

ACCELERATING FCTC IMPLEMENTATION

To Reach Health,
Development and Human
Rights Objectives

NOVEMBER 9, 2018
BEIRUT



Global action for *everyone's* health.

LAURENT HUBER

Executive Director
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HUMAN RIGHTS IN THE TOBACCO CONTROL FRAMEWORK



Recalling Article 12 of the International Covenant on Economic, Social and Cultural Rights, adopted by the United Nations General Assembly on 16 December 1966, which states that it is the *right of everyone to the enjoyment of the highest attainable standard of physical and mental health*



Recalling the human rights reflected in the WHO FCTC and acknowledging the relationship between tobacco use and human rights

HEALTH IN THE HUMAN RIGHTS FRAMEWORK

- Universal Declaration of Human Rights
- International Covenant on Economic, Social and Cultural Rights:
“recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health”
- International Convention on the Elimination of All forms of Racial Discrimination
- Convention on the Elimination on All Forms of Discrimination Against Women
- Convention on the Rights of the Child
- Covenant on the Rights of Persons with Disabilities

HUMAN RIGHTS: THE ARGUMENT

Everyone has a
right to life and
to health

Governments
have a duty to
enforce those
rights

Governments therefore
have a duty to protect
their citizens from the
tobacco industry and
harms from tobacco

Legal remedies are
available at the
international, regional,
and national levels.

HUMAN RIGHTS AT STAKE

**Rights of
the Child**

**Women's
Rights**

**Right to
Health**

**Rights of
Racial
Minorities**

**Right to
Education**

**Rights of
Indigenous
People**

**Right to
Life**

**Right to
Information**

**Right to a
Healthy
Environment**

TOBACCO IN THE HUMAN RIGHTS FRAMEWORK



**Committee on the
Rights of the Child**
UNITED NATIONS

**THE DANISH
INSTITUTE FOR
HUMAN RIGHTS**



**International Covenant on
Economic Social and Cultural Rights**



UN HUMAN RIGHTS COUNCIL TWO KEY HRC RESOLUTIONS

1.) HRC Resolution on “the right of everyone to the enjoyment of the highest attainable standard of physical and mental health in the implementation of the 2030 Agenda for Sustainable Development” adopted in June 2017

2.) HRC Resolution on the promotion and protection of human rights and the implementation of the 2030 Agenda for Sustainable Development adopted in March 2018



HRC RESOLUTION 35/23

*The **RIGHT** of everyone to the enjoyment of the highest attainable standard of physical and mental **HEALTH** in the implementation of the **2030 Agenda for Sustainable Development***

United Nations A/HRC/35/L.18/Rev.1

 **General Assembly** Distr.: Limited
21 June 2017
Original: English

Human Rights Council
Thirty-fifth session
6–23 June 2017
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Argentina,* Belgium, Brazil, Bulgaria,* Colombia,* Ecuador, Egypt, Haiti,* Honduras,* Luxembourg,* Malta,* Mozambique,* Paraguay, Peru,* Portugal, Romania,* Spain,* Timor-Leste,* Qatar, Thailand,* Turkey:* draft resolution

35/... The right of everyone to the enjoyment of the highest attainable standard of physical and mental health in the implementation of the 2030 Agenda for Sustainable Development



HRC RESOLUTION 35/23



The Resolution **Urges States to work towards the full implementation of health targets in SDGs** including Target 3. a: *“Strengthen the implementation of the World Health Organization Framework Convention on Tobacco Control in all countries, as appropriate;”*



HRC RESOLUTION 37/24

United Nations

A/HRC/RES/37/24



General Assembly

Distr.: General
13 April 2018

Original: English

Human Rights Council

Thirty-seventh session

26 February–23 March 2018

Agenda item 3

**Resolution adopted by the Human Rights Council
on 23 March 2018**

**37/24. Promotion and protection of human rights and the implementation of
the 2030 Agenda for Sustainable Development**



HRC RESOLUTION 37/24



- Decides to organize two one-day **intersessional meetings** for dialogue and cooperation on human rights and the 2030 Agenda for Sustainable Development
- ... to voluntarily **share good practices, achievements, challenges and lessons learned in the promotion and protection of human rights and the implementation of the 2030 Agenda**
- the **focus** of each of the above-mentioned meetings will **reflect the stated themes of the 2019 and 2020 high-level political forums on sustainable development**
- Goal 3 on Health and target 3 a will be among the themes of the 2020 high-level political forums
- This presents a unique opportunity to present the FCTC and implementation of Art 6 as a best practice tool to protect human rights and while making progress towards the 2030 development agenda

Tobacco infringes on



right to **life**
right to **health**
right to **education**
children's rights
women's rights
and many others



“There can be **NO DOUBT** that the production and marketing of tobacco is irreconcilable with the human right to health.”¹⁸

– Danish Human Rights Institute, May 2017

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Global action for *everyone's* health.