

The MPOWER framework and the United Nations Human Rights Treaties: An additional argument for the promotion of tobacco control goals



Mark Spires, MPH¹, Lanie Rutkow, PhD, JD, MPH²,
Isabelle Feldhaus, MSPH (cand.)³, Joanna E. Cohen, PhD, MHSc¹

1 Institute for Global Tobacco Control, Johns Hopkins University, Bloomberg School of Public Health
2 Department of Health Policy and Management, Johns Hopkins University, Bloomberg School of Public Health
3 Department of International Health, Johns Hopkins University, Bloomberg School of Public Health

Background

- The FCTC reaffirms the “right of all people to the highest standard of health” while calling for parties to “give priority to their right to protect public health”
- The MPOWER framework endorses health promoting policy interventions that are consistent with a human-rights based approach to health and the control of tobacco

Objective

- To identify specific articles and language within each international human rights treaty that could be used to promote tobacco control goals

Methods

- Data collection form created to systematically review the nine core international human rights treaties
- MPOWER policy areas used as a guiding framework in the review
- Abstracted specific language from each treaty directly pertaining to each MPOWER policy area
- Tobacco control-related themes were identified through a review of the abstracted treaty text

Results

- 7 of 9 treaties contain text that aligns with the MPOWER policy areas
- 30 provisions/articles included relevant text
- Most language abstracted from the treaties fell within policy areas “P” (Protect), “O” (Offer), and “W” (Warn) (Table 1)
- Tobacco control-related themes were identified:
 - rights related to working conditions
 - the right to access healthcare services
 - the right to access healthcare information
- All seven treaties contain language requiring parties to create policies that ensure the implementation of all treaty articles

Conclusions

- Strong arguments could be made using human rights treaty language for:
 - the implementation or strengthening of smoke-free policies;
 - the implementation or strengthening of effective communication strategies, including stronger health warnings on tobacco packages; and
 - the inclusion or ramping up of cessation services, including counseling and the provision of cessation medication in health care coverage plans.
- The treaties can also be used as tools to advocate for tobacco control policies that focus on special populations, including people with disabilities, migrant workers, ethnic and/or racial minorities, women, and children.

Table 1. Human Rights Treaties and Number of Tobacco Control-Relevant Articles by MPOWER Policy Area

Treaty	M	P	O	W	E	R
International Covenant on Economic, Social and Cultural Rights		3	1		1	
International Covenant on Civil and Political Rights				1	1	
Convention to Eliminate All Forms of Discrimination Against Women		1	2	1		
Convention on the Rights of the Child		3	1	3	2	
Convention on the Rights of Persons with Disabilities	1	4	1			
International Convention on the Elimination of All Forms of Racial Discrimination			1			
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment						
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families		1	3	1	1	
International Convention for the Protection of All Persons from Enforced Disappearance						



Corresponding author: Mark Spires (mspires@jhsph.edu)