



# General Assembly

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## Human Rights Council

### Forty-fifth session

14 September–2 October 2020

Agenda item 3

**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

### **Joint written statement\* submitted by Action on Smoking and Health, a non-governmental organization in special consultative status, International Union Against Tuberculosis and Lung Disease, a non-governmental organization on the roster**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[19 August 2020]

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\* Issued as received, in the language(s) of submission only.

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## Tobacco and the Right to Development

Action on Smoking and Health (ASH) wishes the 45th session of the Human Rights Council (HRC) every success and sincerely hopes that under the guidance of its President, Ambassador Elisabeth Tichy-Fisslberger, the Council will continue to promote the “right of everyone to the enjoyment of the highest attainable standard of physical and mental health.”

ASH would like to recall that on 23 June 2017 the Human Rights Council adopted Resolution HRC/RES/35/23 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” urging “States to work towards the full implementation of all Sustainable Development Goals and targets with a view to contributing to the realization of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health,” including Target 3.a to “strengthen the implementation of the World Health Organization (WHO) Framework Convention on Tobacco Control (FCTC) in all countries as appropriate.”<sup>1</sup>

Tobacco is a barrier to development. Tobacco use remains the leading cause of global preventable death, killing over 8 million annually<sup>2</sup> and costing the global economy up to two percent of its GDP.<sup>3</sup> On the other hand, as the United Nations Development Program notes, the World Health Organization Framework Convention on Tobacco Control is an accelerator for Sustainable Development and reducing tobacco use is critical to achieving every goal in the SDGs.<sup>4</sup>

During this unprecedented pandemic, tobacco, cigarettes, and the actions of the tobacco industry are even more of a blight on society. As the WHO states,

“Tobacco smoking is a known risk factor for many respiratory infections and increases the severity of respiratory diseases. A review of studies by public health experts convened by WHO on 29 April 2020 found that smokers are more likely to develop severe disease with COVID-19, compared to non-smokers. COVID-19 is an infectious disease that primarily attacks the lungs. Smoking impairs lung function making it harder for the body to fight off coronaviruses and other diseases. Tobacco is also a major risk factor for noncommunicable diseases like cardiovascular disease, cancer, respiratory disease and diabetes which put people with these conditions at higher risk for developing severe illness when affected by COVID-19. Available research suggests that smokers are at higher risk of developing severe disease and death.”<sup>5</sup>

Tobacco, COVID-19, the right to health, and development are inextricably linked, and it is essential now, more than ever, that governments provide cessation support to those citizens that want to quit.

Action on Smoking and Health respectfully requests that the forty-fifth session of the Human Rights Council and subsequent HRC Resolutions and processes addressing 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 consider:

- Addressing the impact on the right to health of the tobacco epidemic, including cigarettes, smokeless tobacco and other products, which causes eight million preventable

<sup>1</sup> Available from <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/190/18/PDF/G1719018.pdf?OpenElement>.

<sup>2</sup> Available from <http://www.who.int/mediacentre/factsheets/fs339/en/>.

<sup>3</sup> Available from <http://www.europe.undp.org/content/geneva/en/home/presscenter/pressreleases/2017/05/26/tobacco-kills-more-than-7-million-people-per-year-and-is-costing-the-world-economy-usd-1-4-trillion-annually.html>.

<sup>4</sup> Available from <https://www.who.int/fctc/implementation/publications/who-fctc-undp-wntd-2017.pdf>.

<sup>5</sup> Available from <https://www.who.int/news-room/detail/11-05-2020-who-statement-tobacco-use-and-covid-19>.

deaths annually<sup>6</sup> and costs the global economy up to two percent of GDP<sup>7</sup>, creating a substantial barrier to economic and human development;

- Addressing the negative impact of tobacco use on the outcomes of COVID-19 patients.
- Including access to cessation support as an essential part of discussion on Universal Health Coverage.
- Requests that the Special Rapporteur on the Right to Health, while considering the many ways towards the full realization of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, to pay particular attention to the progress being made towards implementation of Target 3.a of the 2030 Agenda for Sustainable Development and the obligation of States to address human rights implications over the whole life-cycle of tobacco growing, manufacturing, marketing, distribution, consumption and post consumption;
- Requests that the Special Rapporteur on the right to development consider within his mandate the impact the tobacco industry has on the achievement of the right to development at local, national, regional and international levels;
- Calls upon states when reporting on the implementation of the right to health under human rights treaties, to provide information on measures taken and challenges faced in implementing the FCTC and reducing the harm caused by tobacco that affect that right;
- Invites States to include the status of tobacco control efforts, both successes and failures, and the impact of those efforts on the right to health, when reporting during their Universal Periodic Review;
- Invites States, relevant United Nations and regional human rights mechanisms, United Nations Agencies and civil society organizations to share how the WHO FCTC has helped progress towards the 2030 Agenda for Sustainable Development during the second intersessional meeting for dialogue and cooperation on human rights and the 2030 Agenda for Sustainable Development established by HRC/RES/37/24 on the promotion and protection of human rights and the implementation of the 2030 Agenda for Sustainable Development.

Action on Smoking and Health congratulates the Human Rights Council for its efforts to include human rights considerations in the 2030 Development Agenda.

Human development requires the vigorous application of human rights norms. ASH and our partners will continue to support the Council in its promotion of human rights, especially the right to health as it addresses the global morbidity and mortality and barriers to development caused by tobacco.

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<sup>6</sup> Id. at note 2.

<sup>7</sup> Id. at note 3.