



## Treaties

- **International Convention on the Elimination of All Forms of Racial Discrimination (CERD)** – One of the nine major international human rights treaties, the International Convention on the Elimination of All Forms of Racial Discrimination (CERD) was created with the goal of “speedily eliminating racial discrimination throughout the world in all its forms and manifestations and of securing understanding of and respect for the dignity of the human person.” It also recognizes the “right to public health.” The United States does not frequently sign or ratify human rights treaties, but the U.S. signed CERD in 1966 and ratified it in 1994 and is therefore legally bound to it.
- **WHO Framework Convention on Tobacco Control (WHO FCTC)** – the first treaty negotiated under the auspices of the World Health Organization. The WHO FCTC is an evidence-based treaty that reaffirms the right of all people to the highest standard of health. The WHO FCTC was developed in response to the globalization of the tobacco epidemic.



## Successful Local Campaigns That Have Utilized International Mechanisms

**Cities for CEDAW** – CEDAW is another international human rights treaty (the Convention on the Elimination of all Forms of Discrimination Against Women). The Cities for CEDAW campaign is a grassroots effort that provides tools and leadership to empower local women’s organizations and municipalities and effectively initiate CEDAW within their city, county or state. Their resources are a great example for tobacco control advocacy.

## Menthol Legal Resources – U.S.

- **Citizen petition** – In 2013, twenty leading national organizations filed a formal Citizen Petition, urging the FDA to exercise its regulatory power, and to protect America’s health by prohibiting menthol as a characterizing flavoring in cigarettes.
- **Lawsuit against the FDA for menthol** – On June 17, 2020, the African American Tobacco Control Leadership Council (AATCLC) and Action on Smoking and Health (ASH) filed a joint complaint against the FDA, represented by Pollock Cohen, LLP. The complaint requests that the court compel the FDA to fulfill its mandate to take action on FDA’s own conclusions that it would benefit the public health to add menthol to the list of prohibited characterizing flavors and therefore ban it from sale. The complaint has now been joined by the American Medical Association and the National Medical Association.
- **Model Ordinance Restricting the Sale of Menthol Cigarettes and Other Flavored Tobacco Products** – There are numerous model laws for advocates to consider as they encourage new menthol laws in their jurisdictions. This one, from Changelab Solutions, is designed for California, but could be adjusted to fit any state or locality.





## Menthol Facts and Information

There are numerous articles and facts about the harms of menthol, targeted advertising to African Americans, and other relevant topics. This list is not meant to be exhaustive, but to highlight some useful resources.



- [Why Tobacco is a Racial Justice Issue](#) – Truth Initiative
- [Tobacco Disparities](#) – Centers for Disease Control and Prevention
- [Same Game Different Smokers](#) – African American Tobacco Control Leadership Council- A collection of archival ads and images that is an exploration of the troubling relationship the tobacco industry has had with the Black Community over the last 400+ years.

## Videos/Webinars



- [‘Black Lives / Black Lungs’](#) – a documentary that shows how menthol tobacco ended up in black communities.
- [The Impact of COVID-19 on the African American Community](#) – a webinar hosted by ASH and the African American Tobacco Control Leadership Council (AATCLC), Speakers: Carol McGruder (Co-Chair of AATCLC), Dr. Carla Williams (Interim President of the Howard University Cancer Center), Natasha Phelps (Lead Senior Staff Attorney at the Public Health Law Center) and Kelsey Romeo-Stuppy (Managing Attorney at ASH).
- [Black Lives Must Breathe](#) – a webinar hosted by the D.C. Tobacco Free Coalition during D.C. Calls it Quits Week.

## General Human Rights Resources

[ASH’s Tobacco and Human Rights Hub](#) – a living repository of human rights resources to assist our allies in taking a human rights approach.

