

## **These tobacco loud mouths and the rest of us**

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There is a general perception, and rightly so, that tobacco companies are economical when it comes to disclosing facts about the nature of their business. To burnish their unsavory image, the tobacco industry will often employ seemingly credible third parties that are referred to as “front groups” who claim to represent one agenda but actually serve that of the industry. A recent World Health Organisation (WHO) report, “Tobacco Industry Interference with Tobacco Control”, notes that the industry has a very long history of using these ‘front groups’ to advance its cause.

Australian documents leaked in 2010 showed that the trio of British American Tobacco (BAT), Philip Morris and Imperial Tobacco paid substantial funds to set up and run an Alliance of Australian Retailers (AAR) with the industry heavily involved in the day-to-day management of the group through The Civic Group, a Public Relations firm charged with creating and running the AAR.

While such developments may not easily strike a chord in the mind of the average Nigerian, a better understanding of the arguments and counter-arguments that lurched for the hearts of our lawmakers’ on the nation’s thorny road to passage of the National Tobacco Control (NTC) Act would seem to be very instructive.

At the time there were a host of groups also claiming to be independent of the industry but expressing sympathy to the industry’s demands for a legislation that would not bite. Some claimed to be smokers’ rights groups while others claimed to be tobacco retailers. Yet, others claimed they were farmer groups averse to strong tobacco legislation. At the Public Hearings organised by the Senate and House of Representatives to sample public view of the NTC Bill now Act, many of such groups came to the hearings in branded t-shirts, *aso-ebi*, etc.

In all this, one thing was however certain: While public health advocates stood up for the ideal, arguments supporting watered down tobacco legislation were rehearse of the exactly lines found in tobacco industry internal documents.

One individual who has etched his name in the hall of fame of industry mouthpieces is Thompson Ayodele, a director at the Initiative for Public Policy Analysis (IPPA). The IPPA prides itself as a policy think-tank whose major concern is with the principles and institutions that enhance economic development and wealth creation, with particular focus on Nigeria and Africa alike.

IPPA's penchant for rising to the defence of the tobacco industry even when it is not necessary is legendary to the point that it can now be described as worrisome. This stance may actually be at variance with the stated mission of the IPPA which is supposedly to serve as promoter of social, economic and political freedom.

IPPA it was, that advocated that Nigeria should welcome big tobacco companies currently outdoing themselves to etch their foothold on our soil, to supposedly check illicit tobacco trade which ironically, the same big tobacco corporations have been linked to in recent reports.

IPPA it was, that forecast without sound logical reason that Nigeria would lose revenue by introducing tobacco legislation to regulate the activities of tobacco companies currently operating with all manner of deceptive marketing gimmicks to capture the lungs of our people.

Failing to stop the passage of the NTC Act and inauguration of a National Tobacco Control Committee (NATOCC) which would advise the current Ministry of Health on tobacco regulations, it was the IPPA again, that attempted to discredit the membership of that advisory body with a spurious claim that its membership was funded by external parties. Till date it is yet to provide proof of this claim.

In as much as the IPPA asserts it is a policy research advocacy group with the sole purpose of promoting Nigeria's interest (contents of its website confirm this), in the last decade, the IPPA has systematically rebranded to become a tobacco industry PR firm.

Anyone in doubt about the organisations links to the tobacco industry may need to do a quick scan of its four Advisory Board Members in the US and United Kingdom, especially with respect to their current and past involvement in organizations and movements which advocate for a 'free' society and economy with minimal government regulation. There is Brian Lee Crowley, Managing Director of Macdonald-Laurier Institute which held an anti-contraband tobacco working group meeting with Dawson Strategic -a PMI lobbying firm in 2014.

There is also Gordon Johnson – a previous Adjunct scholar of Acton Institute for the Study of Religion and Liberty which has historically received funding from PMI and the Koch brothers. Another is Prof. George Ayittey, who was Adjunct Scholar (1999) of the Cato Institute. He has worked closely with PMI and RJ Reynolds, raised objections to cigarette taxes, and claims that "secondhand smoke risks are debatable."

Linda Whetstone, a board member of Atlas Network, is also another. Atlas headquarters receives donations from the industry and channels funding from tobacco corporations to think tank actors to produce publications supportive of industry positions. With such track record, it is no wonder that the IPPA always advances industry positions.

In as much as there are no direct connections between these individuals and the tobacco industry, virtually all of them have ties to the Koch brothers, powerful right-wing billionaires with ties to tobacco companies.

For the Nigerian government, the need to be wary about tobacco industry front groups is now more than urgent and coming at a time that the tobacco industry is obstructing the passage of tobacco control policies across Africa.

In Kenya where it took a 13-year legislative battle for the passage of her Tobacco Control Act which happened in 2007, BAT petitioned a Kenyan court to stop the adoption of regulations that would facilitate implementation of Kenya's Tobacco Control Act. The tobacco giant claimed the Kenyan Ministry of Health violated due process procedures under the Constitution by not consulting with the tobacco industry in fashioning its Tobacco Control Act.

After several deliberate attempts to arm-twist the ministry, the Kenyan court ruled that there were various meetings during the framing of the regulations that BAT was represented in, and consulted. The suit was thrown out.

Uganda also suffered the same fate. Last week a panel of five Justices of the Constitutional Court led by the Deputy Chief Justice Steven Kavuma, dismissed BAT's application to temporarily halt the implementation of the Tobacco Control Act 2015 on the basis that it was unconstitutional.

Last year, BAT dragged the government to court, challenging 22 clauses in the Act, which is a fulfilment of Uganda's obligations to the WHO Framework Convention on Tobacco Control (FCTC) which the country signed on March, 5, 2004 and ratified on June, 20, 2007.

The lesson here is that the Nigerian government must remain undeterred even in the face of this observed pattern of tobacco industry booby traps and the lies peddled by its front groups masquerading as lovers of our people. The government must also have Article 5.3 of the WHO-FCTC at the back of its mind as tobacco industry interference poses the single greatest threat to tobacco control policies. It must guard against industry influence. Only such caution will save Nigerians from lifelong addiction to tobacco. The other alternative is to allow the industry have its way to our jeopardy.