



Persatuan Pengguna Pulau Pinang
Consumers Association of Penang
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Press Statement

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MPs: Do Not Fall Prey To Tobacco Industry Antics To Subvert The Tobacco Control Bill

CAP strongly welcomes the Control of Tobacco Product and Smoking Bill 2022 which is before the current parliamentary sitting.

This is a significant step in implementing Malaysia's obligations under the Framework Convention on Tobacco Control (FCTC), the first treaty negotiated under the auspices of the World Health Organization (WHO) that was adopted in 2003. Malaysia was part of that historic process and on 16 September 2005, the Government ratified the FCTC, so the 2022 Bill is in fact long overdue.

In taking the 2022 Bill forward the Ministry of Health is rightfully standing up for the health of all Malaysians by implementing its international legally binding obligations, and protecting future generations with its courageous introduction of the generational endgame provision for all Malaysians born on 1 January 2007 onwards.

CAP's monitoring of the tobacco industry over the years has revealed many industry antics to circumvent and even subvert the FCTC implementation, and this is also seen in countries around the world.

CAP, therefore, condemns the blatant move by tobacco industry lobbyists to attempt to interfere in the heart of Parliament as revealed in social media postings. We call on all Members of Parliament to immediately declare their interests or those of their officials and employees in the tobacco industry.

This interference is in direct violation of a key provision in the FCTC. Recognising the power of the tobacco industry's influence and interference, Article 5.3 clearly states 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 in accordance with national law".

In November 2008 the FCTC Parties adopted guidelines to implement Article 5.3 on the protection of public health policies with respect to tobacco control from commercial and other vested interests of the tobacco industry.

According to the WHO, "the purpose of these guidelines is to ensure that efforts to protect tobacco control from commercial and other vested interests of the tobacco industry are comprehensive and effective. Parties should implement measures in all branches of government that may have an interest in, or the capacity to, affect public health policies with respect to tobacco control ... The guidelines draw on the best available scientific evidence and the experience of Parties in addressing tobacco industry interference".

(<https://fctc.who.int/publications/m/item/guidelines-for-implementation-of-article-5.3>)

It is good to recall from the WHO website that the FCTC "is an evidence-based treaty that reaffirms the right of all people to the highest standard of health" and that it was "developed in response to the globalization of the

tobacco epidemic. The spread of the tobacco epidemic is facilitated through a variety of complex factors with cross-border effects, including trade liberalization and direct foreign investment. Other factors such as global marketing, transnational tobacco advertising, promotion and sponsorship, and the international movement of contraband and counterfeit cigarettes have also contributed to the explosive increase in tobacco use".
(<https://fctc.who.int/publications/i/item/9241591013>)

Currently, there are 182 Parties covering more than 90% of the world population which makes it one of the most widely embraced treaties in United Nations history.

Mohideen Abdul Kader
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Important Web Links

<https://fctc.who.int/publications/i/item/9241591013> which Malaysia is Party to: https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IX-4&chapter=9&clang=_en and so must comply with.

In addition, FCTC Parties have adopted guidelines to Art 5.3:

<https://fctc.who.int/publications/m/item/guidelines-for-implementation-of-article-5.3> which include 'Parties 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.'