

## OLAF\* and communication

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Public health is the discipline aimed at preventing diseases or their consequences in human populations. As a public health specialist, I have held several administrative positions (within the French National Health Insurance Fund for Employees between 1981 and 1990) in the fields of flu vaccination, neo- and ante-natal screening, cancer screening and the coordination of health testing centres. In a modern public health system, delivering these services requires a communication effort in order to ensure that the objectives are shared by policymakers, health professionals and the general public. This means that resources must be provided for training and communication. Establishing relationships of trust on a long-term basis calls for openness, accuracy and honesty, something which rules out any recourse to media “stunts”.

I was one of the co-instigators (with Prof. Claude Got) of the reintroduction of the ban on television advertising for alcoholic drinks (1987), the first public health initiative in the media sector, which led to a legislative decision of the utmost importance. The aim of the ban was to limit the promotion of a product that was causing an epidemic of industrial rather than infectious origin.

This initiative was broadened to include tobacco and in 1991 led to the adoption of the Evin Act, which covers both tobacco and alcohol. Here too, relations with the media and public support ensured that the French Parliament remained immune to the all-pervasive pressure from industrial and advertising lobbies.

Chairmanship between 1993 and 2003 of the French National Anti-Smoking Committee (a non-profit-making association), which brought dozens of lawsuits against the tobacco industry, attracted intense media exposure. I have since 1995 frequently acted as an international expert on tobacco and alcohol issues for the WHO (in particular during preparation of the Framework Convention on Tobacco Control) and the European Commission. I have taken part in several seminars with journalists under the auspices of those international organisations and with the French Committee on Health Education (CFES). Since 2003, I have chaired the Anti-Tobacco Alliance, which groups together some thirty organisations.

The point of outlining these activities is to show how communication issues and relations with the media form part of the job of a public health professional, and I am therefore well aware of their importance.

Following the publication, ordered by the US courts, of the tobacco industry’s internal documents, one of the topics to have come under special scrutiny has been the tobacco industry’s involvement in the organisation of cigarette smuggling.<sup>1,2</sup> Tobacco consumption is linked to its selling price: consumption falls by 4% when the price rises by 10%.<sup>3</sup> Raising taxes must therefore form part of any soundly based anti-smoking policy (WHO Framework Convention on Tobacco Control). It goes without saying that the cigarette manufacturers are strongly opposed to such moves and are using all possible means, whether legal or illegal, to combat them. One of their responses with a view to holding on to their market at all costs is

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<sup>1</sup> Dubois G, Tramier B. The responsibility of the tobacco industry for the tobacco pandemic. *Int J Tuberc Lung Dis* 2001, 5: 304-6

<sup>2</sup> Dubois G. *Le Rideau de Fum e*. 2003, Le Seuil

<sup>3</sup> World Bank. *Curbing the epidemic. Governments and the economics of tobacco control*. 1999

to organise cigarette smuggling, which accounted for 30% of all cigarette exports worldwide in 2000. This means that close relations must exist between the tobacco firms and organised crime at international level, with technical and financial structures that are both powerful and sophisticated. Internal documents, convictions, confessions and many investigations all point in the same direction.<sup>2,4</sup>

The European Anti-Fraud Office has played an internationally recognised and respected role in this area, and I will not dwell on this point. It is an example of how communication has been essential, both by OLAF itself but also with the support of the media, experts and associations, which spoke with one voice. The upshot has been that the European Commission brought a lawsuit, with the support of ten Member States, that recently resulted in a transaction between the Commission and Philip Morris. This concerted action, coordinated with a large number of national authorities, could not have taken place without OLAF.

Since 2000, smuggling has been on the decline throughout the world. International experience confirms that giving in to the threat of smuggling by cutting prices revives consumption. On the contrary, the head-on attack on organised crime and smuggling pursued by the authorities in the UK and Canada has reduced both cigarette consumption and cigarette smuggling. Smuggling is not a passive reaction to tax and therefore price increases but well and truly a response encouraged by the tobacco industry in conjunction with organised crime in order to maximise its profits. The World Bank has shown that cigarette smuggling is linked more closely to the level of corruption in different countries than to the price differential.<sup>3</sup> In fighting successfully the scourge of cigarette smuggling, OLAF has not only defended the EU's financial interests but has also made an effective contribution at international level to the effort to curb smoking,<sup>5</sup> the largest avoidable cause of death in the world. One of the new aspects to emerge is therefore that efforts to promote public health are linked in this way to issues that may at first sight appear unconnected.

OLAF is entrusted with the key task of protecting the EU's financial interests and fighting fraud and corruption. To achieve these objectives, it has wide-ranging investigative powers, both internally, within the European institutions, and externally, in the Member States. Enjoying a large degree of functional independence, OLAF therefore operates as a financial police force whose investigations often have a criminal dimension and are ultimately passed on to the judicial authorities. In these circumstances, can OLAF communicate?

Professional secrecy and the secrecy of investigations militate in favour of silence. But such silence comes in for criticism when an investigation does not cause the funding of an activity to be immediately suspended! Silence exacerbates curiosity, sly inventiveness, inaccuracies and even lies, some of which are ostensibly intended to provoke reactions. Silence can even facilitate genuine or simulated leaks. Silence is interpreted as a lack of transparency, something that is today always treated with suspicion.

Communication, on the contrary, must have due regard for the needs of the investigation and the rights of suspects and witnesses. Its virtue is that it makes the public conscious of the dangers of fraud and legitimises action to combat it by de-trivialising fraud and combating fatalistic views of the "what difference does it make?" type. It limits the impact of disinformation on individuals, groups and even industries by re-establishing the true facts of the case. It therefore helps to shift the attitude of the public in the right direction. The public (and the media) may occasionally be misled for a time but the truth will emerge in the long run. An institution cannot retain its credibility for long if it manipulates the facts. It is this self-limiting factor which should remove any fear of a body such as OLAF retaining the ability to communicate.

More generally, we cannot ignore the recent collapse of the EU's image in the Member States, due to citizens' inability to perceive directly the benefits they derive from the

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<sup>4</sup> Favereau Eric. "Les cigarettiers sont des contrebandiers" Libération. 21 juillet 2000

<sup>5</sup> Dubois G. La nécessaire internationalisation de la lutte contre le tabagisme. Bull Acad Natle Med 1998, 182: 939-53

Union. The fight against corruption and fraud is by definition a combat for the defence of the European citizen. It should therefore be more widely publicised among all Europeans, in the interests of the institutions themselves and of their development, particularly in the context of adoption of the European Constitution.

Communicating, for an institution, therefore means demonstrating that it is independent, that it is active, that its action is effective and that it abides by the rules, but also involves revealing its uncertainties and its policy discussions. Communicating, for OLAF, means making European citizens aware of what is being done to protect their interests against fraud and corruption. Communicating is essential to its existence.