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International Health Policy and Tobacco Control in CA

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This project proposes to prevent tobacco use and tobacco-related health disparities in California's diverse populations and to enhance the effectiveness of tobacco control efforts in California by linking California tobacco control practices into international issue areas. CA Assembly Concurrent Resolution No. 129 International treaties: reports (ACR 129, passed August 30, 2010) calls on the CA State Attorney General to collect information on four treaties which the US has ratified, in order to compile a state level report which will be forwarded to the US State Department and the UN Treaty Monitory Bodies. ACR 129 is important for CA tobacco control policy as the tobacco companies' actions in CA violate two of the treaties listed in ACR 129. Understanding the ways in which the first public health treaty, the Framework Convention on Tobacco Control (FCTC) and other international health and human rights treaties intersect is important as ACR 129 provides the opportunity to implement key FCTC provisions in California.

This study has three Aims: (1) To understand how the FCTC intersects with other health and human right treaties and UN instruments with regards to tobacco control issues and to understand how these intersections could be used to strengthen global-level tobacco control policies, (2) To determine how the tobacco industry influenced, or sought to influence, other international treaties whose provisions may affect health or tobacco production, manufacturing, and consumption and what effects these tobacco industry efforts had, and (3) To disseminate this information to the California Attorney General and to the various county and city-level Peace and Justice and Human Right Commissions in the state of California so that their reports to the State of California, the US State Department, and the UN treaty monitoring bodies can include this information.

We will first compile a list of treaties and other agreements that may intersect with the FCTC. We will verify whether their articles and guidelines intersect with the FCTC and then analyze the ways in which they intersection. We will then choose a subset of treaties from the list we verified and analyzed. We will use previously secret internal tobacco company document (that have been made public as the result of litigation and contain information on tobacco industry actions and strategies) to understand tobacco companies' interference with these treaties. We will also interview non-tobacco control health officials and advocates regarding tobacco industry interference with these treaties and their perception of how the treaty areas overlap with tobacco control issues. We will compile this information into a report to disseminate to the Office of the Attorney General, State of California and various county and city-level Peace and Justice Commissions or Human Rights Commissions that we identify in the State of California.

Understanding the intersection of the FCTC with other treaties will link California tobacco control practices into international issue areas, will bolster the rational underlying CA tobacco control policies, and will reinforce the conception that tobacco control is a basic human right to which Californians are entitled. Assembly Concurrent Resolution No. 129 creates an opportunity for California to regain its position as a leader in US tobacco control by implementing key FCTC provisions in California even though the U.S. has not formally ratified the treaty.