



## Governing Body

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**Policy Development Section**  
*Development Cooperation Segment*

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### SIXTH ITEM ON THE AGENDA

## ILO cooperation with the tobacco industry in the pursuit of the Organization's social mandate

#### **Purpose of the document**

This document provides information on labour trends in the tobacco sector, the ILO's activities in the sector, as well as on the role and responsibilities of the ILO with respect to the World Health Organization Framework Convention on Tobacco Control.

The Governing Body is invited to provide guidance on any measures the Office should take to prevent interference in tobacco control efforts by the tobacco industry and organizations that work to further the interests of the tobacco industry (see the draft decision in paragraph 39).

**Relevant strategic objective:** Standards and fundamental principles and rights at work.

**Main relevant outcome/cross-cutting policy driver:** Outcome 8: Protecting workers from unacceptable forms of work.

**Policy implications:** Depending on the Governing Body decision.

**Legal implications:** None.

**Financial implications:** None.

**Follow-up action required:** Depending on the Governing Body decision.

**Author unit:** Fundamental Principles and Rights at Work Branch (FUNDAMENTALS).

**Related documents:** GB.288/STM/2/2; TMETS/2003/15.



## Introduction

1. This item has been included in the agenda of this session of the Governing Body with a view to seeking the guidance of tripartite constituents on any measures the Office should take in order to prevent interference by the tobacco industry and organizations, such as lobbyists and associations that work to further the interests of the tobacco industry, in tobacco control efforts.
2. In recent years, the Office has been on a number of occasions the subject of criticism for receiving direct funding from tobacco companies, which would risk undermining the global efforts for regulation of smoking as a leading cause of lethal non-communicable diseases.
3. In October 2016, the United Nations Interagency Task Force on the Prevention and Control of Noncommunicable Diseases (UNIATF), of which the ILO is a member, considered a *model policy* for agencies of the United Nations (UN) system on preventing tobacco industry interference (see the appendix), aiming at ensuring that efforts to protect tobacco control from commercial and other vested interests of the tobacco industry are comprehensive, effective and consistent across the UN system. The ILO reserved its position indicating that it “must undertake internal consultations with tripartite constituents who may wish to receive clarifications or have specific points to raise with regard to the draft *model policy* which would appear to prevent the Organization from pursuing its mandate to protect workers and their rights and to assure freedom from child labour and forced labour”.
4. This paper provides background information on the ILO’s current activities in the tobacco sector, as well as on the role and responsibilities of the ILO within the broader framework of the World Health Organization Framework Convention on Tobacco Control (WHO FCTC) to help the tripartite members of the Governing Body to make an informed policy decision regarding the ILO’s future engagement with the tobacco industry in pursuit of its mandate.

## ILO and the tobacco sector

### Labour trends and child labour in the tobacco industry

5. Tobacco is produced in 124 countries, and some 60 million people are involved in tobacco growing and leaf processing worldwide.<sup>1</sup> In pursuit of its mandate, the Office has engaged with member States and social partners, including the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers’ Associations (IUF) and its affiliates, globally and in a number of member States, to support the realization of fundamental principles and rights at work in tobacco growing communities. In particular, the Office has supported the application of the Minimum Age Convention, 1973 (No. 138), and the Worst Forms of Child Labour Convention, 1999 (No. 182), towards the elimination of child labour, which is widespread in many tobacco growing communities, while striving to increase opportunities to secure decent work and improved incomes for adults who depend on the sector for their livelihoods.

<sup>1</sup> ILO: *Employment trends in the tobacco sector: Challenges and prospects*, Report for discussion at the Tripartite Meeting on the Future of Employment in the Tobacco Sector (TMETS/2003), Geneva, 2003.

6. Globally, reduced smoking rates in some industrialized economies have been generally offset by increased rates in developing and middle-income countries. Tobacco cultivation is labour intensive, involving field preparation, making nursery beds, transplanting seedlings, continual care as the plants grow, harvesting and curing. As with many agricultural crops, most tasks involved in tobacco growing are hazardous. Tobacco harvesting presents a unique hazard for children and adults – green tobacco sickness – which is nicotine poisoning caused by dermal contact with green tobacco. Given the need to handle leaves with care to avoid damage, manual harvesting predominates. This holds true despite the growth of the market for e-cigarettes, for which tobacco can be harvested mechanically.
7. There has been a significant geographical shift in tobacco leaf growing in recent years, with important consequences for employment in the sector. There have been substantial drops in employment in tobacco leaf growing between 2000 and 2013 in several countries, including Turkey (from 583,500 in 2000 to 66,500 in 2013), Brazil (from 462,800 in 2002 to 342,200 in 2013) and the United States (from 51,700 in 2002 to 14,100 in 2013). In contrast, increases were seen in Argentina (32,300 in 2000 to 58,400 in 2010), India (62,800 in 2001 to 89,300 in 2013) and Zimbabwe (8,500 in 2000 to 56,900 in 2011).<sup>2</sup>
8. Characterizing the nature of the workforce, an ILO report stated that for many countries “tobacco growing, in contrast to manufacturing, still functions as a safety valve which safeguards livelihoods for millions of people who for the most part belong to vulnerable social groups”.<sup>3</sup> Smallholder, family farms predominate. For many, tobacco occupies a fraction of their land, but generates the bulk of the revenue. There are few ready substitutes for the crop, neither for the families, nor for countries that rely on it. For example, over 70 per cent of Malawi’s foreign exchange earnings, and 10 per cent of its gross domestic product, are derived from tobacco exports. In the many communities in which tobacco growing is the main economic activity, there are few opportunities for decent jobs for children who are above the general minimum age for work.
9. Child labour in tobacco growing, as in most other sectors, is usually unpaid family work. Given the relatively high child labour prevalence rates in some countries that have increased tobacco production, this shift in production may have resulted in increased child labour and other decent work deficits in tobacco production. Although there are no estimates of the number of child labourers in tobacco globally, surveys indicate that in impoverished tobacco growing communities, child labour is rampant. Research conducted in Malawi revealed that 57 per cent of all children in two tobacco producing districts were involved in child labour; among tobacco growing families, 63 per cent of children were engaged in child labour.<sup>4</sup> Considering that 59 per cent of all child labour is found in agriculture, the scale of child labour in tobacco growing in such countries as Malawi becomes clearer.

### **Nature and scope of current engagement with tobacco companies**

10. The Office has provided advice as an observer to the Board of the Eliminating Child Labour in Tobacco Growing Foundation (ECLT), a non-profit organization operating under the

<sup>2</sup> ILO: *Tobacco Sector Employment Statistical Update*, Sectoral Policies Department, Geneva, 2014.

<sup>3</sup> ILO: *Employment trends in tobacco sector*, op. cit., p. 33.

<sup>4</sup> <http://www.eclt.org/about-child-labour/about-child-labour-in-tobacco-growing/> [accessed 18 Jan. 2017].

supervision of the Swiss Federal Department of Home Affairs, since its founding in 2001.<sup>5</sup> ECLT is funded by tobacco companies. The IUF was a founding member of the ECLT and served as its President until 2013, when it withdrew, citing the viability and success of the Foundation as reasons for its decision to direct its capacity devoted to eliminating child labour elsewhere.

11. In addition to this advisory role, the Office and the ECLT have entered into a public–private partnership (PPP) to combat child labour and promote social dialogue, starting in 2002. The ECLT is also a member of the Child Labour Platform (CLP) of the UN Global Compact Human Rights and Labour Working Group, for which the Office provides the secretariat. To date, the amount of funding received from ECLT is US\$5,332,835.
12. The Office also has concluded a PPP with the tobacco company Japan Tobacco International (JTI) to end child labour and promote fundamental principles and rights at work and occupational safety and health in Brazil, Malawi, United Republic of Tanzania and Zambia, and throughout its supply chain. The JTI is also a member of the CLP. To date, the amount of funding received from the JTI is US\$10,114,200.
13. The conclusion of these PPPs with the ECLT and the JTI has followed the standard vetting procedure adopted by the Governing Body.
14. The ILO has received funding from the ECLT for the elimination of child labour in tobacco growing communities in the United Republic of Tanzania, Malawi, Uganda and Zambia. The projects have spurred the strengthening or creation of community-based child labour monitoring systems that identify and remediate child labour in tobacco growing areas, linking with education and social protection systems and labour inspectorates. The promotion of social dialogue has also been a focus of the partnership: in 2012, the ILO supported a tripartite conference on eliminating child labour in agriculture in Malawi with ECLT funding. This conference, inaugurated by the President of Malawi, resulted in a National Action Plan that drove greater inter-ministerial cooperation against child labour and has guided national efforts since. Support for improved policy frameworks has included the provision of technical assistance with regard to the Tenancy Bill, which seeks to reform the tenancy system in Malawi, linked with the perpetuation of forced and child labour in tobacco growing.
15. The current phase of the PPP with the ECLT will end in June 2018. The objective is to reduce hazardous work of children in tobacco growing in Malawi, Uganda and the United Republic of Tanzania and includes the promotion of South–South exchange among tobacco workers’ organizations, in preparation for the upcoming IV Global Conference on the Sustained Eradication of Child Labour in Argentina.
16. The current phase of the PPP with the JTI – through which the Achieving Reduction of Child Labour in Support of Education (ARISE) programme is being implemented – will end in December 2018. ARISE has three main objectives: to increase access to quality education and vocational training among children in tobacco growing communities; to improve economic livelihoods of families in tobacco growing through training and alternative income generation; and to strengthen national policy implementation and enhancement or enforcement of legislation, particularly national child labour monitoring programmes and national legal frameworks on child labour. An international non-governmental organization

<sup>5</sup> The ECLT Board members include: International Tobacco Growers Association; Alliance One International; Altria Client Services; British American Tobacco; Contrax-Nicotex Tobacco; Hail & Cotton; Imperial Tobacco Group; Japan Tobacco International; Philip Morris International; Premium Tobacco; Scandinavian Tobacco Group; Sunel Ticaret Turk; Swedish Match; and Universal Leaf Tobacco.

(NGO), Winrock International, is also a partner in ARISE. Consistent with the Office's standard area-based approach, ARISE seeks to eliminate all forms of child labour in the targeted communities, not just among children involved in tobacco growing.

17. In the target countries of Brazil, Malawi, United Republic of Tanzania and Zambia, ARISE has resulted in some 18,000 children being prevented from engaging in, or withdrawn from, child labour; some 4,200 households have improved income through alternative income generating schemes; and 660 adolescents have received vocational training.<sup>6</sup>
18. The project has organized tripartite discussions of key policy areas. In Brazil, for example, it has initiated dialogue on the applicability of national apprenticeship programmes to family agriculture, and the role of national hazardous work lists and labour inspectorates in eliminating child labour. Adjustments to rural apprenticeships facilitated by the project are essential, not only in tobacco farming. The apprenticeship system currently does not extend to tobacco growing, restricting the ability of young people to work legally on their parents' farms and exacerbating an exodus of rural youth. This exodus has been a driving force of violent crime in cities. In order to help diversify the rural economy and reduce dependency on tobacco, the JTI and the ILO have designed a project to introduce entrepreneurship training and local small enterprise development in tobacco growing districts. The project has been put on hold pending the Governing Body discussion.
19. The PPP with the JTI also includes a global training programme. Through this component, the ILO provides advice to the JTI regarding how to improve its management systems to identify, prevent and remediate child labour in its supply chain. The ILO also trains the JTI agronomists to identify and respond to cases of child labour on the farms from which the JTI purchases tobacco. As these agronomists visit the approximately 40,000 farms contracted directly by JTI on a regular basis, the potential of their engagement in awareness raising and action to eliminate child labour is significant.
20. In addition, the ILO's Sectoral Policies Department (SECTOR) has conducted research and facilitated social dialogue to advance decent work in the tobacco sector through tripartite meetings. The most recent was in 2003. Background papers on the sector were prepared for the meeting, including an analysis of employment trends. In 2014, SECTOR published an updated statistical briefing on the sector.

## **Role and responsibilities of the ILO within the framework of the WHO FCTC**

21. The Office has maintained active cooperation with the WHO FCTC secretariat since its establishment in 2003. The Office is an observer to the FCTC, not a party (only member States and regional economic integration organizations can have that status), and as such is not bound by its provisions. As a member of the UNIATF,<sup>7</sup> the ILO is responsible, within its mandate, to support in a harmonized manner the implementation and monitoring of relevant policy options and proposed actions for international partners included in the WHO Global Action Plan for the Prevention and Control of Non-communicable Diseases 2013–20 (Global Action Plan). According to the proposed actions for international partners under objective 3 of the Global Action Plan (reduce modifiable risk factors for non-

<sup>6</sup> <http://ariseprogram.org/en/about-arise/impact-data>.

<sup>7</sup> Established by the UN Secretary-General in June 2013, the UNIATF coordinates the activities of UN organizations and other inter-governmental organizations to support governments to meet the commitments made in the 2011 Political Declaration of the High-level Meeting of the General Assembly on the Prevention and Control of Non-Communicable Diseases.

communicable diseases and underlying social determinants through creation of health-promoting environments), the ILO is called upon to strengthen international cooperation and forge collaborative partnerships to facilitate the implementation of the FCTC.

22. Article 5.3 of the FCTC stipulates that “in setting and implementing their public health policies with respect to tobacco control, Parties shall act to protect these policies from commercial and other vested interests of the tobacco industry”. For this specific provision, implementation guidelines have been adopted, which include the recommendation that State Parties should reject partnerships and non-binding agreements with the tobacco industry and should “denormalize and ... regulate activities described as ‘socially responsible’ by the tobacco industry” but in reality aiming at the promotion of tobacco consumption. Such activities, it is argued, are a marketing as well as a public relations strategy that falls within the FCTC’s definition of advertising, promotion and sponsorship.
23. Moreover, Article 13 of the FCTC requires Parties to undertake a comprehensive ban of all tobacco advertising, promotion and sponsorship. The guidelines for the implementation of that article elaborate on forms of sponsorship recommend that Parties should ban contributions from tobacco companies for “socially responsible causes” as this is a form of sponsorship. It is further explained that tobacco companies make financial or in-kind contributions to organizations, either directly or through other entities, which should be banned, because the aim, effect or likely effect of such a contribution is to promote a tobacco product or tobacco use either directly or indirectly.
24. In addition, as a member since 2013, the Office has contributed to the implementation of the workplan of the UNIATF, particularly with regard to occupational safety and health. The Task Force recently developed a draft *model policy* for agencies of the UN system on preventing tobacco industry interference to ensure a consistent and effective separation between the activities of the agencies of the UN system and those of the tobacco industry and thus preserve the integrity and reputation of the agencies. At the seventh Meeting of the Task Force in October 2016,<sup>8</sup> members were asked to consider the use of the *model policy* in line with their respective mandates, upon consultation with, and agreement of, their relevant governing bodies. The ILO stated at the seventh Meeting that it would consult with its tripartite constituents on the scope and implications of the draft *model policy* before expressing its position on it.
25. The *model policy* is not a binding text but a non-exhaustive list of recommendations from which the UN agencies may select the most appropriate ones that are applicable to their case. Nevertheless, the ILO’s engagement with the tobacco sector may be seen to be inconsistent with some elements of the *model policy*. In particular, a specific measure of the *model policy* is that UNIATF members “should reject partnerships, joint programs, non-binding or non-enforceable agreements and any other voluntary arrangements with the tobacco industry”, as well as “exclude any person employed by or providing consultancy or other services to the tobacco industry to be a member of any committee, advisory or expert group or governing board delegation”. Other measures to limit interaction and avoid any real or perceived partnership with the tobacco industry include withholding permission to use the agency’s name and logo, requiring potential donors to provide all relevant information, and in particular their links to the tobacco industry, conducting the necessary due diligence to clarify their interest and objectives and what they expect in return, and declining donations where a real, perceived or potential conflict of interest may arise.

<sup>8</sup> Seventh UNIATF meeting report, <http://www.who.int/ncds/un-task-force/events/report-7th-uniatf-meeting-oct2016.pdf?ua=1> [accessed 20 Jan. 2017].

26. During both the fifth and sixth Meetings of the Task Force, information on the ILO's activities funded by tobacco companies was publicized and cited as an example of the industry continuing to associate itself with individual organizations of the UN system.<sup>9</sup>
27. In addition, in 2016 an NGO based in Switzerland, OxyRomandie, wrote to the ILO to complain that a tobacco company, Philip Morris International (PMI), had placed a rolling banner promoting the World Day Against Child Labour (12 June 2015) on its web page, which included the ILO logo, and had kept that banner on its web page for several months after the event. PMI subsequently removed the poster from its web page upon the request of the Office.
28. The ILO–WHO Agreement<sup>10</sup> states that the two agencies, with a view to facilitating the objectives set forth in their respective Constitutions, will act in close cooperation with each other and consult each other regularly on matters of common interest.
29. Article 5.3 of the FCTC requires Parties<sup>11</sup> to protect their public health policies related to tobacco control from commercial and other interests of the tobacco industry. The FCTC requests that Parties recognize that a comprehensive ban on advertising, promotion and sponsorship would reduce the consumption of tobacco products.
30. Under objective 3 of the WHO Global Action Plan, the ILO is called upon to strengthen international cooperation and forge collaborative partnerships as appropriate to facilitate the implementation of the FCTC.
31. While the ILO is not a Party to the FCTC, it is a member of the UNIATF and the *model policy* is directed to UN agencies. The ILO would be expected to adopt its own policy, based on the *model policy*. Although some flexibility is granted as regards the specific measures to be included in each agency's policy, the *model policy* includes strict recommendations such as "Engagement with the tobacco industry is contrary to the UN system's objectives, fundamental principles and values", and "where interactions (with the tobacco industry) still occur, the recommendations of the guidelines for implementation of Article 5.3 of the (FCTC) shall apply", and "Exclude any person employed by or providing consultancy or other services to the tobacco industry to be a member of any committee, advisory or expert group or governing board delegation".
32. In June 2017, the Economic and Social Council of the United Nations (ECOSOC) will consider a report from the Director-General of the WHO on progress achieved in implementing Resolution 2013/12, which established the UNIATF. This report will be transmitted to ECOSOC by the UN Secretary-General. The report will likely refer to developments with regard to the *model policy*. UNIATF reports are usually followed by ECOSOC resolutions taking note of the UNIATF report and their recommendations. These resolutions will support a review in 2018 of the progress achieved in the prevention and control of non-communicable diseases by the Third UN General Assembly High-Level Meeting on Non-Communicable Diseases.

<sup>9</sup> WHO: *UN agencies and tobacco industry interference: Examples of good practice from UN agencies* [accessed 4 Feb. 2017].

<sup>10</sup> [http://www.ilo.org/wcmsp5/groups/public/---dgreports/---jur/documents/genericdocument/wcms\\_434574.pdf](http://www.ilo.org/wcmsp5/groups/public/---dgreports/---jur/documents/genericdocument/wcms_434574.pdf).

<sup>11</sup> There are 180 Parties; some important tobacco producing countries including Indonesia, United Republic of Tanzania and Malawi are not Parties.



33. In light of the preceding considerations, the ILO's continued engagement with the tobacco industry – and in particular the direct funding of its activities by tobacco companies – might be seen to be at variance with the purpose and objectives of the FCTC, if through this engagement the ILO contributes, directly or indirectly, to the advertisement, promotion or sponsorship of tobacco companies and tobacco products. It also might be seen as inconsistent with the UNIATF terms of reference,<sup>12</sup> which stipulate that “public health policies for the prevention and control of non-communicable diseases must be protected from undue influence by any form of vested interest”, as well as with the *model policy* referenced in this paper, which should be considered by UNIATF members in order to develop and adopt their own policies on preventing tobacco industry interference. Key questions are: does the Office's engagement promote the tobacco industry or tobacco industry products? Does it undermine the Office's contribution to achieving the goals of the FCTC and the UNIATF?
34. In this regard it is worth noting that the ILO's PPPs promote alternative livelihoods, alternative crops and greater food security for families involved in tobacco growing.
35. A central component of the PPPs is to promote social dialogue in the sector in order to secure sustainable elimination of child labour and increased respect for all fundamental principles and rights at work. The effective implementation of the FCTC will result in reduced tobacco consumption and cultivation – a goal that the ILO supports unreservedly, while attending to the resulting changes in employment patterns. The emergence of e-cigarettes, making possible mechanized tobacco harvesting, is already reducing employment in tobacco growing. Strengthened social dialogue will be required if the transition is to be managed in a way that avoids serious labour market dislocations and increased decent work deficits in affected member States. The Office, particularly through targeted technical assistance, can play a key role in facilitating this.
36. In countries where the tobacco-related PPPs operate, the main implications of stopping the current engagement are the following: in Malawi, the ILO would cease providing support to constituents to reform the tenancy system, and achieve other policy objectives related to fundamental principles and rights at work, capacity building for ILO constituents on social dialogue, and active collaboration with UN agencies such as the Food and Agriculture Organization and UNICEF to mainstream decent work strategies would cease; in Zambia, extensive capacity efforts to strengthen the capacity of ILO constituents to eliminate child labour would cease; in the United Republic of Tanzania and Uganda, the formation and strengthening of district level child labour committees and capacity support for ILO constituents for social dialogue would end, possibly jeopardizing their sustainability; and in Brazil, efforts to adapt the apprenticeship system to rural realities would stop, and ongoing linkage of tobacco growing communities with national social protection programmes might stall and the project to diversify the rural economy through entrepreneurship would not go ahead. In all of these countries, ILO efforts at the community level to withdraw and prevent children from child labour and establish community-based monitoring systems would end.
37. In recent years, the Office has repeatedly sought to secure funding for efforts to eliminate child labour in tobacco growing communities from a number of member States. However these efforts have not been successful. It bears noting in this regard that, as its economy expanded, overall official development assistance (ODA) to Brazil has diminished considerably, and that some donor governments may direct ODA toward goals other than improving conditions in global supply chains because they consider that enterprises involved in those chains have a considerable ability and shared responsibility to achieve this goal.

<sup>12</sup> Adopted by UN ECOSOC Resolution 2014/10. Available online at: <http://www.who.int/nmh/ncd-task-force/un-tf.PDF?ua=1> [accessed 4 Feb. 2017].

38. The Office has taken measures to address the potential for conflict of interest. First, it has agreed with the ECLT and the JTI that the ILO will not accept funding from them for global research into hazardous child labour in tobacco growing, as was originally foreseen in the current PPP with the ECLT, but seek to fund the research using other sources, and that it will not use funds from either the ECLT or the JTI to develop global guidance on hazardous work in tobacco, as had been foreseen in the PPP with the ECLT.

## Draft decision

39. *The Governing Body is invited to decide either:*

- (a) *to request the Director-General to continue to engage with the tobacco sector in pursuit of the ILO's mandate related to fundamental principles and rights at work and for the benefit of farming communities, while instituting strengthened measures to ensure ILO independence, and avoid any conflict of interest, including through the adoption of a policy based on the UNIATF model policy for agencies of the UN system on preventing tobacco industry interference; or*
- (b) *to request the Director-General to discontinue PPP arrangements with tobacco companies and tobacco-related institutions after the current PPPs with the ECLT and the JTI have ended, to renounce receiving funding in the future from such companies and institutions, and continue to explore alternative sources of funding for child labour elimination activities in tobacco growing communities in full conformity with the purpose and objectives of the FCTC and the UNIATF model policy for agencies of the UN system on preventing tobacco industry interference.*

## Appendix

### Model policy for agencies of the United Nations system on preventing tobacco industry interference

#### *Guiding principles*

The enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being.

There is a fundamental and irreconcilable conflict between the tobacco industry's interests and public health policy interests.

The United Nations system, including the intergovernmental agencies that are observers to COP and members of the UN Inter-Agency Task Force, must work as One, ensuring a consistent and effective separation between its activities and those of the tobacco industry, to preserve its integrity and reputation and in promoting development.

Engagement with the tobacco industry is contrary to the United Nations system's objectives, fundamental principles and values.

The United Nations system, including the intergovernmental agencies that are observers to COP and members of the UN Inter-Agency Task Force shall establish measures to limit interactions with the tobacco industry, and where interactions still occur, the recommendations of the guidelines for implementation of Article 5.3 of the Convention shall apply.

#### ***Specific measures to be included in the policy***<sup>1</sup>

To limit interactions and avoid any real or perceived partnership with the tobacco industry, as an entity of the United Nations system, [Name of the Agency] should:

Inform and educate all entities and leadership in [Name of the Agency] about the addictive and harmful nature of tobacco products, the need to protect public health policies for tobacco control from the tobacco industry's interests and the strategies and tactics used by the tobacco industry to interfere with the development of relevant policies through, *inter alia*, individuals, front groups and affiliated organizations that act, openly or covertly, on their behalf.

Reject partnerships, joint programs, non-binding or non-enforceable agreements and any other voluntary arrangements with the tobacco industry.

Do not grant permission to the tobacco industry to use the name, logo and emblem of [Name of the Agency]. Further, measures should be taken to actively prevent the tobacco industry from using the name, logo and emblem of the organization.

Carry out any strictly necessary interaction with the tobacco industry in such a way as to avoid the creation of any real, perceived or potential conflict of interest resulting from or on account of such interaction and ensure the transparency of those interactions that occur through, for example, making the records of such interactions available to the public.

<sup>1</sup> This list of measures presented here is not exhaustive. It is primarily based on the recommendations of the guidelines for implementation of Article 5.3 of the WHO FCTC and the agencies should select the most appropriate ones that are applicable to their case.

If strictly necessary to promote the goals of [Name of the Agency], meetings with the tobacco industry: (1) must take place at a neutral venue for a mediated exchange and for the purpose of information exchange, i.e. to receive certain information relevant to public health or the goals of the United Nations system from the tobacco industry, and (2) present to the tobacco industry [Name of the Agency's] policy on engagement with the tobacco industry and [Name of the Agency's] views on tobacco-related health, social, environmental and economic issues. Before the meeting, [Name of the Agency] shall clearly indicate in writing to the tobacco industry that they must not mischaracterize the nature of the meeting in such a way that implies that there is any relationship, collaboration or partnership or engagement between [Name of the Agency] and the tobacco industry. After the meeting, the minutes shall be made public to ensure transparency. No meetings should result in a partnership or joint work.

Mandate [if not yet done so] a policy on the disclosure and management of conflicts of interest for all staff.

Not award contracts to tenderers who have conflicts of interest with established tobacco control policies or whose clients include the tobacco industry or that have, as part of their constituency or governing board or board of directors or advisors a representative of the tobacco industry.

Avoid conflicts of interest for international civil servants of the United Nations system as per the Standards of Conduct for the International Civil Service.<sup>2</sup> Payments, gifts and services, hospitality, monetary or in-kind, and research funding offered by the tobacco industry can, for example, create real, perceived or potential conflicts of interest and should not be accepted.

Formulate, adopt and implement [if not yet done so] a code of conduct for staff of [Name of the Agency], prescribing the standards with which they should comply in their dealings with the tobacco industry.

Require a potential donor to provide all relevant information about itself and its activities, including annual income and funding sources, and in particular its links (direct and indirect funding) to the tobacco industry. Thereafter [Name of the Agency] conducts the necessary due diligence, i.e. steps taken to find and verify relevant information on a potential donor and to clarify its interest and objectives and what it expects in return, and decline donations where a real, perceived or potential conflict of interest may arise.

Exclude any person employed by or providing consultancy or other services to the tobacco industry to be a member of any committee, advisory or expert group or governing board delegation.

Share information on industry interference with the UN Inter-Agency Task Force on the Prevention and Control of Noncommunicable Diseases at each regular meeting along with practical examples of countering tobacco interference.

Do not award or give prizes to the tobacco industry to reward activities described as socially responsible performed by the tobacco industry.

Do not invest or disinvest [if you have already invested in] from stocks of the tobacco industry or any organization that works to further the interests of the tobacco industry.

<sup>2</sup> <http://icsc.un.org/resources/pdfs/general/standardsE.pdf>.