

Two years after tobacco ban, Bhutan still awaits law

More than two years after it made history by becoming the first nation to ban tobacco sales and smoking in public, the Himalayan kingdom of Bhutan is still awaiting a law to back the ban while a black market in tobacco flourishes.

The Tobacco Control Legislation is yet to be drafted though the sale of tobacco was banned in December 2004 and smoking in public places two months later.

As the stakeholders met in capital city Thimphu last week to discuss the draft, the battle on tobacco seemed to be losing steam with participants also discussing whether entertainment centres like discotheques, snooker rooms and bars should have a designated room or area for smokers, Bhutan's official media reported.

'It has been a struggle to enforce the ban, especially in these entertainment places,' one of the participants told Kuensel daily.

'The legislation declaring all entertainment centres as a non-smoking area has been impractical because a number of smokers visit these places. The legislation would be subjected to criticism if we do not consider having separate designated areas for smokers.'

However, Bhutan's top health official is against providing a smokers' area in or near public places.

Ugyen Dophu, director of public health, said designating a smoking area in entertainment centres was not a solution since it went against the move to make Bhutan smoke-free.

'We run the risk of encouraging smokers,' Dophu said.

The tobacco legislation drafted by the health ministry prevents smoking in public places, which also includes parks, shops, schools, public transport and traditional celebrations.

Currently, smokers who break the rule have to pay a \$225 fine while shops and hotels caught selling tobacco lose their business licence.

However, there are loopholes. Citizens are allowed to import tobacco for personal consumption upon paying 100 percent tax on cost price while tourists, diplomats and those working for NGOs are exempt from the ban.

The ban has had the effect of fostering a growing black market in tobacco products.

According to the National Revenue Report 2005-06, in 2005, officials made 461 seizures of illegal goods worth Nu. 1.67 million (over \$40,830). Tobacco products comprised the lion's share of the smuggled goods, accounting for 105 seizures.

It was a sharp rise from 2004, when only 193 cases were recorded with the confiscated goods amounting to Nu.1.08 million.

'Despite regular inspections and monitoring, the market is thriving,' trade joint director Dophu

Tshering was quoted as saying.

The ban has other pitfalls as well. Last year, four teenagers smoking clandestinely in a forest caused a fire, destroying an estimated 7,000 acres of blue pine forest.

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