

Call for Abstracts

Law and Noncommunicable Diseases: *The crosscutting role of law in NCD control and regulating risk factors*

The global rise of chronic non-communicable diseases (NCDs), such as cancer, heart diseases, and diabetes, is one of the main concerns of global health. The World Health Organization estimates that in 2012, NCDs were responsible for the deaths of 38 million people (68% of deaths globally).¹ In the 2016 Sustainable Development Goals (SDGs), the international community has vested itself with the target to, 'by 2030, reduce by one third premature mortality from NCDs through prevention and treatment'. Indeed, SDG 3 for Health includes a range of specific targets relevant to reducing the global non-communicable disease crisis by requiring the adoption of adequate prevention and health promotion mechanisms. NCDs have been linked by the WHO to four 'modifiable behavioral risk factors' that enhance the incidence of these diseases: tobacco use, unhealthy diet, physical inactivity and harmful use of alcohol. These risk factors are responsible for over 40% of NCD attributable mortality.² Hence, adequate NCD prevention and control necessitates the regulation of these modifiable risk factors. Law has a crosscutting role in NCD prevention and regulating NCD-related risk factors. For example, law provides for normative standards for the nature, content, and scope of binding and non-binding regulation, it is a tool to ensure accountability, and it empowers those affected by the NCD crisis with rights claims primarily against governments. The experience with international and domestic tobacco control shows the importance of a strong legal framework on prevention and regulating specific risk factors. The WHO Framework Convention on Tobacco Control (FCTC) is unique and together with its domestic counterparts it has significantly contributed to turning around the global negative health and developmental consequences associated with all aspects of tobacco. However, the current state of laws for NCD control raises concerns. Not just in the area of food and alcohol regulation, but also in relation to tobacco control. Hence, further debate into the role, success, and pitfalls of the law in NCD prevention and regulating its risk factors is much needed. This debate not only requires a reflection on the content of the law but also to appreciate that the power of law is not just determined by the law itself. Discussing law and NCD control needs to address issues like the political will to adopt, implement, and enforce law, governance structures, the necessity of binding or non-binding rules, and the socio-legal and socio-medical context that

¹ See World Health Organization, 'Global Status Report on Noncommunicable Diseases 2014'. Available at <http://www.who.int/nmh/publications/ncd-status-report-2014/en/>. See also B. Toebes et al, 'Curbing the lifestyle disease pandemic: making progress on an interdisciplinary research agenda for law and policy interventions', 17(5) BMC International Health and Human Rights (2017).

² WHO: Global Status Report on Noncommunicable Diseases 2014. <http://www.who.int/nmh/publications/ncd-status-report-2014/en/> (2014).



determines the effectiveness of a law in practice. Against this multifaceted background, in which law is not just the baseline but rather the red line of the debate, this conference aims to distill and discuss the (future) role of law in NCD control. As opposed to a more traditional clustered method, where tobacco, alcohol, and unhealthy diets are considered separately, this conference approaches the role and potential of the law in a crosscutting manner in **four different tracks**.

- **Track 1: Recent developments and tensions in NCD laws**

Many recent developments in the control of NCDs raise legal concerns and perhaps even lead to tensions in the law. Examples include the regulation of e-cigarettes, high sugary drinks and energy-drinks, but also ongoing discussions on the links between human rights law, public health, and international economic law in light of plain packaging and food labeling. The aim of this track is to discuss the role of law in recent developments in NCD control in a broad sense and focus specifically on the (potential) tensions and legal challenges these recent developments may give rise to or continue to give rise to.

This track is open to abstracts that focus on any topic related to the central purpose. The organizers particularly welcome abstracts on topics relating to:

- Human rights/health law and the regulation of behavioral risk factors in general;
- Links and tensions between human rights, public health, and trade law in specific aspects of NCD control;
- Regulation of e-cigarettes (protection of children and alternative treatment), smoking, alcohol use and fast-food consumption in movies;
- Recent domestic and regional developments in regulating alcohol and (un)healthy diets.

- **Track 2: Scaling up: regulation of all risk factors and lessons learned from tobacco control**

The current level of (international) tobacco control reflects the most unified approach to counter its associated negative health consequences. Yet, alcohol and food regulation are largely domestic, scattered, and lack a comprehensive international regulatory framework. In the scaling up of the regulation of all risk factors, it is desirable to take inventory of the lessons learned (both success and pitfalls) on tobacco control and its implications for other NCD risk factors. This requires reflection on the desirability of legally binding instruments and on which processes are at the grassroots of the success of, for instance, the WHO FCTC. Taking tobacco as a starting point, the aim of this track is to reflect on the potential of scaling up NCD law and policy for all risk factors.

This track is open to abstracts that focus on any topic related to the central purpose. The organizers particularly welcome abstracts on topics relating to:

- (Existing) alcohol and food regulation and its potential for international and domestic regulation;
- (Existing) domestic tobacco control initiatives to continue to scale up tobacco control (e.g. smoke-free generations);
- Indoor/outdoor pollution as relevant to the NCD crisis;
- Impact and regulation of lobbying;
- Links between law and science as relevant to NCD regulation.

- **Track 3: Translational law and policy: the effectiveness of NCD interventions**

The effectiveness of NCD law and policy interventions remains subject to ongoing research and debate. For example, research demonstrates, that implementing tobacco control laws has a positive impact on perinatal health.³ However, the assessment of the effectiveness requires the ability to measure the health effects of law and policy and to attribute these to the policy intervention is no easy feat. Doing so requires meticulous methods and sound data. Subsequently, even when policy has a proven effect on health, it may struggle to overcome structural health inequalities when it fails to produce these effects in hard to reach groups. This is problematic given the contribution of key social determinants to the NCD crisis. The health potential of law and policy largely depend on effective implementation and enforcement, which can be difficult to achieve considering that law and policy are, to a large extent, abstract in nature. Indeed, is law always capable of bringing about the social change (i.e. health impact) that it is envisioned to do? The aim of this track is to expand on the idea of ‘translational policy’ and to discuss current research into the effectiveness of law and policy. This track particularly aims to focus on the parameters for law and policy success in terms of health impact and ‘human rights proof’ health interventions and how to measure them. At the same time, the ambition is to address those topics that may lead to ongoing constraints such as health inequalities and social determinants of health in relation to the effectiveness of NCD interventions.

This track is open to abstracts that focus on any topic related to the central purpose. The organizers particularly welcome abstracts on topics relating to:

- Socio-legal and economic aspects of the effectiveness of lifestyle regulation;
- Effective law and policy approaches to child protection in the tobacco supply chain;
- Aspects of governance and NCD laws and policy in light of their effectiveness;
- Interplay between law and the behavioral sciences in relation to tobacco, alcohol, and food regulation.
- Approaches for engaging policy-makers and legislators in translating research findings into evidence-based and ‘human rights proof’ policy and practices in relation to all risk factors;
- Domestic tobacco, food and alcohol control implementation and enforcement;
- Relationship between binding and non-binding methods of governance to tackle health issues and influence behavior in relation to tobacco, alcohol, and food regulation;

- **Track 4: Slippery slope and the legitimacy and possible limits of NCD laws**

(International) tobacco control standards and regulation of food and alcohol are much focused on regulation in the public sphere. On the contrary, medical research demonstrates in particular children are most vulnerable to tobacco-related harm in private settings and healthy food options depends on ‘good parenting’. Moreover, regulating towards safe levels of alcohol consumption, tobacco, health diets, and tobacco control largely impact on privacy and autonomy. Indeed, NCD laws and policies remain to raise questions of a ‘slippery slope’ and raise issues around the legitimacy and possible limits of NCD laws. The aim of this track is to reflect on the slippery slope of lifestyle regulation and to distill those aspects that determine the legitimacy and possible limits of NCD laws such as the divide between regulation in the public and private sphere.

³ Jasper V. Been et al., *Effect of smoke-free legislation on perinatal and child health: a systematic review and meta-analysis*, 383 LANCET 1549 (2014).

This track is open to abstracts that focus on any topic related to the central purpose. The organizers particularly welcome abstracts on topics relating to:

- The legitimacy of behavioral health measures and possible ethical constraints, such as rights, anti-paternalism and autonomy, and the slippery slope of lifestyle regulation;
- Questions of fairness, justice, and human rights in the assessment of the NCD burden and the burdens and benefits associated with measures addressing NCDs;
- The legitimacy of the role of the government in preventive care;
- The role of private actors (industries and retail) in combatting the NCD crisis;
- The role of law in protecting children in light of their incremental development;

Target audience and disciplines

The target audience includes law and policymakers, civil society and practitioners and academia. While the role of law is central and overarching discipline, this conference is open to a range of other disciplines that may inform (health) law. See for a non-exhaustive list below:

Law

(international, regional, domestic) Human rights law
(international, EU and domestic) Health law
Law and sociology, ethics, economics
Legal theory and philosophy of law
International relations and governance

Sciences

Medicine
Behavioral sciences
Health sciences
Health economics

Abstract submission and guidelines

- Abstracts must include **original ongoing or new research**
- Abstracts must be submitted by using the [abstract form](#).
- Selected abstracts must be presented by the author(s) who submit(ted) the abstract.
- Abstracts can address any topic relevant to law and NCDs as long as it is **linked to the four tracks (please indicate on the abstract form to which track you submit your abstract)**. *The organizers particularly welcome contributions on the topics indicated per track.*
- There will be **panel sessions** and **poster presentations**. Please indicate on the abstract form which has your preference. *NB: Oral presentations will be 15 minutes. Poster presentations will have to follow the specific format communicated at the abstract notification.*
- Some abstracts will be selected and published as full papers. Indicate in the abstract form whether you would like to publish your abstract.

Conference output

The organizers aim to secure various ways of conference output. For instance, some speakers will publish in the edited book *“Human Rights and Tobacco Control”*. Participants may also be invited to develop their abstracts into full papers to be published in:



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- **Special Issue with BMC International Health and Human Rights on “[Curbing the lifestyle disease pandemic: engaging in a transdisciplinary research agenda for effective interventions](#)”**
- **Brill Open Law Special Issue on “International Law for the Sustainable Development Goals”** (click [here](#) for more info).

NB: *The Brill Open Law Special Issue on “International Law for the Sustainable Development Goals” is particularly interesting for those working on topics similar to the joint event on Friday 1 June on international law, the Sustainable Development Goals (SDGs), and the role of industries in the NCDs crisis, but may also appeal to others working on themes discussed in this conference including an international law and SDGs angle to it. **This is an open call and the editors accept papers on a rolling basis. The final deadline for paper submission to the Brill Open Law Special Issue is 28 June 2018.***

Important dates and information

To assure a broad international and national exchange, we cordially invite you to submit your abstracts. Please look at our detailed call for abstracts including four different tracks and take note of the important dates and information below:

- Abstract submission by **7 April 2018**.
- Abstract notification by **21 April 2018**.
- Registration open by **1 March 2018**. NB: *Spaces are limited; registrations are accepted on a first-come first-in basis*
- Limited travel grants are available for early career researchers working on law and tobacco control. NB: *Please send a short CV including publications and short motivation letter to esnlt@rug.nl when you submit your abstract and indicate: Travel grant/fee waiver in the subject line.*
- Depending on the number of abstracts, we might organize a **PhD Seminar** on Wednesday 30 May 2018.
- To facilitate in **accommodation**, we are currently organizing a conference discount with various hotels in Groningen. More information follows soon on our conference webpage.

Organizing team

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