



AN OPEN LETTER TO THE ILO

To: Director General of the International Labor Organization (ILO) and the Government Members of the 337th Session of the ILO's Governing Body

Reject Tobacco Funding. Regulate the Tobacco Industry.

As members of the development community, we call on you to reject tobacco industry funding, and instead, espouse strict regulation of the tobacco industry. These are critical steps to ensure that laborers are fully protected, and child labor is completely eliminated.

Child labor comes with adverse health impacts and deprivation of educational opportunities.ⁱ The persistent, poor workingⁱⁱ environment and unfair bargaining conditions of tobacco workers, that leads to child labor; can be traced back to the multinational tobacco companies' actions or omissions.^{iii iv} The debt cycle perpetrated through tobacco industry's contracts prevent farmers from seeking more lucrative alternatives that do not harm growers' health through nicotine toxicity.^v

British American Tobacco, Japan Tobacco International, and Philip Morris International, among others, have targeted the International Labor Organization (ILO) as part of a global effort to rehabilitate their image. In the past decade, they have given ILO about \$15 million to mask the \$12 trillion they have cost global development. Such so-called corporate social responsibility (CSR) funds are meant to divert attention from the fact that tobacco production and consumption hinders progress towards the Sustainable Development Goals (SDGs); claiming, on an annual basis, 8 million lives, and leaving behind a devastating trail of social, economic, environmental and health harms.^{vi}



We agree with the proposal^{vii} that sustainable funding to support decent work in the labor sector must come from development financing and domestic sources.^{viii} Crucial funding sources could include tobacco taxes and must not come as donations from the tobacco industry's palms. The tobacco companies must comply with regulations on labor standards,^{ix} and should be required to pay for the harms caused by its products and unethical behavior.^x

Any partnership with the tobacco industry directly contradicts the SDGs which includes strengthening the implementation of the World Health Organization (WHO) Framework Convention on Tobacco Control (FCTC), a treaty that requires governments to protect public health from the commercial and vested interests of the tobacco industry (Article 5.3). Such partnerships also contradict the spirit of various international instruments on human rights^{xi} and workers' rights.^{xii}

Tobacco industry documents reveal that access to international organizations such as the ILO, is part of a broader strategy to establish credibility and gain access to policy makers for the purposes of undermining tobacco control measures and opening up new markets,^{xiii} including for its new range of addictive tobacco products. Association with the ILO lends legitimacy to the tobacco industry and adds to its ability to sell its lethal products, which are marketed in ways that attract children.^{xiv}

Therefore, we call on you to ensure that the ILO does not become complicit in the tobacco industry's marketing and public relations plans.

Signed,

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¹ United Nations Development Programme. (2017, May 26). Discussion Paper: The WHO Framework Convention on Tobacco Control: An Accelerator for Sustainable Development. Retrieved from <https://www.undp.org/content/undp/en/home/librarypage/hiv-aids/-the-who-framework-convention-on-tobacco-control-an-accelerator-.html> (accessed 22 August 2019).

See also: Eriksen, M, et al. (2015). The Tobacco Atlas: Fifth Edition. American Cancer Society and World Lung Foundation. Retrieved from https://www.researchgate.net/publication/274310434_The_Tobacco_Atlas_Fifth_Edition

² United Nations Development Programme. (2017, May 26). Discussion Paper: The WHO Framework Convention on Tobacco Control An Accelerator for Sustainable Development. Retrieved from <https://www.undp.org/content/undp/en/home/librarypage/hiv-aids/-the-who-framework-convention-on-tobacco-control-an-accelerator-.html> (accessed 22 August 2019).

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See also: Riquinho, D., & Hennington, E. (2012). Health, environment and working conditions in tobacco cultivation: a review of the literature. *Ciência & Saúde Coletiva*, 17(6), 1587-1600. Retrieved from

http://www.scielo.br/scielo.php?script=sci_arttext&pid=S1413-81232012000600022&lng=en&nrm=iso&tng=en

³ Palitza, K. (2011, September 14). Global Development. Child labour: the tobacco industry's smoking gun. *The Guardian*.

Retrieved from <https://www.theguardian.com/global-development/2011/sep/14/malawi-child-labour-tobacco-industry>

⁴ Ramos A. K. (2018). Child Labor in Global Tobacco Production: A Human Rights Approach to an Enduring Dilemma. *Health and human rights*, 20(2), 235-248. Retrieved from <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6293346/>

⁵ United Nations Development Programme. (2017, May 26). Discussion Paper: The WHO Framework Convention on Tobacco Control An Accelerator for Sustainable Development. Retrieved from <https://www.undp.org/content/undp/en/home/librarypage/hiv-aids/-the-who-framework-convention-on-tobacco-control-an-accelerator-.html> (accessed 22 August 2019).

⁶ United Nations Development Programme. (2017, May 26). Discussion Paper: The WHO Framework Convention on Tobacco Control: An Accelerator for Sustainable Development.

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Retrieved from <http://documents.worldbank.org/curated/en/914041468176678949/pdf/multi-page.pdf>

⁷ ILO: Update on the costed and time-bound integrated strategy to address decent work deficits in the tobacco sector, Governing Body, 337th Session, Geneva, 24 October – 7 November 2019, GB.337/POL/5.

⁸ ILO: Update on the costed and time-bound integrated strategy to address decent work deficits in the tobacco sector, Governing Body, 337th Session, Geneva, 24 October – 7 November 2019, GB.337/POL/5, p.10.

“17. Financing of the national programmes may need to come from a combination of sustainable sources of funding. Domestic resources invested in the programme will provide powerful leverage to attract other sources of funding. South-South and triangular cooperation may provide important opportunities for developing countries to benefit from the experiences of other countries in the same sector. Contributions from and through the UN system, from relevant development finance institutions as well as the bilateral development partners of the countries concerned could also be solicited.”

⁹ ILO: Update on the costed and time-bound integrated strategy to address decent work deficits in the tobacco sector, Governing Body, 337th Session, Geneva, 24 October – 7 November 2019, GB.337/POL/5, p.10.

“18. The private sector has an important role to play in addressing decent work deficits in the tobacco sector as well as the rural economy at large. Given enterprises' responsibility to comply with national law wherever they operate, their action to ensure responsible business conduct and implement due diligence in their management systems, in line with the MNE Declaration and the UN Guiding Principles on Business and Human Rights, should constitute an integral part of efforts to create and maintain decent working conditions in the sector. To this effect, the private sector could focus on specific areas defined under national programmes. Private sector-supported activities could be implemented through partners active in the tobacco sector, or platforms set up for that purpose.”

¹⁰ World Health Organization Framework Convention on Tobacco Control. (2003). Article 19: Liability. World Health Organization.

Retrieved from https://www.who.int/tobacco/framework/WHO_FCTC_english.pdf.

“1. For the purpose of tobacco control, the Parties shall consider taking legislative action or promoting their existing laws, where necessary, to deal with criminal and civil liability, including compensation where appropriate.”

“5. The Conference of the Parties may consider, if possible, at an early stage, taking account of the work being done in relevant international fora, issues related to liability including appropriate international approaches to these issues and appropriate means to support, upon request, the Parties in their legislative and other activities in accordance with this Article.”

¹¹ E.g. the International Covenant on Economic, Social and Cultural Rights (ICESCR) which recognizes “the right of everyone to the enjoyment of the highest attainable standard of physical and mental health” and the conclusions of the Committee on Economic, Social and Cultural Rights (CESCR) which calls on countries “to safeguard persons within their jurisdiction from infringements of the right to health by third parties.”

¹² E.g. Workers Representatives Convention, 1971 (No.135), Safety and Health in Agriculture Convention, 2001 (No.1984)

¹³ World Health Organization. (2009). Tobacco industry interference with tobacco control. Geneva, Switzerland.

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<https://untobaccocontrol.org/impldb/wp-content/uploads/resources/UN%20agencies%20and%20tobacco%20industry%20interference.pdf> (accessed 22 August 2019).

¹⁴ Bosely S., et al. (2018, March 8). Tobacco: A deadly business. How children around the world are exposed to cigarette advertising. *The Guardian*. Available at <https://www.theguardian.com/world/2018/mar/09/how-children-around-the-world-are-exposed-to-cigarette-advertising> (accessed 22 August 2019).