

The Limassol recommendations to obtain comprehensive smoke-free legislation

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Introduction

These are key recommendations which are mainly based on research findings and the experience of successful countries like Ireland, Norway and Italy. These recommendations should be relevant to most circumstances. However, going smoke free is affected by local political, social and economic circumstances, which might need an adaptation at the local or national level.

1) Our main scientific argument is the proven danger of passive smoking

Smoke free legislation is health and safety legislation. The scientific evidence establishes that tobacco smoke causes disease, disability, and death to those exposed - both smokers and non smokers. The World Health Organisation "*International Agency for Research on Cancer*" identifies passive smoking as a cause of lung cancer, and classifies second-hand smoke as a human carcinogen. Article 8 of the WHO Framework Convention on Tobacco Control (FCTC), which was adopted unanimously by 192 countries in May 2003, recognizes that scientific evidence has unequivocally established that exposure to tobacco smoke causes death, disease and disability. Our guiding principle is the right of every one to work in a healthy work environment. Support of the public health community is vital and the backing of the workers unions in the hospitality industry can also be crucial. An awareness campaign on the danger of passive smoking is recommended. Ventilation can not be considered as an option to resolve the health problems caused by second hand smoke.

2) Our most convincing argument in the political debate is the overwhelming success of the implementation of comprehensive smoke free legislation in Ireland, Norway and Italy

In all three countries support for the law has increased after its introduction. Research in Ireland has indicated that 93% of people think the introduction of the law was a good idea, including 80% of smokers and 98% of people feel that workplaces are healthier

since the introduction of the law including 94% of smokers. A smoke free environment is a joy for ever.

3) Opt for clear legislation

Unclear legislation will not be respected. Clear legislation means a legal text without ambiguity, a clear date of enforcement, clear visible signs, clear fines and clear responsibility, for enforcement. An awareness campaign on the provisions of the law is crucial: it is a relatively cheap way of reducing the costs of enforcement, as the legislation will rely to great extent on self policing to be enforced effectively.

4) A total ban without exemptions is the best option

There is evidence that a total ban is easier to enforce than smoking restrictions. Restriction means that smoking is allowed in some areas and banned in other areas. This leads to confusion and disputes between smokers and non-smokers. Compliance with the legislation in Ireland and Norway improved when a total ban was introduced in 2004.

5) Comprehensive smoke free legislation is our objective

Comprehensive smoke free legislation includes a total ban of smoking at the work place, bars and restaurants, public places (including health and educational facilities) and public transport. A society will not become smoke free overnight. Smoke free legislation at the work place is the most important provision. It is easiest to introduce smoke free legislation for short distance public transport such as buses and subways. Smoke free legislation in bars is the toughest to obtain. If there is not enough support for comprehensive smoke free legislation at once, a step by step approach can be considered.

6) Avoid legislation with smoking areas or zones

A smoking area is an unclear concept which is difficult to enforce. In addition it provides no health protection as the smoke in the smoking and non smoking area will mix. A total ban is the best option. If a total ban is not feasible, an alternative for smoking areas is a closed smoking room. Characteristics of the closed smoking room should be defined in such a way that the choice for this option is rather exceptional. At a minimum, where smoking is allowed in separately smoking rooms, it is important that these rooms should be limited in space, totally separated from non smoking rooms, have walls from floor to ceiling and ventilated under strict conditions directly to the outside. Additionally, workers and members of the public should not be required to enter these rooms to do their job or to pass through them. Legislation in Italy, Malta and Sweden is mainly based on these principles.

7) Avoid the introduction of legislation which is likely not to be enforced

Compliance with smoke free legislation has to start at the first day of the entrance into force. If the legislation is not been enforced during the first week, it is likely that non

compliance problems will remain. It is easier to maintain high compliance when the law has been respected from the start.

8) Provide an effective enforcement system

Enforcement depends on several factors such as information on the date of enforcement (is the population aware that the law enters into force), the visibility of the non smoking signs, the clarity of the law (is the law easy to understand and easy to enforce), the level of fines, information on the level of the fines, information on the complaint mechanisms (such as a phone number), the number of controls and the probability to be caught.

9) A total ban in the work place, including bars and restaurants is only possible after a proper preparation and consultation process

A key factor for successful legislation is the attitude of the population towards smoke free legislation. The implementation of such a law requires the endorsement of the population. Opinion polls on smoke free policies are recommended. A proper preparation and consultation process is needed which can take the form of a public and parliamentary debate.

10) A pro-active and reactive media strategy

In order to have the population on side, a permanent media strategy has to be developed, which includes continuously providing new research and information in relation to smoke free legislation and a media response team capable of reacting rapidly.

11) Be prepared for strong opposition when introducing a comprehensive smoke free law

The hospitality and tobacco industry has always claimed smoking ban laws in restaurants and bars have a negative impact on business and lead to less sales and to less employment. There is no evidence for these claims, but it may have an impact on public opinion. Research in Norway has indicated that more people believed that the law creates more problems before the introduction than the law actually did after the enforcement.

12) The introduction of a smoke free legislation requires an united public health community

The public health community has to form a broad coalition of organizations in support of smoke free legislation. This coalition must develop a strategic plan with a clear message and speak with one voice.