

## **THE TOBACCO LAW CENTER AND INTERNATIONAL TOBACCO CONTROL**

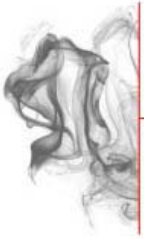
The Tobacco Law Center, a legal resource center at William Mitchell College of Law in St. Paul, Minnesota, works to improve tobacco control laws and policies at the local, national, and international levels. Through legal research, policy development and analysis, training, individualized technical assistance and strategic consulting, the Center helps policymakers, NGOs, advocates and health professionals address legal issues. Its expert staff and specialized consultants offer a breadth of legal and policy expertise to help global leaders strengthen tobacco control programs and policies. Through grants, contracts for service and collaboration with partners, we combine scholarly research with practical experience to design innovative strategies for effective tobacco control.

### **THE FRAMEWORK CONVENTION ON TOBACCO CONTROL**

The Tobacco Law Center participated actively in the three-year negotiation of the world's first public health treaty, the landmark Framework Convention on Tobacco Control. At public hearings before the treaty negotiations began, we offered testimony on behalf of Minnesota-based NGOs. Representing the American Lung Association and the International Union Against Tuberculosis and Lung Disease, we then helped a global coalition of NGOs press successfully for a strong treaty. Through six rounds of negotiations, we helped monitor treaty progress, prepared educational materials, conducted informational briefings for delegates, developed alternative treaty language, presented formal statements and pushed continually to raise the treaty's standards. As a member of the Framework Convention Alliance, the global confederation of 200 non-profit organizations forged in the treaty process, we continue to work for the prompt ratification of the treaty worldwide, and for its effective implementation.

### **LEGISLATION AND POLICY**

The Tobacco Law Center assists advocates and policymakers across the United States in developing legislation for effective tobacco control, developing model legislation and providing individualized drafting and strategic assistance. Based on this experience, the Center's Director was asked by the World Health Organization to edit the WHO's new handbook on tobacco control legislation. This practical publication, *Tobacco Control Legislation: An Introductory Guide* (2003), gives health officials and others the tools to develop the legislative measures required by the FCTC, and is a centerpiece of the new series of national capacity-building manuals being developed by the WHO to support implementation of the Framework Convention.



## **LITIGATION**

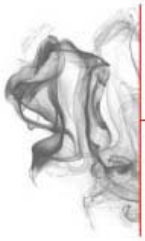
Today, the Tobacco Law Center helps officials defend successful tobacco control laws when they are challenged in court. In the 1990s, as a former Assistant Attorney General of Minnesota, the Center's Director played a key role in the historic Minnesota tobacco litigation that made public more than 30 million pages of long-secret tobacco industry documents — documents that continue to yield startling new evidence about the activities of the tobacco industry in every corner of the world. Based on this experience, we were invited by the WHO to participate in a 2001 consultation of experts in Amman, Jordan, on the role of litigation and public investigations in the global tobacco control strategies. Following this consultation, our Director was invited to prepare the WHO's monograph on the subject. This report, [Towards Health With Justice: Litigation and Public Inquiries as Tools for Tobacco Control](#) (WHO, 2002) summarizes litigation experience in the United States, examines the surprising range of innovative litigation in other countries, and explores the choices and decisions confronting any country contemplating litigation as a tool for reducing tobacco use or controlling tobacco company misconduct. The Center serves as a consultant on the lessons learned from litigation in the United States and the application of those lessons to other legal systems. We presented on this subject most recently at the World Conference on Tobacco or Health in Helsinki in 2003.

## **TRAINING AND CAPACITY BUILDING**

The Tobacco Law Center is able to provide training on policy development, legislative strategy and process, litigation, and other legal and policy issues. During the course of the Framework Convention negotiations, we participated with others in the Framework Convention Alliance of NGOs, for example, in conducting formal briefings for delegates on such topics as tobacco industry efforts to subvert the regulation of secondhand smoke. In March of 2004, we were asked to participate in a capacity building workshop for officials of the former Soviet republics, the Commonwealth of Independent States, in Minsk, Belarus, where we delivered a presentation on the essential elements of comprehensive tobacco control legislation.

## **LEGAL RESEARCH**

Through contracts for services or grants, the Tobacco Law Center is able to provide tailored legal research to address specific legal issues confronting international organizations. In 2002, for example, we assisted the London School of Hygiene and Tropical Medicine and other organizations in exploring options for improving worldwide access to tobacco industry documents held in the British American Tobacco Company's Guildford depository in the United Kingdom. Here in the United States, we have prepared a study of the legal issues involved in regulating the sale of tobacco products over the internet, an issue with clear global ramifications.



## **DOCUMENT RESEARCH**

The Tobacco Law Center is able to conduct focused research to identify and analyze information buried in the mountain of tobacco industry documents unearthed in the Minnesota tobacco litigation. The Center's Director served as a consultant to the blue ribbon Committee of Experts appointed by the Director-General of the World Health Organization to investigate tobacco industry efforts to interfere with the WHO's health initiatives, assisting in the drafting and editing of the Committee's influential report and the development of the Committee's policy proposals. [Tobacco Company Strategies to Undermine Tobacco Control Activities at the World Health Organization](#), Report of the Committee of Experts on Tobacco Industry Documents (2000).

## **TOBACCO CONTROL AND INTERNATIONAL HUMAN RIGHTS**

The Tobacco Law Center has begun considering the possible application of international human rights norms and instruments to tobacco control, and is interested in examining this area in greater depth. We participated in an international panel presentation on this subject at the World Conference on Tobacco or Health in Helsinki in August 2004.

## **CONTACT INFORMATION**

**D. Douglas Blanke, Director**  
**[dblanke@wmitchell.edu](mailto:dblanke@wmitchell.edu)**  
**Tel: (651)-290-7520**  
**Fax: (651)-290-7515**  
**875 Summit Avenue**  
**St. Paul, MN, USA 55105-3076**  
**Web site: [www.tobaccolawcenter.org](http://www.tobaccolawcenter.org)**