

Finnish police weigh criminal probe into tobacco industry

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A group of experts argues that intentionally deceptive tobacco marketing could be a form of assault.
Image: AOP

Finland's National Bureau of Investigation (NBI) is considering an unprecedented investigation request. More than 30 doctors and legal experts have asked for a probe into whether Finnish tobacco executives could be charged with grievous bodily harm or even murder for knowingly selling dangerous products.

Aurejärvi Image: Markku Pitkänen / Yle

The initiative is led by Erkki Aurejärvi, an attorney and Professor Emeritus of Civil Law who has brought three lawsuits against tobacco firms on behalf of patients – so far unsuccessfully.

"Gross deception"

This time he has gathered signatures from 33 respected experts from the medical and legal fields, asking the NBI to look into whether managers of firms selling so-called light cigarettes in Finland are guilty of assault and murder.

The signatories include MP Pekka Puska, a professor, former director of the National Institute for Health and Welfare (THL) and WHO official, as well as Professor of Public Health Arja Rimpelä and Helsinki University Professor of Social Policy Heikki Hiilamo.

Aurejärvi argues that those who sold "light" cigarettes grossly deceived consumers, while "knowing for certain that about half of those smokers would die" from smoking them.

Cigarettes branded as "light" were sold in Finland for three decades until the term was banned in 2002, when



authorities decided it was misleading.

"Light cigarettes killed 60,000 in Finland"

The investigation request alleges that some 60,000 people have died because of "light" cigarettes in Finland. It also cites statements by officials in previous trials saying that consumers "quickly accepted the idea that light cigarettes were healthier".

There were three tobacco companies operating in Finland during that period.

"They denied the health hazards of cigarettes and opposed all regulations and age restrictions," Aurejärvi asserts. "They wanted to sell tobacco to children. They opposed warning labels and tried to make them as invisible as possible. They had a financial interest; people's lives and health meant nothing."

Professor: Case would be challenging but important precedent

Matti Tolvanen, a Professor of Criminal Law and Judicial Procedure of the University of Eastern Finland, did not sign the request but notes that it was signed by Finland's leading experts in their fields.

Tolvanen Image: Jouni Immonen / Yle

"Their word should have extremely great weight in the evaluation of whether this passes the threshold to begin an investigation," Tolvanen tells Yle.

However Tolvanen says it would be a challenge to prove the impact of marketing on consumer behaviour and that those who marketed the "light" cigarettes considered it very likely that the products would cause health problems.



Tolvanen says the case could set an important precedent if it moves forward.

"This investigation would be significant on the societal level. It would also be a very important precedent for evaluations of what kinds of arguments may be used in marketing," Tolvanen says.

Tobacco industry declines comment

"Of course consumers are responsible for [their own] smoking, but not in the case of light cigarettes," says Aurejärvi. "These people were lied to [and told] that these products were not dangerous."

According to Tolvanen, "this investigation request alleges that false information was provided in marketing, which has led people to behave in a certain way, and that has caused their health problems and deaths."

The Finnish Tobacco Industries' Federation told Yle that it does not want to comment on the investigation request at this point.

NBI Chief Inspector Tero Haapala says that police are studying the request and gathering further documentation. The NBI will announce within the next two weeks whether the request warrants initiating a formal preliminary investigation.

According to the THL, consumption of tobacco in Finland has been falling dramatically since the mid-1990s. By 2015, only 16 percent of men smoked, along with 12 percent of women.