

# ECST: Blocking smokers access to better alternatives transgress human rights

Friday 3 November, 2023

Denying adult consumers access to smoke-free products is a violation of human rights, public health advocacy groups said in a letter to the United Nations (UN).

Asa Saligupta, director of ENDS Cigarette Smoke Thailand (ECST), one of the signatories in the open letter to UN High Commissioner for Human Rights Volker Türk dated October 16, 2023, said the World Health Organization (WHO) is depriving adult smokers of the right to choose less harmful products which violates their human rights.

The WHO, founded in 1948, is the UN agency that connects nations, partners and people to promote health, keep the world safe and serve the vulnerable.

"How will history judge the WHO 20 to 30 years from now? The global agency tasked to look after the health of the world causes millions of deaths because it is ignoring the science that supports tobacco harm reduction," Saligupta said in reaction to the open letter.

ECST and other signatories issued the statement as the WHO Framework Convention on Tobacco Control prepares to convene the Tenth Session of the Conference of the Parties (COP10) on November 20 to 25, 2023.

The WHO FCTC has refused to acknowledge the contribution of innovative smoke-free products in the decline of smoking prevalence in such countries as Sweden, Japan, and the United Kingdom.

Despite decades of WHO's tobacco control program, more than 1 billion people across the world continue to smoke, according to Saligupta.

Saligupta said all citizens have the "Right to Health" as recognized and enshrined in UN treaties and documents, the WHO constitution, and its Framework Convention on Tobacco Control (WHO FCTC).

"Adult smokers should be given assistance and information to quit smoking, such as access to safer alternatives," Saligupta said. "They should be understood and helped, not stigmatized or alienated."

Studies show that a switch from smoking to safer alternatives reduces the harm caused by smoking. The open letter says that encouraging harm reduction helps people take positive steps to protect their health while respecting their freedoms and rights.

Saligupta said no less than the UN Human Rights Office recognizes the harm reduction approach to drug use as an "obligation" under the Right to Health.

Unfortunately, the WHO adopts a different approach to harm reduction in relation to smoking. "By implementing policies that prevent access to safer alternatives to smoking, governments are violating the Right to Health and making global public health less equitable," the groups said in the open letter.

Saligupta said it is crucial that adult smokers are provided with scientific information that will help them decide on their options, including the availability of safer alternative nicotine products compared to combustible cigarettes.

A 2022 Cochrane review on vaping for smoking cessation showed that nicotine vaping helps more people quit smoking at six months or longer than nicotine replacement therapy. Cochrane is a global, independent network of researchers, practitioners, patients, caregivers, and health stakeholders who collect high-quality evidence on specific health topics.

Saligupta said harm reduction, or the use of less harmful alternatives such as electronic cigarettes, heated tobacco, and other smoke-free products, is aligned with the Right to Health.

"Governments and health authorities should respect the rights of adult smokers to move away from smoking with the help of innovative products that deliver far less harm. Depriving them of this opportunity is not just a violation of human rights but also a failure to help adult smokers enjoy better lives," said Saligupta.

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Saligupta joined the call for the WHO FCTC to recognize harm reduction in relation to smoking as a legitimate and evidence-based strategy.

He said the WHO should review its position on safer alternative nicotine products based on the latest scientific and empirical evidence and not on moralistic or prohibitionist policies that failed to address the smoking problem in the past decades.

Signatories in the open letter said tobacco harm reduction strategies are supported by the weight of scientific evidence showing that safer alternative nicotine products are effective tools to help smokers change and move away from smoking.

About ECST:

ENDS Cigarette Smoke Thailand (ECST) is a consumer advocacy organization that strives to promote tobacco harm reduction in the face of blanket bans, fines and jail time for consumers who wish to use alternative nicotine consumption products, specifically Electronic Liquid Vaporisers.

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