

## Meeting Report

### “TOBACCO CONTROL IN ROMANIA: POLICIES, STRATEGIES, FUTURE STAGES”

Bucharest, March 2, 2010

Romania’s Parliament

#### Brief history

The lobby and advocacy campaign at the level of the Parliament of Romania sustained in order to adopt some changes to the Law 349/2002 with the subsequent modifications and additions (the main law that stipulates measures for prevention and reduction of tobacco consumption) begun in 2009. The parliamentarians received:

- notifications about the current state of the Romanian legislation in the area of tobacco control,
- notifications about the possibility of a better implementation of the legislation and about the possibility of improving the current legislation (in accordance with the implementation guides of the Framework Convention on Tobacco Control (FCTC), in particular with the Guide for article 8 – regarding protection to the exposure to tobacco smoke), and article 5.3 – regarding the protection the health policies from commercial and other vested interests of the tobacco industry.
- as well as promotional material especially designed for the stakeholders.

A lobby and advocacy campaign among the Romanian members of the European Parliament followed: electronic notifications were sent with regards to the need of adopting a comprehensive legislation in the area of tobacco control and the need to adopt a fair position towards this actual issue at a European level also. A meeting with the Romanian parliamentarians from the Deputy Chamber’s Health and Family Committee and the Senate’s Public Health Committee was held forth, having asked the support of the Romanian Members of the European Parliament (MEP) for the success of this initiative.

Initially the month January 2010 was held forth as a possible month to accomplish this meeting without mentioning a specific date, but no answers were received, reason for which the request was sent again, mentioning a specific date namely February 26. For this request the Romanian Network for Smoking Prevention (RNSP) received an answer from the parliamentarians: a common meeting was set to be held on March 2<sup>nd</sup>, date when a common meeting of the two Committees from the Deputy Chamber and Senate was scheduled. Subsequently, the schedule of the Committees changed, reason for which two separate meetings were organized in the same day were organized with each of the Committees.

#### Report of the meeting RNSP – the Senate’s Public Health Committee

**Date of the meeting:** March 2<sup>nd</sup>, 2010;

**Duration of the meeting:** approximate one hour;

**Attending:** 4 senators, the RNSP representatives and two guests of RNSP (a specialist from the National Institute of Public Health and a member of the European Economic Social Committee);

**Meeting proceedings:**

- The presentation of the participants, opening of the debate: the participants to the meeting each introduced themselves, the main reason of the meeting was presented by prof. Florin Mihaltan;
- A presentation about the possibility to approach tobacco control at global and European level, with the desire to create a general frame in which the legislation from Romania must also enter;
- Mrs. Claudia Dima briefly presented some of the main modifications that should be brought to the Romanian legislation therefore the legislation entering in the current provisions of the FCTC and to be in accord mainly with the FCTC Article 8 Implementation Guide. The European Union recommendations and directives were brought into discussion as well as the fact that these will undergo changes in order to constitute a more effective instrument to tobacco consumption prevention and control;

- The benefits of the implementation of the workplace tobacco control legislation, including bars and restaurants were reviewed highlighting especially the economic benefits to the companies.
- Finally several proposals for the modification of the actual law to prevent and fight against the effects of the tobacco consumption 349 / 2002 were made;
- The president of the Senate’s Public Health Committee underlined during the meeting that there are also other interests than the health ones. The RNSP representatives mentioned that according to the provisions of the FCTC (especially article 5.3) the public health interest must take prevalence and the WHO guides to the FCTC recommends that all governmental officials declare their interests in the area of tobacco control;
- The senators present to the meeting deemed that the discussed subject was an interesting one with an impact on public health, yet requested help from RNSP in order to foreshadow these legislative changes, mentioning that it would be difficult for these proposals to be approved in the end by the Senate.



**Meeting inference:**

- The RNSP representatives presented the main legislative issues that should be modified in order to align the Romanian legislation to the FCTC provisions, especially with the Article 8 of the FCTC highlighting the benefits of implementing this legislation;
- The senators concluded that these provisions are needed but the adoption process will not be an easy one, and have asked for specific help from RNSP in order to make the legislative amendments.

**Report of the meeting RNSP – the Deputy Chamber’s Health and Family Committee**

**Date of the meeting:** March 2<sup>nd</sup>, 2010;

**Duration of the meeting:** approximate one hour and a half;

**Attending:** 18 Deputies, a guest of the Health and Family Committee – Mr. Cristian Anton Irimie, State Secretary to the Ministry of Health, the RNSP representatives and two guests of RNSP (a specialist from the National Institute of Public Health and a member of the European Economic Social Committee); also to the meeting were present accredited newspapermen (from the First Channel of the National Television (TVR1) and Realitatea TV).

**Meeting proceedings:**

- The meeting was lead by Mrs. Rodica Nassar president of the Deputy Chamber’s Health and Family Committee, who opened the meeting by submitting to the vote the Committee day’s meeting agenda; the day’s meeting agenda was adopted and the first item on the meeting agenda was the RNSP hearing;
- The representatives of RNSP and their guests introduced themselves, prof dr. Florin Mihaltan presented reason for requesting the meeting and the aim of the meting – the need to adopt

legislative measure conform to the provisions of the FCTC, convention to which Romania is part (Romania ratified the FCTC and must modify its legislation according to the public health treaty);

- Mr. Cornel Radu Loghin highlighted that, through a proper legislation, the population and its health are protected, exemplifying the fact that at this moment in Romania smoking is permitted in special arranged spaces fact that does not protect the health of both smoking and nonsmoking employees. He also read in front of the Commission the FCTC article 5.3 – regarding the protection the health policies from commercial and other vested interests of the tobacco industry.



- Mr. Eugen Lucan pointed the attention to the public health problems due to smoking: death due to smoking as well as to second-hand smoking, the decrease of age on which young people start to smoke; in this context the accomplishment of a much better level of protection for all the population and especially for children and young people necessitates.
- Some of the main modifications that should be brought to the Romanian legislation were briefly presented by Mrs. Claudia Dima so that the Romanian legislation enters the current provisions of the Article 8 of the FCTC and be in accordance mainly with FCTC's Article 8 Implementation Guide.
- Mr. Theodor Haratau reviewed losses /harms of economic nature caused by the workplace smoking, exemplifying Scotland where it was estimated that 500 million Euro were lost annually because of workplace smoking. Also it was brought in discussion an example of a Romanian company, where, because of smoking, one can consider that 2% of the employees are absent just because of smoking. It was highlighted that all these losses of economic nature could be recovered if the workplaces will become smoke-free.
- Prof. Florin Mihaltan highlighted the fact that other European countries adopted and are adopting legislative measures in order to protect the public health giving the example of Bulgaria where there is no smoking in schools and hospitals. The warning was made that in the Romanian legislation smoking in hospitals is prohibited but because of the permission of existence of smoking places a confusion among the population appears and a diminished

degree of upholding these provisions, reasons for which the most efficient measure would be the adoption of a complete smoke-free legislation in all public spaces.

- The deputies wanted to find out more about the affections caused by smoking. Prof. MD Florin Mihaltan specified some affections for which it was proven that smoking is the cause:
  - o Lung cancer,
  - o Chronic respiratory diseases,
  - o Cardiovascular diseases and
  - o Children sudden death.

Mr. Eugen Lucan brought the specification that over 4000 substances are contained in the tobacco smoke, many of them harmful, among which some even cancer generators.

- Mrs. Rodica Nassar deemed that, indeed, in Romania there is a problem because not even the currently existing legislation is not upheld and that a legislative initiative could come from the Deputy Chamber’s Health and Family Committee or from the Ministry of Health. The fact was mentioned that there is the desire for the dialogue with the civil society to continue.
- Mrs. Deputy Sonia Draghici pointed out the fact that the smoking is a psychological addiction that determines the smokers behavioral change and that this phenomenon should be more careful studied. Answering the intervention of the deputy Mr. Prof. MD Florin Mihaltan specified that indeed there are also behavioral changes of the smokers reason for which in order to assist and support the people that desire to quit smoking a component of psychological counseling. Mrs. Claudia Dima specified that it should that, through legislation, barriers be placed that will favor the prevention on smoking commencement and also to have the opportunity of development and financing of information and education campaigns for students as well as for the general population.



- Mr. deputy Calin Potor considered that there should also be sanctions for breaching the law, sanctions that should be applied and proposed that the dialogue with the civil society in the area of legislative modifications to continue.

**Meeting inference:**

- The RNSP representatives presented to the members of the Deputy Chamber’s Health and Family Committee some of the legislative issues that should be modified in order to align the Romanian legislation to the FCTC provisions, especially with the Article 8 of the FCTC highlighting the benefits of implementing this legislation
- The openness of the Deputy Chamber’s Health and Family Committee to continue the dialogue was mentioned and the proposal was made that RNSP to come with specific modifications on the articles of the law that should be modified.



#### **Future steps**

In order to attain the desired legislative changes, RNSP needs to draw the new law text, to introduce it to the parliamentarians and to be pleaded in the Public Health and Health and Family Committees. In this circumstance it will be best to pay attention to all the FCTC implementation guides not only to the Article 8 Implementation Guide so that in the event of some legislative changes as many of the FCTC recommendations to be encompassed.