40 years of tobacco control policy in the Netherlands – an uphill battle

Marc Willemsen

14. Deutsche Konferenz für Tabakkontrolle
Heidelberg, 30 November 2016
I have no conflicts of interest within the scope of the 14th German Conference for Tobacco Control.

I have no commercial connections to pharmaceutical industry, e-cigarette industry or tobacco industry.
Tobacco control in the Netherlands?
CAPHRI School for Public Health and Primary Care

The Tobacco Control ‘Flywheel’

- Public Support
- Political Support
- Public Concern
- Tobacco Control
- Smoking Rate

The diagram illustrates the interconnections between public support, political support, public concern, tobacco control, and smoking rate.
The Tobacco Control ‘Flywheel’

Public Support → Political Support

Public Concern → Smoking Rate

Smoking Rate → Tobacco Control

Tobacco Control → Public Support

Public Support → Public Concern

CAPHRI School for Public Health and Primary Care
# Tobacco Control Scale 2013

<table>
<thead>
<tr>
<th>Score</th>
<th>2013 rank</th>
<th>2010 rank</th>
<th>Countries</th>
</tr>
</thead>
<tbody>
<tr>
<td>74</td>
<td>1</td>
<td>1</td>
<td>United Kingdom</td>
</tr>
<tr>
<td>70</td>
<td>2</td>
<td>2</td>
<td>Ireland</td>
</tr>
<tr>
<td>66</td>
<td>3</td>
<td>4</td>
<td>Iceland</td>
</tr>
<tr>
<td>61</td>
<td>4</td>
<td>3</td>
<td>Norway</td>
</tr>
<tr>
<td>57</td>
<td>5</td>
<td>4</td>
<td>Turkey</td>
</tr>
<tr>
<td>57</td>
<td>5</td>
<td>6</td>
<td>France</td>
</tr>
<tr>
<td>56</td>
<td>7</td>
<td>13</td>
<td>Spain</td>
</tr>
<tr>
<td>56</td>
<td>7</td>
<td>7</td>
<td>Malta</td>
</tr>
<tr>
<td>55</td>
<td>9</td>
<td>7</td>
<td>Finland</td>
</tr>
<tr>
<td>63</td>
<td>10</td>
<td></td>
<td>Ukraine</td>
</tr>
<tr>
<td>48</td>
<td>11</td>
<td>9</td>
<td>Sweden</td>
</tr>
<tr>
<td>48</td>
<td>11</td>
<td>27</td>
<td>Hungary</td>
</tr>
<tr>
<td>47</td>
<td>13</td>
<td>13</td>
<td>Netherlands</td>
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<tr>
<td>47</td>
<td>13</td>
<td>10</td>
<td>Belgium</td>
</tr>
<tr>
<td>46</td>
<td>15</td>
<td>12</td>
<td>Italy</td>
</tr>
<tr>
<td>46</td>
<td>15</td>
<td>13</td>
<td>Denmark</td>
</tr>
<tr>
<td>46</td>
<td>15</td>
<td>24</td>
<td>Bulgaria</td>
</tr>
<tr>
<td>45</td>
<td>18</td>
<td>11</td>
<td>Switzerland</td>
</tr>
<tr>
<td>44</td>
<td>19</td>
<td>16</td>
<td>Romania</td>
</tr>
<tr>
<td>43</td>
<td>20</td>
<td>17</td>
<td>Slovenia</td>
</tr>
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<td>43</td>
<td>20</td>
<td>19</td>
<td>Estonia</td>
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<td>43</td>
<td>20</td>
<td>19</td>
<td>Poland</td>
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<tr>
<td>42</td>
<td>23</td>
<td></td>
<td>Serbia</td>
</tr>
<tr>
<td>41</td>
<td>24</td>
<td>17</td>
<td>Latvia</td>
</tr>
<tr>
<td>41</td>
<td>24</td>
<td>19</td>
<td>Portugal</td>
</tr>
<tr>
<td>40</td>
<td>26</td>
<td></td>
<td>Croatia</td>
</tr>
<tr>
<td>39</td>
<td>27</td>
<td>22</td>
<td>Slovakia</td>
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<tr>
<td>37</td>
<td>28</td>
<td>29</td>
<td>Luxembourg</td>
</tr>
<tr>
<td>35</td>
<td>29</td>
<td>22</td>
<td>Lithuania</td>
</tr>
<tr>
<td>35</td>
<td>29</td>
<td>30</td>
<td>Greece</td>
</tr>
<tr>
<td>34</td>
<td>31</td>
<td>27</td>
<td>Czech Republic</td>
</tr>
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<td>33</td>
<td>32</td>
<td>24</td>
<td>Cyprus</td>
</tr>
<tr>
<td>32</td>
<td>33</td>
<td>26</td>
<td>Germany</td>
</tr>
<tr>
<td>31</td>
<td>34</td>
<td>30</td>
<td>Austria</td>
</tr>
</tbody>
</table>
Tobacco Control Policy Index Scores
1996 – 2010 in 11 EU Countries

Dutch Health Council recommendations (1974!)

- A ban on tobacco advertising
- Health warnings on cigarette packs
- Restrictions on smoking in public places
- A smoking ban in public transport
- Restrictions on the number of tobacco selling points
- Removal of tobacco vending machines
- A ban on the sale of tobacco to minors
- Increasing tobacco tax in tandem with neighboring countries.
- Tax revenue allocated to “anti-smoking campaigns”.
- Mass media campaigns
- Smoking cessation support
- “National Institute for the Reduction of Smoking”
Dutch Health Council recommendations (1974!)

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The Tobacco Control ‘Flywheel’
Smoking Prevalence in the Dutch adult population

Tobacco Law 1

Tobacco Law 2
The Tobacco Control ‘Flywheel’

- Public Support
- Political Support
- Public Concern
- Tobacco Control
- Smoking Rate
Fig ES-8. Percentage of smokers whose overall opinion of smoking is 'negative' or 'very negative', by country.

- Brazil: 81.0%
- Malaysia: 74.3%
- Ireland: 60.5%
- Canada: 58.5%
- Australia: 53.7%
- New Zealand: 52.4%
- United States: 51.6%
- Thailand: 51.5%
- France: 50.1%
- United Kingdom: 50.0%
- Mexico: 49.9%
- China: 49.8%
- Scotland: 49.1%
- Uruguay: 45.0%
- South Korea: 40.6%
- Germany: 24.9%
- Netherlands: 21.9%

Thailand, Ireland and Scotland data are from 2006; Malaysia data are from 2006/07. China data are from 2007/08; France, South Korea and Mexico data are from 2008. Canada, US, UK, Australia, Uruguay and New Zealand data are from 2008/09. Brazil, Netherlands and Germany data are from 2009.
Percent of smokers who agree that cigarette smoke is dangerous to non-smokers

- Malaysia
- Mauritius
- France
- Uruguay
- China
- Thailand
- Ireland
- Brazil
- Germany
- New Zealand
- Bangladesh
- Korea
- Canada
- Mexico
- United Kingdom
- Australia
- Scotland
- United States
- Netherlands
Attitudes towards smoking

Figure 49. Percentage of smokers and quitters who “agree” or “strongly agree” that society disapproves of smoking, by country

- **New Zealand 2008-09**: 89%
- **Republic of Korea 2010**: 85%
- **Canada 2010-11**: 85%
- **United States 2010-11**: 80%
- **Australia 2013**: 79%
- **France 2012**: 76%
- **United Kingdom 2013**: 74%
- **Germany 2011**: 72%
- **Netherlands 2014**: 63%
- **Thailand 2012**: 84%
- **Brazil 2012-13**: 69%
- **India 2012-13**: 65%
- **Zambia 2012**: 60%
- **Uruguay 2012**: 59%
- **Malaysia 2013**: 59%
- **Mexico 2012**: 56%
- **Mauritius 2011**: 53%
- **China 2011-12**: 49%
- **Bangladesh 2011-12**: 90%
Attitudes towards smoking

**Figure 11. Percentage of smokers who have a negative opinion of smoking, by country**

- **Ireland (2006)**: 62%
- **Australia (2010-11)**: 51%
- **New Zealand (2008-09)**: 48%
- **France (2012)**: 48%
- **Canada (2010-11)**: 48%
- **United States (2010-11)**: 46%
- **Scotland (2006)**: 46%
- **United Kingdom (2010-11)**: 45%
- **Netherlands (2014)**: 21%
- **Germany (2011)**: 20%
- **Brazil (2012-13)**: 67%
- **Uruguay (2012)**: 52%
- **Mexico (2012)**: 47%
The Tobacco Control ‘Flywheel’
% support for various tobacco control measures

Q8.2 Are you in favour of smoking bans in the following places?
Answer: Bars or Pubs

<table>
<thead>
<tr>
<th>Country</th>
<th>Totally in favour</th>
<th>Somewhat in favour</th>
<th>Somewhat opposed</th>
<th>Totally opposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>IT</td>
<td>60%</td>
<td></td>
<td>19%</td>
<td>7%</td>
</tr>
<tr>
<td>SE</td>
<td>64%</td>
<td></td>
<td>13%</td>
<td>9%</td>
</tr>
<tr>
<td>IE</td>
<td>71%</td>
<td></td>
<td>11%</td>
<td>10%</td>
</tr>
<tr>
<td>MT</td>
<td>66%</td>
<td></td>
<td>11%</td>
<td>9%</td>
</tr>
<tr>
<td>LV</td>
<td>49%</td>
<td></td>
<td>27%</td>
<td>12%</td>
</tr>
<tr>
<td>FI</td>
<td>41%</td>
<td></td>
<td>33%</td>
<td>15%</td>
</tr>
<tr>
<td>EE</td>
<td>40%</td>
<td></td>
<td>34%</td>
<td>14%</td>
</tr>
<tr>
<td>SI</td>
<td>33%</td>
<td></td>
<td>34%</td>
<td>14%</td>
</tr>
<tr>
<td>CY</td>
<td>55%</td>
<td></td>
<td>14%</td>
<td>16%</td>
</tr>
<tr>
<td>PT</td>
<td>52%</td>
<td></td>
<td>19%</td>
<td>12%</td>
</tr>
<tr>
<td>UK</td>
<td>43%</td>
<td></td>
<td>24%</td>
<td>14%</td>
</tr>
<tr>
<td>HU</td>
<td>39%</td>
<td></td>
<td>24%</td>
<td>11%</td>
</tr>
<tr>
<td>ES</td>
<td>42%</td>
<td></td>
<td>20%</td>
<td>18%</td>
</tr>
<tr>
<td>EU25</td>
<td>40%</td>
<td></td>
<td>21%</td>
<td>16%</td>
</tr>
</tbody>
</table>

Eurobarometer 2005
Philip Morris (1979): “as the personal freedom concept is widely accepted and supported in Holland, the anti-smoking cause is not exceptionally strong. (...) Members of the medical profession and government appear to have highly individual opinions and the consensus is that smoking is a matter of personal choice.”
Strong libertarian element in Dutch culture: the anti-smoking magician in the 1960’s
CAPHRI School for Public Health and Primary Care
The Tobacco Control ‘Flywheel’

- Public Support
- Political Support
- Public Concern
- Tobacco Control
- Smoking Rate
Main inhibiting factors

• Policy makers prefer self-regulation
• Corporatism (civil society is involved in policy making)
• Consensus seeking political culture (‘polderen’)
• Dominance of centre-right cabinets
• Tobacco industry influence
• No strong tobacco control lobby
<table>
<thead>
<tr>
<th>Year</th>
<th>Minister</th>
<th>Target (% smokers)</th>
<th>Result</th>
</tr>
</thead>
<tbody>
<tr>
<td>1986</td>
<td>van der Reijden</td>
<td>20% smokers in 2000 (WHO target)</td>
<td>failed</td>
</tr>
<tr>
<td>1991</td>
<td>Simons</td>
<td>25% female smokers and 32% male smokers in 1993</td>
<td>failed</td>
</tr>
<tr>
<td>1995</td>
<td>Borst</td>
<td>No new targets</td>
<td>-</td>
</tr>
<tr>
<td>2001</td>
<td>Borst</td>
<td>28% smokers in 2004</td>
<td>succeeded</td>
</tr>
<tr>
<td>2003</td>
<td>Hoogervorst</td>
<td>25% smokers in 2007</td>
<td>failed</td>
</tr>
<tr>
<td>2006</td>
<td>Hoogervorst</td>
<td>20% smokers in 2010</td>
<td>failed</td>
</tr>
<tr>
<td>2007</td>
<td>Klink</td>
<td>No targets</td>
<td>-</td>
</tr>
<tr>
<td>2013</td>
<td>Schippers</td>
<td>18% in 2025</td>
<td>-</td>
</tr>
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</table>
# Tobacco control policy cycles

<table>
<thead>
<tr>
<th>Policy problem</th>
<th>Policy solutions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1907 - 1922</strong>&lt;br&gt;Smoking in youth condemned for moral reasons</td>
<td>Age limits on sale of tobacco</td>
</tr>
<tr>
<td><strong>1954 – 1977</strong>&lt;br&gt;Smoking recognized as a public health problem</td>
<td>Educational programs targeted at youth; Foundation of STIVORO; Health warnings on cigarette packs</td>
</tr>
<tr>
<td><strong>1981 - 1991</strong>&lt;br&gt;Smoking continues to be seen as a public health problem, but competes with economic interests</td>
<td><strong>Tobacco Act:</strong>&lt;br&gt;• Smoke-free public places</td>
</tr>
<tr>
<td><strong>1995 - 2005</strong>&lt;br&gt;Smoking continues to be seen as an important public health problem</td>
<td><strong>Major amendment of the Tobacco Act</strong>&lt;br&gt;• Advertising and promotion ban&lt;br&gt;• Smoke-free workplaces&lt;br&gt;• Age limit for sale</td>
</tr>
<tr>
<td><strong>2006 - 2016</strong>&lt;br&gt;Smoking continues to be seen as an important public health problem</td>
<td><strong>Further amendments of the Tobacco Act:</strong>&lt;br&gt;• age limit of 18&lt;br&gt;TPD2:&lt;br&gt;• graphic health warnings</td>
</tr>
</tbody>
</table>
STIVORO’s annual budget

(x million Euro)

- Structural Contribution Government
- Structural Contribution Charities
- Other (mainly charities)
- Project Subsidies Government

Shadow reports in 2012 and 2015

Dutch tobacco control: Out of control?
FCTC Shadow Report 2011

Dutch Tobacco Control: Moving Towards the Right Track?
FCTC Shadow Report 2014
CAPHRI School for Public Health and Primary Care
Not every health minister is an advocate of FCTC ...

“We are politicians. We are no technocrats who say: this is a list of things that work best, so this is what we automatically do. Then you could just as well put a computer there.”

Okt. 2010: Minister’s Maiden Speech in Parliament
• Smoke-free legislation in small bars reversed
• Reimbursement for smoking cessation medications reversed
• Aass media health education campaigns stopped
• Funding for Dutch expert centre on tobacco control (STIVORO) stops
October 2011: ‘Minister of Tobacco’

TV documentary revealed contacts between Minister of Health and the Tobacco Industry
CAPHRI School for Public Health and Primary Care
De tabaksfabrikanten besluiten een geheime lobbyclub op te richten

Baltesen & Rosenberg, NRC Handelsblad, 20 juni 2009
Polonaise tegen rookverbod

Caféstemming bij demonstratie van kleine caféhouders

DEN HAAG — „Rookverbod, Klinkklare onzin”, riepen een paar duizend ‘kleine caféhouders’ en hun klanten zaterdag op het Malieveld in Den Haag. Zij willen dat minister Ab Klink (Volksgezondheid) de regels rondom het rookverbod in de horeca aanpast, omdat de huidige situatie kleinere ondernemers de kop zou kosten. De organisatie van de manifestatie sprak van een opkomst van vijftigduizend mensen.

De demonstranten kwamen uit heel het land om naar toespraken van politici en kroeghouders te luisteren. „Wij komen uit Veldhoven”, zei een vrouw wijzend op een clubfje cafévrienden. Een kroegbaas uit de buurt van Breukelen was alleen naar de hofstad afgereisd. „Er komen veel bejaarden in mijn café. Die kan ik in de winter toch niet naar buiten sturen?”, zei hij opgelaten. Een caféhouder uit Echt (Limburg) beklagde zich over haar dalende omzet. „Ik ben van drie naar één vat bier per week gegaan.”

Een demonstrant zag het zaterdag wel heel somber in. „Ik heb helemaal niets meer”, riep de man, terwijl hij zijn broek naar beneden liet vallen en demonstratief naar zijn blote achterwerk strekte. „Ik ben van drie naar één vat bier per week gegaan.”

De caféstemming dreigde even om te slaan toen SP-Kamerlid Henk van Gerven het publiek toesprak. Zijn partij stemde destijds in met het rookverbod, maar hoopt dat de Haagse politiek een uitzondering op het verbod regelt voor de kleinere horeca-ondernemers. Zij zien het liefst keuzevrijheid voor de kroeghazen om het roken al dan niet toe te staan. (ANP)
Court case about Article 5.3 FCTC

Youth Smoking Prevention Foundation vs. the State

• The Foundation argued that the Dutch government violated article 5.3 by frequent contacts with the tobacco industry concerning many aspects of tobacco control policy.

• The Foundation demanded proper implementation of article 5.3 FCTC

• Court Case was lost, but it did result in a clarification of the government’s interpretation of article 5.3 FCTC
December 2011: Letter to the Lancet

“Weakening of Dutch tobacco control will cost lives – experts say”
The fight to save tobacco control in the Netherlands and the role of the ITC Project in short

ITC has provided shocking new information about the international ranking of the Netherlands in tobacco control.

ITC findings have been a tremendous help in getting media attention for tobacco control.

The media attention for ITC has triggered governmental questions to the Minister of Health.
Court cases

Article 8.2: Clean Air Netherlands vs. State

- Concerning the exemption from the smoking ban of small cafes (<70 m² and without personnel)
- Ruling by the Dutch Supreme Court on 10 October 2014: The exception to the smoking ban for small cafes should be considered non-binding because of its conflict with article 8.2 FCTC. This provision is sufficiently clear and concrete with respect to the results to be achieved through national legislation. The mere obligation to put a sign on the door indicating that smoking is allowed does not provide for effective protection against exposure to tobacco smoke
- Following the ruling, the Food and Consumer Product Safety Authority has started (re)enforcing the smoking ban in all cafes
A brighter future?

OP WEG NAAR EEN

ROOKVRIJEGENERATIE
NAAR EEN ROOKVRIJE GENERATIE

Iedere dag beginnen ongeveer honderd kinderen te roken
Ruim de helft van de mensen die blijven roken, sterft aan de gevolgen hiervan
Jaarlijks sterven in Nederland 20.000 mensen door roken en enkele duizenden door meeroken
Er sterven in Nederland meer mensen door roken dan door drank, drugs, misdadig en verkeers ongelukken
Roken verkort het leven met gemiddeld 10 tot 12 jaar

WAT WILLEN WE?
De jeugd beschermen tegen tabak. We streven naar een samenleving waarin iedere ouder van een kind dat vanaf 2017 wordt geboren zijn of haar kind volledig rookvrij en meerookvrij kan laten opgroeien. Daarnaast willen we dat deze kinderen nooit meer kiezen om te beginnen met roken.

HOE?
Door maatregelen waarmee opgroeende kinderen in elke fase van het opgroeien worden beschermd tegen tabaksrook en tegen de verleiding om te gaan roken.

START 2017

ROOKVRIJE SPEELTUIN
ROOKVRIJE KINDEROPvang
ROOKVRIJE VOORTGEZET ONDERWIJS
ROOKVRIJE ZWANGERSCHAP
ROOKVRIJ ONDERWIJS EN SPORTCLUBS
TABAK UIT HET ZICHT
ONAAANTREKKELIJKE VERPAKKINGEN
VOORLICHTING
EFFECTIEVE ONDERSTEUNING STOPPEN MET ROKEN
ACCLJNS-VERHOOGING

De Alliantie Nederland Rookvrij zet zich in voor een samenleving waarin niemand meer overlijdt aan de gevolgen van roken.
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TOBACCO CONTROL

THE END of tobacco?
The Tobacco Endgame
tobaccocontrol.bmj.com
BMJ

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