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## How Big Tobacco uses disruptive tactics to deny child rights to be tobacco-free

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### SUMMARY

The denial of children's rights is at the heart of the tobacco industry's interference in health policies. Big Tobacco (composed of the five largest tobacco companies) controls 80% of the global market, and mergers and acquisitions have solidified interference on an industrial scale. Driven by shareholder demand for profits, the industry needs children to replace the sick, the dying and those that have stopped smoking. With no apparent intention of ending their marketing of addictive, lethal products, which kill 8 million people a year, the industry is aggressively releasing new products and using front groups, corporate social responsibility (CSR) and philanthropy to disrupt tobacco control. The industry presents itself as caring about children and positions itself as part of the solution, not the problem. While the interference tactics of Big Tobacco are well documented, their misleading concerns about children

(while simultaneously denying their rights) demands a more strategic response, with integrated use of treaties and frameworks to protect children. For this review, searches were conducted between 2015 and 2019 for articles in English referring to tobacco industry tactics that harm child health rights. A narrative synthesis was used to combine the evidence and author's experience in industry reporting. The analysis reveals that the tobacco industry delays interventions to protect children by expanding its use of allied front groups, flooding markets with novel products and disrupting tobacco control policies. To combat this approach, stakeholders in health need to reclaim the child health agenda. A variety of existing mechanisms can be used to develop more integrated and policy coherent reporting processes for protecting current and future generations of children.  
**KEY WORDS:** human rights; FCTC

TOBACCO INDUSTRY INTERFERENCE in health and sustainable development goals is a global emergency, which, without the concerted efforts of interested parties, will continue to violate the health rights of children. Voiceless and vulnerable, children are targeted and exposed to the relentless tactics of the tobacco industry. Given the underused mechanisms for reporting on child health, the objectives of this review are to report on: the industry tactics used to deny child health rights; and what can be done using existing mechanisms to protect children from an industrial epidemic that threatens current and future generations of children.

### METHOD

Searches were conducted between 2015 and 2019 for articles in English and online resources referring to tobacco industry tactics harming child health rights. A narrative synthesis was used to combine the evidence and author's tobacco industry reporting experience as CEO of Action on Smoking and Health (ASH) Australia, 2010–2013<sup>1</sup> and as co-coordinator of an alliance of health, human rights and faith based groups for protecting children from tobacco. This report provides an overview of the current situation, industry tactics, mechanisms under treaties and conventions for protecting child rights from tobacco and lessons learned with conclusions on the way forward to reclaim child rights.

No ethical approval for the study was sought as it was based on published research and online sources.

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*Current situation: a global industry with a global death toll*

The Tobacco Atlas<sup>2</sup> and the websites for tobacco companies leave no doubt that the world's leading industry-related epidemic is the result of a global marketing strategy. The companies involved include Big Tobacco—Philip Morris International (PMI), Altria, British American Tobacco, China Tobacco and Japan Tobacco—but also many other regional and national tobacco companies competing for market share. In total, their products kill nearly 8 million people a year<sup>3</sup> and are a major driver of non-communicable diseases (NCDs) with links to poverty, inter-generational inequities and unsustainable futures.

The global response to this staggering number of deaths has been the steady implementation of tobacco control policies by the 181 Parties who have signed up to The WHO Framework Convention on Tobacco Control (FCTC) over past 15 years. However, there has been slow adoption of key FCTC Art. 5.3 guidelines<sup>4</sup>—protecting health policies from tobacco industry interference. A review of the impact of the FCTC found that adoption by Parties of 5.3 guidelines was selective and incomplete.<sup>5</sup> Many opportunities for industry policy influence were also identified in the review including that tobacco control measures were restricted to health ministries, and monitoring of industry activities was inadequate.

*World Health Organization FCTC and human rights*

The Human Rights approach to health, which is at the heart of the FCTC, has slowly gained momentum. While earlier work established the fundamental link between the FCTC and human rights,<sup>6</sup> The WHO warned as early as 2001 that without strong action from State Parties, the rights of children would continue to be violated.<sup>7</sup>

More recent work has focussed on mechanisms and global forums to actively progress the human rights approach—including child rights—to tobacco control. Since 2015, in one journal alone there have been over 500 published commentaries on tobacco and human rights from experts in ethics, law, health, human rights and child rights.<sup>8</sup>

Development frameworks provided further opportunities to integrate tobacco control and human rights into the development agenda. The Seventh Session of the FCTC Conference of the Parties, passed the decision FCTC/COP7(26) to strengthen international cooperation for the implementation of the WHO FCTC, including on human rights.<sup>9</sup>

The Human Rights and Tobacco Control Network, Action on Smoking and Health (USA) and Unfairtobacco, with the support of partners, have presented the case for action at several global forums including the Human Rights Council. In a world-first in 2018,

**Table 1** Human Rights Treaties and Conventions: contacts for regular reporting requirements

International Covenant on Economic, Social and Cultural Rights (ICESCR): The ICESCR enshrines the right to health and reports to its committee on how tobacco negatively impacts the right to health can be submitted <a href="http://www.ohchr.org/en/hrbodies/cescr/pages/cescrindex.aspx">http://www.ohchr.org/en/hrbodies/cescr/pages/cescrindex.aspx</a>
International Convention on the Elimination of All Forms of Racial Discrimination (ICERD): Big Tobacco frequently targets racial minorities with advertising to encourage tobacco use. The ICERD committee is concerned with protecting the rights of racial minorities and can receive reports on targeted advertising and/or increased smoking rates <a href="http://www.ohchr.org/EN/HRBodies/CERD/Pages/CERDIndex.aspx">http://www.ohchr.org/EN/HRBodies/CERD/Pages/CERDIndex.aspx</a>
Convention on the Rights of the Child (CRC): The large majority of smokers become addicted as children and adult tobacco use has negative impacts. The CRC committee is tasked with protecting the rights of children around the world. Reports can be submitted on tobacco advertising, second-hand smoke and many other ways that tobacco infringes on child rights <a href="http://www.ohchr.org/EN/HRBodies/CRC/Pages/CRCIndex.aspx">http://www.ohchr.org/EN/HRBodies/CRC/Pages/CRCIndex.aspx</a> .
Convention on the Elimination of All Forms of Discrimination against Women (CEDAW): The number of women and girls smoking around the world is increasing, in large part due to targeted advertising by the tobacco industry. Reports on how tobacco is negatively impacting women and girls can be reported to the CEDAW committee <a href="http://www.ohchr.org/EN/HRBodies/CEDAW/pages/cedawindex.aspx">http://www.ohchr.org/EN/HRBodies/CEDAW/pages/cedawindex.aspx</a>
Convention on the Rights of Persons with Disabilities (CRPD): People with disabilities frequently smoke at a much higher rate than the rest of the population and reports can be submitted to the CRPD <a href="http://www.ohchr.org/EN/HRBodies/CRPD/Pages/CRPDIndex.aspx">http://www.ohchr.org/EN/HRBodies/CRPD/Pages/CRPDIndex.aspx</a>

nearly 2000 delegates and 163 organisations at the 17<sup>th</sup> World Conference on Tobacco or Health endorsed the Cape Town Declaration on Human Rights and a Tobacco-Free World.<sup>10</sup> The Declaration based on several principles called on State Parties to take action, including adding explicit references to the promotion and protection of human rights from tobacco in all treaty monitoring reports.

In a global loss for children, two decades have passed since tobacco was identified as a major threat to child rights, and since then the industry has positioned itself as a guardian of human and child rights. To accelerate action, ASH USA resource hub on human rights and tobacco, guides stakeholders on how to use human rights mechanisms for protecting both human rights and child rights at local, national and global levels (see Table 1).<sup>11</sup>

*Child rights and tobacco*

As children are vulnerable, voiceless<sup>12</sup> and easily exploited as minors, their rights to health have been embedded in several treaties and conventions. Measures to protect rights to health and life are included in the WHO FCTC Articles<sup>13</sup> (see Table 2), the Convention on the Rights of the Child (CRC), and in the Sustainable Development Goals (SDG 3.a)

**Table 2** WHO FCTC Articles that can be more effectively used to protect children from tobacco

- 1) Protection of public health policies from vested interests of the tobacco industry (Art. 5.3):  
Policies to protect the health rights of children can be monitored for exposing and countering industry interference
- 2) Price and tax measures (Art. 6):  
Raising tobacco taxes regularly is a powerful and cost-effective way to minimise use and uptake among children
- 3) Protection from exposure to tobacco smoke (Art. 8):  
Children are vulnerable to the harmful effects of tobacco smoke and need 100% smokefree environments as basic health right
- 4) Regulation of the contents of tobacco products (Art. 11):  
Tobacco products, including ENDS, contain flavours that appeal to children, making it easier for them to experiment and become addicted. Standardised packaging with large graphic warnings needs to be in place to reduce appeal and rates of uptake
- 5) Tobacco advertising, promotion, and sponsorship (Art. 13):  
Children are a target for tobacco industry marketing and tobacco advertising, promotion and sponsorship should be banned
- 6) Prohibition of sale of tobacco to and from minors (Art. 16):

WHO = World Health Organization; FCTC = Framework Convention on Tobacco Control; ENDS = electronic nicotine delivery systems.

adopted by world leaders at a historic United Nations Summit in September 2015.

For these reasons, the Tobacco Free Generations movement is gaining ground. Child rights researchers have confirmed the concept to be compatible with human rights principles and a human rights-based strategy for tobacco control.<sup>14</sup> The authors also identified underused accountability mechanisms in the Human Rights framework that could challenge State Parties for failing to live up to their obligations. An individual complaint procedure under the CRC, for example, has potential for protecting children's rights in a tobacco control context.

Despite these safeguards and obligations, the global pattern of industry violations is clearly demonstrated by the high rates of tobacco use and exposure among children; exploitation of child labour; and targeting of children with advertising and low tobacco prices. A shameful indicator of global industry success is that the estimated numbers of boys and girls 13–15 years old who smoke cigarettes, or use smokeless tobacco products, are approximately 25 million and 13 million, respectively.<sup>15</sup> In the industrial cycle of tobacco, child labour is rampant in many countries. The industry's response, framed as corporate social responsibility (CSR), has been dismissed by experts as a public relations strategy rather than any real meaningful change in practice.<sup>16</sup> Monitoring of interference reveals how children continue to be exploited by an industry that relies on child labour and tobacco sales to and by children. The industry's funding of ineffective youth educational programs and their hollow protests over violations have similarly been dismissed as public relations.<sup>17</sup>

To disrupt global efforts to protect children, a study

of tobacco industry documents indicated that the industry targeted the United Nations to weaken the role of the United Nations Children's Fund as protectors of children.<sup>18</sup> In response to criticism over harming children, the industry claims to care about the health and welfare of children and dedicated millions of dollars to promote their role. By funding several foundations including "Eliminating Child Labour in Tobacco Growing" the industry presents itself as responsible and trustworthy. PMI goes further and promotes how it saves children by sponsoring efforts to reduce child trafficking and slavery.<sup>19</sup> In China it is not unusual for rural primary schools to be sponsored by tobacco companies,<sup>20</sup> and for some charities (including the Red Cross) to take "blood money" despite global demands to end such egregious financial sponsorship.<sup>21</sup>

Child labour and exploitation by the tobacco industry remains a major global threat exacerbated by the slow response to adopting Art. 5.3 guidelines to protect health policies. A status report on child health (published every 1–2 years) has potential to draw attention to the most vulnerable population group that deserves greater protection. In contrast to the glowing annual reports of tobacco companies and their growth predictions, a status report on child health could focus on the impacts on children by presenting and evaluating the evidence of harm. Parties could then use this for support and inclusion in national plans and frameworks. For example, a child status report could include the latest tobacco prevalence rates among children; levels of exposure to secondhand smoke in public places and homes; hospitalisation rates caused by tobacco use and exposure; lost cost opportunities for children missing out on education; how the industry uses new and old media to target children; and recommendations using existing and new mechanisms for remedial actions to improve child health. Benefits would include a broader more integrated alliance of stakeholders supporting policies for child health and tobacco-free homes, including from tuberculosis, diabetes and other diseases where tobacco use worsens outcomes.

#### *Industry tactics: standing behind allied and front groups*

For decades the tobacco industry has stood behind front groups<sup>22</sup> as evidenced in WHO global reports and the industry's own documents following the US Master Settlement Agreement with tobacco companies. In 2012, when Australia became the first country to mandate standardised tobacco packaging, the industry launched a failed multi-million dollar campaign to try and stop the landmark policy from spreading to the rest of the world.<sup>23</sup> With children attracted to colourful tobacco packaging, the industry regarded mandatory standardised packaging as a major threat to their recruitment of new users, mostly

children, and constructed a wall of opposition with legal and economic threats, anti-nanny state campaigns, fake news and attacks from front groups.

A database by STOP (Stopping Tobacco Organizations and Products) reveals how dozens of groups from around the world are aiding and abetting the industry in subverting public health policies on tax, health warnings, smoke-free environments and tobacco advertising, promotion and sponsorship.<sup>24</sup> The industry allies are a mix of third parties, front groups and astro-turf groups (fake grassroots movements) that appear to be independent, but have either clear funding links to tobacco interests, or poor financial transparency. Taxpayer alliances, think tanks, chambers of commerce, diplomats and various lobbyists and non-tobacco spokespeople are doing the industry's dirty work.

To gain global traction for countering the growing impact of the FCTC, the industry targets influential global institutions including the United Nations, ILO (International Labour Council), the Organisation for Economic Co-operation and Development and World Economic Forum to build relationships.<sup>25</sup> As a result, the full impact of the industry's allied front groups is now harder to define, more nuanced and often lacking in transparency. This makes it difficult to track the money trail and the many new players acting on behalf of tobacco interests. A damaging side effect observed by many NCD experts is that tobacco industry tactics have paved the way for other industries marketing unhealthy commodities at a critical time for health systems grappling with costly disease burdens.

#### *Industry tactic of flooding unregulated markets with novel products*

Novel products flooding into mostly unregulated markets include electronic nicotine delivery systems or e-cigarettes (ENDS) and heated tobacco products. ENDS are a rapidly emerging and diversified product class that deliver a nicotine vapour to the lungs in a similar way to cigarettes through a heating mechanism. In a major review of ENDS, the US Surgeon General has warned that electronic devices are harmful to children and reversing gains in tobacco control.<sup>26</sup> The rapid growth of the e-cigarette industry in national markets has now been observed by 56% of FCTC Parties and less than half have policies or regulations in place.<sup>27</sup>

#### *How has this rise in ENDS happened so quickly?*

The industry is a global expert in marketing deadly products and promoting tobacco exceptionalism. The theory of disruption in business can provide some insights into how disruptive innovations get started in two types of markets: low-end footholds or new market footholds.<sup>28</sup> Low-end footholds are when companies typically aim to provide their most

profitable customers with ever-improving products. Applying this theory, the industry has a multi-pronged strategy using both types of footholds: low footholds to keep poor smokers of combustibles supplied with cheaper brands for downshifting when tobacco taxes rise; and new market footholds for introducing novel products quickly for dual or single users. Marketing is an effective industry strategy and many Parties continue to facilitate industry tactics with weak regulation, low tobacco tax regimes and 'worst practice' multitiered taxes on tobacco products that facilitate down shifting or swapping rather than quitting.<sup>29</sup>

Heated tobacco products provide a further example of how disrupters can create a market where none or little existed as in the case of the company Juul Labs (Altria Group, formerly Philip Morris Companies reportedly acquired a 35% stake for \$12.8b in 2018) with its widespread use of innovative media<sup>30</sup> to promote what is essentially a tobacco product with new packaging. ENDS qualify as a disruptive innovation as they have been surreptitiously introduced and promoted in many markets with or without regulation.

Cracks within the tobacco control community over harm reduction has been made worse by an industry funded grants scheme for prioritising harm reduction research. Novel products are now a major disruption, catching many authorities unprepared and opening doors to normalise industry meetings with non-health ministries and departments lacking transparency and other 5.3 policy measures. In Canada, paediatric experts are alarmed and have warned that ENDS are a 'gateway' to nicotine dependency that can revitalise nicotine dependency in children and reverse decades of tobacco control.<sup>31</sup>

Building upon their own commercially profitable experience over decades, with governments exempting combustible products from regulation, the industry is taking advantage of countries with weak regulation of both tobacco taxes and novel products. So are Parties to the FCTC doing enough to protect health policies from systematic industry interference? Assessment of Parties compliance with the FCTC in 2018 shows mixed progress on Art. 5.3 for protecting health policies from tobacco industry interference. Full of promise, Art. 5.3 remains an underutilised measure, implemented by only 37% of all Parties.<sup>27</sup>

The SEATCA (Southeast Asia Tobacco Control Alliance) Tobacco Industry Index is a measure of the impact of Art. 5.3 in the ASEAN (Association of Southeast Asian Nations) region with successive reports that warn of the multiple benefits gained by the industry. Delays over tobacco tax increases, the slow pace of governments adopting FCTC Art. 5.3 measures, lack of transparency, conflicts of interest, aggressive lobbying by allied groups and CSR activities continue as major challenges.<sup>32</sup> The con-



sensus view is that the industry and its business plans are both a major barrier and threat to tobacco control. They are intensifying their efforts, including the promotion of harm reduction, to penetrate markets and delay interventions by regulators and enforcers. Without government interventions to regulate and implement policies supported by treaties, the industry business plans will continue to override health concerns by exploiting footholds and disrupting tobacco controls. The light on the horizon is that the support of international initiatives and collaborations such as STOP, a partnership between the Tobacco Control Research Group at the University of Bath, Bath, UK; the Global Center for Good Governance in Tobacco Control, Pathumthani, Thailand; the International Union Against Tuberculosis and Lung Disease (The Union), Paris, France; and Vital Strategies, New York, NY, USA, with funding from Bloomberg Philanthropies, New York, NY, USA) can help to stop industry interference and thereby save millions of lives.

*Industry tactic of promoting harm reduction as the solution*

The promise of harm reduction is a coordinated global strategy as evidenced by industry statements on their websites backed by lobbying strategies and campaigns. Reducing harm is a model borrowed from illicit drug use, and PMI's 'Unsmoke your World' message is 'if you don't quit change'.<sup>33</sup> They freely admit e-cigarettes and heated tobacco products are 'not risk free' but relying on decades of tobacco exceptionalism, the industry floods unregulated markets without providing independent evidence to validate their claims of safety.

PMI's CEO Andre Calantzopoulos explained that his company's objective is to phase out cigarettes as soon as possible.<sup>34</sup> However, last year his company sold 750 billion cigarettes and he blames governments for being too slow to regulate products with incentives for shifting consumers to less dangerous products. With no concrete action plan for phasing out combustibles, PMI redirected US\$1 billion to form the Foundation for a Smoke-Free World (FSFW; New York, NY, USA) in 2017. With generous research handouts to whoever is willing to accept, FSFW is promoting harm reduction as the global solution while its corporate funder continues to produce, promote and sell billions of cigarettes. While many Parties to the FCTC have issued warnings to their constituents that accepting FSFW grants is contrary to FCTC Art. 5.3, some researchers are accepting grants and appear unaware of the damaging history of industry funded grants and the impact on their reputation. With such deep pockets, the industry tactic is not to capitulate but to manage crises such as child rights and illicit trade, by setting

up front group foundations and using CSR to buy time and influence.

*Industry tactic of using corporate social responsibility to mitigate negative image*

Masquerading as socially responsible, the industry exploits CSR as a tool to improve its reputation and gain access to policy makers. CSR activities have been well documented,<sup>35</sup> and the rationale for ending industry's CSR strategies has been clearly established in the FCTC Guidelines to Art. 5.3 for protecting health policies:

The tobacco industry conducts activities described as socially responsible to distance its image from the lethal nature of the product it produces and sells or to interfere with the setting and implementation of public health policies. Activities that are described as 'socially responsible' by the tobacco industry, aiming at the promotion of tobacco consumption, is a marketing as well as a public relations strategy that falls within the Convention's definition of advertising, promotion and sponsorship.<sup>36</sup>

Translating policy into action gained traction when Art. 5.3 guidelines were turned into several toolkits and guides including in 2010 by ASH Australia,<sup>37</sup> in 2012 by The Union,<sup>38</sup> and in 2013 by SEATCA with the first index tool<sup>39</sup> for scoring and ranking countries in implementation of FCTC Art. 5.3 guidelines in South-East Asian countries.

Coordinated monitoring of industry activities and reporting remains a critical step for exposing how tactics are evolving with new allies and creative technologies. Older tactics of reinventing their image, influencing friends in high places, using third parties to pose as grassroots movements, intimidation and tobacco advertising, promotions and sponsorship are continuing. Millions of dollars fund the roll out of opposition tactics including to stop Australia's world first plain tobacco packaging law<sup>23</sup>—seedbed tactics that were later used by the industry as a model for use in other countries.

Research findings by the Tobacco Control Research Group at the University of Bath<sup>40</sup> has shown that the industry uses a wide range of CSR tactics:

- to broker access to public officials
- to influence policy preparation
- to break up opposing political coalitions
- to rebuild the company's reputation for instance as a provider of reliable information and as a platform of voluntary regulation

Without more Parties adopting Art. 5.3 measures to protect health policies, the industry will continue to promote its corporate image to Parties and the media as product safety experts, environmentally responsible, humane and caring about children.

*Lessons learnt*

- 1) The high rates of tobacco use among children globally and the targeting of children by Big Tobacco demands action by Parties and civil society working together to protect child health.
- 2) The industry's expanding platform of allies and its tactics if left un-checked, will continue to deny and damage the health rights of children now and in the future.
- 3) The inter-generational damage has deep consequences including delaying cost savings from reaching health and sustainable development goals by 2030.
- 4) Comprehensive tobacco control is within the legislative remit of governments and an obligation under the several human rights treaties and conventions including the Rights of the Child.
- 5) Coordinated monitoring, countering and reporting tobacco industry interference is an integral part of protecting health policies based on tobacco industry's long history of finding new ways of circumventing laws and influencing policy makers.
- 6) While research into industry interference continues to expose industry tactics, leaders and stakeholders in health, human rights and industry monitoring have rightly shown how States Parties can move forward to improve policy coherence and integration using reporting requirements under several treaties and existing frameworks for sustainable development goals, NCDs as well as the WHO FCTC.

**CONCLUSION**

In a rapidly changing and challenging environment created by the tobacco industry's interference, evolving tactics continue to put industry profits ahead of millions of lives. In the past, the industry formed tobacco company associations in retail, tobacco growing and research to block and delay tobacco control with the complicit support of tame scientists, media and politicians. Industry monitoring since then has revealed how the industry and allied groups are disrupting tobacco control. Far from accepting shrinking markets as inevitable, the tobacco industry is manipulating markets and strengthening relationships with front groups and third parties including businesses, foundations, charities, academia and politicians to delay and weaken interventions.

Without effective regulation, unproven claims of harm reduction can reverse years of tobacco control. By underutilising child rights, we are helping to normalise the unethical conduct of an industry that thrives on addicting children. To achieve regular progress towards health goals, stakeholders have much to gain by using existing mechanisms and considering

new measures such as sustainable funding for health programmes. A steering group of stakeholders with a common purpose can drive agendas for action on child health by seeking more integrated and policy coherent planning and reporting processes. By not acting to stop industry interference in child health, we are allowing the industry and its shareholders to control the child health agenda when the measurable solutions we have in tobacco control are achievable, impactful and sustainable.

*Conflicts of interest:* none declared.

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## R É S U M É

Le déni des droits de l'enfant est au cœur de l'interférence de l'industrie du tabac dans les politiques de santé. Avec cinq géants contrôlant 80% du marché mondial, les fusions et les acquisitions ont renforcé l'interférence à une échelle industrielle. Poussée par la demande de bénéfices des actionnaires, l'industrie a besoin des enfants pour remplacer les malades, les morts et ceux qui arrêtent. Sans intention réelle de mettre fin à son marketing de produits addictifs et létaux qui tuent 8 millions de personnes par an, l'industrie étend agressivement sa base de groupes alliés de tête, inondant le marché de nouveaux produits et utilisant la responsabilité sociale organisationnelle et la philanthropie pour perturber la lutte contre le tabac. L'industrie se réinvente comme soucieuse des enfants et se positionne comme une partie de la solution, et non du problème. Si les tactiques d'interférence sont bien documentées, les préoccupations trompeuses de l'industrie relatives aux enfants, qui en même temps

dénient leurs droits, demandent une utilisation plus stratégique et intégrée des traités et des cadres conceptuels pour protéger les enfants. Nous avons recherché entre 2015 et 2019 les articles anglais se référant aux tactiques de l'industrie du tabac contraires aux droits des enfants en matière de santé. Une synthèse narrative a permis de combiner les preuves et l'expérience de l'auteur dans les déclarations de l'industrie. L'industrie du tabac retarde les interventions de ceux qui visent à protéger les enfants en étendant son recours aux groupes alliés de tête, en inondant le marché avec des produits nouveaux et en perturbant les politiques de lutte contre le tabac. Les partenaires en santé doivent reprendre la main en matière de santé de l'enfant en recourant aux mécanismes existants afin d'élaborer des processus de rapport plus intégrés et cohérents avec la politique pour protéger les générations actuelles et futures de nos enfants.

## R E S U M E N

La negación de los Derechos de los Niños es un elemento central en la interferencia de la industria tabacalera con las políticas de salud. Con cinco gigantes del tabaco que controlan 80% del mercado mundial, las fusiones y las adquisiciones han consolidado la interferencia a una escala industrial. La industria, presionada por la demanda de utilidades por parte los accionarios, necesita a los niños con el fin de reemplazar a los enfermos, los moribundos y las personas que abandonan el hábito tabáquico. Sin voluntad verdadera de poner fin a su mercadeo de productos adictivos y letales que matan 8 millones de personas cada año, la industria amplía de manera agresiva su base de grupos aliados, inunda los mercados con nuevos productos y recurre a la responsabilidad social de las empresas y la filantropía con el fin de desarticular el control del tabaco. La industria se reinventa a sí misma como diligente frente a la causa de los niños y se posiciona como parte de la solución y no del problema. Las tácticas de interferencia de la industria del tabaco se conocen bien, pero su preocupación engañosa por los niños y la negación

simultánea de sus derechos, exigen una aplicación más estratégica e integrada de los tratados y los marcos encaminados a proteger a los niños. Se realizaron búsquedas de artículos en inglés publicados del 2015 al 2019 sobre las tácticas de la industria tabacalera que menoscaban los derechos de la salud del niño. Mediante una síntesis descriptiva se combinó la evidencia científica y la experiencia de la autora del artículo en materia de presentación de informes de la industria. La industria tabacalera retrasa aquellas intervenciones de las Partes cuya finalidad es proteger a los niños, mediante la expansión del uso de grupos aliados de presión, la inundación de los mercados con productos nuevos y la desarticulación de las políticas de control del tabaco. Es necesario que los interesados en la salud recuperen el programa en materia de salud infantil utilizando los mecanismos existentes, a fin de formular procedimientos de presentación de informes más integrados y coherentes con las políticas, con el objeto de proteger a los niños de hoy y las generaciones futuras.