



To the People of New Zealand/Aotearoa and Right Honourable Prime Minister Christopher Luxon, Honourable Deputy Prime Minister Winston Peters, Honourable David Seymour, Honourable Minister of Finance Nicola Willis, and Honourable Minister of Health Dr Shane Reti,

As medical, public health, academic and human rights organisations from across the globe that work to end the devastating toll of smoking, we write to call on you to retain New Zealand’s world-leading smokefree law, The Smokefree Environments and Regulated Products (Smoked Tobacco) Amendment Act (SERPA) and the Smokefree Aotearoa Action Plan. These will likely prevent tens of thousands of New Zealanders from suffering the heartache of seeing their loved ones suffer and die prematurely from smoking. These policies will save lives.

We wholeheartedly [agree with our colleagues](#) and concerned citizens in New Zealand that repealing this Act would be both irresponsible and immoral. The marketing and sale of tobacco products – the only consumer products that addict and kill when used as intended – is a [violation of the human right to health](#). Governments have an obligation to stop third parties such as tobacco companies from violating the rights of their citizens. We remind you that Māori leaders first proposed the smokefree goal and inspired the National-led government to commit to this goal in 2011.

The Hon. Finance Minister Nicola Willis has stated that the justification to repeal the Act is to maintain smoking rates in the short-term to keep tax revenue and fund tax cuts. This is unconscionable and wrong. The costs of preventing and treating tobacco-caused diseases in New Zealand far surpass tobacco tax revenue. In a nation with universal health care, everyone bears those costs.

If your government wishes to maximize revenue to fund tax cuts, SERPA implementation should be accelerated, not repealed. Ending the tobacco epidemic would be an historic win for wealth as well as health. Rescinding a law designed to protect New Zealanders’ health to enhance short-term tax revenues violates governments’

fundamental duty to protect its citizens' lives and health and would make the government directly complicit with the tobacco industry in the 5,000 deaths per year from tobacco-related disease.

The argument that the legislation is paternalistic and violates freedom of choice does not survive scrutiny. Nicotine is an extraordinarily addictive substance. Tobacco companies have engineered cigarettes to make them even more addictive. Decades ago, a tobacco industry executive stated bluntly: "We are, then, in the business of selling nicotine, an [addictive drug](#)." Simply put, addiction removes choice. Most adults who smoke became addicted as children. For them, there never was an "adult choice." Like laws mandating seatbelts and helmets, or that restrict dangerous products such as lead and asbestos, SERPA does not violate personal freedom. It promotes individual and public safety.

Concerns that SERPA will increase illicit trade have no empirical or logical foundation, and come directly from tobacco industry propaganda. Education, enforcement, and strong support for people wanting to quit will effectively manage any illicit trade threat. Furthermore, rapid continued decreases in smoking prevalence are the best defence against illicit activity.

Repealing SERPA would disproportionately harm Māori peoples. It would also contravene international obligations New Zealand has signed, including human rights treaties such as the United Nations Declaration on the Rights of Indigenous Peoples, Convention on the Rights of the Child and the Convention on the Elimination of Racial Discrimination, which includes the obligation to promote health equity. New Zealand is also a party to the World Health Organization Framework Convention on Tobacco Control (FCTC), ratified by 182 countries. The objective of the FCTC is to protect present and future generations from the devastating health, social, environmental and economic consequences of tobacco consumption and exposure to tobacco smoke. SERPA is a rare opportunity to lead a wave of momentous generational change.

Repealing SERPA will have only one winner – the tobacco industry – and will firmly establish an ethos of putting corporate profit over public health. The tobacco industry is not a legitimate stakeholder in public health conversations. Under the FCTC, New Zealand is obligated to keep the industry at arm's length when establishing public policy. Its interests are incompatible with the public interest, a reality enshrined in the FCTC.

We strongly urge the New Zealand Government to put the health of New Zealanders, especially children, Māori and future generations above the wealth of tobacco companies. SERPA has made New Zealand a shining light and source of inspiration for countries battling to end the tobacco epidemic. Millions of people around the world who have lost loved ones to smoking stand with concerned New Zealanders. If adopted by other countries, the SERPA measures would likely save hundreds of millions of lives. Please let it remain so.

139 Signatory Organizations from 53 Countries

AAMOSAPU (Associação Moçambicana de Saúde Pública)

ACT-Alliance contre le Tabac

Action on Smoking and Health

Action on Smoking and Health (ASH) Philippines

Advantage Academic

African American Tobacco Control Leadership Council

Al-Balqa Applied University

Alyansa Tigil Mina (ATM)

American Cancer Society

American Cancer Society Cancer Action Network

ANG NARS

Anti-Vaping Champions at UCLA

ANZCA

APEPOC

Arab Council for Social Responsibility
ARDTP - Asociación de Reducción de Daños por Tabaquismo de Panamá
Arizonans Concerned About Smoking, Inc.
ASH Finland
ASH Scotland (UK)
ASH Thailand
Association APEDDUB
Association for Nonsmokers - Minnesota
Association of Respiratory Care Practitioners, Phils. inc.
Asthma Society of Ireland
Australian Council on Smoking and Health
Austrian Council on Smoking and Health
BACR
Bahrain Anti-smoking Society
Bay Area Community Resources
Bayside Smokefree Housing Alliance
Belgian Foundation Against Cancer
BLUE 21 / Unfairtobacco
Cambodia Movement for Health
Campaign for Tobacco-Free Kids
Cancer awareness centre of Kenya
Cancer Society of New Zealand
CAT - Centro de Apoio ao Tabagista
CEDRO
Center for Black Health & Equity
CIET
Cigarette Butt Pollution Project
CILTAS-MS
Circle of Public Administration and Governance Students
Comité National Contre le Tabagisme, CNCT
Community Wellness Alliance
Corporate Accountability International
Counter Tools
Cyprus Association of Cancer Patients and Friends (PASYKAF)
DNF-Demain sera Non-Fumeur
Environmental Health Association of Ireland
Equity and Wellness Institute
Film Location Group
Foundation "Smart Health - Health in 3D"
Fresh (Making Smoking History)
FUNDACION BOLIVIA SALUDABLE/ALIANZA POR LA SALUD
German Cancer Research Center
Global Alliance for Tobacco Control
Hawai'i Public Health Institute
Healis Sekhsaria Institute of Public Health
Health Funds for a Smokefree Netherlands
Health Service Executive - "Tobacco Free Ireland" Programme
HealthBridge Foundation of Canada in Vietnam
HealthJustice Philippines
HEART Coalition
Heart Foundation of Jamaica
Hellenic Thoracic Society
ImagineLaw, Inc.

Indonesia Health Policy Forum
Institute for Social Marketing and Health, University of Stirling
International Tobacco Control Policy Evaluation (ITC) Project, University of Waterloo
Irish Cancer Society
Irish Heart Foundation
Israel Medical Association for Smoking Cessation and Prevention
Jamaica Coalition for Tobacco Control (JCTC)
Japan Society for Tobacco Control
Kavali Consulting LLC
Korea Center for Tobacco Control Research and Education
Learn to Grow, Inc.
Lentera Anak Foundation
LGBTQ Center, Orange County
Lutheran Outreach Community Based Organization
Malaysian Green Lung Association
Melbourne Centre for Behaviour Change
Meqoamia community development organization
National Heart Foundation of Australia
NCD Unit
NHMRC Centre of Research Excellence on Achieving the Tobacco Endgame
No Menthol Movement ATL
North American Quitline Consortium
Northeast Ohio Black Health Coalition
Norwegian Cancer Society
NY SAHY
OMIS (Organización Multidisciplinaria para la Integración Social)
Ora New Zealand
Parents Against Vaping E-Cigarettes
PASYKAF - The Cyprus Association of Cancer Patients and Friends
People's Health Foundation, Myanmar
Philippine College of Chest Physicians
Philippine College of Physicians
Philippine College of Physicians Central Luzon
Philippine Smoke-Free Movement
Philippine Society of Diabetologists
Philippine Society of Public Health Physicians
Physicians for a Smoke-Free Canada
Plastic Pollution Coalition
Psoriasis Asia Pacific
Psoriasis Philippines Online Community, Inc.
Public Health Advocacy Institute
Public Health Association of Australia
RENATA Red Nacional Antitabaco
Royal College of Physicians of Ireland
Seoul National University
Smoke-Free Baguio City
Smoke-Free Life Coalition
Social Watch Philippines
Society for Oral Cancer and Health
Society for Research on Nicotine and Tobacco Oceania Chapter
Southeast Asia Tobacco Control Alliance (SEATCA)
St Hemmingways CBO

Stan Martin Consulting, LLC
Swiss Association for Tobacco Control
T&T Consulting Limited
TAG Tobacco Alcohol and Gambling Advisory Advocacy and Action Group
Tambayan Center for Children's Rights, Inc.
Tanzania Tobacco Control Forum
The Last Plastic Straw
The World is Home
Tobacco Control Alliance of Georgia
Tobacco Control Research Group, University of Bath
Tobacco Free Association of Zambia
Tobacco Free Portfolios
Tobacco-Free Advocacy Japan
TobaccoFree Research Institute Ireland
UK Faculty of Public Health
Union Antitabaquica Argentina UATA
Union for International Cancer Control
Vital Strategies
Youth and Women for Change in Eswatini
Zambia Alliance for Tobacco Control
Zambia Heart and Stroke Foundation