CUTTING THROUGH THE SMOKE

Global stories of industry abuse, grassroots victories and the path toward a healthier future
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Corporate Accountability International (formerly Infact) is a 501(c)(3) non-profit organization in official relations with the World Health Organization (WHO) and an accredited observer to the WHO Framework Convention on Tobacco Control (FCTC) Conference of the Parties. The organization is a founding member of the Network for Accountability of Tobacco Transnationals (NATT), which consists of more than 100 consumer, human rights, environmental, faith-based and corporate accountability organizations in 50 countries.

Cover photo credit: Ms. Joy Alampay/SEATCA
LETTER FROM THE EXECUTIVE DIRECTOR

Around the world, families continue to suffer the devastating health, financial and social consequences of tobacco-related diseases. Indeed, despite the strides Corporate Accountability International and its partners have made in curbing the epidemic in the U.S. and other countries, tobacco remains the largest preventable cause of death worldwide.

“Cutting Through the Smoke: Global stories of industry abuse, grassroots victories and the path toward a healthier future” tells some of the individual stories that lie behind the staggering statistics, and it serves to remind us there is hard work yet ahead. It also inspires us: while the tobacco industry remains the greatest obstacle to saving lives, together, we can ensure that the public prevails over corporate abuse and greed.

This report is for you, for policymakers, health professionals, members of the media...any and all concerned about the health of future generations. I am confident it will prompt policy advances, increase involvement and support for tobacco-control and corporate accountability initiatives and further broaden awareness.

In the following pages, you’ll meet people like 81-year-old Pablo Emilio Padillo in Colombia, recently diagnosed with lung cancer and Rowena de Leon Santos, a call center worker in Manila, Philippines trying hard to quit smoking.

You’ll read about the real-life impact of the global tobacco treaty adopted in 2004, thanks to a global mobilization by Corporate Accountability International and its allies. The treaty, officially known as the World Health Organization Framework Convention on Tobacco Control (WHO FCTC), is a powerful tool that reduces the likelihood others like Padillo or Santos will become casualties of the tobacco epidemic. And you’ll read about its potential: its full implementation by 2050 could save 200 million lives.

Progress on reining in Big Tobacco can be hard to measure from month to month and year to year for those immersed in the work on a daily basis. That’s why I asked long-time Corporate Accountability International members Betty Morningstar and her partner Jeanette Kruger to offer a perspective on Kruger’s native South Africa for this introduction. She describes the country she left more than 30 years ago as one where “so much of life happens outdoors.” And Kruger recalls smoking being ubiquitous in public spaces: groups of young people chatting in shaded plazas under a haze of cigarette smoke, street vendors chain-smoking next to their makeshift stalls and chess players in the parks taking drags while contemplating their next move.

What they found on their return to Cape Town during the spring of 2012 was a country transformed. Kruger was pleased to find—among the many significant changes in her home country—the bustling outdoor spaces were free of acrid tobacco smoke. In general, she noticed few people smoking at all: a significant change in a country once burdened with some of the highest smoking rates globally.

And as with the other stories you’ll read here, Kruger and Morningstar found South Africa’s progress was not won without surmounting significant challenges. In speaking with Corporate Accountability International allies, like Peter Ucko of South Africa’s National Council Tobacco kills almost six million people every year. Corporate Accountability International works with global allies to reverse the world’s greatest preventable health crisis.
Against Smoking and Dorothy Du Plooy of the Cancer Association of South Africa, they learned about how the grassroots had overcome fierce industry opposition to safeguard the health of their countrywomen and men.

“People just work so hard,” says Kruger of the public health advocates she met on her trip—but she could be describing any one of Corporate Accountability International’s global partners. “They are serious and driven, focused on getting the job done.”

Among the others you’ll read about here are Nigeria’s Akinbode Oluwafemi and Philip Jakpor who are working to shut down British American Tobacco’s youth smoking parties and other marketing targeted at young people. In the Philippines, there’s Dr. Ulysses Dorotheo and Debby Sy who are committed to preventing Philip Morris International from using its so-called “corporate social responsibility” programs to circumvent ad bans and market tobacco to women. And there’s Corporate Accountability International staff leader Yul Francisco Dorado, who recently accepted an award from Bloomberg Philanthropies on the organization’s behalf for its lifesaving work to institute landmark tobacco-control initiatives in Colombia.

Our collective work is not yet done. People are still suffering. Big Tobacco is scheming ways to cheat health advances.

But Kruger and Morningstar, as I hope you will, find only room for optimism.

Saving over 200 million lives in the coming decades is within reach. Transformation like the one Betty Morningstar and Jeanette Kruger witnessed in South Africa is underway across the globe. It will require unceasing vigilance of what Dr. Margaret Chan, the World Health Organization’s Director-General, recently called a “ruthless and devious enemy.” It will also take the drive and strategy to achieve full treaty ratification, implementation and enforcement worldwide. The impact of this work will be seen not only in the lives saved from tobacco-related diseases, but also in the important precedent it will set for reining in other dangerous industries. Thank you for sharing in this commitment.

While the tobacco industry remains the greatest obstacle to saving lives, together, we can ensure that the public prevails over corporate abuse and greed.

“It makes me enormously proud to see first-hand the progress I’m playing a part in...to know that no obstacle or intimidation will deter the advocates and officials challenging Big Tobacco,” says Morningstar.
WARNING: PMI targets women.
Call-center employee Rowena de Leon Santos lights up during her break. PMI targets upwardly mobile women like her in Southeast Asia as part of its "expansion" market.
ENDLING THE “CANCER BREAKS”

NGOs challenge PMI’s influence in the Philippines

It’s break time at SPI Global, a call center in Manila. Rowena de Leon Santos, 30, an employee for seven years, rushes outside with her coworkers for what they call their “cancer break.” In a courtyard crowded with young women opening packs of Marlboro Lights, Santos reflects on the culture of smoking at SPI as she exhales a cloud of smoke: “Working in a call center made me smoke more because most of my colleagues smoke. We get to talk about business over a cup of coffee and a cigarette.”

Such centers in the capital of the Southeast Asian country of the Philippines are ripe ground for tobacco giant Philip Morris International’s (PMI) growth in the region. Not only is it generally harder for women to quit than men, according to the World Health Organization (WHO), but their use means their children will be more likely to smoke. And, if PMI can effectively addict more highly educated women with greater expendable income, like Santos, it will guarantee profits in the archipelago nation for a long time to come.

It will also guarantee the steady increase of lung-cancer deaths among women across the country. Because of the tobacco industry’s effective tactics, the Philippines maintain the unwelcome distinction of having the highest rates of smoking among girls and young women in the region. And while Santos and her colleagues might find camaraderie over cigarettes, experts know the influence of the industry begins well before the break room.

Health and corporate accountability advocates compelled the Philippines to become an early country to ratify the global tobacco treaty and succeeded in securing proven tobacco-control measures such as bans on tobacco advertising, promotion and sponsorship. But PMI (which, in 2010 entered into a joint agreement with a Filipino tobacco company to form Philip Morris Fortune Tobacco Corporation, and now holds a virtual monopoly in the country) has innovated new ways to advertise and ingratiate its brand and product to women through so-called corporate social responsibility or CSR. Such initiatives have also helped purchase the goodwill of policymakers, thereby compromising the strength and enforcement of the nation’s tobacco-control laws.

For advocates, the success of the tobacco industry’s attempts to reach women through CSR and the decline of women’s health is not a certainty. Their current efforts promise to close the CSR loopholes and reverse the country’s tobacco epidemic from call centers in the capital to rural coconut farms in the countryside.

Using a tiny fraction of the corporation’s overall earnings on highly sympathetic charities amounts to some of the cheapest and most effective advertising the corporation could buy.

Their confidence is well placed. Prior to 2007, the tobacco industry employed young girls to sell cigarettes in Filipino street markets. Advertisements filled with adventure, glamor, humor and sexual attraction crowded the airwaves and print media, appealing to men, women and children of all ages.

“Seeing the attraction of this kind of false advertising was nauseating,” says Dr. Ulysses Dorotheo, currently Project Director of Southeast Asia Tobacco Control Alliance (SEATCA). “Although at times it felt impossible to make changes in advertising because of the strength of the industry, we endured because we knew people were dying. The practice had to end—and we had to make it happen.”

Thanks to Dorotheo’s organization, local NGOs and global partners like Corporate Accountability International, the landscape ultimately changed when the treaty entered force. Marketing, in the traditional sense, became illegal, prompting the rise of advertising by another name: CSR.
Perhaps nobody is more familiar with the industry tactic than Dorotheo, a mild-mannered doctor who keeps his sense of humor even as he devotes his life to challenging the tobacco industry. SEATCA has spent years monitoring the practice and its impacts.

Advocates put pressure on the Department of Education to begin rejecting tobacco industry money in keeping with the new law of the land.

“Because of the industry’s so-called CSR, it becomes difficult for the public to reconcile how a supposed socially responsible company can do harm to society,” said Dorotheo.

According to Dorotheo and other experts, this is often where the brand and product affinity begins for women like Rowena de Leon Santos—long before smoke breaks at the call center.

Understanding the primacy of women’s concerns for their children, PMI’s CSR spending in the Philippines (over $1 million in 2010) includes a focus on children’s charities. Conveniently, such CSR is also a means of getting the brand in front of children themselves. And, if the tobacco giant’s increasing contributions are any indication, the strategy appears to be working. Band of Mercy, an organization providing cleft surgery to children with facial deformities, for instance, received almost double the contributions from PMI ($420,000) in 2009 than the year prior ($187,000).

Using a tiny fraction of the corporation’s overall earnings on highly sympathetic charities amounts to some of the cheapest and most effective advertising the corporation could buy. Indeed, advocates believe PMI spends more promoting its CSR than on the charities itself.
“Every time [tobacco corporations] have some CSR activity, they make it a point to be published in newspapers,” said Dr. Maricar Limpin of the FCTC Alliance, Philippines (FCAP), an ally of Dorotheo’s.

For example, the president of PMI’s Filipino affiliate recently appeared on the cover of a national newspaper’s Sunday magazine in a feature emphasizing the corporation’s CSR. Photos in the story showed employees painting a school and packing relief goods for typhoon victims.

Dorotheo and Limpin have long observed how such favorable media coverage makes policymakers more receptive to the industry’s viewpoint and less likely to take a hard stance on tobacco control.

That’s why in 2008, Filipino advocates went to global tobacco treaty meetings in Durban, South Africa on a mission: to join a Corporate Accountability International-led effort to encourage countries to develop and adopt guidelines for prohibiting such industry influence over, and interference in, policymaking.

While the mobilization compelled countries, in general, to adopt the proposed guidelines, it made a particular impression on Filipino officials looking for new tools to root out industry influence.

Alexander A. Padilla, Philippines’ Undersecretary of Health at the time, applauded Corporate Accountability International’s “grim determination” in its efforts to help “rid us of the tobacco scourge.”

Back in Manila, Filipino advocates rallied support for a measure championed by Padilla and other critical government leaders, instructing government officials to not partner with, endorse or promote the tobacco industry and its interests.

It was time to turn attention to closing the CSR loopholes.

The industry had begun pumping significant dollars into public schools.

“This is how they wield influence, create partnerships and make themselves very visible and welcome in the communities,” said Debby Sy of Health Justice Philippines, another key organization in Filipino public health policy.

Advocates put pressure on the Department of Education to begin rejecting tobacco industry money in keeping with the new law of the land. When the Department of Education recently declared it would no longer take Big Tobacco’s money, advocates celebrated—then turned their attention to the next hurdle: the elimination of the industry’s CSR altogether.

“Ten years before, nobody even knew about tobacco control, nobody even cared. But little by little they are becoming more aware,” Dr. Limpin said.

For people like call-center worker Rowena de Leon Santos, who is endeavoring to quit smoking because of chronic respiratory problems, this awareness means a desire for personal change. As she embarks on her own struggle against tobacco, health advocates and their international allies are making the Philippines a model to its neighbors. Its victories portend a future where young women take breaks for fresh air—not for cancer sticks.
WARNING: BAT targets youth.
Philip Jakpor of Environmental Rights Action (ERA), fed up, details the underhanded, youth-targeted marketing tactics of the tobacco industry. Grassroots organizations like ERA play a critical role in monitoring and exposing the industry.
SHIELDING THE YOUTH

Tireless grassroots groups go up against Big Tobacco in Nigeria

The dance floor throbs with the beat of soul music. Young women in sequined mini-skirts add sparkle to the crowded throng. Young men in fedoras make their way to an all-you-can-smoke and -drink buffet, courtesy of the nation’s largest tobacco corporation.

The scene could be one from an American nightclub circa 1965, before the days of widespread public scrutiny of the tobacco industry. In reality, parties like these are just British American Tobacco Nigeria’s (BATN) latest tactic to addict young and underage smokers.

These events continue despite violating international laws that Nigeria is obligated to enforce. And civil society is waging a bold campaign to relegate them, and the epidemic they perpetuate, to the history books.

It’s no surprise BATN, which enjoys a near monopoly on the tobacco market in West Africa’s most populous country, has chosen to pilot such parties in Nigeria. With more than 105 million people under the age of 30, the youth market is as vast as the country’s tobacco-control laws are fledgling.

These events continue despite violating international laws that Nigeria is obligated to enforce. And civil society is waging a bold campaign to relegate them, and the epidemic they perpetuate, to the history books.

So far, the parties are serving their purpose, attracting thousands of young people to some of the city’s top spots like the Federal Palace Hotel. Helen, 29, who asked her last name not be used in print to protect her privacy, is one of them.

For one, it helped identify upwardly mobile young people like Helen as potential life-long customers and brand ambassadors to their peer groups for BATN’s Dunhill brand cigarettes. Secondly, the party offered a point of entry for not-so-affluent young people to develop an addiction—a frightening prospect given 60 percent of the local population subsists on less than a dollar a day, or roughly the price of a pack of cigarettes ($1.25). In other words, BATN’s marketing strategy aims to redirect the dollars most Nigerians require to shelter, clothe and feed their families to subsidize a habit that will one day kill them.

Dr. Cyril Chukwu, a pulmonologist at the Lagos University Teaching Hospital, sees the ultimate human consequences of the industry’s tactics first hand. Kind-eyed and round-faced, he furrows his eyebrows in concern as he holds up chest X-rays of a lung cancer patient.

"[Tobacco executives] are very good at their job," said Chukwu. The evidence is in the reams of patient files and academic studies that teeter precariously atop the desk and shelves in his office. Behind the tobacco epidemic’s paper trail are the under-resourced hospitals in which Dr. Chukwu works. The facilities are plagued by frequent power outages and lung cancer patients lie restlessly on wobbly beds awaiting care.

BATN’s marketing strategy aims to redirect the dollars most Nigerians require to shelter, clothe and feed their families to subsidize a habit that will one day kill them.

Chukwu says the grim scenes he witnesses are preventable. Studies show that youth are the group most at risk of getting addicted, but that most people won’t become addicted after they finish university.

That’s exactly why tobacco-control efforts have centered on curbing marketing targeted at youth.
Indeed, it was not long ago that tobacco corporations had free reign in Nigeria. BATN and its competitors sponsored concerts, fashion shows and other events that predominantly drew young audiences. Billboards featuring healthy and fashionable young smokers towered over the cityscape. Some lawmakers appeared to be in the pockets of Big Tobacco and loath to advance policies protecting public health.

It was against this backdrop that a small group of Lagos-based former journalists working for Environmental Rights Action (ERA) resolved to take a firm stand against the abuses of Big Tobacco. With the loudest possible megaphone, they are bringing the concerns of health professionals like Dr. Chukwu and the broader public to the highest levels of government. Challenging the tobacco industry takes no small amount of courage, given that their friend Ken Saro-Wiwa’s life was taken in 1995 for protesting the abuses of Big Oil.

At World Health Organization meetings in Geneva, Akinbode Oluwafemi, ERA’s director of corporate campaigns, partnered with Corporate Accountability International and other like-minded NGOs to advocate for what would later become the global tobacco treaty. The treaty, ratified by Nigeria in 2005, helped the country begin to stamp out the brazen youth marketing of BATN and its competitors.

But just as civil society has helped recalibrate the country’s approach to tobacco control, the industry has recalibrated its approach to tobacco promotion.

“Since (the restrictions), we’ve seen less above-

In the x-rays of lung cancer patients, pulmonologist Dr. Cyril Chukwu sees the deadly results of the tobacco industry’s egregious marketing practices in Nigeria.
the-line advertising such as billboards, newspaper or TV ads,” says Toni Kan, an advertising executive with Radi8, a local PR firm that represents a range of industries. “But I wouldn’t be surprised if the companies spent just as much in below-the-line advertising.”

“We’ve had major successes, but the tobacco industry, like the devil, does not sleep and we will remain unrelenting because the tobacco industry is a killer industry. It has been doing this for a long time and it won’t stop, so we can’t stop either.”

PHILIP JAKPOR, ENVIRONMENTAL RIGHTS ACTION (ERA)

For Kan, “below-the-line” refers to marketing tactics, whether online or word-of-mouth youth smoking parties, which comprise Big Tobacco’s ways of getting around regulation.

In lieu of the government’s slowness to address what falls “below-the-line,” Oluwafemi’s team has taken to crashing these parties and documenting similar industry abuses. Corporate Accountability International has helped further expose industry abuse in Nigeria through online actions and media.

ERA and its partners, however, feel exposing such practices is just a stop-gap until Nigeria’s government can fully implement and enforce the treaty.

“We’ve had major successes, but the tobacco industry, like the devil, does not sleep and we will remain unrelenting because the tobacco industry is a killer industry,” says Oluwafemi’s colleague Philip Jakpor. “It has been doing this for a long time and it won’t stop, so we can’t stop either.”

REPORTING ASSISTANCE BY YINKA IBUKUN
WARNING: Big Tobacco strains healthcare systems. 81-year old Paublo Emilio Padilla, recently diagnosed with lung cancer, visits the National Institute for Cancerology in Bogotá, Colombia. At the rate of $1 billion dollars a year, the cost of tobacco-related diseases puts a major strain on Colombia’s healthcare system.
A “BEAUTIFUL LAW” PUTS BIG TOBACCO ON NOTICE

Advocates bring a growing public health crisis under control in Colombia

Colombia has a well-earned reputation for violent death. There are drug wars, vicious street crime and one of the world’s longest-running civil conflicts. Yet at 25,000 deaths a year, tobacco-related diseases kill more than all combined.

While the other challenges facing the South American republic may have complex roots, Dr. Alfredo Saavedra, a lung specialist at the National Institute for Cancerology in Bogotá, knows the staggering number of tobacco-related deaths come back to a single cause: the tobacco industry’s pervasive influence in the halls of Colombia’s Congress.

For years, Big Tobacco enjoyed lax legislation in Colombia, addicting generations of smokers. The country is now suffering the economic—as well as social and health—consequences. Tobacco-related diseases costs the country $1 billion annually.

“The health system is bankrupt and the problem is only going to grow as the number of cases of diseases like lung disease increase,” says Dr. Saavedra.

Saavedra, however, has reason to be cautiously optimistic. Corporate Accountability International and its tobacco-control allies have dealt Big Tobacco a string of setbacks in Colombia. There’s hope that their hard work will result in minimizing the industry’s influence, but the road still promises to be an arduous one.

Dr. Saavedra’s patients are familiar with facing challenges. Some travel as many as 20 hours by foot or mule to wait in the clinic’s crowded lobby for care. The doctor’s days are long and emotionally draining, but he sees patients in turn.

On one day in mid-February, Saavedra sits in his office, a space adorned only with a desk, computer, oxygen tank and an image of the clinic’s founder. His 81-year-old patient, Pablo Emilio Padilla, sits with his hands folded in his lap studying the X-ray image in the doctor’s hand. Saavedra explains that though Padilla hasn’t smoked in 46 years, the three packs a day of his youth are catching up to him: he has developed lung cancer.

Saavedra will do his best for Padilla, but knows that breaking the cycle of addiction must begin with his grandchildren and great-grandchildren. Such change is within the nation’s grasp, even in spite of the industry’s expansion in Latin America’s third most populous country.

In the early 2000s, Colombia had some of the highest rates of youth smoking in South America.

Tobacco-related diseases cost Colombia $1 billion annually.

Philip Morris International (PMI) and British American Tobacco (BAT) had each recently consolidated their holdings in Colombia. Tobacco advertising was ubiquitous. BAT sponsored the major soccer league—the only sport regularly broadcast on Colombian television. Attractive young models wandered through bars handing out free cigarettes.

In the halls of Congress, Big Tobacco purchased favor and bullied legislators to do its bidding. The lawmakers working to address the public-health crisis found themselves in an isolated minority.

“For many years we had been thinking of trying to pass some legislation, but it hadn’t been possible because of the influence of the tobacco companies,” says Senator Dilian Francisca Toro, a former doctor and one-time president of the Senate.

Twenty proposed laws to tighten restraints on the tobacco industry were defeated soundly. A new approach was needed.

Beginning in 2003, Corporate Accountability International’s Latin America Director, Yul Francisco
Dorado, began advocating for Colombia’s adoption of the global treaty that could offer a roadmap to securing lifesaving tobacco controls over industry opposition. A human-rights lawyer who speaks in thoughtful, measured phrases, Dorado was compelled by the urgent need to take on the tobacco industry and its egregious practices. “It was a tremendous political moment,” says Dorado. “I, along with our allies, knew we had to seize the opportunity presented by the global tobacco treaty—and the support of key legislators gave us hope that we could actually make significant changes.”

So Dorado and allied public-health organizations began a grassroots mobilization that conjured the early days of Corporate Accountability International’s Nestlé Boycott. Advocates petitioned in Bogotá’s crowded plazas, spoke to full auditoriums at the universities, brought concerned constituents into the Senate chambers and secured editorials in the country’s leading newspapers and magazines. By 2008, when Colombia finally ratified the treaty, it felt like an inevitability, though it had been anything but.

**In 2010, the path was cleared for the passage of Colombia’s first comprehensive national tobacco-control law—a law one senator noted “couldn’t be harsher” on the industry.**

It was then time to translate the treaty into a strong national law preventing the marketing and sales of tobacco products to children and young adults, alongside other practices contributing to Colombia’s staggering disease rates. The push was met with the same industry tactics that had derailed previous efforts.
One supporter of the law, Senator José David Name, spoke out on one of Colombia’s main radio networks about how tobacco lobbyists were attempting to bribe senators into blocking or compromising the law. But unlike in the past, politicians like Name had the force of the treaty and the grassroots behind them.

“[Tobacco lobbyists] were passing out notes and pressuring senators,” Senator Name told Caracol Radio in June 2009. “I had to ask the president of the Senate to throw out all the tobacco lobbyists.”

The Senate president did, thanks to a treaty provision (Article 5.3) Dorado had helped secure, barring the industry from interfering in health policy and its own regulation. The path was cleared for the passage, in 2010, of Colombia’s first comprehensive national tobacco-control law—a law one senator noted “couldn’t be harsher” on the industry.

The example Colombia sets for other countries globally has earned Corporate Accountability International and its ally Fundación para la Educación y el Desarrollo Social (FES) a Bloomberg Award for Tobacco Control. This annual honor is bestowed by New York Mayor Michael Bloomberg, a strong champion and one of the largest philanthropists of tobacco-control efforts around the world.

But the story does not end here. Dorado is well acquainted with the Colombian saying “it’s a country of beautiful laws, but ugly enforcement.” He knows the next hurdle to overcome is the slack enforcement of this model legislation.

That’s why Dorado, Corporate Accountability International and its allies are not resting on their laurels. With support from philanthropic partners across North America who see addressing Colombia’s plight as key in reversing the global tobacco epidemic, Dorado has a rigorous schedule mapped out. He and other tobacco advocates will canvas the countryside, traveling from town to town, shop to shop, to ensure the public understands the new safeguards and businesses adhere to it.

“The tobacco industry will attempt to undermine the progress we make,” said Dorado. “But our experience demonstrates that if we’re strategic and perseverant, the public interest will prevail.”

Back in Bogotá, Dr. Saavedra and his patients are ready for this next long, hard-fought road to a country where public health is no longer sacrificed for private profit.
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