

# Tobacco control advocacy and countering the tobacco industry: Results from international expert interviews

*Nikita Poole, Barbara van Straaten and Gera Nagelhout, October 2020*

## Background

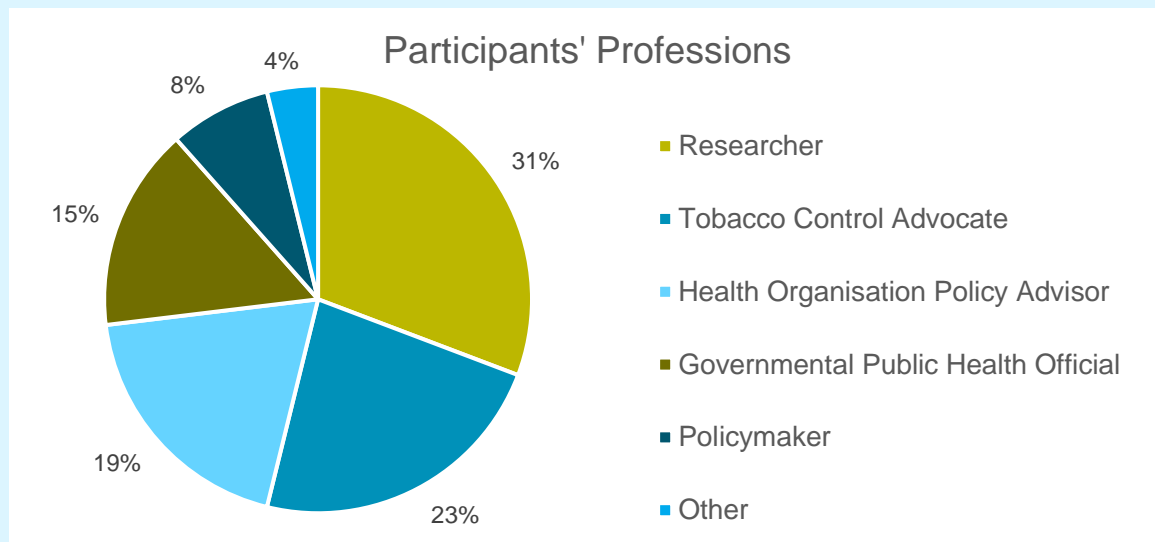
As part of the National Prevention Agreement, the tobacco control measures of tobacco tax increases, plain (or standardised) packaging and a point-of-sale display ban of tobacco products are all being implemented in The Netherlands in 2020. It is important that those involved in tobacco control advocacy and policymaking are able to optimally counter the tobacco industry. IVO Research Institute conducted interviews with experts from countries where these policies have been (partially) implemented to gain a greater insight into how governments and health organisations have successfully countered tobacco industry challenges in the past and present and which factors are most important for effective tobacco control advocacy.



## International Interviews

22 interviews, consisting of 26 participants took place during February–May 2020. Countries represented in the interviews were: Australia, Belgium, Canada, England, Finland, France, the Netherlands, New Zealand, Norway, Scotland, Slovenia and The United States.

Years of experience in tobacco control ranged from 3–47 with an average of 21.6 years.



## Advocacy Strategies

### Reframing the issue: child's rights

An increasingly used strategy in tobacco control advocacy internationally is to reframe the discussion as an issue of protecting children and their right to grow up and live in a smoke-free environment, thus reducing the chance that they themselves will go on to smoke in later life. This strategy has brought success for several tobacco control measures according to the experts.

***"Without the argument of the priority about children I don't think it would have gone through [...] the political leverage to creating, contributing towards creating a smoke free generation was something that was much easier to table for politicians and the general public."***

***– Governmental Public Health Official***

***"With the increase in excise duty we now want to respond in advance so that we are ahead of the industry and so we can really tell our own story instead of responding to whatever is said."***

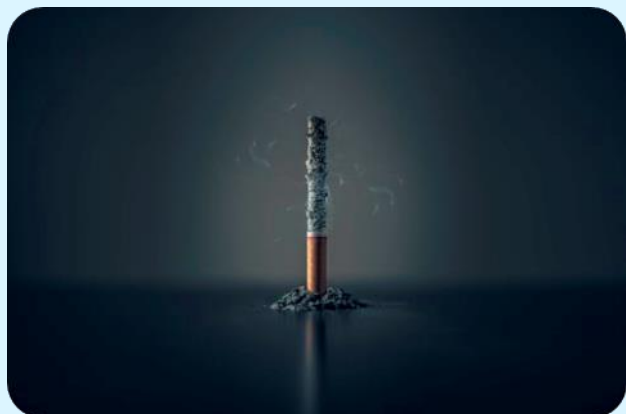
***– Policymaker***

### Proactive instead of reactive

The arguments and strategies used by the tobacco industry are now well-documented. Experts say it is important that civil society and government are aware of these, are proactive in anticipating the tobacco industry's next move and in meeting the challenge of policy loopholes exploited by the industry.

### A comprehensive approach

Experts said that advocating for a package of measures to be considered and implemented together as part of a comprehensive approach to tobacco control has advantages. It can mean that the tobacco industry must focus their efforts in publicly opposing only one or two of the measures. Furthermore, a package of measures has the potential to garner more political and media attention.



## Advocacy Strategies

### Political pressure and civil society scrutiny

Maintaining continuous political pressure and intense scrutiny of government interaction with the tobacco industry by civil society were stated by the experts as crucial for successful policy development, implementation and maintenance.

***“...because there is so much scrutiny, despite an imperfect system, [the direct lobbying of politicians] just doesn't happen because politicians are aware that they'll be held accountable for it.” – Researcher***

***“[on industry lawsuits] It would help if it's mentioned in the public and not only taking place in the court. [...] Expose them, because they are not a normal industry.”***

***– Health Organisation Policy Advisor***

### Denormalising the tobacco industry

Discussing policy development and industry challenges in the public domain increasingly denormalises the tobacco industry and amplifies transparency and accountability in the policy process. Done proactively, this can give tobacco control advocates greater control over the narrative. Stop Tobacco Organization and Products (STOP) and the Campaign for Tobacco Free Kids expose and denormalise the industry. The Dutch campaign 'Actually kind of strange, huh?' [Eigenlijk best gek, hé?] also works to question and denormalise the accessibility of tobacco products.

### Gathering Independent Data

Independent and nationally-representative data on illicit trade, product prices, and long-term cost-benefit analyses are resources used by some experts to strengthen relationships with the Ministry of Finance and combat industry-funded research. This can have the effect of positioning health organisations and advocacy groups as the 'go-to' for nationally relevant data, strengthening the case for new policy measures and in providing compelling counter-evidence to industry arguments.

***“We always had to rely on reports made by organizations financed by the tobacco industry [as this was all there was] [...] So we said: 'we need to have our own research on that, to have something against it'. And that was I think one of the reasons why we could really get a relationship with the Ministry of Finance, because we had solid data to present to them.”***

***– Health Organisation Policy Advisor***

## Key Factors for Effective Advocacy

### Building relationships and networks

Experts said that the display of broad support for measures from civil society and the general public is important in countering the opposition portrayed by the industry, front groups and 'grassroots' campaigns. Experts shared that the display of support is stronger still when all relevant institutions of civil society are unified in their goals and message, but also stressed that a strong position by at least some credible civil society institutions is more important than unanimity on a weak position.

Close, informal relationships with ministries and the media through regular and active engagement were also crucial according to the experts, in order to set the political agenda and to be able to react quickly to policy development and industry challenges.

International networks are also cited as key, as civil society and policymakers alike continue to learn from the past experiences of other countries with the result of building increasingly rigorous policy and

***“We have to have similar arguments and we have to be unanimous so the tobacco industry doesn't gain any ground. I think that is the most important issue.”***

***– Tobacco Control Advocate***



### Funding

Dedicated funding that is not tied to the political climate is stated as important for the continuity of tobacco control, monitoring and enforcement. This could be drawn from dedicated taxes or levy in accordance with the 'polluter pays' principle.

### Political Will

A strong political will weakens the impact of industry arguments and strategies to delay or halt new policies, several interviewed experts state. A political champion can also serve as a focal point and energiser for new measures.

***“You need gutsy politicians who have the clout, who are willing to take you through cabinet or whatever else.”***

***– Researcher***

## Challenges and Recommendations

### Potential Challenges

Increasing use of social media by the tobacco industry and front groups for personal relations campaigns and the personal targeting of advocates and policymakers.

Staff turnover in local and national government presents an ongoing challenge for awareness and adherence to the Framework Convention on Tobacco Control Article 5.3.

The coronavirus pandemic has seen familiar arguments set in a new context: the industry argues for more time to implement plain packaging due to disruptions to their supply chains.

Furthermore, in one country, politicians were deeply concerned that the point-of-sale display ban would put extra financial stress on retailers who were already navigating the impact of the 2008 financial crisis. In the wake of the current global pandemic and economic recession, this could be a powerful argument used by the industry.

### The Framework Convention on Tobacco Control Article 5.3

Signatories to the Framework Convention on Tobacco Control (FCTC) are legally obligated to “*protect [tobacco control] policies from commercial and other vested interests of the tobacco industry in accordance with national law*” as stated in Article 5.3 of the convention.

This involves the avoidance of any conflict of interest throughout government, the rejection of preferential treatment and partnerships with the industry and ensuring any interaction with the tobacco industry is limited and fully transparent.



### Recommendations from Experts

- Advocate for the media to reframe the issue as one of a child's right to a smoke-free environment, rather than one of an adult's right to smoke, for example by interviewing people with children or children themselves for their opinions on new measures.
- Gain an increased insight into decision making processes – who decides what and based on which argumentation – in order to respond rapidly via personal contacts.
- Advocate for increased transparency of industry meetings, including lobbyist registers.
- Renew the focus on FCTC Article 5.3 as adherence continues to differ across countries and across local and national governments. Increased transparency from all levels of government, clear protocols for interacting with the tobacco industry and regular reminders of FCTC obligations are still lacking overall.

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