

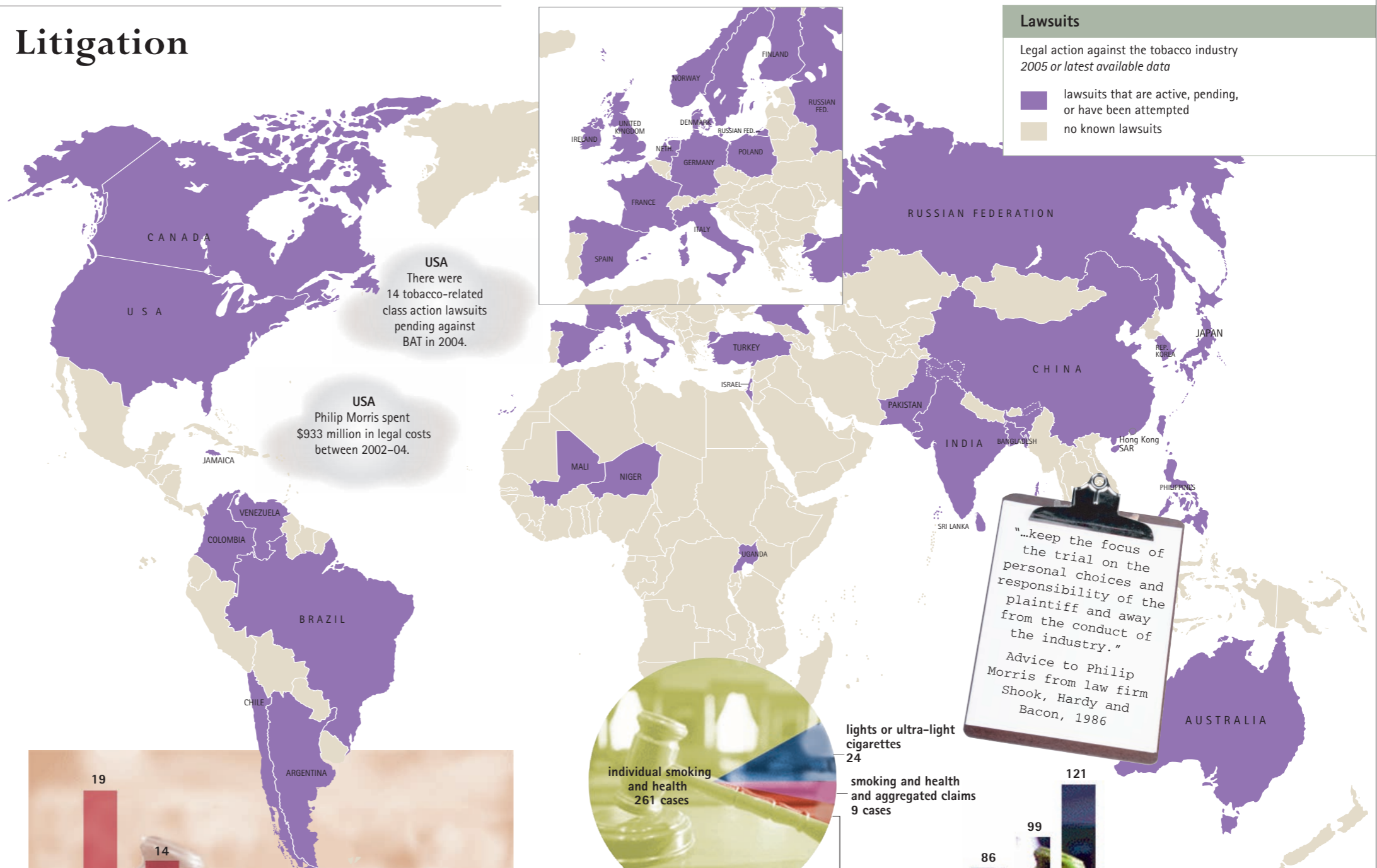
# Litigation

"Tobacco litigation enables the citizens of each country to learn about misbehaviour by the international tobacco cartel that was directed specifically at them."  
 Professor Richard Daynard, Northeastern University, USA, 2005

The modern era of tobacco litigation began with a personal injury lawsuit in the USA in 1954. For more than 40 years the tobacco industry boasted it had not lost a single case, but a seminal judgement in a Minnesota case that began in 1994 released millions of pages of internal tobacco industry documents into the public domain. These documents revealed that tobacco companies actively concealed their knowledge about the harmfulness of smoking and deceived governments, the media and their clients – smokers – about the extent of death and disease caused by their products.

Litigation has put the industry on the defensive, forced tobacco companies to the bargaining table, and resulted in the industry paying US states billions of dollars per year. In 1999, the US government filed a landmark lawsuit against the major cigarette companies to hold them accountable for a half century of illegal and harmful practices, including conspiracy to conceal the health risks and addictiveness of their products, defrauding smokers, and marketing cigarettes to children. The decision is still pending.

Although still a new phenomenon in countries other than the USA, tobacco litigation is clearly increasing around the world. For example, Australia has seen major rulings on passive smoking and public interest litigation is rising in France, India, Niger and Uganda.



**USA**  
 There were 14 tobacco-related class action lawsuits pending against BAT in 2004.

**USA**  
 Philip Morris spent \$933 million in legal costs between 2002-04.

