

Open Letter to the President of the European Parliament about Philip Morris lobbying activities

Mr Martin Schulz
President of the European Parliament
PHS 9B11, Brussels

Tuesday 1 October 2013

Dear President Schulz,

We are writing to express our very deep concerns regarding the attempts by the tobacco industry lobby to derail vital public health legislation currently going through the Parliament.

As you will know, the EU is currently finalising the review of the Tobacco Products Directive (TPD), a crucial piece of legislation for protecting the public from tobacco (the largest preventable cause of death and disease in the world). However, in recent weeks, European news media such as *The Guardian*, *Der Spiegel* and *Le Parisien* have reported extensively about leaked documents which outline the lobbying strategies and activities of tobacco giant Philip Morris International to influence the European Parliament's decision-making on the TPD review. There is widespread concern that the decision to delay the plenary vote on the TPD review was a result of tobacco companies like Philip Morris International using their economic and political power to influence MEPs. The postponement of the vote is widely believed to be part of a tobacco industry strategy to delay, weaken or even derail the TPD review. The leaked documents show that no less than 233 MEPs (almost one third of the Parliament) have been visited by Philip Morris International lobbyists at least once. Several MEPs were listed as having had four or five such meetings.

This large number of meetings (which have taken place behind closed doors, without any transparency such as the publication of minutes from these meetings), constitutes a serious violation of the World Health Organisation Framework Convention on Tobacco Control (WHO FCTC) Article 5.3 which is geared towards safeguarding public health policy-making from tobacco industry interference. FCTC Article 5.3 recognises the fundamental and irreconcilable conflict of interest between the tobacco industry and public health policy-making. It also recognises that the tobacco industry has, for decades, been working tirelessly to delay, block, and weaken life-saving health measures, like those enshrined in the FCTC.

FCTC Article 5.3 requires all Parties, when deciding on their public health policies with respect to tobacco control to “. . . act to protect these policies from commercial and other vested interests of the tobacco industry in accordance with national law”. The WHO’s accompanying guidelines stipulate that decision-makers “should interact with the tobacco industry only when and to the extent strictly necessary to enable them to effectively regulate the tobacco industry and tobacco products.” The guidelines state that “where interactions with the tobacco industry are necessary, Parties should ensure that such interactions are conducted transparently”.

We are deeply concerned about the astounding level of access to MEPs by tobacco lobbyists which has been exposed in the leaked Philip Morris International documents. As President of the European Parliament, we consider that it is your urgent responsibility to take determined action to ensure proper implementation of Article 5.3 of the FCTC, in order to assure that the Parliament protects its decision-making from tobacco lobby influence. This is crucial in order to protect public health and the interests of EU citizens in strong tobacco regulation and for the Parliament to fulfil its UN obligations.

Yours sincerely,

Association of European Cancer Leagues
Cancer Research UK
Corporate Accountability International
Corporate Europe Observatory (CEO)
European Public Health Alliance
French Committee for Tobacco Control (CNCT)
French Alliance Against Tobacco
Friends of the Earth Europe
Health and Environment Alliance (HEAL)
Smoke Free Partnership
Spinwatch