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

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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:
  1. rights related to working conditions
  2. the right to access healthcare services
  3. 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:
  1. the implementation or strengthening of smoke-free policies;
  2. the implementation or strengthening of effective communication strategies, including stronger health warnings on tobacco packages; and
  3. 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

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

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