



Southeast Asia Tobacco Control Alliance

Press Release

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Health Before Trade is Good Tobacco Control

5 June 2015, Bangkok: The Southeast Asia Tobacco Control Alliance (SEATCA) welcomes the Ukrainian government's decision to suspend its case before the WTO against Australia's plain packaging of cigarettes. While it is a small step in the journey of this trade case, it is a significant step for tobacco control, putting health before profits and exposing the hidden hand of the tobacco industry.

The Ukraine government reportedly received financial support from a tobacco company to pursue this WTO challenge against Australia. "If you look behind any challenge against stringent tobacco control measures, you will see the muscle of the tobacco industry. Intimidating governments is a cruel tactic the tobacco industry uses. The industry's involvement in supporting governments to bring challenges on tobacco control needs to be exposed," said Ms. Bungon Ritthiphakdee, SEATCA Executive Director.

Tobacco is not a normal product, and it is time for the international trade platform to recognize and call it as such. The tobacco industry uses international trade and investment agreements to challenge governments that take bold measures to protect their public health.

Governments are stepping up their tobacco control efforts and tobacco companies are challenging their efforts in every way possible. When the industry cannot weaken or delay government regulation, they will sue the government in local courts or persuade another government to bring action against it at the WTO.

In the past Thailand, which has among the most stringent tobacco control measures in Asia, has been challenged at the WTO on tobacco. Former Thai senator and current Secretary-General of Action on Smoking and Health (ASH) Thailand, Dr. Prakrit Vatesatogkit, said, "Free trade agreements are meant to promote goods and services that improve the quality of life, but tobacco is no good. Governments should not be intimidated when they apply tough tobacco control measures with trade challenges."

Countries in the ASEAN region have been closely watching the WTO challenge against Australia's plain packaging (also known as generic or standardized packaging), which requires cigarettes to be packed in dull brown packaging without any colors, imagery, or corporate logos, permitting manufacturers to print only the brand name in a standardized size, font and place on the pack, in addition to the health warnings and any other legally mandated information such as toxic constituents and tax-paid stamps.

Several countries in the region are already in a position to apply plain packaging on cigarette packs, namely, Malaysia, Singapore and Brunei; however the WTO action against Australia is seen as a regulatory chill discouraging these governments from moving forward.

"It takes a lot of time, money and expertise for a government to defend itself before the WTO. The reality is most governments in the region don't have the resources to spare and would rather avoid being challenged altogether. The tobacco industry knows this and intimidates governments. The industry should be exposed and strictly regulated," said Ms. Ritthiphakdee. "We hope countries in the ASEAN region will take courage and move forward in their preparation to apply plain packaging of cigarettes. They should not be afraid to put health first."



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“We hope the Indonesian government, which has a huge smoking epidemic with 240,000 deaths annually, will follow Ukraine’s action and also withdraw its challenge against Australia.”

The tobacco industry has targeted the ASEAN region to grow its profits. There are about 125 million smokers in the region and countries with large smoking populations such as Indonesia (65 million smokers), Philippines (17 million) and Vietnam (15 million) have been targeted by the tobacco industry to grow their profits. Meanwhile there are 500,000 tobacco related deaths annually in the region and set to increase in the coming years. Smoking related health-care costs suck away huge portions of a government’s health budget. It is mostly the poor who smoke and end up losing the most. The tobacco industry bring a net loss to a country’s economic wellbeing.