

Voice of truth



Second edition



**World Health
Organization**

Regional Office for the Eastern Mediterranean



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1. Introduction

The following regional report, “Voice of Truth”, presents for the first time compelling evidence that the unethical behaviour of the tobacco industry in the Middle East has been extended to all levels: international, regional and national. Through their regional offices, the tobacco companies have used all possible routes to stop governments from adopting tobacco control policies. In addition, they have monitored closely all activities undertaken by the WHO Regional Office for the Eastern Mediterranean, and tried to oppose any consensus-building agreements regarding tobacco control at the regional level.

Voice of Truth reveals some of the tactics and strategies used by the tobacco industry in the Eastern Mediterranean Region generally, and in the countries of the Gulf Cooperation Council (GCC) specifically, to promote a product which kills more than 4 million people annually. Direct targeting of the region is clearly evident in this document, which contains startling facts about how the tobacco industry has operated in the area since 1970.

This report provides a strong argument for combining efforts as the only way to tackle the tobacco problem. It calls for all decision-makers and tobacco control advocates to review and redirect their tobacco control policies in light of the nature of tobacco industry activities.

The documentary evidence of tobacco industry collusion in the Middle East begins in the late 1970s, when multinational tobacco companies operating in the Middle East met regularly to discuss pending regulations and to plot joint strategy.ⁱ Initially, they met under the umbrella of the Middle East Working Group (MEWG)ⁱⁱ until 1 February, 1988, when the Middle East Tobacco Association (META) was formally constituted for the purpose of “promoting and defending the Tobacco Industry in the GCC countries”. The initial members of META were: BAT (UK & Export) Limited; Gallaher International; Philip Morris; RJ Reynolds; Rothmans Exports Limited; and Brown & Williamson Tobacco Corporation. The first meeting of META took place on 10 March 1988.

META’s organizational agreement committed the companies to “co-operate actively with INFOTAB and other tobacco industry associations on an international basis on issues relevant to the tobacco industry in the Middle East which are likely to have an impact on the region”. Each company agreed to appoint two senior managers to represent them in META, one with operating responsibilities and another with a public affairs brief. Through INFOTAB, META was to retain a consultant to coordinate the activities of the member companies. The companies agreed to meet at least three times a year, with decisions to be reached by consensus.¹ From time to time, META members also set up ad hoc working groups on specific topics and countries in order to “identify threats; identify the decision-making process; (and) decide on the next steps to meet a particular local requirement”.²

ⁱ Tobacco industry document archives were searched through websites offered by the industry (www.tobaccoarchives.com) as well as through Tobacco Documents Online (www.tobaccodocuments.org). Over one hundred terms were searched, including country names, names of persons (Baroudi, Borek, Allen, etc.), names of organizations (AGHMC, GCC, SASO, etc.). Presently, tobacco documents are searchable only through fields such as author, recipient, title, and named organization, rather than the full text of the documents, and many records contain no titles at all. This made searching particularly challenging and time consuming. Every effort was made to locate all relevant documents, with particular emphasis on the period from 1985 to the late 1996, when the trail stops except for one document covering Lebanon from April, 2000. Documents cited in this paper are referenced with a Bates number (8-10 digits long). To locate a Philip Morris document (denoted by PM before the Bates number) go the website www.pmdocs.com and enter the first part of the number (e.g. if the Bates is 9422078-2081 enter 9422078). Then click search. For general information and hints on how to search tobacco industry documents, see the 11th World Conference on Tobacco OR Health Fact Sheet at: <http://tobaccofreekids.org/campaign/global/docs/searching.pdf>

ⁱⁱ The Middle East Working Group was a subcommittee of the International Committee on Smoking Issues (ICOSI), which later was renamed INFOTAB (International Tobacco Information Centre).

These working groups included the Oman Working Group, the Saudi Working Group, the United Arab Emirates Working Group, the Media Strategy Working Group and the Tax Sub-Committee.

META primarily concerned itself with regulatory and political issues in the countries of the Gulf Cooperation Council (GCC)—Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates.³ While never formally extended to Egypt, it was charged with monitoring “threats emanating from the WHO office in Alexandria and any other threat ...”.⁴ Currently, META is registered in the Jebel Ali Free Zone, a duty free zone within the United Arab Emirates.⁵

Available financial information on META shows a core budget for 1989 of US\$227 000, not including funds for projects which would be “agreed as such projects are proposed and approved” and for which “no formal budget was deemed necessary”.⁶ Between 1991–1993, META’s core budget fluctuated between US\$330 000 and \$350 000, not including special projects or payments to the media firm [name deleted], which ranged between US\$120 000 and US\$132 000 per year.⁷ Each company paid an equal share of META’s budget, with INFOTAB acting as the Treasurer.⁸

In March 1990 Robin Allen was appointed as META secretary, replacing Abdullah Borek, who had worked for both the MEWG and META. Allen was a journalist who had worked in the Middle East and was appointed in part because of his “good contacts” in the region.⁹ He concentrated much of his initial energy on lobbying “opinion formers and decision-makers in the GCC”. His purpose was to “win goodwill on behalf of the industry”, and to explain the industry’s viewpoint on legislative issues. *“Improving the industry’s lines of communication with key individuals is absolutely crucial to the industry’s well-being—in the short, medium and long-term,”* he wrote in 1990 (emphasis in the original).¹⁰

Tobacco industry staff development

The tobacco industry made sure that its staff in the Middle East were kept up to date on the latest political and regulatory issues facing the industry and were trained in how to lobby the media and policy-makers. At a marketing conference for staff from Philip Morris Europe, the Middle East and Africa, participants attended sessions such as “The Smoking and Health Problem Now and in the Future” which covered such topics as: “Why the problem exists and how the industry is or is not dealing with it”; and “Understanding the strategy of the anti-smoker movement” including the “developed vs. developing countries distinction. The opportunities presented to us to exploit conflicts of interest in the UN and Governments.” Also on the programme was: “Marlboro: Cross Border Opportunities” which covered how “cross border advertising can contribute to Marlboro growth in local markets”; and “Marlboro: New Ways to Develop and Sustain the Idea” in which ways to circumvent ad bans were discussed through “Promotional Trademark Exploitation and ... the new opportunities created by the ‘new media’”.¹¹ There is also record of Philip Morris spokespersons Bisharah Baroudi, Torquil Macleod and George Nassif attending an ETS training session in London organized by the law firm of [name deleted].¹²



2. Targeting tobacco industry opponents in the GCC

Our objective remains to develop and mobilize the necessary resources – internal Philip Morris, external agencies and consultants, the industry, National Marketing Associations, and all potential allies – to fight the social and legislative initiatives against tobacco. . . .

We shall carefully target our opponents. We shall precisely identify, monitor, isolate and contest key individuals and organizations.

-- Philip Morris Long Range Plan, 1990–1992¹³

2.1 Monitoring opponents

Throughout the documents there are extensive references to the monitoring of tobacco control advocates and activities in region of the GCC, particularly those of government health ministries, the World Health Organization (WHO) and the International Union Against Cancer (UICC). Numerous documents describe details of these organizations' meetings and workshops in area, including lists of attendees, agendas and main discussion points.¹⁴ Most of this intelligence gathering was carried out by the companies themselves and INFOTAB staff¹⁵, although they also hired firms from as far away as the United States¹⁶ and England to monitor their critics in the region.

One such firm, [name deleted] in London, was hired to gather intelligence on industry foes. A 1982 letter from the group to Richard Corner of Philip Morris notes that anti-smoking activity “gathers momentum with each successive meeting of the Arab Gulf Health Ministers Conference” a “threat” which is reinforced by the activities of groups such as the UICC, the Kuwaiti Anti-Smoking Society and “their allies in the media”. “In these circumstances,” Rutland explains, “while PM field management and agents can and should undoubtedly be of considerable help with their industry experience and contacts, it is felt that this extremely sensitive work should be handled by a trusted third party. In this connection the current ill-feeling of the Gulf Ministers towards the ‘Tobacco multinational giants’ is relevant.” Rutland goes on to explain that the first objective of his work for Philip Morris, “as with the WHO in Africa,” will be to become familiar with the opposition.¹⁷

2.2 World Health Organization

The tobacco companies were particularly concerned about the influence of WHO on the region's governments. In 1987 Philip Morris cited the need to “recruit a consultant who can help us monitor and influence the Alexandria-based WHO Regional Office for the Eastern Mediterranean (EMRO), which helped prepare GCC health plans”.¹⁸ Two years later, they enlisted [name deleted], a Cairo-based consultant, to monitor the activities of the WHO Regional Office. He regularly reported on the positions and proclivities of senior EMRO staff, provided details of proposed anti-tobacco campaigns and monitored EMRO's work on the “smoking and Islam issue” which involved compiling noted Islamic rulings on smoking. In addition to Philips, “regular Middle East Corporate Affairs contacts with key GCC Health officials” also enabled the company to “follow up and monitor important EMRO initiatives”.¹⁹ META also kept tabs on WHO through Robin Allen and MEMAC,

who were asked to “monitor the threats emanating from the WHO office in Alexandria and any other threat, and to keep META informed”.²⁰ The companies apparently did more than monitor EMRO however. As part of its misinformation campaign in Middle East, Philip Morris Middle East Corporate Affairs “in cooperation with INFOTAB arranged for a letter from the International Tobacco Growers Association together with the June FAO Economic Impact of Tobacco Study to be anonymously distributed to key participants” at a WHO meeting in Tehran, Islamic Republic of Iran.²¹

2.3 Arab Gulf Health Ministers’ Conference (AGHMC)

Probably the biggest threat to the tobacco industry was the Arab Gulf Health Ministers’ Council (AGHMC) which brought together Health Ministers from all of the GCC states. The tobacco industry did not believe that the Ministers were capable of making up their own mind about tobacco, remaining convinced that tobacco control initiatives of the AGHMC were “stimulated by activists who control the Secretariat of the Council in Riyadh and who dominate the Anti-Tobacco Committees under the Council’s umbrella”.²²

The industry set out to make sure that the regular meetings of the AGHMC did not result in action or agreement on key issues of concern to the industry. A December 1985 telex to Geoffrey Bible (one-time CEO) laid out the strategy:

The immediate objective is to motivate targeted Health Ministers to attend the January meeting. We will seek to persuade them it is in their self interest to delay or block any consensus on the anti-tobacco proposals, by concentrating all of our current lobbying efforts on the January 6 meeting. We will, to the extent we are successful, avoid the necessity of lobbying all the proposals in each Gulf Arab State...

In the United Arab Emirates, for example, Philip Morris’ distributor, [name deleted], who was not only [title deleted] but also a member of the Ajman ruling family, was asked to “ensure that the UAE Health Minister attends the January 6 meeting pursuant to appropriate briefing”.²³

Documents from 1979 show the extent to which the companies went to shape the agenda and outcomes of these meetings. The industry set out to “encourage” the Council of Ministers

Tobacco industry briefing papers

Many Unanswered Questions on Smoking and Health Controversy Arguments to Use Against Claims That Tobacco Smoke is Harmful (“contentions are frequently made that tobacco smoke or specific components as found in tobacco smoke are harmful to the smoker. However, there is inadequate scientific evidence to support such a proposition.... Research examining the components of tobacco smoke has failed to produce the evidence necessary to support the claims about harmful effects of tobacco smoke.”)²⁸

Advertising Restrictions Unlikely to Reduce Cigarette Consumption

(“cigarette advertising serves to divide but not expand an already existing market.”)²⁹

The Smoking and Health Controversy—A Perspective Smoking and the Nonsmoker

(“the overwhelming majority of evidence on this topic is that tobacco smoke has not been proven to cause disease in the non-smoker.”)³⁰



to take action on two of the least effective WHO recommendations for comprehensive tobacco control programs—more research and banning the sale of tobacco to children—in the hope that tax increases, health warning labels and other measures would be postponed. Philip Morris’ Richard Corner was charged with writing a “journalistic style” article encouraging such limited action. After being cleared by industry lawyers at the United States law firm of [name deleted], the article was then planted in the Kuwaiti press in both English and Arabic and an attempt was made to plant it in the Bahrain press during the Minister’s meeting.²⁴ However an accompanying tobacco industry advertisement was only to appear in English as “the Arabic translation aiming at the mentality of the Arabs” could not be produced in time.²⁵

The law firm also prepared five short (2–4 page) background briefing papers on different topics for use with the media and policy-makers.²⁶ⁱⁱⁱ META members received these papers from Julian Doyle at ICOSI with a note asking them “to destroy the earlier versions of these papers and replace them with those enclosed”.²⁷ The titles and some brief excerpts can be found below.

2.4 Government ministries

The companies were also asked to discuss with their agents and distributors in the region the possibility of lobbying other government departments than just the Ministry of Health and in so doing trying “to bring influence to bear in this indirect way”.³¹

By the mid 1980s, the tobacco industry had set had set up “a major network of information sources and resources through which to lobby the appropriate officials” in the GCC.³² In fact META constantly sought to “capitalise on member companies’ resources and government contacts as a source of first-hand information on impending/proposed regulations affecting the Industry”. To assist them in these efforts, META members compiled a database on “the status of tobacco related regulations, government agencies/decision-makers affecting the Industry and the decision-making process, natural allies, media and media-men profiles”.³³ For example, Robin Allen was instructed to provide the names and short profiles of cabinet members in the United Arab Emirates, Kuwait and Oman.³⁴

2.5 “Access to the highest quarters”: the use of prominent political figures

The documents show that the tobacco industry enlisted prominent political figures in the Middle East to provide information and lobby for them, including an Egyptian Member of Parliament, a former Assistant Secretary General of the Arab League and even, at one point, the Secretary General of the GCC Health Ministers.

In 1980, for example, Rothman’s Kirkland Blair went on a Middle East “fact-finding” tour accompanied by [name deleted], an ex-assistant Secretary General of the Arab League. As Blair pointed out, “this gentleman gets official VIP treatment everywhere they go and has access to the highest quarters. Certainly he is a highly suitable personality to use in order to find out what the actual score on the Smoking and Health front in the Gulf is”. Blair and [name deleted] visited the United Arab Emirates and Kuwait, where they met with [position deleted]. During that meeting, [position deleted] “phoned the Health Minister

ⁱⁱⁱ We were only able to obtain three of the five.

1994 Philip Morris corporate affairs objectives

1. Prevent legislation detrimental to smokers' rights. Keep smoking affordable.
2. Counter-act attempts to further limit the freedom of developing, producing and marketing cigarettes.
3. Stop the decline in the social acceptability of smokers and smoking in society.
4. Enhance PM's corporate image and create a positive business environment for management throughout the Region.
5. Communicate information about the Company's business, policies and sponsorships to all staff and their families.

Strategies to reach the corporate affairs objectives

1. Develop messages that are politically relevant and persuasive.
2. Build a more frequent dialogue with decision-makers.
3. Build and strengthen ally networks.
4. Build better equipped industry Corporate Affairs working groups.
5. Develop Media communications, as well as Government relations plans for EEMA Headquarters, as well as all relevant markets.
6. Train spokespersons ready to go public with an increased frequency.
7. Support Smokers' Rights Groups.
8. Run meaningful social and cultural contributions programs.
9. Offer credible and practical solutions to smoker–non-smoker conflicts.^{iv}

in their presence allegedly telling him to cool off after the latter's return from the WHO meeting in Geneva which he was presiding".³⁵

The tobacco industry also had friends in the highest policy-making circles in the GCC, including [name and position deleted], who in 1993 passed information to MEMAC on the GCC Health Ministers Meeting in Oman.^v META Secretary Robin Allen stressed that "MEMAC was "urged not to release it", so META companies are kindly requested not to refer to MEMAC at all in this context. The information was passed privately in the course of MEMAC's further investigation into the Kuwait Anti-Smoking Bill".³⁶

3. Tobacco industry manipulation of the media

3.1 General

The tobacco industry spent a great deal of time in the GCC cultivating the media, which they viewed as indispensable to their ability to communicate to both policy-makers and the public on "smoking and health issues". They also realized that without the active support of the media, calls for a ban on tobacco advertising would mount rapidly. To complement the

^{iv} "From Austria To Zimbabwe This Is EEMA Corporate Affairs" (1994)

^v Reference is made over a decade earlier by Infotab's Jack Picton to a report on a Ministers' conference which had been "obtained confidentially" (30 July 1982, Telex from Jack Picton to Tana Wells, PM 2024974361).

already formidable media operations of the member companies, META hired the public relations firm Middle East Marketing & Communications (MEMAC) to both monitor the press and to “assist the industry in fighting back on key issues”.³⁷ META’s proposed 1992–1993 work plan lays out some of the key concepts behind the media strategy:

- ◆ Develop, with the assistance of MEMAC, a relationship with the media that would allow industry input, at the local, regional, or global level into tobacco-related stories prior to their publication.
- ◆ Capitalize on joint industry campaigns at the international, regional or local levels (if any are undertaken by META locally) which project the industry’s social responsibility and publicize these in the local media.
- ◆ Allocate special effort to counter false claims on World product and marketing practices of multinational tobacco manufacturers in developing countries.
- ◆ Seek to correct, in meetings and discussions with the media and decision-makers, current misconceptions about the industry, particularly with respect to the above.³⁸

3.2 Placing stories

An early tobacco industry tactic was to send letters to the editor under assumed names. “I strongly believe,” wrote MEWG coordinator A. Borek, “that any attacks from the other side should be countered in this way and while we will not be able to change general trends and considerations, I am fairly certain that we can give the other side to understand that they do not own the floor.”³⁹

META’s early media strategy built on this, placing translated versions of Infotab-supplied material in select publications, making sure that “no excess duplication appears” so as to “avoid the appearance of a concerted campaign”. It also entailed developing contacts with the media at the “highest level (owners, publishers)” in order to “encourage editors to think again before publishing anti-industry propaganda”.⁴⁰ Initially the companies took a cautious approach, with Allen questioning “to what extent is MEMAC alone fronting for the industry? Or is it to be MEMAC/Robin Allen or MEMAC/Robin Allen in the name of Infotab? ... MEMAC will *almost certainly* need to have a “peg” for placing articles”.⁴¹(emphasis in original)

By 1991, however, META decided to “drive for more placements, (using) less caution”, all the while making sure that neither the media nor the public were having “negative reactions” to the campaign.⁴² META contracted with MEMAC to plant at least four stories a month in the GCC media, at least two of which had to be in the leading national and pan-Arab publications such as *Al-Sharq Al-Awsat*, *Al-Hayat*, *Al-Ittihad*, *Khaleej Times*, *Arab News*, *Saudi Gazette*, *Gulf News*, *Emirate News* and *Al-Hawadeth*. Yet “META’s communications strategy should not be limited to placing positive/balanced tobacco-related stories in the media”, wrote MEMAC’s [name deleted]. “It should additionally seek to:

- ◆ **Mitigate negative coverage – If the media cannot be balanced on tobacco issues, it better not address these issues than be biased on them.**
- ◆ **Correct unfounded claims and misinformation.”⁴³**

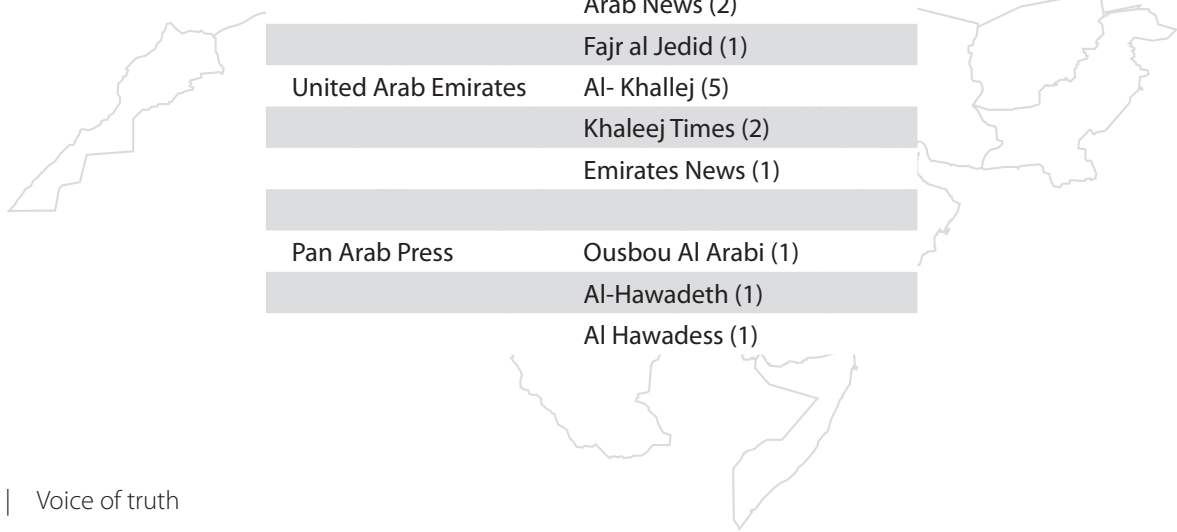
The tobacco industry had MEMAC plant articles in the press which tried to sow doubt about the health impact of smoking or suggested government resistance to tobacco control

legislation, placing articles with such titles as “Smoking Out the Facts” (planted in *Al Khaleej* and *Khalleej*) or “Turkish President vetoes tobacco bill”.⁴⁴ In 1991, the effort planted 23 articles, below the stated target)—on ETS (3), advertising (6), economics (2) and general stories (12)—in both the national and Pan Arab press. Philip Morris felt that much more could be achieved “without even beginning to put the authorities’ (Ministry of Information censors) threshold of tolerance to the test”.⁴⁵ Thus at the October 1991 META meeting in Geneva the member companies agreed to more than double the number of placements in 1992. “The bulk of these were to be in the ‘quality’ publications identified as the pan Arab press, the Saudi publications *Asbarq Al-Awsat*, *Arab News* and *Saudi Gazette*, and other national and regional publications including *Al-Khaleej*, *Al-Ittihad*, *Khaleej Times*, *Gulf News*, *Emirate News*, and quality magazines already selected by MEMAC.”⁴⁶

By the end of June 1992, the industry had tripled the number of articles planted (to 70+) in all of 1991,⁴⁸ including over 25 on advertising issues, with the over 80% of these articles appearing in the Arabic language press. The majority of these articles appeared in the industry’s three priority markets (Saudi Arabia, United Arab Emirates and Kuwait) as well as in the regional press.⁴⁹ More importantly, “key anti-industry publications had been breached in Saudi Arabia, the Pan Arab press and the United Arab Emirates. Only Qatar publications had so far declined to take any industry material. The “prevention” and “think-again” campaign on publications’ owners and editors was having the desired effect”.⁵⁰ In addition, they successfully fed targeted “unfriendly” publications stories on “less controversial

Table 1. META story placement 1991⁴⁷

Country	Publication (# of stories)
Bahrain	Al Ayam (1)
Kuwait	Seyaassah (2)
	Arab Times (1)
	Fajr Al Jedid (1)
	Rai Al Am (1)
	Hayatuna (1)
Saudi Arabia	Assayad (1)
	Arab News (2)
	Fajr al Jedid (1)
United Arab Emirates	Al- Khallej (5)
	Khaleej Times (2)
	Emirates News (1)
Pan Arab Press	Ousbou Al Arabi (1)
	Al-Hawadeth (1)
	Al Hawadess (1)



issues” and achieved “firsts” in planting articles in these outlets (e.g. *Asbraq Al Awsat*, *Al Hayat* and *Gulf News*).⁵¹ META members agreed that the pace of media placements was to be maintained “if it could be done without provoking anti-industry sentiment from owners or information ministries”.⁵²

By the end of September 1992 the industry had planted 83 articles, and were projecting a total of over 100 by the end of the year. They hoped to plant at least 150 in 1993. Advertising was the lead issue, with ETS “a subject more and more in focus”. Wanting to penetrate the Pan Arab press more, META asked MEMAC to make overtures to the Saudi-owned Pan-Arab press in London, targeting “senior editors as well as commercial managers”. MEMAC was also asked to put “considerable effort” into “trying to reason with GCC and Pan-Arab editorial people about the factual inaccuracies and overt bias of anti-tobacco articles” and to “immediately rebut the more strident anti-industry articles which appeared regionally and in the Pan-Arab press”.⁵³

3.3 “Voice of reason” campaign

META organized a “voice of reason” campaign using well-known Arab writers “to develop pro-industry articles on issues such as marketing freedoms, economics of the industry, the quality-product theme, and public smoking on which there was an industry consensus”. Since the industry “could not dictate to or control an Arab “voice of reason” article after it was written ... it was doubly essential to approach only those well-known writers who had an open mind, and see that he was a) willing and b) well-briefed”. Such a concept, META believed, could “help increase media and readership awareness of the “other side of the story” and create a “think again” mentality among readers of the Arab GCC and Pan-Arab press”. Other advantages to this “highly cost-effective and informative approach” would be that it would “not look like lobbying as long as articles are well spaced: outspoken opinions are common”. However the writers would “need to be carefully briefed and closely regulated before publication”. Furthermore, “being outspoken, can create more controversy than straightforward releases”. Nevertheless such a local approach was favoured over bringing in foreign experts to address the media since such experts were entering a “socio-political minefield”. In addition, wrote MEMAC, the “media lack sophistication” and so may not understand the arguments of these experts.⁵⁴

3.4 Lobbying of the media

The tobacco industry realized that simply placing articles in the press would not be enough to sway the opinion of policy-makers. Thus they set out to systematically build relationships with senior editors, journalists and other people in publishing to ensure that news and editorials on tobacco reflected industry thinking. In 1991 alone, META arranged meetings with high-level executives of *Al Omaniya*, Oman’s principal advertising agency representing the four main government and private publications and television; Oman Arabic daily; the Pan-Arab *Dar Assayed*; and the Oman daily *Al Watan*. MEMAC’s Eddie Moutran also visited Jeddah to see a senior executive of *Alam-Al-Youm*, “the Saudi owned Pan-Arab equivalent of the *Financial Times*”, and R. Hawa, United Arab Emirates managing director of MEMAC, “met [name deleted], a senior executive at Tihama Publishing House of Saudi Arabia. These and other meetings are part of the long process of familiarizing the regional

and Pan-Arab publishing world that the tobacco industry has a legitimate case which merits a wider hearing”.⁵⁵

This “familiarization” process had as one of its main goals to “ensure that media owners, particularly in Kuwait and in the Pan-Arab media, continue their opposition to advertising ban proposals”. As part of the effort, they planned to use the occasion of Formula 1 motor racing to educate the press on the economic benefits of tobacco sponsorship. And, “in an effort to educate working journalists on commercial freedoms issues”, the companies organized “journalists briefing tours to the USA”.⁵⁶ However, “Press conferences and scientists’ briefings were to be avoided in favour of more private briefings for small numbers of high level press representatives in order not to arouse unwanted and unnecessary publicity which could spark anti-industry prejudice among officials”.⁵⁷

4. Tobacco industry efforts to defeat advertising bans

4.1 Broad strategy

The tobacco industry was under continuous threat in the GCC, as one country after another considered sweeping bans on tobacco advertising. META’s strategy for dealing with the threat of bans or restrictions was laid out in its proposed work plan for 1992–1993:

- ◆ **Create informal coalitions with natural allies (who benefit from tobacco advertising and sponsorship) and mobilise them in defence of tobacco marketing freedoms.**
- ◆ **Use META’s existing network of contacts to improve the Industry’s access to advance information on proposed/planned advertising restrictions/bans.**
- ◆ **Compile an agreed set of arguments backed where possible by supporting research findings for use where appropriate against proposed advertising restrictions or bans.**^{vi}
- ◆ **Develop local socio-economic arguments or adapt global arguments against advertising bans to local conditions.**
- ◆ **Undertake research, or encourage and support research that seeks to measure the economic impact of tobacco advertising in the GCC countries.**
- ◆ **Work within the local chapter(s) of the IAA (International Advertisers Association) to establish a platform for the defence of advertising freedoms by advertisers, agencies and media.**
- ◆ **Publicize favourable positions/decisions adopted internationally against tobacco advertising bans.**
- ◆ **Publicize the industry’s responsible position on the juvenile smoking issue.**
- ◆ **Prevent provocative marketing excesses in the field and encourage self-regulation and restraint.**⁵⁸ (emphasis added)

The media were seen as a key component of this strategy. As Philip Morris’ Bisharah Baroudi put it, “Success in defeating ad ban proposals will depend largely on PM’s and the Industry’s diligence in ensuring that the local media in these countries is vigilant and fully mobilized to defend tobacco advertising freedoms”.⁵⁹

^{vi} According to a 1989 Corporate Affairs Action Plan, Philip Morris “initiated and is providing technical support to publish critiques of unfavorable studies on the impact of ad bans. A recent example is Jean Boddewyn’s article in the 1989 fall issue of the British Journal of Addiction critically reviewing the New Zealand study by Chetwynd et al.” (16 October 1989, EEMA Regional Annual Report Regarding PMI Corporate Affairs Action Plan; PM 2500019962-9976)

4.2 Use of front groups to fight advertising ban proposals

...(B)uild and strengthen the GCC chapters of the International Advertisers Association as a coalition which can fight for market freedoms.⁶⁰

-- Philip Morris Draft Corporate Affairs Plan, 1997

One of the main groups that the tobacco industry infiltrated and manipulated in its fight against advertising restrictions were the local chapters of the International Advertisers' Association. The local chapters of the IAA are "ideal legitimate platforms that META can effectively use in its efforts to defend the freedom to advertise tobacco products and the freedom of sports and other event organisers to choose tobacco companies as their sponsors" according to a 1991 META "Media Strategy Paper".⁶¹ The objective of the companies' plan to infiltrate the IAA was to "widen IAA acceptances in GCC Countries and to ensure the industry's objectives were kept at the forefront of the IAA",⁶² because these Chapters had not "demonstrated the necessary commitment to the defence of marketing freedom and the freedom of commercial speech". META Companies vowed to get themselves elected to their Executive Committees. Beyond that, "META companies, their field management, Ad/PR agencies should be continuously active" within Committees "that can be initiated by the Industry as part of the effort to defend marketing freedoms". These could work towards "establishing and tapping a wide network of key contacts and decision-makers that can be mobilised in defence of marketing freedoms ... developing tailored argumentation that can be readily be used against marketing restrictions ... (and) communicating with and through the media highlighting the negative impact that an ad ban would have on business in the country and the lack of evidence that ad bans lead to drops in consumption".⁶³

Egypt

You will note that the paper is unsigned and I would ask you not to disclose my or my Company's name, as the source of this paper. Otherwise, you are free to use it as you see fit.

-- 1980 Letter from G.W. Moore of Rothmans to [name deleted], Member of Parliament

In the early 1980s the Middle East Working Group had been monitoring developments in Egypt with some trepidation as the wife of President Sadat and a "number of leading doctors" had been agitating for marketing restrictions. The companies established contact (through the Eastern Tobacco Company) with [name deleted], an Egyptian Member of Parliament (MP). According to a 1981 Philip Morris memo, "This MP assured us that no draft law related to industry or trade could pass Parliament without the advice of his Committee". Thus the industry was "taken very much by surprise" when the government gazetted a law on tobacco advertising.

The companies still held out hope that restrictions could be averted as the MP had told them that the Minister of Health had to issue an executive order to implement the law. With that knowledge, the industry set out to delay that order.⁶⁴ According to a telex from Abdullah Borek, secretary of the MEWG, the companies agreed to send Jack Picton of BAT to Egypt "to approach the Minister of Health (and possibly Minister of Industry) with a view to get technical discussion regarding the implementation going and thereby also achieving a delay".⁶⁵

The companies had already been using the MP to put their views across to policy-makers on the proposed advertising ban. “When we met in June you asked me to prepare a scientific paper on the smoking and health issue, for use in your capacity as a member of the People’s Assembly”, wrote G.W. Moore of Rothmans to the MP in October of 1980. Writing on Rothman company letterhead, Moore stated that “as tobacco manufacturers we do not express opinions on the smoking and health controversy. You will note that the paper is unsigned and I would ask you not to disclose my or my Company’s name, as the source of this paper. Otherwise, you are free to use it as you see fit”. Moore informed the MP that he and Mike Scott from Brown & Williamson had been meeting with other international cigarette companies in Egypt who have “agreed a common ‘industry view’ on the approach we would like to see taken on the proposed restrictions on the marketing of cigarettes. We feel that it would be best if we were to meet with you again to go through this document and if you are agreeable, would welcome an invitation to visit you in Cairo”.⁶⁶

Tobacco industry efforts to defeat advertising restrictions in Egypt continued into the 1990s. A Philip Morris Corporate Affairs document from 1993 lays out a comprehensive strategy to defeat proposals put forward by [name deleted] to ban all forms of tobacco advertising and promotion. The objectives of the Philip Morris campaign were two-fold: “Seek to defeat the proposed ban” and “as a fall back, ensure that advertising freedoms ceded are kept to a minimum.” A comprehensive strategy was devised:

- 1. Determine the expected progress of the bill within the legislative and decision-making processes and identify key influential players within these processes.**
- 2. Identify key allies that could be mobilized against the proposed bill and in defense of advertising freedoms in general.**
- 3. Prepare adapted argumentation tailored to the particular perspectives of the allies who are expected to use them against the bill and in defence of advertng freedoms.**
- 4. Seek to enlarge the cycle of committee review of the proposed bill and to defeat (or as a minimum favourably amend it) through the intervention of key committee members with whom contact is established via natural allies.**
- 5. Build and mobilize formal and informal coalitions against the proposed bill with natural allies and allied organizations.**
- 6. Prepare broad-based opposition to the bill within the People’s Assembly in the likely event that it is put to debate at plenary session.**
- 7. Prepare a tailored media communication campaign in defense of marketing freedoms to be launched as appropriate in support of political and lobbying action undertaken.**
- 8. Identify, and with line management agree, maximum affordable concessions that could be conceded as a last ditch defence.**
- 9. Consider and agree with line management pro-active measures consistent with PM’s or the industry’s position that could be volunteered in defense of advertising freedoms.**

The company identified the need to carry out a “quick, but accurate and telling analysis of tobacco advertising expenditures in the print media ... in order to identify the major recipients of tobacco print advertising spend and to determine the importance of such advertising expenditure in relation to their total advertising revenue ...”. The company also sought to find out what the Minister of Health’s views on a total advertising ban were, “if these views are opposed to a total ban to seek that he communicate such views within Parliamentary

Committee deliberations and reviews of the proposed bill and/or during debate of the bill at the plenary session of the Parliament ... Action-Grp to identify reliable source and obtain insight on the Minister's position as well as identify and influential third party who could as a communication conduit to the minister". The company also tried to enlist the support of the management of Eastern Tobacco, the government monopoly, pointing out to them "the expected impact of a tobacco advertising ban on future efforts by the Egyptian Government to privatize the state tobacco industry, particularly in terms of the expected valuation of the industry and future efforts by a privatized tobacco industry to improve the quality of existing brands or launch new quality brands without being able to communicate such brand improvements to consumers".

Aware of its lack of credibility among policy-makers, the company pointed out that "it is not conceivable that PM and the Industry would seek to oppose the proposed bill publicly (in the media) in the early stages of the lobbying process. In fact such action could be counter-productive, despite the fact that a media outcry against the bill would genuinely describe its reaction of the proposed advertising ban. Initially, the role of the media should be limited to the political action and influence with Parliamentarians and decision-makers that the media can muster. But a well coordinated media communications campaign should not be ruled out at the later stages of the campaign, particularly when and if the proposed bill is put to debate at plenary session of the People's Assembly". If the company was unable to defeat the ad ban proposal outright, then any concessions would have to be made carefully: "Identify and with line management, agree maximum affordable concessions that could be made as a last ditch defense. It would be complacent of PM and the Industry to assume that the proposed ad ban bill will be defeated without any concessions. This would be a best case scenario. But adequate provision must be taken to ensure that the Industry prepares for reasonable and affordable concessions that could be made as a last ditch defense against the bill PM and the Industry should be in control of what trade-offs are being offered and must therefore be prepared to identify and agree in advance proposed options or commitments that may be necessary."⁶⁷

Bahrain

In Bahrain, the industry took a harder line, threatening to withhold advertising from media outlets that refused to oppose a proposed advertising ban. The industry's "threat to the press was mainly a tactical move" wrote Abdullah Borek of the MEWG. "We knew that something re. advertising ban was under way and we had to involve the press in order to have the authorities alerted to the negative effects a loss of revenue would have. Threatening the press was the only way to get them to do something....while Bahrain in itself is not such an important market," Borek wrote, "its function as a forerunner in the Gulf must not be underestimated. If we make a mistake here, it will sooner or later come up in other countries in the region."⁶⁸

Kuwait

In the early 1980s, the Middle East Working Group was also concerned about potential advertising restrictions in Kuwait. The companies agreed that although no immediate action was anticipated, "industry principals should be equipped with argumentation so that low-key contacts can be made and maintained on a pro-active basis".⁶⁹ As advertising ban proposals began to be considered, the companies were ready, lobbying media owners and the Minister of

Public Health of Kuwait through [position deleted], a close personal friend of the Minister.⁷⁰ The tide began to turn against the industry, which was faced with tough legislative proposals put forward by the Minister of Health, who was threatening to lead street demonstrations in support of his legislation. Philip Morris dispatched George Nassif and an employee of [company name deleted] “to meet with influential media owners. The purpose of the visit is to coordinate our response aimed at significantly weakening the proposed anti-tobacco legislation”.⁷¹ Defeating the advertising restrictions would require that the companies work closely “with the Kuwaiti media owners to maintain the effective opposition to the anti-tobacco proposal(s)” of the Minister of Public Health and, “in cooperation with the organizations which are supported through sports sponsorships, publicize the benefits via the Pan Arab and Kuwait media”.⁷²

Tobacco industry promotional campaigns: studying the buying habits of 13 year olds

Throughout the 1980s and 1990s, the companies carried out promotions in the GCC states that in many cases would never have been tolerated in their home markets. Although the focus of the authors’ searches was not on tobacco industry promotional activity in the region, we did come across some documents that shed light on these kinds of activities. In promotions for their Kent brand in the GCC states, for example, Brown & Williamson, sponsored: “Kent Evenings” at “leading hotels and discos”; bowling leagues in Kuwait and the United Arab Emirates; concert tours; sampling campaigns; and a “holiday promotion with all-expense paid trip to Bali as first prizes.”⁷⁵ Another proposed Brown & Williamson print advertisement for Dubai, Kuwait and Egypt, for example, was to show a couple skiing with the message that the light cigarette being promoted is “for beginners”.⁷⁶

Philip Morris meanwhile promoted its Chesterfield Brand in Lebanon in the 1980s using a mobile disco unit. Disagreeing with headquarters’ decision to cancel the promotion, E.G. Charnaud wrote that “although the video programme will run in existing discos, I doubt we will reach the majority of our target audience (17–21 yrs.) because most of these discos are quite exclusive, rather expensive, and therefore attract a limited number of people. We need to reach our target audience through university grounds, campus and amusement centres, and this is possible by using the mobile disco unit which will be something really new.”⁷⁷ The company’s 1991 marketing plan for Egypt meanwhile called for the company to “continue similar on-going promotional activities as those conducted previously (e.g. international bridge tournament in February (to retain future rights for Merit), trade fair, mobile video disco, mobile cinema, beach promotion, sponsorship of university concerts, sports events and in-store (switch selling)”⁷⁸ In 1995, meanwhile, the company planned a series of musical promotions in the Middle East including concert tours, music programs on radio stations, sponsorship of “existing music programs on satellite TV” and “Rock-in Promotions”. The “Marlboro Red Objectives” were to: “1) attract the younger section of all potential MLR smokers; 2) The look of promotion, be young creative and aggressive; 3) Rejuvenate the Brand promotional activities.”⁷⁹

The companies also regularly hired market research firms to query both smokers and non-smokers about their likes and dislikes, including what sports they engaged in and how they preferred to spend their leisure time. These surveys often included adolescents, sometimes as young as 13. The 1990 “Saudi Arabia: Young Generation Study”, for example, carried out for Philip Morris, interviewed 3846 Saudi and expatriate males and females aged 13–25, in order to “investigate the behaviour, attitudes and beliefs of young Arabs. Buying habits, media consumption and leisure time activities were also measured.”^{80vii} This information was presumably used to inform their marketing campaigns.

^{vii} Other studies found included Saudi Arabia Market Background, in which smokers aged 16–24 were surveyed (B&W 660905975-660905984) and “The 1979 Oman Basic Survey”, which interviewed smokers aged 16–24 (PM 464401048).

The Iraqi invasion of Kuwait and the tensions which led up to it provided a brief respite for the industry. Following the Gulf war, the industry's strategy was to "seek to maintain pre-invasion promotional freedoms by offering to establish self regulation guidelines" and work with the managers of hotels, restaurants and clubs to seek their support. The companies also sought out the assistance of advertising agencies with tobacco accounts, providing them with the "relevant arguments" and encouraging them through META to "mobilise their contacts in support of recovering pre-invasion promotional freedoms". If the right to advertise was restored, then the industry agreed it would pursue legal action against illegal users of tobacco trademarks on children's products while securing "wide media coverage of PM's and the Industry's responsible position on the juvenile smoking issue".⁷³ Following another attempt to table an anti-smoking bill, this time by a Member of Parliament, the companies simply redrafted the bill "in a form in which it was acceptable to META, and this preferred version was (then) to be discreetly floated to key members of the National Assembly through companies' distributors, lawyers, and natural allies".⁷⁴

United Arab Emirates

In 1990, the tobacco industry in the United Arab Emirates successfully defeated proposals to ban outdoor advertising, promotions and sampling. "Working within and with the United Arab Emirates Chapter of the IAA, META members with their advertising agencies and suppliers, were able to sensitise key decision makers on the potential implications of the ban on local businesses and Dubai's efforts to become a centre of tourism in the GCC. This mobilization under the IAA's umbrella succeeded in suspending the implementation of the proposed ad ban and proved that Industry action through the local Chapter of the IAA can be very effective in defending marketing and sponsorship freedoms."⁸¹

The ubiquitous presence of tobacco billboards on the Dubai–Abu Dhabi road had apparently "provoked" the Ministry of Health in the United Arab Emirates to consider these bans in the first place, and the industry wondered whether removing some of them might not be a "prudent move".⁸² Rather than remove all outside billboards, however, the industry agreed that only some would be removed, thereby testing the Ministry of Health's "reactions to minimum concessions". The companies were also able to convince the Dubai municipality to relax its restrictions on sampling in hotels and night clubs.⁸³ The future strategy for the United Arab Emirates was fairly simple, as this 1992 Philip Morris memo explains:

- ◆ **press ahead with re-drafting the UAE voluntary code for tobacco advertising ... for use with government/ health officials, highlighting particularly the juvenile smoking aspect;**
- ◆ **complete the removal of road-side cigarette hoardings (billboards) on the Dubai-Abu Dhabi road and capitalise on this minimum concession as an example of voluntary self-regulation by the Industry;**
- ◆ **work with the UAE Ministries of Health and Education to address juvenile smoking issue effectively;**
- ◆ **meet with the ... Dubai Municipality and seek the maintenance of the 1990 status quo with respect to cigarette promotions;**
- ◆ **encourage and step up endorsements of the value of advertising by the local chapter of the IAA, the IAA Regional Director for the Middle East and Africa and the media;**
- ◆ **step up media coverage of the futility of advertising bans in affecting tobacco consumption and publicise the position of the UK on the proposed EEC Ad Ban directive; (and)**
- ◆ **work with the Industry and Philip Morris advertising and communications agencies to ensure that the media is alert and sensitised to the threat of a print advertising ban and is constantly mobilised to defeat such threats.**⁸⁴

In order to forestall government restrictions on tobacco advertising, the companies devised and promoted voluntary codes on advertising. The goal of such codes, according to META, was “the goodwill to be gained with the UAE authorities to the benefit of the industry from being able to point to a voluntary ‘in-house’ document formalizing – in an informal way – standards of behaviour which at an unknown future date the authorities could well enforce anyway”.⁸⁵

With pressure mounting in the 1990s on governments in the GCC to ban tobacco advertising, Philip Morris suggested a two-pronged strategy to:

1. **Work separately and with META members to develop informal coalitions of those who benefit from tobacco marketing expenditure and mobilise them in the defence of tobacco marketing freedoms under the umbrella of the Regional IAA Director for the Middle East/Africa, the local IAA Chapter in the UAE and the Gulf Advertising Agencies Association, and**
2. **Establish and strengthen PM and Industry goodwill vis-à-vis the public and government officials on the juvenile smoking issue and pursue voluntary self-regulation guidelines with the Industry with a view to pre-empt regulatory restrictions.**⁸⁶

Saudi Arabia

Prior to the January 1986 meeting of the Gulf Health Ministers Conference, Philip Morris arranged for a third party to meet with the Minister of Health to convince him that the advertising ban and other anti-tobacco proposals were not in the Kingdom’s interests. “Through the Pan-Arab Media Association,” wrote Robinson to Geoffrey Bible, “we are lobbying Tihama (the principal publishing house and ad agency in Saudi Arabia) to resist the advertising ban proposal. We are using the contacts of [name deleted] to communicate Philip Morris messages to their Saudi Arabian friends and to special U.S. government contacts based in Saudi Arabia.”⁸⁷ A 1992 analysis of “Gulf Marketing Freedoms” by PM’s Baroudi was upbeat about the chances of staving off advertising restrictions in Saudi Arabia:

While Saudi Arabia has since the early 1970s and by Royal Decree banned tobacco advertising in the local media, PM and the Industry have succeeded in reaching more smokers through the mainly Saudi-owned pan-Arab publications and pan-Gulf newspapers and magazines. The ownership of the leading London-based pan-Arab publications, being concentrated in the hands of Prince Salman, Governor of Riyadh, and Prince Khaled Bin Sultan, son of the Saudi Defence and Air Force Minister, and the significance of tobacco advertising to these publications, make the threat of banning tobacco advertising in imported media, though desired by the GCC Health Ministers Council, very unlikely. Saudi policy on this matter is actually inconsistent, particularly since the leading Saudi-owned pan-Arab papers (Al Hayat and Al-Sharq Al-Awsat) are currently printing Saudi Arabia via satellite transmission, yet continue to evade the cigarette advertising ban.⁸⁸

Oman

Oman provides an interesting case study of how the industry mobilized to defend their ability to advertise. The industry was particularly concerned about the country’s “vocal anti-smoking lobby” which they believe was behind government attempts to ban cigarette advertising in the print media and prohibit point of sale advertising, in-store promotions and redemptions. Robin Allen of META wrote that there was a need for the companies to “recover ‘good-will’ with the Health authorities who continue to drag the industry’s name through the mud on

the sole evidence of biased anti-industry lobbies”.⁸⁹ Although the industry had managed to obtain a delay in efforts to ban tobacco advertising in the print media, Allen wrote that the industry needed to “make efforts to recover lost ground. Silence from us incriminates us”.⁹⁰

An “Oman Working Group” was formed by META to devise and carry out a strategy to defend and promote the industry’s ability to advertise. This Group came up with an “Action Plan for Oman”, the principal aims of which were to:

1. **preserve the industry’s freedom to advertise ... and recover the right to bring “premiums” and give-aways;**
2. **seek out and improve relations with authorities and opinion-formers to achieve this goal;**
3. **establish the industry as a credible interlocutor; (and)**
4. **establish a better knowledge of the decision-making process.**

The companies proposed to “target key officials” including the Omani Ministers of Health, Information, Commerce and Industry, as well as the Managing Director of *Al-Omaniya*. The companies’ strategy in Oman involved improving the “environmental monitoring and early warning system through company representatives and distributors/agents” and working through those distributors to lobby the Omani government, rather than doing so directly.^{viii} The companies were to be the “message writers” while the “deliverers” would be someone “well-known in the Oman private sector”, most likely a distributor.⁹¹ “Other contacts should also be scrutinised,” according to the strategy, so that the industry would not be seen by government officials to be “organising its ranks to challenge state authority. This would be provocative, confrontational and counterproductive”. META’s goals in Oman were to “prevent the revival of proposals for a print advertising ban” and to “obtain concessions from [name deleted] and the Ministry of Commerce in the enforcement of the ban (on promotional giveaways) and ensure that the Omani authorities in enforcing the notice distinguish between legitimate promotional give-aways targeted to adult smokers and products targeted to children which illegally carry cigarette trade marks”.⁹²

Part of the companies strategy was to provide its allies with “simple and straight forward” briefing papers on such subjects as tobacco and youth, the “danger” of ad bans to the private sector and the contribution of the tobacco industry to the country’s economy.⁹³ But much more important, and in line with the trend in the tobacco industry in the 1990s, was the conscious use of the youth smoking issue to combat advertising restrictions. Despite their brazen attempts to lure young people into smoking, (see box page 18), the industry decided that the best defense was a good offence.

The companies agreed to coordinate their actions to “establish goodwill vis-a-vis [name deleted], other Omani officials and the public on the juvenile smoking issue by:

- ◆ **finalizing and publishing Cautionary Notices that disassociate members from products targeted to children which illegally carry cigarette trade marks and implicitly state META companies’ position which is opposed to smoking by children;**
- ◆ **publicizing member companies’ action against illegal users of their cigarette trade marks, particularly on children’s products; (and)**
- ◆ **involving member companies’ legal counsel in Oman, starting legal proceedings against illegal users of cigarette trade marks on children’s products and publicising same.”⁹⁴**

^{viii} The companies also vowed to establish a local chapter of the IAA through [name and position deleted]. (Oman Working Group – Minutes of meeting held at Muscat International Hotel on Wednesday January 29, 1992; PM 2028651590-1593

Of great concern to the industry was the import of fake goods from Asia such as caps and t-shirts which bore their cigarette logos. Such imports, they felt, created a hostile climate for them and made it more difficult for them to import promotional items. They mobilized their legal team to pursue these violators, focusing “particularly on those violations which damage the industry in the context of tobacco and youth”.⁹⁵ Thus would they “seek to capitalize on the goodwill generated by PM/Industry on the juvenile smoking issue to restore freedoms to import premiums and give-aways through all ports of entry”.⁹⁶

META also proposed to implement a voluntary advertising code along the lines of that adopted in the United Arab Emirates. They reasoned that:

The vulnerability of the industry to advertising restrictions and the use by anti-industry spokesmen of the fraudulent claim that the industry targeted children or that tobacco advertising affected children had to be combated. A way had to found to demonstrate that the industry was doing all it could to discourage under-age people from smoking. A voluntary code for Oman along the lines of the UAE version was proposed.⁹⁷

Not only would they extend the code to Oman, but they planned to heavily publicize it “to demonstrate to the authorities their good-will, and responsibility in selling a quality product”.⁹⁸

4.3 Fighting advertising bans in 2000

Tobacco industry opposition to advertising restrictions continue to this day. A copy of a 20 March 2000 memo from Bisharah Baroudi of Philip Morris to Nicolas Hobeiche details steps that BAT and Philip Morris were taking in reaction to proposals in Lebanon for an advertising ban. Beginning with an “informal approach” by Ramzi Najjar of Bates-Rouge (BAT’s advertising agency) to the Minister of Health at a dinner function, the companies have been trying to play on the Minister’s concern for youth smoking by proposing joint government-industry cooperation on youth smoking prevention. In the memo, Baroudi proposes “constructive engagement and cooperation with the Ministry of Health in addressing youth smoking”, including encouraging minimum age legislation and launching retail access prevention programs. At the same time, Baroudi stresses the importance of “defending brand communication and advertising freedoms, supported by allies (IAA, media, ministerial contacts, etc.) and backed by argumentation and the assessment of the potential economic impact of a tobacco ad ban carried out last year” (emphasis in the original). Nevertheless, the companies were cognizant of the fact that they might have to revise their current marketing practices. “We need to consider internally and jointly with the rest of the industry,” writes Baroudi, “those marketing practices that we may be willing to concede, preferably voluntarily Alternatively, such concessions may become necessary under threat of legislative amendment, and we should be prepared with our list of reasonable concessions.” However, PM drew the line when it came to proposals to voluntarily withdraw from television advertising. “I do not support this proposal, irrespective of its implications for our marketing mix, or lack thereof. It is primarily because two thirds of the industry advertising spend goes into television. A motion to withdraw from this medium is unlikely to find the requisite support and unanimity within the industry, but more importantly, it would alienate media ad industry and IAA support for tobacco advertising freedoms.” Regardless, Baroudi was optimistic that this opening with the Minister provided an opportunity for the

industry to “mobilise allies and hopefully put the matter to bed in a manner satisfactory to all parties for many years to come”.⁹⁹

5. The tobacco industry and Islam

Work to develop a system by which Philip Morris can measure trends on the issue of Smoking and Islam. Identify Islamic religious leader who oppose interpretations of the Quran which would ban the use of tobacco and encourage support for these leaders.

-- Philip Morris, 1987

The tobacco industry has always been worried by the influence of Islam in the Middle East, which they fear will be used by health authorities and religious activists to discourage smoking in the region and encourage strict government regulation of industry activities. A 1984 Brown & Williamson (B&W) trip report from Saudi Arabia, for example, states that “The pressure upon smoking is continuous, with Friday sermons being delivered in the mosques stating that smoking is *haram* (outlawed by Islam)”. The author was confident however that “this is only rhetoric and no action will be taken. The rationale for this is that smoking is not as clearly *haram* as alcohol, pork, etc. and will not therefore be banned”.¹⁰⁰ Nevertheless, the industry continued to monitor publications and speeches to ensure that a stricter interpretation of what constituted *haram* did not start to gain currency.¹⁰¹

A draft 1987 Philip Morris (PM) Corporate Affairs Plan meanwhile called for “better argumentation” on the “major issue” of smoking and Islam. One of the company’s strategies was to “work to develop a system by which PM can measure trends on the issue of Smoking and Islam. Identify Islamic religious leaders who oppose interpretations of the Quran which would ban the use of tobacco and encourage support for these leaders”.^{ix102} Keen to burnish its image with religious leaders, the company publicized its charitable donations to Islamic institutions, as in 1989 when it obtained “extensive coverage in GCC media for Philip Morris’ corporate contribution to the House of Quran, an Islamic cultural institution in Bahrain”.¹⁰³ The company’s religious sensitivities only went so far, however. A 1991 memo from PM’s Baroudi to META Secretary Robin Allen regarding the draft voluntary code for the United Arab Emirates stated that “Philip Morris would prefer to maintain the right to hold special promotions during Ramadan” and proposed instead that companies “give up cinema advertising during the Holy month”.¹⁰⁴

B&W took this a step further, when, in 1995, they prepared a “creative brief” for an advertising campaign during Ramadan to promote their light brands. They hoped that, instead of quitting during Ramadan, smokers in the Middle East would instead switch to light cigarettes. Having abstained from smoking during daylight hours, the company reasoned, would make the lower dose of nicotine in a light cigarette more palatable. The advertising campaign would focus on smokers’ desire during Ramadan to “cleanse the body” and would take advantage of the fact that other companies reduced their tobacco advertising during this period.

^{ix} Under “Support Requirements” in a 1988 Philip Morris Corporate Affairs memo is the following: “Islam – support JLB/BGB in project to counter haram charges.” (Corporate Affairs Support Requirements Needed from S&T and R&D in 880000; PM 2501152305-2308; http://www.pmdocs.com/PDF/2501152305_2308_0.PDF)

Lights Ramadan creative brief

The Holy Month of Ramadan is a time of fasting, in order to practice self restraint and cleanse the body. It is therefore a time when Muslims try to live a healthier life and it is believed that many people may try to give up smoking.

Smoking during daylight hours is banned until the Iftaar canon goes off around 6:30pm. Therefore smokers will not have had a cigarette for around 14 hours.

This being the case it is reasonable to assume that after such a period of abstinence the tar/nicotine levels of a Lights/U.L.T. brand may be more acceptable to consumers than at normal times. This coupled with a desire to lead a healthier life may provide an opportunity to get smokers to switch.

In addition, during Ramadan the level of support/activity for competitive brands are significantly reduced (both in advertising and at point of sale) allowing us to be more prominent with lesser funds. N.B. As Ramadan is the *Holy Month* it is very important that we are careful not to offend prospective consumers, the trade and importantly the religious authorities.

Finally, when looking at options, we must consider how this can be linked to the light shadow concept. Indeed one option might be to simply tweak the existing creative to allude to Ramadan as being the ideal time to switch to a Lights/U.L.T. brand.

Communication objectives (ATL/BTL):

To build awareness of the Lights category.

To build brand varieties of the Lights category as being the logical and sensible choice.

Role for communications:

Convince full flavour smokers that now (Ramadan) is the ideal time to switch to a U.L.T. brand.

Target audience:

All full flavour cigarette smokers (Arab).

Proposition:

Now (during Ramadan) is the time to switch to Lights.

Support:

Full range of U.K./U.S. Lights brands, i.e. tastes, flavours, price and image.

Creative considerations:

Must enhance existing 'Light Shadow' creative concept.

Proposition:

Now (during Ramadan) is the time to switch to Lights.

Support:

Full range of U.K./U.S. Lights brands, i.e. tastes, flavours, price and image.

Creative considerations:

Must enhance existing 'Light Shadow' creative concept.

Timing:

Immediate

Geography:

All GCC. Therefore must be able to run unbranded in Saudi, i.e. no brand names, nor mention of tar, nicotine, cigarettes etc



6. The threat of public smoking restrictions and the ETS issue: industry battle plans

In 1978, a confidential study for the Tobacco Institute noted that second-hand smoke, also called “passive smoking”, “involuntary smoking” and “environmental tobacco smoke” (ETS), was an issue of rising concern to the public and constituted “the most dangerous threat to the viability of the tobacco industry that has yet occurred”.¹⁰⁵ Throughout the Middle East, the tobacco industry fought government attempts to restrict smoking in public places through covert lobbying, public relations campaigns, issuing “scientific” studies on the topic to create propaganda for their side, and taking any and all steps to “restore smoker confidence”.

A March 1987 ETS Plan for the Philip Morris EEMA Region succinctly summarizes the tobacco industry’s thinking on the ETS issue and the strategy they would employ to defeat restrictions on public smoking:

Overview and objectives

The primary threat of the ETS issue is its potential for converting non-smokers into anti-smokers and further undermining the social acceptability of smoking.

Objectives

- ◆ resist smoking restrictions;
- ◆ restore smoker confidence; and
- ◆ preserve product liability defence.

Two sub-objectives considered as prerequisites are:

- ◆ the reversal of scientific and popular opinion that ETS is harmful to health; and
- ◆ the restoration of the social acceptability of smoking.

Strategy

Develop expert opinion in order to influence and direct:

- ◆ popular attitudes;
- ◆ political attitudes;
- ◆ professional institutions; and
- ◆ interested parties (e.g. airlines, labour unions, hotel and restaurant associations).

It is critical to cultivate and exploit targeted sections of the media (e.g. scientific journals, labour newsletters) and selected communication channels (e.g. IATA, ILO) to achieve this influence.

Expert opinions will be solicited in two ways:

- ◆ identification of, education and support of indigenous, credible third-party spokesman in the whole area of environmental toxicology, and
- ◆ sponsor domestic research into air pollution, including indoor air quality (IAQ) and in-flight air-quality (IFAQ).

Resources needed

- ◆ recruit and direct ETS “white coats” (e.g. scientists);
- ◆ develop working relationship with “ETS experts” who are not associated with PM/industry

- ◆ strengthen available ETS argumentation;
- ◆ participate in PM/industry ETS briefings for Government leaders; and
- ◆ supply PM's scientific input for NMA ETS efforts.

Assistance is needed from PMI N.Y./US Tobacco Industry in order to:

- ◆ ensure that ETS experts are available to submit papers and speak at ETS seminars which are not organised by the industry;
- ◆ provide early warning of WHO ETS strategies/plans (particularly as they impact on national health plans); develop advocacy advertising materials and media events (e.g. Great American Smoker's Kits) to counter the anti's; and stimulate US Government Delegates to more carefully scrutinize WHO activities and finances (in EEMA, concentrate on WHO Regional Offices in Alexandria, Brazzaville and Copenhagen);
- ◆ obtain industry agreement to expand Infotab's charter and resources so that Infotab can lobby international organizations(e.g. ILO) and speak out publicly on the ETS issue....¹⁰⁶

In the Middle East, the tobacco industry identified public health authorities and the media as the two main sources of "imported" material on ETS. They believed that the authorities were obtaining scientific studies on ETS carried out in developed countries "via WHO Geneva or WHO-EMRO", studies they complained were "usually never disputed or criticized by the local health/scientific establishment neither officially nor privately". At the same time, the industry was upset at the local and regional media for creating a "sensational effect by plagiarizing ETS related articles from Western media" covering the U.S. Surgeon General's report and other scientific studies. Although smoking bans in governmental offices, hospitals and private companies had already been passed, they were not being strictly enforced. Even more encouraging for the tobacco industry was their belief that "fundamental differences exist between the Western and the GCC's approach to individual rights and liberties. Non-Smokers in the GCC are more tolerant or less likely to fight for their 'individual rights as non-smokers', than their counterparts in the US or Europe", Taking these factors into account, Philip Morris's "1987 ETS Plan" for the GCC had two main objectives:

- a. Resist the adoption of smoking restrictions in public and [the] work place.
- b. Minimise the impact of media reports on smokers' confidence (In the GCC, smoker's confidence is undermined by more than health concerns; government mandated restrictions already in force and peer pressure, on religious grounds, play an important role).

In order to carry out these objectives, the company planned to organize an "ETS media briefing" for the Pan-Arab and Pan-Gulf media and "encourage print media in certain GCC countries to publish 'rebuttals' on specific articles dealing with Smoking and Health". Articles questioning the science behind ETS restrictions would be planted in local media by Radius/Leo Burnett and Tihama in Saudi Arabia using the "International Tobacco Science Information Service" (ITI). To carry out this plan, the company planned to utilize a "Philip Morris 'ETS issue scientist' in presentations tailored to Arab health officials/markets (argumentation, language, degree of sophistication). The same scientist should be prepared to address the primary Smoking and Health issues". The company's media operation in the Middle East would also need to be strengthened and a Corporate Affairs executive "identified, hired and relocated to Bahrain to assist in the coordination of smoking and health ETS related activities". Finally, to be on the safe side, the company would "obtain EEMA's legal

opinion on the feasibility of conducting ETS briefings for Government officials in foreign locations should in-country briefings become impractical or undesirable”.¹⁰⁷

The tobacco industry constantly attempted to get its message on ETS into the media. One of its more successful tactics in the GCC region was to frame the threat of public smoking restrictions as one of “smokers’ rights”, as noted in this Philip Morris telex from George L. Nassif to Keith Ware:

Since the media has reacted promptly in favour of the smoker’s rights, [name deleted] will definitely use ETS as part of his arsenal against our lobbying. The media has been very helpful and I have requested meetings with Kuwaiti editors. Depending on the outcome of our conversations, we hope to set up follow-up meetings and we can set up an ETS briefing for the Kuwaiti media to start with. Our point of view on ETS will definitely be carried by the Kuwaiti media if packaged properly.

Philip Morris also worked through [name deleted], one of its media and corporate affairs firms, to “publicize in the GCC and Pan Arab media the IFAQ expert presentations and documents utilized on Oct. 25 during the IFAA Congress in Brussels. During this summer, Middle East Corporate Affairs successfully stimulated the GCC media to publicize Swissair’s policy of continuing to provide seats for smokers”.¹⁰⁸ The tobacco industry closely watched the activities of WHO on the ETS issue. [name deleted], the Cairo-based consultant hired by Philip Morris to monitor WHO-EMRO, tracked the work of [name deleted], one of its staff who was “responsible for anti-smoking programs – the principal emphasis of which is ETS”.¹⁰⁹ Philip Morris continued to supply ETS and IFAQ issue papers supplied by the U.S. law firm of Covington & Burling to “key GCC health officials. As part of the effort, Middle East Corporate Affairs is working with Steve Parrish* to finalize by mid-1989 a tobacco issues Question and Answer booklet which will be printed in Arabic”.¹¹⁰

One of the “key issues/threats” identified by META in its 1992–1993 work plan was the “threat of restrictions/bans on workplace smoking, public smoking, airline smoking and similar restrictions or bans in the hospitality sector”. In order to deal with this “threat” META members set out to:

Maintain and step up MEMAC’s ETS communications effort with a view to promote balanced coverage of the public smoking debate. Concentrate this effort on management, travel and leisure and business publications.

Consider, and if feasible, undertake a direct mailing campaign to leading GCC private employers, communicating the Industry’s arguments against workplace and public smoking restrictions/bans.

Establish contact with the Amman-based Arab Air Carriers Organisation (AACO) and develop this relationship to serve as a conduit through which technical/scientific arguments/solutions to cabin air quality problems can be communicated to GCC and Arab airlines.¹¹¹

This strategy was refined and elaborated in an October 1992 “Analysis and Action Plan” prepared by Robin Allen for a meeting of META companies and their distributors in Dubai. This document has been reproduced in Annex 1 because of the sophistication of the plan and the fact that this meeting brought all of the principals together in the same place. It is also remarkable in its frankness (e.g. its advocacy of advancing “pseudo-scientific arguments” and “damage limitation”) as well as its specific targeting of Middle Eastern health officials.¹¹²

* Now Senior Vice President of Philip Morris.

Cairo Conference on Indoor Air Quality (November 1993)

As in many other parts of the world, the tobacco industry sought to insert itself into independent scientific gatherings. A series of memos concerning a November 1993 conference in Cairo on Indoor Air Quality (IAQ) shows the extent to which they saw such conferences as public relations platforms (the conference was co-sponsored by Indoor Air International, which has been linked to the tobacco industry). The theme of the conference was “Occupational Hazards from Air Pollution,” and, it was noted with some relief, second-hand smoke was likely to be only one topic among many on the agenda. The industry planned to have three or four consultants attend. While the benefits of participating in somewhat open conferences had clear benefits, it also entailed some risks. As Charles Lister explained to Philip Morris colleague Mark Mansour:

Let me emphasize that this is not our conference to control. It was organized by the Ain Shams faculty. We have friendly relations with some of them, and can exercise a modest degree of influence, but we cannot (for example) cancel the meeting. Nor can we prevent unhelpful speakers. They will in essence allow anyone with a paper to give it. Again based upon past experience, I would expect an anti paper or two, but I would also expect them to be poorly done. A few pointed questions usually deflates them. All that being said, it still offers an opportunity. We will have some friendly speakers there, and they could give interviews, meet regulators, etc. We could, in other words, market their visit. I could therefore be grateful for advice as to whether (1) you would like such efforts and (2) how you think they might best be conducted. This has to be done at arm’s length, but we have in the past hired local PR people for other such events. Depending on the quality of the person, it has sometimes worked well.¹¹³

Another memo four days later from Lister to Mansour (also marked “privileged and confidential”) provided more details on the conference and a list of tasks to be done:

We want simple PR help, done carefully at arm’s length, and of the kind that plausibly could be sought by a scientific society. We do not want to publicize the conference itself, or Ain Shams, or the Medical Faculty, except incidentally and as necessary to publicize some of speakers. There may be things at the conference we will want ignored. . . . We will have several speakers, but there are two to concentrate on, and two others who might be fallbacks. The two choices are [names deleted]. The first is a toxicologist, formerly head or research for a large pharmaceutical firm, [position deleted]^{xi}. [Name deleted] is the [position deleted] and a major figure in EC advisory committees, etc. [Name deleted] is the biggest name in environmental matters in the U.K. . . . I will be there to keep things going, oversee everything, etc., so I can also coordinate with the PR person. The chief contact, however should formally be listed as [name deleted]. Indeed I will give a paper on LED legislation, so as not to look like an odd outsider. . . .

I suggest interviews, joint or separate, with these two men. They play off each other well, and between them cover both health and IAQ questions. I can imagine stories to the effect that two eminent British scientists are in Cairo to attend an international conference regarding air pollution, and kindly expressed their views regarding those issues. A press conference would be fine, but I would hold it at a hotel or other place away from the Conference centre itself. Otherwise, others at the conference will be aware of it, and may want to become involved. . . .

^{xi} For more information on Perry, Leslie and IAI see David Concar and Michael Day, “Undercover Operation,” *New Scientist*, 16 May 1998; <http://www.newscientist.com/article/mg15821340.300-undercover-operation.html>

If it were possible to line up courtesy visits (in other words, informal lobbying) to government people, so much the better. [Name deleted] could do them on the 16th or 17th, or they could both do them on the 14th. They could if necessary bring the Egyptian chairman of the organizing committee, who is a professor at Ain Shams. His name is [name deleted]. I would not have him go on such visits unless it were really necessary. I would not--not--have the PR person in direct contact with him.¹¹⁴

One month later, and with the Conference fast approaching, Lister wrote to George Pantos emphasizing the need to keep the planned infiltration of the Conference at arm's length:

I have now had discussions with [company name deleted] and they seem quite professional and good.... I hope that they will be able to arrange visits by some of our speakers to relevant government people. I have also arranged that they will coordinate with our contacts at Ain Shams. That coordination process should already have begun. In other words, the PR effort seems to be going well. I do want to emphasize that they have been told that their client is the scientific society. The bill will come to the society, and all of the instructions will come from them. I believe that it is most important to keep this completely at arm's length, lest we disturb our local contacts and taint our visiting people. Please therefore remember the need for confidentiality.... I gather that you have recently had a ban on smoking in hospitals, and I take it that this may be only the beginning. I hope we can help.¹¹⁵

During the 1980s, the tobacco industry also worked hard to prevent airlines in the region from going smoke-free. George Nassif of Philip Morris met with Saudia Airlines officials to show them “sources that prove the lack of evidence” that passive smoking is harmful, avoiding the term “cigarette smoke” for the more reassuring sounding “ETS”. Part of his argument was that “smoking offers comfort and calming of the nerves for smoking passengers irrespective of the time-duration of the flights”.¹¹⁶ Although the industry succeeded in preventing many airlines in the region from going smoke free, pressure began to mount in the 1990s as a 1996 memo from Philip Morris points out: “A more pressing issue in the GCC is the threat of a possible smoking ban on domestic and intra-GCC flights inspired by the recent extension of the airline smoking ban in the US to cover all flights of less than six hours.”¹¹⁷

International Agency for Research on Cancer

In 1988, a research branch of the World Health Organization, IARC (the International Agency for Research on Cancer), undertook the largest European epidemiological study on lung cancer and second-hand smoke. Philip Morris feared that the study, which they monitored closely through the use of undercover consultants as well as through direct contact with IARC investigators (under the guise of providing comments on the study’s “inadequacies”), would lead to increased public smoking restrictions in Europe, which at that time had few.

Although the study itself demonstrated a 16% increase in the point estimate of risk in lung cancer for non-smokers, it was described in newspapers as demonstrating no increase in risk. The industry was able to achieve this “balancing of perspective” through an inter-industry, multi-level strategy which included scientific, communications and government components. While the IARC study cost US\$2 million over the course of a ten-year period, Philip Morris planned to spend US\$2 million in one year and up to US\$4 million on research

^{xii} See Ong EK, Glantz, SA. Tobacco industry efforts subverting International Agency for Research on Cancer’s second-hand smoke study. *Lancet*, 2000, 355:1253–9.

to counter the study's anticipated findings. The industry also worked to prevent a monograph of the study from being published. Indeed, no such publication has yet been produced.^{xii}

In 1995, META companies began to prepare for the fallout in the region from the release of the IARC study, including inevitable calls for public smoking restrictions. It was noted that "IARC can be expected to provide support for this position, and health officials will exploit it to the greatest extent possible ... [creating] tension between smokers and non-smokers, with the intention of eroding the tolerance that characterizes the popular response to smoking in public.... Any effort to counter the IARC conclusions should focus on the preservation of social acceptability". The industry planned to emphasize its support of accommodation and courtesy programmes in hotels and workplaces, particularly the "Courtesy of Choice" programme which had already been implemented in the United Arab Emirates and Kuwait (it was hoped this could be expanded to Oman and Bahrain). Regarding workplaces, the goal was to forestall smoking bans by developing a package to be distributed to key private sector and state-owned company employers, that this might be considered as an alternative to government-sponsored legislation. A complete copy of the 1995 IARC memo is provided in Annex 2.

The problem of countering the IARC study's impact in the media was more challenging. The placement of advertisements promoting "courtesy" and successful workplace smoking programmes were suggested, as was an extremely aggressive media campaign which would rebut the IARC conclusions.¹¹⁸ As part of this effort, the industry employed the public relations firm of [name deleted] to run a "news bureau" which was to plant articles critical of the IARC and other scientific studies on passive smoking in order to supplement and reinforce other industry activities on the issue. The goals of this operation were laid out in a 1989 Philip Morris document entitled the "The E.T.S. Battle":

The overriding strategy of the Philip Morris news bureau operation, then, is to fill the gap; to take the raw material of scientific fact, opinion and commentary from across Europe and repackage it into a range of targeted communications products that articulate the "other side" of the debate.... Credibility for this core message is wholly dependent on source, and in addition to creating communications channels such as media events, seminars and conferences, we will need to talk in a variety of voices if what we want to say is to be heard, understood and acted upon. At times, we will speak as Philip Morris; sometimes we will need to speak as independent scientists, scientific groups and businessmen; and, finally, we will need to speak as the smoker.¹¹⁹

7. Tobacco industry influence on Middle East cigarette testing standards and specifications

In these six markets our strategy to implement targeted government relations programs as well as extensive technical assistance and training programs has achieved remarkable results. Our Corporate Affairs, Science and Technology and Research and Development personnel have established a close and collaborative relationship with health officials, standards setting regulators and consumer testing laboratory directors.¹²⁰

-- Philip Morris, 1989

Throughout the 1980s and into the 1990s, the tobacco industry vigorously fought GCC government efforts to regulate the manufacture of tobacco products, including attempts to mandate:

- ◆ lower tar and nicotine levels;
- ◆ the printing of those levels on cigarette packs;
- ◆ controls and restrictions on certain cigarette additives;
- ◆ the placing of date of manufacture stamps on cigarette packets; and
- ◆ stronger health warning labels.

As none of the major companies manufactured cigarettes in the Middle East, the standards and specifications by which imported cigarettes were tested and allowed to enter the region were a major, ongoing concern to META companies. At every step, the industry fought proposed government regulations and sought to replace local testing methods with their own by overtly and covertly lobbying officials in both government and national and regional standards organizations.

Many of these regulations were embodied in a draft “GCC Standard for Cigarettes”, which governments had been discussing since 1988. These draft standards served as a rallying point for the tobacco industry, which saw them as a serious threat to their ability to do business in the Gulf and as potentially setting dangerous precedents for their operations in the rest of the world. A 1989 Philip Morris report stated that “[t]he most significant current lobbying effort” concerns the Draft Standards being coordinated by the Saudi Arabian Standards

GCC - RESTRICTIVE PRODUCT REGULATIONS

Issue	The threat of the possible adoption of a Gulf Standard for Cigarettes which contains maximum limits for lead and cadmium, CO and Hydrogen Cyanide, a 15% ceiling on ingredients and a labelling section which would supersede all concessions obtained in the various GCC countries on the front of the pack HWL and the date of production requirement.
Strategy	<ol style="list-style-type: none">1. Continue to improve and develop PM's relations and scientific/professional dialogue with SASO/GSMO. With KGFI, maintain regular assistance to SASO/GSMO on food specifications and capitalize on the goodwill generated to reinforce PM's position on tobacco issues.2. Work directly and with the Industry (META) to provide comments on the latest draft of the Gulf Standard and resolve remaining contentious issues in a manner favorable to PM.3. Work closely with standards and specifications officials in individual GCC countries to secure their support of PM's and the Industry's position on remaining points of contention in the Gulf Standard.4. Maintain a working relationship with the US resident Standards expert seconded to SASO and organize tobacco science/technology briefing trips in the US for SASO and other GCC standards officials.5. Consider involving the US Agricultural Trade Office and the USTR to ensure that SASO/GSMO standards do not present manufacturers with non-tariff trade barriers.

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PHILIP MORRIS
INCORPORATED

Organization (SASO). These standards had “already been amended in line with industry comments. Middle East Corporate Affairs is guiding the industry scientific lobbying effort on this Standard”.¹²¹

In 1991, Philip Morris obtained a draft copy of the standard, putting META members in an awkward situation. Although they had developed detailed views on every aspect of the Standard, they had to be careful not to refer it directly. This raised the issue of “whether the industry should respond to a draft law of whose existence it should not have been aware. [PM had obtained a copy of the draft law from the Secretariat of the Council of Ministers but did not inform META members of its exact source]”.¹²²

Tar and nicotine levels

In the early 1980s, limits on tar and nicotine in the GCC for imported cigarettes varied by country, ranging from 15–20 mg of tar and 1 mg of nicotine.^{xiii} At the time, few countries in the world even had limits, making the GCC’s the lowest in the world. Even so, there was pressure for even further reductions in these levels, driven by published scientific reports as well as consumers, who believed that cigarettes with lower tar and nicotine levels were “safer”.^{xiv} In 1982, the Saudi Arabian Standards Organization (SASO) established the following maximum levels for imported cigarettes: “Nicotine content in cigarettes shall not be more than 0.8 mg per cigarette. Tar content in cigarettes shall not be more than 12 mg per cigarette.....”.¹²³ Soon, the Arab Gulf Health Ministers Conference began discussing the possibility of adopting these maximum levels for the entire region.

In what would have been an astonishing admission at the time had it been made public, notes from a 1982 meeting of the MEWG pointed out that “nicotine limitations are of little use, as smokers will obtain their nicotine requirements from lower limit cigarettes by smoking more of them, and, in any case, nicotine may have little relevance to the smoking and health controversy”. The companies planned to advise health officials of this fact, hoping to dissuade them from adopting these standards—an interesting reversal of the position taken by the industry in other areas of the world, including the United States, where such information was kept as quiet as possible.¹²⁴

In August 1986, the MEWG Scientists met to discuss a proposed GCC Health Ministers’ Council Resolution requiring maximum constituent levels (MCLs) of 12 mg tar and 0.8 mg nicotine. Minutes of the meeting note that “lobbying activities had already taken place in Saudi and Bahrain and were underway in the other States”. Other countries at the time allowed limits of 13–15mg tar. It was decided that a BAT paper on the MCL topic could be adapted for use as a “hymn sheet” which all MEWG members could draw from to ensure all were “driving in the same direction in their own individual efforts”.¹²⁵ A position statement was also drafted which read, in part:

^{xiii} This was not necessarily the case for local and other tobacco products, as noted in an October 2, 1980 note from T.A. MacLeod of Philip Morris to colleague T.L. Wells. MacLeod points out that a local company cigarette company, Alnaar, meaning “pleasure, mildness, safety”, was advertising Nefertiti cigarettes with claims that these were low in tar and nicotine (despite a declared tar content of more than 24 mgs per cigarette). At this time, no health warnings were required to appear in cigarette advertisements, but this advert carried a warning in Arabic, stating “Smoking damages health.” PM’s MacLeod, clearly annoyed, speculates that the manager of Alnaar “wants to curry favor from somebody either at the Ministry of Industry or from some other influential sector.” “Egypt - Smoking and Health”, PM 2024949003. October 2, 1980. http://www.pmdocs.com/PDF/2024949003_0.PDF

^{xiv} This was apparently not the case. For a full discussion, See Clive Bates & Martin Jarvis, “Why Low Tar Cigarettes Don’t Work and How the Tobacco Industry Has Fooled the Smoking Public,” ASH-UK and the Imperial Cancer Research Fund; <http://www.ash.org.uk/html/regulation/html/big-one.html>

The tobacco companies engage in a constructive dialogue with authorities wherever possible in their endeavor to provide the best possible products for their customers... it is in this spirit that a constructive dialogue is sought with the authorities of the GCC member countries.... The authorities can expect from the tobacco companies an attitude of responsibility, particularly where scientific issues concerning public health are concerned... The tobacco companies cannot, however, be party to prohibitionist measures nor to efforts aimed at influencing the public.¹²⁶

The Group goes on to suggest a scientific liaison committee be created to conjoin tobacco companies and authorities to channel scientific information from the industry to government on issues such as the role of nicotine in product acceptability, in order “to raise the level of understanding of complex issues rather than to give advice”.¹²⁷ While the companies had several times considered producing a scientific paper on MCLs, this idea was consistently passed over because “the legal implications were considerable”.¹²⁸ Generally, the industry relied on quoting the directives of other, more liberal regions such as Europe, and repeatedly pointing out that the countries of the GCC already had the lowest limits in the world.

Although they knew privately at the time that lowering tar and nicotine levels would not bring any health benefits to smokers nor would it lead to reductions in consumption, their inability to divulge these facts left the companies in a bind: “With regard to MCLs there was the general opinion that authorities in the Gulf region are in the belief that reducing MCLs brings people to the point that they stop smoking. It may be that WHO influences the Health Minister.”¹²⁹ The companies stressed however that “tar and nicotine should be treated separately. We should try to persuade the GCC states that nicotine limits should not be altered. All agreed that a reduction in the limits for Tar, although undesirable, would not be too serious for the Companies”.¹³⁰

Cigarette testing specifications

In addition to the levels of the tar and nicotine, the tobacco industry also wanted to make sure that it controlled how the tests were carried out, who carried them out and what equipment they used. Only a few of the countries in the GCC actually owned and utilized smoking machines to test incoming cigarette shipments—Kuwait had one, and Oman had ordered one.^{xv} META members agreed to provide, at their own expense, the SASO laboratory with cigarette testing equipment so that SASO could comply with ISO standards. META member companies well understood that “the industry would have the necessary protection as and when SASO adopted ISO standards”.¹³¹

An issue arose in 1985 in Qatar when a shipment of Philip Morris cigarettes which the company claimed delivered .84 mg nicotine were tested and found to deliver 1.1 and 1.2 mgs per cigarette, exceeding Qatar’s regulated limits. The Qatari authorities immediately impounded the shipment and barred all subsequent shipments until the matter could be investigated. In response, Philip Morris sent a laboratory technician from Switzerland to meet with Qatari laboratory technicians.¹³²

By the end of 1989, Philip Morris was able to state that “Pursuant to the multi-year effort between Philip Morris scientists and Middle East Corporate Affairs professionals,

^{xv} A detailed explanation of the cigarette testing protocol is described in the following document: Anonymous, April 16, 1984 “Protocol: The Sampling and testing of cigarettes for the determination of tar and nicotine in cigarette smoke”, B&W 655005510-655005551.

Standards and Testing Officials in Bahrain, Kuwait, and Saudi Arabia now regularly consult with PM in advance of their decisions”.¹³³ This advice was not always dispensed, especially when it was in the tobacco industry’s interests. A 1993 visit to laboratories in Kuwait and Saudi Arabia revealed that not all were correctly applying ISO standards, but concluding, “why not leave it in this state, since their analytical results have not harmed our products for the past years”.¹³⁴

Printing of tar and nicotine levels on cigarette packs

Also of concern to the industry were moves by GCC governments to require that tar and nicotine levels be printed on packs exported to the region. In 1982, Bahrain and Saudi Arabia officially required that companies print tar and nicotine readings on packs. Oman also indicated that it would require tar and nicotine readings by the first day of 1983. The companies agreed that any manufacturer would be permitted to put tar and nicotine readings on packs whether the national government required this or not, although Philip Morris stated “that company policy would not allow them to introduce T/N readings unless formally requested by governments”.¹³⁵

While the industry continually resisted revealing information on its products, the tar and nicotine issue was particularly charged, as the previous decade had seen fierce debate and competition on the topic in both the United States and the United Kingdom. The “tar derby”, launched by the requirement that tar and nicotine deliveries be reported on packages and in advertisements, led consumers to make brand choices based on these numbers, mistakenly assuming that ‘light’ cigarettes were safer. The companies chose not to dispel this assumption, because to do so would have required them to reveal the extent of their knowledge regarding how unsafe all cigarettes are. For some companies, the “tar derby” allowed them to claim new market share through the marketing of cigarettes with lower and lower deliveries. As the image of Philip Morris’ flagship, Marlboro, was based on its “full flavor” characteristics, it was particularly threatened by this issue.

In the mid-1980s, The British-American Tobacco Company began marketing a new cigarette, Barclay, with a channel-ventilated filter which allowed the cigarette to “cheat” traditional tar and nicotine testing methods—and causing smokers to receive much higher tar and nicotine deliveries than the package stated. The other companies saw this as threatening to the ISO standards they were working so hard to influence. Philip Morris conducted extensive testing, as well as lobbying of Middle East specifications officials, reporting that samples of Barclay cigarettes had been found to deliver tar content exceeding that named on the pack by at least 320%, even 600% on one sample.^{xvi}

Additives

The tobacco industry viewed with great suspicion government attempts to regulate ingredients in cigarettes, particularly additives and heavy metals such as lead, cadmium, and hydrogen cyanide (HCN). An analysis of the cadmium^{xvii} issue indicates the level, and the tone, of attention given to the problem. For example, the draft Gulf SASO standard on cigarettes required that cadmium content in cigarette tobacco not exceed 0.8 mg per cigarette, while

^{xvi} “Underreporting of Tar on Barclay Cigarettes,” April 1987, PM 2028457938-7939; http://www.pmdocs.com/PDF/2028457938_7939_0.PDF

^{xvii} Cadmium is a trace heavy metal found in many foods (fish, grains, vegetables, water). It has no biological function, but cadmium poisoning is linked to cancers of the liver, bladder, prostate and lung, and to emphysema. Smokers have a daily cadmium exposure approximately twice that of non-smokers, and it has been found that cadmium accumulation is related to the number of pack-years smoked; only in smokers is cadmium found in the lung.

testing had already shown that the average cadmium content of a cigarette was 1 mg per cigarette.¹³⁶ In 1986, the AGHMC had also stated its intention to issue an exhaustive cigarette product specification and undertake studies to determine “maximum permissible levels of CO [carbon monoxide] in cigarette smoke, in view of its hazardous effects in public health”.¹³⁷

In June of 1988, Philip Morris representatives met with SASO officials and others to discuss the draft standards. The company noted that Gulf Ministerial decrees drove these standards, so that even if a given testing tolerance were accepted by many other standards organizations around the world, governments in the GCC still might insist on something stricter. The company continued to dispute regulations concerning allowable levels of cadmium in tobacco (leaf, rather than the smoke measurement), and the company planned to push for a level of 5 µg for cadmium and 20 µg for lead.¹³⁸ Philip Morris continued to visit officials in the Middle East officials, lobbying for the removal of HCN in the Gulf Standards.

Throughout 1990, the SASO specifications continued to be a major area of concern to the tobacco industry. META officials continued to lobby to have the testing protocol defined to the companies’ advantage, such as having lead and cadmium be measured in smoke only, rather than in tobacco blend, or having have HCN completely removed from the specification. Obviously there was concern that if such measures were applied in the GCC region, this would effectively set a precedent for the industry worldwide—something no company wanted, although META admitted that “additives was an issue that could not be ducked”.¹³⁹ META reopened contact with SASO again in 1992 over the Gulf Standard. The main issue of contention remained additives, particularly lead and cadmium, with META scientists admitting that “arguments against a limit are tenuous”.¹⁴⁰ Their central concern remained that inclusion of these in the Standards could easily lead to a requirement that such measurements be printed on the package in addition to the tar and nicotine numbers.

Date of manufacture

Tobacco companies continued to fight regulations requiring them to print the date of manufacture on cigarette packs. Ostensibly, the industry objected to any further regulation, to the extra expense of having dates imprinted, but most of all, to the possibility that yet another regulation might cause shipments of their product to be denied entrance to the Middle East market.

In 1992 the industry began sending letters to various ministers in Qatar and the United Arab Emirates arguing that the date coding requirement should be dropped because “tobacco is not like perishable foodstuffs” and that a cigarette blend might be comprised of leaf from more than one source rendering it impossible to state how old the product was. In any case, they argued, “Its fitness does not depend on age”. The industry emphasized that date coding might even be misleading to consumers, causing them to assume a difference in product quality due to date.¹⁴¹ Internally, however, META conceded that while arguments against date coding could be backed up with scientific evidence, the major arguments against date coding were “PR-based”, calling the concern “mainly emotive” and noting that “logic was not likely to succeed”.¹⁴² META’s agenda was challenged from within, though, when R. J. Reynolds (RJR) began to advertise the use of its “Flavor Seal foil wrap” in Saudi Arabia. Baroudi commented that RJR’s emphasis of product freshness contradicted the META’s call for the deletion of the date of production requirement. He called this marketing ploy “an open

invitation to specifications authorities to ensure that freshness is maintained in all cigarettes, not by “Flavor Seal” ... but through the introduction of a shelf-life requirement”.¹⁴³

Health warning labels

... prevent the spread of unacceptable health warning labeling, ensure appropriate attribution and where justified, invoke legal action.

-- Philip Morris, 1989

The tobacco industry also actively opposed requirements to place health warning labels on cigarette packs. In 1980, the Minister of Public Health of Lebanon decreed that tobacco products carry a warning in Arabic stating: “The Minister of Public Health warns you of the harmful effects of smoking”. Describing some of the argumentation that Philip Morris would make against the warning labels, T. A. Macleod writes that since over 50% of cigarettes sold in Lebanon are smuggled, “no warning label would, of course, be applied and consumers may prefer to buy packs without warning labels.” Since Lebanon is an important source of Arab press coverage, “Unreasonable warnings on advertisings might encourage advertisers to reduce their advertising in Lebanese publications, in favour of sources where less obnoxious warnings apply.” And then, of course, there is the most practical argument against health warning labels: “the absence of proof that smoking causes cancer”.¹⁴⁴ The same year in Kuwait, the industry met with the Ministry of Public Health in order to get a stay of implementation in the hope that the wording of the health warning label could be “watered down”.¹⁴⁵ In the Republic of Yemen, meanwhile, the MEWG reported that “the delay in the implementation of the health warning is being pursued”.¹⁴⁶

In Bahrain, the industry took a harder line. Faced with a proposed health warning that the industry found “non-factual and unacceptable”, the industry threatened to withhold advertising revenue from the media. “Hopefully,” Borek wrote, “when the press will feel the sting of lost revenue, they will become active with the authorities to have the wording modified. Assuming that no change of mind can be assumed, how should the health warning be preceded (official warning, the ministry of health or the government of Bahrain has determined...) so that we can live with it?”¹⁴⁷ Fearful of legal liability, the industry, in case after case, lobbied to have government attribution on the warning labels. In the United Arab Emirates, the industry succeeded in convincing the Ministry of Information to authorize the use of the phrase “government warning” to precede any health warnings.¹⁴⁸

Unlike their later efforts to adopt voluntary codes in order to curry favour with health authorities, the tobacco industry opposed voluntarily placing health warnings on their products unless forced to do so. At meetings of the MEWG in 1982 and 1983, the companies agreed not to place health warnings on cigarette packs and tobacco advertising unless specifically required to by law.¹⁴⁹ The industry also sought to circumvent labelling requirements in Lebanon by persuading the Pan Arab press based in Lebanon to omit the health warnings,¹⁵⁰ while in Saudi Arabia B&W decided to remove health warnings from its advertisements for Kent cigarettes upon discovering that other manufacturers were not displaying them.¹⁵¹

In Saudi Arabia, the tobacco companies used their contacts with the Saudi Health Minister to try to persuade him that the Arab Gulf Health Ministers’ proposals for visible health warning labels in English and Arabic were “not in Saudi Arabia’s interests”, while

in Iraq the industry believed that the state monopoly had a “vested interest in delaying or defeating proposals which adversely impact on their trading relationship with GCC member states. The related costs for them of a rotational warning label system should also move the monopoly to seek the assistance of the Iraqi Health Minister.”¹⁵²

META members had agreed that the industry would only change the wording on health warning labels if forced to by new laws or regulations. Thus there was consternation in 1988 when Gallaher, without consulting other companies, changed the words on its warning labels from “a major cause” to “a main cause” and “cancer” to “lung cancer”. Writing to META members, Abdullah Borek opined that, “A statement linking smoking to LUNG CANCER looks right to the uninitiated public. By improving the ‘accuracy’ of the warning without apparent need, its credibility is enhanced and I wonder whether this is really in the best interest of the industry”.¹⁵³ In 1988, META members finally agreed on a common position on health warning labels, that “no legislation should be pre-empted by ‘over-compliance’”.¹⁵⁴ The overall strategy of the industry, as described by Philip Morris, was to “prevent the spread of unacceptable health warning labeling, ensure appropriate attribution and where justified, invoke legal action”.¹⁵⁵

Tobacco industry influence on specifications standards

By late 1992, SASO had, at least in principle, adopted 1990 ISO standards for sampling, and had taken over the testing of all cigarette imports for tar and nicotine. While the draft Gulf Standard for cigarettes (four years in the making) had been successfully amended through industry influence with GCC and SASO specifications officials, the 1992 draft still

GCC PRODUCT SPECIFICATIONS AND LABELLING REQUIREMENTS

COUNTRY	MCL'S		FRONT OF THE PACK	HEALTH WARNING LABEL (Arabic and English)*		PRODUCTION DATE		DATE IMPLEMENTED
	Tar	Nic.		Attribution	Wording	Year	Month	
Saudi Arabia	12	0.8	Yes	No - Health Warning	Smoking is a main cause of lung cancer, lung disease and of heart and arteries diseases	Yes	Yes	1.07.1987
Kuwait	12	0.8	No	(*)	(*)	Yes	No	1.01.1983
U.A.E.	12	0.8	No	(*)	(*)	Yes	Yes (1)	1.10.1989
Bahrain	12	0.8	No	(*)	(*)	No	No	1.07.1987
Oman	12	0.8	No	(*)	(*)	No	No	1.10.1987
Qatar	12	0.8	No	(*)	(*)	Yes	Yes	1.09.1992

* Even where language is not officially specified, practice is to use both Arabic and English.

(1) Officially required, not strictly enforced (with the agreement of the MOH). Requirement recently revised. Industry making its deletion official.

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contained the restrictive additives sections (regarding HCN, lead, cadmium and the 15% ceiling on additives) the industry so feared. The labelling section was even more frustrating, reviving several requirements on which the industry had already gained concessions in more than one GCC country. These included date coding and the front of the pack health warning label. Overall, the companies feared the draft law would “Expose the Industry ... to penalties, confiscation, and stock destruction ... due to improper sampling”.¹⁵⁶

The lessons from the GCC reveal that the tobacco industry will do whatever it takes to avoid being regulated. If, from a political perspective, they feel that they can no longer resist regulations on the manufacture of tobacco products, then they will do everything in their power to ensure that they set the agenda for what is to be tested, how it is to be tested and by whom.

8. Tobacco industry efforts to defeat and amend tax increase proposals

Throughout the 1980s and into the 1990s, the tobacco industry worked tirelessly to defeat proposals to increase tobacco taxes. Through the covert lobbying of policy-makers and the manipulation of the media, the tobacco industry was able to delay these increases. When it looked they would no longer be able to stave off action, they cleverly exploited differences between GCC countries to ensure that the proposals that did pass benefited them to the maximum extent possible.

A key issue for the industry was that, short of defeating tax increases, they at least wanted to ensure that specific rather than ad valorem taxes were approved. The reason was that since most of the multinationals sold premium (i.e. higher priced brands), a specific tax would tend to lower the percentage differential between premium and low-price brands, while an ad valorem tax would maintain it.^{xviii} A 1992 Philip Morris document states that “proposals for higher customs duty on cigarettes constitute a threat to PM’s aim of increased sales in the GCC [and that] the ad valorem structure of GCC customs duty on cigarettes undermines PM’s efforts to achieve increased market share and higher profitability”.¹⁵⁸

Beware the “Arab psyche”

As the region stood on the brink of war, Robin Allen assured META that “in this climate of uncertainty and apprehension, the tobacco industry is safe from any *unified* GCC legislation concerning tax, bans on promotions, etc.; but middle-level bureaucrats in those GCC countries further from the war zone, i.e. Oman and the UAE, could still initiate moves harmful to the industry—especially on health grounds”. He did caution them however that “Stocks and distribution centers should be kept as far as possible from the *likely* war zone—and identifiable only by the names of the national/regional/local distributors. US and British names (i.e. places of business) would be all the more vulnerable to civil disturbance if Israel was involved in the conflict, in which case the Arab psyche could erupt – in different degrees in different places – against any conspicuous Western presence, including Western brand names”.¹⁵⁹

^{xviii} A simple example shows why. Assume that premium cigarettes sell for US\$1 and low-price brands \$0.50. A specific tax of say \$0.50 would raise the price of the premium brand to \$1.50 and the low price brand to \$1.00. On the other hand an ad valorem tax of, say 50%, would raise the price of the premium brand to \$1.50 while only increasing the low price brand to \$0.75.

Battling tax increases

The primary goal of the tobacco companies was to delay and defeat GCC proposals for a unified approach to raising tax increases across the region. A draft Corporate Affairs Plan for Philip Morris laid out the strategy:

- ◆ Pursue the strategy to moderate and postpone the customs duty increase to 50% and ensure that all GCC member states adopt a high minimum specific duty.
- ◆ Guide and support [name deleted] in his dialogue with the GCC Secretariat, the Ministers of Finance and the Customs Directors. Identify additional nationals of other member states who will act as consultants on tax and other tobacco issues.
- ◆ Cooperate with Rothmans and Gallaher in an effort to strengthen the forces in the UAE who are resisting GCC tax increases and thereby preventing a GCC consensus agreement to harmonize tobacco taxes. Continue to support our UAE Distributor and his business partner, the Foreign Minister, with argument and studies.
- ◆ Use this period when GCC Finance Ministers cannot agree on increased tobacco taxes as an opportunity to lobby in Saudi Arabia to increase the minimum specific tax.... Support our Distributors in a renewed drive to persuade the other GCC countries to adopt a high minimum specific tax within the existing tax incidence.
- ◆ Lobby the GCC Customs Directors to permit duty drawback on goods which are destroyed.¹⁶⁰

Internally, Philip Morris acknowledged that it could adapt to increased taxes if it had to through the use of “flexible pricing to retain the affordability and competitiveness of our products, as in the GCC ... or to establish a presence in growth markets, for example in Iraq and UAE exports”. Nevertheless, their long range plan called for Corporate Affairs to “Continue to foster the delay in the duty hike in the GCC” and advocate the adoption of a “Saudi-type high minimum specific duty, the conversion to a fully specific structure, and the defeat of any future initiatives to increase the tax incidence”. The company noted that:

The lack of agreement within the Council of Rulers of the United Arab Emirates precludes the consensus sought by the GCC as a prerequisite for implementing the duty rate increase. In addition to creating delays in the duty rate increase, this situation has provided us with greater opportunity to pursue our auxiliary objective of generating wider acceptance of the principle of a high minimum specific duty.... Our ultimate objective is to work towards the adoption of a fully specific duty for cigarettes, and to avert any further increase in tax incidence.

Philip Morris also made sure to exploit these differences within the GCC to make sure that a unified approach was not adopted. A 1989 memo notes that the AGHMC had “positively responded to Philip Morris supplied argumentation” by adopting a specific duty and that:

The Bahrain and UAE Health Ministers have written to their respective Finance Ministers endorsing this proposal, and we will persuade the Health Ministries in Kuwait, Qatar and Oman likewise to recommend the proposal to their Ministries of Finance. The Health Ministers’ intervention with an amended proposal has clearly slowed down the process by which any GCC-wide agreement on tobacco taxation could be reached. We shall exploit this by lobbying within the quarrelling United Arab Emirates against any increase in incidence. We shall also fuel the debate with a proposal for a wholly specific tax instead of the present ad valorem rate of 30%.¹⁶¹

Three years later, the issue was still being debated, with Philip Morris having “secured the endorsement of the specific duty concept by the Gulf Health Ministers Council”. Turning

that support for the concept into a workable proposal that could pass was the next step. This time however they had a new ally: the US Trade Representative (USTR). The company noted that it had “secured USTR support to [sic] specific duty and ensured that such support is communicated to GCC Finance and Customs officials”.^{xix} The company also sought to:

- ◆ **Ensure the AAH (PM’s distributor in the UAE) mobilizes all his contacts to delay a decision on a duty increase. To this end, seek renewed discussion of the structure (both as an end in itself and as a delaying tactic) and linkage of the cigarette duty with the thorny long-term external tariff harmonization issue....**
- ◆ **With the assistance of PM’s Washington Relations Office determine the readiness of new US ambassadors in Riyadh and Oman to support PM’s efforts.**¹⁶²

When the GCC Anti-Smoking Committee again rebuffed Philip Morris’ call for a specific duty in November of 1992, the company sought to “Possibly seek to discredit Kuwait’s representative within the Committee as a qualified authority to address a fiscal/trade issue of this nature”.¹⁶³

Having managed to tie up the issue within the Health Ministers Council, they then sought to take their campaign to finance and customs officials and obtain more active US Government (USG) support, as this 1994 Philip Morris document makes clear.

Strategy

1. **Capitalize on the GCC Health Ministers Council’s support of the specific duty concept. Directly and through PM’s in-market consultants, work with individual countries’ health ministries to obtain a similar endorsement by finance and customs officials at an individual country and GCC-wide level.**
2. **With the assistance of the USG, continue to advance the duty level and structure as a US trade issue and work jointly with US diplomatic missions to GCC countries to present tailored submissions urging conversion to fully specific duty.**
3. **Seek to mollify proposals of further duty increases. Consider proposing (as a fall-back) semi-regular adjustments of the specific duty level.**

Activities

1. **Brief the Director of the Middle East Desk at the USTR (done May 15). Submit written brief within May. Follow up by Mid-June to ensure US diplomatic missions in the GCC are instructed to assist PM efforts. Follow-up with joint efforts (PM and US trade representatives) with health, finance and customs officials at individual country and GCC-wide level.**
2. **Seek a renewed endorsement by the GCC Health Ministers Council of the specific duty concept which clearly calls for a conversion to a fully specific as opposed to the Saudi-type minimum specific duty (action prior to the next Council conference, December 1991).**
3. **Maintain efforts in Bahrain, Qatar and Oman with the assistance of in-market consultants and distributors to obtain individual countries’ finance and customs officials support of a conversion to fully specific duty.**
4. **Meet with and re-brief the GCC Assistant Secretary General for Economic Affairs (possibly in conjunction with an invitation to address the New York Society) with a view to obtain his support of fully specific duty with the GCC Financial and Economic Cooperation Committee (Finance Ministers Committee).**¹⁶⁴

^{xix} There are a number of references in the documents to the tobacco industry securing U.S. government support for its agenda in the GCC region on a whole host of issues, including SASO standards and differential taxes on domestic versus foreign brands in Egypt. See, for example, December 1989, Philip Morris EFTA Eastern Europe Middle East Africa Long Range Plan 900000 – 920000 PM 2500066142/6294; DEVELOPMENTS IN THE GCC, 17 December 1985; PM 2044440393/0396; PM EEMA Region: 1987 ETS Plan, 9 March 1987; PM 2023544027-4039; 12th META Meeting 18 October 1991; PM 2028651392-1400.

9. Conclusion

“META has so far sought to avoid being perceived by interlocutors, particularly government officials, as an organised Industry lobby within the GCC, established to challenge government authority. For this reason, Industry action under the META umbrella has so far been limited to coordinated action agreed by META members but undertaken through distributors or other coalitions of natural allies of the Industry. A campaign...carrying the Industry’s signature would probably invite official resentment and would be provocative to decision-makers instead of creating the goodwill that is sought. The case is different if similar campaigns are undertaken separately, but in succession by different companies.”

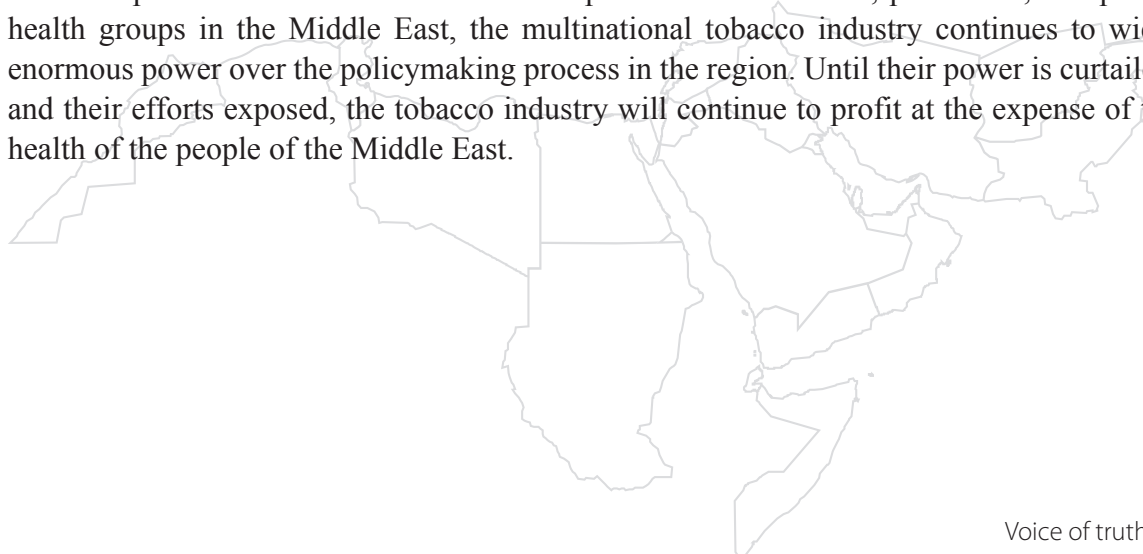
-- Bisharah Baroudi, Philip Morris, 1991¹⁶⁵

The multinational tobacco companies in the Middle East have a long, well-documented history of collusion. They formed a series of trade associations (Middle East Working Group, then the Middle East Tobacco Association and its various working groups), which fought health regulations with everything at their disposal. The companies coordinated strategy and developed and executed action plans to fight advertising bans, public smoking restrictions, tax increases and product regulations. They sought to protect and promote an environment in which smoking was socially acceptable and, when this conflicted with Islamic teachings, they sought to manipulate religious leaders in the region.

The industry vigorously fought Gulf Cooperation Council policies designed to regulate the tar and nicotine delivers of cigarettes imported into the region, going so far as to provide several countries with new cigarette testing equipment and training for testing officials, while simultaneously opposing and working to dilute testing specification standards. Tobacco industry groups also worked to defeat all proposals to increase tobacco taxes, often succeeding in delaying such increases, and influencing proposals to their own advantage.

The tobacco industry actively lobbied prominent political figures, scientific standards officials, and the media. In addition, they planted pro-tobacco articles in newspapers and manipulated third party organizations to lobby on behalf of tobacco industry interests. The companies spied on and infiltrated potential foes, such as the World Health Organization and the Arab Gulf States Health Ministers’ Council, and were therefore eminently prepared to react forcefully against every tobacco control policy proposed.

Despite the best efforts of committed public health officials, politicians, and public health groups in the Middle East, the multinational tobacco industry continues to wield enormous power over the policymaking process in the region. Until their power is curtailed, and their efforts exposed, the tobacco industry will continue to profit at the expense of the health of the people of the Middle East.



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Annex 1

Analysis and action plan prepared for META and META companies

PUBLIC SMOKING

THE INDUSTRY AND THE CAMPAIGN AGAINST PUBLIC SMOKING (ETS) IN THE GCC: ANALYSIS & ACTION PLAN PREPARED FOR META AND META COMPANIES' FIELD MANAGERS' MEETINGS, DUBAI, OCTOBER 19, 1992

A) Background - The Nature of the Problem

- 1) The pace has quickened and the tone has sharpened in the last 10 months in the unfavourable publicity surrounding the industry and Public Smoking in GCC countries.
- 2) Anti-industry publicity in 1992 concerning Public Smoking is running at some ten times the pace of the industry's own MEMAC-placed articles in the regional and Pan-Arab press, the total of which is 10 placements on this issue since last January.
- 3) Some three-quarters of the anti-industry publicity is sourced from overseas, and three-quarters of this is generated from US-based reports.
- 4) The themes which are most frequently taken up in GCC publications are:
 - the direct health hazard of ETS; equating it for example with asbestos fumes (a US-based initiated theme).
 - children at risk from parents who smoke.
 - airlines' ban on smokers including an International Civil Aviation Organisation proposal which was covered four times in four different GCC papers.
- 5) Anti-industry bias includes an ill-concealed allegation by one UAE Arabic paper that one tobacco company bribed a US Scientist to give the industry a favourable report in a review on ETS by a quasi-government US agency.
- 6) There is no attempt by GCC publications to seek comments from industry or META company spokesmen to redress the balance. Tobacco-industry bashing has official support. Journalists regurgitate international wire agency reports verbatim. If editing is done, they will first cut pro-industry comment. Objectivity cannot be expected from journalists who are occasionally Western but overwhelmingly Indian or Pakistani, and whose passports are retained by their newspapers on arrival and only given back when their contracts expire or they are deported for falling foul of their management. Articles which are opposed to official policy run the risk of official approval.

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No attempt is - or will be - made by GCC publications on their own initiative to question official or Western-led prejudice against tobacco smoke being solely to blame for the poor quality of indoor air-ventilation.

- 7) The thrust of the campaign against the industry has been moving out of the public sector and progressively into the area of banning smoking in private sector places of work, airlines, and hotels/restaurants. Left to their own initiative, GCC and Pan-Arab publications will emphatically not question Western-source propaganda nor will they use editorial space to put the countervailing arguments that, for example, ETS is a symptom of poor ventilation and not its cause; that chemicals emitted from new carpeting, photocopiers, motor vehicle exhaust, and bacteria or fungi found growing in improperly-serviced air conditioning and ventilation systems, are far more unhealthy than ETS.
- 8) A good example of the general antipathy to the industry are the GCC Anti-Smoking Symposium in Bahrain from 25-27 October where proposals include:
 - a total ban on smoking in government departments and in all public places.
 - Total ban on smoking in the workplace.These sessions will be given wide play in the GCC press.
- 9) The only countervailing factor against the hostility of GCC propaganda is that started by META via Memac, namely to circulate industry placements and to prevail on GCC publications that there is another side which merits a hearing.
- 10) Of its own, however, the META-led press strategy cannot change official-led hostility, particularly when this hostile prejudice actually starts in the West and is merely taken up second-hand by GCC officials, publications, and other camp-followers.
- 11) While acknowledging that a press campaign on its own is inadequate to take the sting out of the growing public and official prejudice, META cannot ignore a problem that is building up against the industry.
- 12) Left to themselves, hotel managers in the GCC are more inclined to follow trends imposed either by their own higher corporate authorities, or by official views in the countries in which they operate. These managers - and owners, employers and managers in other private sector work places - cannot be expected to resist these trends if their only point of reference is the occasional newspaper article patting the industry's case. They need more direct access to information to help them decide for themselves what - if any - restrictions should be imposed!

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B) Categories/Key Sections

I propose five main categories for META to consider targeting - (in ways proposed below).

- | | | |
|---|----|----------------|
| 1) Airlines & Public Transport i.e. taxis. | } | |
| 2) Hotels & Restaurants. | } | Private Sector |
| 3) Private sector working places i.e. offices. | } | |
| 4) Quasi-government public sector
i.e. Chamber of Commerce | }} | Public Sector |
| 5) Government offices | }} | |

The last two are listed last because it is in these public-sector areas where a proactive campaign runs the greatest risk of stiff opposition, not to say outright hostility leading to accusations of "meddling". However that does not preclude diplomatic overtures such as those suggested below. It does however mean that the focus of META's strategy should aim at the private sector.

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D) Strategy

- 1) To move the argument away from ETS in "sick-building syndromes" to the other well-documented causes: inadequate ventilation, inadequate filtration and contaminated ventilation systems as causes of sore eyes, dry throat, nose and chest irritation, fatigue, coughing, nausea etc.
- 2) To drive home the point that tobacco is a favoured target
 - a) for political reasons among those who have an in-bred prejudice against multi-national "big business"..
 - b) because tobacco smoke is the most visible component of indoor air, leading to assume that it is the cause of discomfort.
- 3) To advance "pseudo-scientific arguments" such as cigarette smoke being unfairly singled out because, being tangible and visible, it is easy to target, but at all costs to AVOID
 - a) the trap of scientific arguments, which only carry weight if one scientist is talking to another, but which are incomprehensible to many laymen, and which most if not all laymen are ill-equipped to advance; and
 - b) any dispute or reference to tobacco and Islam.
- 4) To advance the argument that smoking bans fail to achieve their desired ends i.e. of making places of work and pleasure less unhealthy, for reasons cited above.
- 5) TARGET principally
 - a) private sector business owners, managers and employers.
 - b) GCC health officials who are rational and reasonable where tobacco issues are concerned:
 - i.e. - Dr. Abdul Wahab Al-Muhaideb (UAE Assistant Under-Secretary for Preventive Health).
 - Dr. Khalifah Al-Jaber, Director of Preventive Health, Qatar Ministry of Health.
 - Dr. Abdul Qader Al-Ghassany, Oman's Assistant Under-Secretary for Preventive Health.

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Annex 2

Memo on IARC report

InterOffice Memo

To: Mr. Sig G. Carlson
From: Mark Mansour
Date: October 10, 1995
Subject: IARC PLAN FOR THE GCC REGION

c.c.: BGB, CJN

I. INTRODUCTION

In light of the recent session in Lausanne addressing IARC's potential impact on consumer freedoms in the EEMA region, the following will provide our assessment of its potential impact in our markets, as well as our planned response given available resources weighed against such expected impact.

II. IMPORTANT CONSIDERATIONS

Several threshold observations warrant mention, and these should be kept in mind throughout any assessment of IARC's expected impact. These are as follows:

- Since early 1994, legislation/decrees significantly restricting public smoking have been adopted in Kuwait and Bahrain. The UAE is now considering similar action. The categorization of Kuwait as a priority market should be reconsidered, as broad public smoking restrictions have already been adopted and will be implemented there as of October 1, 1995.
- All of the measures noted above are predicated on the collective conviction of GCC health officials that environmental tobacco smoke poses serious health risks. These convictions were in place and actively influencing GCC health policy even before the EPA Risk Assessment was released in January 1993.
- The only impediment to broad-based adoption and implementation of these measures is the acknowledgement on the part of GCC regional and national health authorities that smoking has strong public acceptance in all of the countries of the area. Hence, they are focusing on health education as a means of paving the way toward gradual implementation of public smoking restrictions in all of the six GCC countries.
- The slow progress of public smoking restrictions is thus more attributable to social realities than to any acceptance on the part of regional authorities of Industry arguments regarding ETS.
- As further reinforcement, GCC Health authorities are supporting their arguments against public smoking by appealing to religious convictions. Increasingly, they are categorizing the use of tobacco as contrary to Islamic precepts, promoting the religious unacceptability of smoking.



- Many of the traditional avenues of rebuttal available in other EEMA markets (use of trade unions, consumer surveys, smokers rights associations, etc.) are unknown, and would not be tolerated in the GCC region in any event.
- Although the industry will continue to oppose severe public smoking restrictions and bans through the avenue of government relations, the most likely result is that such measures would be temporarily forestalled or softened until authorities are able to prepare public opinion for the more draconian measures they have made clear they favor. IARC can be expected to provide support for this position, and health officials will exploit it to the greatest extent possible.

With the foregoing in mind, the remainder of this memorandum will assess the potential impact of IARC in this region, our proposed strategy for addressing its implications and resources we will need in order to implement these proposed strategies.

III. POTENTIAL IMPACT OF IARC

As suggested above, IARC's primary impact will be to reinforce existing convictions regarding ETS among the decision-making authorities in the GCC health hierarchy. These individuals all are closely associated, or in contact with the WHO and UICC, and have already formed opinions on the subject. Their convictions are such that, in Bahrain and Kuwait, they zealously promoted and succeeded in enacting sweeping public smoking restrictions that have largely been ignored in Bahrain and the subject of severe public opposition on the eve of their implementation in Kuwait.

The IARC activities in all probability will receive some press coverage in the region, much of which will be generated by press conferences and interviews led by health authorities eager to sway public opinion in favor of smoking bans. IARC will be used to buttress their case and erode the public acceptability of smoking, making such bans more acceptable to a thus-far tolerant and accommodating public.

IARC's overall impact will most likely be indirect. It is unlikely that much in the way of scientific analysis will reach the public. Rather, health authorities will package IARC in a manner designed to create tension between smokers and non-smokers, with the intention of eroding the tolerance that characterizes the popular response to smoking in public.

IV. RESPONDING TO IARC

In light of this, any effort to counter the IARC conclusions should focus on the preservation of social acceptability. As long as the public is open-minded to the counter-arguments regarding ETS, then social acceptability will remain strong.

Assuming the futility of attempting to change the views of policy makers, the following will address what we believe are the remaining avenues for countering the IARC threat: developing and expanding accommodation and workplace smoking programs, and addressing scientific arguments and emphasizing the success of accommodation/workplace programs through the media.

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must necessarily be made by the industry to the aforementioned employers. In view of this, the following steps may be taken with a view toward forestalling an expansion of public sector smoking bans to the private sector:

- complete development of a workplace smoking package, based on existing packages in use in the U.S. and Europe;
- after developing a realistic list of key private sector and state-owned company employers in the UAE, Bahrain and Kuwait, present the package as an alternative to government-sponsored legislation;
- once a sufficient number of employers in each country agree to try the program, prepare and execute a media campaign similar to the one prepared for the "Courtesy of Choice" and
- promote a successful initiative to national authorities as an alternative to mandatory workplace smoking restrictions.

The number of employers and human resource limitations, but more importantly the lack of an ally such as the IJIA, will make development and execution of a workplace smoking program much more difficult than has been the case for hospitality industry programs. Nevertheless, it is hoped that several well-publicized successes will generate interest and assist in the spread of such a campaign.

The Media

It is difficult to convey scientific, or any other, counter-arguments to the broader public in the GCC region. This is because, aside from our obvious inability to engage in religious debates, all local media, print and electronic, are controlled by government, thus limiting our capacity to argue our case regarding the science of ETS because it conflicts with the MuH's established anti-smoking agenda. The lack of a professional, independent, investigative-oriented media effectively negates the utility of scientific briefings. As a result, conveying industry arguments on this issue (and others) in the GCC media has proven extremely difficult in the past, and will remain so.

The following measures represent several of the more feasible approaches for conveying the industry's position, given the realities noted above:

- place industry advertisements refuting the IARC conclusions;
- encourage the hospitality industry to intensify publicity for the "Courtesy of Choice" program, stressing courtesy and accommodation as being viable options for addressing concerns about public smoking (although this will be effective only if done in conjunction with forceful refutations of IARC conclusions);
- publish a series of industry-sponsored advertisements promoting courtesy and accommodation as a solution to concerns regarding public smoking (such a campaign has been prepared and will begin running soon);
- seek to publicize each successful implementation of a workplace smoking program, with special emphasis on the voluntary nature of the undertaking;

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- use the several Arabic-language pan-Arab magazines to publish detailed rebuttals of IARC conclusions, for the benefit of the general public.

In any event, timing is critical in the execution of any media program. If a media offensive is launched and IARC coverage in the region proves to be minimal, we will have drawn attention to it needlessly. If health authorities (as expected) exploit IARC findings and the Industry does not respond promptly, it runs the risk of allowing the various health ministries throughout the region to redefine the debate over ETS.

V. AREA CA REQUIREMENTS

It would be most helpful if we had available for ready translation/adaptation to Arabic advertisements designed to address the scientific arguments relative to IARC. These could then be used at our discretion, depending on whether our information suggests that the authorities are prepared to make an issue of the IARC project's findings.

Additionally, continued support for the IFA "Courtesy of Choice" program will be vital if we are to sustain the program so that it provides impetus for a softening in the policy approach to public smoking.

Finally, any assistance in the development and initiation of workplace smoking packages that could be adapted to local circumstances would be most helpful.

Our ability to materially influence the impact of IARC will, regardless of the foregoing, be constrained by variables beyond FM's and the Industry's control, most notably the following:

- lack of personnel to manage the effort (two CA managers for a region encompassing seven countries) and,
- severe limitations in the areas of government relations, ally building and communications imposed by the restrictive governmental systems that characterize the entire region.

Kind regards,



Mark Mansour

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