Brazil’s Ratification of the Framework Convention on Tobacco Control: Myths and Truths
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BRAZIL’S RATIFICATION OF THE WHO FRAMEWORK CONVENTION ON TOBACCO CONTROL

MYTHS AND TRUTHS

"The great enemy of the truth is very often not the lie - deliberate, contrived, and dishonest - but the myth - persistent, persuasive, and unrealistic"

John F. Kennedy*

*L.L. Levinson, Bartlett’s Unfamiliar Quotations (Chicago: Cowles, 1971) p.17
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Foreword

Science has undeniably shown that tobacco consumption is a disease that generates chemical dependency, condemning smokers to the development of serious and fatal conditions such as cancer, myocardial infarction and emphysema, among others.

Despite all this knowledge, big transnational tobacco companies continue to thrive, thanks to the capital accumulation supplied by the 1.3 billion smokers now living in our planet. This situation has allowed the industry to encroach upon the frontiers of many countries, managing to interfere with their public policies in order to delay the approval of actions aimed at reducing the consumption of their products and thus making sure that, each day, another 100,000 young men and women, 80% living in poor countries, will start smoking all over the planet.

The number of deaths per year in the world due to smoking is around five million today and will reach 10 million in the next 15 years if nothing is done to curb the expansion of tobacco consumption.

This scenario has produced a global reaction that, in May 2003, led WHO's 192 Member States to adopt the Framework Convention on tobacco Control (FCTC), an international treaty to "protect present and future generations from the devastating health, social, environmental and economic consequences of tobacco consumption".

The movement brought tobacco control to nations' attention as an ethical issue, underscoring governments' social responsibility towards their citizens. This seems to be a global understanding, as evidenced by the speed with which countries signed and are ratifying the treaty, many having already met several of its recommendations, although it was not yet in force when this document was published.

This treaty's transparent negotiation procedure started in 1999 at WHO headquarters, and Brazilian tobacco growers' representatives closely followed it.

Brazil's leadership in tobacco control led WHO's 192 Member States to elect the Brazilian delegation to head the negotiation procedures during 4 years. Although Brazil was the second country to sign the FCTC, and already complies with the majority of its proposals, its formal ratification has unfortunately been blocked by tobacco industry's maneuvers, using false and groundless arguments. Its text is now under the Senate's appreciation, but does not enjoy the priority status with which it was approved at the House of Representatives in May 2004, after one year of discussions.

It is important to understand that by admitting the long-term impact the drop in consumption will have on the production demand and being concerned and striving to find economically feasible alternatives. WHO FCTC should not be seen as a threat, but rather as a protection, mainly for the weakest link of the tobacco productive chain – the tobacco growers.

We are running short of time. Until October 2004, 35 countries had already ratified the FCTC. We also need to ratify it, to be among the 40 ratifications necessary for the Convention to enter into force. This way we will be one of the Party States to negotiate the future Protocols and to seek support for the development of economically feasible and healthier alternatives to tobacco growing.
This work is published by the Brazilian National Cancer Institute (Instituto Nacional de Câncer), an agency of the Ministry of Health, sponsored by the “Support and Inform Ratification, Implementation and/or Enforcement of the Framework Convention on Tobacco Control (FCTC)”, a project of the Canadian organization International Development Research Center (IDRC)/International Development Research for International Tobacco Control (RITC). Its purpose is to demystify the distorted arguments contrived to frustrate Brazil’s ratification of the FCTC.

We must change the way FCTC ratification process is being conducted in our country, once it is in disharmony with the world scenario, where the United Nations Millennium Development Goals encourages countries to include tobacco control as an important component of social development. It also clashes with the leading role the Brazilian Government has conquered in the global mobilization for struggling against hunger and poverty.

With the ratification of the Framework Convention on Tobacco Control we hope to be contributing to a more equitable and healthy global society.

José Gomes Temporão
INCA Director-General
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"The FCTC must be in force only after farmers have converted to other crops."

"Only after ratifying the FCTC will the country be included in future discussions and agreements to obtain technical and financial support for the establishment of a viable alternative to tobacco growing."

"If Brazil ratifies the FCTC, Banco do Brasil will not be allowed to finance tobacco growing."

"Since 1991 the World Bank recognized that tobacco production and consumption represent an obstacle to the development of all countries, and prohibited its financing."

"The negotiation process lasted more than 4 years through public hearings with the participation of non-governmental organizations, as well as representatives of the tobacco industry and related sectors."

"The negotiation of the FCTC was not transparent and had no tobacco growers' participation."

"The US is decreasing its tobacco production and reducing subsidies via strict legislation. Could developing countries that are tobacco producers, like Brazil, manage to deal with this issue without foreign help??"
Introduction

Many of the questions and comments now circulating about the ratification of the FCTC by Brazil transmit the mistaken message that the country might risk losing the market. There is a clear intention of establishing a cause and effect relationship between the two things, which does not correspond to real facts.

First of all, we must consider that the tobacco production in Brazil depends almost exclusively on foreign demand. In accordance with data from the Tobacco Growers’ Association of Brazil (AFUBRA), about 85% of the domestic tobacco production is exported.

Part I of this publication portrays the present configuration of the world scenario with regard to tobacco product consumption and its potential to influence the foreign demand for the Brazilian production independently of Brazil ratifying the FCTC. We also tried to highlight the fact that the present debate about the ratification of FCTC derives from well-known maneuvers used by the tobacco industry to delay actions opposed to their interests. Such strategies are amply recorded in internal documents, which were confiscated by court order and are available for full public access both in the US and in the United Kingdom.

Part II aims at debating the issue in terms of myths and truths, exposing some arguments against the ratification of the FCTC that have been presented along the process and have engendered a distorted image of its meaning and implications, breeding controversies and delaying Brazil’s adherence to this important public health treaty. It also aims at showing the risks Brazil runs in the international political scenario for not ratifying the Convention.
Part I – The Scenario

Smoking – a serious public health problem

The first point to be considered is that human consumption is the only and exclusive goal of tobacco production and science has exhaustively demonstrated its capacity to promote dependence and serious, disabling and fatal diseases.

Thus, there is no longer any reason to consider the use of cigarettes, cigars and other tobacco products as a mere behavioral option or lifestyle. Thousands of scientific studies have concluded that we are dealing with the consumption of a product that brings no benefit to its user and which kills at least one half of all its consumers. The studies in question have established that:

- **Smoking is a chronic disease** brought about by nicotine dependence, and so it is listed in the International Statistical Classification of Diseases and Health Related Problems (ICD-10) of the World Health Organization.
- Tobacco use is a pediatric disease once 90% of the addicted population started smoking before they reached 19 and the average age of initiation is 15 years.
- Tobacco use is also a **leading risk factor for serious and fatal diseases**: cancer, cardiovascular illnesses, emphysema and others.
- Exposure to second-hand smoke increases the risk of cancer, myocardial infarction, respiratory infection and other conditions among non-smokers and thus is also considered an occupation hazard in the working environment.
- **Tobacco use kills approximately 5 million** persons per year in the world, of which 200 thousand in Brazil.

Smoking – an obstacle to development

One of the most perverse facets of tobacco use is the growing prevalence in poor and vulnerable populations, exactly the ones that lack access to information, education and health services.

This scenario has led entities such as the World Bank, the International Monetary Fund (IMF) and other UN economic and social development entities to recognize that tobacco use worsens hunger and poverty, representing a hindrance to the sustainable development of countries. In this context, several studies indicate that:

- Out of the 1.3 billion smokers now existing in the world, 80% live in poor countries.
- Addiction to nicotine has driven many households to spend a significant part of their money on tobacco rather than on food and other goods.
- In Bangladesh, there would be 10.5 million less malnourished citizens if poor people did not smoke.
- In poor countries, it is cheaper to buy cigarettes than food.
• In most countries there is an association between smoking, low income and low schooling level.

• In China, the probability of being a smoker among the illiterate population is seven times as much as the one among individuals who have completed high school.

• In Brazil, this probability is 5 times greater among individuals with a low schooling level.

According to data from the Consumer Expenditure Survey (POF 2002-2003), the slice of the income spent on tobacco in families that get up to two minimum wages is eight times bigger than the one spent in families that get more than thirty minimum wages. The survey also shows that the amount spend on tobacco in families with lower income is higher than the amount used to buy some food products such as bread, milk, eggs, vegetables and fruits.

For this reason the World Bank, that in the 1970s and 80s even encouraged developing countries to grow tobacco as a profitable product for export, has changed its policy (starting in 1991), recognizing the noxious effects of tobacco production and consumption to people’s health and the development of the countries, and decided to prohibit the use of the Bank's resources to finance tobacco production and, at the same time, started to encourage efforts to control its consumption. The IMF, aligned with the World Bank's tobacco control policy, has established similar conditions for its loans.

The eleventh session of the United Nations Conference on Trade and Development, UNCTAD XI, held in Brazil in June this year, debated tobacco control as an important issue for the development agendas of Governments and produced a document underlining the negative impact of tobacco production and consumption on the economy. The document calls upon all UN Member States to strengthen tobacco control measures in their national programs and to include them in their development agendas. It also urged the adoption of these measures in the agenda of the UN Millennium Development Goals. The discussions at the UNCTAD raised the need for future consideration of the exclusion of tobacco from multilateral and bilateral trade agreements, by treating tobacco products as an exceptional case within global trade, as it is already done for other hazardous products, such as weapons, land mines, etc.

(http://www.unctadxi.org/templates/Event____525.aspx)
(http://www.who.int/tobacco/communications/events/unctad2004/en/)

Social causes of tobacco consumption:
a public health problem

Unlike several other public health problems, the increase of tobacco consumption is defined through marketing strategies developed by tobacco companies, especially the large transnational companies that control the world market, Brazil included.

Such strategies help the youth to gain easier access to tobacco use through marketing techniques and by keeping the prices at low levels (Brazilian cigarettes are the sixth cheapest in the world), together with well designed advertising and promotion of the products. At the same time, lobbying strategies are often developed to prevent or revert tobacco control actions all over the world.
These strategies are evidenced in papers that are part of a repository with more than 35 million pages of formerly secret internal tobacco industry documents. They were made publicly available after legal settlement agreements in the United States and the United Kingdom (all these documents are posted in websites around the world, such as the University of California’s http://www.library.ucsf.edu/tobacco/). These strategies are also regarded as a public health problem once they are aimed at promoting smoking uptake and making tobacco use cessation difficult:

"Identify members of Congress who, because of seniority, position within the leadership, etc., are likely to be the next generation of congressional leaders....[W]e should refine on-going programs to enhance our presence before these Members, such as dinner meetings and fundraising efforts, and special funding needs of Members.” (Tobacco Institute, 1982)

"We are working in 1985 to improve our performance still further in communicating to legislators. Our plan has three aspects. First we are going to recruit more people and better people and pay them more if necessary. Bahrain, Stockholm, London, Montreal, the Philippines, and Japan are all locations where we will be adding to our corporate affairs strength. Next, we are going to adopt a more systematic approach to cultivating the “right” people. To date we may have been a little haphazard. Third, we are going to pay more attention to cultivating the bureaucracy as opposed to just the top people.” (Philip Morris, 1985)

"Make it Hurt—the NRA [National Rifle Association] strategy. Let politicians know the down-side of anti-activity by identifying a vulnerable candidate, bringing forces to bear to cause him/her to lose the election, then discreetly let other politicians know we have done this." (Philip Morris, 1987)

The globalization of economy benefits tobacco use expansion

The World Bank considers the globalization of economy as a contributing factor for the increase of tobacco use and the diseases and deaths attributed to it.

Several multilateral and bilateral agreements, mainly the ones associated with the World Trade Organization (WTO), contemplate a reduction of tariffs and non-tariff barriers, which fosters greater expansion of global trade. It is expected that free trade will promote a decrease of the cost of living, a wider availability of quality products at a lower cost, an increase in income and a boost in economic growth. However, one of the perverse effects of this dynamics is that it brings about an increase of tobacco use in poor countries.

Several studies sponsored by the World Bank point to a connection between the liberalization of global trade and the market expansion of the tobacco transnational companies with a higher risk of increase in tobacco consumption, specially in low- and middle-income countries.

Thus, although cigarette consumption has been dropping in most developed countries, its global consumption is growing, mainly due to the increase in the poor countries. Contrary to what happens in many developed countries, tobacco trade control and the adoption of strong tobacco control policies are still incipient in many developing countries.
By shifting from developed countries to poor countries, the tobacco marketing strategies carry with them the burden of all tobacco related diseases and deaths. And, while still struggling to face hunger, malnutrition and high rates of child and maternal mortality, poor countries have to face other huge losses as a result of the high health-care costs and lost productivity due to tobacco-related illnesses and premature deaths.

Nowadays, 80% of tobacco products consumption is concentrated in developing countries.

The WHO estimates that if nothing is done to revert this picture, in ten years we will have 10 million deaths due to tobacco consumption per year, 70% of these in poor countries.

Several internal documents of the big transnational tobacco companies, confiscated by the United States Department of Justice, reveal their thinking on the global market dynamics and the potential offered by developing countries to expand the market for their products:

“Tobacco use in the developed nations will trend down slightly through the end of the century, while in the developing countries use could rise by about three percent annually. A bright picture indeed! Not a smoke-free society, but continued growth for the tobacco industry.” (Tobacco Reporter, 1989).

“The average life expectancy here is about 40 years, infant mortality is high: the health problems which some say are caused by cigarettes just won’t figure as a problem here.” (The Rothmans Representative in Burkina Faso, 1988).

“We should not be depressed simply because the total free world market appears to be declining. Within the total market, there are areas of strong growth, particularly in Asia and Africa; there are new markets opening up for our exports, such as Indo-China and the Comecom countries; and there are great opportunities to increase our market share in areas like Europe.... This industry is consistently profitable. And there are opportunities to increase that profitability still further.” (BAT, 1990)

“This is a market with tremendous potential. The rate of population growth is 2.2 percent each year, and 40 percent of the population is under 18.” (Philip Morris Turkey, 1997).

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1 These quotations were extracted from the publication: Trust us: we are the tobacco industry, of the CAMPAIGN FOR TOBACCO FREE KIDS & ACTION ON HEALTH SMOKING, 2001. London
The WHO Framework Convention on Tobacco Control: a global answer to a globalized problem

The acknowledgement of tobacco use expansion as a global problem led WHO’s Member States to propose the adoption of the first international public health treaty in human history – the WHO Framework Convention on Tobacco Control – during the 52nd World Health Assembly, in 1999.

For more than four years, WHO’s 192 Member States worked in the preparation of a draft for the FCTC and a consensual document was unanimously approved at the 56th World Health Assembly, in May 2003.

This Convention is the first international public health treaty. It establishes international standards for tobacco control and contains provisions related to advertising and sponsorship, tax policies and prices, labeling, illicit trade and secondhand smoking, among others.

After adoption in May 2003, the Convention was sent to the UN Secretary-General for registration and was open for signatures from June 16, 2003 to June 29, 2004.

After this signature period, each country started the process to ratify its adherence to the Convention, during which its text must pass in Congress or other legislative body, according to each country’s form of government.

The FCTC will enter into force as soon as the first 40 nations ratify it. Up to October 2004, a total of 168 countries had signed and 32 ratified it.

In the year following the entry into force of the WHO FCTC, it will be held the first Conference of the Parties (COP) – the FCTC regulating body, formed by the countries that will have become Contracting Parties by then (Article 23). Some of its attributions will be to decide procedural and financial matters relating to the implementation of the Treaty at country level and to oversee its implementation. It should also promote the negotiation of protocols involving detailed technical measures to be adopted jointly by Party States. The first meeting of the COP will be crucial, once it will establish how the treaty body will function, such as the constitution of its secretariat, the funding needed for its structure and its meetings, as well as the rules for the civil society participation.

Brazil and the Framework Convention on Tobacco Control

After having performed an important role in the elaboration and negotiation of the treaty, Brazil was the 2nd country to sign it on the first day it was available for signatures. The Intergovernmental Negotiation Body (INB) was presided by the Brazilian Chancellor, who was the ambassador to the Brazilian Permanent Mission in Geneva by then and played a relevant role during the first phase of negotiations. These negotiations were later on brilliantly consolidated by the present ambassador to the Brazilian Permanent Mission in Geneva, Luiz Felipe Seixas Correa.

In Brazil, the National Commission for Tobacco Control was created by Decree no. 3136 of August 13, 1999, to assist the Brazilian government in the negotiation of the FCTC.

The Brazilian Congress started to examine the FCTC text on August 27, 2003, after its official presentation to the House of Representatives by the Minister of Health, Dr. Humberto Costa, during the International Seminar on the FCTC, organized by the House Committee on Social Security.
Having been granted the rank of highest priority, the issue did not have to be considered by a Special House Committee and its ratification was approved on May 13, 2004 and sent to the Senate’s appreciation. There, however, the tobacco-producing sector managed to disseminate distorted groundless information about presumed negative implications to the national economy if the FCTC were to be ratified, thus convincing the Senate to cancel the issue’s priority status.

Brazil already meets practically all FCTC provisions and, nowadays, a drop in tobacco consumption is witnessed thanks to the National Program for Tobacco Control developed by the Ministry of Health. Per capita cigarette consumption dropped 32% and smoking prevalence decreased 50% between 1989 and 2003. The mortality rate due to lung cancer – the most lethal type of cancer, 90% of its cases happening in smokers – is starting to give signs of deceleration in Brazil.

Who gains if Brazil does not ratify the FCTC?

There is now in Brazil a state of great euphoria in the tobacco-growing sector, because the country is well situated in the world tobacco leaf market, ranking second as producer and first as exporter.

Tobacco production works in integration with the tobacco industry, which is organized as an oligopoly all over the world. There are few large transnational companies, which control the organization of the world tobacco agro-industrial complex, composed basically by production, processing, manufacturing and marketing of tobacco leaves and products.

In order to increase and improve production so as to better cover the markets in other countries and continuously lower production costs, the tobacco industry has encouraged countries and farmers to grow tobacco, specially in developing countries.

The main tobacco producers today are China, Brazil, India, the U.S., Zimbabwe and Indonesia, in order of production magnitude. Together, these countries are responsible for about 70% of the world production.

However, since the most important tobacco industry companies are transnational, the profits made in the countries were their subsidiaries operate are sent to their headquarters in developed countries. Such is the case of Souza Cruz, a subsidiary of the big tobacco transnational British American Tobacco, which sends its profits to the United Kingdom, and Philip Morris, that sends the profits to the U.S.

The position reached by Brazil in the world tobacco leaf marketplace is due to several factors, among which we single out the low production costs, resulting mainly from the employment of tobacco growers and their families in the production, which means spending less on salaries. With regard to opportunities for the Brazilian tobacco in the international market, a combination of circumstances, such as the decrease of world stocks and the reduction of tobacco production in Zimbabwe and in the U.S. have helped Brazil to maintain its position as biggest world exporter.

Nevertheless, even if the industry presents tobacco production as an activity that produces wealth, development and jobs for Brazil, it cannot be said that the social benefits resulting from it will promote a better quality of life and health for the individuals involved in the agricultural production, which is the weakest link of the productive chain.
“Tobacco: Wealth or Poverty? What does tobacco offer?” This was the theme of the 13th Seminar on Alternatives to Growing Tobacco held in Santa Maria, Rio Grande do Sul (RS) – the state which is the biggest tobacco leaf producer in Brazil – in July 2003. Several initiatives of this type evidence the dissatisfaction reigning among tobacco growers with regard to their quality of life, the risks to their health and to the environment and, especially, the situation of extreme dependency and economic submission they endure under the rules imposed by the tobacco industry in order to gain access to the tobacco productive chain.

These findings are confirmed by the 2000 Socioeconomic Development Index (IDESE), produced by the Foundation of Economics and Statistics (Fundação de Economia e Estatística do RS – FEE), which discloses that the Vale do Rio Pardo region ranks 21st – the next to last – among the regions selected for the analysis (FEE, 2004). If we were to look into the results of each municipality, Dom Feliciano and Lagoão, near Santa Cruz do Sul, where tobacco farming is the main activity, occupy the 451st and 454th places in the IDESE ranking, in a total of 467 municipalities studied.

There is also a great deal of contention between tobacco growers and the processing companies regarding the growers’ earnings, the companies’ mediation to obtain credit for the production, and the tobacco growers’ representation in the forums where each crop’s prices are negotiated, once they are not part of family farming representation, according to an article published in the newspaper Correio do Povo – RS in 2004.

The analysis made by the Department of Rural Socioeconomic Studies (DESER) found that while tobacco companies are making money with their businesses in Brazil, many farmers lose their crops and the ones who do manage to market their production cannot obtain profitable quotations. Nevertheless, Souza Cruz alone (the Brazilian subsidiary of British American Tobacco) has a 76.2% share of the cigarette market in Brazil and is active in the tobacco leaves export market. Its net profit in 2000 was R$ 960.8 million, 51.5% more than in 2001. In two years only, this company has been able to amass practically 2 billion Reais in profits.

Data from AFUBRA indicate that the tobacco sector has been working steadily to involve a growing number of farmers in the tobacco production, expanding the plantations to some new areas in the south of Brazil where such activities did not exist. This results in a scenario of enlarged production that benefits the transnational companies, once the use of low-cost labor in the production accounts for a bigger offer and thus a higher bargaining power and profits for the companies at the moment of deciding on the tobacco leaf price.

The interference of the tobacco industry in Brazil’s ratification of the Framework Convention on Tobacco Control

In view of a downwards trend in the global tobacco consumption and the imminence of Brazil’s ratification of the FCTC, the tobacco industry started to resort to the usual strategies recorded in millions of internal documents that have been placed under legal custody. In those documents, big tobacco companies like British American Tobacco (its subsidiary is Souza Cruz) and Philip Morris explain how they get organized each time they feel threatened by anti-tobacco drives.
Add to this scenario the fact that the content of those documents (part of a repository of more than 35 million pages made publicly available after legal settlement agreements in the United States) proclaims that AFUBRA is a “front” institution for the British American Tobacco, represented in Brazil by Souza Cruz, which maintains the institution to defend its interests and not tobacco growers’ ones. All the movements intended to prevent Brazil’s FCTC ratification were started by AFUBRA, supposedly on tobacco growers’ behalf. The International Tobacco Growers Association (ITGA) mentioned in those documents, was once presided by the current president of AFUBRA, the website of which describes the association as the national representative of ITGA. The documents in question may be found in many websites all over the world, such as the University of California’s (http://www.library.ucsf.edu/tobacco/) and show the Association’s unprincipled objectives, as evidenced by the excerpts below:

“Manufacturers, through INFOTAB, would ‘control’ the primary funding of the organisation, and would thus be able to ensure that it stuck to politics. The ITGA would have the clout to combat idiotic crop-substitution programs. The ITGA could ‘front’ for our third world lobby activities at WHO, and gain support from nations hostile to MNCs. The ITGA (pushed by us) could activate regional agriculture lobbies which are at present very weak and resistant to industry pressure.”


“The principal role of the new consultancy will be to control the international voice of agro-tobacco on behalf of its clients, ensuring that best use is made of the ITGA as a vehicle for targeted lobby activities. In particular, the consultancy will provide the co-ordination, facilitation, and motivation necessary to realise the full potential of the tobacco growers' lobby...”

British American Tobacco, 1991

So, it is of vital importance that at the moment of voting the ratification of the FCTC, legislators be aware that Brazil is serving as target for the application of one of the many strategies adopted by the tobacco companies all over the world, to prevent actions that signify a threat to their profits, even at the risk of contributing to cause diseases and death among consumers. Other parts of these documents illustrate the way the tobacco companies act in the whole world and how they are using the same strategies in Brazil:

“Our objective remains to develop and mobilize the necessary resources—internal Philip Morris, external agencies and consultants, the industry National Marketing Associations, and all potential allies—to fight the social and legislative initiatives against tobacco....We shall carefully target our opponents. We shall precisely identify, monitor, isolate, and contest key individuals and organizations.” (Philip Morris, 1989).
“Attack WHO and split FAO/WHO:

criticise budget management, address health priorities, expose resource blackmail, highlight regional failures, attack ‘behaviourism’: Counter on public issues, discredit activists’ credentials, engage in statistical warfare, invest in press relations, show impact of ‘cuckoo’ organisations.” (INFOTAB, 1989).

“...undertake a long-term initiative to counteract the WHO’s aggressive global antismoking campaign and to introduce a public debate with respect to a redefinition of the WHO’s mandate.” (BAT, 1989).

By not ratifying the FCTC, Brazil will be signaling to the world that the country is capitulating to the economic oppression exerted by a segment that puts profits before lives.
Part II – The debate about Brazil’s ratification of the FCTC – Myths and Truths

MYTH 1

“The objective of the Framework Convention on Tobacco Control is to eliminate tobacco growing.”

TRUTH 1

The objective of the FCTC is not to eliminate tobacco growing.

The objective of the Convention is “to protect present and future generations from the devastating health, social, environmental and economic consequences of tobacco consumption and exposure to tobacco smoke by providing a framework for tobacco control measures to be implemented by the Parties at national, regional and international levels in order to reduce continually and substantially the prevalence of tobacco use and exposure to tobacco smoke”.

On one hand, the FCTC recognizes that no government could go on ignoring tobacco control as a public health as well as a social and economic priority, if it aspires to attain sustainable development. On the other hand, it recognizes the impact that a drop in consumption will have on the long-term production demand and is conscientiously searching economically viable alternatives, especially for tobacco growers, who are the weakest link of the productive chain.

This concern is reflected in the FCTC preamble and in its articles 4 and 17, as described below:

Article 17: “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”.

Preamble: “Mindful of the social and economic difficulties that tobacco control programmes may engender in the medium and long term in some developing countries and countries with economies in transition, and recognizing their need for technical and financial assistance in the context of nationally developed strategies for sustainable development,”

Article 4, Paragraph 6: “The importance of technical and financial assistance to aid the economic transition of tobacco growers and workers whose livelihoods are seriously affected as a consequence of tobacco control programmes in developing country Parties, as well as Parties with economies in transition, should be recognized and addressed in the context of nationally developed strategies for sustainable development.”

In the FCTC text, there is no mention of countries being prohibited to plant tobacco and there is not connotation of compulsory replacement of tobacco growing by other alternative activities.
MYTH 2

"Ratification of the FCTC stands for less freedom of the country to define policies for the sector. Public policies for the improvement of income, employment and production, such as the National Program for the Strengthening of Family Farming (PRONAF), having tobacco growers as one of its chief beneficiaries, could contradict the essence of the agreement."

TRUTH 2

Implementation of the FCTC measures is not compulsory. It imposes no constraints to production, subsidies to production, tobacco consumption or trade. The wording of its text provides a flexibility that allows countries to adopt the proposed measures and, at the same time, respect their constitutional limitations.

With reference to the use of resources from the PRONAF for tobacco growing, since April 2001, Resolution No. 2833/2001 of the Central Bank of Brazil (BACEN) forbids the concession of credits using resources from the National Treasury to tobacco production in partnership or association with the tobacco industry.

This happened because of a suspicion of public resources being transferred to the private sector (tobacco), which made the Secretariat for Rural Development (SDR) of the Ministry of Finance carry out an audit (Operational Audit No. 25202/98–RS–PRONAF) to investigate the huge sums of money used to fund tobacco growing.

In 1997, a study by the Department of Rural Socioeconomic Studies (DESER) examined the process used by the tobacco industry to gain access to credit in the south of the country. The results indicated that tobacco companies were using subsidized credit extended to producers, obtained by the companies via proxies. According to DESER’s analyses, tobacco growers authorized AFUBRA to sign credit contracts in their name. The study has found evidence that the tobacco industry took advantage of the good faith of the producers, who were “advised” to invest in their land, but in improvements that didn’t allow a full use of the financing resources.

For example, in the municipality of Chapecó, where the production is integrated, tobacco companies were getting credit in farmers’ name. Such fact led local society, through a Rural Development Commission, to initiate a discussion about PRONAF’s investment policy and banks’ criteria for credit concession. The debate produced a regional development plan, besides improving farmers’ relationship with bank agencies.

Data from the Rural Credit Statistics Yearbook state that PRONAF earmarked approximately R$ 200 million (113 thousand contracts) for tobacco growing in the year 2000. In 2001, the total financing amounted to R$ 169 million (about 70 thousand contracts) (Bacen, 2000; Bacen; 2001).

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2 This Commission was formed by the State Agency for Technical Assistance and Rural Extension Work, several rural labor unions, credit cooperatives, representatives of the banking sector, local non-governmental organizations, the Catholic Church and two farmers per community.
These numbers confirm that, up to that point, PRONAF’s resources were, to a great extent, used to subsidize tobacco crops, through the intervention of tobacco companies. Data from the Technical Cooperation Project (2000) between the Food and Agriculture Organization (FAO) of the United Nations and National Institute for Agrarian Reform (INCRA) indicate that, since 1996, tobacco growing was collecting an impressive amount of public resources to finance its production. That year, 26.1% of all the resources labeled PRONAF-FUNDING were transferred to the activity, representing 136,789,779 Reais, an amount never before reached by any other activity. In the years 1997 and 1998 the amounts transferred were R$ 179.181.062,00 and R$ 204.073.209,00, respectively.

After BACEN Resolution No. 2833/2001, the National Treasury resources previously made available for tobacco growing (which made the tobacco funding situation similar to the financing of foodstuff, for example) were replaced by resources from another origin (bank liabilities). This way, the Brazilian government no longer subsidized tobacco growing directly, but, at the same time, it did not let tobacco growers defenseless, once a new possibility was established by providing access to a non-public line of credit.

This report shows that the movement to allow the use of PRONAF to offer support to tobacco growing has been under discussion since 1998, even before FCTC negotiation process started, which confirms the idea that there is no cause and effect relationship between Brazil’s ratification of the FCTC and the changes in the policy of subsidies to tobacco production.

MYTH 3

“If Brazil ratifies the Framework Convention on Tobacco Control, Banco do Brasil will no longer be allowed to loan money for tobacco growing.”

TRUTH 3

There is no mention in the FCTC text to any type of prohibition or constraint to loans or subsidies to tobacco production.

In fact, since 1991, the World Bank recognized that tobacco production and consumption represent an obstacle to the development of all countries and changed its operational policy to prohibit tobacco production financing. It also started to encourage countries to invest in efforts to control tobacco consumption as part of their development policies, including the financing of the necessary actions for so. The IMF itself, aligned with the World Bank’s tobacco control policy, has also adopted similar provisions in the stipulation as regards loans. It is worthy of mention that, during the 1970s and 1980s, the World Bank included tobacco growing in its policy of encouragement to the cultivation of profitable products as a way to strengthen efficient foreign trade activities in developing countries.
As mentioned above, with the issuance of BACEN Resolution Nº. 2833, it credit for the production of tobacco in partnership or integration with the tobacco industry, involving resources from the National Treasury, could no longer be granted in Brazil from April 2001 on. Before that, resources from PRONAF were mostly used to subsidize tobacco crops, through the intervention of tobacco companies.

This scenario represents an ongoing national and international trend and whether Brazil ratifies the Convention or not will have no bearing on it.

**MYTH 4**

“If the FCTC becomes effective, 33 thousand jobs in the cities and more than 100 thousand in the rural area will be lost in the State (RS) and exports will also drop 15%.”

**TRUTH 4**

This assertion is aimed at creating the false idea that, when the Convention enters into force, there will be a dramatic drop in the number of jobs and a decline in exports.

First of all, it must be understood that there is no reason for panic. In accordance with estimates for the year 2010 published by FAO, even with the full scenario built around tobacco consumption, the drop in demand will not occur abruptly, but gradually, displaying only a decrease in the speed of growth of per capita tobacco consumption. FAO also forecasts that in view of the population growth, there will be an increase in the total tobacco demand until 2010, 80% of which in developing countries and 43% in China.

Regarding exports, FAO forecasts an upsurge in Brazil through the year 2010. Exports from Brazil, Malawi and Zimbabwe are highly price-competitive, which creates a possibility of competition with other exporting countries, in the event of a decrement of tobacco subsidies. For example, the export value per unit of tobacco leaf in the United States is twice as great as that of the world average, a reflection of lower quality and superior production costs. The minimum wage in developed countries is at least five times higher than in developing countries and ten times higher than in Zimbabwe and Malawi. If cigarette manufacturing companies continue to develop new processing technologies to permit the utilization of lower quality leaves, countries like Brazil, Malawi and Zimbabwe would be able to compete more efficiently with the United States and other developed countries in the export market and win a bigger slice of the world market up to 2010.

In addition to that, we could quote the World Bank ‘s assertion that the impact of decrease in consumption caused by the FCTC on the domestic tobacco production is expected to be a long-term event that may hit tobacco growers’ future generations (children and grand-children). For this reason, we must foster the debate in order to create protection mechanisms to defend the Brazilian tobacco grower from a possible drop of demand in the next decades.
In this context we must consider that, notwithstanding the evolution of the FCTC ratification process, the tobacco sector in Brazil has been putting into practice a policy of labour force reduction. An economic survey undertaken by VARGAS et al. in 1994 reports that in the first half of the 1990s, after showing an upward curve from 1979 to 1984, the regional level of labor-employment by the tobacco sector dropped substantially in Santa Cruz do Sul. During an interview about Santa Cruz Tobacco Company’s profile (January/February 2002), Flavio de Carvalho – Souza Cruz CEO since 1996 – declared: “When I took over, we had 9,000 employees; now we have 4,600. In spite of several economic problems the Company had to face, we have been able to show good results and the Company is being continuously updated. This is what I am trying to do”. This declaration gives a clear picture of the sector’s policy geared to employment and revenue generation.

Another topic that needs clarification refers to the fact that tobacco control seems to be a global journey with no possible return. It is an ethical issue and an attitude of social responsibility governments owe to their people. Governments can no longer deny the duty to invest in efforts to protect their children and adolescents from being induced to start smoking. They should support actions that promote smoking cessation and provide treatment for those who unfortunately have become tobacco dependent.

This seems to be a globalized understanding, as evidenced by the speed at which countries have signed and are ratifying the FCTC. In addition, it must be noted that although it is not yet in force, its mere negotiation process brought important advances to the control of tobacco in many countries where this issue enjoyed no priority.

As to FCTC provisions, Brazil already meets nearly all of them and the consumption in the country is presently decreasing thanks to the efficacy of the National Tobacco Control Program developed by the Ministry of Health. Smoking prevalence dropped almost 50% between 1989 and 2003.

AFUBRA reports that about 85% of the domestic tobacco production is exported. Thus, it can be concluded that the future impact on the national production will depend on a global scenario, which, in turn, will not change whether Brazil does or does not ratify the FCTC.

For this reason, it is important to prepare the country so that Brazilian tobacco farmers’ future generations not face the same plight suffered by previous generations in successive agricultural cycles, such as coffee and sugar cane ones, which enjoyed periods of lavish prosperity followed by times of poverty and frustration.

It is also important to consider that if Brazil fails to ratify the Convention, a message of inconsistency will be sent to the international scenario, since the country had a leading role during the whole negotiation process and is also leading a global movement to fight hunger and poverty and now would backtrack and fail to adhere to the FCTC, one of the most important instruments to help promote the global reduction of tobacco consumption negative impact on sustained development, mainly in poor countries.
MYTH 5

“Tobacco production generates wealth.”

TRUTH 5

Tobacco is produced only and exclusively for human consumption. And, since it is a product that causes addiction and serious disabling and fatal diseases, the above assertion can hardly be considered.

In Brazil, just as in many parts of the world, smoking imposes heavier burden on the illiterate population of low-income countries, where cigarette smoking is concentrated. Lured by sophisticated tobacco promotion strategies, these populations are caught in a perverse vicious circle:

- Money spent by the poor on tobacco products, especially cigarettes, is money not spent on food and other basic needs.
- Harming many workers’ health, tobacco also removes many family breadwinners from the labour market.

POF reports indicate that the consumption of tobacco in Brazil competes with food items in the family budget, chiefly in low-income families. In these households, we observe that the percentage of the salary spent on tobacco is almost the same spent on beans, one of the most popular staples consumed in Brazil and one of the main components of the National Basic Food Basket.

This scenario shows clearly that if people did not smoke, the portion of their income spent on tobacco could be used to buy more food, to spend on education, and other items of the family budget, which are essential for the Brazilian worker and his family’s quality of life.

With regard to tobacco production, the theme of the 13th Seminar on Alternatives to Tobacco Farming (“Tobacco: Wealth or Poverty? What Does Tobacco Offer?”), held in the city of Santa Maria, Rio Grande do Sul (RS) – the state that has the highest tobacco leaf production in Brazil – in July 2003 was of great significance. This was one of the several local initiatives, born from the feeling of dissatisfaction prevalent among tobacco growers, regarding their quality of life, the risks to their health and to the environment and, especially, the situation of extreme dependency and economic submission they endure under the rules imposed by the tobacco industry in order to gain access to the tobacco productive chain.

The main transnational companies operating in the tobacco leaf domestic market are associated with the international capital, concurrently following the world movement of mergers and acquisitions, and are, at the same time, fully articulated with the tobacco growers in all phases of their production and financial organization. This strategy has allowed the tobacco industry to maintain a close association with the agricultural production, so as to be able to exert an absolute control over tobacco grower’s activities and, at the same time, escape all the responsibilities of a formal employer-employee relationship.
In this situation, tobacco growers represent the weakest link in the productive chain. Thanks to the low cost of family labour, the large transnational tobacco companies found in Brazil a fertile land for production and for extremely high profits, which are not extended to the farmer and his family.

In order to ensure the sale of quality tobacco leaf to these companies, farmers are forced to employ a high volume of agrochemicals that, according to studies published, cause serious health problems, render them incapacitated for work and damage the environment. On top of this, there is the hazard caused by the nicotine from the leaf, which, when absorbed by the skin during harvest, intoxicates workers.

Even more serious is the fact that, in order to survive with the revenue derived from tobacco growing, many families have to resort to their children’s help for planting and harvesting and this may have a deleterious effect on their health and their future.

With regard to socioeconomic indicators (education, income, sanitation and health) the 2000 Socioeconomic Development Index, a study done by the Foundation of Economics and Statistics (FEE – RS), reported that the Vale do Rio Pardo region ranks 21st – the next to last – among the regions selected for the analysis.

If we were to look into the results of each municipality, Dom Feliciano and Lagoão, near Santa Cruz do Sul, where tobacco farming is the main activity, occupy the 451st and 454th places in the IDESE ranking, in a total of 467 municipalities studied.

A study by Etges et al. (2002) in the Vale do Rio Pardo region, responsible for 25% of the tobacco production in the South of Brazil and where 50% of the population live in the rural area devoted basically to tobacco production, indicated that the average income of the local families was below US$3,000 per year during the 99/2000 and 2000/2001 crops. If we deduct the money spend on production inputs, the average income per year will be less than US$850 per family, corresponding to a monthly income of US$24 per worker or one third of the national minimum wage.

Since health is a central issue for sustainable development, tobacco control has more and more been avowed as an important component in the development agendas of Governments.

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**MYTH 6**

"FCTC negotiation process was not transparent and tobacco growers did not participate."

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**TRUTH 6**

It must be stressed that this treaty was negotiated and accepted by 192 countries, with the participation of Non-Governmental Organizations as well as the tobacco industry itself and related sectors. The negotiation process took more than 4 years, providing many opportunities for all sectors involved in the tobacco issue, including the tobacco agro-industrial complex, to take part in the meetings as observers. In October 2000, there was also a public hearing in Geneva, where opinions about the FCTC text could be presented.
The Brazilian government’s position during the negotiation was constructed with the support of the National Tobacco Control Commission, created by presidential decree in 1999 and integrated by representatives of nine ministries, among which the Ministry of Agriculture and the Ministry of Agrarian Development.

On September 13, 2000, this commission issued a public consultation so that the Brazilian society could voice its opinion on the proposal for the FCTC. And on September 19, 2000, in Brasilia, a meeting of the National Commission was held, open to the participation of all segments of the Brazilian society interested in the topic.

Another opportunity for participation was given during the 12th Meeting of the National Tobacco Control Commission, open to the tobacco growing sector, held in the city of Santa Cruz do Sul (RS) on March 19th and 20th, 2001.

Thus, the process was transparent, built in a collaborative and democratic way, never deviating from the focus on tobacco control and public health.

**MYTH 7**

“The FCTC must enter into force only after farmers have made the conversion to other crops.”

**TRUTH 7**

The FCTC is not something to be feared. It should be respected because its main objective is mankind welfare. Debating the issue “economically viable alternatives to tobacco production as part of the National Policies for Tobacco Control” was a constant concern of WHO’s Member States who negotiated the terms of the Convention. They showed the need to include all the economic and social issues involving the segments whose subsistence depends on tobacco production in the national policies for tobacco control.

When the FCTC enters into effect, the Parties will negotiate protocols on the mechanisms and resources necessary for the implementation of the general objectives of its “umbrella” text. The issues that will possibly be dealt with in the protocols related to illicit trade, propaganda and advertising across the borders and alternatives to tobacco growing.

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2 Inter-Ministerial Commission created in 1999 by Presidential Decree to assist the Brazilian Government during the negotiations of the FCTC text. In August 2003, it was replaced by the National Commission for the Implementation of the Framework Convention on Tobacco Control.
The protocol debates will aim at finding technical and financial solutions having to do with alternatives to tobacco production, so that FCTC COP may put into practice its Article 4, Paragraph 6:

"The importance of technical and financial assistance to aid the economic transition of tobacco growers and workers whose livelihoods are seriously affected as a consequence of tobacco control programmes in developing country Parties, as well as Parties with economies in transition, should be recognized and addressed in the context of nationally developed strategies for sustainable development."

Upon ratifying the Convention, India, the third biggest tobacco producer, enrolled for future discussions and covenants to secure technical and financial support for the implementation of alternatives to tobacco production. Could developing countries that are tobacco producers, like Brazil, manage to deal with this issue without foreign aid?

If Brazil does not ratify, it will be excluded from this process and everybody will lose, particularly tobacco growers. Is it correct for Brazil to disdain this aid?

In this scenario we see a misconception in the proposal that Brazil should only ratify the Convention after economically feasible alternatives are found to replace tobacco growing.

The apprehensions in the tobacco productive chain are understandable, because despite the decline of tobacco consumption in Brazil, the tobacco production has increased to cover the growing exports. Nevertheless, everybody, especially tobacco producers, should understand the scenario that is breeding for the future. The world is reacting to the harm caused by tobacco consumption.

In a recent study, FAO projected a global tendency of deceleration in the demand for tobacco and a 10 to 20% drop in per capita consumption by 2010.

Hence, it is a scenario that will not change whether Brazil ratifies the Convention or not.

If Brazil does not ratify it, the Brazilian population will lose, together with tobacco growers, because Brazil will be left out of the protocol negotiations and debates, which will deal with the important issue of alternatives to tobacco growing. At the same time, the country’s image abroad will be damaged by this change in attitude after the Brazilian government and legislators affirmed their commitment to their population’s health and welfare, declaring that social development comes before the tobacco transnational companies’ economic interests, the profits of which are obtained at the cost of disease and death.

Ratifying the FCTC will mean that we are ready to face the problem in search of solutions.

So it would be important for the Tobacco Sectorial Chamber (advisory committee to the Brazilian Ministry of Agriculture and Supply), which has so intensely fought against illicit trade (which is also a public health problem) and formed a working group to debate this problem, to create a task force to undertake the study of economically viable alternatives for the tobacco growers who are willing to convert.
MYTH 8

“The Convention was approved in a hurry without a broader discussion at the House of Representatives.”

TRUTH 8

The process for FCTC ratification by Brazil started on August 27 last year, when it was officially put forth at the House of Representatives, during an international seminar on the FCTC (which brought about the PAHO’s publication “Tobacco and Poverty: A Vicious Circle – The Framework Convention on Tobacco Control: a solution”). Several Brazilian authorities were present at this seminar, like the Minister of Health, Mr. Humberto Costa; National Tobacco Control Commission members; Federal Representatives; Senators and international guests, such as the Director of the WHO Program “Tobacco’s Free Initiative”, Dr. Vera Luiza da Costa e Silva; and officials of the World Bank and the Pan American Health Organization, among others. Representation of the tobacco-growing sector was also present.

The event’s goal was to publicize the FCTC in the Brazilian legislative body and to make our legislators aware of the importance of its approval. It took the House of Representatives nine months to vote for its ratification, being approved by this House on May 14th this year.

MYTH 9

“The present small examples of alternative activities for tobacco growers cannot be applied at the macro level. There are 500,000 people engaged in tobacco production.”

TRUTH 9

The assertion that there is nothing as profitable as tobacco no longer makes sense now, when we have many examples in the south of our country where the local society, dissatisfied with the extremely bad quality of life in tobacco farming, got spontaneously organized, sought and succeeded in finding economically feasible alternatives. Initiatives like the Hope Project of the Santa Maria’s Diocese in Rio Grande do Sul and the CAPA Project, pioneered by the Lutheran Church in Santa Cruz do Sul, should be prized and expanded, instead of being underestimated as we have seen done by those who preach the continued expansion of tobacco consumption.

These small examples should be technically and financially strengthened through agricultural policies. As we have already mentioned, the impact of FCTC provisions will be felt in the long term. For this reason, we should begin discussing the creation of mechanisms centered on technical and financial support to protect tobacco growers and their families.
If present national agrarian policies debate and adopt FCTC proposals, the future scenario may show employment instead of unemployment, and farming activities that, instead of being harmful to the Brazilian population, would be compatible with the Programme for Food Security, which is the backbone of the Brazilian Government’s policy to fight hunger and poverty.

**MYTH 10**

*"Brazil should wait for the United States and other producing countries to ratify the FCTC and only then do it."*

**TRUTH 10**

The proposal to wait for the large producing countries to ratify the FCTC first makes no sense, chiefly because the Framework Convention does not force anyone to stop planting or exporting. India, which is a large producer, has already ratified it and there is no indication that other countries will not confirm their ratification.

The U.S. has not ratified yet, but is already adapting to the future tobacco trade situation. It was one of the largest tobacco producers worldwide in the past and ahead of Brazil in tobacco leaf production. In 1998, the American production represented 10% of the world total. In 2002, the U.S. participation dropped to 6%, ranking fourth in the world production. This decrease is mainly due to the policy of reducing the cultivated area, resulting from the strict legislation against tobacco enforced in the country.

On top of that, the U.S. is reducing the subsidies granted to tobacco growing and establishing a quota system. In 2003, the quota was 283,8 thousand tons, less than one half of the total farmers were allowed in 1997. American Congress recently denied approval of the quota system that would channel money to the state’s tobacco economies, which led some farmers and landowners to abandon the industry.

This means that the U.S. does not need foreign aid to handle this future problem and is getting ready to face it.

Could tobacco producer developing countries, like India and Brazil, manage to deal with this issue without foreign aid?

The third biggest tobacco producer – India – ratified the Convention to make sure it will be included in the future debates and agreements about the granting of technical and financial support to make alternatives to tobacco production feasible.

If Brazil does not ratify, it will be left out of this process. We will all lose, particularly tobacco growers.
Conclusions

Upon undertaking the National Tobacco Control Program, the Brazilian government confirmed its commitment to its people's health and well-being and to sustainable development.

Today, the Brazilian program is considered one of the most advanced in the world.

The Brazilian legislation for tobacco control is also one of the most advanced, which underscores the serious commitment of our legislators to the society they represent at the National Congress.

Brazil already meets most FCTC provisions and this has already yielded important results: annual per capita cigarette consumption decreased 42% and the proportion of smokers in the population dropped from 32% to 18.8%.

This leading attitude motivated WHO’s 192 Member States to consensually choose Brazil to preside FCTC negotiations (initially represented by the now Chancellor, Celso Amorim, later replaced by the Brazilian Ambassador in Geneva, Luiz Felipe Seixas Corrêa).

It must be noted that Brazil was the second country to sign the Convention.

The concept that there is nothing as profitable as tobacco no longer makes any sense, once we have in the southern region of our country many examples of local society initiatives that, displeased with the very poor quality of life in tobacco farming, spontaneously got organized to search for economically feasible alternatives, and were successful.

Not ratifying will mean the exclusion of the country from the opportunities of receiving support to save Brazilian tobacco growers’ future generations from the difficulties suffered in the past, when similar situations occurred in successive agricultural cycles, such as coffee and sugar cane ones, which enjoyed periods of lavish prosperity followed by times of poverty and frustration.

By mobilizing the Summit of World Leaders for the Action Against Hunger and Poverty in New York, on September 20, 2004, President Luiz Inácio Lula da Silva displayed his strong leadership in this scenario, prodding 107 countries to sign the New York Declaration on the Action Against Hunger and Poverty. The non-ratification of the Convention by Brazil would be very negative for the international prestige the country is enjoying at this moment, because it would convey a message indicating the country’s refusal to give this important contribution to fight against a problem, which is clearly known to be an aggravating factor for poverty and a hindrance to social development.

At the same time, it would symbolically demoralize FCTC negotiation process, headed by Brazil, as president of its Intergovernmental Negotiation Body for 4 years; as well as the national tobacco control actions, which have been a reference to global tobacco control.

By ratifying the WHO Framework Convention on Tobacco Control we will be displaying our will to confront the problem in the search of solutions, without submitting to the economic yoke imposed by a segment that puts profits above human lives.


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