

# Policy Options for Protecting Tobacco Control Advocates from the Tobacco Industry

## Executive Summary

Tobacco control advocates worldwide face harassment and discreditation campaigns orchestrated by the tobacco industry and those furthering its interests. These attacks compromise not only individual wellbeing and safety but undermine the integrity of national policymaking and global health goals. This document aims to provide policy options that governments, international bodies, and civil society organizations (CSOs) can consider in order to better protect advocates in accordance with the World Health Organization Framework Convention on Tobacco Control (WHO FCTC) Article 5.3 obligations and international human rights standards.

## I. TOBACCO CONTROL-SPECIFIC POLICY OPTIONS (FCTC-ALIGNED)

### I. Ban on Tobacco Industry Corporate Social Responsibility (CSR) / Replacement with Government Funding

The use of CSR, to access policymakers and silence them or use them to undermine an advocate, is one of the most powerful tools of the tobacco industry. Countries like **France**<sup>1</sup>, **Laos**<sup>2</sup>, **Mexico**<sup>3</sup>, **Panama**<sup>4</sup>, and **Turkey**<sup>5</sup> have implemented varying degrees of tobacco industry CSR bans<sup>6</sup>. WHO FCTC Article 5.3 Guidelines Recommendation<sup>7</sup> calls for measures to denormalize tobacco industry CSR activities while Article 6 Guidelines Recommendations<sup>8</sup> to increase tobacco taxes and dedicate the same for health promotion can form the basis to require a levy on the tobacco industry equivalent to the amount it donates in CSR funds, and to dedicate those amounts to support civil society participation in health promotion. A similar approach was taken in Victoria, **Australia**, when sports sponsorship funds were banned, and the government stepped in to fill the sponsorship funding gap using tobacco tax proceeds.<sup>9</sup> In **France**, revenues from tobacco industry charges support civil society groups engaged in enforcing tobacco control laws. Although not a complete safeguard against retaliation, this mechanism equips civil society to confront industry pressure with greater initiative and resilience.<sup>10</sup>

### 2. Mandatory Disclosure of Tobacco Industry Third-Party Links

A significant challenge in confronting intimidation is the identification of the actors involved and any links to the tobacco industry they may have. FCTC Article 5.3 Guidelines recommend<sup>11</sup> governments to require information from the tobacco industry and ensure that they are operating in a transparent and accountable manner; justifying an obligation for comprehensive disclosure of all tobacco industry funding, partnerships, and relationships with individuals, CSOs, PR firms, and the like, or disclosure of its marketing and lobbying related expenses. Several countries, including **Canada**<sup>12</sup>, **Poland**<sup>13</sup>, the **United Kingdom**<sup>14</sup>, and the **USA**<sup>15</sup> created lobbying registers<sup>16,17,18</sup> and established disclosure requirements for tobacco industry activities. Such transparency measures – if sufficiently strong – can help the tracing of harassment campaigns back to tobacco industry sources and reduce covert influence operations.<sup>19</sup>

### 3. Public Registry/Blacklist of Tobacco Industry-Linked Entities

Publicizing the list of tobacco industry actors is as crucial as identifying the actors. In 2018, the Eighth Session of the Conference of the Parties to the WHO FCTC (COP8) Decision mandated the creation of a database that would contain tobacco industry submissions, including those from industry-linked actors such as industry-funded philanthropic organizations or research institutes.<sup>20</sup> The WHO FCTC Secretariat's Knowledge Hub for Article 5.3 in collaboration with the Global Center for Good Governance in Tobacco Control (GGTC) maintains this "Global Resource Database." If properly updated, such a database could provide comprehensive information on tobacco industry front groups, lobbyists, and CSR recipients for the reference of government and CSOs. As this initiative is aligned with WHO FCTC Article 5.3 Guidelines Recommendation 4<sup>21</sup> on requiring information and transparency from the tobacco industry, governments should contribute to this database in the spirit of exchanging information.

### 4. Formal Accreditation and Institutional Role for CSOs in Tobacco Control Governance

Advocates can feel safer if they are backed by formal institutions. Based on the WHO FCTC Preamble<sup>22</sup> recognizing civil society's essential role, formal accreditation systems could provide mandatory government accreditation for CSO participation while explicitly excluding tobacco industry actors. Such frameworks solidify CSO presence in policymaking and prevent procedural exclusion. Countries like **Brazil**<sup>23</sup>, **France**<sup>24,25</sup>, and **Philippines**<sup>26,27</sup>, have some form of recognition, accreditation, or endorsement for the participation of civil society not affiliated with the tobacco industry in the development and implementation of tobacco control. As part of implementation, many CSOs systematically monitor tobacco industry interference<sup>28</sup> and can include tobacco industry harassment in its reports to the government.

### 5. Mandatory Conflict of Interest (COI) Declarations

Advocates should be able to prove that the tobacco industry is behind the intimidation. In many cases, the one responsible for the intimidation could be an individual from government or another institution whose links to tobacco industry are suspected but cannot be clearly proven. Many countries have some form of conflict of interest (COI) policy, where the mandatory disclosure of COI is a cornerstone, but very few of them focus on the declaration of tobacco industry interests. Countries like **Canada**<sup>29</sup>, **Denmark**<sup>30</sup>, **Philippines**<sup>31</sup>, and the **United Kingdom**<sup>32</sup> have specific policies to prevent COI among public officials<sup>33</sup>. In the **Philippines**, this applies to third parties working with health departments e.g. attending meetings, contracting services, donating goods. Requiring transparency by mandating COI declarations among public officials and third parties would help expose industry influences, likely making it harder for tobacco industry-affiliated actors to intimidate advocates through government entities or third parties.

### 6. Public Awareness Campaigns

An environment where tobacco industry tactics are denormalized is a protective environment for advocates. Countries like **Australia**<sup>34</sup>, **Brazil**<sup>35</sup>, **Canada**<sup>36</sup>, and **Thailand**<sup>37,38</sup> have implemented public education programs specifically aimed at exposing and countering tobacco

industry tactics as part of their national tobacco control strategies. Under WHO FCTC Article 12<sup>39</sup>, these campaigns could expose tobacco industry misconduct and build societal support for advocates, helping to reduce advocate vulnerability.

## II. CROSS-SECTORAL PROTECTIONS

### I. Robust Anti-SLAPP (Strategic Lawsuits Against Public Participation) Laws

Advocates need to be free to speak up against the tobacco industry but SLAPP suits can be used to silence advocates. Countries like **Australia**<sup>40</sup>, **Canada**<sup>41</sup>, **France**<sup>42</sup>, and the **United States**<sup>43</sup> have varying forms of anti-SLAPP protection. Based on the UN Human Rights Defenders Declaration Article 12<sup>44</sup> and, EU Anti-SLAPP Directive of 2024<sup>45</sup>, these laws could allow expedited dismissal of frivolous lawsuits targeting advocates and award legal fees to defendants. For instance, Ontario's Protection of Public Participation Act<sup>46</sup> ensures comprehensive protection against legal harassment of public interest advocates.

### 2. Decriminalization of Defamation

Like SLAPP suits, defamation laws allow the tobacco industry to exploit litigation as a tool to silence critiques against them. Countries like **Georgia**<sup>47</sup>, **Ireland**<sup>48,49</sup>, and **Moldova**<sup>50</sup>, have **decriminalized defamation**. These reforms follow *UN Human Rights Committee General Comment No. 34*<sup>51</sup>, which advocates replacing criminal penalties with civil remedies to prevent misuse against public interest advocates. Ireland's **2009 Defamation Act**<sup>52</sup> illustrates how decriminalization can prevent the weaponization of criminal law against advocates.

### 3. Whistleblower Protections for CSO Personnel

Advocates should be encouraged to expose tobacco industry misconduct and be protected from doing so. Several countries like **South Africa**<sup>53</sup>, **United Kingdom**<sup>54,55</sup>, and **United States**<sup>56</sup> have adopted some form of whistleblower protection<sup>57</sup> that could potentially include whistleblowers from CSOs. Although many of these laws are based on UN Convention Against Corruption Article 33<sup>58</sup> where states should provide protection for persons who report corrupt offenses, some laws have broad coverage. An expansive interpretation of these protections could mean that individuals exposing tobacco industry infiltration inside organizations are covered by it which could help strengthen organizational integrity. The **UK's Public Interest Disclosure Act**<sup>59</sup> notably covers the broader non-public sector including the private sector and CSOs.

### 4. Comprehensive Digital Protection Laws<sup>60</sup>

The growing use of online platforms for CSO activity opens it to tobacco industry interference and intimidation. Therefore, online protections must be in place to prevent tobacco industry actors from infiltrating and weakening these online spaces. **Among other countries, Germany**<sup>61</sup>, **France**<sup>62</sup>, **Singapore**<sup>63</sup>, and the **United Kingdom**<sup>64</sup> have enacted laws addressing coordinated online harassment, combining criminal statutes, platform regulation, and civil protections to deter and penalize organized digital abuse. Under the EU Digital Services Act of 2022,<sup>65</sup> EU member states could criminalize coordinated online harassment campaigns and

mandate platform accountability for disinformation. **Germany's** Network Enforcement Act<sup>66</sup> demonstrates how platforms can be required to address coordinated harassment.

## 5. Comprehensive Protective Measures for Human Rights Defenders<sup>67</sup>

Given the human rights issues related to tobacco, tobacco control advocates count as “human rights defenders” and should enjoy the same protections as such. **Brazil**<sup>68</sup>, **Colombia**<sup>69</sup>, **Honduras**<sup>70</sup>, and **Mexico**<sup>71</sup>, and have established formal protection mechanisms for human rights defenders, enshrined in national legislation. Based on UN Declaration on Human Rights Defenders, these programs could include hotlines, safe houses, emergency legal aid, and rapid response systems for threatened advocates.<sup>72</sup>

## 6. Cross-Border Protection for International Advocates

Protections as human rights defenders can include cross-border protections. This is particularly helpful for advocates working in governments that are protective of their tobacco industry. **Canada**<sup>73</sup>, **Germany**<sup>74</sup>, **Ireland**<sup>75</sup>, and the **Netherlands**<sup>76</sup> offer protection programs for threatened human rights defenders. Based on UN Declaration on Human Rights Defenders Article 9, these programs could provide visas, asylum, legal aid, and transit protection for advocates facing threats.<sup>77</sup>

## III. GLOBAL SUPPORT

The WHO FCTC Preamble<sup>78</sup> recognizes that “civil society plays an essential role in tobacco control efforts nationally, regionally and internationally” and “the importance of their participation in national and international tobacco control efforts”. Accordingly, Parties must be encouraged to adopt the policy options described above and consider exchanging information on practices and policies to enhance protections for tobacco control advocates. Some of these policies are directly in line with strengthening Article 5.3 implementation by requesting Parties to enhance disclosure requirements for tobacco industry funding of third parties, including legal firms and PR companies involved in harassment campaigns; while some build on Guidelines Recommendation 4.9 stating that “Parties should require the tobacco industry and those who work to further its interests to provide information for a public repository, “as well as Guidelines Recommendation 8.3 on “monitoring and reporting on the activities of the tobacco industry”.

Article 4(7) requires Parties to “cooperate, as appropriate, with competent international and regional intergovernmental organizations and other bodies”. In this spirit, it can also consider the following:

### I. Integrate Civil Society Protection into UN Human Rights Mechanisms

The WHO FCTC COP has consistently recognized the intersection between tobacco control and human rights, providing a solid foundation for protection measures for advocates within existing mandates. COP7's groundbreaking Decision on *International cooperation for implementation of the WHO FCTC, including on human rights*<sup>79</sup> establishes direct precedent for addressing human

rights concerns within the FCTC framework. The COP10 Decision on *Contribution of the WHO FCTC to the promotion and fulfilment of human rights* expands the human rights mandate.<sup>80</sup>

Parties can be urged to systematically include protection measures for advocates when engaging with UN human rights mechanisms, including Universal Periodic Review submissions, shadow reports to treaty bodies highlighting tobacco industry harassment patterns, engagement with Special Procedures including Special Rapporteurs on human rights defenders<sup>81</sup>, freedom of opinion and expression, and the right to health, and accessing human rights tribunals for cases including in regional systems and individual complaint mechanisms<sup>82</sup>.

Parties can request the Convention Secretariat to continue participation and collaborations with human rights bodies such as with the UN Office of the High Commissioner for Human Rights, and to develop practical guidance addressing corporate responsibility to respect rights of tobacco control advocates under the UN Guiding Principles on Business and Human Rights, including due diligence requirements for companies to prevent harassment of civil society and remedial mechanisms for business-related human rights violations in tobacco control.

When advocates face intimidation for exposing tobacco industry human rights violations, Parties can be asked to ensure access to business and human rights accountability mechanisms through National Action Plans on Business and Human Rights that explicitly address tobacco industry conduct, national human rights institutions equipped to handle tobacco-related corporate human rights violations, and regional business and human rights mechanisms accessible for tobacco control cases.<sup>83</sup>

## **2. Leverage on OECD Guidelines for Multinational Enterprises**

Evidence shows<sup>84</sup> tobacco companies have faced complaints under the Organisation for Economic Co-operation and Development (OECD) Guidelines for Multinational Enterprises<sup>85</sup>, which require enterprises to "respect the internationally recognized human rights of those affected by their activities" and "avoid infringing on the human rights of others and should address adverse human rights impacts with which they are involved".

Accordingly, Parties can request the Convention Secretariat to develop guidance for civil society and other stakeholders on utilizing the OECD Guidelines complaint mechanism against tobacco companies for harassment and intimidation of civil society actors, failure to conduct human rights due diligence, and violation of responsible business conduct standards.

## **3. Establish Sustainable Financing for Civil Society Protection**

As civil society financing is a crucial part of defending against tobacco industry attacks, Parties should consider allocating portions of tobacco tax revenue to support civil society protection and capacity-building programs, recognizing that civil society engagement is essential for effective implementation under the WHO FCTC Preamble.<sup>86</sup>

## **4. Connect Anti-Corruption Treaty Protections for Relevant Cases**

When advocates are targeted for exposing bribery involving tobacco companies, protection mechanisms should connect to relevant anti-corruption treaties. The UN Convention Against Corruption Article 33 requires States Parties to "consider incorporating into their domestic legal systems appropriate measures to provide protection against any unjustified treatment for any person who reports in good faith and on reasonable grounds to the competent authorities any facts concerning offences established in accordance with this Convention".<sup>87</sup> The OECD Anti-Bribery Convention requires Parties to provide "effective protection for whistleblowers".<sup>88</sup> Given that multiple countries have some form of these laws, the Convention Secretariat can be requested to develop guidance on utilizing international anti-corruption mechanisms when harassment relates to exposing industry bribery or corruption.

## **5. Enhance Monitoring, Reporting, and International Cooperation**

Article 21 of the WHO FCTC<sup>89</sup> requires Parties to "submit to the Conference of the Parties, through the Secretariat, periodic reports on implementation of this Convention, which should include... information on legislative, executive, administrative or other measures taken to implement the Convention". Parties can include information on civil society protection measures in biennial reporting, specifically addressing legislative and administrative measures protecting civil society, documented incidents of harassment and remedial actions taken, and effectiveness of liability mechanisms.

Building on COP7's international cooperation mandate,<sup>90</sup> that request Parties to share information on tobacco industry harassment tactics across borders, cooperate in holding multinational tobacco companies accountable for harassment campaigns, and support cross-border legal remedies for advocates facing multinational corporate retaliation.

**Disclaimer:** This represents minimum standards only. Organizations should adapt and strengthen these materials to address their specific context and evolving industry tactics, provided all modifications enhance protection against tobacco industry interference.

---

## **Acknowledgment**

This policy brief is prepared by Deborah Sy of the Global Center for Good Governance in Tobacco Control (GGTC) for the Courage Against Tobacco, with inputs from Britta Matthes and Phil Chamberlain from the University of Bath's Tobacco Control Research Group (TCRG), and insights from Ma. Paz Luna from Generation Health, and Kris B. Additional research and formatting support by Farah Niazi, Hilario David de los Santos, and Rajika Mahajan of GGTC.



## References

- <sup>1</sup> "Propaganda or advertising, direct or indirect, in favour of tobacco, tobacco products, ingredients defined in Article L. 3512-2, as well as any free distribution or sale of a tobacco product at a price lower than that which has been approved pursuant to Article L. 3512-14-15 are prohibited." Source: Article L3512-4 - Public Health Code. Available at: [https://www.legifrance.gouv.fr/codes/article\\_lc/LEGIARTI000048654308?utm\\_](https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000048654308?utm_)
- <sup>2</sup> "To receive sponsorships and support from tobacco companies and business operators, directly or indirectly, in the form of cash, loans, awards, scholarships, research, vehicles, materials, hospitality, gifts, as well as endorsements or participation in activities that demonstrate the corporate social responsibility of tobacco companies from commercial purpose; in exemption from obligations to pay tax or fee as stipulated in the Law and regulations;" Source: Tobacco Control Law (Amended version 2021). Available at: <https://laofficialgazette.gov.la/kcfinder/upload/files/Amended%20Tobacco%20Control%20Law%20approved%20Eng%20FINAL%202.pdf>
- <sup>3</sup> "Article 40.- It is prohibited to carry out any form of advertising, promotion and sponsorship of tobacco products, either directly or indirectly, through any means of communication and dissemination, in terms of article 23 of the Law, therefore, the following actions, among others, are included:... XV. Actions or activities of corporate social responsibility made public through any means of communication, as well as the participation, association, or acceptance of these activities by public institutions or public servants;" Source: DOF: 16/12/2022 DECREE amending, adding, and repealing various provisions of the Regulation of the General Law for Tobacco Control. Available at: <https://assets.tobaccocontrolaws.org/uploads/legislation/Mexico/Mexico-RGLTCA.pdf>
- <sup>4</sup> "Article 14. Any kind of marketing, advertising and sponsorship of tobacco and its products is totally prohibited, whether through indirect or subliminal means, aimed at minors or those of majority age. Equally prohibited are all forms of cross-border advertising, promotion and sponsorship of tobacco and its products that may penetrate the national territory." Source: LAW NO. 13 of January 24, 2008 Which Adopts Measures to Control Tobacco and its Harmful Effects on Health THE NATIONAL ASSEMBLY. Available at: <https://assets.tobaccocontrolaws.org/uploads/legislation/Panama/Panama-Law-No.-13-of-2008.pdf>
- <sup>5</sup> "Article 3 - (Amendment: Article 4 of Law No.5727,3/1/2008) (I) Any form of advertising or promotion of tobacco products by using the product's or producer's company's name, logo or trademark is strictly prohibited. Campaigns promoting or encouraging the use of tobacco products are banned. Companies that produce or market tobacco products may not contribute in any manner, to any event or activity by using their names, logos, trademarks." Source: THE LAW ON PREVENTION AND CONTROL OF HAZARDS OF TOBACCO PRODUCTS(I) Law Number : 4207. Available at: <https://assets.tobaccocontrolaws.org/uploads/legislation/Turkey/Turkey-Law-No.-4207.pdf>
- <sup>6</sup> Global Center for Good Governance in Tobacco Control (GGTC), Tobacco Industry's "Corporate Social Responsibility" Ban: Global Status as of June 2024 (2024) [https://files.ggtc.world/uploads/2024-07-11/17-35-13-711763/CSR%20JUNE%202024%20\(3\).pdf](https://files.ggtc.world/uploads/2024-07-11/17-35-13-711763/CSR%20JUNE%202024%20(3).pdf) accessed 30 May 2025.
- <sup>7</sup> World Health Organization Framework Convention on Tobacco Control (WHO FCTC), *Guidelines for Implementation of Article 5.3* (1 January 2013, WHO Reference Number: FCTC/16.1), <https://fctc.who.int/resources/publications/m/item/guidelines-for-implementation-of-article-5.3> accessed 2 July 2025
- <sup>8</sup> World Health Organization Framework Convention on Tobacco Control (WHO FCTC), *Guidelines for Implementation of Article 6: Price and Tax Measures to Reduce the Demand for Tobacco* (1 January 2017, WHO Reference Number: FCTC/16.7), <https://fctc.who.int/resources/publications/m/item/price-and-tax-measures-to-reduce-the-demand-for-tobacco> accessed 2 July 2025.
- <sup>9</sup> R Patrick, T Capetola and S Noy, *Health Promotion and Sustainability: Transitioning Towards Healthy and Sustainable Futures* (Deakin University 2011) [https://www.deakin.edu.au/\\_data/assets/pdf\\_file/0019/310753/ENV054\\_Health\\_Promotion\\_Report\\_Final\\_Report\\_110622\\_sg.pdf](https://www.deakin.edu.au/_data/assets/pdf_file/0019/310753/ENV054_Health_Promotion_Report_Final_Report_110622_sg.pdf) accessed 30 May 2025.
- <sup>10</sup> "Approved suppliers of manufactured tobacco referred to in Article 565 , paragraph I , of the General Tax Code are subject to a social contribution on their turnover. The proceeds of this contribution are allocated to the fund referred to in Article L. 221-I-4 of this Code..." Source: Article L137-27 - Social Security Code. Available at: [https://www.legifrance.gouv.fr/codes/article\\_lc/LEGIARTI000037950586/2018-12-23?utm\\_](https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000037950586/2018-12-23?utm_)
- <sup>11</sup> "I.-Article L. 137-27 of the Social Security Code is amended as follows:  
1° After the word: "allocated", the end of the second sentence of the first paragraph is worded as follows: "to the fund mentioned in Article L. 221-I-4 of this Code.";  
2° After the reference: "298 quaterdecies", the end of the second paragraph is worded as follows: "of the General Tax Code.";  
3° In the third paragraph, the word: "said" is replaced by the words: "of the same" and the words: "of the same" are replaced by the word: "said".  
II.-After Article L. 221-I-3 of the Social Security Code, an Article L. 221-I-4 is inserted, worded as follows:..." Source: Law No. 2018-1203 of December 22, 2018 - art. 57. Available at: [https://www.legifrance.gouv.fr/jorf/article\\_jo/JORFARTI000037847685](https://www.legifrance.gouv.fr/jorf/article_jo/JORFARTI000037847685)
- <sup>12</sup> World Health Organization Framework Convention on Tobacco Control (WHO FCTC), *Guidelines for Implementation of Article 5.3* (1 January 2013, WHO Reference Number: FCTC/16.1), <https://fctc.who.int/resources/publications/m/item/guidelines-for-implementation-of-article-5.3> accessed 2 July 2025
- <sup>13</sup> Lobbying Act (R.S.C., 1985, c. 44 (4th Supp.)). Available at: <https://laws.justice.gc.ca/eng/acts/L-12.4/>
- <sup>14</sup> ACT of 7 July 2005 on Legislative and Regulatory Lobbying. Available at: [https://one.oecd.org/document/GOV/PGC/ETH\(2006\)7/ANN/en/pdf#:~:text=This%20Act%20lays%20down%20the%20rules%20of%20openness,the%20Register%20of%20Professional%20Lobbyists%20and%20Lobbying%20Firms.](https://one.oecd.org/document/GOV/PGC/ETH(2006)7/ANN/en/pdf#:~:text=This%20Act%20lays%20down%20the%20rules%20of%20openness,the%20Register%20of%20Professional%20Lobbyists%20and%20Lobbying%20Firms.)
- <sup>15</sup> Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014. Available at: <https://www.legislation.gov.uk/ukpga/2014/4/contents>
- <sup>16</sup> LOBBYING DISCLOSURE ACT GUIDANCE. Available at: <https://lobbyingdisclosure.house.gov/ldguidance.pdf>
- <sup>17</sup> Mary Assunta, *Global Tobacco Industry Interference Index 2023* (Global Center for Good Governance in Tobacco Control, Bangkok, November 2023) <https://globaltobaccoindex.org/> accessed 2 July 2025
- <sup>18</sup> European Parliament, *Regulation of Lobbying across the EU: At a Glance Infographic* (December 2016) [https://www.europarl.europa.eu/RegData/etudes/ATAG/2016/595830/EPRS\\_ATA%282016%29595830\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/ATAG/2016/595830/EPRS_ATA%282016%29595830_EN.pdf) accessed 30 May 2025.
- <sup>19</sup> Handbook on the Implementation of WHO FCTC Article 5.3 Policies and Practices that Protect Against Tobacco Industry Interference. GGTC. Available at: <https://files.ggtc.world/uploads/2021-12-06/14-31-06-829409/Article%205.3%20Handbook%20GGTC%20Nov%202021.pdf>

<sup>19</sup> “Comprehensive and detailed lobbying disclosures could help reveal the similarities and differences in how diverse industry sectors engage in politics, which in turn can help public health advocates develop counter strategies to protect public health legislation from commercial interference.” Source: Lacy-Nichols, J., Baradar, H., Crosbie, E., & Cullerton, K. (2024). Lobbying in the Sunlight: A Scoping Review of Frameworks to Measure the Accessibility of Lobbying Disclosures. *International journal of health policy and management*, 13, 8497. <https://doi.org/10.34172/ijhpm.8497>

<sup>20</sup> WHO Framework Convention on Tobacco Control, *Protection of Public Health Policies with Respect to Tobacco Control from Commercial and Other Vested Interests of the Tobacco Industry*, COP8(18) (2018) <https://iris.who.int/bitstream/handle/10665/370412/fctc-cop-8-18-en.pdf?sequence=3> accessed 30 May 2025.

<sup>21</sup> World Health Organization Framework Convention on Tobacco Control (WHO FCTC), *Guidelines for Implementation of Article 5.3* (1 January 2013, WHO Reference Number: FCTC/16.1), <https://fctc.who.int/resources/publications/m/item/guidelines-for-implementation-of-article-5.3> accessed 2 July 2025

<sup>22</sup> World Health Organization Framework Convention on Tobacco Control (WHO FCTC), *Preamble* (adopted 21 May 2003, entered into force 27 February 2005) [https://treaties.un.org/doc/source/RecentTexts/FCTC\\_en.pdf](https://treaties.un.org/doc/source/RecentTexts/FCTC_en.pdf) accessed 2 July 2025

<sup>23</sup> Vital Strategies, *Index for Tobacco Control Sustainability (ITCS): Country Report – Brazil* (2021) <https://www.vitalstrategies.org/wp-content/uploads/ITCS-Country-Report-Brazil.pdf> accessed 2 July 2025

<sup>24</sup> “Through a Decree, 230 the MOH has provided a format for the report, submission details, and the conditions on making the information publicly available on the website, while CSOs vigilantly monitor the reports.” Source: Handbook on the Implementation of WHO FCTC Article 5.3 Policies and Practices that Protect Against Tobacco Industry Interference. GGTC. Available at: <https://files.ggtc.world/uploads/2021-12-06/14-31-06-829409/Article%205.3%20Handbook%20GGTC%20Nov%202021.pdf>

<sup>25</sup> Global Center for Good Governance in Tobacco Control (GGTC), *Handbook on Implementation of WHO FCTC Article 5.3: Policies and Practices that Protect Against Tobacco Industry Interference* (November 2021) <https://files.ggtc.world/uploads/2021-12-06/14-31-06-829409/Article%205.3%20Handbook%20GGTC%20Nov%202021.pdf> accessed 2 July 2025

<sup>26</sup> “The committee included the Presidential Anti-Graft Commission and has representatives coming from the public sector and civil society..” When a meeting is absolutely necessary, civil society organizations (CSOs) should be summoned to the meeting, and the same should be recorded and made publicly available, as per WHO FCTC guidelines..” Source: Handbook on the Implementation of WHO FCTC Article 5.3 Policies and Practices that Protect Against Tobacco Industry Interference. GGTC. Available at: <https://files.ggtc.world/uploads/2021-12-06/14-31-06-829409/Article%205.3%20Handbook%20GGTC%20Nov%202021.pdf>

<sup>27</sup> World Health Organization Framework Convention on Tobacco Control (WHO FCTC), *Needs Assessment: Philippines* (May 2018) <https://fctc.who.int/docs/librariesprovider12/technical-documents/needs-assessment/philippines-needs-assessment-2018.pdf> accessed 2 July 2025

<sup>28</sup> For instance, the global tobacco industry interference index produced by GGTC documents reports from civil society across the world with respect to implementation of article 5.3 and tobacco industry interference. A shadow reporting system is also being developed by Ash Canada and John Hopkins University.

Source: Global Tobacco Industry Interference Index 2023 (Global Center for Good Governance in Tobacco Control 2023) <https://globaltobaccoindex.org/> accessed 30 May 2025.

<sup>29</sup> “Additionally, to ensure groups do not have ties to or receive funds from the tobacco industry, a Conflict-of-Interest form (provided by HC) should be completed by all individuals or organizations requesting engagement with FPSREs to declare any links with, or funding received from, the tobacco industry. It is recommended that, in the interest of accountability and transparency, these declarations be requested upfront and taken into consideration when determining whether to accept a request for interaction.” Source: Interacting with the tobacco industry - Guidance for Federal Public Service Representatives and Employees. Health Canada. Available at: <https://www.canada.ca/en/health-canada/services/publications/healthy-living/interacting-tobacco-industry-guidance.html>

<sup>30</sup> “To ensure transparency, the Danish Health Authority publishes minutes, telephone notes or similar about telephone calls, inquiries, etc. from tobacco manufacturers and their interest organizations.” Source: Article 5.3 of the WHO Framework Convention on Tobacco Control. The Board of Health. Available at: [https://www.sst.dk/da/Fagperson/Forebyggelse-og-tvaergaende-indsatser/Tobak-og-nikotin/Lovgivning/FCTC-artikel-5\\_3](https://www.sst.dk/da/Fagperson/Forebyggelse-og-tvaergaende-indsatser/Tobak-og-nikotin/Lovgivning/FCTC-artikel-5_3)

<sup>31</sup> “Public officials or employees, regardless of status, shall avoid conflicts of interest with the tobacco industry at all times. When a conflict of interest arises, he/she shall resign from his position in the tobacco industry within thirty (30) days from his/her assumption of office and/or divest himself/herself of his/her shareholdings or interest within sixty (60) days from assumption.” Source: JOINT MEMORANDUM CIRCULAR NO. 2010-01. Department of Health. Available at: <https://seatca.org/dmdocuments/Philippines%20-%20JMC%202010-01%20-%20national.pdf>

<sup>32</sup> “Organisations should not accept either direct or indirect funding from the tobacco industry, such as for community projects or capital investments. Payments, gifts and services, monetary or in-kind, offered by the tobacco industry can create conflicts of interest. They should also not accept invitations to attend or support a reception or high-profile event sponsored by the tobacco industry.” Source: Guidance for government engagement with the tobacco industry. Department of Health and Social Care. Available at: <https://www.gov.uk/government/publications/protocol-for-engagement-with-stakeholders-with-links-to-the-tobacco-industry/guidance-for-government-engagement-with-the-tobacco-industry>

<sup>33</sup> Handbook on the Implementation of WHO FCTC Article 5.3 (Global Center for Good Governance in Tobacco Control 2021) <https://ggtc.world/dmdocuments/Article%205.3%20Handbook%20GGTC%2021.pdf> accessed 30 May 2025.

<sup>34</sup> Michelle Bayly, Tanya Carroll, Tara Cotter and Kate Purcell, ‘14.3 Public Education Campaigns to Discourage Smoking: The Australian Experience’ in Emily M Greenhalgh, Michelle M Scollo and Megan H Winstanley (eds), *Tobacco in Australia: Facts and Issues* (Cancer Council Victoria 2022) <https://www.tobaccoinaustralia.org.au/chapter-14-social-marketing/14-3-public-education-campaigns-to-discourage-smoking> accessed 30 May 2025.

<sup>35</sup> Tobacco Control Success Story: Brazil. Campaign for Tobacco-Free Kids, <https://www.tobaccofreekids.org/problem/toll-global/latin-america/brazil/case-study-brazil> , accessed 30 May 2025

<sup>36</sup> Canada’s Tobacco Strategy (Health Canada, 2025), <https://www.canada.ca/en/health-canada/services/publications/healthy-living/canada-tobacco-strategy.html> accessed 30 May 2025

<sup>37</sup> National Tobacco Control Action Plan, Third Edition (2022–2027). Office of Tobacco Products Control Committee (OTPC), Department of Disease Control, MoPH. Available at: <https://planning.dusit.ac.th/main/wp-content/uploads/2023/06/%E0%B9%81%E0%B8%9C%E0%B8%99%E0%B8%9B%E0%B8%8F%E0%B8%B4%E0%B8%9A%E0%B8%B1%E0%B8%95%E0%B8%B4%E0%B8%81%E0%B8%B2%E0%B8%A3%E0%B8%94%E0%B9%89%E0%B8%B2%E0%B8%99%E0%B8%81%E0%B8%B2%E0%B8%A3%E0%B8%84%E0%B8%A7%E0%B8%9A%E0%B8%84%E0%B8%B8%E0%B8%A1%E0%B8%A2%E0%B8%B2%E0%B8%AA%E0%B8%B9%E0%B8%9A%E0%B9%88>



81%E0%B8%AB%E0%B9%88%E0%B8%87%E0%B8%8A%E0%B8%B2%E0%B8%95%E0%B8%B4-%E0%B8%89.3-%E0%B8%89%E0%B8%9A%E0%B8%B1%E0%B8%9A%E0%B9%80%E0%B8%95%E0%B9%87%E0%B8%A1.pdf

<sup>38</sup> Thailand's Campaign for Tobacco Control (Center for Global Development 2025) <https://millionssaved.cgdev.org/case-studies/thailand-campaign-for-tobacco-control> accessed 30 May 2025.

<sup>39</sup> WHO Framework Convention on Tobacco Control, Article 12 – Education, Communication, Training and Public Awareness (2013, WHO Reference Number: FCTC/16.5) <https://fctc.who.int/docs/librariesprovider/12/technical-documents/who-fctc-article-12.pdf> accessed 2 July 2025

<sup>40</sup> Defamation Act 2005 (NSW) s 12A. NSW Government, <https://legislation.nsw.gov.au/view/whole/html/inforce/current/act-2005-077>, accessed 30 May 2025.

<sup>41</sup> Protection of Public Participation Act, 2015, S.O. 2015, c. 23. Ontario. 2015, <https://www.ontario.ca/laws/statute/s15023> accessed 30 May 2025

<sup>42</sup> Code de procédure civile. France, art. 32-I, as amended by Décret n°2017-892 of 6 May 2017, effective 11 May 2017, [https://www.legifrance.gouv.fr/codes/article\\_lc/LEGIARTI000034747739](https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000034747739), accessed 30 May 2025.

<sup>43</sup> Anti-SLAPP Legal Guide. Reporters Committee for Freedom of the Press, <https://www.rcfp.org/anti-slapp-legal-guide/> accessed 30 May 2025.

<sup>44</sup> United Nations General Assembly (UNGA), *Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms (Declaration on Human Rights Defenders)*, UNGA Res 53/144 (8 March 1999) <https://www.ohchr.org/sites/default/files/Documents/Issues/Defenders/Declaration/declaration.pdf> accessed 2 July 2025.

<sup>45</sup> Directive (EU) 2024/1069 of the European Parliament and of the Council of 11 April 2024 on protecting persons who engage in public participation from manifestly unfounded claims or abusive court proceedings ('Strategic lawsuits against public participation'). [2024]. OJ L, 2024/1069, 16.4.2024

<sup>46</sup> Protection of Public Participation Act, 2015, S.O. 2015, c. 23, Bill 52 (Ontario) <https://www.ontario.ca/laws/statute/s15023> accessed 2 July 2025.

<sup>47</sup> Georgia: Defamation Laws (International Press Institute) <http://legaldatabase.freemedia.at/legal-database/georgia/> accessed 30 May 2025.

<sup>48</sup> "The common law offences of defamatory libel, seditious libel and obscene libel are abolished." Source: Defamation Act 2009. Irish Statute Book. Available at: [https://www.irishstatutebook.ie/eli/2009/act/31/section/35/enacted/en/html?utm\\_](https://www.irishstatutebook.ie/eli/2009/act/31/section/35/enacted/en/html?utm_)

<sup>49</sup> Media and Journalists Face the Risk of Excessive Defamation Claims. Council of Europe, <https://fom.coe.int/en/alerte/detail/107641397>, accessed 30 May 2025.

<sup>50</sup> Parliament removes defamation article from Criminal Code. Committee to Protect Journalists, 26 April 2004, <https://cpj.org/2004/04/parliament-removes-defamation-article-from-crimina/> accessed 30 May 2025

<sup>51</sup> UN Human Rights Committee, General Comment No 34: Article 19 – Freedoms of Opinion and Expression, CCPR/C/GC/34 (July 2011) <http://undocs.org/CCPR/C/GC/34> accessed 2 July 2025

<sup>52</sup> DEFAMATION ACT 2009, No 31/2009 (Ireland) <https://www.irishstatutebook.ie/eli/2009/act/31/enacted/en/html> accessed 2 July 2025

<sup>53</sup> Protection for whistle-blowers. Companies Second Amendment Act 17 of 2024 (G. 50992, with effect from 27 December 2024 [Proc 237, G. 51837 of 27 December 2024]). Available at: [https://www.saflii.org/za/legis/consol\\_act/ca2008107.pdf?utm\\_](https://www.saflii.org/za/legis/consol_act/ca2008107.pdf?utm_)

<sup>54</sup> Part IVA. Protected disclosures. Public Interest Disclosure Act 1998. UK Public General Acts. Available at: [https://www.legislation.gov.uk/ukpga/1998/23?utm\\_](https://www.legislation.gov.uk/ukpga/1998/23?utm_)

<sup>55</sup> WHISTLEBLOWING Guidance for Employers and Code of Practice MARCH 2015. Department of Business and Innovation Skills. Available at: [https://assets.publishing.service.gov.uk/media/5a819ef5e5274a2e87dbe9e3/bis-15-200-whistleblowing-guidance-for-employers-and-code-of-practice.pdf?utm\\_](https://assets.publishing.service.gov.uk/media/5a819ef5e5274a2e87dbe9e3/bis-15-200-whistleblowing-guidance-for-employers-and-code-of-practice.pdf?utm_)

<sup>56</sup> Whistleblower Protections. Whistleblower Program. U.S. Security and Exchange Commission. Available at: [https://www.sec.gov/enforcement-litigation/whistleblower-program?utm\\_](https://www.sec.gov/enforcement-litigation/whistleblower-program?utm_)

<sup>57</sup> Just Share, *Whistleblower Protection in South Africa: Where to From Here?* (May 2022) [https://justshare.org.za/wp-content/uploads/2022/11/Just-Share-VWhistleblower-protection-in-South-Africa-Report\\_May-2022.pdf](https://justshare.org.za/wp-content/uploads/2022/11/Just-Share-VWhistleblower-protection-in-South-Africa-Report_May-2022.pdf) accessed 2 July 2025

<sup>58</sup> United Nations, *United Nations Convention against Corruption* (adopted 31 October 2003) [https://www.unodc.org/documents/brussels/UN\\_Convention\\_Against\\_Corruption.pdf](https://www.unodc.org/documents/brussels/UN_Convention_Against_Corruption.pdf) accessed 2 July 2025

<sup>59</sup> Public Interest Disclosure Act 1998 (UK) c 23 <https://www.legislation.gov.uk/ukpga/1998/23/contents> accessed 2 July 2025.

<sup>60</sup> Gender-Sensitive Legal Aid for Advocates: Based on CEDAW General Recommendation 35, these programs could offer legal aid for advocates facing gendered attacks including doxxing, deepfakes, and cyber-harassment. Source: General Recommendation No 35 on Gender-Based Violence against Women, Updating General Recommendation No 19 (Committee on the Elimination of Discrimination against Women, UN Doc CEDAW/C/GC/35, 26 July 2017) <https://www.ohchr.org/en/documents/general-comments-and-recommendations/general-recommendation-no-35-2017-gender-based> accessed 30 May 2025.

<sup>61</sup> Germany Network Enforcement Act Network Enforcement Act. Germany, archived at Perma.cc., <https://perma.cc/7UCW-AA3A> accessed 30 May 2025.

<sup>62</sup> Digital Services Act. European Commission, [https://commission.europa.eu/strategy-and-policy/priorities-2019-2024/europe-fit-digital-age/digital-services-act\\_en](https://commission.europa.eu/strategy-and-policy/priorities-2019-2024/europe-fit-digital-age/digital-services-act_en), accessed 30 May 2025.

<sup>63</sup> Protection from Harassment Act 2014. Singapore, s 11, <https://sso.agc.gov.sg/Act/PHA2014?ProvlDs=pr11->, accessed 30 May 2025

See also: Online Criminal Harms Act 2023. Singapore, <https://sso.agc.gov.sg/Act/OCHA2023>, accessed 30 May 2025.

<sup>64</sup> Online Safety Act: Explainer (Department for Science, Innovation and Technology, UK Government, 24 April 2025)

<https://www.gov.uk/government/publications/online-safety-act-explainer/online-safety-act-explainer> accessed 30 May 2025.

<sup>65</sup> Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market for Digital Services (Digital Services Act) [2022] OJ L 277, 27.10.2022, p. 1-102

<sup>66</sup> Jenny Gesley, 'Germany: Network Enforcement Act Amended to Better Fight Online Hate Speech' (*Global Legal Monitor*, Library of Congress, 6 July 2021) <https://www.loc.gov/item/global-legal-monitor/2021-07-06/germany-network-enforcement-act-amended-to-better-fight-online-hate-speech/> accessed 2 July 2025.

<sup>67</sup> Mental Health and Trauma Support Under WHO Mental Health Action Plan Objective 3, mental health services could include specialized counseling and trauma support for those facing sustained harassment. Such support builds advocate resilience and prevents burnout from intimidation campaigns.

Source: Comprehensive Mental Health Action Plan 2013–2030 (World Health Organization, adopted by the Seventy-fourth World Health Assembly, 21 September 2021) <https://iris.who.int/bitstream/handle/10665/345301/9789240031029-eng.pdf?sequence=1> accessed 30 May 2025.

<sup>68</sup> Decree No. 6044/2007. Brazil. 12 Feb 2007, <https://ishr.ch/wp-content/uploads/2024/12/Decreto-no-6044.pdf>, accessed 30 May 2025.

See also: Decree No. 9,937 of 24 July 2019 instituting the Protection Programme for Human Rights Defenders, Communicators and Environmentalists. Brazil. 2019, <https://ishr.ch/wp-content/uploads/2024/11/Brazil-D9937.pdf>, accessed 30 May 2025.

<sup>69</sup> Law 418, Decree 2078. Colombia, <https://www.unidadvictimas.gov.co/sites/default/files/documentosbiblioteca/ley-418-de-1997.pdf>, accessed 30 May 2025

<sup>70</sup> Law on the Protection of Human Rights Defenders, Journalists, Social Communicators and Justice Operators, Decree No 34-2015 (Tribunal Superior de Cuentas, Honduras, 2015) <https://www.tsc.gob.hn/biblioteca/index.php/leyes/619-ley-de-proteccion-para-las-y-los-defensores-de-derechos-humanos-periodistas-comunicadores-sociales-y-operadores-de-justicia> accessed 30 May 2025.

<sup>71</sup> Implementation of the Law for the Protection of Human Rights Defenders and Journalists. Peace Brigades International – Mexico Project. 2014, [https://pbi-mexico.org/fileadmin/user\\_files/projects/mexico/files/Mechanism/1403BriefingMechanismPBI.pdf](https://pbi-mexico.org/fileadmin/user_files/projects/mexico/files/Mechanism/1403BriefingMechanismPBI.pdf), accessed 30 May 2025

<sup>72</sup> United Nations General Assembly, *Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms (Declaration on Human Rights Defenders)*, UNGA Res 53/144 (8 March 1999) art 9 <https://www.ohchr.org/sites/default/files/Documents/Issues/Defenders/Declaration/declaration.pdf> accessed 30 May 2025

<sup>73</sup> Voices at Risk: Canada's Guidelines on Supporting Human Rights Defenders. Global Affairs Canada. 2019, [https://www.international.gc.ca/world-monde/issues\\_development-enjeux\\_developpement/human\\_rights-droits\\_homme/rights\\_defenders\\_guide\\_defenseurs\\_droits.aspx](https://www.international.gc.ca/world-monde/issues_development-enjeux_developpement/human_rights-droits_homme/rights_defenders_guide_defenseurs_droits.aspx), accessed 30 May 2025.

<sup>74</sup> Those Who Stand Up for Human Rights Must Be Protected. Federal Foreign Office. 18 June 2020, <https://www.auswaertiges-amt.de/en/aussenpolitik/themen/menschenrechte/elisabeth-selbert-initiative-2498360>, accessed 30 May 2025.

<sup>75</sup> Guidelines for Irish Embassies and Missions on Human Rights Defenders, [https://www.humanrights.ch/cms/upload/pdf/150415\\_irish\\_hrd\\_guidelines\\_en.pdf](https://www.humanrights.ch/cms/upload/pdf/150415_irish_hrd_guidelines_en.pdf), accessed 30 May 2025.

<sup>76</sup> Shelter City & National Action Plan on Human Rights. Justice and Peace, <https://justiceandpeace.nl/en/initiatives/shelter-city-programme/>

<sup>77</sup> Article 9

1. In the exercise of human rights and fundamental freedoms, including the promotion and protection of human rights as referred to in the present Declaration, everyone has the right, individually and in association with others, to benefit from an effective remedy and to be protected in the event of the violation of those rights.

2. To this end, everyone whose rights or freedoms are allegedly violated has the right, either in person or through legally authorized representation, to complain to and have that complaint promptly reviewed in a public hearing before an independent, impartial and competent judicial or other authority established by law and to obtain from such an authority a decision, in accordance with law, providing redress, including any compensation due, where there has been a violation of that person's rights or freedoms, as well as enforcement of the eventual decision and award, all without undue delay.

3. To the same end, everyone has the right, individually and in association with others, inter alia:

(a) To complain about the policies and actions of individual officials and governmental bodies with regard to violations of human rights and fundamental freedoms, by petition or other appropriate means, to competent domestic judicial, administrative or legislative authorities or any other competent authority provided for by the legal system of the State, which should render their decision on the complaint without undue delay;

(b) To attend public hearings, proceedings and trials so as to form an opinion on their compliance with national law and applicable international obligations and commitments;

(c) To offer and provide professionally qualified legal assistance or other relevant advice and assistance in defending human rights and fundamental freedoms.

4. To the same end, and in accordance with applicable international instruments and procedures, everyone has the right, individually and in association with others, to unhindered access to and communication with international bodies with general or special competence to receive and consider communications on matters of human rights and fundamental freedoms.

5. The State shall conduct a prompt and impartial investigation or ensure that an inquiry takes place whenever there is reasonable ground to believe that a violation of human rights and fundamental freedoms has occurred in any territory under its jurisdiction.

Source: *Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms*, UNGA Res 53/144, UN Doc A/RES/53/144 (8 March 1999)

<https://www.ohchr.org/sites/default/files/Documents/Issues/Defenders/Declaration/declaration.pdf> accessed 30 May 2025.

<sup>78</sup> World Health Organization Framework Convention on Tobacco Control (WHO FCTC), *Preamble* (adopted 21 May 2003, entered into force 27 February 2005) [https://treaties.un.org/doc/source/RecentTexts/FCTC\\_en.pdf](https://treaties.un.org/doc/source/RecentTexts/FCTC_en.pdf) accessed 2 July 2025

<sup>79</sup> WHO Framework Convention on Tobacco Control, *FCTC/COP7(26) International cooperation for implementation of the WHO FCTC, including on human rights*, *Conference of the Parties to the WHO Framework Convention on Tobacco Control, Seventh session (Decision, 12 November 2016)* <https://wkc.who.int/resources/publications/i/item/fctc-cop7%2826%29-international-cooperation-for-implementation-of-the-who-fctc-including-on-human-rights> accessed 2 July 2025.

<sup>80</sup> WHO Framework Convention on Tobacco Control, *FCTC/COP10(20): Strengthening and accelerating implementation of the WHO FCTC through a gender, equity and human rights lens* (Decision, 10 February 2024) <https://iris.who.int/bitstream/handle/10665/377241/fctc-cop-10-20-en.pdf> accessed 2 July 2025.

<sup>81</sup> Carolyn Dresler, Harry Lando, Nick Schneider and Hitakshi Sehgal, 'Human Rights-Based Approach to Tobacco Control' (2012) 21(2) Tobacco Control 208–11 doi:10.1136/tobaccocontrol-2011-050206.

See also: UN General Assembly, Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, A/RES/53/144 (9 December 1998), Article 12: "Everyone has the right, individually and in association with others, to participate in peaceful activities against violations of human rights and fundamental freedoms."

See also: UN Commission on Human Rights, Commission on Human Rights resolution 2000/38 The right to freedom of opinion and expression, E/CN.4/RES/2000/38, 20 April 2000, <https://www.refworld.org/legal/resolution/unchr/2000/en/10575>, accessed 30 May 2025.

<sup>82</sup> UN Commission on Human Rights, Resolution 2002/31: *The right of everyone to the enjoyment of the highest attainable standard of physical and mental health* (22 April 2002). [https://ap.ohchr.org/documents/E/CHR/resolutions/E-CN\\_4-RES-2002-31.doc](https://ap.ohchr.org/documents/E/CHR/resolutions/E-CN_4-RES-2002-31.doc), accessed 30 May 2025. See also: Organization of American States, *American Convention on Human Rights* (22 November 1969), Articles 44-51.

<https://treaties.un.org/doc/Publication/UNTS/Volume%201144/volume-1144-I-17955-English.pdf>. See also: Council of Europe, *European Convention for the Protection of Human Rights and Fundamental Freedoms* (4 November 1950), Articles 34-35.

[https://www.echr.coe.int/documents/d/echr/Convention\\_ENG](https://www.echr.coe.int/documents/d/echr/Convention_ENG)

[https://www.echr.coe.int/documents/d/echr/Convention\\_ENG](https://www.echr.coe.int/documents/d/echr/Convention_ENG)

See also: Organization of African Unity, *African Charter on Human and Peoples' Rights* (27 June 1981), Articles 55-59. <https://www.african-court.org/wpafc/wp-content/uploads/2020/04/AFRICAN-BANJUL-CHARTER-ON-HUMAN-AND-PEOPLES-RIGHTS.pdf>

See also: Terms of Reference of the ASEAN Intergovernmental Commission on Human Rights. ASEAN Intergovernmental Commission on Human Rights. 2018. <https://aichr.org/wp-content/uploads/2018/10/TOR-of-AICHR.pdf>, accessed 30 May 2025.

See also: UN General Assembly, *International Covenant on Civil and Political Rights* (16 December 1966), Article 2.

<https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>, accessed 30 May 2025.

<sup>83</sup> UN Working Group on Business and Human Rights, *Guidance on National Action Plans on Business and Human Rights* (2016).

UN General Assembly, *Principles relating to the Status of National Institutions* (Paris Principles), A/RES/48/134 (20 December 1993).

<sup>84</sup> International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF), 'Reynolds in the Dock at OECD: International Union Charges Company with Trashing International Guidelines on Trade Union Rights' (Press release, 4 May 2006) [https://www.goiam.org/wp-content/uploads/2006/05/\\_uploadedFiles\\_Pick\\_A\\_Fight\\_RJR\\_Other\\_OECDReynoldsBAT-e.pdf](https://www.goiam.org/wp-content/uploads/2006/05/_uploadedFiles_Pick_A_Fight_RJR_Other_OECDReynoldsBAT-e.pdf) accessed 2 July 2025.

See also: UK National Contact Point, *Final Statement: IUF and FLOC Complaint to UK NCP about BAT* (2 December 2019, updated 6 May 2022)

<https://www.gov.uk/government/publications/iuf-and-floc-complaint-to-uk-ncp-about-bat> accessed 2 July 2025.

<sup>85</sup> Organisation for Economic Co-operation and Development (OECD), *OECD Guidelines for Multinational Enterprises on Responsible Business Conduct* (8 June 2023) [https://www.oecd.org/en/publications/oecd-guidelines-for-multinational-enterprises-on-responsible-business-conduct\\_81f92357-en.html](https://www.oecd.org/en/publications/oecd-guidelines-for-multinational-enterprises-on-responsible-business-conduct_81f92357-en.html) accessed 2 July 2025

<sup>86</sup> Article 26 states that "each Party shall provide financial support in respect of its national activities intended to achieve the objective of the Convention"<sup>22</sup>. Article 6 provides that "without prejudice to the sovereign right of the Parties to determine and establish their taxation policies, each Party should take account of its national health objectives concerning tobacco control and adopt or maintain, as appropriate, measures which may include... implementing tax policies and, where appropriate, price policies, on tobacco products so as to contribute to the health objectives aimed at reducing tobacco consumption"<sup>23</sup>.

<sup>87</sup> United Nations, *United Nations Convention against Corruption* (adopted 31 October 2003)

[https://www.unodc.org/documents/brussels/UN\\_Convention\\_Against\\_Corruption.pdf](https://www.unodc.org/documents/brussels/UN_Convention_Against_Corruption.pdf) accessed 2 July 2025

<sup>88</sup> OECD, *The Detection of Foreign Bribery: Chapter 2 – The Role of Whistleblowers and Whistleblower Protection* (2017) [https://kkc.com/wp-content/uploads/2020/03/OECD-The-Role-of-Whistleblowers-in-the-Detection-of-Foreign-Bribery.pdf?utm\\_](https://kkc.com/wp-content/uploads/2020/03/OECD-The-Role-of-Whistleblowers-in-the-Detection-of-Foreign-Bribery.pdf?utm_) accessed 2 July 2025.

<sup>89</sup> World Health Organization Framework Convention on Tobacco Control (WHO FCTC), *Article 21* (adopted 21 May 2003, entered into force 27 February 2005) [https://treaties.un.org/doc/source/RecentTexts/FCTC\\_en.pdf](https://treaties.un.org/doc/source/RecentTexts/FCTC_en.pdf) accessed 2 July 2025

<sup>90</sup> WHO Framework Convention on Tobacco Control, *FCTC/COP7(26) International cooperation for implementation of the WHO FCTC, including on human rights*, Conference of the Parties to the WHO Framework Convention on Tobacco Control, Seventh session (Decision, 12 November 2016) <https://wkc.who.int/resources/publications/i/item/fctc-cop7%2826%29-international-cooperation-for-implementation-of-the-who-fctc-including-on-human-rights> accessed 2 July 2025.