 Agenda: our promise for dignity, prosperity and peace on a healthy planet. 21 December 2017. 72nd Session of the UNGA. 2018 Session of the UN ECOSOC. In particular, the UN Secretary General reported that the UN Global Compact will be the common partnership standard for private sector and common due diligence criteria

W General Assembly resolution, 73/254, Towards global partnerships: a principle-based approach to enhanced cooperation between the United Nations and all relevant partners, A/RES/73/254 (16 January 2019) Retrieved from https://undocs.org/pdf?symbol=en/A/RES/73/254 (16 January 2019) Retrieved from https://undocs.org/pdf?symbol=en/A/RES/73/254

"Recognizing the vital role that the United Nations Global Compact Office continues to play with regard to strengthening the capacity of the United Nations to partner strategically with the private sector, in accordance with its mandate from the General Assembly, to advance United Nations values and responsible business practices within the United Nations system and among the global business community, and in this regard noting the principles and initiatives of the United Nations Global Compact"

lvi Ibid.

"6. Further stresses that partnerships should be consistent with national laws and national development strategies and plans, as well as the priorities of countries where they are implemented, bearing in mind the relevant guidance provided by Governments; Emphasizes the vital role played by Governments in promoting responsible business practices, including providing and ensuring enforcement of the necessary legal and regulatory frameworks in accordance with national legislation and development priorities, and invites them to continue to provide support to United Nations efforts to engage with the private sector and other relevant stakeholders, as appropriate; Recognizes the vital role that the private sector plays in sustainable development, including by engaging in various partnership models, by generating decent employment as well as investment, by giving access to and developing new technologies, by offering technical vocational training activities and by stimulating sustained, inclusive and sustainable economic growth"

lvii Ibid.

"18. Invites the United Nations system, when considering partnerships, to seek to engage in a more coherent manner with private sector entities, including micro-, small and medium-sized enterprises, that support the core values of the United Nations, as reflected in the Charter of the United Nations and other relevant conventions and treaties, and that commit to the principles of the United Nations Global Compact by translating them into operational corporate policies, codes of conduct, and management, monitoring and reporting systems"

wiii The Secretary General's Strategy for Financing the 2030 Agenda for Sustainable Development (2018-2021). (2018, September). Retrieved from https://www.un.org/sustainabledevelopment/wp-content/uploads/2018/09/SG-Financing-Strategy Sep2018.pdf

Economic and Social Council, FFDF/2019, Follow-up and review of the financing for development outcomes and the means of implementation of the 2030 Agenda for Sustainable Development. Retrieved from https://undocs.org/pdf?symbol=en/E/FFDF/2019/L.1

"The creation of a better enabling environment for the private sector to mobilize businesses and facilitate their involvement in the achievement of the Sustainable Development Goals is necessary. The private sector can contribute to the Goals in many ways, including through the alignment of their business models with the Goals, impact investment, disaster risk management, skills development and innovative solutions to economic, social and environmental challenges, according to national plans and policies. We note the potential of impact investment for the financing of sustainable development."

bil Economic and Social Council, FFDF/2019/3, Report of the Economic and Social Council forum on financing for development follow-up. Retrieved from https://www.un.org/ga/search/view_doc.asp?symbol=E/FFDF/2019/3

"Domestic public resources 11. We acknowledge upward trends in tax revenue in developed and some developing countries. At the same time, we note the large gap between public resources and financing needs in many countries, especially the least developed countries. We recognize the importance of transparent fiscal systems in combating inequality and recommit to strengthening the capacities of revenue administration through modernized, progressive tax systems, in line with the Addis Ababa Action Agenda."

biii United Nations Development Programme. (2015, july 9). Taxes and Tobacco. Retrieved from https://www.undp.org/content/dam/sdfinance/doc/Taxes%20on%20Tobacco%20"/ %20UNDP.pdf biv Ibid.

"The main reason for low rate levels is the tobacco industry's interference in policymaking to halt tobacco tax reforms. In addition, there is limited understanding across government sectors of the economic gains——not just health benefits—to be had from tobacco taxes. Despite these challenges, public support for tobacco taxation is typically high (http://www.who.int/tobacco/surveillance/survey/gats/en/), even amongst smokers, and is even higher (http://www.iarc.fr/en/publications/pdfsonline/prev/handbook14/) when revenues from the tax are spent transparently and reinvested back into tobacco control and/or health more broadly"

"Any misinformation or incomplete information provides the tobacco industry with an entry point to influence policy decisions. These closely linked challenges are a main impediment to tobacco tax reform."

w UHC2030. (2019, July 16). Private sector engagement with UHC-an update. Retrieved from https://www.uhc2030.org/news-events/uhc2030-news/private-sector-engagement-with-uhc-an-update-555289/

"...for-profit private sector entities that directly provide services and goods within the health value chain, such as service providers, health insurers, and manufacturers and distributors of medicines and health products as well as innovative and disruptive technologies with applications to the health market"

lwi UHC2030. (n.d.) Private sector engagement. Retrived from <a href="https://www.uhc2030.org/what-https://www.uhc2030.org/what-we-do/private-sector-engagement/we-do/private-sector-engagemen

"Ensure that they are not involved in any way with arms or tobacco industries, do not engage with the tobacco industry nore with non-State actors that work to further the interests for the tobacco industry and do not engage with the arms industry. (2)"

lawii Sustainable Brand. (2019). PMI's new insurance company, reviti, offers discounted premiums to people who quit smoking or switch to e-cigarettes, and incentives for continued improvements in lifestyle habits. Retrieved from https://sustainablebrands.com/read/behavior-change/philip-morris-international-is-now-in-the-life-insurance-business

bwiii Foundation for a Smoke-Free World. (n.d.) Grant Policies and Procedures. [pdf file]. Retreived from https://www.smokefreeworld.org/sites/default/files/uploads/grant_policy_and_agreement.pdf

bits General Assemby, Draft decision submitted by the President of the General Assembly, A/72/L. Scope, modalities, format and organization of the high-level meeting on universal health coverage. Retrieved from https://www.un.org/pga/72/wp-content/uploads/sites/51/2018/07/HUC.pdf

"11. Requests the President of the General Assembly to draw up a list of other relevant representatives of relevant non-governmental organizations, civil society organizations, academic institutions and the private sector who may attend the high-level meeting and participate in the interactive multi-stakeholder hearing and the multi-stakeholder panels, taking into account the principles of transparency and equitable geographical representation, with due regard to the meaningful participation of women, and to submit the list to Member States for their consideration on a non objection basis"

"The list of proposed as well as final names will be brought to the attention of the General Assembly. Where a name is objected to, the objecting Member State will, on a voluntary basis, make known to the Office of the President of the General Assembly the general basis of its objections and the Office will share any information received with any Member State upon its request."

"6. Requests the President of the General Assembly, with the support of the World Health Organization and other relevant partners, to organize and preside over an interactive multi-stakeholder hearing, before the end of July 2019, with the active participation of appropriate senior-level representatives of Member States, observers of the General Assembly, parliamentarians, representatives of local government, relevant United Nations entities, non-governmental organizations in consultative status with the Economic and Social Council, invited civil society organizations, philanthropic foundations, academia, medical associations, the private sector and broader communities, ensuring the participation and voices of women, children, youth and indigenous leadership, as part of the preparatory process for the high-level meeting, and also requests the President to prepare a summary of the hearing prior to the high-level meeting"

See also: General Assembly Resolution 72/238, Agriculture development, food security and nutrition. Retrieved from https://undocs.org/en/A/RES/72/238

"30. Stresses the need to continue to strengthen cooperation and coordination among the Food and Agriculture Organization of the United Nations, the International Fund for Agricultural Development, the World Food Programme, the World Health Organization, the regional commissions and all other relevant entities of the United Nations system and other intergovernmental organizations, international financial institutions and international trade and economic institutions, including with the support of the Secretary-General's High-level Task Force on Global Food and Nutrition Security in accordance with their respective mandates, in order to increase their effectiveness, as well as to strengthen cooperation between these organizations and with non-governmental organizations and the public and private sectors in promoting and strengthening efforts towards sustainable agriculture development, food security and nutrition"

^{box} General Assemby, Draft decision submitted by the President of the General Assembly, A/72/L. Scope, modalities, format and organization of the high-level meeting on universal health coverage. Retrieved from https://www.un.org/pga/72/wp-content/uploads/sites/51/2018/07/HUC.pdf

- "12. Invites members of civil society, non-governmental organizations, the private sector, academia, development partners and other relevant initiatives to make a fundamental contribution to the process in terms of raising awareness of the importance of universal health coverage and its contribution towards the achievement of the Sustainable Development Goals"
- "13. Encourages Member States to consider including in their national delegations ministers from all relevant ministries, as appropriate, as well as representatives such as parliamentarians, mayors and governors, representatives of civil society, including non-governmental organizations, indigenous leadership, community organizations and faith-based organizations, academia, philanthropic foundations, the private sector and universal health coverage networks, with due regard to gender equity"

lxxi Ibid.

- "8. Also Invites the United Nations system, including funds, programmes and specialized agencies, including the World Health Organization, regional commissions and relevant envoys of the Secretary-General, to participate in the high-level meeting, as appropriate, and urges them to consider relevant initiatives, such as the International Health Partnership for UHC2030, in support of the preparatory process and the meeting, particularly with regard to sharing evidence and good practices, challenges and lessons learned"
- baii General Assembly Resolution 72/238, Agriculture development, food security and nutrition. Retrieved from https://undocs.org/en/A/RES/72/238

"24. Emphasizes the need to revitalize the agriculture sector, promote rural development and aim for ensuring food security and nutrition, notably in developing countries, in a sustainable manner, which will contribute to achieving the Sustainable Development Goals, and underlines the importance of taking the necessary actions to better address the needs of rural communities by, inter alia, enhancing access for agricultural producers, in particular small producers, women, youth, indigenous peoples and local communities, in conflict and post-conflict situations, to credit and other financial services, markets, secure land tenure, health-care services, social services, education, training, knowledge and appropriate and affordable technologies, including for development of local crops, efficient irrigation, reuse of treated wastewater and water harvesting and storage"

^{lxxiii} Ibid.

"Recognizing the need to increase responsible public and private investment in the agriculture sector, inter alia, to find inclusive solutions to and fight hunger and malnutrition and to promote rural and urban sustainable development"

lxxiv Ibid.

"36. Calls upon the relevant organizations of the United Nations system, within their respective mandates and resources, to ensure that no one is left behind, and no country is left behind in the implementation of the present resolution"

lxxv Ibid.

"34. Encourages countries to give due consideration to the dissemination, promotion and implementation of the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security, as well as the voluntary Principles for Responsible Investment in Agriculture and Food Systems, as endorsed by the Committee on World Food Security in 2012 and 2014, respectively"

39.Also encourages countries to fully engage in the ongoing development of the Committee on Food Security voluntary guidelines on food systems and nutrition supporting the transformation towards more sustainable food systems that safeguard the health and nutrition of populations"

"40.Further encourages countries to give due consideration to the dissemination, promotion and implementation of the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, adopted by the Council of the Food and Agriculture Organization of the United Nations in 2004, as well as the United Nations strategic plan for forests 2017–2030 adopted by the General Assembly in 2017"

bxvi General Assembly Resolution, 72/228, Science, technology and innovation for development. Retrieved from https://undocs.org/A/RES/72/228

"20. Underscores the potential societal impact, including the opportunities and challenges, presented by rapid technological change, including biotechnology, automation technology, robotics and artificial intelligence, acknowledges their potential to transform the labour market, and in this respect emphasizes the need to promote full and productive employment and decent work for all"

bowli General Assembly Resolution,73/131, Scope, modalities, format and organization of the high-level meeting on universal health coverage. Retrieved from https://undocs.org/en/A/RES/73/131

See also: General Assembly Resolution, 73/132, Global health and foreign policy: a healthier world through better nutrition. Retrieved from https://undocs.org/pdf?symbol=en/A/RES/73/132

See also: General Assembly Resolution, 72/L.65, Scope, modalities, format and organization of the high-level meeting on universal health coverage. Retrieved from https://undocs.org/en/A/72/L.65

bewiii Dumitriu, P. (2017). The United Nations system – Private sector partnership arrangements in the context of the 2030 Agenda for Sustainable Development, JIU/REP/2017/8. [pdf file]. Retrieved from https://undocs.org/pdf?symbol=en/JIU/REP/2017/8

"139. Private sector firms, through their association with United Nations organizations, expect to obtain, inter alia, a beneficial impact on their brand image. Visible recognition and the association of brands with certain values are crucial elements for private sector companies in their efforts to differentiate themselves in a highly competitive environment. As a consequence, the requirement for visibility and recognition is very often part of partnership negotiations.

140. Visibility and recognition can be displayed in multiple ways (for example through letters of appreciation, press releases, public statements or specific awards). However, most of the officers interviewed linked the visibility and recognition issue to the limitations imposed by the Guidelines on the use of the United Nations name and emblem, and of the names and logos of other United Nations entities, 28 rather than the potential for valorizing such means in service of the United Nations mandates."