Washington, D.C., 8 July 2016 (PAHO/WHO) – The Pan American Health Organization/ World Health Organization (PAHO/WHO) today congratulated the Government of Uruguay for winning an international legal case brought by the Philip Morris tobacco company. Philip Morris challenged tobacco control regulations implemented by Uruguay in compliance with its obligations under the Framework Convention on Tobacco Control (FCTC), the world's first international public health treaty negotiated under the auspices of WHO.

The World Bank's International Centre for Settlement of Investment Disputes (ICSID) confirmed today that the measures applied by the Government of Uruguay to reduce tobacco consumption did not violate Philip Morris' trade rights as established in investment agreements between Uruguay and Switzerland, where the company is headquartered.

"This decision serves not only as recognition of Uruguay's continuing efforts to protect its population against tobacco consumption and exposure to secondhand smoke but also as a precedent and a call to all countries in the Americas and indeed worldwide to implement these measures without fear of violating any treaty, despite challenges by the tobacco industry," said PAHO Director Carissa F. Etienne. She added that, "PAHO/WHO supported Uruguay's defense of these measures, which were aimed at saving lives. This is a very important day for all, as this case becomes a model for the Region of the Americas and the world in fighting the tobacco epidemic irrespective of threats from the tobacco industry."

In a letter to Tabaré Vázquez, President of Uruguay, Dr. Etienne offered her congratulations and said that the decision “reaffirms the sovereign right of States to protect the lives and health of their populations over commercial interests.”

In his address to the nation, President Vasquez stated, “We reaffirm our commitment to continue a direct and frontal fight against tobacco consumption to reduce more and more the heavy burden this epidemic places on our people and to continue to promote the full implementation of the Framework Convention on Tobacco Control, inviting all countries to join us in fighting this plague, without fear of reprisals from the powerful tobacco industry, just as Uruguay has done”.

PAHO/WHO views Uruguay's laws and regulations aimed at reducing tobacco consumption as being fully aligned with the provisions of the FCTC. In force since 2005, the FCTC obliges its States Parties to apply a series of policies and measures to reduce tobacco consumption and protect their populations against secondhand smoke.

Philip Morris first presented its claim in February 2010, after Uruguay implemented regulations requiring health warnings to cover 80% of the main surface of tobacco packages, and limiting tobacco manufacturers to one unique package per cigarette brand. Uruguay presented written arguments defending its tobacco control efforts at ICSID, and PAHO/WHO supported the country's defense with an amicus brief.

Despite the industry's legal challenge, in 2014 Uruguay accomplished a full ban on tobacco advertising, promotion and sponsorship by including a new prohibition on product promotion and display at the point of sale. In addition, Uruguay became the second country in the Americas (after Nicaragua) to ratify the Protocol to Eliminate Illicit Trade in Tobacco Products, a new international treaty and the first FCTC protocol.

A 2012 study published inÂ *The Lancet* showed an average 23% decline in tobacco consumption in Uruguay between 2005 and 2011. The decline was more pronounced among young people. A separate 2011 study showed an association between the implementation of regulations mandating smoke-free public places in Uruguay and a 22% decline in hospitalizations due to acute myocardial infarction.

Currently 30 of 35 countries in the Americas have ratified the FCTC, which calls for tobacco control measures including the use of graphic warnings on tobacco packaging; monitoring of tobacco consumption; measures to protect the population from secondhand smoke; support for smoking cessation; enforcement of bans on tobacco advertising, promotion and sponsorship and increased taxes on tobacco.

Tobacco kills some 6 million people worldwide each year, both through direct consumption and exposure to secondhand smoke. At least 1 million of these deaths occur in the Americas.

LINKS:

PAHO/WHO Tobacco Control: http://www.paho.org/hq/index.php?option=com_content&view=category&layout=blog&id=1281&Itemid=1187&lang=en

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