



## Tobacco-free public places

### Why create tobacco-free public places?

As clearly indicated in the WHO Framework Convention on Tobacco Control (FCTC), tobacco-free public places aim to protect the public from exposure to secondhand smoke.

*Is it a legal obligation?*

Yes, it is. Article 8 of the WHO FCTC states that:

2. Each Party shall adopt and implement in areas of existing national jurisdiction as determined by national law and actively promote at other jurisdictional levels the adoption and implementation of effective legislative, executive, administrative and/or other measures, providing for protection from exposure to tobacco smoke in indoor workplaces, public transport, indoor public places and, as appropriate, other public places.

The WHO FCTC guidelines elaborate further and indicate the boundaries and requirements to protect society fully from exposure to secondhand smoke.

### What is full protection from secondhand smoke?

The text of the WHO FCTC guidelines says:

“Effective measures to provide protection from exposure to tobacco smoke, as envisioned by Article 8 of the WHO Framework Convention, require the total elimination of smoking and tobacco smoke in a particular space or environment in order to create a 100% smoke free environment. There is no safe level of exposure to tobacco smoke...”.

Tobacco-free public places means that ALL indoor workplaces and indoor public places should be smoke free. Designating indoor spaces for smokers breaks these standards and thus is not in conformity with the FCTC guidelines. By creating smoking areas, the legal obligation of the Parties to ensure that indoor public places are 100% smoke free is disrespected. Designated smoking areas should not be allowed indoors.

The WHO FCTC guidelines for Article 8 also clearly indicate that even the best ventilation systems cannot remove smoke pollutants and are ineffective in protecting from secondhand smoke.

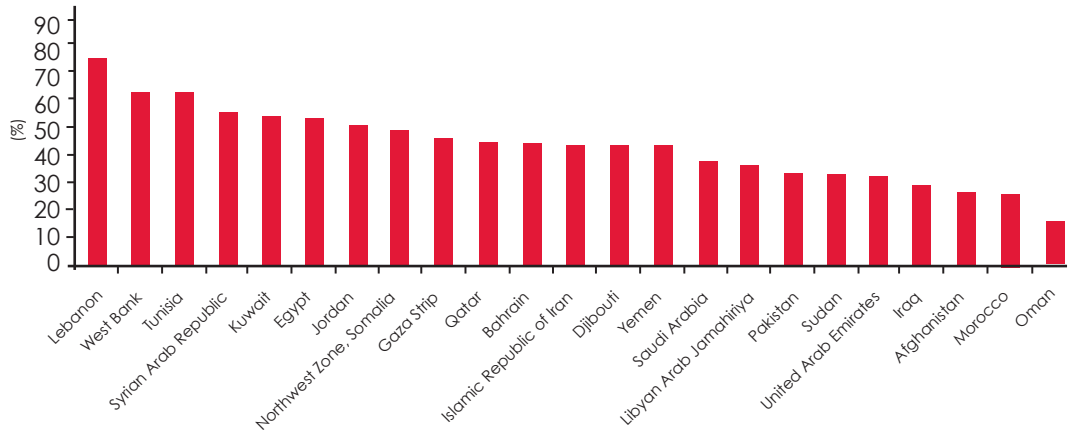
Smoking areas, if at all needed, should only be designated in OUTDOOR open spaces that are situated away from the smoke-free areas, so as not to pollute the indoor air, even accidentally.

There is no safe level of exposure to secondhand smoke, only a full smoking ban in all enclosed workplaces, including catering and drinking establishments, and all public buildings and transport can protect the health of employees and non-smokers.

Second-hand smoke exposure increases the risk of coronary heart disease by 25%–30% and the risk of lung cancer in non-smokers by 20%–30%.

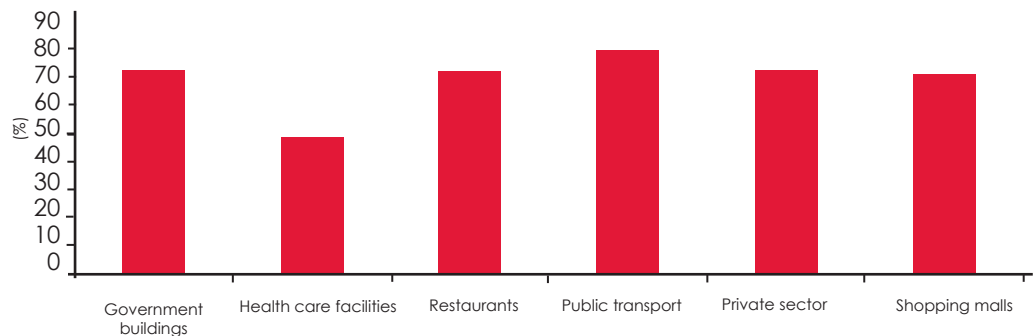
### Compliance in the Eastern Mediterranean Region

Young people reported in the Global Youth Tobacco Survey that there is a high level of exposure to secondhand smoke in public places (Figure 1).



**Figure 1. Students (13–15 years) who reported exposure to secondhand smoke in public places, Global Youth Tobacco Survey, Eastern Mediterranean Region 2010**

Data generated from the Global Adult Tobacco Survey in Egypt show high levels of exposure to secondhand smoke in public places, including medical facilities even though a total ban on tobacco use in public places came into effect in 2007 prohibiting tobacco use within medical and educational facilities, as well as governmental buildings (Figure 2).



**Figure 2. Percentage of Egyptians exposed to secondhand smoke in public places, Global Adult Tobacco Survey, Egypt 2009**

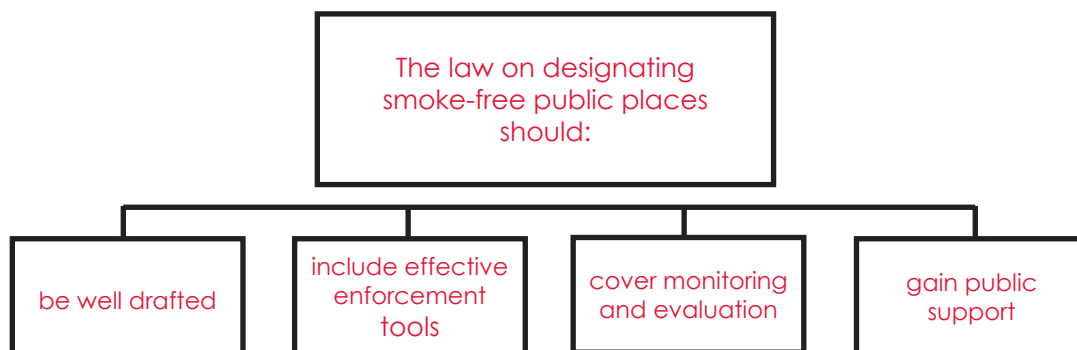
The above data show that although there is existing legislation that bans tobacco use in public places in many countries of the Region the challenges remain.

- Total bans usually exclude restaurants and cafes; full implementation occurs in a very small number of countries.
- Areas are still being designated for smokers; lack of public support forces decision-makers to compromise. Real and comprehensive protection from secondhand smoke can only be guaranteed if designated places are 100% tobacco-free.
- Enforcement and compliance are weak even when total bans exist. There is a need for more stringent mechanisms.
- In much legislation definitions are vague creating confusion during implementation in the designation of tobacco-free areas.
- The responsible agency at national level is not always well versed in the legislation, creating confusion and conflict of interest between agencies.
- Monitoring and evaluation are not always part of legislation but are important if the impact of implementation at national level is to be measured.

## How can tobacco-free places be protected?

Legislation should be:

- strict, yet flexible, defining and covering all possible public places, as voluntary codes do not work.
- fully endorsed by the government, to completely ban smoking in public places with no designation of smoking areas.
- comprehensive and clear with regard to penalties for violations.
- inclusive of effective enforcement policies.
- modelled on a step-wise approach to ensure 100% smoke-free environments; existing designated areas for smokers should be phased out within a one-year period, a measure which should be reflected in the legislation.



Governments should:

- engage the public from the start of the process to garner public support for tobacco-free public places.
- educate the public and business communities on the dangers of secondhand smoke.
- involve academia and civil society groups to provide medical evidence to educate the public.
- include the media before actual implementation of the law to increase awareness and inform the public.

All public places should:

- clearly display no-smoking signs, and when possible, a complaints hotline.

### Enforcement and compliance

- Compliance should be monitored by the government and civil society groups to ensure effective enforcement.
- The law must contain a built-in mechanism to ensure flexibility in terms of introducing new enforcement measures and including new public places in the ban. Both can be done through designating authority to the responsible minister to issue a ministerial decree on a yearly basis.
- Once enacted, governments must maintain strong support for the law through firm and uniform enforcement that achieves high compliance levels.