



# ACTION ON SMOKING AND HEALTH

## 2013 Annual Report





# TABLE OF CONTENTS

Introduction.....	3
Message from the ASH Board Chair & Executive Director.....	4
Programs.....	6
Strategic Highlights.....	10
Income & Expenses.....	11
Collaborations.....	12
Thank You.....	13
The ASH Team.....	14



## OUR MISSION

*To be a prime mover in domestic and global tobacco control through advocacy, communication, the force of law and our essential partnership with the Framework Convention Alliance for Tobacco Control.*

## OUR VISION

*To end the worldwide disease, damage, and death caused by tobacco.*

**A**ction on Smoking and Health has a long and successful history of advocacy, education, and legal initiatives in the fight against tobacco. Using the powers of science and law, ASH has fought for health in courts, before legislative bodies and regulatory agencies, as well as before international agencies such as the United Nations and the World Health Organization.

ASH was formed in 1967 to address the need for an organization that represented nonsmokers' rights. Since the release of the original Surgeon General report on smoking in January 1964, the global initiative for the prevention of tobacco-related damages has made enormous progress, and ASH played a major role. Some of ASH's achievements have resulted in:

- 1972: Ban of cigarette commercials on radio and television
- 1990: Decision by Congress to ban smoking on airline flights
- 2001: Executive order by President Bill Clinton prohibiting the government from promoting the sale or export of tobacco products
- 2005: The WHO Framework Convention on Tobacco Control, the world's first global public health treaty

ASH works closely with its allies to ensure that the public health community addresses the tobacco epidemic in a unified and coherent manner. We do this by:

- Initiating advocacy and public policy efforts to inform and motivate the public and others in the tobacco control movement

- Developing and distributing publications and research documents for tobacco control best practices
- Building alliances and networks to engage the most qualified partners to address specific issues

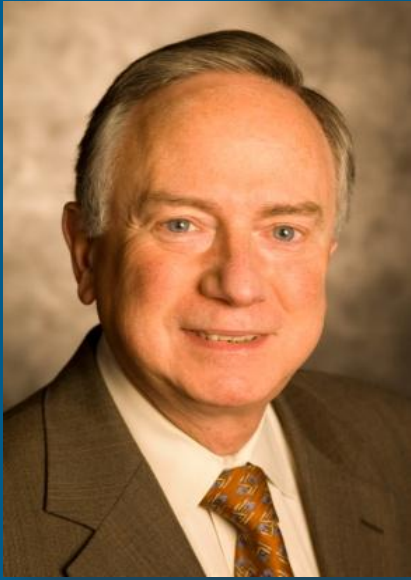
But more progress is needed.

Although smoking rates in the U.S. are lower than they have been in almost a century, the tobacco industry is wealthier than ever and has moved its marketing efforts into the developing world, cultivating new generations of customers and subjecting millions to addiction, disease, and death.

Events overseas profoundly impact our efforts here at home. Billions of dollars earned from overseas sales to the world's poor are brought back to the U.S. to influence political campaigns, file lawsuits against governments, hire armies of lobbyists, and run massive media campaigns to block progress.

That is why, today, ASH fights the tobacco epidemic on a global scale. Working individually and through a large global network that ASH helped create, the Framework Convention Alliance (FCA), we monitor industry behavior, push for stronger regulations at home and abroad, and ensure that tobacco is on the agenda for health, trade, development, and human rights ■

## MESSAGE FROM OUR BOARD CHAIR



*“I am proud of the role played by ASH in that campaign, a role that would have been impossible without the support of thousands of donors.”*

**D**ear Friends,

This year marks the 50th anniversary of the landmark 1964 Surgeon General's Report: Smoking and Health. It laid the groundwork for a campaign against one of the greatest public health catastrophes of the 20th century, death and disease caused by the use of tobacco. I am proud of the role played by ASH in that campaign, a role that would have been impossible without the support of thousands of donors.

As a result of the efforts of ASH and other organizations, the smoking rate in the United States has decreased from 43% in 1965 to 18% today, and 8 million deaths from tobacco related diseases have been averted. But our job is not yet done. In spite of all our efforts, 42 million Americans continue to smoke, and an estimated 3,200 youngsters still start to smoke every day. And while tobacco use has decreased in the United States, global tobacco use continues to increase. The World Health Organization estimates that tobacco use will kill one billion people in the 21st century with 80% of deaths occurring in the developing world.

Thanks to the marketing skills of the tobacco industry, the epidemic of tobacco use is a moving target. The tobacco goliaths spend billions year in and year out to attract new users of its deadly product here and around the globe. ASH does not have billions at its disposal. That is why we focus on points where the tobacco industry is most vulnerable, giving our donors the biggest bang for their buck.

Among the areas we focused on this past year:

- Providing key support to the Framework Convention Alliance, a world-wide coalition of tobacco control organizations, to assure implementation around the globe of the Framework Convention on Tobacco Control (FCTC), the world's best hope to arrest the spread of the tobacco epidemic
- Bringing each of the states in the USA into compliance with the provisions of the FCTC
- Eliminating the protection offered to the tobacco industry through international trade agreements
- Making sure that tobacco control is a part of the world's development agenda, since tobacco use not only causes death and disease, but also greatly contributes to poverty

With the continued support of our donors, I look forward to a day when we will have defeated the epidemic of death and disease caused by tobacco, just like we did with smallpox.

Alfred Munzer, MD

A handwritten signature in blue ink that reads "Alfred Munzer".

Board Chair

# MESSAGE FROM OUR EXECUTIVE DIRECTOR

*“ So much has happened nationally and internationally that I find myself both humbled by and proud of our achievements. ”*



**D**ear Friends,

For 47 years, supporters of ASH have trusted us to do the right thing for public health. In the early days, we promoted nonsmokers' rights and provided legal advice. We fought for airlines, hospitals, universities, and other public entities to go smoke-free, and we pushed for essential anti-tobacco legislation in the United States.

Thanks to the generous and unwavering support from our donors, ASH was able to greatly influence the decline of tobacco use in this country and to protect the health of many generations. However, it wasn't long before the tobacco industry turned its sights on the developing world and initiated another wave of addiction, disease, and death on the poverty-stricken adults and children of those countries.

We immediately knew we had to do the next right thing. Because of the progress that had been made here in the U.S., we believed it was time to expand our mission to include global efforts against the tobacco industry and to advocate and protect its new victims. So in 1999, ASH expanded its work to fight the tobacco industry globally. It did so by engaging in the negotiations of the first modern global public health treaty, the WHO Framework Convention on Tobacco Control (FCTC). ASH's engagement helped the FCTC become one of the most rapidly embraced treaties in history. Since then, ASH has continued to tackle the work that still needs to be done here at home, while delivering a powerful blow to the tobacco industry's international game plan.

It has been over a decade since I joined ASH, and I cannot believe how the time has flown. So much has happened nationally and internationally that I find myself both humbled by and proud of our achievements. And in looking back over this past year, I am moved to express my gratitude to the hardworking people who comprise the ASH team. Our small but mighty staff has fought tirelessly to curb the tobacco epidemic, and their work is driving us toward a smoke-free world.

Finally, I must recognize our amazing donors, because it is their dedication that inspires us and their generosity that supports our daily efforts. We absolutely could not have come this far without you...nor would we have wanted to.

We at ASH hope to one day work ourselves out of a job. We dream that no one ever has to breathe second-hand smoke, that no one ever loses a loved one to tobacco-related disease, and that low income countries can thrive in the absence of the greed of the tobacco industry. Until that day, we will be right here doing what we do. And we are honored to have you with us.

Wishing you all the best in 2014,

Laurent Huber

Executive Director



The tobacco industry has increasingly used international trade and investment rules to challenge government implementation of strong tobacco control regulation. Recent public statements by tobacco industry executives verify that this is a well thought out strategy to discourage governments from following leaders like Uruguay and Australia because of the high costs involved in even a successful defense of regulations in international trade courts.

While WTO lawsuits are a continuing source of concern, the rights of corporations to directly sue governments under so-called investor-state dispute settlement (ISDS) mechanisms, found in most bilateral investment treaties (BITs) and some free trade agreements (FTAs), are a greater menace since they do not require the intervention of a sponsoring government. Philip Morris International is currently involved in lawsuits under BITs against Uruguay and Australia for their strong tobacco packaging regulations. While both governments are fighting the lawsuits and are likely to prevail, many developing countries will be unwilling to follow suit simply because of the legal costs involved.

In 2011, ASH began a program aimed at explicitly exempting tobacco from trade and investment agreements. Such “carve-outs” would not make tobacco trade illegal but rather protect government sovereignty to regulate tobacco from suits launched under international trade rules.

Our first target was the Trans-Pacific Partnership (TPP) Agreement, a trade agreement between the U.S. and 11 other countries that will become the largest trading block in the world.

ASH coordinates an international coalition of public health groups, academics, and advocates working in concert toward a carve-out in the TPP. Of particular importance, ASH has developed a strong working relationship with the Harrison Institute at Georgetown University Law Center, which provides expert legal research.

In 2013, our efforts met with unprecedented success. At the final “official” TPP negotiating round in August, Malaysia proposed a full carve-out for tobacco, the first such proposal in a major trade agreement negotiation. Dozens of influential U.S. groups have publicly applauded the idea and pressured the U.S. to support it. It is unclear when negotiations for the TPP will conclude. Malaysia has stuck to its carve-out proposal in the face of strong U.S. opposition, but so far no other negotiating party has taken a stand.

Work has also begun on the Transatlantic Trade and Investment Partnership (TTIP) negotiations between the U.S. and European Union. Negotiations started in mid-2013 and are in the early stages, but ASH has begun building a network of partners in Europe to seek a tobacco carve-out in TTIP ■



“ASH coordinates an international coalition of public health groups, academics, and advocates working in concert toward a carve-out in the TPP.”

~ Chris Bostic, Deputy Director for Policy

The goal of the global development program is to ensure that tobacco control is integrated into the post-2015 global development agenda. After 2015, the current Millennium Development Goals (MDGs) are set to expire and will be replaced by the new Sustainable Development Goals (SDGs). ASH is advocating to integrate tobacco control in the new SDGs, as they were not included in the past MDGs, which led to limited whole of government engagement in the implementation of solutions to the tobacco epidemic.

The SDGs will be used to set country priorities. It is important to note that tobacco is not just a health issue, but it is a broader development issue, as it impacts all areas of sustainable development including economic, social, and environmental issues. The inclusion of tobacco in the SDGs would help ensure that it is given the attention it deserves by countries around the world, not only by health ministries, but by the entire government. Currently, there are no other tobacco control organizations focusing on this campaign at the United Nations (UN) level in New York; therefore ASH serves as a leader in implementing this campaign.

ASH has been following the post-2015 process closely since April 2013 and has been engaged in advocacy efforts with various groups in the U.S. and around the world including the non-governmental organizations (NGO) major group of the UN. As a result of this engagement, tobacco control has been mentioned in a number of documents that inform these important global negotiations.

During the UN General Assembly (UNGA) in September 2013, ASH and various other health organizations established a group to conduct further advocacy. ASH also works closely with the Non-communicable disease (NCD) Alliance for advocacy efforts in the post-2015 and NCD agendas.



In Washington, DC, ASH is a member of the NCD Roundtable, an advocacy group that works to ensure that the U.S. government supports the inclusion of NCDs in the post-2015 development agenda. In addition, the Roundtable advocates for NCDs to be an integral part of the U.S. government's global health agenda and to use U.S. leadership to influence other member states.

ASH has published a report: "Tobacco: A Barrier to Sustainable Development," which outlines the major impact that tobacco has on all areas of sustainable development (available at [ash.org](http://ash.org)). In addition, ASH has produced various videos on post-2015, global development, poverty, NCDs, and updates from UNGA 68. ASH will continue to work with its domestic and international partner organizations, conduct global advocacy, engage with UN missions in New York, advocate at the country level, and promote this campaign through communications efforts to integrate tobacco in the post-2015 development agenda ■



The diseases caused by tobacco use and exposure to tobacco smoke fall under a category called non-communicable diseases (NCDs), which means that the illness doesn't spread from one person to another like a flu virus. In one way, however, the global tobacco epidemic behaves similarly to infectious disease – it has a vector. In the same way that malaria is spread by its vector, mosquitos, the tobacco epidemic is spread by its vector, the tobacco industry. In its fight against malaria, the world has learned a lot about how to destroy mosquitos. Likewise, ASH and its public health allies need to study and track the tobacco industry.

“Tobacco use is unlike other threats to global health. Infectious diseases do not employ multinational public relations firms. There are no front groups to promote the spread of cholera. Mosquitoes have no lobbyists.” *WHO Zeltner Report, 2000.*

In 2012, ASH launched its “Eye on the Industry” program to track and publicize the tactics used by the tobacco industry to addict new generations of users and forestall public health regulations. In that election year, we started by publicizing the industry's buying of political favor through direct campaign contributions to national candidates.

In 2013, we turned our attention to the global arena. As more and more countries implement the WHO Framework Convention on Tobacco Control, many are banning tobacco marketing. But the industry has found a way to continue marketing itself without infringing on most tobacco marketing bans – so-called “corporate social responsibility” (CSR) projects. ASH's marketing map highlights these schemes and juxtaposes these supposedly charitable activities against the death, disease, and economic costs brought on by the industry's products ■

“ASH launched its Eye on the Industry program to track and publicize the tactics of the tobacco industry”

## How much “good” does the tobacco industry do worldwide?



Ash.org/csr-map

“Tobacco use is unlike other threats to global health”



Facebook and Twitter have both seen considerable amount of growth in their audience sizes during 2013, in large part due to the addition of a communications staffer at ASH. Our Facebook audience has grown 341%, and our Twitter audience has grown 123%.

We have been sharing updates on ASH's programs, successes of the tobacco control movement, and ways for our followers to get involved in the fight against the tobacco epidemic. We are also actively engaging with our followers, especially through Twitter, by sharing breaking news and answering questions.

We launched our YouTube channel in February 2013 and posted 18 videos throughout the year. We also launched a mini video series to break down complex tobacco control issues for the everyday audience. The series built up an audience during the United Nations General Assembly.

ASH staff also created accounts for Instagram, LinkedIn, Google+ and Pinterest in 2013. These platforms will see more engagement in 2014 and the coming years, allowing the general public to stay engaged with ASH using the social media platform of their choice.

For our year-end campaign, we developed the theme "Why I Fight" to help personify ASH and our cause. Together, we put a face on our cause and explained our own motivations in fighting the tobacco industry every day. Every story was shared across all of our social media channels, posted on our website, and a few were used in email blasts to our supporters ■



## Why I Fight: Megan Arendt

Everyone knows someone affected by tobacco. You likely know someone who smokes, but as long as they don't smoke around you, you might not think about it much. And even if they do smoke around you, you likely assume it's not as bad for you as it is for them.

That should not be the excuse, though. There is no safe amount of secondhand smoke for you, for me, or for anyone. Imagine what that means for the person actually smoking every day. With every cigarette, they are directly decreasing the number of years they will live. They are directly decreasing the number of years you will have them in your life. **Every cigarette is changing both of your lives, for the worse.**



This is true of all tobacco products (cigars, cigarettes, chew, hookah). But, this is also something that I never really thought about before January 2013. I knew that smoking was bad and had no interest in doing so myself. I knew that my grandpa's house was a giant box of cigar smoke and that anything I wore there would need to be washed after I left. I knew to leave my jacket in the car when visiting. And I knew that when we did his spring cleaning, his walls would drip yellow water from the smoke.

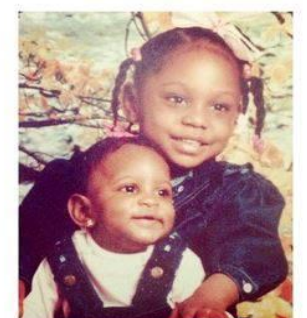
**But I never knew the real impact of tobacco products on an individual, a community, or the world.**

breathing. As a child, I cannot remember a single time that I could just run without having to be cautious of my breathing rapidly increasing, or gasping for air soon afterwards because I could not take in enough oxygen.

**I do not know what it is to breathe clear and free of congestion, or what it is like to not have asthma.** I do not know what it feels like to sleep through a night and not wake up gasping for air because I forgot to use my inhaler before bed.

**Unfortunately, it was too late when my family learned the negative impacts of their smoking and the lies that big tobacco intentionally failed to relay.** I fight so that no child will have to endure these injustices at the hand of big tobacco.

I fight so that it will not be too late for future generations.



Violet and her sister

# STRATEGIC HIGHLIGHTS

The innovative and hard-hitting programs we carried out in 2013 will continue into 2014 as part of our 2014 Strategic Plan. For this plan and into the future, our main goal is to deliver and sustain effective tobacco control programs.

We intend to drive this goal by expanding upon current programs and implementing new programs while ensuring effective communications, board governance, and management of the organization. We will also strive to secure our long-term viability by working to diversify and sustain adequate and stable financial resources. Our specific areas of program work will include:

- Active leadership and support of the Framework Convention Alliance on Tobacco Control (FCA) and other global partners to ensure the strongest possible implementation of the World Health Organization Framework Convention on Tobacco Control (WHO FCTC)
- Engaging the United States in global tobacco control efforts
- Continuing our already successful efforts toward addressing the issue of tobacco products under international trade and investment agreements
- Exploring the possibility of U.S. formal ratification of the WHO FCTC
- Pressing state and local jurisdictions to implement strong WHO FCTC measures here in the U.S.
- Working at the United Nations to ensure that tobacco is included in the Sustainable Development Goals currently being drafted for adoption in 2015
- Monitoring the tobacco industry to expose its tactics and proactively respond to new threats
- Researching novel legal tools to combat the tobacco industry and their products ■



*“Our main goal is to deliver and sustain effective tobacco control programs”*



**A**SH has completed the 2nd year of its current strategic plan, with several campaigns underway and several new ones emerging in 2014. Our life-saving campaigns are proven to be a sound investment in public health to resonate with the goals and objectives of our funders.

In 2013, ASH was supported by the following organizations: World Lung Foundation, Bill and Melinda Gates Foundation, American Cancer Society, Legacy Foundation, F.M. Kirby Foundation, and Robert Wood Johnson Foundation. ASH also relies on the generous support of its private donors.

FY2013 covers January 1, 2013 December 31, 2013. A complete copy of our FY13 Audited Financial Statement can be obtained by visiting our website [ash.org](http://ash.org) or by contacting ASH ■

## ACTION ON SMOKING & HEALTH NOTES TO FINANCIAL STATEMENTS

DECEMBER 31, 2013

	Unrestricted	Temporarily Restricted	Permanently Restricted	Total
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### REVENUE AND SUPPORT:

Grants	\$ 45,000	\$ 1,648,910	\$ --	\$ 1,693,910
Contributions	533,272	--	--	533,272
Interest and dividends	32,798	177,616	--	210,414
Miscellaneous income	1,836	--	--	1,836
Net assets released from restrictions	1,055,050	(1,055,050)	--	--

### TOTAL REVENUE AND SUPPORT

\$ 1,667,956	\$ 771,476	\$ --	\$ 2,439,432
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### EXPENSES:

Program services: Public education	\$ 1,838,039	\$ --	\$ --	\$ 1,838,039
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Supporting services: Management and general Fundraising	\$ 164,033 128,974	\$ -- --	\$ -- --	\$ 164,033 128,974
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Total supporting services	\$ 293,007	\$ --	\$ --	\$ 293,007
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### TOTAL EXPENSES

\$ 2,131,046	\$ --	\$ --	\$ 2,131,046
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### CHANGE IN NET ASSETS FROM OPERATIONS

\$ (463,090)	\$ 771,476	\$ --	\$ 308,386
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### NON-OPERATING REVENUE:

Net appreciation in Fair value of investments	13,347	492,987	--	506,334
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### CHANGE IN NET ASSETS

\$ (449,743)	\$ 1,264,463	\$ --	\$ 814,720
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### NET ASSETS, BEGINNING OF THE YEAR

2,264,823	1,502,939	2,538,852	6,306,614
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### NET ASSETS, END OF YEAR

\$ 1,815,050	\$ 2,767,402	\$ 2,538,852	\$ 7,121,334
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# COLLABORATIONS

American Cancer Society  
American Heart Association  
Americans for Nonsmokers' Rights  
American Legacy Foundation  
American Lung Association  
American University Washington  
College of Law  
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  
Georgetown University Law Center  
Harvard University



International Development  
Research Centre  
Johns Hopkins University  
National Association of County and  
City Health Officials  
NCD Alliance  
Non-communicable Disease  
Roundtable  
Robert Wood Johnson Foundation  
SouthEast Asia Tobacco Control  
Alliance  
The Ohio State University Moritz  
College of Law  
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



# THANK YOU

**A**SH is fortunate to have over 4,000 generous, dedicated supporters located all across the country and in some cases, around the world. They come from all walks of life, from doctors to teachers, authors to musicians, students to entrepreneurs, and the retired—and every single one plays a critical role in our work. We are grateful for every pledge, whether a large annual donation, recurring monthly gift, or modest contribution spanning several years. No support goes unnoticed.

We are proud of our large pool of donors who have been with us for over 25 years and for those who have newly joined and taken up our cause not only through donations, but through advocacy and social media.

ASH is honored to receive gifts from a variety of vehicles including workplace matching programs, community foundations, donor-advised funds, retirement distributions, charitable gift annuities, and bequests. And we humbly thank those who have declared that ASH is included in their will.

Whether you are a current donor, a past donor wishing to renew your commitment to ASH, or someone considering joining our fight against the tobacco industry, we want to hear from you. Please write to us, call us, and join us on social media. Together, we can rid the world of the damage, disease, and death caused by tobacco ■

*“We are proud of our large pool of donors who have been with us for over 25 years and for those who have newly joined and taken up our cause not only through donations, but through advocacy and social media.”*

~ Kimberley Intino, Deputy Director of Development

*“I appreciate the work you have done... I am allergic to smoke and when in college used to sit in the hallway for classes because of the students who smoked in the classroom. It would have been nice to have been able to have sat in the classrooms then. You have changed that for many people like me.”*

~ ASH Supporter





# THE ASH TEAM

## BOARD OF TRUSTEES

Dr. Alfred Munzer, MD (Chair)  
Washington Adventist Hospital

Mr. Doug Blanke  
Director, Public Health Law Center

Dr. Chuck Crawford  
President, Kimball Physics

Ms. Patricia Lambert  
Director, International Legal Consortium, The  
Campaign for Tobacco Free Kids

Ms. M.R. (Marion) Wells  
Author

Mr. Laurent Huber (ex officio)  
Executive Director, ASH



The ASH 2013 Annual Report is dedicated to the memory of Mrs. Ethel R. Wells and Mr. Martin A. Jacobs, devoted Trustees of Action on Smoking and Health.

We are honored and inspired by Ethel's leadership and her unwavering dedication to ASH. Her vision, legacy of passion, and generosity continue through her beloved daughter, Marion Rose Wells.

Martin had a vision for his role in life—fighting for the underdog. He was to his last breath an incorruptible, determined, insightful advocate whose legacy continues to motivate the work of ASH.

## STAFF

Laurent Huber  
Executive Director

Chris Bostic  
Deputy Director for Policy

Megan Arendt  
Communications & Project Coordinator

S. Violet Dyer  
Operations Coordinator

Elizabeth Furgurson  
Chief Operating Officer

Nichelle Gray  
Program Coordinator

Kimberley Intino  
*Deputy Director of Development*

Shana Narula  
Campaign Coordinator

Kelsey Romeo-Stuppy  
Staff Attorney

Josef Verovic  
Program Manager, International Programs







**Please stay informed and spread the word!**

Visit us at [ash.org](http://ash.org), sign up to receive our email updates, like us on Facebook:  
**Facebook.com/ASHglobalAction** and follow us on Twitter: **Twitter.com/ASHorg**

Your dedication to a world free from the devastation, disease, and death caused by tobacco is what motivates our work. Please share this report with a friend and make your tax-deductible contribution today.



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Twitter.com/ASHorg



Youtube.com/ASHorgUSA



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