

ASH

2020

ANNUAL REPORT



**PUSHING BACK AGAINST BIG TOBACCO
TO END THE TOBACCO EPIDEMIC**

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(202) 659 - 4310 | <https://ash.org>

ASH
ACTION
ON SMOKING & HEALTH

*Global action for **everyone's** health.*





**Even a single cigarette a day
maintains the cardiovascular risk.**

- Dr. Carolyn Dresler
Thoracic Oncologist & ASH Volunteer

OUR VISION

**A world free from
the harm caused
by tobacco.**

OUR MISSION

**To advocate for innovative
legal and policy measures
to end the global tobacco
epidemic.**

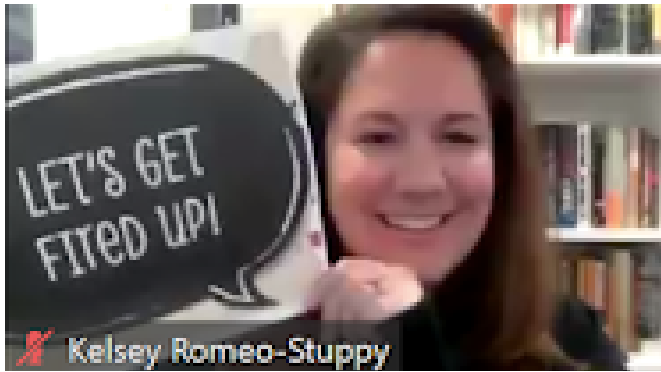


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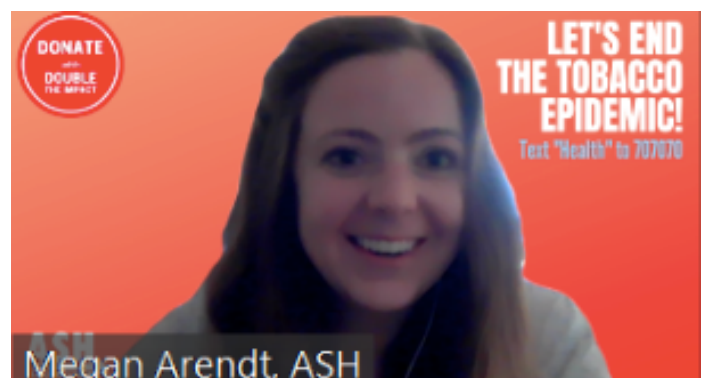
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EXECUTIVE DIRECTOR'S MESSAGE

Tobacco Corporations Undermine Social Justice.

The year 2020 brought much needed attention to social justice and placed the **right to health** front and center in global public health. In a matter of months, we saw the world come to a halt because of the global COVID-19 pandemic, a pandemic that made it even clearer that the marketing and sale of a lethal and addictive product like cigarettes puts not only individuals at risk, but nations' health systems too. Furthermore, it became increasingly clear that the COVID-19 pandemic, as well as the tobacco pandemic, disproportionately impact the most vulnerable members of society.

Last year, the World Health Organization and nations around the world recognized the deadly combination of COVID-19 and smoking, and as a result, some countries took measures to protect their citizens from

this deadly combination. But more needs to be done for countries to effectively realize the globally recognized "right to the highest attainable standard of health."

The Committee on Economic, Social and Cultural Rights, which monitors the implementation of one of the most important human rights treaties, clarified 20 years ago that, "health is a fundamental human right indispensable for the exercise of other human rights. Every human being is entitled to the enjoyment of the highest attainable standard of health conducive to living a life in dignity."

Clearly, the actions of the tobacco industry – selling a product that kills more than 8 million people every year and attacking governments all over the world when they try to pass life-saving legislation to reduce smoking – are an obstacle to social justice and our collective right to health.



ASH and our allies

The ASH team and its allies around the world were extremely active in 2020 to protect all of us from the harms caused by the tobacco industry. Because of social distancing restrictions imposed by the COVID-19 epidemic, we modified the way we work, but we did not skip a beat.

Here are a few of our accomplishments:

- Conducted highly attended webinars reaching thousands of government officials, members of civil society and academia, providing them with tools to protect health;
- Used the law to advance health: we are co-plaintiffs in a lawsuit that forced the FDA to take action on mentholated tobacco products, which harm some of the most vulnerable populations in the U.S. and around the world;
- Coordinated a global movement to phase out the sale of commercial tobacco products. We've seen advances around the world, particularly in California where Beverly Hills and Manhattan Beach have phased out the sale of commercial tobacco products, and
- Continued to highlight the negative impact tobacco corporations have on health and economic development in global governance platforms, such as the UN Human Rights Council, international human rights treaties and other platforms where we can encourage a whole-of-government response to the tobacco epidemic.

Given what we know about the impact of tobacco use, it is unacceptable that tobacco is still sold all around us, making it one of the most easily accessible products in the U.S. and around the world.

How will future generations judge us if we don't address this obstacle to social justice?

ASH will continue to fight for social justice and your right to health in 2021 by serving as an incubator and catalyst for interventions that phase out the sale of commercial tobacco products, holding the tobacco industry accountable through the rule of law and using global norms to move local communities toward zero deaths from tobacco.

Together we can create a world where no one dies due to tobacco.

A handwritten signature in black ink, appearing to read 'Laurent Huber'.

Laurent Huber
ASH Executive Director

GOAL 1

Serve as an incubator & catalyst for interventions that phase out the sale of commercial tobacco products (i.e. Project Sunset)



L-R: John Mirisch and Laurent Huber, 2019



2020 was a memorable year in every respect, no less so for ASH's Project Sunset. COVID-19 caused some delays as officials from every aspect of public health were pressed into pandemic service. Some cities in California which had tobacco sales bans on their agendas were forced to postpone consideration. We expect they will return to endgame policies as COVID cases fall, and we are conducting outreach to offer technical assistance.

ASH received two important grants to expand endgame outreach in 2020. The California Department of Public Health awarded ASH a five-year grant to oversee communications aspects of the State's endgame plan. The French government awarded ASH a grant as part of an effort to denormalize tobacco use, which includes endgame outreach. ASH also

began working with a Spanish civil society coalition interested in including endgame in a long-term plan.

More generally, ASH saw an increase in support for Project Sunset among global colleagues. Endgame has become part of most anti-tobacco conversations, which was not true just a few years ago. A growing number of countries set ambitious tobacco prevalence goals, recognizing that they are unattainable without endgame policies. WHO Framework Convention on Tobacco Control (FCTC) Article 2.1 - which calls on governments to go beyond specific obligations in the treaty - was virtually forgotten until ASH began highlighting it as the way forward on endgame for FCTC Parties. In 2020, it became a cause du jour among global allies.

OTHER NOTABLE ACHIEVEMENTS WITHIN THE MOVEMENT IN 2020 INCLUDE:

- Project Sunset Oceania was launched by partners, including their own website and steering committee.
- John Mirisch, the Beverly Hills city councilmember (then mayor), who spearheaded the city's tobacco sales ban, joined ASH's Board of Directors.
- The Netherlands put in place a plan to phase out tobacco sales by reducing the number of retail outlets.
- Dolgeville, NY enacted a tobacco retail license ban, grandfathering in existing licensees (which can never be transferred).
- Brookline, MA passed a Tobacco-Free Generation ordinance, banning sales to anyone born after December 31, 1999. The ordinance must be approved by the MA attorney general, whose decision is expected in July 2021.

GOAL 2

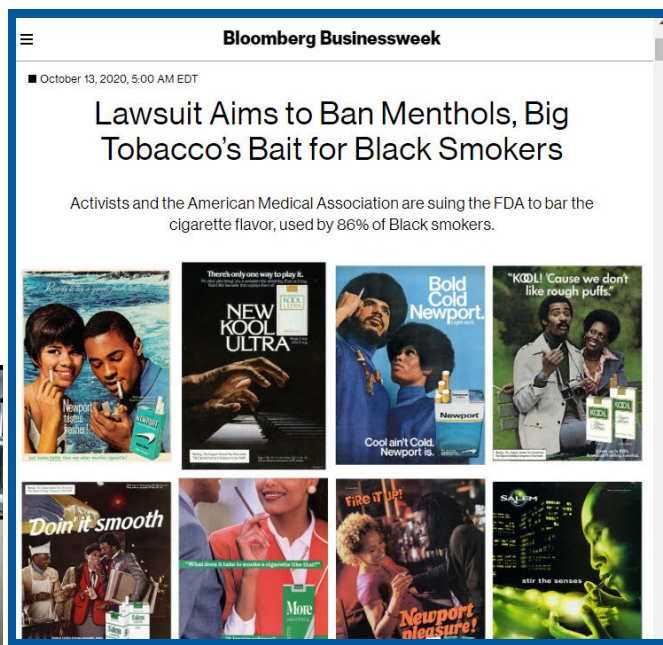
Hold the tobacco industry accountable through the rule of law

Our criminal liability program undertook two major actions in 2020. ASH and Breathe DC filed a complaint in the District of Columbia Superior Court against JUUL Labs, Inc., the controversial e-cigarette purveyor. The complaint alleges that statements on packs of JUUL pods – “5.0% Nicotine Strength” and “3.0% Nicotine Strength” – mislead consumers to believe that JUUL pods contain low amounts of nicotine or deliver only a fraction of the amount of nicotine delivered by combustible cigarettes.

ASH also engaged in **affirmative litigation** against the United States Food and Drug Administration (FDA) for its inaction on menthol cigarettes. ASH, along with our partners at the African American Tobacco Control Leadership Council (AATCLC), the American Medical Association (AMA), and the National Medical Association (NMA) **sued the FDA**, asking the court to require the FDA to begin rulemaking on menthol cigarettes.

Our criminal liability program took a global perspective and hosted a webinar during the week that would have been the Conference of the Parties (COP) for the tobacco treaty negotiations.

The **webinar** focused on Article 19, which encourages countries who are party to the treaty to undertake legal action (both civil and criminal) against the tobacco industry. An **editorial** was also published as a follow up to the webinar.



GOAL 3

Use global norms to move local communities toward zero tobacco-use prevalence



In the past, our human rights program required lots of travel – to Geneva and New York for UN events, to other countries for trainings, etc. This year required a different approach, but it was a very productive year.

In the United States, ASH worked with local partners in California and D.C. to help teach local advocates **how to use international tools like the International Convention on the Elimination of all forms of Racial Discrimination (CERD)** to further their advocacy for menthol bans.

We also submitted or supported the submission of numerous national tobacco centric reports to UN Human Rights Treaty Bodies including **Japan, the U.S., Sweden, Chad** and others. Both the Japan report and the United States report resulted in publications in a peer reviewed journal. We also received a grant to begin working on a multi-year tobacco and human rights program in France, that will include submissions to treaty bodies.

ASH submitted official statements on the topic of tobacco to the UN Human Rights Council, the Office of the High Commissioner for Human Rights and other UN agencies and processes, including a **suggested addition to the General Comment on Scientific Progress and Economic, Social and Cultural Rights and a Response to an open call from the OHCHR on systemic racism**. These statements were all signed by other groups in the public health community and elevated the status of tobacco control within the United Nations system. This sign-on strategy also drew local advocates' attention to opportunities to advocate for tobacco control in the international community.

Thanks in large part to ASH advocacy in 2019 and 2020, a Human Rights Decision is on the agenda for WHO FCTC COP9, which was postponed to 2021. ASH provided support to this process at the request of the FCTC Secretariat and governments.

In addition to the liability webinar during the original week of the Conference of the Parties (COP), we hosted a **webinar** focused on human rights, which also resulted in a follow up **editorial**.

ASH staff supported local action in Washington, DC by serving as co-Chair of the DC Tobacco-Free Coalition. ASH, in partnership with the Coalition, also supported the development of several virtual events and webinars. We are developing new programming in the District to address the disparities and inequities that remain in public health today, particularly with flavored tobacco products – and especially menthol.

ASH acted as the U.S. representative for the development of the Global Tobacco Industry Index which launched in November, and our **U.S. specific report launched in December**.

In addition, ASH promoted its message to end the tobacco epidemic by presenting at several virtual and in-person (pre-COVID) conferences, including at the European Conference on Tobacco or Health in Berlin, Germany, the International Union Against Tuberculosis and Lung Disease conference (virtual), and the European Network for Smoking Prevention conference (virtual), among several others.



ASH Staff, 2019



L-R Laurent Huber and Dainius Puras, 2019

“

The WHO Framework Convention on Tobacco Control enshrines minimum standards on tobacco control and provides guideposts for countries to shape their domestic tobacco control policies.

”

Dainius Puras

Former UN Special Rapporteur
on the Right to Health

In Human Rights and Tobacco Control, Edited
by Marie Elske Gispén and Brigit Toebe, Elgar
Studies in Health and the Law, 2020

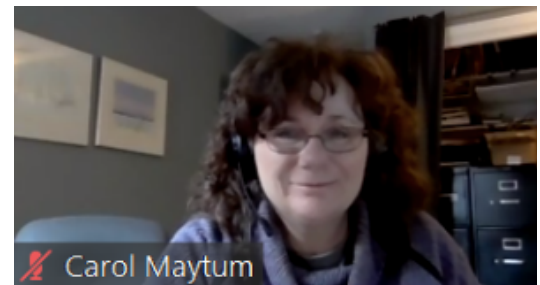
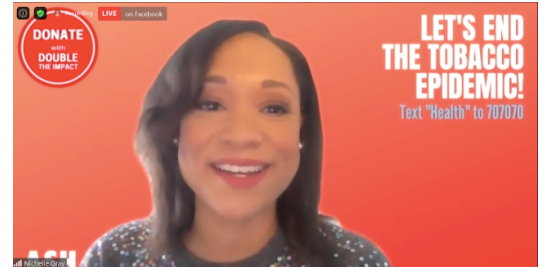
GOAL 4

Ensure effective communications that create a desire to end the tobacco epidemic

When the COVID-19 pandemic began to fill the news cycle in March, ASH moved all communications online by hosting social media live chats with expert colleagues and testing webinars to clear up misinformation about the link between COVID-19 and smoking (one widely publicized study wrongly stated that smoking could protect users from COVID-19).

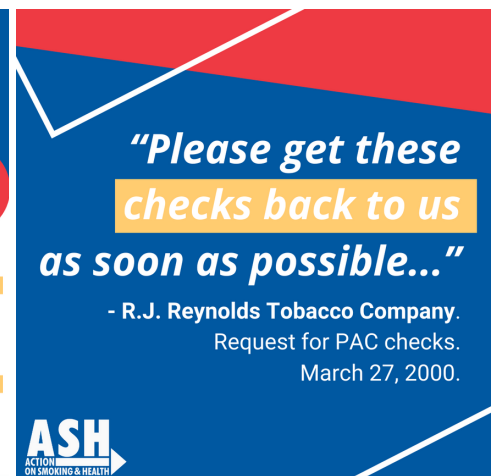
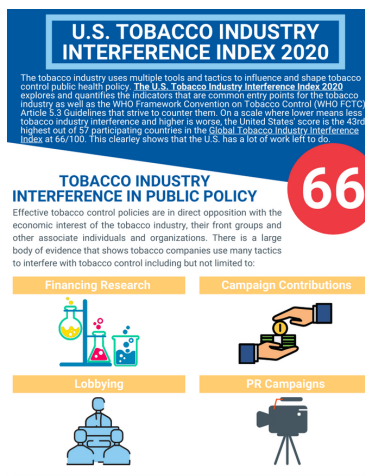
Since its inception, the ASH Webinar Series grew into an established program in its own right, with a captivated and very engaged audience, which in turn grew our email database audience size and engagement rates.

An established partner noted, “ASH’s webinars in recent months have been **consistently insightful and worthwhile**, and I’ll continue to make sure the [tobacco control network] is aware of all of those opportunities.” And a new ASH ally said in the feedback form, “I’m new to your webinars and find them all **informative**. Nice to have an international perspective on many of them. We get into tunnel vision sometimes when we only focus on tobacco control in our own state.”



All social media live chat recordings and webinars are available here:

<https://ash.org/webinars>

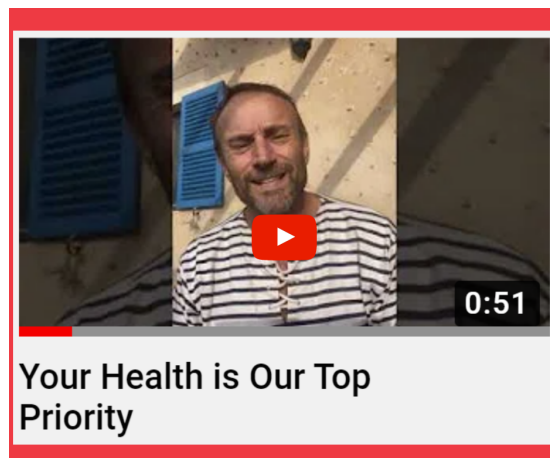
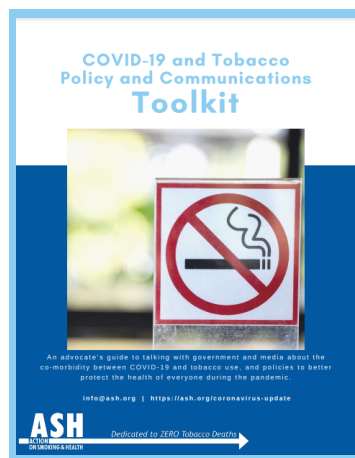
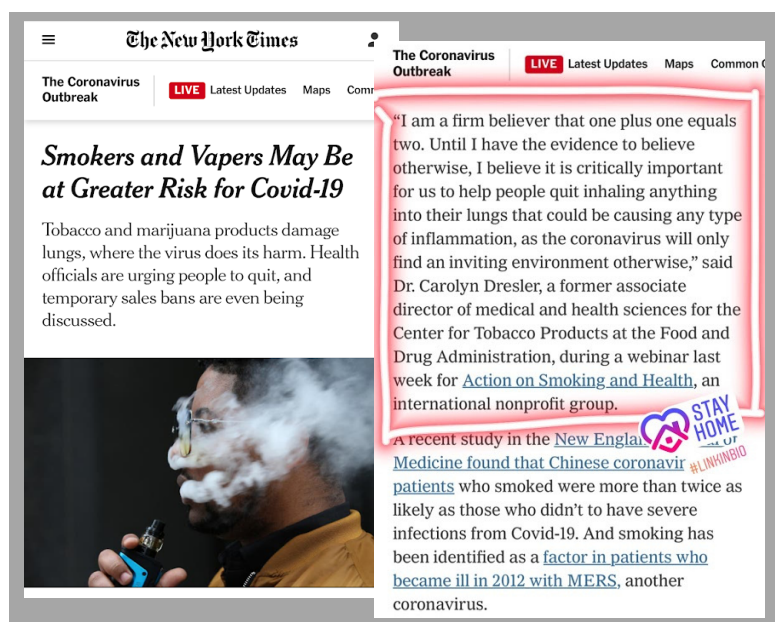


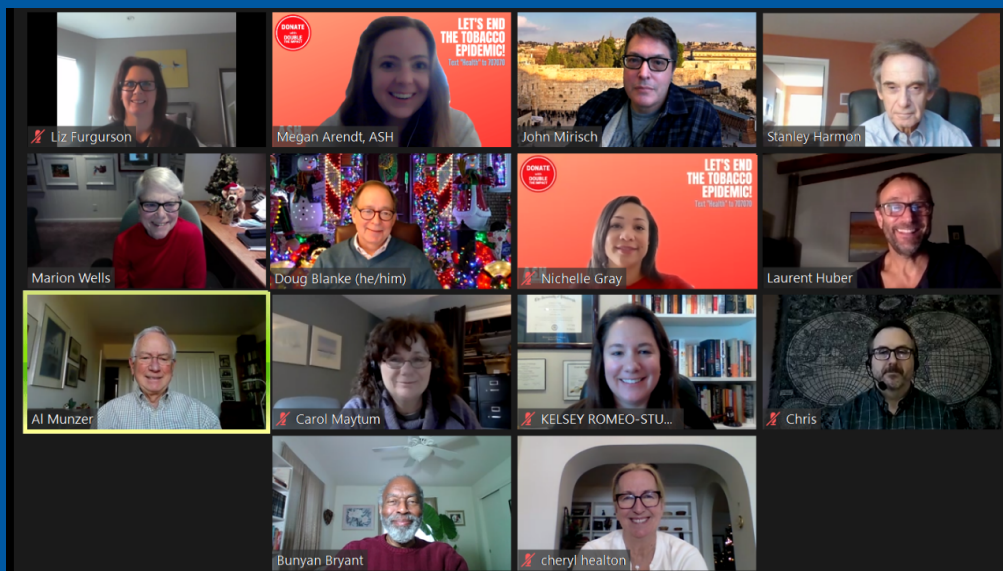
Recognizing the information gap surrounding COVID-19 and smoking co-morbidity, ASH published available information starting March 10, 2020; this webpage, [linked on our homepage](#) and in all webinar promotions, went on to become our 2nd highest trafficked webpage in April (after the homepage), far outpacing our usual numbers for a high-traffic page.

Following questions from webinar attendees on tobacco and COVID-19 policy, communications and advocacy, ASH published an Advocacy Toolkit, which garnered positive feedback from our colleagues.

ASH continued to issue timely media statements during the COVID-19 pandemic on racial injustices, responding to an opinion piece on e-cigarette sales during COVID-19, the news of the US leaving the WHO, and announcing our [joint lawsuit against the FDA with the African American Tobacco Control Leadership Council](#), which garnered a lot of media attention, and the announcement of the [American Medical Association and the National Medical Association joining that lawsuit](#).

ASH received press coverage including a piece in *The New York Times* and *Bloomberg News*, of particular note.





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Advancing Tobacco Free Communities (ATFC)
American Academy of Pediatricians
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
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Framework Convention Alliance
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Georgetown University Law Center – Harrison Institute
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Institute for National and Global Health Law
Harvard School of Public Health
Human Rights and Tobacco Control Network

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
Public Health Law Center
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
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



ENDING THE TOBACCO EPIDEMIC

2020 will be an aberration in the history books, a deadly hiccup in the progress – or lack thereof – of global society. When ASH staff moved to their home offices on March 12, 2020, there was great concern. Would we be able to continue to impact public health without the ability to meet people, even each other, face to face? Would anyone even care about tobacco in the face of the worst pandemic in a century? Many in our community foresaw 2020 as a “gap” year, and some partner organizations faced substantial layoffs as funding dried up.

ASH quickly rose to the occasion, not by making more noise, but by tying tobacco to the societal tremors sweeping the globe, especially in the U.S. We were one of the first public health organizations to raise the alarm on the co-morbidity between COVID-19 and tobacco use, urging people who smoke to take extra precautions in the same way as others with pre-existing conditions.

As social justice issues took on historic importance, ASH joined with our friends at the African American Tobacco Control Leadership Council to sue the FDA over their refusal to deal with menthol cigarettes (and already in 2021 we have seen the fruits of that effort). And as truth became nearly irrelevant in our national political dialogue, ASH clung tenaciously to facts and data as the driver of our policy initiatives.

We do not want to see 2020 as a good year – too many lives were needlessly lost, including, as always, from tobacco. **But we are proud of our accomplishments in the face of historic adversity, in particular our success in contributing to broad social solutions through our tobacco work.**

2021 promises to be much better – at last, we have “proof of concept” examples of ending the sale of tobacco products, and we will keep the pressure on FDA to live up to its promise to ban menthol cigarettes.

At ASH’s 50th anniversary observance in 2017, we challenged ourselves to ensure that we would no longer be needed long before the next half century passed. At the time, the end of the tobacco epidemic was far over the horizon. But now we can see it, dimly in the distance to be sure, but visible. We have only to set our compass and keep moving.

STATEMENT OF FINANCIAL POSITION

	DECEMBER 31,	
	2020	2019
ASSETS		
CURRENT ASSETS:		
Cash and cash equivalents	\$ 62,663	\$ 127,858
Accounts receivable	100,664	-
Grants and contributions receivable	42,749	41,915
Prepaid expenses	12,503	10,769
Investments	64,334	64,810
TOTAL CURRENT ASSETS	\$ 282,913	\$ 245,352
PROPERTY AND EQUIPMENT, NET	\$ -	\$ -
OTHER ASSETS:		
Security deposit	\$ 5,085	\$ 5,085
Restricted cash	602,637	152,190
Restricted investments	4,875,223	5,325,252
TOTAL OTHER ASSETS	\$ 5,482,945	\$ 5,482,527
TOTAL ASSETS	\$ 5,765,858	\$ 5,727,879
LIABILITIES AND NET ASSETS		
CURRENT LIABILITIES:		
Accounts payable	\$ 46,885	\$ 22,228
Accrued expenses and other liabilities	186,547	173,513
Deferred revenue	80,526	-
TOTAL LIABILITIES	\$ 313,958	\$ 195,741
NET ASSETS:		
Without donor restrictions:		
Undesignated	\$ (25,960)	\$ 54,696
Board-designated	521,713	521,032
Total without donor restrictions	\$ 495,753	\$ 575,728
With donor restrictions	4,956,147	4,956,410
TOTAL NET ASSETS	\$ 5,451,900	\$ 5,532,138
TOTAL LIABILITIES AND NET ASSETS	\$ 5,765,858	\$ 5,727,879



ASH Staff, 2019

Share 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



2019

Follow us on Social Media

Your daily updates on 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 and we can feature your experiences on our website, social media, and future reports. 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 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





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