

EC Green Paper – Towards a Europe free from tobacco smoke: policy options at EU level

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Background:

- Second hand smoke (SHS) kills (more than 79.000 die each year)
- In EC Environmental and Health Action Plan (2004-2010) a priority is coordinated efforts towards 'smoke free Europe'.
- Early 90s a number of EU health and safety directives defined certain restrictions to smoking at work.
- Council resolution of 1989
- Council recommendation of 2002.

- EU anti tobacco campaigns;
‘Feel free to say NO’ (2001-2004)
‘HELP: For a life without tobacco’ (2005-2008)
- WHO World Framework Convention of Tobacco Control (FCTC)
Signed by 168 and ratifies by 141 Parties,
including the Community – obliges to tackle
exposure to tobacco smoke in indoor
workplaces, public transport and indoor public
places.

National legislation differs widely across MS:

- Comprehensive ban in;
Ireland (2004), Scotland (March 2006), Northern Ireland, England and Wales (July 2007)
- Smoke free legislation with exemptions;
Italy (January 2005), Malta (April 2005), Sweden (June 2005), Lithuania (January 2007), France (February 2007), Finland (June 2007)
- Ban of smoking in public places, except hospitality sector;
Belgium, Cyprus, Estonia, the Netherlands, Slovenia and Spain.

Eurobarometer 2007 reveal that:

- 88% of Europeans support smoke free offices
- 62% in favour of smoke free bars
- 77% of smoke free restaurants
- 50 % European homes are smoke free
- 36% think that smoking bans are not respected
- 1 in 3 European workers declare to be exposed to smoke at work (indoor)

Existing Community Provisions;

- a) Non-binding resolutions and recommendations to provide protection from exposure to ETS; 1989 Council Resolution 89/C 189/41 and Council Recommendation 2003/54/EC
- b) Framework Directive on Health and Safety in the workplace 89/391/EEC
- c) Directive on minimum safety and health requirements for the workplace 89/654/EEC, 92/57/EEC, 92/91/EEC, 92/104/EEC
- d) Carcinogen and Mutagens Directive 2004/37/EC
- e) Asbestos Directive 83/477/EEC
- f) Pregnant Workers Directive 92/85/EEC
- g) Dangerous Substances Directive 67/548/EEC

Policy options;

a) **No change from status quo**

Not a real option given the risks to health

b) **Voluntary Measures**

Long experience and hard evidence has prove that voluntary measures do not protect workers and members of public

c) **Open Method of Coordination**

As above, but important for Member States to share experience

d) Commission or Council Recommendation

Already exist (1989 and 2003), yet according to the 2007 Eurobarometer 1 in 3 European workers declare to be exposed to indoor tobacco smoke at work.

e) Binding regulation

Based on existing directives or separate directives is the only way forward

Two major steps forward could be:

- 1) The official recognition of SHS as a serious health hazard
- 2) The appropriate amendment of a Directive on occupational safety and health

EFA and IPCRG recommends:

- Binding EU legislation
- The need for consideration on effective enforcement
- Proper preparation and campaigning process
- Smoking cessation framework should be in place

Way forward:

- No MS should wait for EU regulation, but as quickly as possible implement smoke free environments.
- Green Paper Consultation phase ends 1 June 2007.
- Report on the consultation outcome Autumn 2007
- Commission Communication on way forward in 2008
- In parallel, the broader work on indoor air quality continue as a follow up to the Health and Environmental Action Plan
- For more information and follow up see;
http://ec.europa.eu/health/ph_determinants/life_style/Tobacco/tobacco_en.htm