

# THE JOURNEY

ASH ANNUAL REPORT 2017

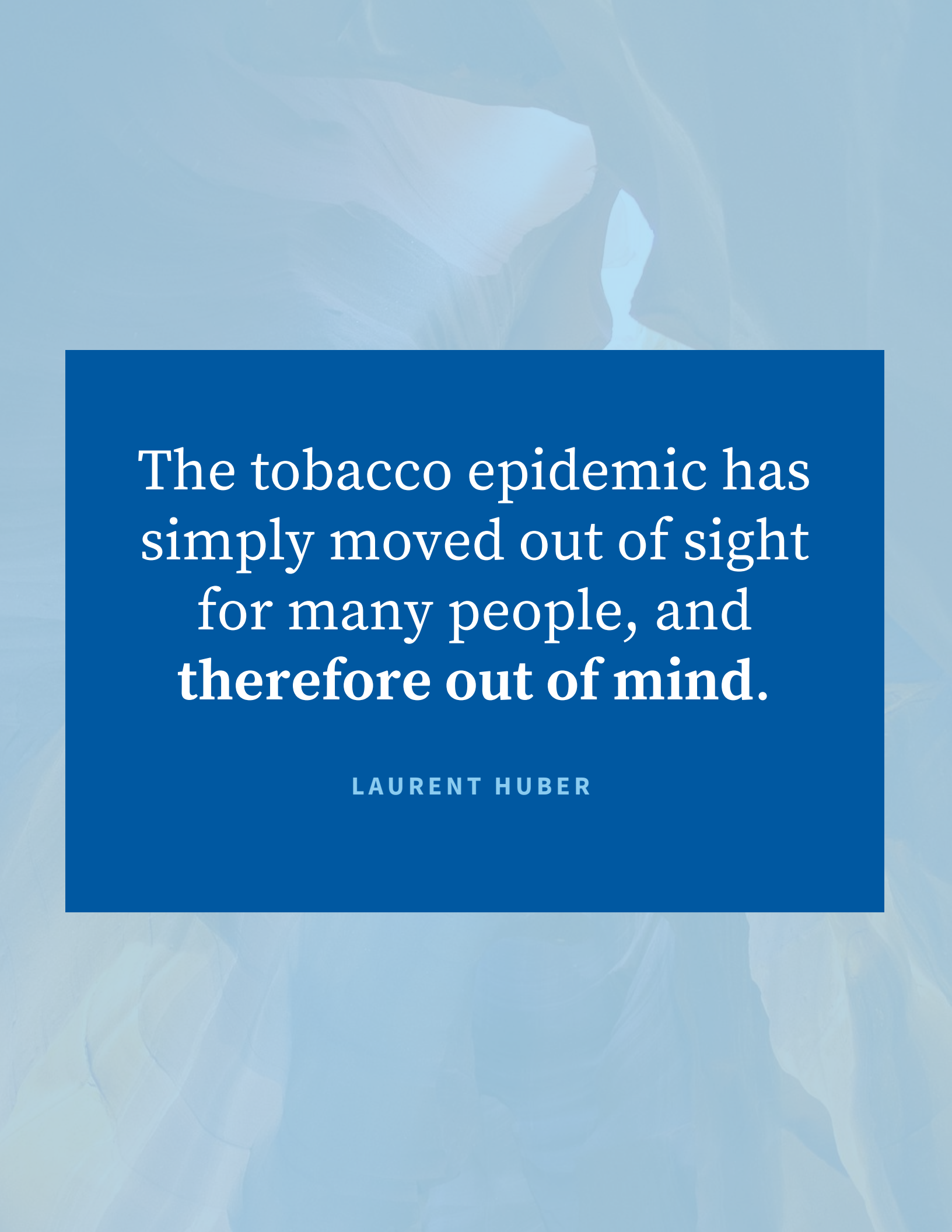


Launching  
**HUMAN RIGHTS  
INITIATIVE**

Marking  
**50 YEARS**

Holding  
**THE INDUSTRY  
ACCOUNTABLE**





The tobacco epidemic has  
simply moved out of sight  
for many people, and  
**therefore out of mind.**

LAURENT HUBER

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Get Involved





# Growing up in Spain, I was surrounded by secondhand smoke. That was the world 50 years ago. That was the world ASH was formed to change.

When ASH was first established in 1967, there were few regulations in place in the United States or around the world to protect us from the marketing tactics of the tobacco industry or from exposure to tobacco smoke. As a result, close to half of the population smoked, and the other half was forced to inhale tobacco smoke against their will at work, in public places and when traveling.

In 2017, ASH marked its 50th anniversary and celebrated our achievements over the last few decades.

ASH is proud to have been part of many public health victories. Thanks to these successes, most of us are no longer assaulted by tobacco smoke on a daily basis, cigarettes are no longer as much a part of our daily lives as they were in the 20th century, and smoking prevalence



among adults and children has fallen to its lowest levels in more than a half a century.

## But that's not the end of the story.

While the global tobacco treaty (the WHO Framework Convention on Tobacco Control, FCTC) has been instrumental in changing the global conversation about tobacco, implementation has been disappointing. Many countries use the tobacco treaty as a menu rather than a recipe, passing one measure and declaring success. As a result, the tobacco epidemic has simply moved out of sight for many people, and therefore out of mind.

Unfortunately, the tobacco epidemic is still raging, killing more than 7 million people each year, with most of these deaths occurring in low-income countries or among the most vulnerable populations in richer countries. In addition, smoking costs the global economy almost 2% of its GDP, totaling more than 1.4 trillion dollars per year; this is equivalent to the GDP of Canada, the 10th wealthiest country in the world.

If we want to avoid the one billion preventable deaths caused by tobacco products in the 21st century, more needs to be done. This means not only accelerated and comprehensive implementation of the tobacco treaty, but the implementation of new and innovative methods to reduce current smoking levels.

The onus is on governments. The International Covenant on Economic, Social and Cultural Rights (ICESCR), an international human rights treaty which most countries

have signed or ratified states that the “Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.”

A human rights approach to ending the tobacco epidemic might be the answer for the 21st century, as it pinpoints the right to be free from the harm caused by smoking. A human rights approach calls on governments to advance human development by implementing measures that decrease smoking.

The tobacco treaty is the floor for what countries must do to end tobacco deaths, not the ceiling. Ending the completely preventable tobacco epidemic is a human rights challenge that the world truly can overcome.

My hope is that before another half century has passed, countries will do what is right to protect their citizens, cigarettes will no longer be ubiquitous, and no one will have to die because they fell prey to an industry that mass markets cigarettes, an addictive and lethal product that kills when used as intended.

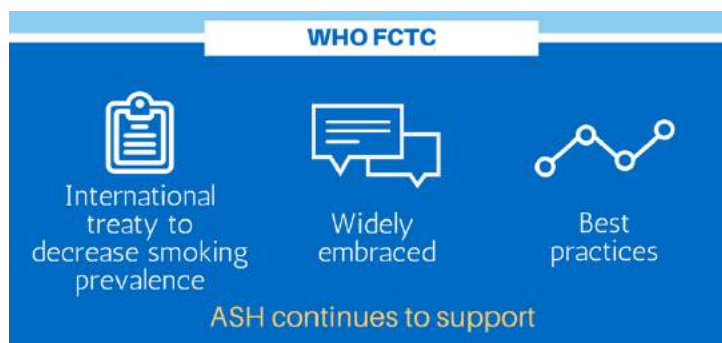


A handwritten signature in black ink, reading "Laurent Huber".

Laurent Huber  
Executive Director

# THINKING GLOBALLY, ACTING LOCALLY

## What We Do



## Our Impact

ASH continued to ensure that tobacco is addressed at the global and local level.



### ASH condemns Philip Morris International (PMI)'s new research foundation

In a manipulative move that we have seen many times before, Philip Morris International announced the formation of the so-called “Foundation for a Smoke-Free World,” funded entirely by Philip Morris International. This is another in a long list of attempts by the industry to subvert and create doubt on the truth about tobacco use and nicotine addiction. ASH took a strong stand against any interaction with this Foundation and has urged its global partners to do the same.

### Report: Tobacco in America

For World No Tobacco Day, ASH released a report on the status of the tobacco epidemic in the U.S. Along with D.C. youth, ASH delivered the report to D.C. Mayor Muriel Bowser (pictured left) and D.C. Council Members. The report highlighted where we need to focus our attention. Nearly half of all Americans live in places where smoking is still permitted in the workplace. Tobacco industry marketing targets groups that it considers politically incapable of fighting back, including racial minorities, those with mental illness, veterans and the LGBTQI community. The results are predictable – smoking rates in these groups are much higher than the national average. If we are to end the tobacco epidemic, such disparities must be addressed.

<https://ash.org/tobacco-in-america>

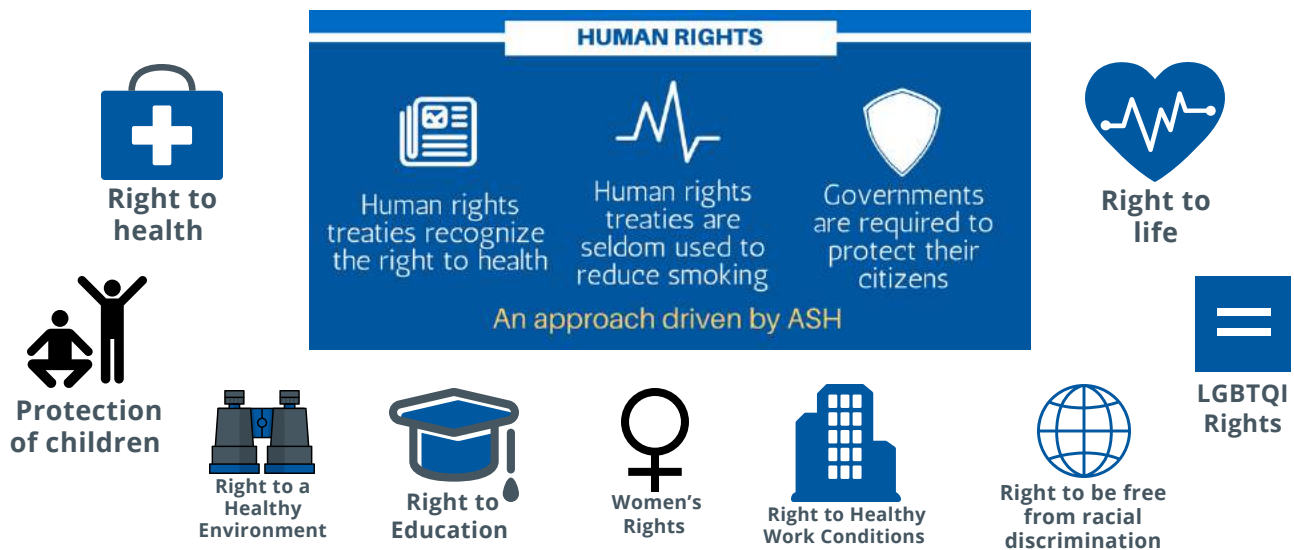
### Trade agreement carve-outs for tobacco regulations spread

After ASH successfully pushed for an exemption to protect tobacco regulation from industry lawsuits in the text of the Trans Pacific Partnership Agreement, two other agreements have followed suit – the Singapore-Australia Free Trade Agreement, and the Canadian Free Trade Agreement. ASH continues to insist that health protections are prioritized over multinational profits.



# HUMAN RIGHTS

## What We Do



## Our Impact

Tobacco negatively impacts many human rights, including the right to health, right to life, children's rights, and many more. Despite this, very few tobacco control advocates use human rights arguments and mechanisms to further the fight against tobacco. ASH has been utilizing human rights tools for several years, but in 2017, our human rights programs greatly expanded.

In May, ASH was alerted to a collaboration between the Danish Institute of Human Rights (DIHR) and big tobacco company Philip Morris International (PMI). DIHR was asked to develop a "human rights implementation plan" for PMI, but instead, with ASH's encouragement, DIHR concluded that immediately stopping the sale and marketing of tobacco is the only way for tobacco companies to uphold basic human rights.

Utilizing that momentum, ASH went on to publish an open letter to PMI demanding that they immediately cease the production, marketing and sale of cigarettes. We were joined by 123 organizations. Of course, Philip Morris did not comply, which just provides further proof that Big Tobacco has no interest in working towards a "smoke-free world."

In addition, ASH has continued to work with

partners in other countries to submit short reports to human rights treaty bodies. For example, ASH recently worked with partners in Tunisia to submit a report to the Committee on Economic, Social, and Cultural Rights (the committee for the International Covenant on Economic, Social and Cultural Rights- a UN treaty) discussing tobacco use in Tunisia and how it negatively impacts the right to health, a right enshrined in the treaty. This work helps to bring international attention to the tobacco epidemic and encourages human rights bodies and activists to join the fight against tobacco.

Human rights arguments are integral to ending the tobacco epidemic and inextricable from our other programs.

The fact that cigarettes violate the right to life and health is an essential ingredient in our criminal liability program; tobacco executives should be criminally charged for violating those rights (otherwise known as murder or manslaughter in domestic courts). Human rights arguments are also integral to ASH's "Moonshot" program; cigarettes violate the right to health and the right to life, and therefore, countries should reconsider the way cigarettes are sold. **Human rights are the catalyst for all of ASH's work to end the tobacco epidemic.**

## CRIMINAL LIABILITY PROJECT

### What We Do



### Our Impact

ASH's tobacco criminal liability project continued to gain momentum and saw a lot of progress in 2017. This initiative, which seeks to hold tobacco executives and/or corporations criminally liable for tobacco related deaths, has three paths: foreign, domestic (U.S.), and international.

In June 2017, ASH hosted a workshop in Geneva, Switzerland on how to bring a criminal case. Our allies from the Netherlands came and presented on their case, which had already been filed with the prosecutor. Since that workshop, organizations in seven different countries announced their intention to ask a prosecutor to file charges- a direct result of ASH's efforts. One of them, France, already submitted their request to the prosecutor. ASH continues to work closely with our partners in each of these countries, providing technical assistance as they move forward.

The Netherlands case is the farthest along. Unfortunately, after a 15-month consideration, the Dutch Prosecution Service recently declined to file charges. However, our colleagues in the Netherlands immediately began working on an appeal, and they are confident that a criminal case will be opened. ASH wrote an article that was published in the newspaper "the Hill" shortly after the Dutch Prosecutor's decision that outlines some of the case issues and highlights why a case

should be brought in the US.

Plans are underway for a second meeting in June 2018 with a new group of potential advocates. Hopefully we will have a whole new crop of cases following that meeting.

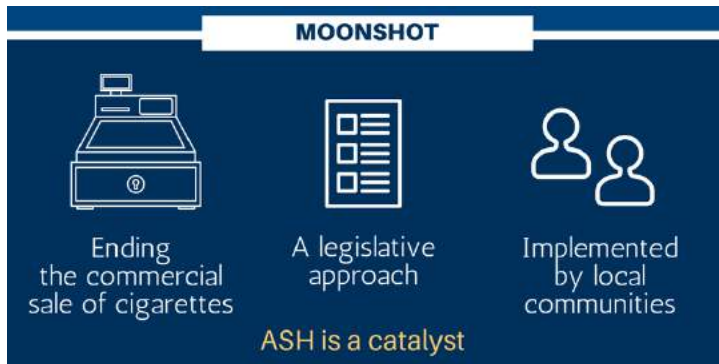
Our criminal liability program is an essential part of ASH's overall strategy. Together with our human rights program, the goal of this action is to protect citizens all over the world from the abuses of big tobacco corporations, given that neither the corporations nor governments have done that. Together ASH's programs have the ability to end the tobacco epidemic for good, and 2017 was a huge step in the right direction.





## MOONSHOT

### What We Do



### Our Impact

Last year, we told you that ASH is rededicating itself to zero tobacco deaths. In order to realize that aspiration, we must take steps to phase cigarettes out of the market.

Combustible tobacco is responsible for the vast, vast majority of death and disease from tobacco use. Robert Proctor of Stanford University called the cigarette, “the most dangerous artifact in the history of civilization,” and this is objectively true.

### **We must get rid of cigarettes, and the sooner the better.**

There are three broad ways to accomplish this.

First, the tobacco industry could voluntarily agree to stop selling cigarettes, as they have promised to do numerous times in the past. This didn’t seem very likely, but we thought we’d check by sending Philip Morris International, the largest tobacco multinational, a “cease and desist” letter signed by 123 global organizations (<https://ash.org/QuitPMI>). As expected, their response made it clear that they will not stop while there is still profit to be made.

Second, we can get courts to do it through criminal liability. See the previous page on that program.

Finally, we can legislate cigarettes off of the market. States have the clear power to do this, and many states allow counties and cities to do so. In January, we launched our “Moonshot” program. Bringing together some of the most forward-thinking people in public health, we have put together a plan to phase out the sale of cigarettes. **This is not about prohibition – possession and use will never be illegal. It is about holding the tobacco industry to the same consumer safety standards as every other product.** Several jurisdictions are contemplating a tobacco-free future, and we hope to build a new social movement, similar to the smoke-free air movement that ASH helped launch 40 years ago.

# Did you know?



The 2009 federal law giving the FDA authority over tobacco had to explicitly state that the FDA could not use this authority to ban cigarettes. Congress knew that if the FDA applied the same yardstick to cigarettes as they do to every other consumer product, they would have no choice but to ban them.



## STATEMENTS OF FINANCIAL POSITION

	DECEMBER 31,	
	2017	2016
<b>ASSETS</b>		
Cash and cash equivalents	\$ 1,137,689	\$ 1,445,051
Grants and contributions receivable	334,853	25,000
Due from ASH - International	9,399	-
Due from Framework Convention Alliance	-	1,870
Prepaid expenses and other assets	21,046	27,641
Investments	4,851,264	4,467,087
Property and equipment, net	-	204
<b>TOTAL ASSETS</b>	<b>\$ 6,354,251</b>	<b>\$ 5,966,853</b>
<b>LIABILITIES AND NET ASSETS</b>		
<b>LIABILITIES:</b>		
Accounts payable	\$ 56,470	\$ 18,870
Accrued expenses and other liabilities	171,010	172,395
<b>TOTAL LIABILITIES</b>	<b>\$ 227,480</b>	<b>\$ 191,265</b>
<b>NET ASSETS:</b>		
Unrestricted net assets:		
Operation balances	\$ 488,068	\$ 665,171
Funds functioning as endowment	508,660	479,259
Total unrestricted net assets	\$ 996,728	\$ 1,144,430
Temporarily restricted net assets:		
Donor contributions for programs	\$ 256,893	\$ 125,208
Donor contributions for facilities	500,000	500,000
Funds functioning as endowment	1,834,298	1,467,098
Total temporarily restricted net assets	\$ 2,591,191	\$ 2,092,306
Permanently restricted net assets:		
Endowments	\$ 2,538,852	\$ 2,538,852
<b>TOTAL NET ASSETS</b>	<b>\$ 6,126,771</b>	<b>\$ 5,775,588</b>
<b>TOTAL LIABILITIES AND NET ASSETS</b>	<b>\$ 6,354,251</b>	<b>\$ 5,966,853</b>



## COMMUNICATIONS

We started the year off with a 5k that walkers and runners could do throughout January with Virtual Strides, earning a medal that read, "She Believed She Could So She Did."

ASH Board Member Stanley Harmon read a statement from ASH at a NYC Council Hearing on a range of tobacco bills that all passed.

To mark ASH's 50th anniversary, we released a report underscoring what we've accomplished over the past five decades and the work that still needs to be done. We are determined to put ourselves out of business, well before ASH has a chance to celebrate its 100th birthday.

We also released a new design for our website, streamlining the overview of our impact and programs. The new homepage invites visitors to add their name to our cause of getting rid of cigarettes.

Two new videos were produced. "Is the Tobacco Industry Getting Away with Murder?" discussed the criminal liability case our partners are pushing in the Netherlands. They also provided a longer video interview with their lead attorney that we shared in conjunction with the video release. Our second video, "Zero Tobacco Deaths" told the story of a typical family being surrounded by cigarette sales and losing a parent to smoking. This video called on viewers to join our cause and challenge the "norm" of cigarette sales everywhere you look.



The background of the entire image is a close-up photograph of tobacco leaves, showing their characteristic veins and waxy texture. The leaves are a deep green color. A large, semi-transparent light blue rectangle is centered over the image, containing white text.

No tobacco product is safe,  
but **cigarettes are far and  
away THE MOST LETHAL.**  
That's why ASH wants  
to get rid of them.



# IT IS TIME TO END THE AGE OF THE CIGARETTE

## The cigarette is the most lethal product ever sold.

Nearly half a million Americans die every year from their use, and globally we can expect one billion deaths this century if we don't phase cigarettes out of the market.

Why does society continue to allow this? The answer is almost too obvious – money. The tobacco industry spent millions creating a highly addictive product and has reaped trillions in return. Some of this money is passed along to politicians, lobbyists and lawyers, who work tirelessly to protect their clients from reasonable regulations. **If another product came on the market tomorrow that addicted and killed when used as intended, it would most likely be removed and the corporate heads prosecuted.** Why should tobacco get uniquely favorable treatment?

ASH finds itself today in a familiar position: at the forefront of a movement that will change the public health landscape. We've been here before when we insisted on banning advertising on radio and television, creating smoke-free air laws and then smoke-free airplanes, and pressed for tobacco carve-outs in trade agreements. All of these initiatives share one thing – when ASH proposed them, others told us it was impossible.

Is a world where cigarettes are no longer sold beyond comprehension? If you're old enough, think back to the days when every restaurant meal included breathing in other people's smoke. It was hard to see, through that haze, a day when our health wasn't threatened every time we ate away from home. Now billions of people are protected from secondhand smoke.

It wasn't easy, and we're not done yet, but the social movement ASH launched changed expectations. We can do it again.



## DONOR SPOTLIGHT

In 2017, our longtime donor and friend in the anti-smoking fight Karl Putnam passed away. He will be greatly missed by his family, students, and the greater Texas community.

Karl was a tireless advocate for tobacco control and took a particular interest in the need for smoke-free airplanes. He would drive very long distances to avoid flying on planes where smoking was allowed, always seeking to protect his own health.

His non-conformist bent was coupled with a powerful moral compass, and he strove to foster positive change in the world, oftentimes through the vehicle of teaching and mentorship. Karl was an associate accounting professor at The University of Texas at El Paso and an avid hiker.



## ASH BOARD OF TRUSTEES

Doug Blanke  
Bunyan Bryant  
Stanley Harmon  
Dr. Alfred Munzer (chair)  
Marion Wells

## COLLABORATIONS

Advancing Tobacco Free Communities (ATFC)  
American Academy of Pediatrics  
American Cancer Society  
American Heart Association  
Americans for Nonsmokers' Rights  
American Lung Association  
Association of State and Territorial Health Officials  
Bill & Melinda Gates Foundation  
Bloomberg Initiative  
Campaign for Tobacco-Free Kids  
Canadian Cancer Society  
Corporate Accountability International  
Craigslist Charitable Fund  
F.M. Kirby Foundation  
Fragasso Financial Advisors  
Framework Convention Alliance  
Fundación Interamericana del Corazón Argentina  
Georgetown University Law Center – Harrison Institute  
Georgetown University Law Center – O'Neil Institute for  
National and Global Health Law  
Harvard School of Public Health  
Human Rights and Tobacco Control Network

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Kelsey Romeo-Stuppy

International Development Research Centre  
Johns Hopkins University  
National Association of Attorneys General  
National Association of County and City Health Officials  
NCD Alliance  
Non-Communicable Disease Roundtable  
Pan American Health Organization  
Public Citizen  
Robert Wood Johnson Foundation  
Seaway Valley Prevention Council  
Southeast Asia Tobacco Control Alliance  
The State University of New York, Potsdam  
The Ohio State University Moritz College of Law  
Truth Initiative  
The South Centre  
The University of Maryland Francis King Carey School of Law  
Thoracic Foundation  
Tobacco Control Legal Consortium  
University of California, San Francisco Center for Tobacco  
Control Research and Education  
United Nations Economic and Social Council  
United Nations Human Rights Council  
World Health Organization





## STAY INVOLVED IN OUR MOVEMENT!

### Share our website or this report

There's a reason why you stand with ASH. Let your friends, family, and coworkers know why ending the tobacco epidemic is important to you. [www.ASH.org](http://www.ASH.org)



### Follow us on Social Media

Your daily updates for the latest successes in our movement can be found on Facebook and Twitter.



@ASHorg



Facebook.com/ASHglobalAction

### Share your story with ASH

We want to know how tobacco has impacted your life and what motivates you to stay involved with our work. Email your story to [HQ@ash.org](mailto:HQ@ash.org) and we can feature your experiences on our website and social media. Your story may be the tipping point to get more people involved in the fight against big tobacco!


### Sign up for newsletters

Email us at [HQ@ash.org](mailto:HQ@ash.org) to begin receiving our quarterly newsletter of progress and ways to get involved.

### Make a donation

You are the reason we can stand up to big tobacco every day. Your generosity and dedication allow ASH to be the catalyst for innovative concepts and groundbreaking programs which improve health for all. Without your help, we would not be the incubator pushing for a tobacco-free future. [www.ash.org/donate](http://www.ash.org/donate)





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