



A GLOBAL  
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# La industria del tabaco: un obstáculo a la eliminación del trabajo infantil

**“Nuestras voces se ven ahogadas por falsas promesas de prosperidad económica por parte de los fabricantes de cigarrillos y empresas compradoras de hojas de tabaco.”**

**- Tobacco and Allied Workers Union of Malawi (TOAWUM), 2014**

**TRABAJO INFANTIL:** Se refiere al trabajo por debajo de la edad mínima para trabajar, tal y como se establece en la legislación nacional que se ajusta a las normas internacionales, e incluye las peores formas de trabajo infantil.<sup>1</sup>

**PEORES FORMAS DE TRABAJO INFANTIL:**

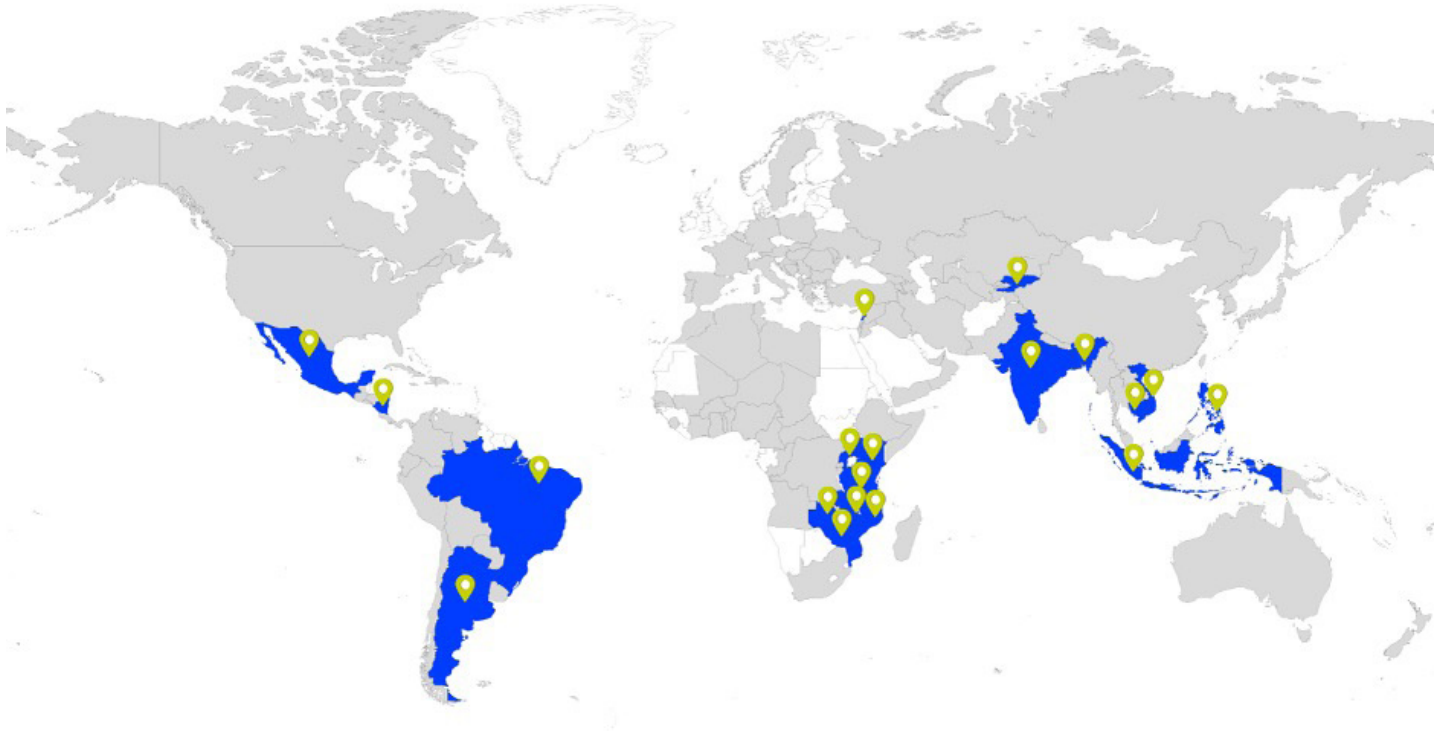
Se refiere a actividades tales como... el trabajo forzado, la esclavitud, la prostitución... y los trabajos peligrosos, de acuerdo con el Convenio de la OIT.<sup>2</sup>

**TRABAJOS PELIGROSOS:** El trabajo que, por su naturaleza o por las circunstancias en las cuales se realiza, puede perjudicar la salud, la seguridad o la moralidad de un niño<sup>3</sup>. La OIT insta a los países a que realicen consultaciones con los empleadores y los trabajadores para determinar los tipos de trabajos peligrosos que deberían ser prohibidos por ley o por reglamento<sup>4</sup>. Las listas de trabajos peligrosos pueden incluir actividades, ocupaciones, industrias o condiciones específicas”.

**EL TRABAJO INFANTIL EN LA INDUSTRIA DEL TABACO SE ENCUENTRA ENTRE LAS “PEORES FORMAS DE TRABAJO INFANTIL”<sup>5</sup>**

Los peligros de la manipulación del tabaco<sup>6</sup> y la exposición tóxica a los pesticidas utilizados en el cultivo del tabaco son innegables. El trabajo infantil en el sector del tabaco está acertadamente incluido en la categoría de “peores formas de trabajo infantil” debido a la naturaleza peligrosa del trabajo realizado en esta industria. Según los Convenios de la Organización Internacional del Trabajo (OIT), el trabajo infantil en estos sectores de actividad debe prohibirse junto con el trabajo forzado y la explotación comercial de los niños (prostitución y pornografía). Países como India, Brasil, Malawi<sup>7</sup> Sudáfrica, Uganda y Ghana,<sup>8</sup> prohíben o penalizan a los que permiten que los niños trabajen en los cultivos de tabaco.<sup>9</sup>

## Países Reportados Que Utilizan el Trabajo Infantil en la Industria del tabaco<sup>10</sup>



Unos 125 países producen tabaco<sup>11</sup> siendo China y la India<sup>12</sup> donde la mayor parte del tabaco mundial se cultiva. Sin embargo, los informes sobre el trabajo infantil son escasos.

1. Argentina
2. Bangladesh
3. Brasil
4. Camboya
5. India
6. Indonesia
7. Kenia
8. República Kirguisa
9. Líbano
10. Malawi
11. México
12. Mozambique
13. Nicaragua
14. Filipinas
15. Tanzania
16. Uganda
17. Vietnam
18. Zambia
19. Zimbabue

## ALGUNAS ESTADÍSTICAS

**Estimaciones mundiales sobre el trabajo infantil:** 160 millones de niños (1 de cada 10 niños en el mundo)<sup>16</sup>

**Estimaciones mundiales sobre el trabajo infantil en puestos de trabajo peligrosos:** 79 millones de niños<sup>17</sup>

**Estimaciones del trabajo infantil en la agricultura:** 112 millones de niños<sup>18</sup>

**Estimaciones del trabajo infantil en la industria del tabaco:** 1,3 millones de niños<sup>19</sup>

**Beneficios de la eliminación del trabajo infantil:** De 2 a 5 billones de dólares americanos (frente a 760.000 millones de dólares americanos en costos)<sup>20</sup>

**Causas del trabajo infantil:** Pobreza y demanda de mano de obra barata,<sup>21</sup> falta de correcta aplicación de las leyes.<sup>22</sup>

## La Responsabilidad Social Empresarial (RSE) de la industria del tabaco en el trabajo infantil: una contradicción inherente<sup>13</sup>

El tabaco es especialmente dañino y provoca la muerte de la mitad de sus consumidores. El interés comercial de la industria tabacalera está en conflicto con los derechos humanos básicos. La llamada RSE y los autoreportes de la industria tabacalera son contraproducentes.<sup>14</sup> Además, el Tratado para el Control del Tabaco exige que las políticas en materia de producción de tabaco estén protegidas de la interferencia de la industria tabacalera.<sup>15</sup>

Para dar la impresión de que luchan contra el trabajo infantil, las empresas tabacaleras transnacionales hacen alarde de su sistema de autoreporte sobre las prácticas agrícolas y de los regímenes de auditoría de la cadena de suministro (diligencia debida);<sup>23</sup> así como de sus iniciativas contra el trabajo infantil,<sup>24</sup> que se basan, en gran medida, en el trabajo de la organización Eliminating Child Labour in Tobacco Growing (ECLT).<sup>25</sup> Al emprender estas actividades de supuesta responsabilidad social empresarial (RSE) con el fin de eliminar el trabajo infantil, las empresas tabacaleras transnacionales vehiculan la falsa idea de que se comparan con el resto de la comunidad empresarial<sup>26</sup>, desviando así la atención del hecho de que la producción de tabaco no es como cualquier otro negocio: los productos del tabaco

<sup>13</sup> 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/48c8c9dbc.html> [accessed 4 June 2021]

son únicos porque no proporcionan ningún beneficio social, matan a ocho millones de personas anualmente<sup>27</sup> y cuestan 1.4 billones de dólares americanos cada año<sup>28</sup> a la economía mundial.

La publicidad de la llamada RSE, además de constituir una violación de muchas prohibiciones de patrocinio del tabaco en todo el mundo, también da la falsa impresión de que se puede confiar en que la industria tabacalera lleve a cabo, y de manera voluntaria, prácticas de diligencia debida en su cadena de suministro;<sup>29</sup> mientras que el Convenio Marco de la Organización Mundial de la Salud para el Control del Tabaco (CMCT de la OMS) establece que la industria tabacalera debe estar estrictamente regulada por los gobiernos y que no se puede confiar en que implementen por sí mismos alguna forma de autorregulación.

La industria tabacalera emplea una estrategia de relaciones públicas que desvía la atención del verdadero impacto del trabajo infantil en la producción de tabaco, oculta las soluciones genuinas, socava las estrategias de diversificación, ahoga las voces de las partes interesadas y les permite evadir cualquier responsabilidad. En consonancia con las recomendaciones de los expertos y las buenas prácticas, las orientaciones indicadas en el CMCT de la OMS recomiendan una regulación y marcos gubernamentales<sup>30</sup> fuertes, el desarrollo de investigaciones independientes y la diversificación, con una financiación duradera y a salvo de la interferencia de la industria del tabaco.<sup>31</sup>

Debido a la necesidad de protegerse contra las injerencias de la industria tabacalera, las organizaciones no gubernamentales (ONG), así como los funcionarios gubernamentales rechazan cualquier asociación con la industria tabacalera.<sup>32</sup> La sociedad civil no afiliada a la industria tabacalera es la única que puede colaborar con los gobiernos; las asociaciones del sector privado de la industria tabacalera con los gobiernos no son aceptables.<sup>33</sup>

## IMPACTO EN EL NIÑO

- **Intoxicación por nicotina** con síntomas tales como insomnio, mareos, dolores de cabeza, deshidratación, fatiga, náuseas y vómitos causados por la absorción de nicotina a través de la piel durante el proceso de manipulación del tabaco (Enfermedad del tabaco verde).<sup>34</sup>
- **Impide avances económicos y sociales** del niño debido a la pérdida de oportunidades de educación.<sup>35</sup>
- **Alto riesgo de cáncer, tuberculosis, infertilidad, desequilibrio psicológico, disfunción del sistema inmunitario y daños neurológicos** debido a la exposición prolongada a sustancias químicas peligrosas como pesticidas, herbicidas, fumigantes e inhibidores del crecimiento que causan graves daños a la salud<sup>36</sup>
- **Desnutrición a largo plazo y enfermedades infecciosas** debido a la mala nutrición e higiene durante la etapa de desarrollo por falta de alimentos adecuados, agua potable e instalaciones sanitarias.<sup>37</sup>

- **Daño músculo esquelético a largo plazo** debido a lesiones por movimientos repetitivos que provocan dolores crónicos, artritis, contracciones musculares y flexión de los huesos; causados por el constante levantamiento de objetos pesados y un trabajo manual extenuante.<sup>38</sup>

## **Prácticas Desleales de las Empresas de Tabaco Que Agravan el Trabajo Infantil:**

Los trabajadores del sector del tabaco y las partes interesadas afirman que las empresas tabacaleras “perpetúan formas extremas de trabajo infantil” y que estas prácticas están en la base de todo. Las empresas de tabaco:

- A. Mantienen salarios bajos.** Las empresas tabacaleras determinan el nivel de los salarios y tienen control sobre los sueldos que pagan los proveedores o contratistas.<sup>39</sup>
- B. Mantienen bajos precios del tabaco y altas tasas de interés sobre los préstamos para insumos agrícolas.** Las empresas tabacaleras “determinan el precio de los insumos agrícolas, semillas, pesticidas y otros suministros<sup>40</sup> ...”, así como el precio y la clasificación de la hoja de tabaco una vez cosechada... los pequeños agricultores tienen poco control o margen de negociación<sup>41</sup>
- C. Ofrecen incentivos tales como préstamos que mantienen a los agricultores en situación de dependencia,** aunque los precios reales o los beneficios financieros sigan siendo bajos.<sup>42</sup> La solución para eliminar el trabajo infantil en el sector del tabaco supone ofrecer a los agricultores medios de subsistencia alternativos.
- D. Niegan el derecho de sindicalización<sup>43</sup> y se niegan a aceptar a los sindicatos como parte de las negociaciones.<sup>44</sup>** Esto conlleva a una falta de convenios colectivos y de libertad de asociación.<sup>45</sup>
- E. Ahogan las voces de las verdaderas partes interesadas.** La implicación de los ejecutivos de las empresas tabacaleras y de los grupos financiados por éstas en las llamadas actividades de RSE ocultan aún más la voz de las verdaderas partes interesadas.<sup>46</sup> Las empresas tabacaleras utilizan grupos de fachada agrícolas, establecen convenios con organizaciones de renombre y trabajan con empresarios y políticos para ejercer presión en contra de las medidas de control del tabaco, suprimiendo, de forma efectiva, el avance hacia estrategias de diversificación.<sup>47</sup>
- F. Permiten que las condiciones de vida y de trabajo sigan siendo malas,** como viviendas precarias, agua potable de mala calidad, suelos contaminados, mala protección en términos de salud y seguridad en el trabajo. En particular, las empresas tabacaleras fomentan el “uso excesivo de productos agroquímicos peligrosos”.<sup>48</sup>
- G. Evitan tener responsabilidad directa en el bienestar de los agricultores.** Para evitar cualquier responsabilidad por las prácticas mencionadas, las empresas tabacaleras se esconden detrás de extensos contratos y protocolos.<sup>49</sup> Las empresas tabacaleras no han demostrado que sus contratos protejan plenamente al sector contra el trabajo infantil (es decir, contratos en los cuales los salarios y los precios son suficientemente elevados, o donde se asuma una responsabilidad en cuanto al trabajo infantil y se cubra por daños derivados del mismo).

## Partes de la Cadena de Suministro de la Industria del Tabaco Donde se Utiliza el Trabajo Infantil

El trabajo infantil se produce principalmente en la fase de producción de la cadena de suministro del tabaco hasta la entrega de hojas a los compradores y/o fábricas para su procesamiento. Las empresas tabacaleras no han examinado en detalle su cadena de suministro para erradicar el trabajo infantil.<sup>50</sup> De hecho, la mayor parte de sus actividades de RSE están enfocadas en las explotaciones agrícolas.<sup>51</sup>

### A. Productores / Agricultores

### B. Secadores y procesadores de hojas

### C. Instalaciones de almacenamiento de hojas

### D. Compradores locales de hojas o consolidadores /cooperativas

### E. Fábrica de cigarrillos / tabaco

### F. Distribuidor / Exportador

### G. Importador / Mayorista

### H. Minorista

### I. Consumidor



Source: Adopted from the US DOL's illustration of the supply chains for coffee and the cut flower and panela (unrefined whole cane sugar) sectors. 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](https://www.hrw.org/sites/default/files/report_pdf/indonesia0516web_0.pdf) [accessed 7 June 2021].

## Tipos de Trabajos Peligrosos en la Industria del Tabaco y Realizados por Niños

La agricultura, en general, está clasificada como uno de los tres sectores de actividad más peligrosos, junto con el de la construcción y la minería.<sup>52</sup> En 2020, 112 millones de niños estaban trabajando en la agricultura, lo cual representa el 70% de todos los niños que trabajan, y en su mayoría incluye a niños entre 5 a 11 años.<sup>53</sup> Los niños trabajando en la industria del tabaco realizan las siguientes tareas, que perjudican gravemente su salud y seguridad:<sup>54</sup>

- Cortar las hojas de tabaco
- Sembrar las plántulas de tabaco
- Regar los campos
- Aplicar fertilizantes
- Mezclar y aplicar pesticidas
- Extender el tabaco al sol para que seque
- Cosechar manualmente las hojas de tabaco
- Llevar los bultos de hojas cosechadas
- Agrupar el tabaco seco en pacas
- Eliminar las flores y hojas competidoras de las plantas
- Atar o perforar las hojas para sujetarlas a palos de bambú para su secado
- Levantar los palos con las hojas de tabaco y llenar los graneros de curado
- Subirse a las vigas de los graneros de curado para colgar el tabaco y que seque
- Mantener el fuego para calentar los graneros de curado
- Desatar las hojas de tabaco secas de los palos de bambú
- Seleccionar y clasificar el tabaco seco
- Envolver o enrollar las hojas para prepararlas para el proceso de curado
- Cavar con azadones para preparar los campos para la siembra

Source: "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](https://www.hrw.org/sites/default/files/report_pdf/indonesia0516web_0.pdf) [accessed 7 June 2021].

## ¿Cómo socava la industria del tabaco los esfuerzos para eliminar el trabajo infantil?

1. **Las estrategias de relaciones públicas (PR) y de presión de la industria tabacalera para eliminar el trabajo infantil están diametralmente opuestas a las soluciones acordadas a nivel internacional con respecto al trabajo infantil.**

Aparte de las estrategias de la OIT para abordar los problemas de un trabajo decente en el sector del tabaco<sup>55</sup>, las Opciones de Política y Recomendaciones sobre Alternativas Económicamente Viables al Cultivo de Tabaco del CMCT de la OMS (en relación con los artículos 17 y 18 del CMCT de la OMS)<sup>56</sup> establecieron estrategias para abordar los problemas de la producción de tabaco, incluido el trabajo infantil. Esto exige principalmente **políticas y programas impulsados**



**por los agricultores y trabajadores enfocados hacia la diversificación<sup>57</sup>, que estén financiados de forma sostenible y protegidos contra toda interferencia de la industria tabacalera.<sup>58</sup>** No obstante, las empresas tabacaleras ejercen presión e influyen en la elaboración de políticas (incluso utilizando una influencia indebida) para retrasar o resistirse al control del tabaco<sup>59</sup>, para exagerar su contribución en la economía,<sup>60</sup> diluir la voluntad política por medio de relaciones simbióticas con la industria tabacalera y los políticos,<sup>61</sup> y utilizar grupos de fachada que promuevan los intereses de las empresas tabacaleras<sup>62</sup> ahogando de manera eficiente los intereses genuinos de las partes interesadas.

- Las soluciones acordadas también incluyen recomendaciones para que los países productores de tabaco “consideren reasignar fondos/ subvenciones públicas utilizadas para la producción de tabaco hacia medios de subsistencia/ actividades alternativas”.<sup>63</sup> Por el contrario, la industria tabacalera se apoya en incentivos que refuerzan la dependencia con el cultivo del tabaco<sup>64</sup>, a pesar de que sus precios siguán siendo bajos.<sup>65</sup>
- La industria tabacalera utiliza falsamente el declive económico y la situación difícil de los trabajadores de los cultivos de tabaco para contrarrestar los aumentos de impuestos sobre el tabaco<sup>66</sup> cuando, en realidad, el ritmo de cambio del consumo permite un tiempo suficiente

para ajustarse a una diversificación.<sup>67</sup>

- La financiación sostenible de los programas de diversificación es crucial para eliminar el trabajo infantil en la industria del tabaco; sin embargo, las empresas tabacaleras se oponen con vehemencia a todas las formas de aumento de los impuestos sobre el tabaco, incluidas las que tienen el potencial de financiar de forma sostenible programas de diversificación.<sup>68</sup>

## **2. La práctica de la industria tabacalera de incentivar la producción de tabaco y socavar las estrategias de diversificación contribuye a que los agricultores sigan dependiendo del cultivo del tabaco, y mantiene a los niños atados al trabajo en las explotaciones tabacaleras.**

Como parte de su negocio principal y de su cadena de suministro, las empresas tabacaleras ofrecen la falsa impresión de que apoyan el cultivo del tabaco así como a las comunidades relacionadas con éste, entre otras cosas, ofreciendo las llamadas iniciativas de RSE para el apoyo técnico y financiero al cultivo.<sup>69</sup> No obstante, incentivar el cultivo de tabaco va en contra de la diversificación, que es una solución clave para hacer frente a los daños sanitarios y medioambientales del tabaco.<sup>70</sup> Los gobiernos deberían, en cambio, incentivar medios alternos de subsistencia<sup>71</sup>, que no deberían entrar en competencia con los incentivos de la industria tabacalera hacia la producción

de tabaco. Algunos de los acuerdos financieros acordados por las empresas tabacaleras tienen como objetivo mantener a los agricultores dependientes del cultivo de tabaco.<sup>72</sup> Algunos de estos incentivos tales como los préstamos atraen continuamente a los agricultores y trabajadores del tabaco hacia la producción de tabaco y los hacen que dependen de ella,<sup>73</sup> y, en última instancia, los endeudan y empobrecen constantemente.<sup>74</sup> Esto perpetúa el uso del trabajo infantil.

### **3. Las iniciativas de las empresas tabacaleras en materia de Responsabilidad Social Empresarial (RSE) desvían la atención del impacto del tabaco en el trabajo infantil.**

Las actividades de RSE en materia de derechos laborales incluyen enfoques que los académicos han definido como “ineficientes para mejorar las normas laborales” (por ejemplo, las iniciativas privadas voluntarias como la auditoría social, la certificación ética y los códigos de conducta de los proveedores);<sup>75</sup> debido a las “graves diferencias entre las promesas de RSE y los resultados reales”. La RSE de las empresas tabacaleras, como los programas de educación, la diligencia debida de los proveedores o las buenas prácticas medioambientales/agrícolas,<sup>76</sup> son peores porque, entre otras cosas, desvían la atención de las prácticas de dichas empresas que perpetúan el trabajo infantil y agravan su impacto.<sup>77</sup> La industria tabacalera, en

su cadena de suministro, es la principal responsable del trabajo infantil porque mantiene precios y salarios bajos, y luego ofrece “incentivos” que mantienen a los agricultores endeudados, niegan el poder de negociación a los trabajadores, permiten que las condiciones de trabajo sigan siendo malas, ahogan las voces de las partes interesadas y evitan toda responsabilidad directa con respecto a esta situación.

La RSE de las empresas tabacaleras permite reforzar la marca y la imagen corporativa<sup>78</sup> pero oculta el alcance del daño causado por la producción de tabaco.<sup>79</sup> Un estudio que aboga a favor de prohibiciones más estrictas en relación con el patrocinio del tabaco<sup>80</sup> demuestra que las empresas transnacionales de tabaco utilizan Twitter para proyectar un imagen de líder en la eliminación del trabajo infantil, pero no muestran cómo han provocado el problema.<sup>81,82</sup> En muchos países, la publicidad alrededor de estas actividades se considera una violación de las prohibiciones de patrocinio exigidas por el Convenio Marco de la OMS para el Control del Tabaco (CMCT), que se recoge en los ODS de la ONU.<sup>83</sup>

### **4. Los grupos de fachada de las empresas tabacaleras obstaculizan la verdadera participación de las partes interesadas y ahogan las voces de los agricultores y los trabajadores.<sup>84</sup>**

El consenso mundial y la política de tratados dictan que las empresas tabacaleras no tienen cabida en la elaboración de políticas relacionadas con la diversificación agrícola, y que tales esfuerzos deben ser impulsados por los trabajadores y agricultores.<sup>85</sup> En concreto, se insta a los gobiernos a promover “alternativas al cultivo del tabaco y a evitar la obstrucción por parte de la industria tabacalera en los programas destinados al bienestar y la diversificación de los cultivadores y trabajadores del tabaco y a la protección del medio ambiente...”<sup>86</sup>

Sin embargo, los cultivadores y los trabajadores del sector del tabaco directamente afectados por la producción de tabaco y por los daños medioambientales, están poco representados. Esto se ve agravado por el hecho de que las empresas tabacaleras transnacionales han creado y financiado grupos de fachada como la International Tobacco Growers' Association (ITGA)<sup>87</sup> para que ejerzan presión en su nombre, y representen los argumentos socioeconómicos de los agricultores<sup>88</sup> con el fin de cuestionar las medidas de control del tabaco, como el aumento de los impuestos.<sup>89</sup> Los trabajadores también han acusado a las empresas tabacaleras de ahogar sus voces con falsas promesas durante las discusiones sobre la pertinencia de la Fundación Eliminating Child Labour in Tobacco Growing (ECLT), financiada por la industria tabacalera.<sup>90</sup> Asimismo,

ésta ocupó el espacio de las partes interesadas en los debates sobre la diversificación a través de la Iniciativa de Transformación de la Agricultura (ATI) de la Fundación Smoke-Free World (FSFW), financiada por Philip Morris,<sup>91</sup> a pesar de la necesidad de proteger las políticas agrícolas y medioambientales sobre el tabaco, de los intereses comerciales y creados de la industria tabacalera, de acuerdo con el artículo 5.3 del CMCT de la OMS.

En efecto, los intereses de las empresas tabacaleras y de los trabajadores están diametralmente opuestos: El interés de la industria tabacalera es el de buscar el precio más bajo y el mayor beneficio, así como evitar toda responsabilidad por los daños realizados a la salud y al trabajo; mientras que el interés del trabajador es aumentar los precios y obtener compensación por los daños.

##### **5. La industria tabacalera elude su responsabilidad y se niega a indemnizar a los niños por los daños sufridos.**

En general, la industria tabacalera intenta distanciarse de la realidad de las muertes y los daños.<sup>92</sup> En última instancia, cualquier “bien social” que haga la industria tabacalera es falso si no reconoce su responsabilidad en todas las muertes y enfermedades causadas por sus productos<sup>93</sup> a lo largo del ciclo de vida de estos.

En cuanto a la producción de tabaco, la industria tabacalera aún no ha rendido cuentas por no haber erradicado el trabajo infantil en su cadena de suministro. Cuando se le pide cuentas por la situación difícil de los niños, evita firmemente toda responsabilidad mediante defensas legales e intentos de hacerse valer como la víctima. A través de sus contratos con terceros, las empresas tabacaleras intentan evadir su responsabilidad con respecto al trabajo infantil. Por ejemplo,

- PMI afirma que impone normas<sup>94</sup> a su cadena de suministro, pero, en diferentes países, compra a través de terceros para no tener que imponer esta norma,<sup>95</sup> librándose así de posibles responsabilidades.
- En 2020, los niños de Malawi demandaron a la British American Tobacco e Imperial Brands, ambas con sede en el Reino Unido, pidiendo indemnización por los daños derivados del trabajo infantil<sup>96</sup>. Y aunque esto dio lugar a que Estados Unidos prohibiera las importaciones de tabaco de Malawi<sup>97</sup>, las empresas tabacaleras han solicitado la desestimación del caso basándose en que “los abogados de las familias agricultoras no pueden demostrar que el tabaco que cultivaban acababa en los cigarrillos y otros productos consumidos por estos”.<sup>98</sup>
- En 2007, las empresas tabacaleras brasileñas trataron de eludir sus deberes como empleador recurriendo al contrato de prestación de servicios

(en lugar de un contrato de trabajo). Esto corrobora la observación según la cual la respuesta de las empresas tabacaleras a los derechos humanos consiste en trasladar la responsabilidad final a las empresas de hojas y disfrazarlo todo con estrategias de relaciones públicas.<sup>99</sup>

- En una investigación brasileña sobre el trabajo infantil, realizada en 1998, se determinó que los productores (principalmente las filiales de BAT) eran “las víctimas, y no los responsables, ya que acababan viéndose obligados a recurrir al trabajo de niños para cumplir con las condiciones estipuladas en las cláusulas impuestas por las empresas”.<sup>100</sup>
- En 2021, un gran exportador de tabaco brasileño se enfrentó a cargos de esclavitud por contratar a nueve niños, mal pagados, que vivían en condiciones precarias y sufrían intoxicación aguda y náuseas. La empresa declaró que no era responsable de sus trabajadores, a pesar del contrato firmado con los propietarios de las granjas.<sup>101</sup>

Los gobiernos tienen el mandato de cooperar entre sí para exigir la responsabilidad de la industria tabacalera, incluida la indemnización.<sup>102</sup> La industria tabacalera, que sigue eludiendo su responsabilidad en cuanto a la explotación ilegal de los niños como mano de obra de la industria tabacalera, tiene que rendir cuentas.

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## Referencias

1. 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.
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4. 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](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C182)
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22. 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 Tshoaei. 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>
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24. 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
25. "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
26. "...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%2F13280-019-01148-3>
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33. 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>
34. 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/](http://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>
35. 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](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---ipecc/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](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>

36. 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, Henington 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/fitc/implementation/publications/who-ctc-undp-wntd-2017.pdf?ua=1> (accessed on 31 May 2021).
37. 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/](http://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/ipecc/Informationresources/WCMS\\_IPEC\\_PUB\\_5715/lang--en/index.htm](https://www.ilo.org/ipecc/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). In: 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/professionalinterest/crc.pdf>
38. 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%)." In: 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/fitc/implementation/publications/country-practices-implementation-article-17-WHO-FCTC.PDF>
39. "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).
40. "... 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./>
41. "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).
42. 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/fitc/treaty\\_instruments/Recommendations\\_Articles\\_17\\_18\\_English.pdf?ua=1%22](https://www.who.int/fitc/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).
43. 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/#/>
44. 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](https://actbr.org.br/uploads/arquivos/Suma%CC%81rio_Roucos_Ingles.pdf)
45. Tobacco Tenants and Allied Workers Union Of Malawi (TOAWUM)'s letter to the President of the Republic of Malawi (10 October 2014); See also: "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)..." In: 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. In: 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/#/>
46. Tobacco Tenants and Allied Workers Union Of Malawi (TOAWUM)'s letter to the President of the Republic of Malawi (10 October 2014).
47. 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/fitc/treaty\\_instruments/Recommendations\\_Articles\\_17\\_18\\_English.pdf?ua=1%22](https://www.who.int/fitc/treaty_instruments/Recommendations_Articles_17_18_English.pdf?ua=1%22)
48. 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>; See also: Tobacco Tenants and Allied Workers Union Of Malawi (TOAWUM)'s letter to the President of the Republic of Malawi (10 October 2014).
49. "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."
50. "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." 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); See also: 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: Boseley S. 25 June 2018. Child labour rampant in tobacco industry. *The Guardian*. Available from: <https://www.theguardian.com/world/2018/jun/25/revealed-child-labour-rampant-in-tobacco-industry> (accessed 2 June 2021); See also: Rowe M. 10 May 2019. Dossier: Tobacco's big child labour problem. *Geographical*. Available from: <https://geographical.co.uk/people/development/item/3172-dossier> (accessed 2 June 2021).
51. ECLT focuses on farms, not on processing or manufacture. See: ECLT Foundation. About ECLT Foundation. Available from: <https://www.eclt.org/en/about-eclt-foundation> (accessed 2 June 2021).



52. Fact Sheet: Hazardous child labour in agriculture, tobacco sector (safety and health). ILO (1 April 2004). Available from: [https://www.ilo.org/ipec/Informationresources/WCMS\\_IPEC\\_PUB\\_5715/lang--en/index.htm](https://www.ilo.org/ipec/Informationresources/WCMS_IPEC_PUB_5715/lang--en/index.htm) (accessed 2 June 2021) ; See also: Hazardous child labour. ILO. Available from: <https://www.ilo.org/ipec/facts/WorstFormsofChildLabour/Hazardouschildlabour/lang--en/index.htm> (accessed 2 June 2021) ; See also, in general: Hazardous work. ILO. Available from: <https://www.ilo.org/safework/areasofwork/hazardous-work/lang--en/index.htm> (accessed 2 June 2021) ; 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> ; See also: UN International Standard Industrial Classification of All Economic Activities (ISIC Rev. 4). Available at: [https://unstats.un.org/unsd/classifications/Econ/Download/In%20Text/CPProv\\_english.pdf](https://unstats.un.org/unsd/classifications/Econ/Download/In%20Text/CPProv_english.pdf) ; See also: ILO International Standard Classification of Occupations (ISCO). ILO. Available at: [https://ilostat.ilo.org/resources/concepts-and-definitions/classification-occupation/#elementor-toc\\_heading-anchor-3](https://ilostat.ilo.org/resources/concepts-and-definitions/classification-occupation/#elementor-toc_heading-anchor-3)
53. 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/---ipec/documents/publication/wcms\\_797515.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---ipec/documents/publication/wcms_797515.pdf)
54. 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](https://www.ilo.org/global/topics/safety-and-health-at-work/areasofwork/hazardous-work/WCMS_356550/lang--en/index.htm) (accessed 2 June 2021).
55. 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](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_760869.pdf)
56. 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](https://www.who.int/fctc/treaty_instruments/Recommendations_Articles_17_18_English.pdf?ua=1%22) [accessed 5 June 2021].
57. 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)
58. 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](https://www.who.int/fctc/treaty_instruments/Recommendations_Articles_17_18_English.pdf?ua=1%22) [accessed 5 June 2021].
59. 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/tobacco-control/9/1/78.full.pdf>
60. Ibid
61. 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](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/>
62. 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>
63. 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](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](https://www.who.int/fctc/treaty_instruments/Recommendations_Articles_17_18_English.pdf?ua=1%22) [accessed 5 June 2021].
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65. "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).
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69. "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>
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71. "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/COP6(11) (2014). Available at: [https://www.who.int/fctc/treaty\\_instruments/Recommendations\\_Articles\\_17\\_18\\_English.pdf?ua=1%22](https://www.who.int/fctc/treaty_instruments/Recommendations_Articles_17_18_English.pdf?ua=1%22) [accessed 5 June 2021].
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75. "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](https://www.researchgate.net/publication/319547514_Rules_without_Rights_Land_Labour_and_Private_Authority_in_the_Global_Economy)
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77. 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: <http://tobaccocontrol.bmj.com/content/21/2/191>
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79. "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 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=2zzC-9GfQspIC&oi=fnd&pg=PP2&ots=2ugBfiqYH&sig=2ZxfyWwL7aWrl685UjKPoZGt5i4&redir\\_esc=y#v=onepage&q&f=false](https://books.google.co.in/books?hl=en&lr=&id=2zzC-9GfQspIC&oi=fnd&pg=PP2&ots=2ugBfiqYH&sig=2ZxfyWwL7aWrl685UjKPoZGt5i4&redir_esc=y#v=onepage&q&f=false). 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>
80. 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>
81. 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 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](https://ses.library.usyd.edu.au/bitstream/handle/2123/24682/Christina_Watts_Thesis_18%20March%202021.pdf?sequence=2)
82. 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>
83. 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>

84. 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>
85. WHO Framework Convention on Tobacco Control. World Health Organization (2005). Available at: [https://www.who.int/fctc/text\\_download/en/](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>.
86. "(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).
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88. Tobacco Institute of India v. Union of India. *Tobacco Control Laws*. Available at: <https://www.tobaccocontrollaws.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.tobaccocontrollaws.org/litigation/decisions/id-00000000-judicial-review-of-law-no.-36--1-2>; Judicial Review of Law No. 36 of 2009, Ruling in Case No. 66. *Tobacco Control Laws*. Available at: <https://www.tobaccocontrollaws.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.tobaccocontrollaws.org/litigation/decisions/id-20111101-judicial-review-of-article-114>; 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://untobaccocontrol.org/kh/taxation/wp-content/uploads/sites/3/2020/09/KH\\_1pager-12\\_Tobacco-Industry-Interference-Taxation.pdf](https://untobaccocontrol.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>
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90. 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/#/>
91. Agricultural Transformation Initiative (ATI), Foundation for a Smoke-Free World [website]. Available at: <https://www.smokefreeworld.org/agriculture-livelihoods/agricultural-transformation-initiative/>
92. "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 olong, 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](https://www.researchgate.net/publication/314695279_Contentious_Corporate_Social_Responsibility_Practices_by_British_American_Tobacco_in_Cameroon)
93. "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>
94. "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." 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." 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>
95. 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." 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](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)
96. 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/>
97. 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>
98. 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](https://www.theguardian.com/business/2021/may/19/tobacco-firms-in-move-to-strike-out-malawi-exploitation-case?CMP=Share_iOSApp_Other)

99. 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-eclt/> ; 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](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/>
100. "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](https://actbr.org.br/uploads/arquivos/Suma%CC%81rio_Roucos_Ingles.pdf)
101. 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>
102. 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](https://apps.who.int/gb/fctc/PDF/cop5/FCTC_COP5_11-en.pdf)



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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](http://exposetobacco.org).





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