

# The MPOWER framework and the United Nations Human Rights Treaties: Promoting tobacco control goals

Mark Spires, MPH

Department of Health, Behavior & Society

Institute for Global Tobacco Control





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## Short Communication

# The World Health Organization's MPOWER framework and international human rights treaties: an opportunity to promote global tobacco control



M. Spires<sup>a,\*</sup>, L. Rutkow<sup>b</sup>, I. Feldhaus<sup>c</sup>, J.E. Cohen<sup>a</sup>

<sup>a</sup>Institute for Global Tobacco Control, Department of Health, Behavior and Society – Johns Hopkins University, Bloomberg School of Public Health, 2213 McElderry Street (4th Floor), Baltimore, MD 21205, USA

<sup>b</sup>Department of Health Policy and Management – Johns Hopkins University, Bloomberg School of Public Health, 624 N Broadway (Room 513), Baltimore, MD 21205, USA

<sup>c</sup>Department of International Health – Johns Hopkins University, Bloomberg School of Public Health, 615 N Wolfe Street, Baltimore, MD 21205, USA

- The human right to tobacco control emerges from the right to life and the right to health, as outlined in international human rights treaties; and
- Because tobacco use is the largest cause of preventable death in the world, its control is essential for the realization of these rights



# Methods

- Data collection form
- Pilot test
- Review findings
- Analysis

**MPOWER & Human Rights Treaties  
Data Collection Form**

Researcher: Mark Spires

Date: 05/21/2013

Treaty (check one):

<input type="checkbox"/> ICESCR	<input type="checkbox"/> ICCPR	<input type="checkbox"/> CEDAW	<input type="checkbox"/> CRC	<input type="checkbox"/> CRPD
<input type="checkbox"/> ICERD	<input type="checkbox"/> CAT	<input checked="" type="checkbox"/> ICRMW	<input type="checkbox"/> CPED	<input type="checkbox"/>

Relevant treaty text (note: do not summarize text; quote text directly from the treaty):

<b>M</b>	Surveillance of tobacco use, exposure, etc.	DA
<b>P</b>	Smoke-free legislation in public places and indoor workplaces	Article 70. States Parties shall take measures not less favourable than those applied to nationals to ensure that working and living conditions of migrant workers and members of their families in a regular situation are in keeping with the standards of fitness, safety, health and principles of human dignity.
<b>O</b>	1) counseling in primary health-care 2) accessible quit lines 3) access to medication	Article 25. 1. Migrant workers shall enjoy treatment not less favourable than that which applies to nationals of the State of employment in respect of remuneration and: (a) Other conditions of work, that is to say, overtime, hours of work, weekly rest, holidays with pay, safety, health... Article 43. 1. <u>Migrant workers</u> shall enjoy equality of treatment with nationals of the State of employment in relation to: ... (e) Access to social and health services, provided that the requirements for participation in the respective schemes are met; Article 45 1. <u>Members of the families of migrant workers</u> shall, in the State of employment, enjoy equality of treatment with nationals of that State in relation to: ... (c) Access to social and health services, provided that requirements for participation in the respective schemes are met;
<b>W</b>	1) Package labels (regulate false promotion & health warnings) 2) Mass media and other communications	Article 13.2. Migrant workers and members of their families shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art or through any other media of their choice.
<b>E</b>	Bans on tobacco advertising, promotion & sponsorship	DA
<b>R</b>	1) Raise taxes 2) Elimination of illicit trade	DA

General comments:

# Results

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						



# Results

Treaty	M	P	O	W	E	R
International Covenant on Economic, Social and Cultural Rights		ART.7 <sup>C</sup> ART.10.3 <sup>C</sup> ART.12 <sup>H</sup>	ART.12.2 <sup>H</sup>		ART.10.3 <sup>C</sup>	
International Covenant on Civil and Political Rights				ART.19.2 <sup>I</sup>	ART.19.3 <sup>I</sup>	
Convention to Eliminate All Forms of Discrimination Against Women		ART.11 <sup>C</sup>	ART.12.1 <sup>H</sup> ART.14.2 <sup>H</sup>	ART.10 <sup>I</sup>		
Convention on the Rights of the Child		ART.3.2 ART.24 <sup>H</sup> ART.32.1 <sup>C</sup>	ART.24.1 <sup>H,I</sup>	ART.13.1 <sup>I</sup> ART.17.1 <sup>I</sup> ART.24.1 <sup>I</sup>	ART.13.2 <sup>I</sup> ART.17.1 <sup>I</sup>	
Convention on the Rights of Persons with Disabilities	ART.31.1	ART.9.1 ART.27.1 <sup>C</sup> ART.28.2 ART.30.1	ART.25 <sup>H</sup>	ART.21 <sup>I</sup>		
International Convention on the Elimination of All Forms of Racial Discrimination			ART.5 <sup>H</sup>			
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (n/a)						
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families		ART.70 <sup>C</sup>	ART.25.1 <sup>C</sup> ART.43.1 <sup>H</sup> ART.45.1	ART.13.2 <sup>I</sup>	ART.13.3 <sup>I</sup>	
International Convention for the Protection of All Persons from Enforced Disappearance (n/a)						

Themes related to tobacco control goals: C = Working conditions; H = Healthcare services; I = Health information

## **Rights related to *working conditions***

- Seven articles were identified within five treaties
- Most came under 'P'

## **The rights to *access healthcare services***

- Seven articles were identified within six treaties
- Most came under 'O'

## **The rights to *access health information***

- Seven articles were identified within five treaties
- Most came under 'W'



# Conclusions

- Demonstrate a concrete, practical connection between tobacco control goals and human rights at the global level
- Arguments can be made using human right treaty language for...
  1. The implementation or strengthening of smoke-free policies;
  2. The implementation or strengthening of effective communication strategies; and
  3. The inclusion or ramping up of cessation services
- Treaties as tools for advocating for special populations





A stylized logo on the left side of the slide. It features a flame-like shape at the top, composed of several curved, overlapping segments. Below the flame is a globe, represented by a grid of latitude and longitude lines. The entire logo is rendered in a light blue color against a dark blue background.

# Thank you!

[www.globaltobaccocontrol.org](http://www.globaltobaccocontrol.org)

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