

## Analysis

# A Habit That's Hard To Kick: The Evolution of Tobacco Control Policy in Russia

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## Abstract

Today approximately 60 percent of Russian men and 20 percent of Russian women smoke. Although there have been some official efforts to limit smoking, the tobacco lobby has been able to block the adoption of strong laws and the implementation of the regulations that are adopted. The Duma is currently considering new legislation and President Vladimir Putin has publicly denounced smoking, so there is hope for improvement in the future. Reducing smoking is key for Russia's ability to address its health and demographic crises.

## Brave Words, But Little Action

At the 56<sup>th</sup> World Health Assembly in 2003, the delegation from Russia welcomed a landmark Framework Convention on Tobacco Control (FCTC). To date 168 countries have signed this treaty, which went into force in February of 2005 and commits signatories to six provisions: enacting a comprehensive ban on tobacco advertising, promotion, and sponsorship; placing health warnings on tobacco packaging that cover at least 30 percent of the surface; banning the use of deceptive terms such as "light" and "mild"; protecting citizens from exposure to tobacco smoke in public areas and the workplace; combating smuggling; and increasing tobacco taxes. Despite its initial declaration of support, however, the Russian Federation has neither signed nor ratified the treaty. Politicians remain wary of restrictions on tobacco, and the Ministry of Health has not yet developed sufficient bureaucratic and administrative muscle to counter the heavyweight domestic and international tobacco lobbies. The calls to action of a fledgling coalition of non-governmental anti-smoking groups, led by the Russian Public Health Association, resonate more loudly in international circles than at home.

Meanwhile, around 60 percent of Russian men and 20 percent of Russian women smoke – more than twice the prevalence in the United States or the UK. And the numbers are rising, with the percentage of women who smoke doubling from 1992 to 2003, and an even greater increase among rural women. Almost half of boys and 40 percent of girls in the senior classes of Russian high schools call themselves smokers. Around 300,000 Russians die annually of smoking-related ailments. The World Bank has called smoking the single most preventable cause of disease and death in Russia, linking it with cardiovascular disease, many cancers, and chronic lung disease. A recent Bank report esti-

mated that reducing cardiovascular disease in Russia would add five years to male life expectancy, which continues to hover around 58–60 years (about the same as Pakistan or Bangladesh). A pack of low-end cigarettes in Russia costs the equivalent of around fifty cents, compared with seven dollars in Europe.

Restrictions on smoking are not new in Russia. The Czar declared a prohibition on tobacco from 1613–1676, with a first offense punishable by whipping, a slit nose, and deportation to Siberia, and the second punishable by death. In an environment where advertising was nonexistent in any case, the Soviet government officially banned tobacco advertising in 1980, and sales of cigarettes to children under the age of 16 were prohibited in 1981. Soviet law forbid smoking in many public places (restaurants and public transportation, for example), and the government conducted extensive anti-smoking campaigns and required health warnings on cigarette packages.

Confusion over the status of Soviet-era legislation during the early post-Soviet transition period dangled an irresistible bonanza of opportunity before the international tobacco industry. A significant surge in advertising and promotion was considered essential to the establishment of brand identity; by the mid-1990s, it was estimated that around half of all billboards in Moscow, and three-quarters of the ubiquitous plastic shopping bags, carried tobacco ads. Tobacco transnationals ranked among the top three advertisers in the country.

The Russian Duma approved yet another ban on advertising in 1993, but the Association of Russian Advertisers, supported by the tobacco industry lobby and the press ministry – both concerned about loss of revenue – effectively blocked implementation. Their task was an easy one, given the law's scant enforcement mechanisms. New federal legislation prohibiting

tobacco (and alcohol) advertising on television between 7 AM and 10 PM went into effect on January 1, 1996. Sponsored by the State Anti-Monopoly Committee, it also stipulated that advertisements and domestically produced cigarette packs should carry a health warning; imported cigarettes were exempt. Once again, compliance and enforcement were anemic, as they were based on the industry's voluntary code of conduct.

Yet another round of law-making in 2001 was intended by its drafters to limit smoking to the same extent as the European Union and Canada, with some provisions even more severe. Its first reading forbid the sale of tobacco products to people under 18, banned TV and radio ads altogether, required health warnings on all cigarette packs, prohibited the sale of cigarettes in packs of less than 20 and from vending machines, and made smoking illegal in health, cultural, governmental, and educational facilities, except for designated smoking areas. All airline flights under three hours' duration were to be non-smoking. Maximum tar and nicotine levels were specified for the first time: 12 mg of tar and 1.1 mg of nicotine per cigarette (the European Union limits tar to 10mg). Smoking was not to be depicted on television or in films.

### Lobbyists Gut Legal Provisions

As the law was debated in its initial stages in mid-2001, the lack of protest from the tobacco industry led to speculation that it would be significantly watered down. Those predictions were accurate. Industry influence diluted or deleted most of its provisions. A reporter for the St. Petersburg Times called the changes between the first and second draft law "a textbook demonstration of the lobbyist's art." The changes that emerged are summarized in the table on page 5.

Because of the toothlessness of this legislation, the only existing tobacco-related penalties were in the Administrative Code: a fine of ten percent of the minimum wage for smoking on city transportation, and a larger fine for vaguely defined "illegal trade in tobacco." In addition to the obvious omissions of restrictions in the 2001 law's final version, the amendments opened more subtle loopholes. Who, for example, would determine what constitutes an "integral element of the artistic design" of a film or TV show? A director or producer could continue to have performers light up, virtually without restriction. Even the remaining reductions in the levels of tar and nicotine benefit the international tobacco companies, whose Russian competitors produce cheaper, stronger cigarettes. Furthermore, this federal law replaced a patchwork of regional smoking laws, some of which – such as Dagestan's forbidding of cigarette sales during Ramadan, or the Moscow City fine of ten minimum wages for smoking in an ele-

mentary school – were stronger than the federal code but could be now challenged under the Kremlin's drive to achieve regional conformity. At the end of the day, the most useful observed provisions of the bill were the ban on the sale of single cigarettes and vending machine sales (which results in decreased use by minors), and stepped-up enforcement of the insistence on health warning labels. Smoking in public places remains the norm, and the streets of major cities are still plastered with cigarette ads.

### Greater Will to Deal with the Problem in the Future?

A new round of legislation is currently under discussion, with the Duma approving a draft bill in mid-2007 that would prohibit smoking in restaurants, trains, ships, and municipal government offices, except for designated smoking areas, and would ban smoking on all airline flights regardless of duration. The bill also contains enforcement mechanisms for the ban on outdoor advertising. Smoking areas would be limited to half the area of the establishment for restaurants, and one-quarter the space in other places, with the explicit intent to limit exposure and harm from secondhand smoke. Violations of the new rules would incur a fine of 1,000 times the minimum wage. As this bill slowly makes its way through the legislative process, an optimist would detect hopeful signals of a possible emergence of new tobacco control possibilities: an early 2007 ROMIR study indicated that half of Russians support a ban on smoking in public places, and the last few years' surge of interest in health and fitness among the young and successful further fuels nascent anti-smoking sentiments. Putin has made explicit anti-tobacco statements, including these remarks on World No Tobacco Day on May 31, 2007: "The damage caused by smoking is obvious, affecting not only smokers, but also the people around them and, most seriously, the young generation. We can only successfully address this serious issue if the state, civic organizations, and the business community join forces. There is a need for more legislative measures as well as more intensive prevention and education work." As the Kremlin's words continue to define the magnitude and direction of political will, it would seem that there is greater potential than ever before to combat this ongoing health threat.

Yet as Western sentiment continues to coalesce against them, the international tobacco companies view Russia, together with China, as their most accessible and essential markets for growth. According to Duma deputy Dr. Nikolai Gerasimenko, they have invested around \$2 billion over the last few years in the courtship of the Russian smoker, and they will not sacrifice the current pro-smoking legislative, industrial, and mar-

keting environment without a fight. Women and youth are their major targets. The success of future tobacco control legislation and policy – and the outcome of the

ongoing battle between the tobacco industry and public health – will in part determine Russia’s chances to overcome its ongoing health and demographic crisis.

*About the author*

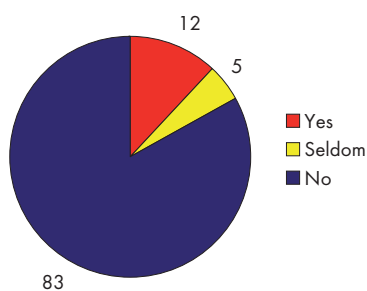
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*Further reading*

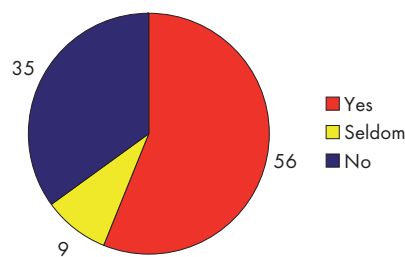
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**Do You Smoke (at least One Cigarette a Day)? (%)**

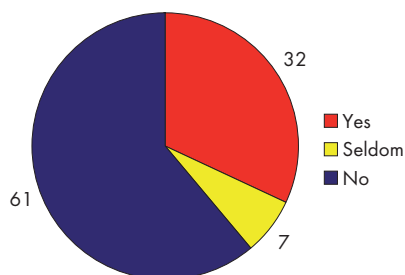
**Women**



**Men**



**Total**



Source: Russian Public Opinion Research Center; opinion poll conducted on 16–17 June 2007  
<http://wciom.ru/arkhiv/tematicheskii-arkhiv/item/single/8448.html>

## Changes in the Anti-Smoking Law from First to Second Reading

First reading	Second reading
The manufacture and sale of tobacco products containing more than 12 mg of tar and 1.1 mg of nicotine per cigarette is forbidden.	The manufacture and sale of <ul style="list-style-type: none"> <li>• filter cigarettes containing more than 14 mg tar and 1.2 mg nicotine</li> <li>• filterless cigarettes (Papirosi) containing more than 16 mg of tar and 1.3 mg nicotine</li> </ul> is forbidden.
Text on hazards of smoking must cover not less than 25 percent of the large side of the package.	The large side of the pack must bear a main and additional warning on the hazards of smoking. Each warning must take up not less than 4 percent of the area of the side.
The sale of tobacco products is forbidden in health care organizations, cultural centers, and sports centers, as well as within 100 meters of such organizations	The sale of tobacco products is forbidden in health care organizations, cultural centers, and sports centers.
The sale of cigarettes to minors shall entail a fine of 3 to 25 monthly minimum wages, and in the event of a repeat violation shall result in a termination of the license.	Omitted.
Limiting the advertising of tobacco products: <ul style="list-style-type: none"> <li>• Complete ban on advertising of tobacco products</li> <li>• Banning of sponsorship of all types of events</li> <li>• Punishment of violations</li> </ul>	Tobacco and tobacco product advertising shall be realized in accordance with the Legislation of the Russian Federation on Advertising.
Smoking in the workplace, in forms of transport, sports facilities, cultural, healthcare, and educational institutions, the premises of state departments, and trading premises shall be banned.	Smoking is banned on city and suburban transport, on airborne forms of transport, in closed sports facilities, cultural, healthcare, and educational institutions, and premises occupied by state bodies of authority, with the exception of smoking in specially designated areas.
Individuals smoking in areas where smoking is banned shall be subject to a fine of 10 minimum monthly wages.	Omitted.
Employers may set lower levels of bonuses and premiums for workers using tobacco products.	Omitted.
It is forbidden to show well-known public figures smoking in the media, films, and spectacles.	It shall be forbidden to show smoking in new films if such activity is not deemed to be an integral element of the artistic design as well as showing the smoking of tobacco by well-known public figures in the media.
The government shall annually approve the program for limiting tobacco usage and shall set aside appropriate funds for the implementation of such from the budget.	The Russian Federation government shall develop measures to limit tobacco usage and shall ensure their implementation.
The retail price of tobacco products shall be not less than 200 percent of its production cost including excise. The excise rate shall be not less than 80 percent of its release price.	Omitted.
Tax benefits for the manufacturers and sellers of tobacco products shall be forbidden.	Omitted.