



A GLOBAL
TOBACCO
INDUSTRY
WATCHDOG

RESUMO

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A indústria do tabaco: um obstáculo à eliminação do trabalho infantil

“Nossas vozes estão sendo abafadas por falsas promessas de prosperidade econômica de fabricantes de cigarros e empresas compradoras de folhas.”

—Sindicato dos Trabalhadores do Tabaco e Aliados do Malawi (TOAWUM), 2014

A. Fatos Rápidos

O trabalho infantil no tabaco se enquadra nas “piores formas de trabalho infantil”.¹

Os perigos do manuseio do tabaco² e a exposição tóxica a pesticidas usados na cultura do tabaco são indiscutíveis. O trabalho infantil no tabaco se enquadra legitimamente na categoria “piores formas de trabalho infantil” devido à natureza perigosa do trabalho no setor do tabaco. De acordo com as convenções da Organização Internacional do Trabalho (OIT), o trabalho infantil nesses setores deve ser proibido, juntamente com o trabalho forçado e a exploração comercial de crianças (prostituição e pornografia). Países como Índia, Brasil, Malawi,³ África do Sul, Uganda e Gana⁴ proíbem ou penalizam aqueles que permitem que crianças trabalhem em plantações de tabaco.⁵

TRABALHO INFANTIL: O trabalho abaixo da idade mínima para trabalhar, conforme estabelecido na legislação nacional em conformidade com os padrões internacionais, inclui as piores formas de trabalho infantil.⁶

PIORES FORMAS DE TRABALHO INFANTIL referem-se a atividades como trabalho forçado, escravidão, prostituição e trabalho perigoso, de acordo com a Convenção da OIT.⁷

TRABALHO PERIGOSO: Trabalho que, por sua natureza ou pelas circunstâncias em que é realizado, tem probabilidade de prejudicar a saúde, a segurança ou a moral da criança.⁸ A OIT orienta os países a consultar empregadores e trabalhadores para identificar os tipos de trabalho perigoso que deveriam ser proibidos por leis ou regulamentações.⁹ As listas de trabalhos perigosos podem descrever atividades, ocupações, indústrias ou condições específicas.

B. Estatísticas rápidas

Mão de obra infantil estimada em todo o mundo: 160 milhões de crianças (1 em cada 10 crianças em todo o mundo)¹⁰

Mão de obra infantil estimada em locais de trabalho perigosos: 79 milhões de crianças¹¹

Mão de obra infantil estimada na agricultura: 112 milhões de crianças¹²

Mão de obra infantil estimada no tabaco: 1,3 milhão de crianças¹³

Benefício de eliminar o trabalho infantil: US\$ 2-5 trilhões contra US\$ 760 bilhões em custos¹⁴

Causas do trabalho infantil: Pobreza e demanda por mão de obra barata,¹⁵ falta de leis bem aplicadas¹⁶

C. Impacto na criança

- **Intoxicação por nicotina** com sintomas como insônia, tonturas, dores de cabeça, desidratação, fadiga, náuseas e vômitos causados pela absorção da nicotina pela pele durante o manuseio do tabaco (doença da folha verde do tabaco).¹⁷
- **Impedimento do progresso econômico e social** da criança devido à perda de escolaridade.¹⁸
- **Alto risco de câncer, tuberculose, infertilidade, desequilíbrio psicológico, disfunção do sistema imunológico e danos neurológicos** devido a longos períodos de exposição perigosa a produtos químicos como pesticidas, herbicidas, fumigantes e inibidores de crescimento, causando sérios danos à saúde.¹⁹
- **Desnutrição no longo prazo e doenças infecciosas** em função da má nutrição e higiene durante a fase de desenvolvimento, devido à falta de alimentos adequados, água potável e instalações sanitárias.²⁰

Danos musculoesqueléticos no longo prazo devido a lesões por esforços repetitivos, resultando em dor crônica, artrite, espasmos musculares e curvatura dos ossos; causados por constante levantamento de peso e trabalho manual extenuante.²¹

Responsabilidade Social Corporativa (RSC) da Indústria do Tabaco no Trabalho Infantil: Uma contradição inerente²²

O tabaco é singularmente prejudicial e mata metade de seus usuários. O interesse comercial da indústria do tabaco está em conflito com os direitos humanos básicos. A regulamentação e os relatórios de RSC são contraproducentes na indústria do tabaco²³. Além disso, o tratado de controle do tabaco exige que as políticas sobre a produção de tabaco sejam protegidas da interferência da indústria do tabaco.²⁴

Para dar uma impressão de luta contra o trabalho infantil, as empresas de tabaco transnacionais exibem seu sistema de autorrelato sobre práticas agrícolas e regimes de auditoria da cadeia de suprimentos (due diligence)²⁵ bem como suas iniciativas contra o trabalho infantil,²⁶ que são amplamente baseadas no trabalho da Fundação Eliminating Child Labour in Tobacco Growing (ECLT).²⁷ Ao empreender as chamadas atividades de RSC para eliminar o trabalho infantil, as empresas transnacionais de tabaco dão uma falsa noção de que são comparáveis com o resto da comunidade empresarial,²⁸ desviando assim a atenção do fato de que a produção de tabaco não é como qualquer outro negócio: os produtos de tabaco são únicos por não fornecerem nenhum benefício social, matarem 8 milhões de pessoas anualmente²⁹ e custarem à economia global US\$ 1,4 trilhão todos os anos.³⁰ A publicidade dessa chamada RSC, além de ser uma violação de muitas proibições ao patrocínio do tabaco

em todo o mundo, dá a falsa impressão de que se pode confiar na indústria do tabaco para realizar práticas voluntárias de devida diligência em sua cadeia de suprimentos;³¹ mesmo quando a Convenção-Quadro para o Controle do Tabaco (CQCT) da Organização Mundial da Saúde (OMS) estabelece que a indústria do tabaco deve ser estritamente regulamentada pelos governos e não se pode confiar que ela fornecerá qualquer forma de autorregulação.

A indústria do tabaco emprega uma estratégia de relações públicas que desvia a atenção do verdadeiro impacto do trabalho infantil na produção de tabaco, obscurece soluções genuínas, mina as estratégias de diversificação, abafa as vozes das partes interessadas e escapa à culpabilidade. Consistente com as recomendações de especialistas e boas práticas, a orientação da CQCT da OMS recomenda regulamentações³² e estruturas governamentais fortes, pesquisas independentes e diversificação que sejam financiadas de forma sustentável e protegidas da interferência da indústria do tabaco.³³

Devido à necessidade de proteção contra a interferência da indústria do tabaco, organizações não governamentais (ONGs) e autoridades do governo recusam parcerias com a indústria do tabaco.³⁴ Apenas a sociedade civil não afiliada à indústria do tabaco tem permissão para se envolver com os governos, e as parcerias do setor privado da indústria do tabaco com os governos não são aceitáveis.³⁵

Práticas desleais das empresas de tabaco que agravam o trabalho infantil:

Os trabalhadores do tabaco e as partes interessadas afirmam que as empresas de tabaco estão “perpetuando formas extremas de trabalho infantil” e fornecem essas práticas como base. As empresas de tabaco:

- A. Mantêm os salários baixos.** As empresas de tabaco determinam o nível de salários e têm controle sobre os salários que os fornecedores ou contratadas pagam.³⁶
- B. Mantêm os preços do tabaco baixos e taxas de juros altas para empréstimos** para insumos agrícolas. As empresas de tabaco “determinam o preço de insumos agrícolas, sementes, pesticidas e outros suprimentos,³⁷ bem como o preço e a classificação da folha de tabaco depois de colhida... os pequenos agricultores têm pouco controle ou margem de negociação.³⁸
- C. Fornecem incentivos, como empréstimos** para manter os agricultores dependentes, embora os preços reais ou os benefícios financeiros permaneçam baixos.³⁹ A solução para eliminar o trabalho infantil no setor do tabaco está em transferir os agricultores para meios de subsistência alternativos.
- D. Negam direitos de organização⁴⁰ e se recusam a aceitar sindicatos como parte das negociações,⁴¹** levando à falta de acordos coletivos de trabalho e liberdade de associação.⁴²

E. Abafam as vozes de partes interessadas genuínas. O envolvimento de executivos do tabaco e grupos financiados pelo tabaco nas chamadas atividades de RSC obscurece ainda mais as vozes das verdadeiras partes interessadas.⁴³ As empresas de tabaco usam grupos agrícolas de fachada, fazem parcerias com organizações renomadas e trabalham com empresários e políticos para fazer lobby contra as medidas de controle do tabaco, suprimindo efetivamente o progresso em estratégias de diversificação.⁴⁴

F. Permitem que condições de vida e trabalho continuem precárias. Isso inclui moradias precárias, água potável de baixa qualidade, solos poluídos e proteção reduzida para saúde e segurança ocupacional. Notavelmente, as empresas de tabaco encorajam o “uso excessivo de agroquímicos perigosos”.⁴⁵

G. Evitam ter responsabilidade direta sobre o bem-estar dos agricultores. Para evitar a culpabilidade pelas práticas acima, as empresas de tabaco se escondem atrás de camadas de contratos e protocolos.⁴⁶ As empresas de tabaco não demonstraram que seus contratos protegem totalmente o setor contra o trabalho infantil (por exemplo, que os salários e preços são suficientemente altos, nem se responsabilizam pelo trabalho infantil ou cobrem os danos dele decorrentes).

Como a indústria do tabaco mina os esforços para eliminar o trabalho infantil

A. As estratégias de relações públicas (RP) e lobby da indústria do tabaco para eliminar o trabalho infantil são diametralmente opostas às soluções acordadas internacionalmente para acabar com o trabalho infantil.

Além das estratégias da OIT para enfrentar os déficits de trabalho decente no setor do tabaco,⁴⁷ as opções de políticas e recomendações da FCTC da OMS sobre alternativas economicamente viáveis ao cultivo do tabaco (em relação aos Artigos 17 e 18 da FCTC da OMS)⁴⁸ traçaram estratégias para resolver problemas na produção de tabaco, incluindo o trabalho infantil. Isso exige principalmente **políticas e programas para agricultores e trabalhadores voltados à diversificação**⁴⁹ **que são financiados de forma sustentável e protegidos da interferência da indústria do tabaco.**⁵⁰ No entanto, as empresas de tabaco fazem lobby e influenciam a formulação de políticas (usando até influência indevida e suborno) para atrasar ou resistir ao controle do tabaco,⁵¹ exagerar sua contribuição para a economia,⁵² diluir a vontade política devido às relações simbióticas com a indústria do tabaco e os políticos,⁵³ e usar grupos de fachada que promovem os interesses das empresas de tabaco,⁵⁴ efetivamente abafando os interesses genuínos das partes interessadas.

As soluções acordadas também incluem recomendações para os países produtores de tabaco “considerarem a realocação de fundos/subsídios públicos usados para a produção de tabaco para meios de subsistência/atividades alternativos”.⁵⁵ Em contraste, a indústria do tabaco está alavancando incentivos que garantem a dependência do cultivo,⁵⁶ apesar dos preços do tabaco permanecerem baixos.⁵⁷

- A indústria do tabaco usa falsamente a queda econômica e a situação dos trabalhadores na agricultura do tabaco para conter os aumentos de impostos sobre o tabaco,⁵⁸ quando, na realidade, a taxa de mudança do consumo permite tempo suficiente para ajustes em direção à diversificação.⁵⁹
- O financiamento sustentável de programas de diversificação é crucial para eliminar o trabalho infantil no tabaco e, ainda assim, as empresas de tabaco se opõem veementemente a todas as formas de aumentos de impostos sobre o tabaco, incluindo aqueles que têm potencial para financiar programas de diversificação.⁶⁰

B. A prática da indústria do tabaco de incentivar a produção de tabaco e minar as estratégias de diversificação mantém os agricultores viciados na cultura do tabaco e as crianças presas ao trabalho nas fazendas de tabaco.

Como parte de seu negócio principal e de sua cadeia de suprimentos, a indústria

do tabaco dá a falsa impressão de que apoia comunidades de cultivo de tabaco e comunidades relacionadas, fornecendo, portanto, as chamadas iniciativas de RSC para suporte técnico e financeiro à agricultura.⁶¹ No entanto, o incentivo ao cultivo do tabaco vai contra a diversificação, que é uma solução fundamental para enfrentar os danos do tabaco à saúde e ao meio ambiente.⁶² Os governos devem, em vez disso, incentivar meios de subsistência alternativos,⁶³ e não devem competir com os incentivos da indústria do tabaco para a produção de tabaco.

Arranjos financeiros planejados pela indústria do tabaco têm o objetivo de manter os agricultores viciados no cultivo do tabaco.⁶⁴ Alguns dos incentivos fornecidos pelas empresas de tabaco, como empréstimos, têm o objetivo de atrair continuamente os produtores e trabalhadores de tabaco para a produção de tabaco e mantê-los dependentes dela,⁶⁵ e, em última instância, constantemente endividados e empobrecidos.⁶⁶ Isso perpetua o uso de trabalho infantil.

C. As chamadas iniciativas de RSC das empresas de tabaco desviam a atenção do impacto do tabaco sobre o trabalho infantil.

As atividades de RSC sobre direitos trabalhistas envolvem abordagens que os estudiosos criticaram como “inefcazes na melhoria dos padrões de trabalho” (por exemplo, iniciativas voluntárias privadas

como auditoria social, certificação ética e códigos de conduta de fornecedores);⁶⁷ devido às “sérias lacunas entre as promessas de RSC e os resultados reais”. A RSC das empresas de tabaco, como programas de educação, devida diligência de fornecedores ou boas práticas ambientais/agrícolas,⁶⁸ é pior porque desvia a atenção das práticas das empresas de tabaco que perpetuam o trabalho infantil e pioram seu impacto.⁶⁹ A indústria do tabaco é a principal responsável pelo trabalho infantil em sua cadeia de suprimentos porque mantém os preços do tabaco e os salários baixos e, em seguida, fornece “incentivos” que mantêm os agricultores endividados, nega poder de negociação aos trabalhadores, permite que as condições de trabalho permaneçam precárias, abafa as vozes de partes interessadas e evita responsabilidade direta por elas.

A devida diligência voluntária geralmente é insuficiente, especialmente para a indústria do tabaco.

Especialistas alertaram contra a devida diligência ou regimes de auditoria voluntários ou, de outra forma, contar com o setor privado para tratar de direitos humanos e questões ambientais.^{70,71} Um estudo no setor de varejo mostra que tais iniciativas são ilusórias, efetivamente “perpetuando o ciclo de desigualdade,

poder corporativo, danos ambientais e muito mais” e preservando modelos focados em “mão de obra barata, bens baratos, preços baixos e contratos de compra de curto prazo.”

TA RSC do tabaco melhora as marcas e a imagem corporativa das empresas de tabaco,⁷² mas obscurece a extensão dos danos causados pela produção de tabaco.⁷³ Um estudo que pede proibições mais rígidas de patrocínio do tabaco⁷⁴ mostra que as multinacionais do tabaco usam o Twitter para projetar que estão liderando a eliminação do trabalho infantil, mas não mostram como causaram o problema.^{75,76} Em muitos países, a divulgação dessas atividades é considerada uma violação da proibição de patrocínio exigida pela CQCT da OMS, que está incorporada nos Objetivos de Desenvolvimento Sustentável (ODS) da ONU.⁷⁷

D. Os grupos de fachada das empresas de tabaco impedem a verdadeira participação das partes interessadas e abafam as vozes dos agricultores e trabalhadores.⁷⁸

O consenso global e a política de tratados ditam que as empresas de tabaco não têm lugar na formulação de políticas relacionadas à diversificação agrícola e que tais esforços devem ser conduzidos por trabalhadores/agricultores.⁷⁹ Especificamente, os governos são instados a promover “alternativas ao cultivo do tabaco e

evitar a obstrução da indústria do tabaco em programas voltados para o bem-estar e diversificação dos produtores e trabalhadores de tabaco e a proteção do meio ambiente...”⁸⁰

No entanto, os produtores de tabaco e os trabalhadores diretamente afetados na produção de tabaco e envolvidos em danos ambientais estão mal representados. Isso é exacerbado pelo fato de que empresas transnacionais de tabaco criaram e financiaram grupos de fachada, como a International Tobacco Growers' Association (ITGA)⁸¹ para fazer lobby em seu nome, a fim de representar falsamente os argumentos socioeconômicos dos agricultores⁸² como base para contestar as medidas de controle do tabaco, como aumentos de impostos.⁸³ Os trabalhadores do tabaco também acusaram as empresas de tabaco de abafar suas vozes com falsas promessas durante as discussões sobre o valor da Fundação Eliminating Child Labour in Tobacco Growing (ECLT), financiada pela indústria do tabaco.⁸⁴ Além disso, a indústria do tabaco ocupou o espaço das partes interessadas nas discussões sobre diversificação por meio da Agriculture Transformation Initiative (ATI) da Foundation for Smoke-Free World (FSFW), financiada pela Philip Morris,⁸⁵ apesar da necessidade de proteger as políticas agrícolas e ambientais sobre o tabaco dos interesses comerciais e declarados da indústria do tabaco, de acordo com o Artigo 5.3 da CQCT da OMS.

Notavelmente, os interesses das empresas e dos trabalhadores de tabaco são diametralmente opostos: O interesse da indústria do tabaco é buscar o menor preço/menor lucro e evitar culpabilidade por danos à saúde e ocupacionais, enquanto o interesse dos trabalhadores é aumentar os preços e serem indenizados pelos danos.

E. A indústria do tabaco evita a culpabilidade e se recusa a indenizar as crianças pelos danos.

De modo geral, a indústria do tabaco tenta se distanciar da realidade de mortes e danos.⁸⁶ Em última análise, qualquer “bem social” que a indústria do tabaco faz é falso se ela não reconhece a responsabilidade por todas as mortes e doenças causadas por seus produtos⁸⁷ ao longo do ciclo de vida do produto.

Em relação à produção de tabaco, a indústria do tabaco ainda não foi responsabilizada por não erradicar o trabalho infantil em sua cadeia de suprimentos. Quando responsabilizada pela situação das crianças, evita firmemente a culpabilidade por meio de defesas legais e tentativas de bancar a vítima. Por meio de contratos terceirizados, as empresas de tabaco tentam se distanciar da responsabilidade pelo trabalho infantil. Por exemplo:

- A PMI afirma impor padrões⁸⁸ em sua cadeia de suprimentos, mas, em diferentes países, usa terceiros em vez de compra direta para impor este

padrão,⁸⁹ removendo-se assim da responsabilidade potencial.

- Em 2020, crianças do Malawi processaram a British American Tobacco (BAT) e a Imperial Brands, ambas com sede no Reino Unido, para obterem indenizações por danos decorrentes do trabalho infantil.⁹⁰ E embora isso tenha resultado na proibição das importações de tabaco do Malawi pelos EUA,⁹¹ as empresas de tabaco buscaram o arquivamento do caso com base no argumento de que “os advogados das famílias dos agricultores não podem provar que o tabaco que cultivaram acabou em seus cigarros e outros produtos”.⁹²
- Em 2007, empresas brasileiras de tabaco procuraram escapar das obrigações de empregadoras apontando para o contrato de acordo de serviço (em oposição a um contrato de trabalho). Isso apoia a observação de que a resposta das empresas de tabaco aos direitos humanos envolve o deslocamento da culpabilidade final para as empresas de folhas e o embelezamento disso com estratégias de relações públicas.⁹³
- Em uma investigação brasileira sobre Trabalho Infantil em 1998, os produtores (principalmente afiliadas da BAT) foram considerados “as vítimas, e não os responsáveis, uma vez que acabaram sendo forçados a usar o trabalho dos filhos para cumprir as condições estipuladas nas cláusulas impostas pelas empresas.”⁹⁴
- Em 2021, uma grande exportadora de tabaco brasileira, a Continental Tobaccos

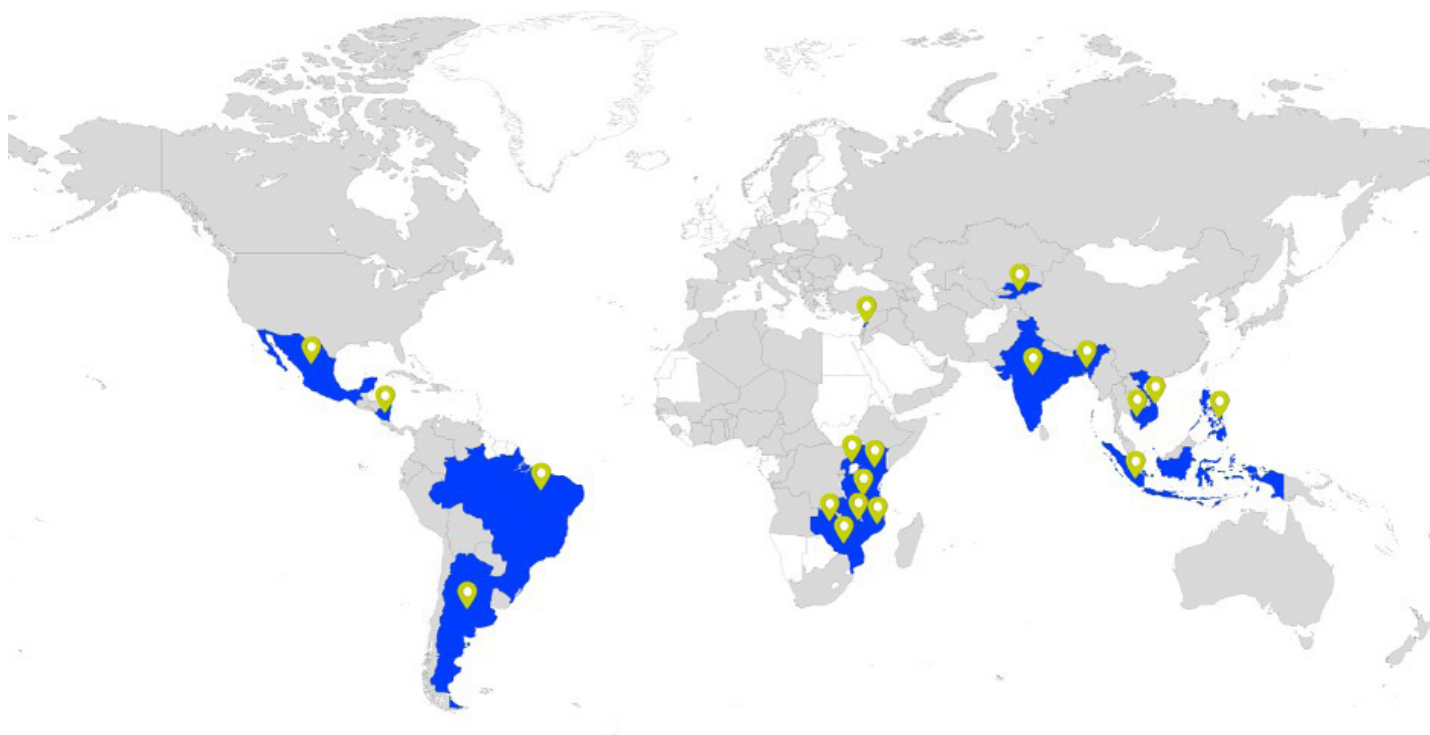
Alliance, enfrentou acusações de escravidão pelo emprego contratual de nove crianças, todas mal pagas, vivendo em condições precárias e sofrendo de intoxicação aguda e náuseas. A empresa afirmou não ser responsável pelos trabalhadores, apesar de ter contrato com os proprietários das fazendas.⁹⁵

Notavelmente, os governos são obrigados a cooperar uns com os outros ao lidar com a responsabilidade da indústria do tabaco, incluindo compensação.⁹⁶

A indústria do tabaco, que continua abdicando da responsabilidade pela exploração ilegal de crianças na força de trabalho da indústria do tabaco, precisa ser chamada a prestar contas.

“A indústria do tabaco usa falsamente a queda econômica e a situação dos trabalhadores na agricultura do tabaco para conter os aumentos de impostos sobre o tabaco, quando, na realidade, a taxa de mudança do consumo permite tempo suficiente para ajustes em direção à diversificação”.

Países com denúncias de trabalho infantil no tabaco:⁹⁷



Cerca de 125 países produzem tabaco,⁹⁸ com a maior parte do tabaco do mundo cultivado na China e na Índia.⁹⁹ No entanto, as denúncias de trabalho infantil são escassas.

- | | |
|-------------------------------|----------------|
| 1. Argentina | 11. México |
| 2. Bangladesh | 12. Moçambique |
| 3. Brasil | 13. Nicarágua |
| 4. Camboja | 14. Filipinas |
| 5. Índia | 15. Tanzânia |
| 6. Indonésia | 16. Uganda |
| 7. Quênia | 17. Vietnã |
| 8. República do Quirguizistão | 18. Zâmbia |
| 9. Líbano | 19. Zimbábue |
| 10. Malawi | |

Fonte: Departamento de Trabalho dos EUA, Lista de Bens Produzidos por Trabalho Infantil ou Forçado de 2020.

Partes da cadeia de suprimentos onde ocorre o trabalho infantil no tabaco:

O trabalho infantil ocorre principalmente na etapa de produção da cadeia de suprimento do tabaco, até a entrega aos compradores de folhas e/ou fábricas para a manufatura. TA indústria do tabaco não olhou em toda a sua cadeia de suprimentos para erradicar o trabalho infantil.¹⁰⁰ Notavelmente, a maior parte de sua RSC se concentra em fazendas.¹⁰¹

A. Produtores/agricultores

B. Secadores/processadores de folhas

C. Instalação de armazenamento de folhas

D. Compradores locais de folhas ou consolidadores/cooperativas (intermediários de mercado/governo)

E. Fábrica de cigarros/tabaco

F. Distribuidor/exportador

G. Importador/atacadista

H. Varejista

I. Consumidor



Fonte: Adotado a partir da ilustração do DOL dos EUA para as cadeias de suprimentos do café e dos setores de flores de corte e panela (açúcar de cana integral não refinado). In: US Department of Labor, 2020 List of Goods Produced by Child Labor or Forced Labor; "The Harvest is in My Blood" Hazardous Child Labor in Tobacco Farming in Indonesia. Human Rights Watch (2016). Available at: https://www.hrw.org/sites/default/files/report_pdf/indonesia0516web_0.pdf [accessed 7 June 2021].

Tipos de trabalhos perigosos no setor do tabaco realizados por crianças:

A agricultura, em geral, é classificada como um dos três setores de atividade mais perigosos, junto com a construção e a mineração.¹⁰² Em 2020, 112 milhões de crianças estavam empregadas na agricultura, o que representa 70% de todas as crianças no trabalho infantil, e inclui principalmente crianças de 5 a 11 anos.¹⁰³ As crianças que trabalham com tabaco realizam as seguintes tarefas, que têm graves consequências prejudiciais para a saúde e a segurança da criança.¹⁰⁴

- Cavar com enxadas para preparar os campos para o plantio
- Plantar mudas de tabaco
- Regar os campos
- Aplicar fertilizantes
- Misturar e aplicar pesticidas
- Remover flores e folhas concorrentes de plantas
- Colher folhas de tabaco manualmente
- Carregar feixes de folhas colhidas
- Embrulhar ou enrolar folhas para prepará-las para a cura
- Cortar folhas de tabaco
- Espalhar tabaco ao sol para secar
- Amarrar ou furar folhas para prendê-las a varas de bambu para secar
- Levantar pedaços de folhas de tabaco e carregá-los em celeiros de cura
- Subir em vigas em celeiros de cura para pendurar o tabaco para secar
- Manter fogueiras para aquecer celeiros de cura
- Desamarrar folhas de tabaco secas de varas de bambu
- Selecionar e classificar tabaco seco
- Empacotar tabaco seco em fardos

Fonte: "The Harvest is in My Blood" Hazardous Child Labor in Tobacco Farming in Indonesia. Human Rights Watch (2016). Available at: https://www.hrw.org/sites/default/files/report_pdf/indonesia0516web_0.pdf [accessed 7 June 2021].

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Revisão, suporte editorial e de pesquisa por Ambika Narain e Diana Trivino.

Endnotes

1 C182 - Worst Forms of Child Labour Convention, 1999 (No. 182). International Labour Organisation. Available at: https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C182

2 McKnight, RH, and Spiller, HA. Green tobacco sickness in children and adolescents. Public Health Rep 2005;120(6):602-605. Available at: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1497768/>

3 Malawi Government Act 10 of 2019 (22 February 2019). Available at: <https://malawilaws.com/Malawipdf2019/Act%2010%20of%202019.pdf>
Cited in: Tobacco Industry Act (Act 10 of 2019). Malawi Laws (2019). Available at: <https://malawilaws.com/malawi-bulletin-2019-acts>
See also: Duncan Mlanjira. Malawi: Norway Partners ILO to Improve Working Conditions in Malawi's Tobacco Industry. Nyasa Times (11 December 2020). Available at: <https://allafrica.com/stories/202012140122.html>

4 Line Eldring, Sabata Nakanyane and Malehoko Tshoaedi. Child Labour in the Tobacco Growing Sector in Africa- Report prepared for the IUF/ITGA/BAT Conference on the Elimination of Child Labour, Nairobi 8-9th October 2000. Fafo-paper 2000:21 (November 2000). Available at: <https://fafo.no/images/pub/2000/654.pdf>

5 It is up to governments to make this classification of hazardous work. ILO has a compendium of several (not all) countries and what they classify as hazardous work. Parties to C-182 are required to design and implement a national action plan on the elimination of child labour and to set up a mechanism to oversee, monitor, and report on its implementation.

6 Not all forms of working by children are illegal. Child labour is a subset of working children because child labour excludes children who work only a few hours a week in permitted light work and those who are above the minimum age who engage in work not classified as a worst form of child labour.

7 Described and as understood in ILO C. 182.

See: C182 - Worst Forms of Child Labour Convention, 1999 (No. 182). International Labour Organisation. Available at: https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C182

8 ILO C. 182, Article 3(d). See: C182 - Worst Forms of Child Labour Convention, 1999 (No. 182). International Labour Organisation. Available at: [https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C182#:~:text=\(d\)%20work%20which%2C%20by%20its%20nature%20or%20the%20circumstances%20in%20which%20it%20is%20carried%20out%2C%20is%20likely%20to%20harm%20the%20health%2C%20safety%20or%20morals%20of%20children.](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C182#:~:text=(d)%20work%20which%2C%20by%20its%20nature%20or%20the%20circumstances%20in%20which%20it%20is%20carried%20out%2C%20is%20likely%20to%20harm%20the%20health%2C%20safety%20or%20morals%20of%20children.)

See also: R190 - Worst Forms of Child Labour Recommendation, 1999 (No. 190). International Labour Organisation. Available at: https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:R190

ILO Recommendation No. 190 are: Any work that exposes children to sexual abuse (physically or psychologically), any work that is done underground, under water, at dangerous heights or in confined spaces, any work that is done with dangerous machinery, equipment and tools, any work that involves the manual handling or transport of heavy loads, any work that is done in an unhealthy environment which may, for example, expose children to hazardous substances, agents or processes, or to temperatures, noise levels, or vibrations damaging to their health, any work that is done under particularly difficult conditions such as work for long hours or during the night or work where the child is unreasonably confined to the premises of the employer."

9 ILO C. 182, Article 4. See: C182 - Worst Forms of Child Labour Convention, 1999 (No. 182). International Labour Organisation. Available at: https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C182

10 See: Child Labour- Global Estimates 2020, Trends and the Road Forward. International Labour Office and United Nations Children's Fund, New York (2021). License: CC BY 4.0. Available at: https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---ipecc/documents/publication/wcms_797515.pdf

11 "Seventy-nine million children – nearly half of all those in child labour – were in hazardous work directly endangering their health, safety and moral development."

See: Child Labour- Global Estimates 2020, Trends and the Road Forward. International Labour Office and United Nations Children's Fund, New York (2021). License: CC BY 4.0. Available at: https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---ipecc/documents/publication/wcms_797515.pdf

12 See: Child Labour- Global Estimates 2020, Trends and the Road Forward. International Labour Office and United Nations Children's Fund, New York (2021). License: CC BY 4.0. Available at: https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---ipecc/documents/publication/wcms_797515.pdf

13 "Vera Da Costa eSilva said about 1.3 million children a year were working in tobacco fields in 2011 and, according to the UN's International Labour Organization (ILO)."

See: Child labour rampant in tobacco industry. Sarah Boseley. The Guardian. Available at: <https://www.theguardian.com/world/2018/jun/25/revealed-child-labour-rampant-in-tobacco-industry>
See also: Global Estimates of Child Labour: Results and trends, 2012-2016. International Labour Organisation (19 September 2017). Available at: https://www.ilo.org/global/publications/books/WCMS_575499/lang--en/index.htm

14 The study conducted by the ILO International Programme on the Elimination of Child Labour (IPEC), says child labour - which involves one in every six children in the world - can be eliminated and replaced by universal education by the year 2020 at an estimated total cost of US\$ 760 billion.... The study argues that the costs are a "wise investment" ..yielding global benefits of just over US\$ 5 trillion. Yet even if the effect of education on future earnings was halved to 5 per cent, the study estimates that global benefits would still exceed US\$ 2 trillion. See: New ILO study says economic benefits of eliminating child labour will vastly outweigh costs. International Labour Organisation (3 February 2004). Available at: [https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_005220/lang--en/index.htm#:~:text=What%20is%20more%2C%20the%20study,cost%20of%20US\\$24%20760%20billion.](https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_005220/lang--en/index.htm#:~:text=What%20is%20more%2C%20the%20study,cost%20of%20US$24%20760%20billion.)

15 Even the tobacco industry's own report, prepared by prepared for the IUF/ITGA/BAT Conference on the Elimination of Child Labour, Nairobi 8-9th October 2000 showed that key drivers of child labour are cheap labour and poverty.

See: Line Eldring, Sabata Nakanyane and Malehoko Tshoaedi. Child Labour in the Tobacco Growing Sector in Africa- Report prepared for the IUF/ITGA/BAT Conference on the Elimination of Child Labour, Nairobi 8-9th October 2000. Fafo-paper 2000:21 (November 2000). Available at: <https://fafo.no/images/pub/2000/654.pdf>

16 Lack of appropriate legal framework and government policies are emphasised as important areas for improvement. Although it is recognized that laws and statutes are not very useful unless they are followed up by efficient implementation processes. Other causes listed, e.g. in Ghana: low family incomes, large family sizes, lack of resources to develop land, discriminatory and tenure system/pressures on land, piece-rate system of work, low wages of formal sector employees, tribal ethnic conflicts, underemployment, certain traditional/cultural beliefs and practices, irresponsible parentage, lack of proper legislation, large informal sector, debt bondage, single parenthood, societal acceptance of child labour as part of child upbringing, collapse of extended family systems, preference of boy education to girl education, lack of social protection for orphans.

See: Line Eldring, Sabata Nakanyane and Malehoko Tshoaedi. Child Labour in the Tobacco Growing Sector in Africa- Report prepared for the IUF/ITGA/BAT Conference on the Elimination of Child Labour, Nairobi 8-9th October 2000. Fafo-paper 2000:21 (November 2000). Available at: <https://fafo.no/images/pub/2000/654.pdf>

17 McKnight, RH, and Spiller, HA. Green tobacco sickness in children and adolescents. Public Health Rep 2005;120(6):602-605. Available at: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1497768/>

See also: Child Labour in Global Tobacco Production. A Human Rights Approach to an Enduring Dilemma. Athena K. Ramos. Health and Human Rights 20(2):235-248 (December 2018). Available at: www.ncbi.nlm.nih.gov/pmc/articles/PMC6293346/ (accessed on 21 May 2021)

See also: Based on a profile of farmers in Brazil: "When assessing the health risks and the conditions affecting tobacco growers, the top three symptoms reported were: back pain (by 68%), post-harvesting sickness (53%) and depression (42%)."

See: Lee, T. Country practices in the implementation of Article 17 (Economically sustainable alternatives to tobacco growing) of the WHO Framework Convention on Tobacco Control. WHO FCTC (December 2019). Available at: <https://www.who.int/fctc/implementation/publications/country-practices-implementation-article-17-WHO-FCTC.PDF>

18 Child Labour- Global Estimates 2020, Trends and the Road Forward. International Labour Office and United Nations Children's Fund, New York (2021). License: CC BY 4.0. Available at:

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https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---ipec/documents/publication/wcms_797515.pdf

See also: A Bitter Harvest: Child Labour and Human Rights Abuses on Tobacco Farms in Zimbabwe. Human Rights Watch (April 2018); ISBN: 978-1-6231-35874. Available at: https://www.hrw.org/sites/default/files/report_pdf/zimbabwe0418_web_2.pdf

See also: J. L. Reyes and M.A. Kolandai. Child Labour in Tobacco Cultivation in the ASEAN Region. Southeast Asia Tobacco Control Alliance (SEATCA) (September 2018). Available at: <https://seatca.org/dmdocuments/Child%20Labour%20Sept%202018.pdf>

19 Pesticides On Tobacco- Federal Activities to Assess Risks and Monitor Residues. United States General Accounting Office; GAO-03-485 (March 2003). Available at: <https://www.gao.gov/assets/gao-03-485.pdf> [accessed 7 June 2021]

Cited in: Tobacco's Hidden Children- Hazardous Child Labour in United States Tobacco Farming. Human Rights Watch (13 May 2014). Available at: <https://www.hrw.org/report/2014/05/13/tobaccos-hidden-children/hazardous-child-labour-united-states-tobacco-farming>

See also: Riquinho DL, Hennington EA. Health, environment and working conditions in tobacco cultivation: a review of the literature. Cien Saude Colet. 2012 Jun;17(6):1587-600. PMID: 22699649. Available at: <https://pubmed.ncbi.nlm.nih.gov/22699649/>. Cited in: Discussion Paper: The WHO Framework Convention on Tobacco Control: An Accelerator for Sustainable Development. United Nations Development Programme, May 2017. Retrieved from: <https://www.who.int/fctc/implementation/publications/who-fctc-undp-wntd-2017.pdf?ua=1> (accessed on 31 May 2021).

20 Due to heavy lifting, climbing and strenuous manual labour for long hours in insect-laden dirty fields, including in extreme weather conditions, the child suffers from diseases, infections, fatigue, malnutrition as well as open wounds, lacerations and bruises caused by sharp equipment and lack of personal protective equipment.

See: Child Labour in Global Tobacco Production. A Human Rights Approach to an Enduring Dilemma. Athena K. Ramos. Health and Human Rights 20(2):235-248 (December 2018). Available at: www.ncbi.nlm.nih.gov/pmc/articles/PMC6293346/ (accessed on 21 May 2021)

See also: Hazardous child labour in agriculture, tobacco sector (Safety and health). ILO (1 April 2004). Available at: https://www.ilo.org/ipec/Informationresources/WCMS_IPEC_PUB_5715/lang--en/index.htm

See also: CRC provisions affected by child labour includes, among others, the right to be protected from injury or exploitation (Article 19), right to highest attainable standard of health (Article 24), right to education (Article 28), right to leisure (Article 31) and the right to be protected from commercial exploitation (Article 32).

See: Convention on the Rights of the Child. Office of the High Commissioner for Human Rights (OHCHR) (November 1989). Available at: <https://www.ohchr.org/documents/professionalinter-est/crc.pdf>

21 Pesticides On Tobacco- Federal Activities to Assess Risks and Monitor Residues. United States General Accounting Office; GAO-03-485 (March 2003). Available at: <https://www.gao.gov/assets/gao-03-485.pdf> [accessed 7 June 2021]

Cited in: Tobacco's Hidden Children- Hazardous Child Labour in United States Tobacco Farming. Human Rights Watch (13 May 2014). Available at: <https://www.hrw.org/report/2014/05/13/tobaccos-hidden-children/hazardous-child-labour-united-states-tobacco-farming>

See also: Based on a profile of farmers in Brazil: "When assessing the health risks and the conditions affecting tobacco growers, the top three symptoms reported were: back pain (by 68%), post-harvesting sickness (53%) and depression (42%)."

See: Lee, T. Country practices in the implementation of Article 17 (Economically sustainable alternatives to tobacco growing) of the WHO Framework Convention on Tobacco Control. WHO FCTC (December 2019). Available at: <https://www.who.int/fctc/implementation/publications/country-practices-implementation-article-17-WHO-FCTC.PDF>

22 "The tobacco industry should stop all political lobbying activities and avoid cloudy scientific statements. They could even completely withdraw from issuing scientific statements at all and rather publish those of the WHO or other reliable sources on their websites and in their CSR reports. Tobacco companies should stop using philanthropic engagement for building reputation. Philip Morris may for instance continue the engagement against domestic violence, they may even continue to use this engagement for internal motivation and identification, but they should not publicly talk about it."

See: Palazzo, G., & Richter, U. CSR Business as Usual? The Case of the Tobacco Industry. Journal of Business Ethics, 61(4), 387-401 (November 2005). Retrieved from: <https://www.jstor.org/stable/25123633?seq=1>

23 See: Palazzo, G., & Richter, U. CSR Business as Usual? The Case of the Tobacco Industry. Journal of Business Ethics, 61(4), 387-401 (November 2005). Retrieved from: <https://www.jstor.org/stable/25123633?seq=1>

24 "Moreover, Parties shall act to protect the implementation of Articles 17 and 18 of the WHO FCTC against the commercial and vested interests (interference) by the tobacco industry in accordance with Article 5.3 of the Convention and the guidelines for its implementation."

See: Economically sustainable alternatives to tobacco growing (in relation to Articles 17 and 18 of the WHO Framework Convention on Tobacco Control)- Report by the working group. Conference of the Parties to the WHO Framework Convention on Tobacco Control; Sixth session. FCTC/COP/6/12 (18 July 2014). Available at: <https://apps.who.int/gb/fctc/PDF/cop6/FCTC.COP6.12-en.pdf>

25 Sustainable supply chain management - Progress in 2019. Philip Morris International. Available at: <https://www.pmi.com/integrated-report-2019/operating-with-excellence/sustainable-supply-chain-management---progress-2019>

See also: Sustainable Tobacco Programme. British American Tobacco. Available at: https://www.bat.com/group/sites/uk_9d9kcy.nsf/vwPagesWebLive/DO9DEEBL

See also: Sustainability- Respecting Human Rights. Japan Tobacco. Available at: https://www.jt.com/sustainability/human_rights/index.html

26 For example:

"Protecting human rights is a clear priority for us and we are proud of what we have achieved so far. It is 20 years since we became founder members of the Eliminating Child Labour in Tobacco (ECLT) Foundation. We have robust policies in place outlining our commitments to ensuring our operations are free from child labour and exploitation of labour, underpinned by comprehensive due diligence, monitoring and remediation programmes" – BAT Human Rights report, 2020

"..we will allocate our resources and efforts toward further implementing our Living Income program, which we consider a key enabler to address labour abuses and particularly child labour issues." – PMI Integrated report, 2020

"Through our flagship program ARISE – Achieving Reduction of Child Labour in Support of Education – we have been committed to tackling child labour in our tobacco growing communities since 2011." – JTI Integrated report, 2020

27 "We would like to thank the ECLT Foundation, their Board of Directors, as well as all ECLT Secretariat members for a tremendously successful and rewarding two-decade partnership. We expect and look forward to continuing to support the Foundation's mission at the local level in its continued efforts to eliminate child labour from tobacco-growing supply chains." – Mauro Gonzalez, PMI Director, Sustainable Agriculture, PMI Integrated report, 2020

"Protecting human rights is a clear priority for us and we are proud of what we have achieved so far. It is 20 years since we became founder members of the Eliminating Child Labour in Tobacco (ECLT) Foundation. We have robust policies in place outlining our commitments to ensuring our operations are free from child labour and exploitation of labour, underpinned by comprehensive due diligence, monitoring and remediation programmes" – BAT Human Rights report, 2020

28 "PMI... arguing that "[t]obacco growing and manufacturing take around one-third of the water required to make the same amount of tea or one-sixth that of coffee or chocolate (per weight of finished product)". PMI's comparison attempts to put tobacco on par with these other products, ignoring the differentiator that these other products do not kill one in two of their daily users, as tobacco does..."

See: Hendlin, Y.H., Bialous, S.A. The environmental externalities of tobacco manufacturing: A review of tobacco industry reporting. Ambio 49, 17–34 (2020). Available at: <https://link.springer.com/article/10.1007%2Fs13280-019-01148-3>

29 WHO Report on the Global Tobacco Epidemic, 2019. Geneva: World Health Organization (25 July 2019). Licence: CC BY-NC-SA 3.0 IGO. Available at: <https://www.who.int/teams/health-promotion/tobacco-control/who-report-on-the-global-tobacco-epidemic-2019>

30 "The total economic cost of smoking (from health expenditures and productivity losses together) totalled PPP \$1852 billion (US\$1436 billion) in 2012, equivalent in magnitude to 1.8% of the world's annual gross domestic product (GDP). Almost 40% of this cost occurred in developing countries, highlighting the substantial burden these countries suffer."

See: Goodchild M, Nargis N, Tursan d'Espaignet E. Global economic cost of smoking-attributable diseases. Tobacco Control (2018);27:58-64. Available at: <https://tobaccocontrol.bmj.com/content/27/1/58>

31 "Tobacco industry's efforts to reduce their environmental harms amount to CSR initiatives displaying a lack of transparency and independent verification, that limit objective assessment of the environmental impact of tobacco manufacturing."

See: Hendlin, Y.H., Bialous, S.A. The environmental externalities of tobacco manufacturing: A review of tobacco industry reporting. Ambio 49, 17–34 (2020). Available at: <https://link.springer.com/article/10.1007%2Fs13280-019-01148-3>

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32 “Parties should, using appropriate instruments, create or improve regulatory mechanisms for the control and inspection of industry activities concerning labour relations and workers’ health.”

“Tackling child labour and promoting decent work in tobacco-growing regions.”

See: Policy Options and Recommendations on Economically Sustainable Alternatives to Tobacco Growing (in Relation to Articles 17 And 18 of the WHO FCTC). Conference of the Parties; sixth session (decision FCTC/COP6(11)) (2014). Available at: https://www.who.int/fctc/treaty_instruments/Recommendations_Articles_17_18_English.pdf?ua=1%22

33 Policy options and recommendations on economically sustainable alternatives to tobacco growing (in relation to Articles 17 and 18). Conference of the Parties, sixth session and WHO Framework Convention on Tobacco Control decision; FCTC/COP6(11) (2014). Available at: https://www.who.int/fctc/treaty_instruments/Recommendations_Articles_17_18_English.pdf?ua=1%22

34 Civil Society Organisations (CSOs) refuse to speak to tobacco industry.

See: 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. WHO FCTC. Available at: https://www.who.int/fctc/guidelines/article_5_3.pdf

See also: Palazzo, G., & Richter, U. CSR Business as Usual? The Case of the Tobacco Industry. *Journal of Business Ethics*, 61(4), 387–401 (November 2005). Retrieved from: <https://www.jstor.org/stable/25123633?seq=1>

35 Private sector initiatives such as the Cocoa Initiative a voluntary agreement among industry actors to set up a foundation to address farming concerns alongside governments, and is currently recognized for good practices, is not congruous for the tobacco sector. (Cocoa Initiative: In 2001, a voluntary agreement called the Harkin-Engel Protocol, was accepted by the international cocoa and chocolate industry to eliminate the worst forms of child labour, as defined by ILO’s Convention 182, in West Africa.

See: The Harkin-Engel Protocol. *Slave Free Chocolate* (2011) [website]. Available at: <https://www.slavefreechocolate.org/harkin-engel-protocol>

36 “Tobacco companies exploit through contract arrangement and leaf buying practices the smallholder and tenant farmers that TOAWUM represents.

See: Tobacco Tenants and Allied Workers Union Of Malawi (TOAWUM)’s letter to the President of the Republic of Malawi (10 October 2014).

37 “.. Brazil, .. farmworker advocates ... see as unfair practices by large tobacco companies. Farm families are not guaranteed minimum earnings. The companies determine both the price of the agricultural inputs—seeds, pesticides, and other supplies, which farmers are required to buy from the companies—as well as the price and classification of the tobacco leaf once it’s harvested. Small farmers have little control or room to negotiate.”

See: Margaret Wurth. *Tobacco’s Children. Brazil Sets an Example for the U.S.* *The Progressive* (3 November 2015). Available at: <https://progressive.org/magazine/tobacco-s-children.-brazil-sets-example-u.s./>

38 “Tobacco companies exploit through contract arrangement and leaf buying practices the smallholder and tenant farmers that TOAWUM represents. Living and working conditions are poor, perpetuating extreme forms of child labour and a growing problem of human trafficking. Conditions of work include low wages and salaries, low tobacco prices, the lack of written contracts, lack of collective bargaining agreements, lack of freedom of association, poor housing, poor drinking water, polluted soils, reduced protections of occupational health and safety, and lack of capital.”

“As for smallholder farmers, they lack arable land for farming, and experience shortages of capital, high input rates, and high loan interest rates for inputs and they lack access to markets for their products.”

See: Tobacco Tenants and Allied Workers Union Of Malawi (TOAWUM)’s letter to the President of the Republic of Malawi (10 October 2014).

39 Policy options and recommendations on economically sustainable alternatives to tobacco growing (in relation to Articles 17 and 18). Conference of the Parties, sixth session and WHO Framework Convention on Tobacco Control decision; FCTC/COP6(11) (2014). Available at: https://www.who.int/fctc/treaty_instruments/Recommendations_Articles_17_18_English.pdf?ua=1%22 [accessed 5 June 2021].

See also: “As for smallholder farmers, they lack arable land for farming, and experience shortages of capital, high input rates, and high loan interest rates for inputs and they lack access to markets for their products.”

See: Tobacco Tenants and Allied Workers Union Of Malawi (TOAWUM)’s letter to the President of the Republic of Malawi (10 October 2014).

40 Tobacco and Allied Farmers Workers’ Union Malawi, Tobacco workers to ILO: Quit Tobacco Industry. *Unfair Tobacco* (29 September 2017). Available at: <https://www.unfairtobacco.org/en/tobacco-workers-to-ilo-quit-tobacco-industry/#/>

41 In Brazil, Tobacco Workers Union (Sintrafumo), which tried to unify factory workers and producers. In 1989, a joint strike was held for the first time, with roadblocks and factory gate picket lines. Immediately after that the organization started to come under legal challenges and subject to fines by local public authorities. The companies never accepted the union as part of negotiations, and it ceased to exist. As time went by, class associations were called to take part in negotiations and reduced their resistance. These days, there are no unions or associations in the producing regions willing to put pressure on corporations for them to improve the producers’ situation.

See: Peres, J. and Neto, M. Roucos E Sufocados- Tobacco Industry Lives and Kills. Available at: https://actbr.org.br/uploads/arquivos/Suma%CC%81rio-Roucos_Ingles.pdf

42 Tobacco Tenants and Allied Workers Union Of Malawi (TOAWUM)’s letter to the President of the Republic of Malawi (10 October 2014).

“The Union has been denied our full rights to freedom of association, in particular the right to organise and collective bargaining even though Malawi is a signatory to eight fundamental conventions of the International Labour Organization (ILO),... ..”

See: Tobacco Tenants and Allied Workers Union Of Malawi (TOAWUM)’s letter to the President of the Republic of Malawi (10 October 2014).

See also: Tobacco companies, by virtue of denying TOAWUM rights to organise and enter into collective bargaining agreements, exacerbate the injustices that exist in the tobacco value chain. ECLT does not take an empowering, rights-based approach that would help communities demand a more just share of the value chain for their labour, and thus ease the poverty that drives child labour. It is a charity program focusing on the issues the industry has on its agenda, rather than local farmers.

See: Tobacco and Allied Farmers Workers’ Union Malawi, Tobacco workers to ILO: Quit Tobacco Industry. *Unfair Tobacco* (29 September 2017). Available at: <https://www.unfairtobacco.org/en/tobacco-workers-to-ilo-quit-tobacco-industry/#/>

43 Tobacco Tenants and Allied Workers Union Of Malawi (TOAWUM)’s letter to the President of the Republic of Malawi (10 October 2014).

44 Policy options and recommendations on economically sustainable alternatives to tobacco growing (in relation to Articles 17 and 18). Conference of the Parties, sixth session and WHO Framework Convention on Tobacco Control decision; FCTC/COP6(11) (2014). Available at: https://www.who.int/fctc/treaty_instruments/Recommendations_Articles_17_18_English.pdf?ua=1%22 [accessed 5 June 2021].

45 The tobacco companies also encouraged excessive use of hazardous agrochemicals as well as shifting cultivation to virgin fertile lands. Their deceptive CSR programs shift attention away from real issues, such as keeping tobacco prices very low, socio-economic inequalities, child labour, health hazards, undermining the voices of farmers, instead of addressing them.

See: Lecours N, Almeida GEG, Abdullah JM, et al. Environmental health impacts of tobacco farming: a review of the literature. *Tobacco Control* (February 2012);21:191-196. Available at: <https://tobaccocontrol.bmj.com/content/21/2/191>

See also: Tobacco Tenants and Allied Workers Union Of Malawi (TOAWUM)’s letter to the President of the Republic of Malawi (10 October 2014).

46 “Tobacco companies exploit through contract arrangement and leaf buying practices the smallholder and tenant farmers that TOAWUM represents.. As for smallholder farmers, they lack arable land for farming, and experience shortages of capital, high input rates, and high loan interest rates for inputs and they lack access to markets for their products.”

See: Tobacco Tenants and Allied Workers Union Of Malawi (TOAWUM)’s letter to the President of the Republic of Malawi (10 October 2014).

See also: Letter to the United Nations Global Compact: Remove ECLT as a Participant. STOP (30 April 2021). Available at: <https://exposetobacco.org/news/ungc-eclt/>

See also: “For example, in 2014, Phillip Morris International noted that it would buy tobacco only from third-party leaf companies rather than from direct contracts with growers, which was promoted as way to increase accountability, oversight, and implementation of strict standards regarding child labour.”

“However, this transferred responsibility for monitoring child labour from the tobacco companies to the leaf companies, while allowing the tobacco companies to reap the benefit of cheap leaf products and continue to escape culpability for the problem. By promoting these types of initiatives, tobacco companies stand to gain political support and weaken opposition, especially in low-income and middle-income countries, where there may be less external monitoring by civil society and where financial contributions from these companies may have a greater impact.”

See also: Child Labour in Global Tobacco Production: A Human Rights Approach to an Enduring Dilemma. Athena K. Ramos. *Health and Human Rights Journal* (7 August 2018). Available at: <https://www.hhrjournal.org/2018/08/child-labour-in-global-tobacco-production-a-human-rights-approach-to-an-enduring-dilemma/>

47 ILO, “Decision 709, Minutes of the 337th Session of the Governing Body of the International Labour Office Governing Body 337th Session, Geneva, 24 October–7 November 2019,” November 11, 2020. Available at: https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_760869.pdf

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48 Article 17 of the WHO Framework Convention on Tobacco Control (WHO FCTC) states that Parties shall, in cooperation with each other and with competent international and regional intergovernmental organizations, promote, as appropriate, economically viable alternatives for tobacco workers, growers and, as the case may be, individual sellers.
See: Policy options and recommendations on economically sustainable alternatives to tobacco growing (in relation to Articles 17 and 18). Conference of the Parties, sixth session and WHO Framework Convention on Tobacco Control decision; FCTC/COP6(11) (2014). Available at: https://www.who.int/fctc/treaty_instruments/Recommendations_Articles_17_18_English.pdf?ua=1%22 [accessed 5 June 2021].

49 DECISION: Economically sustainable alternatives to tobacco growing (in relation to Articles 17 and 18 of the WHO FCTC). Conference of the Parties to the WHO Framework Convention on Tobacco Control; seventh session; FCTC/COP7(10) (12 November 2016). Available at: [https://www.who.int/fctc/cop/cop7/FCTC_COP7\(10\)_EN.pdf?ua=1](https://www.who.int/fctc/cop/cop7/FCTC_COP7(10)_EN.pdf?ua=1)

50 Policy options and recommendations on economically sustainable alternatives to tobacco growing (in relation to Articles 17 and 18). Conference of the Parties, sixth session and WHO Framework Convention on Tobacco Control decision; FCTC/COP6(11) (2014). Available at: https://www.who.int/fctc/treaty_instruments/Recommendations_Articles_17_18_English.pdf?ua=1%22 [accessed 5 June 2021].

51 Warner, Kenneth. (2000). The Economics of Tobacco: Myths and Realities. Tobacco control. 9. 78-89. 10.1136/tc.9.1.78. Available at: <https://tobaccocontrol.bmj.com/content/tobaccocontrol/9/1/78.full.pdf>

52 *ibid*

53 Policy options and recommendations on economically sustainable alternatives to tobacco growing (in relation to Articles 17 and 18). Conference of the Parties, sixth session and WHO Framework Convention on Tobacco Control decision; FCTC/COP6(11) (2014). Available at: https://www.who.int/fctc/treaty_instruments/Recommendations_Articles_17_18_English.pdf?ua=1%22 [accessed 5 June 2021].

See also: In a press release on tobacco leaf purchases, the tobacco companies proudly announces how it contributes to tobacco agriculture and in the same PR made a pitch to have regulation in favor of novel products and complain about tax increases.

"Mr. Gorkun said PMFTC, the Philippine affiliate of Philip Morris International, sourced 43% of its leaf purchases from local farmers last year, both directly and through suppliers. The volume supplied a portion of the firm's production in the Philippines and in 15 other countries."

See: PMFTC to buy \$130-M tobacco leaves locally. Business World (21 October 2020). Available at: <https://www.bworldonline.com/pmftc-to-buy-130-m-tobacco-leaves-locally/>

54 Otañez, M G et al. "Eliminating child labour in Malawi: a British American Tobacco corporate responsibility project to sidestep tobacco labour exploitation." Tobacco control vol. 15,3 (2006): 224-30. Available at: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2564665/>

See also: Assunta M. Tobacco industry's ITGA fights FCTC implementation in the Uruguay negotiations. Tobacco Control (May 2012);21:563-568. Available at: <https://tobaccocontrol.bmj.com/content/21/6/563.long>

See also: ITGA claims "The aim of the association is to share non-competitive information and monitor market conditions, build mutual understanding and protect members and their dependents. Its policies and activities are developed by the growers to further their own interests."

However, tobacco industry documents reveal that the true intention behind ITGA is to advance tobacco industry lobbying, especially in developing countries. In the early nineties, one of ITGA's specific aim was to dilute WHO's tobacco control efforts. They expanded UN's work on tobacco beyond the WHO. They stressed that a successful 'Tobacco and Health Program' will cause a negative socio-economic impact on countries that produce tobacco.

See: Emma Must. ITGA uncovered: Unravelling the spin – the truth behind the claims. PATH Canada Guide (June 2001). Available at: <https://healthbridge.ca/images/uploads/library/itgabr.pdf>

55 See: DECISION: Economically sustainable alternatives to tobacco growing (in relation to Articles 17 and 18 of the WHO FCTC). Conference of the Parties to the WHO Framework Convention on Tobacco Control; seventh session; FCTC/COP7(10) (12 November 2016). Available at: [https://www.who.int/fctc/cop/cop7/FCTC_COP7\(10\)_EN.pdf?ua=1](https://www.who.int/fctc/cop/cop7/FCTC_COP7(10)_EN.pdf?ua=1) (accessed 5 June 2021).

See also: Economically sustainable alternatives to tobacco growing (in relation to Articles 17 and 18 of the WHO Framework Convention on Tobacco Control)- Report by the working group. Conference of the Parties to the WHO Framework Convention on Tobacco Control; Sixth session. FCTC/COP/6/12 (18 July 2014). Available at: https://apps.who.int/gb/fctc/PDF/cop6/FCTC_COP6_12-en.pdf

See also: Policy Options : Public financing and incentives directly linked to tobacco growing should be discontinued, in accordance with national law and policies, taking into account possible adverse impact on tobacco growers.

"Proposed actions- 1. Tobacco-growing countries should not encourage and not provide any incentives to increase the acreage of land used for cultivating tobacco. 2. Tobacco-growing countries should consider reallocating public funds/subsidies used for tobacco production to alternative livelihoods activities."

See: Policy options and recommendations on economically sustainable alternatives to tobacco growing (in relation to Articles 17 and 18). Conference of the Parties, sixth session and WHO Framework Convention on Tobacco Control decision; FCTC/COP6(11) (2014). Available at: https://www.who.int/fctc/treaty_instruments/Recommendations_Articles_17_18_English.pdf?ua=1%22 [accessed 5 June 2021].

56 Policy options and recommendations on economically sustainable alternatives to tobacco growing (in relation to Articles 17 and 18). Conference of the Parties, sixth session and WHO Framework Convention on Tobacco Control decision; FCTC/COP6(11) (2014). Available at: https://www.who.int/fctc/treaty_instruments/Recommendations_Articles_17_18_English.pdf?ua=1%22 [accessed 5 June 2021].

57 "Many farmers—including many with contracts with oligopolistic leaf-buying companies—pay too much for inputs (e.g., fertilizer, pesticides, etc.), receive very low prices for their leaf, and dedicate hundreds of hours to a mostly unprofitable economic pursuit. The opportunity costs of farming tobacco are high, with farmers missing out on human capital development and more lucrative economic opportunities."

See: Issue: Growing. The Tobacco Atlas [website]. Available at: <https://tobaccoatlas.org/topic/growing/> [accessed 8 June 2021].

See also: Jones, A., Austin, W., Beach, R., & Altman, D. Tobacco Farmers and Tobacco Manufacturers: Implications for Tobacco Control in Tobacco-Growing Developing Countries. Journal of Public Health Policy, 29(4), 406-423; (2008). Available at: <http://www.jstor.org/stable/40207207>

See also: "Tobacco companies exploit through contract arrangement and leaf buying practices the smallholder and tenant farmers that TOAWUM represents... As for smallholder farmers, they lack arable land for farming, and experience shortages of capital, high input rates, and high loan interest rates for inputs and they lack access to markets for their products."

See: Tobacco Tenants and Allied Workers Union Of Malawi (TOAWUM)'s letter to the President of the Republic of Malawi (10 October 2014).

58 Sy, D. Tobacco Industry Interference and Tobacco Taxation. B2B#12. July 2020, University of Cape Town. REEP Back to Basics Policy Brief (July 2020). Available at: https://untobacco-control.org/kh/taxation/wp-content/uploads/sites/3/2020/09/KH_1pager-12_Tobacco-Industry-Interference-Taxation.pdf

59 See: Economically sustainable alternatives to tobacco growing (in relation to Articles 17 and 18 of the WHO Framework Convention on Tobacco Control)- Report by the working group. Conference of the Parties to the WHO Framework Convention on Tobacco Control; Sixth session. FCTC/COP/6/12 (18 July 2014). Available at: https://apps.who.int/gb/fctc/PDF/cop6/FCTC_COP6_12-en.pdf

60 Policy options and recommendations on economically sustainable alternatives to tobacco growing (in relation to Articles 17 and 18). Conference of the Parties, sixth session and WHO Framework Convention on Tobacco Control decision; FCTC/COP6(11) (2014). Available at: https://www.who.int/fctc/treaty_instruments/Recommendations_Articles_17_18_English.pdf?ua=1%22 [accessed 5 June 2021].

See also: Warner, Kenneth. (2000). The Economics of Tobacco: Myths and Realities. Tobacco control. 9. 78-89. 10.1136/tc.9.1.78. Available at: <https://tobaccocontrol.bmj.com/content/tobaccocontrol/9/1/78.full.pdf>

61 "In Thailand, Philip Morris International funds environmental projects to achieve their own ends by supporting villagers in tobacco growing regions. For example, funding the Phrae Provincial Administrative Organization (PPAO) to create dams in their region to provide water for agricultural production and fire prevention."

See: The Tobacco Industry and Corporate Social Responsibility (CSR): An Overview From South East Asia. South East Asia Tobacco Industry Surveillance and Monitoring Program (SIS), SEATCA (June 2011). Available at: <https://seatca.org/dmdocuments/CSR%20fact%20sheet.pdf>

62 Policy options and recommendations on economically sustainable alternatives to tobacco growing (in relation to Articles 17 and 18). Conference of the Parties, sixth session and WHO Framework Convention on Tobacco Control decision; FCTC/COP6(11) (2014). Available at: https://www.who.int/fctc/treaty_instruments/Recommendations_Articles_17_18_English.pdf?ua=1%22 [accessed 5 June 2021].

63 "Where appropriate, parties should also consider to create incentives for promoting, supporting or shifting to alternate livelihoods and to avoid incentives for tobacco growing."

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See: Policy options and recommendations on economically sustainable alternatives to tobacco growing (in relation to Articles 17 and 18). Conference of the Parties, sixth session and WHO Framework Convention on Tobacco Control decision; FCTC/COP6(11) (2014). Available at: https://www.who.int/fctc/treaty_instruments/Recommendations_Articles_17_18_English.pdf?ua=1%22 [accessed 5 June 2021].

64 Raw M, Regan S, Rigotti NA, McNeill A. A survey of tobacco dependence treatment guidelines in 31 countries. *Addiction*. 2009;104(7):1243-1250. Available at: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2736395/>

65 Raw M, Regan S, Rigotti NA, McNeill A. A survey of tobacco dependence treatment guidelines in 31 countries. *Addiction*. 2009;104(7):1243-1250. Available at: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2736395/>

66 T. Lee. Country practices in the implementation of Article 17 (Economically sustainable alternatives to tobacco growing) of the WHO Framework Convention on Tobacco Control. WHO FCTC (December 2019). Available at: <https://www.who.int/fctc/implementation/publications/country-practices-implementation-article-17-WHO-FCTC.PDF>
See also: Policy options and recommendations on economically sustainable alternatives to tobacco growing (in relation to Articles 17 and 18 of the WHO FCTC). In: WHO FCTC COP6. 18 October 2014. Decision FCTC/COP6(11). Economically sustainable alternatives to tobacco growing (in relation to Articles 17 and 18 of the WHO FCTC). WHO FCTC COP, Sixth session, Moscow, Russian Federation, 13-18 October 2014. Available from: [https://apps.who.int/gb/fctc/PDF/cop6/FCTC_COP6\(11\)-en.pdf](https://apps.who.int/gb/fctc/PDF/cop6/FCTC_COP6(11)-en.pdf) (accessed 5 June 2021).

67 "Through private voluntary initiatives like social auditing, ethical certification and supplier codes of conduct, big multi-national corporations (MNCs)... One of the most urgent and problematic failures of top-down CSR relates to its limited effectiveness in addressing forced labour, which tends to occur in outsourced, informal portions of labour and product supply chains." See: Bartley, Tim. (2018). Rules without Rights: Land, Labour, and Private Authority in the Global Economy. 10.1093/oso/9780198794332.001.0001. Available at: https://www.researchgate.net/publication/319547514_Rules_without_Rights_Land_Labour_and_Private_Authority_in_the_Global_Economy

68 Sustainable supply chain management - Progress in 2019. Philip Morris International. Available at: <https://www.pmi.com/integrated-report-2019/operating-with-excellence/sustainable-supply-chain-management---progress-2019>
See also: Sustainable Tobacco Programme. British American Tobacco. Available at: https://www.bat.com/group/sites/uk_9d9kcy.nsf/vwPagesWebLive/DO9DEEBL
See also: Sustainability- Respecting Human Rights. Japan Tobacco. Available at: https://www.jt.com/sustainability/human_rights/index.html

69 The tobacco industry's response to such environmental harms was to work with agricultural front groups and partnering with renowned organisations in order to lobby against tobacco control measures. Through these front groups such as ITGA, tobacco companies worked with sympathetic businessmen and politicians. The tobacco companies also encouraged excessive use of hazardous agrochemicals as well as shifting cultivation to virgin fertile lands. Their deceptive CSR programs shift attention away from real issues, such as keeping tobacco prices very low, socio-economic inequalities, child labour, health hazards, undermining the voices of farmers, instead of addressing them.
See: Lecours N, Almeida GEG, Abdallah JM, et al. Environmental health impacts of tobacco farming: a review of the literature. *Tobacco Control* (February 2012);21:191-196. Available at: <https://tobaccocontrol.bmj.com/content/21/2/191>

70 Smit, L. et al. Study on due diligence requirements through the supply chain. European Commission (January 2020). Available at: <https://op.europa.eu/en/publication-detail/-/publication/8ba0a8fd-4c83-11ea-b8b7-01aa75ed71a1/language-en>

71 Laura E. Tesler and Ruth E. Malone, 2008: Corporate Philanthropy, Lobbying, and Public Health Policy *American Journal of Public Health* 98, 2123-2133. Available at: <https://ajph.aphapublications.org/action/showCitFormats?doi=10.2105%2FAJPH.2007.128231>

Cited in: Hendlin, Y.H., Bialous, S.A. The environmental externalities of tobacco manufacturing: A review of tobacco industry reporting. *Ambio* 49, 17-34 (January 2020). Available at: <https://link.springer.com/article/10.1007/s13280-019-01148-3>

72 See also: Laura Hirshbein, Scientific Research and Corporate Influence: Smoking, Mental Illness, and the Tobacco Industry, *Journal of the History of Medicine and Allied Sciences*, Volume 67, Issue 3, July 2012, Pages 374-397. Available at: <https://academic.oup.com/jhmas/article-abstract/67/3/374/995068?redirectedFrom=fulltext>

Cited in: Hendlin, Y.H., Bialous, S.A. The environmental externalities of tobacco manufacturing: A review of tobacco industry reporting. *Ambio* 49, 17-34 (January 2020). Available at: <https://link.springer.com/article/10.1007/s13280-019-01148-3>

See also: Fooks, G., Gilmore, A., Collin, J. et al. The Limits of Corporate Social Responsibility: Techniques of Neutralization, Stakeholder Management and Political CSR. *J Bus Ethics* 112, 283-299 (2013). Available at: <https://link.springer.com/article/10.1007%2Fs10551-012-1250-5>

Cited in: Hendlin, Y.H., Bialous, S.A. The environmental externalities of tobacco manufacturing: A review of tobacco industry reporting. *Ambio* 49, 17-34 (January 2020). Available at: <https://link.springer.com/article/10.1007/s13280-019-01148-3>

See also: McDaniel, P.A., Lown, E.A. & Malone, R.E. US Media Coverage of Tobacco Industry Corporate Social Responsibility Initiatives. *J Community Health* 43, 117-127 (2018). Available at: <https://link.springer.com/article/10.1007%2Fs10900-017-0394-8>

Cited in: Hendlin, Y.H., Bialous, S.A. The environmental externalities of tobacco manufacturing: A review of tobacco industry reporting. *Ambio* 49, 17-34 (January 2020). Available at: <https://link.springer.com/article/10.1007/s13280-019-01148-3>

"Brand image is also crucial to a CSR calculus. Some companies have been shown to spend more money on advertising their CSR than they actually spent on sustainability or social responsibility projects."

See: Hendlin, Y.H., Bialous, S.A. The environmental externalities of tobacco manufacturing: A review of tobacco industry reporting. *Ambio* 49, 17-34 (January 2020). Available at: <https://link.springer.com/article/10.1007/s13280-019-01148-3>

See also: Patricia A. McDaniel and Ruth E. Malone, 2012: "The Big WHY": Philip Morris's Failed Search for Corporate Social Value. *American Journal of Public Health* 102, 1942-1950. Available at: <https://ajph.aphapublications.org/doi/10.2105/AJPH.2011.300619>

Cited in: Hendlin, Y.H., Bialous, S.A. The environmental externalities of tobacco manufacturing: A review of tobacco industry reporting. *Ambio* 49, 17-34 (January 2020). Available at: <https://link.springer.com/article/10.1007/s13280-019-01148-3>

See also: Gonzalez M, Ling PM, Glantz SA. Planting trees without leaving home: tobacco company direct-to-consumer CSR efforts. *Tobacco Control* 2012;21:363-365. Available at: <https://tobaccocontrol.bmj.com/content/21/3/363.full>

Cited in: Hendlin, Y.H., Bialous, S.A. The environmental externalities of tobacco manufacturing: A review of tobacco industry reporting. *Ambio* 49, 17-34 (January 2020). Available at: <https://link.springer.com/article/10.1007/s13280-019-01148-3>

See also: Hastings, G. The marketing matrix: How the corporation gets its power--and how we can reclaim it. Routledge, 2013. Available at: https://books.google.co.in/books?hl=en&lr=&id=2z2c9G9FQspIC&oi=fnd&pg=PP2&ots=_2ugbFiqYH&sig=2ZXfyWwL7aWrI685UjkPoZGt5i4&redir_esc=y#v=onepage&q&f=false

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73 Hendlin, Y.H., Bialous, S.A. The environmental externalities of tobacco manufacturing: A review of tobacco industry reporting. *Ambio* 49, 17-34 (January 2020). Available at: <https://link.springer.com/article/10.1007/s13280-019-01148-3>

74 BAT, Imperial Brands, PMI and JTI are actively using Twitter as a new communication platform to oppose tobacco control policy and shape their public identity. For the FCTC to be effective in curbing the influence of the tobacco industry, cross-border advertising guidelines need to be detailed and CSR activities should be more widely legislated against by parties to the convention. This is critical to ensure the FCTC's application and enforcement is relevant, comprehensive and free of loopholes that the industry can exploit.

See: Watts C, Hefler M, Freeman B. 'We have a rich heritage and, we believe, a bright future': how transnational tobacco companies are using Twitter to oppose policy and shape their public identity. *Tobacco Control Published Online First*: 17 April 2018. Available at: <https://tobaccocontrol.bmj.com/content/28/2/227>

75 Across the four Twitter accounts analysed in the current study, a relatively large proportion of tweets highlighted environmentally sustainable business practices and efforts to have a positive social impact. However, without knowing that tobacco growing and manufacturing causes significant damage to land and agriculture, contributes to poverty and food insecurity, utilises children for labour, consumes comparatively large amounts of energy and water, pollutes the air and

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generates colossal amounts of waste, tweets of this nature have the potential to mislead readers that TTC's are making a positive impact on these issues, rather than significantly causing or contributing to them. For example, tweets such as "140 million trees planted between 2007 and 2012 through our afforestation programmes #trees #afforestation, published by BAT, are misleading as tobacco growing and curing is a major cause of deforestation and is responsible for the loss of an estimated 1.5 billion hectares of forest since the 1970s. See: Christina Watts. Tobacco industry interference in supply-side policies in Australia. Sydney School of Public Health, Faculty of Medicine and Health, University of Sydney (2021). Available at: https://ses.library.usyd.edu.au/bitstream/handle/2123/24682/Christina_Watts_Thesis_18%20March%202021.pdf?sequence=2

76 Tweets that focus on reducing child labour and promoting human rights generally and/or the work the company is doing to prevent or stop child labour or human rights abuses in their tobacco farming communities. For example: What are the challenges of tackling child labour in tobacco growing communities? #nochildlabour JTI's tweets were about issues of child labour and human rights, many of which referenced the 'ARISE Program', which is a joint venture of JTI, Winrock International and the International Labour Organisation to reduce child labour in the countries where JTI operates.

See: Watts C, Hefler M, Freeman B. 'We have a rich heritage and, we believe, a bright future': how transnational tobacco companies are using Twitter to oppose policy and shape their public identity. Tobacco Control Published Online First: 17 April 2018. Available at: <https://tobaccocontrol.bmj.com/content/28/2/227>

77 As highlighted in the report by Genevieve et al., auditing as a mechanism of transnational governance is exclusionary and failing. While the pressure for an accountable and transparent approach to corporate functioning has been increasing, these audit regimes are being used to preserve the retail business models which focus on cheap labour, cheap goods, low prices and short-term purchase contracts.

See: Genevieve LeBaron, Jane Lister & Peter Dauvergne (2017) Governing Global Supply Chain Sustainability through the Ethical Audit Regime, Globalizations, 14:6, 958-975. Available at: <https://www.tandfonline.com/doi/full/10.1080/14747731.2017.1304008>

78 The tobacco industry's response to such environmental harms was to work with agricultural front groups and partnering with renowned organisations in order to lobby against tobacco control measures. Through these front groups such as ITGA, tobacco companies worked with sympathetic businessmen and politicians. The tobacco companies also encouraged excessive use of hazardous agrochemicals as well as shifting cultivation to virgin fertile lands. Their deceptive CSR programs shift attention away from real issues, such as keeping tobacco prices very low, socio-economic inequalities, child labour, health hazards, undermining the voices of farmers, instead of addressing them.

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79 WHO Framework Convention on Tobacco Control. World Health Organization (2005). Available at: https://www.who.int/fctc/text_download/en/

See also: Policy options and recommendations on economically sustainable alternatives to tobacco growing (in relation to Articles 17 and 18 of the WHO FCTC). In: WHO FCTC COP6. 18 October 2014. Decision FCTC/COP6(11). Economically sustainable alternatives to tobacco growing (in relation to Articles 17 and 18 of the WHO FCTC). WHO FCTC COP, Sixth session, Moscow, Russian Federation, 13-18 October 2014. Available from: [https://apps.who.int/gb/fctc/PDF/cop6/FCTC_COP6\(11\)-en.pdf](https://apps.who.int/gb/fctc/PDF/cop6/FCTC_COP6(11)-en.pdf) (accessed 5 June 2021).

See also: WHO Statement on Philip Morris funded Foundation for a Smoke-Free World. WHO (28 September 2017). Available at: <https://www.who.int/news/item/28-09-2017-who-statement-on-philip-morris-funded-foundation-for-a-smoke-free-world>

80 "(b) to urge Parties, when implementing Articles 17 and 18, to adopt a whole-of-government and stakeholder participatory approaches keeping in mind Article 5.3 in promoting alternatives to tobacco growing, and avoid tobacco industry obstruction in programmes meant for the welfare and diversification of tobacco growers and workers and the protection of the environment, as appropriate in the national context."

See: DECISION: Economically sustainable alternatives to tobacco growing (in relation to Articles 17 and 18 of the WHO FCTC). Conference of the Parties to the WHO Framework Convention on Tobacco Control; seventh session; FCTC/COP7(10) (12 November 2016). Available at: [https://www.who.int/fctc/cop/cop7/FCTC_COP7\(10\)_EN.pdf?ua=1](https://www.who.int/fctc/cop/cop7/FCTC_COP7(10)_EN.pdf?ua=1) (accessed 5 June 2021).

81 Tobacco Industry Front Groups and Activities. South East Asia Tobacco Industry Surveillance and Monitoring Program (SIS), SEATCA (October 2010). Available at: <https://seatca.org/dmdocuments/TI%20front%20groups%20fact%20sheet.pdf>

See also: Tobacco Industry Front Group: The International Tobacco Growers' Association. Campaign for Tobacco-Free Kids (November 2011). Available at: https://www.tobaccofreekids.org/assets/global/pdfs/en/IW_interference_ITGA_fact_sheet.pdf

See also: ITGA claims "The aim of the association is to share non-competitive information and monitor market conditions, build mutual understanding and protect members and their dependents. Its policies and activities are developed by the growers to further their own interests."

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See: Emma Must. ITGA uncovered: Unravelling the spin – the truth behind the claims. PATH Canada Guide (June 2001). Available at: <https://healthbridge.ca/images/uploads/library/itgabr.pdf>

82 Tobacco Institute of India v. Union of India. Tobacco Control Laws. Available at: <https://www.tobaccocontrolaws.org/litigation/decisions/in-20160114-tobacco-institute-of-india-v.-judicial-review-of-law-no.-36-of-2009-Ruling-in-Case-No.-24-Tobacco-Control-Laws>. Available at: <https://www.tobaccocontrolaws.org/litigation/decisions/id-00000000-judicial-review-of-law-no.-36->

Judicial Review of Law No. 36 of 2009, Ruling in Case No. 66. Tobacco Control Laws. Available at: <https://www.tobaccocontrolaws.org/litigation/decisions/id-00000000-judicial-review-of-law-no.-36--1-2>

Judicial Review of Article 113 of Law No. 36 of 2009, Ruling in Case No. 19. Tobacco Control Laws. Available at: <https://www.tobaccocontrolaws.org/litigation/decisions/id-20111101-judicial-review-of-article-114>

83 Warner, Kenneth. (2000). The Economics of Tobacco: Myths and Realities. Tobacco control. 9. 78-89. 10.1136/tc.9.1.78. Available at: <https://tobaccocontrol.bmj.com/content/tobaccocontrol/9/1/78.full.pdf>

See also: Sy, D. Tobacco Industry Interference and Tobacco Taxation. B2B#12. July 2020, University of Cape Town. REEP Back to Basics Policy Brief (July 2020). Available at: https://unto-baccocontrol.org/kh/taxation/wp-content/uploads/sites/3/2020/09/KH_1pager-12-Tobacco-Industry-Interference-Taxation.pdf

See also: Tobacco industry tactics: tax policies. World Health Organisation WHO-EM/TFI/200/E (2019). Available at: <https://applications.emro.who.int/docs/FS-TFI-200-2019-EN.pdf?ua=1>

See also: Assunta M. Tobacco industry's ITGA fights FCTC implementation in the Uruguay negotiations. Tobacco Control (May 2012);21:563-568. Available at: <https://tobaccocontrol.bmj.com/content/21/6/563.long>

84 See: Tobacco Tenants and Allied Workers Union Of Malawi (TOAWUM)'s letter to the President of the Republic of Malawi (10 October 2014).

Tobacco companies, by virtue of denying TOAWUM rights to organise and enter into collective bargaining agreements, exacerbate the injustices that exist in the tobacco value chain. ECLT does not take an empowering, rights-based approach that would help communities demand a more just share of the value chain for their labour, and thus ease the poverty that drives child labour. It is a charity program focusing on the issues the industry has on its agenda, rather than local farmers.

See: Tobacco and Allied Farmers Workers' Union Malawi, Tobacco workers to ILO: Quit Tobacco Industry. Unfair Tobacco (29 September 2017). Available at: <https://www.unfairtobacco.org/en/tobacco-workers-to-ilo-quit-tobacco-industry/#/>

85 Agricultural Transformation Initiative (ATI), Foundation for a Smoke-Free World [website]. Available at: <https://www.smokefreeworld.org/agriculture-livelihoods/agricultural-transformation-initiative/>

86 "Therefore, one of the key ambitions of the tobacco industry is to distance itself from its own former behavior demanding that the public should judge it by its current actions and not by its past activities. They portray themselves as a reformed industry and CSR engagement as well as CSR rhetoric are key elements of this strategy. However, a lot of relevant audiences still do not trust tobacco corporations because they do not believe in a genuine rupture with the past. The discovery of CSR in the tobacco industry is suspected to blur the "real" intentions of the corporations, their hidden agenda of business as usual. And indeed, some patterns of behavior of tobacco companies give reason to distrust the authenticity of their CSR engagement."

See: awang ollong, Kingsly. Contentious Corporate Social Responsibility Practices by British American Tobacco in Cameroon. (January 2016). SSRN Electronic Journal. 8. 10.2139/ssrn.2726876. Available at: https://www.researchgate.net/publication/314695279_Contentious_Corporate_Social_Responsibility_Practices_by_British_American_Tobacco_in_Cameroon

87 "The first CSR report in the tobacco industry was published by BAT. It has been criticized for concealing the central aspect of its business, the annual death of millions of people."

See: Palazzo, G., & Richter, U. CSR Business as Usual? The Case of the Tobacco Industry. Journal of Business Ethics, 61(4), 387-401 (November 2005). Retrieved from: <https://www.jstor.org/stable/25123633?seq=1>

88 "US tobacco farms will now need to meet higher child labour standards that should protect children from the most dangerous work in tobacco farming," said Margaret Wurth, children's rights researcher at Human Rights Watch. "Philip Morris International should carefully monitor suppliers to ensure they know the rules and follow them."

89 Human Rights Watch in a May 14 report found that children working on tobacco farms in the United States are exposed to nicotine, toxic pesticides, extreme heat, and other dangers. Most of the children interviewed reported experiencing nausea, vomiting, headaches, or dizziness while working – symptoms consistent with acute nicotine poisoning."

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See: US: Tobacco Giant's Move Could Reduce Child Labour. Human Rights Watch (5 November 2014). Available at: <https://www.hrw.org/news/2014/11/05/us-tobacco-giants-move-could-reduce-child-labour>

"E.g. An affiliate of Philip Morris International had previously bought tobacco leaf produced by the company's own contracted growers and processed that tobacco in its own facility. Philip Morris International will buy processed grades of tobacco from the Universal subsidiary starting with the 2019 crop.

Universal said the supply agreement "is expected to provide important supply chain efficiencies" and indicates both companies' commitment to buy Philippine-grown leaf tobacco."

See: John Reid Blackwell. Universal Corp. says it will supply tobacco from the Philippines to Philip Morris International. Richmond Times-Dispatch (6 February 2019). Available at: https://richmond.com/business/universal-corp-says-it-will-supply-tobacco-from-the-philippines-to-philip-morris-international/article_2516c313-43ac-54ca-aeaa-8f601ac79dd3.html

90 Claim against tobacco giants by poverty-stricken farmers in Malawi. Leigh Day (18 December 2020). Available at: <https://www.leighday.co.uk/latest-updates/news/2020-news/claim-against-tobacco-giants-by-poverty-stricken-farmers-in-malawi/>

See also: Malawi: Lawyers announce lawsuit demanding British American Tobacco compensate families working under poverty wages on tobacco fields; Company comments included. Business & Human Rights Resource Centre (4 November 2019). Available at: <https://www.business-humanrights.org/en/latest-news/malawi-lawyers-announce-lawsuit-demanding-british-american-tobacco-compensate-families-working-under-poverty-wages-on-tobacco-fields-company-comments-included/>

See also: Malawi urged to turn over new leaf amid tobacco lawsuit. African Business (12 February 2020). Available at: <https://african.business/2020/02/economy/malawi-urged-to-turn-over-new-leaf-amid-tobacco-lawsuit/>

91 Geneva Sands. US suspends tobacco imports from Malawi over forced child labour allegations. CNN (1 November 2019). Available at: <https://edition.cnn.com/2019/11/01/politics/malawi-child-labour-allegations-tobacco/index.html>

92 Sarah Boseley. Tobacco firms in move to strike out Malawi exploitation case. The Guardian (19 May 2021). Available at: https://www.theguardian.com/business/2021/may/19/tobacco-firms-in-move-to-strike-out-malawi-exploitation-case?CMP=Share_iOSApp_Other

93 Forthcoming publication 'Towards health with justice 2' by World Health Organisation, Eastern Mediterranean Region.

See also: Letter to the United Nations Global Compact: Remove ECLT as a Participant. STOP (30 April 2021). Available at: <https://exposetobacco.org/news/ungc-ect/>

See also: Industry Brief: Eliminating Child Labour in Tobacco-Growing (ECLT) Foundation. STOP (31 October 2019). Available at: http://exposetobacco.org/wp-content/uploads/2019/10/STOP_ECLT_brief.pdf

See also: "For example, in 2014, Phillip Morris International noted that it would buy tobacco only from third-party leaf companies rather than from direct contracts with growers, which was promoted as way to increase accountability, oversight, and implementation of strict standards regarding child labour."

"However, this transferred responsibility for monitoring child labour from the tobacco companies to the leaf companies, while allowing the tobacco companies to reap the benefit of cheap leaf products and continue to escape culpability for the problem. By promoting these types of initiatives, tobacco companies stand to gain political support and weaken opposition, especially in low-income and middle-income countries, where there may be less external monitoring by civil society and where financial contributions from these companies may have a greater impact."

See: Child Labour in Global Tobacco Production: A Human Rights Approach to an Enduring Dilemma. Athena K. Ramos. Health and Human Rights Journal (7 August 2018). Available at: <https://www.hhrjournal.org/2018/08/child-labour-in-global-tobacco-production-a-human-rights-approach-to-an-enduring-dilemma/>

94 "In 2007, the Labour Court fled a series of lawsuits in order for the companies to acknowledge a relationship of employment with the producers. The private sector, however, alleges that there is just a service agreement contract held between the two parties. "Everything has a high impact. They talk about this contract of integration as if it were something very common, as if there was nothing illegal about it. It's very naturalized", says prosecutor Margaret Matos de Carvalho."

See: João Peres/Moriti Neto. Tobacco Industry Lives and Kills- Executive Summary. Roucos e Sufocados. Available at: https://actbr.org.br/uploads/arquivos/Suma%CC%81rio-Roucos_Ingles.pdf

95 Fabio Teixeira. Tobacco exporter faces slavery charges in landmark Brazil case. Thomson Reuters Foundation (2 March 2021). Available at: <https://www.reuters.com/article/brazil-slavery-tobacco-idUKL5N2KZ64I>

96 Implementation of Article 19 of the WHO FCTC: "Liability". Conference of the Parties to the WHO Framework Convention on Tobacco Control; Fifth session. FCTC/COP/5/11 (25 July 2012). Available at: https://apps.who.int/gb/fctc/PDF/cop5/FCTC_COP5_11-en.pdf

97 "The USDOL lists goods made with child labour or forced labour based on the Trafficking Victims Protection Reauthorization Act (TVPRA). Limitation of report: This report contains data from a total of 154 countries. Data from within the United States was not included. Also, for forced labour, the research covered workers of all ages and not children specifically."

See: 2020 List of Goods Produced by Child Labor or Forced Labor. US Department of Labor (DOL). Available at: https://www.dol.gov/sites/dolgov/files/ILAB/child_labour_reports/tda2019/2020_TVPRA_List_Online_Final.pdf (accessed 2 June 2021).

98 "In fact, tobacco is now produced in 125 countries, including Argentina, Guatemala, Indonesia, Italy, Kenya, Pakistan, Poland, Thailand, Turkey, and Zimbabwe."

See: Ramos AK. December 2018. Child Labour in Global Tobacco Production: A Human Rights Approach to an Enduring Dilemma. Health and Human Rights Journal. 2018;20(2):235-248. Available from: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6293346/> (accessed 1 June 2021).

See also: Drope J, Schluger N, Cahn Z, et al. 2018. The Tobacco Atlas. Atlanta: American Cancer Society and Vital Strategies. Available from: <https://tobaccoatlas.org/topic/growing/> (accessed 2 June 2021).

See also: "To check the area harvested, yield and/or production quantity of tobacco in various countries, filter results by selecting (a) "all countries" or any country/ies which you prefer; (b) "area harvested", "yield" and/or "production quantity" under "elements"; (c) "tobacco, unmanufactured" under "items"; and (d) the year "2019" for the latest data available.": See: UN Food and Agriculture Organization (FAO). FAOSTAT, Crops. Available from: <http://www.fao.org/faostat/en/#data/QC> (accessed 2 June 2021)

See also: Economically sustainable alternatives to tobacco growing (in relation to Articles 17 and 18 of the WHO Framework Convention on Tobacco Control)- Report by the working group. Conference of the Parties to the WHO Framework Convention on Tobacco Control; sixth session. FCTC/COP/6/12 (18 July 2014). Available at: https://apps.who.int/gb/fctc/PDF/cop6/FCTC_COP6_12-en.pdf

See also: Decision: Economically sustainable alternatives to tobacco growing (in relation to Articles 17 and 18 of the WHO FCTC). WHO FCTC/COP6(11) (18 October 2014). Available from: [https://apps.who.int/gb/fctc/PDF/cop6/FCTC_COP6\(11\)-en.pdf](https://apps.who.int/gb/fctc/PDF/cop6/FCTC_COP6(11)-en.pdf) (accessed 2 June 2021).

See also: Economically sustainable alternatives to tobacco growing (in relation to Articles 17 and 18 of the WHO FCTC): Report by the Convention Secretariat. WHO FCTC COP; seventh session, FCTC/COP/7/12 (14 July 2016). Available from: [https://fctc.who.int/who-fctc/governance/conference-of-the-parties/seventh-session-of-the-conference-of-the-parties/main-documents/fctc-cop-7-12-economically-sustainable-alternatives-to-tobacco-growing-\(in-relation-to-articles-17-and-18-of-the-who-fctc\)](https://fctc.who.int/who-fctc/governance/conference-of-the-parties/seventh-session-of-the-conference-of-the-parties/main-documents/fctc-cop-7-12-economically-sustainable-alternatives-to-tobacco-growing-(in-relation-to-articles-17-and-18-of-the-who-fctc)) (accessed 2 June 2021);

See also: Decision: Economically sustainable alternatives to tobacco growing (in relation to Articles 17 and 18 of the WHO FCTC). WHO FCTC COP; seventh session, FCTC/COP/7(10) (12 November 2016). Available from: [https://fctc.who.int/who-fctc/governance/conference-of-the-parties/seventh-session-of-the-conference-of-the-parties/decisions/fctc-cop7\(10\)-economically-sustainable-alternatives-to-tobacco-growing-\(in-relation-to-articles-17-and-18-of-the-who-fctc\)](https://fctc.who.int/who-fctc/governance/conference-of-the-parties/seventh-session-of-the-conference-of-the-parties/decisions/fctc-cop7(10)-economically-sustainable-alternatives-to-tobacco-growing-(in-relation-to-articles-17-and-18-of-the-who-fctc)) (accessed 2 June 2021).

See also: Progress report on technical matters related to Articles 4.2.d (gender issues), 5.3 (tobacco industry interference), 17 and 18 (alternative livelihoods and protection of the environment) and 19 (liability): Report by the Convention Secretariat. WHO FCTC COP; eighth session, FCTC/COP/8/9 (13 June 2018). Available from: [https://fctc.who.int/who-fctc/governance/conference-of-the-parties/eighth-session-of-the-conference-of-the-parties/main-documents/fctc-cop-8-9-progress-report-on-technical-matters-related-to-articles-4.2.d-\(gender-issues\)-5.3-\(tobacco-industry-interference\)-17-and-18-\(alternative-livelihoods-and-protection-of-the-environment\)-and-19-\(liability\)](https://fctc.who.int/who-fctc/governance/conference-of-the-parties/eighth-session-of-the-conference-of-the-parties/main-documents/fctc-cop-8-9-progress-report-on-technical-matters-related-to-articles-4.2.d-(gender-issues)-5.3-(tobacco-industry-interference)-17-and-18-(alternative-livelihoods-and-protection-of-the-environment)-and-19-(liability)) (accessed 2 June 2021);

Decision: Implementation of Articles 17 and 18 (alternative livelihoods and protection of the environment). WHO FCTC COP, eighth session, FCTC/COP8(19) (6 October 2018). Available from: [https://fctc.who.int/who-fctc/governance/conference-of-the-parties/eight-session-of-the-conference-of-the-parties/decisions/fctc-cop8\(19\)-implementation-of-articles-17-and-18-\(alternative-livelihoods-and-protection-of-the-environment\)](https://fctc.who.int/who-fctc/governance/conference-of-the-parties/eight-session-of-the-conference-of-the-parties/decisions/fctc-cop8(19)-implementation-of-articles-17-and-18-(alternative-livelihoods-and-protection-of-the-environment)) (accessed 2 June 2021).

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99 World's leading tobacco producing countries. Atlas Big. Available from: <https://www.atlasbig.com/en-gb/countries-by-tobacco-production> (accessed 1 June 2021).

100 "While most multinationals bar their suppliers from using children to perform the most dangerous tasks on tobacco farms, none of them ban youngsters from all work involving direct contact with tobacco – the only policy that we believe would properly protect children from nicotine exposure. Moreover, when multinationals buy their tobacco from traders on the open market in Indonesia, they do no due diligence to trace the leaf back to the farms where it was grown, so they have no way of knowing whether child labour was involved. This goes against the United Nation's Guiding Principles on Business and Human Rights, which state that companies should adopt effective measures to identify any abuses present in their supply chains and address them."

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See also: Among children engaged in other branches of economic activity, those engaged in designated hazardous occupations are identified. Designated hazardous occupations are those defined for the purpose of the ILO global estimates of child labour in ISCO-88 codes 313, 322-323, 516, 614-615, 711-713, 721-724, 731-732, 811-816, 821-823, 825-829, 832-834, 911-912, 915-931, and 933.

See: International Standard Classification of Occupations- Structure, group definitions and correspondence tables. International Labour Office, ISCO-08, Volume1. Available at: <https://www.ilo.org/public/english/bureau/stat/isco/docs/publication08.pdf>

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104 Consequences of tobacco production on the child:

“• Injuries from cutting tools ranging from minor cuts to severe wounds

- Injuries from contact with, or entanglement in, unguarded machinery or being hit by motorized vehicles
- Poisoning and long -term health problems from using or being exposed to pesticides
- Musculoskeletal injuries from repetitive and forceful movements, bending, and lifting and carrying heavy or awkward loads
- Heat exhaustion
- High levels of sun exposure which can result in skin cancer
- Snake and insect bites
- Green tobacco sickness can make workers nauseous. It is caused by nicotine and other substances being absorbed through the skin from contact with wet tobacco leaves.”

See: Agriculture: A hazardous work. ILO (23 March 2015). Available from: https://www.ilo.org/global/topics/safety-and-health-at-work/areasofwork/hazardous-work/WCMS_356550/lang--en/index.htm (accessed 2 June 2021).



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About STOP (Stopping Tobacco Organizations and Products)

STOP is a global tobacco industry watchdog whose mission is to expose the tobacco industry strategies and tactics that undermine public health. STOP is funded by Bloomberg Philanthropies and comprised of a partnership between the Tobacco Control Research Group (TCRG) at the [University of Bath](#), [The Global Center for Good Governance in Tobacco Control \(GGTC\)](#), the [International Union Against Tuberculosis and Lung Disease \(The Union\)](#) and [Vital Strategies](#). For more information, visit exposetobacco.org.





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