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L'industrie du tabac:

un obstacle à
l'élimination
du travail des
enfants

«Nos voix sont étouffées par les fausses promesses de prospérité économique des fabricants de cigarettes et des sociétés d'achat de feuilles.»

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

LE TRAVAIL DES ENFANTS: un travail sous l'âge minimum permis de travailler, selon les lois nationales conformes aux normes internationales, qui inclut les pires formes de travail des enfants.¹

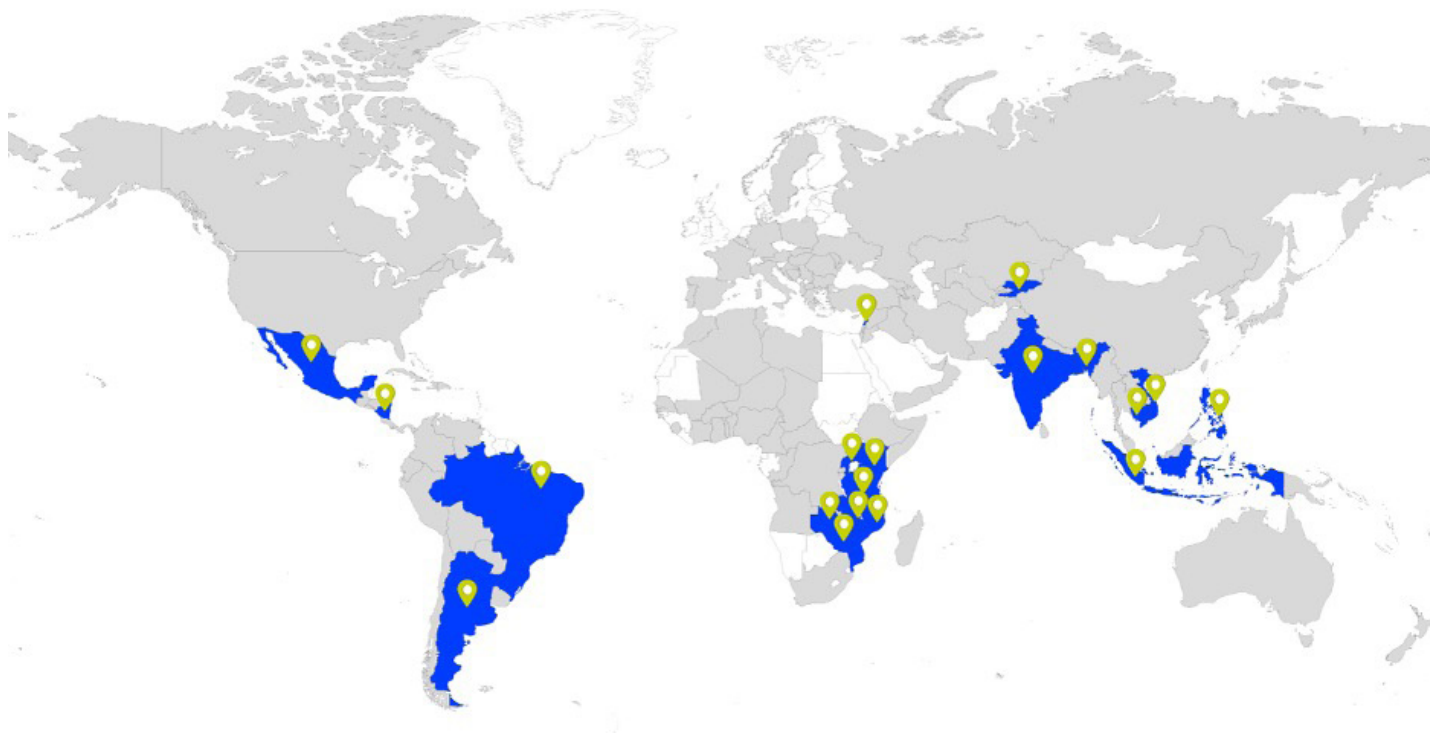
LES PIRES FORMES DE TRAVAIL DES ENFANTS: font référence au travail forcé, à l'esclavage, à la prostitution, ou encore à un travail dangereux, selon la Convention de l'OIT.²

TRAVAIL DANGEREUX: un travail qui, par sa nature ou les conditions dans lesquelles il s'exerce, est susceptible de nuire à la santé, à la sécurité ou à la moralité de l'enfant.³ L'OIT demande aux pays de consulter les employeurs et les travailleurs afin d'identifier les types de travaux dangereux que devraient interdire la loi ou les réglementations.⁴ Les listes de travaux dangereux peuvent décrire des activités spécifiques, des occupations, l'industrie concernée, ou des conditions de travail.

LE TRAVAIL DES ENFANTS DANS L'INDUSTRIE DU TABAC RELÈVE DES «PIRES FORMES DE TRAVAIL DES ENFANTS»⁵

Les dangers de la manipulation du tabac⁶ et de l'exposition aux pesticides toxiques utilisés dans l'agriculture du tabac sont incontestables. Le travail des enfants dans cette industrie relève à juste titre des «pires formes de travail des enfants» compte tenu de la nature dangereuse des activités du secteur du tabac. Selon les Conventions de l'Organisation internationale du travail (OIT), le travail des enfants dans de tels secteurs devrait être interdit, de la même façon que le travail forcé et l'exploitation commerciale des enfants (prostitution et pornographie). Des pays comme l'Inde, le Brésil, le Malawi,⁷ l'Afrique du Sud, l'Ouganda, le Ghana,⁸ interdisent ou pénalisent ceux qui permettent aux enfants de travailler dans les champs de tabac.⁹

Pays Où Il y a Du Travail Des Enfants Dans Le Secteur Du Tabac¹⁰



Environ 125 pays produisent du tabac.¹¹ La majorité du tabac cultivé provient de la Chine et de l'Inde.¹² Toutefois, il existe peu de rapports sur le travail des enfants.

1. Argentine
2. Bangladesh
3. Brésil
4. Cambodge
5. Inde
6. Indonésie
7. Kenya
8. Rép. du Kirghizistan
9. Liban
10. Malawi
11. Mexique
12. Mozambique
13. Nicaragua
14. Philippines
15. Tanzanie
16. Ouganda
17. Vietnam
18. Zambie
19. Zimbabwe

Source: US Department of Labour, 2020 List of Goods Produced by Child Labour or Forced Labour.

QUELQUES STATISTIQUES

Estimation du travail des enfants au niveau mondial: 160 millions d'enfants (1 enfant sur 10 au plan mondial)¹⁶

Estimation du travail des enfants dans des lieux de travail dangereux: 79 millions d'enfants¹⁷

Estimation du travail des enfants en agriculture: 112 millions d'enfants¹⁸

Estimation du travail des enfants dans le secteur du tabac: 1,3 million¹⁹

Bénéfices d'une élimination du travail des enfants: 2 à 5 trillions \$US (p/r à 760 milliards \$US en coûts)²⁰

Causes du travail des enfants: la pauvreté et la demande de main d'œuvre bon marché,²¹ l'application inefficace des lois²²

La responsabilité sociale des entreprises du tabac (RSE) en matière de travail des enfants: une contradiction inhérente¹³

Le tabac est remarquablement nocif et tue la moitié de ses utilisateurs. L'intérêt commercial de l'industrie du tabac est en conflit avec les droits humains fondamentaux. La soi-disant RSE et l'auto-déclaration de l'industrie du tabac sont contre-productives.¹⁴ En outre, le traité pour la lutte antitabac exige que les politiques relatives à la production de tabac soient protégées de toute interférence de l'industrie du tabac.¹⁵

Para dar la impresión de que luchan contra el trabajo infantil, las empresas transnacionales de tabaco exhiben de manera ostentosa su política de auto-declaración sobre su sistema de prácticas agrícolas y de verificación de la cadena de aprovisionamiento (diligencia razonable),²³ así como sus iniciativas de lucha contra el trabajo infantil,²⁴ que se inspiran ampliamente en los trabajos de la organización Eliminating Child Labour in Tobacco Growing (ECLT).²⁵ En realizando actividades de auto-declaración de responsabilidad social (RSE) para eliminar el trabajo infantil, las empresas transnacionales de tabaco dan la falsa impresión de estar al día con el resto del mundo de los negocios,²⁶ haciendo creer que

¹³ 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]

la production de tabac est une entreprise comme les autres tandis qu'en réalité, les produits du tabac sont uniques au sens où ils n'apportent aucun avantage social, tuent huit millions de personnes par an²⁷ et coûtent à l'économie mondiale 1,4 trillion de dollars US chaque année.²⁸

La publicité sur la soi-disant RSE, qui viole d'ailleurs les nombreuses réglementations sur le tabac dans le monde qui interdisent les commandites, projette aussi la fausse image qu'il est possible de faire confiance à l'industrie du tabac pour qu'elle mette en œuvre des actions volontaires de diligence raisonnable tout au long de sa chaîne de production;²⁹ alors que même la Convention-cadre de l'Organisation mondiale de la santé pour la lutte antitabac (CCLAT OMS) stipule que les gouvernements sont les seuls garants d'une régulation stricte de l'industrie du tabac, que l'on ne peut se fier à une autorégulation de la part de celle-ci.

L'industrie du tabac emploie une stratégie de relations publiques qui détourne l'attention de l'impact réel du travail des enfants dans la production de tabac, occultant les véritables solutions, sapant les stratégies de diversification, étouffant la voix des parties prenantes et échappant à toute reddition de compte. Faisant écho aux avis des experts et aux bonnes pratiques, les directives de la CCLAT de l'OMS recommandent un cadre et une réglementation gouvernementale musclés,³⁰ la réalisation de recherches indépendantes, et une diversification qui soit financée de façon durable et placée à l'abri de l'ingérence de l'industrie du tabac.³¹

Cherchant à se soustraire de l'interférence de l'industrie, les ONG et les fonctionnaires gouvernementaux refusent tout partenariat avec l'industrie du tabac.³² Seule la société civile qui n'a pas de lien avec l'industrie du tabac peut se concerter avec les gouvernements; les partenariats entre le secteur privé du tabac et les gouvernements sont inacceptables.³³

L'IMPACT SUR LES ENFANTS

- **Empoisonnement à la nicotine**, avec des symptômes tels que l'insomnie, les étourdissements, les maux de tête, la déshydratation, la fatigue, les nausées et les vomissements causés par l'absorption de nicotine par la peau durant la manipulation du tabac (appelée la maladie du tabac vert).³⁴
- **Entrave à l'avancement économique et social** de l'enfant en raison de la perte d'opportunités d'éducation.³⁵
- **Haut risque de cancer, de tuberculose, d'infertilité, de déséquilibre psychologique, de dysfonctionnement du système immunitaire et de dommages neurologiques** en raison d'une exposition dangereuse aux produits chimiques tels que les pesticides, les herbicides, les fumigènes, les inhibiteurs de croissance, causant des préjudices graves à la santé.³⁶
- **Malnutrition à long terme et maladies infectieuses** en raison d'une alimentation précaire et une mauvaise hygiène durant les stades de développement dues à un manque de nourriture, d'eau potable et d'installations sanitaires adéquats.³⁷

- **Dommages musculo-squelettiques à long terme** dus à des microtraumatismes répétés entraînant des douleurs chroniques, de l'arthrite, des contractions musculaires et des déformations osseuses, causés par le soulèvement répété de charges lourdes et un travail manuel rude.³⁸

Les Pratiques Injustes Des Compagnies De Tabac Qui Aggravent Le Travail Des Enfants:

Les travailleurs du tabac et les parties prenantes affirment que les compagnies de tabac «perpétuent des formes extrêmes de travail des enfants» et qu'elles s'appuient sur ces pratiques. Les sociétés de tabac...

- A. Maintiennent les bas salaires.** Les compagnies de tabac déterminent le niveau des salaires et contrôlent les salaires que paient les fournisseurs et sous-traitants.³⁹
- B. Maintiennent le tabac à un faible prix** et offrent des prêts à fort taux d'intérêt sur les intrants agricoles. Les compagnies de tabac «déterminent le prix des intrants agricoles, des semences, des pesticides et autres fournitures,⁴⁰ ...ainsi que le prix et la classification des feuilles de tabac lorsque récoltées... les petits fermiers ont peu de contrôle ou de marge de négociation.»⁴¹
- C. Offrent des incitatifs tels que des prêts** qui rendent les fermiers dépendants, tandis que les prix réels ou les dividendes financiers restent bas.⁴² L'élimination du travail des enfants est possible si l'on offre des moyens alternatifs de subsistance aux fermiers.

- D. Refusent le droit de s'organiser⁴³ et la participation des syndicats aux négociations,⁴⁴** conduisant à la rareté des conventions collectives et à un déni de la liberté d'association.⁴⁵

- E. Étouffent la voix des vraies parties intéressées.** L'implication des dirigeants du tabac et de groupes financés par l'industrie dans les prétendues activités de RSE éclipsent aussi la voix des parties intéressées.⁴⁶ Les compagnies de tabac utilisent des groupes agricoles de façade, se font partenaires d'organisations prestigieuses, et travaillent auprès du milieu des affaires et des politiciens pour plaider contre les mesures de contrôle du tabac, avec pour effet d'entraver le progrès des stratégies de diversification.⁴⁷

- F. Endossent des mauvaises conditions de vie et de travail,** dont des logements insalubres, de l'eau de mauvaise qualité, des sols contaminés, des protections réduites de santé et sécurité au travail. Les compagnies de tabac encouragent notamment «l'utilisation excessive de produits agrochimiques dangereux».⁴⁸

- G. Évitent d'être directement responsables du bien-être des fermiers.** Afin de rendre des comptes quant aux pratiques citées plus haut, les compagnies de tabac se cachent derrière un attirail de contrats et protocoles.⁴⁹ Rien n'indique que les compagnies de tabac aient pris des mesures dans leurs contrats qui protègent pleinement le secteur de l'existence du travail des enfants (que ce soit par des salaires et des prix suffisants, ou en prenant leurs responsabilités face au travail des enfants et en les indemnisant pour les préjudices causés).

Les Parties De La Chaîne D'Approvisionnement Où Le Travail Des Enfants Dans Le Secteur Du Tabac Se Produit

Le travail des enfants se produit principalement au stade de production de la chaîne d'approvisionnement jusqu'à la livraison des feuilles de tabac aux acheteurs et/ou aux usines de fabrication. Les entreprises de tabac n'ont pas examiné l'ensemble de leur chaîne d'approvisionnement pour éradiquer le travail des enfants.⁵⁰ Notamment, la majeure partie de sa RSE se concentre sur les fermes agricoles.⁵¹

A. Producteurs / Fermiers

B. Sécheurs et transformateurs de feuilles

C. Entrepôt de feuilles

D. Acheteurs ou consolidateurs de feuilles au niveau local / coopératives

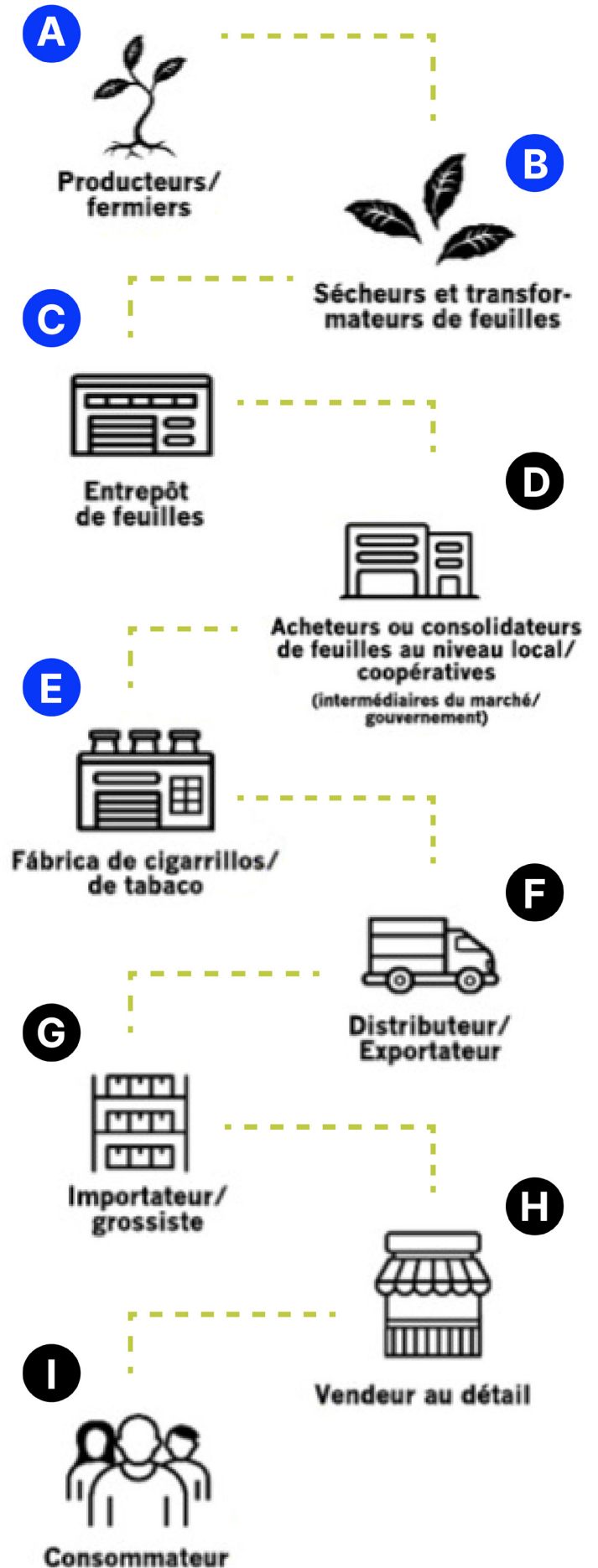
E. Usine de cigarettes / de tabac

F. Distributeur/ Exportateur

G. Importateur/ Grossiste

H. Vendeur au détail

I. Consommateur



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 [accessed 7 June 2021].

Types De Travaux Dangereux Effectués Par Des Enfants Dans Le Secteur Du Tabac

L'agriculture en général est classée comme l'un des trois secteurs d'activité les plus dangereux, avec la construction et l'exploitation minière.⁵² En 2020, 112 millions d'enfants sont employés dans le secteur agricole, soit 70 % de tous les enfants qui travaillent, dont la majorité sont âgés de 5 à 11 ans.⁵³ Les enfants qui travaillent dans le secteur du tabac effectuent les tâches suivantes, qui ont de graves conséquences sur leur santé et sécurité.⁵⁴

- Couper les feuilles de tabac
- Planter les plants de tabac
- Arroser les champs
- Appliquer les engrais
- Mélanger et appliquer les pesticides
- Étendre le tabac au soleil pour le faire sécher
- Récolter les feuilles de tabac à la main
- Transporter les bottes de feuilles récoltées
- Mettre en balles le tabac séché
- Enlever les fleurs et les feuilles concurrentes des plantes
- Nouer ou percer les feuilles pour les attacher à des bâtons de bambou afin de les faire sécher.
- Soulever les bâtons de feuilles de tabac et les charger dans les granges de séchage.
- Grimper sur les poutres des granges de séchage pour suspendre le tabac à sécher
- Entretenir le feu pour chauffer les granges de séchage
- Détacher les feuilles de tabac séchées des bâtons de bambou
- Trier et classer le tabac séché
- Emballer ou rouler les feuilles pour les préparer au séchage
- Creuser avec des houes pour préparer les champs à la plantation.

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 [accessed 7 June 2021].

Comment l'industrie du tabac mine-t-elle les efforts d'élimination du travail des enfants?

1. **Les stratégies de relations publiques (RP) et de lobbying de l'industrie du tabac sur l'élimination du travail des enfants sont diamétralement opposées aux solutions convenues au niveau**

international en matière de travail des enfants.

Outre les stratégies de l'OIT face aux brèches en matière de travail décent dans le secteur du tabac,⁵⁵ les options politiques et recommandations de la CCLAT de l'OMS concernant les activités de remplacement de la culture du tabac économiquement viables (relatives aux articles 17 et 18 de la CCLAT de l'OMS)⁵⁶

présentent des stratégies qui s'attaquent aux divers problèmes de la production de tabac, dont le travail des enfants. On y propose avant tout des politiques et programmes de diversification qui soient menés par les cultivateurs et les travailleurs,⁵⁷ financés de manière durable, et à l'abri de l'ingérence de l'industrie du tabac.⁵⁸ Cependant, les compagnies de tabac exercent des pressions et influencent l'élaboration des politiques (une influence souvent induite) afin de retarder la lutte antitabac ou d'y résister⁵⁹; elles exagèrent leur apport à l'économie,⁶⁰ affaiblissent la volonté politique grâce à leurs relations symbiotiques avec l'industrie du tabac et les politiciens,⁶¹ et utilisent des groupes de façade qui défendent les intérêts des compagnies de tabac,⁶² avec pour effet d'étouffer les intérêts des véritables parties prenantes.

- Les solutions adoptées recommandent également aux pays producteurs de tabac «d'envisager de réaffecter les subventions et fonds publics utilisés pour la production de tabac aux activités de remplacement.»⁶³ En revanche, l'industrie du tabac privilégie les mesures incitatives qui renforcent la dépendance à l'égard de la culture du tabac⁶⁴, dont le prix demeure faible.⁶⁵
- L'industrie du tabac utilise comme prétexte le ralentissement économique et la situation critique des travailleurs agricoles du tabac pour contrer les hausses de taxes sur le tabac,⁶⁶ alors qu'en fait, les patrons de

consommation changent à un rythme qui offre suffisamment de temps d'ajustement face aux transformations qu'exige la diversification.⁶⁷

- Malgré l'importance d'un financement durable des programmes de diversification pour éliminer le travail des enfants dans le secteur du tabac, les compagnies de tabac s'opposent féroce­ment à toute hausse de taxes sur le tabac, même si celles-ci peuvent contribuer à un financement durable des programmes de diversification.⁶⁸

2. La tactique de l'industrie du tabac de stimuler la production du tabac et de contrecarrer les stratégies de diversification contribue à la dépendance des cultivateurs à l'égard de la culture du tabac, et force les enfants à continuer de travailler sur les fermes de tabac.

La culture du tabac étant au cœur de la chaîne d'approvisionnement des compagnies de tabac et de leur modèle d'affaire, celles-ci projettent l'image de soutenir la culture du tabac et les communautés qui en dépendent, en menant des initiatives de soi-disant RSE, entre autres par un soutien technique et financier à l'agriculture.⁶⁹ Toutefois, les mesures incitatives à la culture du tabac vont à l'encontre de la diversification, qui est une solution importante pour faire face aux préjudices que cause le tabac sur la santé et l'environnement.⁷⁰ Les gouvernements devraient plutôt stimuler des moyens de subsistance alternatifs⁷¹,

qui n'entrent pas en compétition avec les incitatifs de l'industrie du tabac à la production.

L'approche financière de l'industrie du tabac vise à ce que les cultivateurs continuent de dépendre de la culture du tabac.⁷² Certaines des mesures incitatives des compagnies de tabac, comme les prêts, visent sans cesse à attirer les cultivateurs et les travailleurs vers la production du tabac et à les maintenir dans ce rapport de dépendance,⁷³ et tout compte fait, pour qu'ils restent endettés et appauvris.⁷⁴ Cela perpétue l'utilisation du travail des enfants.

3. La soi-disant Responsabilité sociale des entreprises (RSE) détourne l'attention des impacts de l'industrie du tabac sur le travail des enfants

Les activités de RSE concernant les droits du travail adoptent des approches que des chercheurs qualifient «d'inefficaces pour améliorer les normes du travail» (par ex. les initiatives privées volontaires de vérification sociale, de certification éthique et de codes de conduite des fournisseurs),⁷⁵ compte tenu des «écarts importants entre les promesses de la RSE et ses résultats réels.» La RSE des compagnies de tabac, comme les programmes d'éducation, la diligence raisonnable des fournisseurs ou les bonnes pratiques agricoles et environnementales,⁷⁶ sont néfastes du fait qu'entre autres, elles détournent

l'attention des façons de faire des compagnies de tabac qui incitent au travail des enfants et aggravent ses effets.⁷⁷ L'industrie du tabac est la première responsable du travail des enfants au sein de sa chaîne d'approvisionnement car elle maintient le prix du tabac et les salaires à un faible niveau, crée des «mesures incitatives» qui endettent les cultivateurs, refuse de donner du pouvoir de négociation aux travailleurs, permet que les conditions de travail soient mauvaises, étouffe la voix des parties prenantes et nie toute responsabilité.

La RSE des compagnies de tabac permet de bâtir la marque et l'image corporative,⁷⁸ mais cache l'étendue des préjudices causés par la production du tabac.⁷⁹ Une étude qui appelle un renforcement des interdictions des commandites⁸⁰ démontre que les multinationales du tabac utilisent Twitter pour projeter l'idée qu'elles sont les chefs de file de l'élimination du travail des enfants mais occultent qu'elles sont à la source du problème.^{81,82} Dans plusieurs pays, la publicité de ces activités est une violation des interdictions de commandite prescrites par la Convention-cadre de l'OMS pour la lutte antitabac (CCLAT), que reprend aussi l'ONU dans les ODD.⁸³

4. Les groupes de façade des compagnies de tabac empêchent une véritable participation des parties intéressées et écrase la voix des cultivateurs et des travailleurs.⁸⁴

Le consensus mondial et les orientations politiques du traité indiquent que les compagnies de tabac n'ont pas leur place dans les espaces décisionnels qui concernent la diversification agricole, et que les efforts en la matière doivent être menés par les travailleurs et cultivateurs.⁸⁵ Les gouvernements sont invités en particulier à promouvoir des «activités de remplacement de la culture du tabac et éviter l'ingérence de l'industrie du tabac dans les programmes visant la diversification et le bien-être des cultivateurs et travailleurs du tabac, et la protection de l'environnement.»⁸⁶

Toutefois, les cultivateurs de tabac et les travailleurs directement affectés par la production du tabac et les dommages environnementaux, sont sous-représentés. Cette situation est exacerbée par l'existence de groupes de façade comme l'International Tobacco Growers' Association (ITGA),⁸⁷ créés et financés par les transnationales du tabac pour faire pression en leur nom et défendre les arguments socioéconomiques des cultivateurs⁸⁸ dans le but de défier les mesures de contrôle du tabac telles que la hausse des taxes.⁸⁹ Les travailleurs du tabac ont aussi accusé les compagnies de tabac d'étouffer leur voix en faisant de fausses promesses lors des discussions sur la pertinence de la Fondation Eliminating Child Labour in Tobacco Growing (ECLT) qui est financée par l'industrie.⁹⁰ De plus, l'industrie du tabac s'est immiscée

dans l'espace de discussion des parties prenantes sur la diversification par le biais de l'Initiative sur la transformation agricole (ATI) de la Fondation Smoke-Free World (FSFW) financée par Philip Morris et ce,⁹¹ malgré la disposition de protéger les politiques agricoles et environnementales sur le tabac des intérêts commerciaux et autres de l'industrie du tabac, conformément à l'article 5.3 de la CCLAT de l'OMS.

En effet, les intérêts des compagnies de tabac et des travailleurs sont diamétralement opposés: l'intérêt de l'industrie du tabac est de satisfaire l'équation des bas prix / gros profits et d'éviter toute culpabilité pour les impacts sur la santé et la sécurité, tandis que l'intérêt des travailleurs est d'augmenter les prix et d'être indemnisés pour les préjudices subis.

5. L'industrie du tabac nie toute responsabilité et refuse d'indemniser les enfants pour les préjudices causés.

Globalement, l'industrie du tabac tente de se distancier de la réalité des décès et des préjudices.⁹² Tout compte fait, tout «bienfait social» de l'industrie du tabac est factice si elle ne reconnaît pas la responsabilité de tous les décès et maladies causés par ses produits⁹³ tout au long de leur cycle de vie.

Au niveau de la production, l'industrie du tabac n'a pas encore été tenue responsable de son incapacité à

éradiquer le travail des enfants dans sa chaîne d'approvisionnement. Lorsqu'on lui demande de rendre des comptes sur le sort des enfants, elle se soustrait aux accusations par une solide défense juridique, en tentant de jouer les victimes. Grâce à leurs contrats avec des tiers, les compagnies de tabac cherchent à se déresponsabiliser quant au travail des enfants. Par exemple,

- PMI affirme imposer des normes⁹⁴ au sein de la chaîne d'approvisionnement mais dans divers pays, il utilise des intermédiaires au lieu d'un achat direct afin d'éviter d'appliquer ces normes,⁹⁵ se soustrayant ainsi de toute responsabilité.
- En 2020, des enfants du Malawi ont poursuivi British American Tobacco et Imperial Brands, dont les sièges sociaux sont au Royaume-Uni, pour obtenir compensation pour les dommages subis découlant du travail des enfants.⁹⁶ Et bien que cela ait amené les États-Unis à interdire les importations de tabac du Malawi,⁹⁷ les compagnies de tabac ont demandé le rejet de l'affaire sous prétexte que «les avocats des familles de cultivateurs ne peuvent pas prouver que le tabac qu'elles cultivent se retrouve dans leurs cigarettes et autres produits.»⁹⁸
- En 2007, des compagnies de tabac brésiliennes ont cherché à échapper à leurs obligations d'employeur en invoquant la nature du contrat de service (par opposition à un contrat de travail). Cela confirme l'observation selon laquelle la réponse des

compagnies de tabac en matière de droits humains consiste à déplacer la responsabilité finale vers les compagnies productrices de feuilles et à enrober le tout d'une solide stratégie de relations publiques.⁹⁹

- Lors d'une enquête brésilienne sur le travail des enfants en 1998, les producteurs (principalement des affiliés de BAT) ont finalement été considérés «des victimes, et non les responsables, sous prétexte qu'ils avaient été forcés de faire appel au travail des enfants pour respecter les conditions des clauses que leur avaient imposées les compagnies.»¹⁰⁰
- En 2021, un grand exportateur de tabac brésilien a été accusé d'esclavage pour avoir employé contractuellement neuf enfants, tous sous-payés, vivant dans des conditions précaires et souffrant d'intoxication aiguë et de nausées. La compagnie a déclaré ne pas être responsable des travailleurs, bien qu'elle ait conclu un contrat avec les propriétaires des fermes.¹⁰¹

Il est important de souligner que les gouvernements doivent coopérer les uns avec les autres quant aux responsabilités de l'industrie du tabac, y compris en matière d'indemnisation.¹⁰² L'industrie du tabac, qui continue à nier toute responsabilité quant à l'exploitation illégale des enfants dans sa main-d'œuvre de production, doit être appelée à rendre des comptes.

Acknowledgements and Authorship

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Références

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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3. ILO C. 182, Article 3(d). See: C182 - Worst Forms of Child Labour Convention, 1999 (No. 182). International Labour Organisation. Available at: [https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C182#:text=\(d\)%20work%20which%2C%20by%20its%20nature%20or%20the%20circumstances%20in%20which%20it%20is%20carried%20out%2C%20is%20likely%20to%20harm%20the%20health%2C%20safety%20or%20morals%20of%20children](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C182#:text=(d)%20work%20which%2C%20by%20its%20nature%20or%20the%20circumstances%20in%20which%20it%20is%20carried%20out%2C%20is%20likely%20to%20harm%20the%20health%2C%20safety%20or%20morals%20of%20children); See also: R190 - Worst Forms of Child Labour Recommendation, 1999 (No. 190). International Labour Organisation. Available at: https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:R190 - ILO Recommendation No. 190 are: "Any work that exposes children to sexual abuse (physically or psychologically), any work that is done underground, under water, at dangerous heights or in confined spaces, any work that is done with dangerous machinery, equipment and tools, any work that involves the manual handling or transport of heavy loads, any work that is done in an unhealthy environment which may, for example, expose children to hazardous substances, agents or processes, or to temperatures, noise levels, or vibrations damaging to their health, any work that is done under particularly difficult conditions such as work for long hours or during the night or work where the child is unreasonably confined to the premises of the employer."
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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 Tshoedi. 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
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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/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).
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
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).
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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 (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 ; See also: ILO International Standard Classification of Occupations (ISCO). ILO. Available at: https://iloostat.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
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 (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
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 [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)
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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 [accessed 5 June 2021] ; See also: In a press release on tobacco leaf purchases, the tobacco companies proudly announce 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/>
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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 [accessed 5 June 2021].
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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=2_uqbFqYH&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
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/ ; 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/ghb/fctc/PDF/cop6/FCTC_COP6\(11\)-en.pdf](https://apps.who.int/ghb/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>.
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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/#/>
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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
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
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

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 ; 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
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>
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About STOP (Stopping Tobacco Organizations and Products)

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





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