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# TOBACCO CONTROL: WHAT'S NEXT?

SPECIAL REPORT | MAR. - APR. 2019  
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*Tobacco consumption is the most significant cause of premature death in the EU, according to the European Commission, causing nearly 700,000 casualties every year.*

*The number of smokers in the EU is still high, despite progress made with the Tobacco Product Directive. As of today, 26% of the overall population and 29% of young Europeans aged 15-24 are regular smokers.*

*Public health activists believe the fight against tobacco should become a human right cause.*

*For this reason, Romanian President Klaus Iohannis will host on 26 March a Global Forum on Human Rights and a Tobacco-Free World, organised in Romania by the European Network for Smoking and Tobacco Prevention (ENSP) and the Action on Smoking & Health (ASH).*

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# Public health activists say eradicating tobacco must be a human right

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By Sarantis Michalopoulos | EURACTIV.com



On 26 March, a Global Forum on Human Rights and a Tobacco-Free World will be organised in Romania by the European Network for Smoking and Tobacco Prevention (ENSP), ASH and hosted by Romanian President Klaus Iohannis. [Shutterstock]

**H**alting the spread of tobacco “epidemic” worldwide is a human right which global leaders should recognise as such and take particular measures in this direction, public health activists told EURACTIV.com ahead of two anti-tobacco conferences in Bucharest next week.

“The tobacco industry floods countries with an addictive and lethal

product, cigarettes, which kill over seven million people per year,” said Laurent Huber, director of the US Action on Smoking & Health (ASH) organisation.

“For this reason, the global health community and some human rights agencies recognise that the tobacco industry violates the rights to life and health and undermines many other rights including children’s rights and women rights,” he added.

On 26 March, a Global Forum on Human Rights and a Tobacco-Free World will be organised in Romania by the European Network for Smoking and Tobacco Prevention (ENSP), ASH and hosted by Romanian President Klaus Iohannis. In addition, on 27-29 March ENSP will organise its 4th International Conference on Tobacco Control together with the Romanian

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Society of Pneumology.

Both conferences aim to bring together global leaders in health and human rights in order to coordinate the fight against tobacco and upgrade it to the level of a human right.

“The nexus between tobacco control and recognised human rights is clear, particularly in the case of the rights to health and life recognised in numerous human rights treaties and national constitutions, but encompassing many other rights as well,” the organisers said in a statement.

“Human rights norms and obligations can be powerful tools to combat tobacco industry interference in policy-making and litigation,” they added.

They cited as an example the FCTC (Framework Convention on Tobacco Control) Article 8 on protecting people from exposure to secondhand smoke. They said it’s intrinsically linked to the rights to life, health and a healthy environment.

“By extension, further integration with human rights processes does not create new state obligations”.

In terms of regulation globally, countries have signed the World Health Organisation’s FCTC. At the EU level, the member states have adopted a Tobacco Product Directive (TPD), whose latest version has strengthened rules against tobacco smoking and advertising.

“To live up to their human rights obligations, governments have a duty to protect the rights of their citizens by accelerating the full implementation of the WHO FCTC including Art 2.1 which encourages countries to implement measures beyond the treaty to better protect human health,” Huber explained.

For Huber, measures such as tobacco taxation or advertising bans are steps in the right direction but are not enough.

“Governments should also consider phasing out the sale of commercial cigarettes within a reasonable period of time and not allow the tobacco industry to hijack the ‘smoke-free future’ debate,” he added.

### INDUSTRY HIDING BEHIND NEXT-GENERATION PRODUCTS

Public health activists believe that following the increasing global push against smoking, the tobacco industry has now changed its rhetoric and turned to electronic cigarettes and other novel tobacco products as alternatives to traditional smoking.

Advocates of the so-called “next generation products” insist they are much less harmful than smoking, considering that they are non-tobacco products that can deliver nicotine to smokers. They also refer to studies that say these products can help smokers kick the habit completely.

“While it has now become universally accepted within the EU that harm reduction is a necessary and effective approach in reducing the adverse health consequences of recreational drug use, there is a lot of resistance in accepting a similar approach for smoking,” Dr Konstantinos Farsalinos and Dr Konstantinos Poulas from the department of pharmacy at the University of Patras in Greece recently said.

But the European Commission and the WHO do not share this view. Particularly, the EU executive has even compared electronic cigarettes to poison and, for this reason, has been accused of ignoring science on the matter.

ENSP Secretary-General Cornel Radu Loghin said now was the time to accelerate tobacco control, especially at a time when the tobacco industry is attacking governments with litigation threats and aggressive promotion for their novel tobacco products.

“We hope to set Romania as the European capital for tobacco control and show the world that if political commitment and support can be generated here in Romania, then it can be done in any country, whether it is within a high- or low-income economy, whether it is an EU member state or not,” he added.

# EU health chief: Next Commission will strengthen tobacco rules

By Sarantis Michalopoulos | EURACTIV.com



Vytenis Andriukaitis: "I can organise a guide to an oncological department to see what they are doing because they've never been there. The industry never understood the suffering of people. Especially, if you have cancer patients in front of you." [Sarantis Michalopoulos]

The next European Commission will propose strengthening tobacco regulations, based on a report showing how the Tobacco Product Directive (TPD) works in practice, the EU Commissioner responsible for health, Vytenis Andriukaitis, told EURACTIV.com in an interview.

"We have two issues: one is to collect information about electronic cigarettes but also different novel tobacco products. They will have a lot of work to do. They need to show how the TPD works in reality and

explore possibilities to improve it," Andriukaitis said.

The EU official, who recently announced he would run for Lithuania's presidency, lashed out against the tobacco industry saying that it has not realised the damage it has caused.

"I can organise a guide to an oncological department to see what they are doing because they've never been there. They never understood the suffering of people. Especially if you have cancer patients in front of you," he said.

Arūnas Vinčiūnas, the head of

Andriukaitis's cabinet, came under fire recently for comparing electronic cigarettes to "poison" but Andriukaitis dismissed those criticisms.

"It would be strange if the industry did not accuse the head of my cabinet. I'd be surprised," he said.

"My question to the industry is the following: is it harmful or not to smoke? Does it cause cancer or not? Harm is harm. No matter if it's less or more," he added.

Andriukaitis said tobacco was an "accidental product" in Europe as no

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one on the continent smoked before Columbus brought it here. He said nicotine was a completely different issue compared to alcohol, whose consumption indeed needs to be controlled, but alcohol has had 10,000 years of culture in the continent.

Contrary to the EU executive and the World Health Organisation's strict approach, the tobacco industry claims that vaping is a good way to replace smoking and eventually quit, and should, therefore, be encouraged.

Andriukaitis insisted it was better to use smoking cessation aid such as Nicorette. He added that if there was a real possibility to help heavy smokers kick the habit with the help of electronic cigarettes, then a specific methodology should be followed.

"If one uses electronic cigarettes as a method to stop smoking, it has to be managed by medical doctors and specialists, to be sold in pharmacies and not in supermarkets."

"But in reality, you see a different picture. The industry proposes dangerous products and they use different loopholes in the directive. And they use different advocates to say they are less harmful. Young adolescents who have never smoked before try to smoke electronic cigarettes. It's ridiculous," Andriukaitis said.

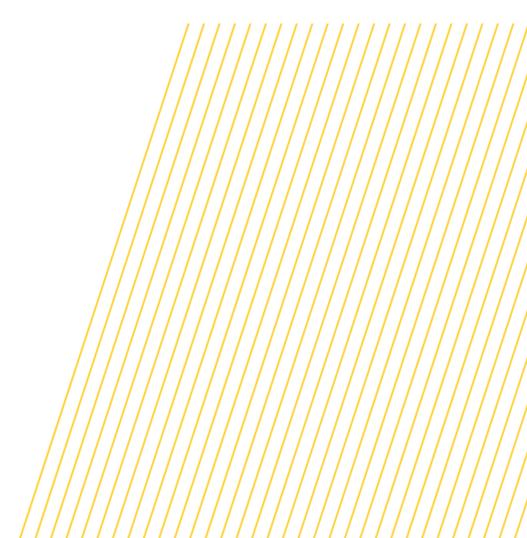
## TOBACCO FIGHT AS A HUMAN RIGHT

The debate over tobacco control in Europe is expected to heat up next week, as public health and human rights activists are organising a series of events in Bucharest with the aim to advocate the fight against tobacco as a fundamental right.

On 26 March, a Global Forum on Human Rights and a Tobacco-Free World will be organised in Romania by the European Network for Smoking and Tobacco Prevention (ENSP), ASH and hosted by Romanian President Klaus Iohannis. In addition, on 27-29 March, ENSP will organise its 4th International Conference on Tobacco Control together with the Romanian Society of Pneumology.

Andriukaitis, who will participate in the conferences, said the right to health was fundamental.

"It's introduced in the Lisbon Treaty and all our policies should keep in mind that people's health needs to be protected. It's a fundamental right to protect children from risk factors and implement child rights conventions signed by countries worldwide," the EU Commissioner said.



# Individual action against smoking is not enough, Romanian president says

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By Sarantis Michalopoulos | EURACTIV.com



Romanian President Klaus Iohannis [R] pictured with EU Health Commissioner Vytenis Andriukaitis [L]. [Photo: Sarantis Michalopoulos]

Romanian President Klaus Iohannis accused the country's socialist government on Tuesday (26 March) of failing to inform citizens about tobacco-related risks and ignoring prevention as a tool against smoking. EURACTIV.com reports from Bucharest.

Addressing a Global Forum on Human Rights and a Tobacco-Free World in Romania, Klaus said an

increasing number of Romanian citizens now understand that they need to have a healthy lifestyle and be up to date regarding the impact of harmful habits such as smoking.

"The individual responsibility, though, needs to be accompanied by the responsibility of the authorities. Unfortunately, the current government has failed to encourage prevention," Iohannis told the forum, organised by the European Network

for Smoking and Tobacco Prevention (ENSP) and the US Action on Smoking & Health (ASH).

"For them, this is not a priority. Despite the promises the politicians made, I don't see any efficient information campaigns that would explain the tobacco risks to the people," he added.

The Romanian head of state added

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that there was an overall problem of ignoring prevention in the country's healthcare system and stressed that the health of current and future generations should be above any short-term electoral objectives.

"Even though the results of the prevention are not obvious immediately they do generate benefits in the long run [...] the children should be aware of what prevention means and encourage them to healthy habits."

Iohannis, who is known for his anti-tobacco activity, said Romania's decision to ban smoking in closed public areas was "mature and responsible" and put Romania in the company of other countries that are concerned about the risks of tobacco.

He said Romania had become a role model for the neighbouring Republic of Moldova, which also imposed a smoking ban in enclosed public places in May 2016.

"Our country ratified the WHO Framework Convention on Tobacco Control (FCTC) in 2005 as we know that smoking is an important factor of pulmonary cancer and cardiovascular diseases. Tobacco control policies are extremely important in order to protect the right to health and, therefore, our role becomes fundamental," Iohannis added.

## A HUMAN RIGHT

The conference aims to bring together global leaders in health and human rights in order to coordinate the fight against tobacco and upgrade it to the level of a human right.

EU Health Commissioner Vytenis Andriukaitis said FCTC was a remarkable international tool that tackles tobacco control in a comprehensive manner and is grounded in human rights.

"If we can implement the FCTC at regional and country level, we will take a giant step towards preventing and controlling non-communicable diseases like lung cancer and cardiovascular disease," the EU official said.

Andriukaitis said there was already strict regulation in place but some EU countries, such as the UK and France, have gone further by introducing plain packaging.

The Lithuanian politician added that new products such as heated tobacco and electronic cigarettes are a particular challenge.

"The market share of these products is rapidly growing and I am worried that some of these are especially attractive to young people."

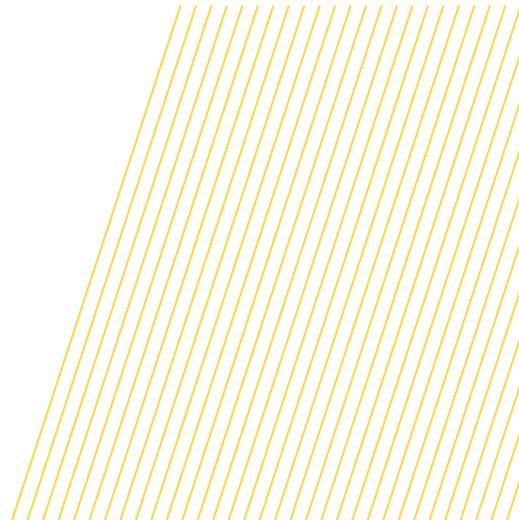
"We cannot allow these new products to circumvent our existing tobacco control measures, such as smoke-free environments or

comprehensive bans on advertising, promotion and sponsorship," Andriukaitis said.

Speaking on the sidelines of the event, Laurent Huber, ASH's director, told EURACTIV that the main challenge is the tobacco industry itself.

"It's motivated by economic objectives and not public health and at the country level, it often targets finances ministers and other sectors," he said.

"We need to convince the governments that it's up to them to take the control, not the industry, and impose a timeline to assess the impact on human rights of tobacco products," Huber added.



# WHO official: With e-cigarettes, the tobacco industry just 'changed clothes'

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By Sarantis Michalopoulos | EURACTIV.com



Da Costa: "If you allow these products to bypass the tobacco rules, then they will be allowed in public places and this will help re-normalise and re-socialise the tobacco use. This is a big consequence for the public health." [Photo: Sarantis Michalopoulos]

In an interview with EURACTIV.com, Dr Vera Luiza da Costa, the head of secretariat of the WHO Framework Convention on Tobacco Control (FCTC), has criticised the tobacco industry, saying that with its push for electronic cigarettes the trade "just changed clothes while the content remains the same."

FCTC is a United Nations tobacco control treaty which entered into force in 2005 and has been ratified by 181 countries across the world.

Speaking on the sidelines of the

fourth International Conference on Tobacco Control in Bucharest, Dr Da Costa talked about the progress of the treaty's implementation and highlighted the challenges that lie ahead.

## EMPTY ARGUMENTS

Referring to electronic cigarettes and other novel tobacco products, Dr Da Costa said they only allowed the tobacco industry to change clothes. "It now has a new outfit but the content is zero again. The impact on adolescents

is huge and on young people in general. See what is happening in the US," she said.

She added that the tobacco industry just wants to improve its image and sit around the table as a partner. "But in reality, the tobacco industry objectives and the public health goals are irreconcilable."

"They now say they want to leave the cigarettes market. This might be a good argument for the European developed countries but in fact, their

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promotion is even more aggressive in the developing world, in Asia, Africa and Latin America countries. So, it's an empty argument."

"The discussion about harm reduction and their argumentation is opportunistic as the scientific community is pretty much divided over the potential harm reduction these products could cause," she warned.

She added that there was common scientific ground that young people who had never had access to nicotine products before should not start taking up electronic nicotine delivery systems.

"This is what we are seeing happening around the world."

"How can you frame the discussion about harm reduction toward children, who are not exposed to any harm because they are not smokers? They promote a product that has the appeal of harm reduction but it ultimately harms children and adolescents and leads them to one of the drugs that causes the highest dependence worldwide, nicotine."

She added that governments should prohibit or regulate any of these products that come to the markets.

Referring to the UK, she said it was making an attempt to use electronic cigarettes as a potential means to assist persistent smokers who have not been able to quit.

"But what is going to happen in the long-term is still to be seen. It's a country that has a very good regulatory and monitoring framework and calculates the progress and eventually changes the process to it."

"Comparing the UK with a developing country, which has not implemented the provisions of the treaty, it has a low rate of smokers and then you bring electronic cigarettes: To reduce what harm? They are going to bring additional harm to the country

in this case."

She said if countries don't want to ban such products then they should at least regulate them based on the precautionary principle "to avoid misleading disclaimers and the product promotion to children."

"If you allow these products to bypass the tobacco rules, then they will be allowed in public places and this will help re-normalise and re-socialise the tobacco use. This is a big consequence for public health," she warned.

### THE TREATY IMPLEMENTATION

The treaty is composed of demand reduction measures, such as taxes and pictorial warnings, and supply reduction measures.

She said Article 8 on smoking bans in enclosed public places is the most widely implemented. On the contrary, countries are lagging behind when it comes to Article 17, which is related to alternative livelihoods for tobacco growing.

"As you move on with the demand reduction measures, the demand decreases and it's expected that the supply will decrease too in the medium-term. The demand decreases so you don't need to produce as much," Dr Da Costa said.

According to the WHO official, the tobacco industry should be liable for the damage it causes. "There are a number of governments which file lawsuits against the tobacco industry and ask for compensation for the healthcare costs the tobacco industry is responsible for," she said.

She added that there were also governments, which have adopted a more indirect approach, earmarking part of the tobacco taxes to public health initiatives and tobacco control.

"The tobacco companies should pay for the costs they oblige governments to take," she said.

### TAXATION DECREASES CONSUMPTION

She said there were numerous examples across the world where higher taxation has resulted in reduced consumption of tobacco products.

According to Dr Da Costa, taxation is one of the provisions of the treaty which has immediate effects because "once the costs increase, there is an automatic reduction in consumption, especially among young people and lower economic classes."

Referring to the tobacco industry argument that taxation leads to an increase of illicit trade, she said they were only using this argument to "kill" taxation and urged countries across the world to continue increasing tobacco taxation.

"In Brazil, the government has already reduced taxation, reducing the revenues as well, but the illicit tobacco trade has not decreased. Then they increased taxation, which immediately decreased consumption, increased revenues but the illicit trade continued the same," she said.

She also cited the example of Norway, where taxation decreased consumption without increasing illicit tobacco trade.

"The illicit tobacco trade has other aspects involved. It's tightly linked to corruption, criminality, border controls etc."

"With every provision of this treaty, the tobacco industry comes up with the illicit tobacco trade argument. And at the end of the day, the tobacco industry is responsible for the illicit trade itself. It uses it to open up to new markets, to test new products in markets where they have no official presence," she said.

# Smoking is slavery and against human rights, activists say

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By Sarantis Michalopoulos | EURACTIV.com



Francisco Rodríguez Lozano, president of the European Network for Smoking and Tobacco Prevention (ENSP). [Photo by Sarantis Michalopoulos]

**S**moking is a form of slavery and is completely incompatible with widely recognised human rights, activists against smoking have said. They also criticised the so-called novel tobacco products for muddying the waters with the claims of being “much less harmful”. EURACTIV.com reports from Bucharest.

“I am absolutely convinced that smoking is slavery and it goes against the human right for life and health. We should engage our work with activists in the human health field,” Francisco Rodríguez Lozano, president

of the European Network for Smoking and Tobacco Prevention (ENSP) told EURACTIV.

On 27-29 March, ENSP organised its 4th International Conference on Tobacco Control in Bucharest, together with the Romanian Society of Pneumology.

The organisers brought together a number of experts in public health, as well as human rights activists, with an aim to upgrade the fight against tobacco to a human right and in particular, to the right to life.

Lozano said statistics showed that people with access to education and

more information tend to smoke less compared to people who do not have the right to education and belong to low economic-social classes. “This something we should tackle,” Lozano said.

In a statement, ENSP said the participants recognised the value of combining efforts of the human rights and tobacco control communities to put an end to the widespread use of tobacco.

“We agree that the manufacture, marketing and sale of tobacco are

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incompatible with human rights, in particular, the right to health, the rights of children and women, the right to development, and the right to a healthy environment," ENSP said.

It called on activists worldwide to use the full range of human rights mechanisms to hold governments to account and enforce effective tobacco control activities.

## ELECTRONIC CIGARETTES

Citing the US as an example of potential risks, he said JUUL, an electronic cigarette, has become epidemic there and will soon reach Europe.

"It's said it's going to start in Spain in autumn. It's a very trendy electronic cigarette with a large dose of nicotine; however, with the Tobacco Product Directive (TPD) in Europe, they will have to make changes in Europe."

Referring to "Heat-not-burn" products, which the tobacco industry says are 95% less harmful compared to traditional smoking, he said this changes nothing, considering that harm is still there.

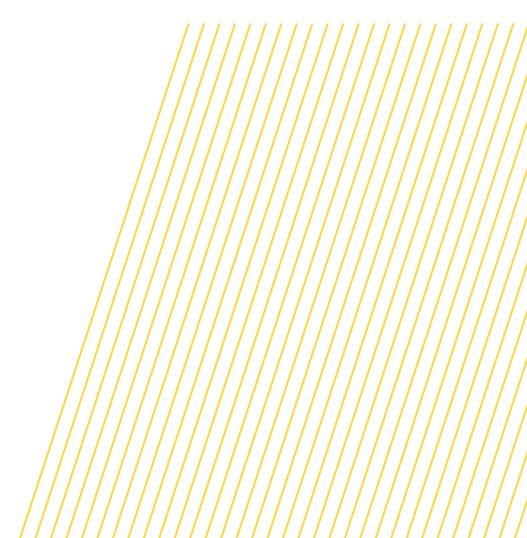
"They say heated tobacco is 95% less harmful, toxic and that only 5% is bad [...] they attribute all the problems to tobacco as most cancers are caused by smoking tobacco."

"However, only 30% of those who consume tobacco die from cancer, while 65% die from cardiovascular and respiratory problems. Nicotine is behind many of these problems," Lozano said.

Lozano added that another problem created by novel tobacco products is the fact that they discourage people who wish to make an effort and get rid of smoking entirely.

"With these novel tobacco products, they'll still be hooked to nicotine and they'll not make the strong effort to fully quit," he concluded.

EURACTIV also interviewed Dr Vera Luiza da Costa, the head of Secretariat of the World Health Organisation Framework Convention on Tobacco Control (FCTC). She criticised the tobacco industry, saying that with its push for electronic cigarettes the trade "just changed clothes while the content remains the same."





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