



Inter-American Commission Hearing Media Kit

[About the Inter-American Commission](#)

The [Inter-American Commission on Human Rights \(IACHR\)](#) is an autonomous organ of the Organization of American States. It is headquartered in Washington, D.C., and it meets in regular and special sessions several times a year to examine allegations of human rights violations in the hemisphere, submitted by individual petition, by member states, or by request for a thematic hearing (as in our case). The main goal of the commission is to protect human rights in the Americas.

The IACHR is not a court. However, along with the Inter-American Court of Human Rights, it is one of the institutions that comprise the inter-American system for the promotion and protection of human rights. To draw a parallel, if an Inter-American Court case is like a case in front of the Supreme Court of the United States, then the Inter-American Commission hearing would be similar to a Congressional hearing.

The Commission's human rights duties come from three international documents - the [OAS Charter](#), the [American Declaration of the Rights and Duties of Man](#), and the [American Convention on Human Rights](#).

Read more about IACHR on their [website](#), [Facebook](#), or follow [@IACHRPress](#) on Twitter.

[Hearing Details](#)

WHO:

- [Oscar A. Cabrera](#), [The O'Neill Institute for National and Global Health Law](#), Georgetown University, Washington DC
- [Chris Bostic](#), [ASH > Action on Smoking and Health](#), Washington, DC
- [Kelsey Romeo-Stuppy](#), [ASH > Action on Smoking and Health](#), Washington, DC
- [Verónica Schoj](#), [Fundación Interamericana del Corazón Argentina](#)
- [Belén Rios](#), [Fundación Interamericana del Corazón Argentina](#)

WHEN:

Tuesday, April 5, 2016; 10:15 – 11:15 am Eastern

Interviews can be scheduled with the experts before and after the hearing.

WHERE:

GSB Building of the Organization of American States (OAS)

Padilha Vidal Room

1889 F. Street, NW

Washington, DC 20006

Quotes about tobacco and human rights

“In the world, 8 million people die each year from smoking. This is mass murder.”

- *President José Mujica, Uruguay, BBC, [Obama impressed with progress in Mujica's Uruguay](#), May 12, 2014*

“Tobacco use is unlike other threats to global health. Infectious diseases do not employ multinational public relations firms. There are no front groups to promote the spread of cholera. Mosquitoes have no lobbyists.”

- World Health Organization (WHO). [Tobacco Company Strategies to Undermine Tobacco Control Activities at the World Health Organization: Report of the Committee of Experts on Tobacco Industry Documents](#), July 2000

“... we should come to the realization and re-frame our arguments to propose that the threats posed by the tobacco industry are also threats against human rights and the right to health.”

- Third Meeting of the Human Rights and Tobacco Control Network, [Speech by Dr. Douglas Bettcher, Director, WHO Tobacco Free Initiative](#), March 19, 2012

“The right to clean air, free from tobacco smoke, is a human right.”

- World Health Organization, [On World No Tobacco Day, UN calls for stamping out smoking in workplace](#), May 31, 2007.

“The Committee encourages States parties that have not yet done so to ratify the UN International Drug Control Conventions, and the WHO Framework Convention on Tobacco Control. The Committee underscores the importance of adopting a rights-based approach to substance use and recommends that, where appropriate, harm reduction strategies should be employed to minimize negative health impacts of substance abuse.

- *Committee on the Rights of the Child, [General comment No. 15 \(2013\), The right of the child to the enjoyment of the highest attainable standard of health \(Article. 24\)](#), 2013.*

“[T]he WHO Framework Convention on Tobacco Control is a human rights treaty, since it seeks to clearly, expressly and directly protect the basic right to health protection recognized in Article 7 of the Constitution. Indeed, the Convention’s introduction points out that it represents a “groundbreaking step in advancing national, regional and international action and global cooperation to protect human health against the devastating impact of tobacco consumption and exposure to tobacco smoke.”

- [5000 Citizens v. Article 3 of Law No. 28705 – General Law for the Prevention and Control of Tobacco Use Risks](#). Judgment from the Full Jurisdictional Bench of the Constitutional Court of Peru, July 19, 2011, unconstitutionality proceedings, para. 67. Unofficial translation.

“National governments have the authority to regulate smoking in public places and both public and private workplaces and should implement laws, policies, plans and practices, guided by their human rights obligations, that require all of these settings to be 100% smoke-free indoors.”

- *Pan American Health Organization, [Exposure to Secondhand Tobacco Smoke in the Americas](#), p. 26 and 27 (2006).*

Tobacco and Human Rights

The founding documents of the Commission ensure the right to life, the protection of children, the right to health, the right to education, and the right to healthy work conditions, all of which are violated by tobacco and/or tobacco corporations and allowed by governments, illustrated by the following facts:

- **Right to life/ health**
 - Tobacco use kills nearly six million people worldwide each year.
 - [World Health Organization \(WHO\)](#)
 - Latin America has 145 million smokers, between 8-10% of the smokers in the world.
 - [World Bank](#)
 - Tobacco will kill ten million Latin Americans between 2013 and 2025.
 - [World Bank](#)
- **Protection of children**
 - Youth tobacco usage in the region is on the rise, with 13.16 percent of young people between the ages of 15 and 18 smoking.
 - [Fernando Muller & Luis Wehbe](#)
- **Right to education**
 - Graphic warning labels are effective in dissuading smokers, but only 16 Latin American countries require graphic health warnings covering at least 50 percent of the main display areas of a package.
 - [Tobacco Atlas- Warnings and Packaging](#)
- **Right to healthy work conditions**
 - Seventeen countries in the Americas have adopted 100 percent smoke-free laws but these account for only 46 percent of the region's population.
 - [Tobacco Atlas- Smoke Free Policies](#)
- **The World Health Organization Framework Convention on Tobacco Control (FCTC)**
 - Five of 35 countries in the Americas still need to join the 180 parties to the FCTC and begin implementing the worldwide best practices for tobacco control set out in the treaty.
 - Argentina
 - Cuba
 - Dominican Republic
 - Haiti
 - United States
 - [Framework Convention on Tobacco Control](#)

Learn more

<http://ash.org/human-rights-violations/>

<http://ash.org/human-rights-resources/>

www.ficargentina.org

<http://www.law.georgetown.edu/oneillinstitute/tobacco-control/index.cfm>

Tobacco Industry Interference

[Article 5.3 of the Framework Convention on Tobacco Control \(FCTC\)](#) states that “parties shall protect [tobacco control] policies from commercial and other vested interests of the tobacco industry in accordance with national law.”

However, the tobacco industry interferes in tobacco control laws and tobacco control education in many ways all around the world.

Lawsuits

The tobacco industry uses lawsuits and the threat of lawsuits – and the associated legal costs – to create “regulatory chill” among governments

Lawsuits under trade agreements have been a particularly effective legal weapon, causing several countries to back away from advanced tobacco control measures. For example, Philip Morris International (PMI) sued Uruguay for implementing a law that requires 80% of the space on cigarette packs to be covered with graphic health warning labels.

- PMI argues that this is a violation of a trade agreement and that graphic health warning labels don’t work.
- Graphic health warning labels DO work. They are:
 - more likely to be noticed than text-only warning labels;
 - more effective for educating smokers about the health risks of smoking and for increasing smokers’ thoughts about the health risks; and
 - associated with increased motivation to quit smoking.
 - WHO, [The impact of pictures on the effectiveness of tobacco warnings](#), 2009.
 - In December 2012, Australia became the first country in the world to implement standardized (or plain) packaging. Household tobacco consumption and expenditure volume has dropped 17.5% in the following two and a half years.
 - Australian Bureau of Statistics, [National Household Tobacco & Cigarette Consumption and Expenditure](#), 2015.

Interference with legislation

During the 2012 presidential primary, there was a question on the ballot in California about raising the cigarette tax by \$1.00 to fund cancer research and tobacco control. In a poll before the 2012 vote, most Californians supported the increase. The tobacco industry then led a \$46.8 million dollar campaign to defeat the measure. The increase failed by a slim margin.

- NY Times, [A \\$1 Cigarette Tax Starts a \\$47 Million Brawl in California](#), June 3, 2012.

Deceptive and targeted advertising

Tobacco industry advertising targets women, children, and vulnerable groups such as the LGBT population.

- Action on Smoking and Health, [“Don’t Be A Target”](#), 2014.
- Action on Smoking and Health, [International Day of the Girl](#), 2015.

The tobacco industry uses front groups – often inspired by false predictions of economic harm – to fight tobacco control measures. For example, the hospitality industry has often fought smoke-free air regulations, motivated by fears of loss of customers. In fact, hundreds of independent studies have shown that smoke-free air measures have no impact, not even a positive impact, on hospitality industry revenues.

- Summary of studies available American’s for Non-Smoker’s Rights, [Economic Impact of Legislation](#), 2006.



About the Organizations

ACTION ON SMOKING AND HEALTH

Action on Smoking and Health (ASH) is the nation's oldest anti-tobacco organization dedicated to health for all. ASH was formed in 1967 in response to the U.S. Surgeon General Report in order to use legal action to fight tobacco and protect nonsmokers. Today, because tobacco is the leading cause of preventable death worldwide, ASH uses global tools to counter the global tobacco epidemic. Learn more about our programs at www.ash.org.

Follow us on Twitter [@ASHOrg](https://twitter.com/ASHOrg) and Facebook www.facebook.com/ASHglobalAction

FUNDACIÓN INTERAMERICANA DEL CORAZÓN ARGENTINA (INTERAMERICAN HEART FOUNDATION- ARGENTINA)

The Inter-American Heart Foundation is a non-governmental non-profit organization dedicated to reducing heart diseases and stroke, and related non-communicable diseases, in Latin America and the Caribbean region, and to promote health through research, advocacy, public awareness and education. It has members and affiliates in almost all countries in the region.

Follow us on Twitter [@ficargentina](https://twitter.com/ficargentina) and on Facebook www.facebook.com/ficargentina

THE O'NEILL INSTITUTE FOR NATIONAL AND GLOBAL HEALTH LAW

The O'Neill Institute for National and Global Health Law at Georgetown University is the premier center for health law, scholarship, and policy. Its mission is to contribute to a more powerful and deeper understanding of the multiple ways in which law can be used to improve the public's health, using objective evidence as a measure. The O'Neill Institute seeks to advance scholarship, science, research, and teaching that will encourage key decision-makers in the public, private, and civil society to employ the law as a positive tool for enabling more people in the United States and throughout the world to lead healthier lives. Add website and social media contacts.

Follow us on Twitter [@OneillInstitute](https://twitter.com/OneillInstitute) and on Facebook www.facebook.com/oneillinstitute.