

HEATED TOBACCO PRODUCTS

SUPPLY CHAINS | ENVIRONMENT | HUMAN RIGHTS

BACKGROUND

In June 2011, the UN Human Rights Council adopted the Guiding Principles on Business and Human Rights (UNGPs). According to this, companies should counteract the negative impacts of their business activities, products and services on human rights on a voluntary basis.¹ However, voluntarism has not led to comprehensive improvements. For this reason, the German Act on Corporate Due Diligence Obligations in Supply Chains will become effective on January 1, 2023. It obliges companies based in Germany with more than 3,000 employees (from 2024: 1,000) to fulfill their responsibility for their supply chains: To respect human rights and meet environmental standards. A comparable law at the European level is currently being negotiated.²

The production and consumption of tobacco and nicotine products are linked to numerous human rights violations and environmental damage. These include economic exploitation, child labour, lack of occupational health and safety, deforestation, water scarcity, and environmental pollution in the tobacco and extractive sectors. They are an obstacle to achieving the Sustainable Development Goals (SDGs). With regard to tobacco and nicotine products, the implementation of the WHO Framework Convention on Tobacco Control (FCTC), which is part of the Sustainable Development Goals (SDG 3.a), is therefore of particular importance.³

Heated tobacco products are devices in which a special tobacco stick is heated electronically. The generated aerosol is cooled and then inhaled. Heated tobacco products are not yet very widespread in Germany but are advertised as life-style products. The Epidemiological Survey on Addiction recorded 1.3% of the adult population in 2021 as users, equivalent to around 665,000 people.⁴

HEATING BLADE

made of platinum and gold covered with ceramic
> Displacement
> Water shortage
> Toxic mine wastewater

MICROPROCESSOR

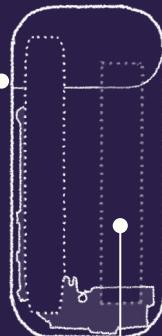
contains tungsten, tin, tantalum
> Violence
> Child labour
> Destruction of fertile land



TOBACCO STICK

made of tobacco, glycerine with plastic filters
> Poverty
> Child labour
> Deforestation
> Plastic waste

CHARGER



LITHIUM-ION BATTERY

made of lithium, aluminum and copper
> immense water use
> loss of livelihoods

WHAT'S IN A HEATED TOBACCO PRODUCT?

HEATED TOBACCO PRODUCTS AND HEALTH

The aerosol generated in heated tobacco products contains many harmful substances, e.g. acetaldehyde or the carcinogen formaldehyde. Most of the harmful substances are present in lower amounts than in tobacco smoke, but some in higher amounts, e.g., furfural, which can cause inflammation of the respiratory tract and pulmonary oedema. Longer-term health effects are still being investigated. However, heated tobacco products are far from harmless and they have an addiction potential similar to cigarettes. For adolescents and young adults, the use is particularly risky as brain development can be impaired by regular nicotine use.⁵

WHAT'S IN A HEATED TOBACCO PRODUCT?

In Germany, two models of heated tobacco products are currently on the market, from Philip Morris International and British American Tobacco. The devices and their batteries are produced in Asia, the suppliers of their raw materials may be distributed worldwide. The tobacco sticks are mostly manufactured in Europe.⁶

A plastic/metal housing contains a battery and a heating unit. A tobacco stick is inserted into the device and its mixture of tobacco and glycerine is heated in different ways depending on the design. Before inhalation, the generated aerosol is cooled through cavities or a plastic filter. A microprocessor controls the temperature and records data on use. The energy is supplied by the lithium-ion battery, which is recharged in a separate charger in one of the models.⁷

The manufacturing of heated tobacco products and tobacco sticks is based on global supply chains in which human rights violations and environmental damage occur, as exemplified here.

The special sticks contain tobacco mixed with glycerine. Tobacco is grown in countries such as Brazil or Zimbabwe, mostly in smallholder farms. Economic exploitation and child labour are widespread in tobacco cultivation. The use of pesticides and chemical fertilizers as well as deforestation for curing the tobacco have a negative impact on the climate.⁸

The heating blade, which heats the tobacco from the inside, consists of ceramic, platinum, gold, and silver. Around 70% of the world's platinum is mined in South Africa. There, mining is associated with displacement, exploitation, water scarcity, environmental damage and health hazards from toxic mine wastewater, among other problems. At the Marikana mine, 34 workers were shot dead when they went on strike for living wages in 2012.⁹ The heating unit in the other model heats the tobacco stick from the outside, which requires copper wire, amongst others.¹⁰

The microprocessors contain tungsten, tin and tantalum, all so-called conflict minerals. Around 30% of the world's tantalum is mined in eastern Congo. For many years, this has also financed conflict parties in the civil war. Mining takes place in a violent environment, under life-threatening conditions, often by children. And the mines destroy fertile land irretrievably.¹¹

Lithium, aluminum and copper are the main materials needed for lithium-ion batteries.¹²



COPPER

IMPORTANT RAW MATERIAL FOR BATTERIES AND CABLES

"According to the National Ombudsman's Office, there are more than 208 social conflicts, two-thirds of which are environmental, 70% of which are related to mining. [...] There is a regulation that resulted from agreements between the police and mining companies. It clearly states that police officers are obliged to protect the property of mining companies. They are also partially allowed to be employed by the companies besides their work for the police and to use their uniforms and weapons. All communities in the existing social conflicts therefore demand that the police should be at the service of the people and protect them."¹³

Edwin Alejandro Berrospi of the Red Muqui network in Peru working for the rights of the population and environmental protection.

20,7 million tons of copper were mined in 2019. Thus, copper is the fifth most mined metal in the world after iron, aluminum, manganese and chromium.¹⁴ The main copper-producing countries are Chile, Peru, the Democratic Republic of Congo and China. Together, they account for more than 50 percent of global production.¹⁵ For Germany, Peru and Brazil are the most relevant importing countries.¹⁶ Copper is found in almost all technologies as cables, but also in batteries, including in heated tobacco products. Due to digitalization and decarbonization, copper demand will increase significantly in the next few years and economic experts warn of shortages.¹⁷

As the largest copper producers, Codelco (Chile), Freeport-McMoRan (USA), Glencore (Switzerland), BHP (Australia) and Southern Copper (Mexico) together produce about one third of the world's copper. Glencore (Antamina Mine, Antapaccay Mine) and Freeport-McMoRan (Cerro Verde Mine) own three of the five largest copper mines in Peru. In Germany, Aurubis is the main importer of copper ore from South America and is Europe's largest copper smelter.¹⁸

Hardly any other raw material has such a high potential for environmental hazards as copper. Mining consumes a lot of water and energy for extracting the ore out of the rock and it requires the use of toxic substances. In addition, the deposits often contain a high concentration of heavy metals. Acid mine drainage poses a particular risk, as it can contaminate groundwater and drinking water, amongst others, and poses a major threat to people and nature.¹⁹

These risks lead to conflicts over mining, which occur in all regions of Peru. "The public expects solutions, control, regulations from the government," states José de Echave, a former deputy environment minister and member of CooperAcción, an organization that promotes alternatives to extractive mining.²⁰

In Germany, the Campaign Mining Perucites the Observatorio de Conflictos Mineros de América Latina (Observatory of Mining Conflicts in Latin America) and reports that mining projects in Peru are the biggest trigger for social conflicts and copper mines play a significant role.²¹ The protests are directed against the impact of mining for people and the environment, but also against mining in general. Often the protests are criminalized and sometimes violently put down.²²

Not only in Peru, but also in the Philippines there are deadly conflicts over copper mining. At the center of resistance is the largest copper-gold deposit in Southeast Asia. Since the early 1990s, mining companies (including Glencore) have wanted to build a mine in Tampakan, Mindanao.²³ But massive protest by indigenous communities, civil society and the Catholic Church has so far been successful. As a result, more than a dozen soldiers and indigenous people died in the conflict, including Juvy Capion and her two sons. They died in a military attack on October 18, 2012, in place of her husband Daguil Capion.²⁴ He was one of the protest leaders, first peacefully, but later armed. He turned himself in after the death of his wife and sons but was released for lack of evidence of involvement in the attacks on soldiers.²⁵

ACTION

TOBACCO CONTROL, DUE DILIGENCE AND RAW MATERIAL TRANSITION

Through international agreements, Germany has committed itself to sustainable development, human rights and the protection of the environment.²⁶ With regard to addictive products such as heated tobacco products, the German government has an obligation to implement tobacco control measures²⁷ and to fulfill its extraterritorial responsibility.

Heated tobacco products have far more complex supply chains than conventional cigarettes and contain diverse raw materials, such as copper. The way the devices are constructed hardly allows repair by the users and the marketing as life-style products encourages to buy several devices and fancy accessories.²⁸

To minimize the number of users and the potential impact on children and youth, the following measures are particularly important:

- Annual increases in taxes on tobacco sticks
- Strengthening the regulation of heated tobacco products (advertising bans, packaging rules)
- Prevention programmes tailored to specific target groups

In global supply chains, including those of heated tobacco products, human rights violations and environmental damage must be prevented or reduced, including at the beginning of the supply chains, e.g. in tobacco fields and platinum or copper mines. The following measures are suitable for this purpose:

- Strengthen Germany's Supply Chain Act to make it more effective²⁹
- Introduction of an effective supply chain law in Europe³⁰
- Improvements in the EU Conflict Minerals Regulation³¹

For sustainable development, however, it is not enough to improve the supply chains for raw materials such as tobacco or copper. Instead, there is an urgent need to initiate a raw material transition and, to this end, to greatly reduce the extraction of raw materials. For copper, for example, this requires a comprehensive circular economy. It also means removing products from the market such as heated tobacco products which are difficult to recycle due to their design.

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