“Our voices are being drowned out by false promises of economic prosperity from cigarette makers and leaf buying companies.”
– Tobacco and Allied Workers Union of Malawi (TOAWUM), 2014

A. Fast Facts

Child labor in tobacco falls under “worst forms of child labor.”

The hazards of tobacco handling and toxic exposure to pesticides used in tobacco farming are undisputed. Child labor in tobacco rightfully falls under the category “worst forms of child labor” due to the hazardous nature of work in the tobacco sector. According to International Labor Organization (ILO) Conventions, child labor in such sectors should be prohibited along with forced labor and commercial exploitation of children (prostitution and pornography). Countries like India, Brazil, Malawi, South Africa, Uganda and Ghana prohibit or penalize those that allow children to work in tobacco fields.

B. Quick Stats

Estimated child labor globally: 160 million children (1 in every 10 children worldwide)
Estimated child labor in hazardous workplaces: 79 million children
Estimated child labor in agriculture: 112 million children
Estimated tobacco child labor: 1.3 million children
Benefit of eliminating child labor: US $2-5 trillion vs US $760 billion in cost
Causes of child labor: Poverty and demand for cheap labor, lack of well enforced laws

CHILD LABOR: Work below the minimum age for work, as established in national legislation that conforms to international standards, includes the worst forms of child labor.

WORST FORMS OF CHILD LABOR refer to activities such as forced labor, slavery, prostitution and hazardous work, in accordance with the ILO Convention.

HAZARDOUS WORK: Work which, by its nature or the circumstances under which it is carried out, is likely to harm the health, safety or morals of the child. ILO directs countries to consult with employers and workers to identify the types of hazardous work that should be prohibited by law or regulation. Hazardous work lists may describe specific activities, occupations, industries or conditions.

i Please note: There are no accurate global estimates of CHILD LABOUR in TOBACCO, but it continues to be rampant world-wide and has been on the increase in the last two decades, especially in low- and middle-income countries. For example, a study on the tobacco sector in Malawi revealed that 78 percent of children between the ages of 10 and 14 worked with their parents on tobacco estates on a full-time or part-time basis, and it also noted that children under the age of 10 were found working with their parents as full-time workers on the estates. See: W. C. D. Kamkondo and K. Wellard, Women and Children in the Smallholder and Estate Subsector in Malawi, supplementary report to Estate Extension Service Trust (Lilongwe: Rural Development Department, Bunda College of Agriculture, 1994), as cited in Child Labour in the Tobacco-Growing Sector in Africa at 40; Cited in: United States Department of Labor, 2001 Findings on the Worst Forms of Child Labor - Malawi, 7 June 2002, available at: https://www.refworld.org/docid/48c8c9db8.html [accessed 4 June 2021]
C. Impact on the Child

- **Nicotine poisoning** with symptoms such as insomnia, dizziness, headaches, dehydration, fatigue, nausea and vomiting caused by absorption of nicotine via the skin during the handling of tobacco (green tobacco sickness).\(^{17}\)

- **Impeded economic and social advancement** of the child due to loss of education.\(^{18}\)

- **High risk of cancer, tuberculosis, infertility, psychological imbalance, immune system dysfunction and neurological damage** due to long durations of hazardous exposure to chemicals such as pesticides, herbicides, fumigants and growth inhibitors, causing serious health harms.\(^{19}\)

- **Long-term malnutrition and infectious diseases** due to poor nutrition and hygiene during developmental stage owing to lack of adequate food, clean water and sanitation facilities.\(^{20}\)

- **Long-term musculoskeletal damage** due to repetitive strain injuries resulting in chronic pain, arthritis, muscle twitching and bending of bones; caused by constant heavy lifting and strenuous manual labor.\(^{21}\)

Tobacco Industry Corporate Social Responsibility (CSR) in Child Labor: An Inherent Contradiction\(^ {22}\)

Tobacco is uniquely harmful and kills half of its users. The tobacco industry’s commercial interest is in conflict with basic human rights. CSR regulation and self-reporting is counterproductive in the tobacco industry.\(^ {23}\) Furthermore, the tobacco control treaty requires policies on tobacco production to be protected from tobacco industry interference.\(^ {24}\)

To give an impression of fighting child labor, transnational tobacco companies flaunt their self-reporting system on agricultural practices and supply chain audit (due diligence) regimes\(^ {25}\) as well as their anti-child labor initiatives,\(^ {26}\) which is largely based on the work of the Eliminating Child Labour in Tobacco Growing (ECLT) Foundation.\(^ {27}\) In undertaking such so-called CSR activities to eliminate child labor, the transnational tobacco companies give a false notion that they are comparable with the rest of the business community,\(^ {28}\) thereby diverting attention from the fact that tobacco production is not like any other business: Tobacco products are unique in that they provide no social benefit, kill 8 million people annually\(^ {29}\) and cost the global economy US $1.4 trillion every year.\(^ {30}\)
Unfair Practices of Tobacco Companies That Aggravate Child Labor:

Tobacco workers and stakeholders assert that tobacco companies are “perpetuating extreme forms of child labour” and provide these practices as basis. Tobacco companies:

A. Keep wages low. Tobacco companies determine the level of wages and have control over the salaries that suppliers or contractors pay.\(^3^6\)

B. Keep tobacco prices low and loan interest rates high for agricultural inputs. Tobacco companies “determine the price of agricultural inputs, seeds, pesticides, and other supplies,\(^3^7\) …as well as the price and classification of the tobacco leaf once it’s harvested… small farmers have little control or room to negotiate.”\(^3^8\)

C. Provide incentives such as loans that keep farmers dependent, although real prices or financial benefits remain low.\(^3^9\) The solution to eliminating child labor in the tobacco sector lies in shifting farmers to alternative livelihoods.

D. Deny rights to organize\(^4^0\) and refuse to accept unions as part of negotiations,\(^4^1\) leading to a lack of collective bargaining agreements and freedom of association.\(^4^2\)
E. Drown out voices of genuine stakeholders. The involvement of tobacco executives and tobacco-funded groups in so-called CSR activities further obscures the voices of the real stakeholders. Tobacco companies use agricultural front groups, partner with renowned organizations and work with businesspeople and politicians to lobby against tobacco control measures, effectively suppressing progress towards diversification strategies.

F. Allow living and working conditions to remain poor. This includes poor housing, poor drinking water, polluted soils and reduced protections for occupational health and safety. Notably, tobacco companies encourage “excessive use of hazardous agrochemicals.”

G. Avoid having direct responsibility over the welfare of farmers. To avoid culpability for the above practices, tobacco companies hide behind layers of contracts and protocols. Tobacco companies have not shown that their contracts fully protect the sector against child labor (e.g., that wages and prices are sufficiently high, or takes responsibility for child labor and covers for damages arising from the same).

How the Tobacco Industry Undermines Efforts to Eliminate Child Labor

A. The tobacco industry’s public relations (PR) and lobbying strategies to eliminate child labor are diametrically opposed to internationally agreed solutions to end child labor.

Aside from the ILO’s strategies to address decent work deficits in the tobacco sector, the WHO FCTC’s Policy Options and Recommendations on Economically Viable Alternatives to Tobacco Growing (in relation to Articles 17 and 18 of the WHO FCTC) laid out strategies to address problems in tobacco production including child labor. This primarily calls for farmer and worker-driven policies and programs towards diversification that are sustainably financed and protected from tobacco industry interference. However, tobacco companies lobby and influence policy-making (even using undue influence and bribery) to delay or resist tobacco control, to exaggerate its contribution to the economy, dilute political will due to symbiotic relationships with the tobacco industry and politicians, and use front groups that promote tobacco company interests, effectively drowning out genuine stakeholder interests.
• Agreed solutions also include recommendations for tobacco-growing countries to “consider reallocating public funds/subsidies used for tobacco production to alternative livelihoods/activities.”\(^{55}\) In contrast, the tobacco industry is leveraging on incentives that ensure dependency on the crop,\(^{56}\) despite tobacco prices remaining low.\(^{57}\)

• The tobacco industry falsely uses economic downfall and worker’s plight in tobacco agriculture to counter tobacco tax increases,\(^{58}\) when in reality, the rate of change in consumption allows sufficient time for adjustments towards diversification.\(^{59}\)

• Sustainable financing of diversification programs is crucial in eliminating child labor in tobacco, and yet, tobacco companies vehemently oppose all forms of tobacco tax increases, including those that have a potential to finance diversification programs.\(^{60}\)

B. The tobacco industry’s practice of incentivizing tobacco production and undermining diversification strategies keeps farmers addicted to tobacco farming, and children tied to laboring on tobacco farms.

As part of its core business and supply chain, the tobacco industry provides a false impression that it is supportive of tobacco farming and its related communities, hence providing so-called CSR initiatives for technical and financial support for farming.\(^{61}\) However, incentivizing tobacco farming goes against diversification, which is a key solution to addressing the health and environmental harms of tobacco.\(^{62}\) Governments should instead incentivize alternative livelihood,\(^{63}\) and should not be made to compete with tobacco industry incentives for tobacco production.

Financial arrangements contrived by the tobacco industry are purposed to keep farmers addicted to tobacco farming.\(^{64}\) Some of the incentives provided by tobacco companies, such as loans, are meant to continually lure tobacco farmers and workers into tobacco production and keep them dependent on it,\(^{65}\) and ultimately, constantly indebted and impoverished.\(^{66}\) This perpetuates the use of child labor.

C. Tobacco companies’ so-called CSR initiatives divert attention from tobacco’s impact on child labor.

CSR activities on labor rights involve approaches that scholars have criticized as “ineffective in improving labour standards” (e.g., private voluntary initiatives like social auditing, ethical certification and supplier codes of conduct);\(^{67}\) due to the “serious gaps between CSR promises and actual outcomes.” Tobacco companies’ CSR, such as education programs, supplier due diligence or good environmental/
agricultural practices, are worse in that they divert attention from tobacco company practices that perpetuate child labor and worsen its impact. The tobacco industry is primarily responsible for child labor in its supply chain because it keeps tobacco prices and wages low, then provide “incentives” that keep farmers in debt, deny bargaining powers to workers, allow working conditions to remain poor, drown out the voices of stakeholders and avoid direct responsibility for them.

Voluntary due diligence is generally insufficient, especially for the tobacco industry.

Experts have warned against voluntary due diligence or audit regimes or otherwise relying on the private sector to address human rights and environment issues. A study in the retail industry shows that such initiatives are illusory, effectively “perpetuating the cycle of inequality, corporate power, environmental harms and more,” and preserve models that focus on “cheap labour, cheap goods, low prices and short-term purchase contracts.”

Tobacco CSR builds tobacco companies’ brands and corporate image but obscures the extent of harm caused by tobacco production. A study that calls for stronger tobacco sponsorship bans shows that the tobacco transnationals use Twitter to project that they are leading in the elimination of child labor but fail to show how they caused the problem. In many countries, publicizing these activities are deemed a violation of sponsorship bans required by the WHO FCTC which is embodied in the UN Sustainable Development Goals (SDGs).

D. Tobacco companies’ front groups hinder true stakeholder participation and drown out the voices of farmers and workers.

Global consensus and treaty policy dictate that tobacco companies have no place in policy-making related to agricultural diversification, and that such efforts must be driven by workers/farmers. Specifically, governments are urged to promote “alternatives to tobacco growing and avoid tobacco industry obstruction in programs meant for the welfare and diversification of tobacco growers and workers and the protection of the environment...”

However, tobacco farmers and workers directly affected in tobacco production and involved in environmental harms, are poorly represented. This is exacerbated by the fact that transnational tobacco companies have set up and funded front groups like the International Tobacco Growers’ Association (ITGA) to lobby on their behalf in order to falsely represent farmers’ socio-economic arguments.
as basis to challenge tobacco control measures such as tax increases.\textsuperscript{83} Tobacco workers have also accused the tobacco companies of drowning their voices with false promises during discussions around the value of the tobacco industry-funded Eliminating Child Labour in Tobacco Growing (ECLT) Foundation.\textsuperscript{84} Furthermore, the tobacco industry took up stakeholder space in discussions on diversification through the Philip Morris-funded Foundation for Smoke-Free World’s (FSFW) Agriculture Transformation Initiative (ATI),\textsuperscript{85} despite the need to protect agricultural and environmental policies on tobacco from commercial and vested interests of the tobacco industry, in line with Article 5.3 of the WHO FCTC.

Notably, the interests of tobacco companies and laborers are diametrically opposed: The tobacco industry’s interest is to seek the lowest price/highest profit and to avoid culpability for health and occupational harms, while the laborers’ interest is to increase prices and to be compensated for harms.

E. The tobacco industry avoids culpability and refuses to compensate children for damages.

Overall, the tobacco industry tries to distance itself from the reality of deaths and harms.\textsuperscript{86} Ultimately, any “social good” the tobacco industry does is fake if it does not acknowledge responsibility for all the deaths and diseases caused by its products\textsuperscript{87} throughout the product life cycle.

Related to tobacco production, the tobacco industry has yet to be held accountable for failure to root out child labor in its supply chain. When held to account for children’s plight, it firmly avoids culpability through legal defenses and attempts to play the victim. Through third-party contracts, tobacco companies try to distance themselves from being responsible for child labor. For instance:

- PMI claims to impose standards\textsuperscript{88} on its supply chain but, in different countries, uses third parties instead of direct purchase to impose this standard,\textsuperscript{89} thus removing itself from potential liability.

- In 2020, children of Malawi sued British American Tobacco (BAT) and Imperial Brands, both based in the U.K. for compensation to damages arising from child labor.\textsuperscript{90} And although this resulted in the U.S. barring imports of Malawi tobacco,\textsuperscript{91} the tobacco companies have sought a dismissal of the case based on the grounds that “lawyers for the farming families cannot prove the tobacco they grew ended up in their cigarettes and other products.”\textsuperscript{92}
• In 2007, Brazilian tobacco companies sought to escape employer duties by pointing to the service agreement contract (as opposed to an employment contract). This supports the observation that the tobacco companies’ response to human rights involves shifting the ultimate culpability to leaf companies and dressing this up with public relations strategies.\textsuperscript{93}

• In a Brazilian Child Labor investigation in 1998, the producers (primarily BAT affiliates) were found to be “the victims, and not the responsible party, since they ended up being forced to rely on their children’s work in order to meet the conditions stipulated in the clauses imposed by the companies.”\textsuperscript{94}

• In 2021, a large Brazilian tobacco exporter, Continental Tobaccos Alliance, faced slavery charges for contractual employment of nine children, all underpaid, living in poor conditions and suffering from acute intoxication and nausea. The company said it was not responsible for the workers, despite having a contract with the farm owners.\textsuperscript{95}

Notably, governments are mandated to cooperate with one another in dealing with tobacco industry liability, including compensation.\textsuperscript{96}

The tobacco industry, which continues to forego responsibility for the illegal exploitation of children in the tobacco industry’s production workforce, needs to be called to account.

“The tobacco industry falsely uses economic downfall and worker’s plight in tobacco agriculture to counter tobacco tax increases, when in reality, the rate of change in consumption allows sufficient time for adjustments towards diversification.”
About 125 countries produce tobacco, with the majority of the world's tobacco grown in China and India. However, reports on child labor are scarce.

1. Argentina
2. Bangladesh
3. Brazil
4. Cambodia
5. India
6. Indonesia
7. Kenya
8. Kyrgyz Republic
9. Lebanon
10. Malawi
11. Mexico
12. Mozambique
13. Nicaragua
14. Philippines
15. Tanzania
16. Uganda
17. Vietnam
18. Zambia
19. Zimbabwe

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Parts of the Supply Chain Where Child Labor in Tobacco Occurs:

Child labor happens mainly in the production stage of the tobacco supply chain, up to delivery to leaf buyers and/or factories for manufacture. The tobacco industry has not looked through its whole supply chain to stamp out child labor. Notably, most of its CSR focuses on farms.

A. Growers/farmers
B. Leaf dryers/processors
C. Leaf storage facility
D. Local leaf buyers or consolidators/cooperatives (market intermediaries/government)
E. Cigarette/tobacco factory
F. Distributor/exporter
G. Importer/wholesaler
H. Retailer
I. Consumer

Types of Hazardous Work in the Tobacco Sector Undertaken by Children:

Agriculture, in general, is classified as one of the three most hazardous sectors of activity, along with construction and mining. As of 2020, 112 million children are employed in agriculture, which makes up 70% of all children in child labor, and mostly includes children aged 5 to 11 years. Children employed in tobacco perform the following tasks, which have severe detrimental consequences on the health and safety of the child.

- Digging with hoes to prepare fields for planting
- Planting tobacco seedlings
- Watering fields
- Applying fertilizers
- Mixing and applying pesticides
- Removing flowers and competing leaves from plants
- Harvesting tobacco leaves by hand
- Carrying bundles of harvested leaves
- Wrapping or rolling of leaves to prepare them for curing
- Cutting tobacco leaves
- Spreading tobacco in the sun to dry
- Tying or piercing leaves to attach them to bamboo sticks for drying
- Lifting sticks of tobacco leaves and loading them into curing barns
- Climbing onto beams in curing barns to hang tobacco to dry
- Maintaining fires to heat curing barns
- Untying dried tobacco leaves from bamboo sticks
- Sorting and classifying dried tobacco
- Bundling dried tobacco into bales

Acknowledgements and Authorship

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Endnotes


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.


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=NORMLEX-PUB:12000:0::NO::P12000_ILO_CODE:C182#:~:text=(d)%20work%20which%2C%20by%20its%20nature%20or%20the%20circumstances%20in%20which%20it%20is%20carried%20out%2C%20is%20likely%20to%20affect%20the%20health%20or%20safety%20or%20worsen%20the%20conditions%20of%20child%20labour%20in%20children.


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


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).”


15 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 ending child labor 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%20the%20study%20cost%20of%20US%24%202%20760%20billion.


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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 also: 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 2018). 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.”


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.pdf


See also: Sustainable Tobacco Programme. British American Tobacco. Available at: https://www.bat.com/group/sites/sites/uk_9d9c4y/nt/wPages/WEB/live/DOWDEEBL


26 For example: “Protecting the 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 AROIS – 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.”

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%).”

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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).


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...”


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

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31 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).


32 See: Sustainable Tobacco Programme. British American Tobacco. Available at: https://www.bat.com/group/sites/sites/uk_9d9c4y/nt/wPages/WEB/live/DOWDEEBL

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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

34 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
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34 Civil Society Organisations (CSOs) refuse to speak to tobacco industry. Guidelines for implementation of Article 5.3 of the WHO Framework Convention on Tobacco Control: 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/article5_3.pdf

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.slavefreetchocolate.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, - farmerwork advocates ... see as unfair practices by large tobacco companies. Farm families are not guaranteed minimum earnings. The companies determine both the price of the tobacco leaf and the amount of tobacco to be produced. The companies benefit from the poverty of the smallholder and tenant farmers through cheap labour force. "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 labour force. See: Tobacco Tenants and Allied Workers Union Of Malawi (TOAWUM)'s letter to the President of the Republic of Malawi (10 October 2014).

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


41 In Brazil, Tobacco Workers Union (Sindicato), 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 these events, 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_Chfulas.pdf

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

43 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/COP(6)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).

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/COP(6)11(2014). Available at: https://www.who.int/fctc/treaty_instruments/Recommendations_Articles_17_18_English.pdf?ua=1%22 [accessed 5 June 2021].


46 "Tobacco companies exploit through contract arrangements 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).

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, where 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/COP(6)11(2014). Available at: https://www.who.int/fctc/treaty_instruments/Recommendations_Articles_17_18_English.pdf?ua=1%22 [accessed 5 June 2021].


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/COP(6)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.9.17.78. Available at: https://tobaccocontrol.bmj.com/content/tobaccocontrol/9/17/full.pdf
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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/COP(11) (2014). Available at: https://www.who.int/fctc/treaty_instruments/Recommendations_Articles_17_18_English.pdf?ua=1 [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 regulations 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-


See also: Article 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's specific aim was to dilute WHO's tobacco control efforts. They expanded their lobbying, in the same press release, to have regulations that would weaken the treaty's implementation.

See also: ITGA uncovered: Unravelling the spin – the truth behind the claims. PATH Canada Guide (June 2001). Available at: https://healthbridge.ca/images/uploads/library/itgab.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/COP(11) (12 November 2016). Available at: https://www.who.int/fctc/treaty_instruments/Recommendations_Articles_17_18_English.pdf?ua=1 [accessed 5 June 2021].

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/COP(11) (2014). Available at: https://www.who.int/fctc/treaty_instruments/Recommendations_Articles_17_18_English.pdf?ua=1 [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/COP(11) (2014). Available at: https://www.who.int/fctc/treaty_instruments/Recommendations_Articles_17_18_English.pdf?ua=1 [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 also: "Tobacco companies exploit through contract arrangement and leaf buying practices the smallholder and tenant farmers that TOAUM 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 (TOAUM)'s letter to the President of the Republic of Malawi (10 October 2014).


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


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 Pratibh Pratibh Provincial Administrative Organization (PAPO) to create dams in their region to provide water for agricultural production and fire prevention.


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." 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/COP(11) (2014). Available at: https://www.who.int/fctc/treaty_instruments/Recommendations_Articles_17_18_English.pdf?ua=1 [accessed 5 June 2021].


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 2018). Available at: https://www.who.int/fctc/implementation/publications/country-practices-implementation-article-17-WHO-FCTC.PDF


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 features of top-down CSR relates to its limited effectiveness in addressing forced labor, which tends to occur in informal sectors, informal portions of labor and product supply chains."

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See also: Sustainable Tobacco Programme, British American Tobacco. Available at: https://www.bat.com/group/sites/uk__9d9kcy.nsf/vwPagesWebLive/D0DDEB8L

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 ITOA, tobacco companies worked with sympathetic businessmen and politicians. The tobacco companies also encouraged excessive use of hazardous agricultural chemicals 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


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 treaty.


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 cocoa sector. 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%2Fs13280-019-01148-3

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 functions 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.

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 ITOA, tobacco companies worked with sympathetic businessmen and politicians. The tobacco companies also encouraged excessive use of hazardous agricultural chemicals 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

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98 In its first review in 2014, the Committee noted the need to elaborate more on its findings in order to comply with the provisions of the Convention, without prejudice to the text of the report of Sudan. The Committee encouraged the State party to provide more information on the situation of women and girls and their specific vulnerabilities, in order to improve the protection of children from violence.

99 The Committee noted the State party’s efforts to strengthen its national polices, laws and programs to address violence against women and girls, including in the context of armed conflict. However, it expressed concern about the lack of comprehensive data on violence against women and girls, which made it difficult to assess the impact of the prevention strategies and policies.

100 The Committee recommended that the State party:
   a) Develop a comprehensive national strategy to address violence against women and girls, including in the context of armed conflict, that takes into account the specific needs and vulnerabilities of women and girls, and that includes measures to ensure the protection of women and girls from violence, in particular violence in the context of armed conflict;
   b) Establish a comprehensive national system to collect and analyze data on violence against women and girls, in order to improve the monitoring of the impact of prevention strategies and policies and to identify areas for improvement;
   c) Increase awareness and provide training on violence against women and girls, and on the prevention of violence, to all sectors of the society, including the armed forces and police, to ensure that they are equipped to protect women and girls from violence, in particular violence in the context of armed conflict;
   d) Learn from the experience of other States parties that have adopted such a strategy, and that have put in place similar policies and programs, in order to improve the effectiveness of its measures.

101 The Committee requested the State party to submit its second periodic report, due in 2022, in accordance with article 13 of the Convention.
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94 In 2007, the Labour Court filed 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 natural’, says prosecutor Margaret Matos de Carvalho. See: João Peres/Neto. Tobacco Industry Lives and Kills- Executive Summary. Roucos e Sufocados. Available at: https://actbr.org.br/uploads/arquivos/Suma%C3%A7%C3%A3o_Roucos_Ingl%C3%A9s.pdf

95 Fabio Tellesia. Tobacco exporter faces slavery charge in landmark Brazil case. Thomson Reuters Foundation (2 March 2021). Available at: https://www.reuters.com/article/brazil-slavery-


97 “The USDOL lists goods made with child labour or forced labour based on the Trafficking Victims Protection Reauthorization Act (TVPRRA). 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 specifically children.” See also: 2020 List of Goods Produced by Child labour or Forced labor. US Department of Labor (DOL). Available at: https://www.dol.gov/sites/dolgov/files/I LAB/child_labour_reports/10292020_2020TVPRRA_List_Final_v2 (accessed 1 June 2021).

98 “In fact, tobacco is now produced in 125 countries, including Argentina, Guatemala, Indonesia, Italy, Kenya, Pakistan, Poland, Thailand, Turkey, and Zambia.” 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 countries/fields 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 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 most countries, 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 Nations 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.” See: Wurth M. 9 February 2017. Did a child get sick farming the tobacco in your cigarette? Human Rights Watch. Available from: https://www.hrw.org/news/2017/02/09/did-child-get-sick-farming-tobacco-your-cigarette (accessed 2 June 2021).

101 “The USDOL lists goods made with child labour or forced labour based on the Trafficking Victims Protection Reauthorization Act (TVPRRA). 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 specifically children.” See also: 2020 List of Goods Produced by Child labour or Forced labor. US Department of Labor (DOL). Available at: https://www.dol.gov/sites/dolgov/files/I LAB/child_labour_reports/10292020_2020TVPRRA_List_Final_v2 (accessed 1 June 2021).

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.”

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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