

## Non-Smoking Area Policy in Public Spaces as an Effort to Protect Passive Smokers

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### **Abstract**

*This study examines the policy of no smoking areas in public open spaces comprehensively as an effort to reduce cigarette smoke exposure where the program and activities also efforts of the government and the community through education and advocacy and awareness about dangers of smoking. Research targets review and analyze non smoking area policies in public open spaces to prevent exposure to cigarette smoke, so these variables can be studied comprehensively and holistically then a qualitative approach is used. In 2017 cigarette production was 341,9 billion cigarettes. According to director of customs and excise admissions and regulations at the directorate general of customs and excise Susiwijono when looking at the actual cigarette production realization figures in the July 2014 period, it can be seen that the effect of the Government regulation no 109 of 2012 related to the provisions of the Health Warning (pictorial health warning) that requires installation of health warning pictures 40% of the area of cigarette packaging is not too significant in controlling the production and consumption of cigarettes. There may be an effect on cigarette consumption, but not to large. Of the ten largest smokers in the world, Indonesia ranks third after China and India. For Surabaya, the active number of workers among young people at the age of students is very alarming. In October 2012, active smokers were 12,98 % and 14,3% of students had and sometimes smoked. Surabaya city government often sees that people who don't smoke or can be termed passive smokers often get the effects of people who smoke or are active smokers. Of course, passive smokers get losses here especially health problems and disruption of the public environment.*

**Keywords:** policy, non-smoking, public areas, regulation

### **INTRODUCTION**

Healthy and good behavior is everyone's dream and has become a basic need for public health degrees. Joint regulations between the Minister of Health and the Minister of Home Affairs are set forth in Letter number 188 / MENKES / PB / I / 2011 and No. 7 of 2011 concerning Guidelines for the Implementation of No-Smoking Areas. This joint regulation actually mentions sanctions for violators, but it still needs to be strengthened by operational instructions and consistency in implementation in the field.

Sholihah et al. (2015) Smoking habits in public places have a negative impact, especially the health of the surrounding community. Therefore the Application of the No Smoking Area Policy is an effective tool to reduce Second Hand Smoke (SHS) cigarette smoke and protect non-smokers.

The number of deaths due to smoking in 2000 was 70% from developed countries and 30% from developing countries. By 2020 this composition will turn to 30% in developed countries and 70% in developing countries (Ministry of Health, 2011). (WHO, MPOWER, 2008).

The purpose of the Surabaya City Regulation No. 5 of 2008 on non-smoking areas and smoking-restricted areas is to protect health from the dangers of smoking, promote healthy living, suppress novice smokers and, most importantly, protect passive smokers from the risks they can bear due to the actions of others ( active smoker ). This regulation also regulates the location of places that are prohibited from smoking, promoting and selling cigarette products. The No Smoking Area (KTR) does not intend to forbid people to smoke but only to regulate smokers to protect public health (passive smokers).

In 2019 the Surabaya City Council passed the draft regional regulation (raperda) on non-smoking areas to become a Non-Smoking Area Regulation (KTR). Regional Regulation Number 2 the Year 2019. Regional Regulation No Smoking Area (KTR) regulates not only smoking, but every activity related to cigarettes and tobacco is regulated in this Perda.

Every person who violates will be fined Rp. 250,000. Meanwhile, if private companies and government agencies do not put up smoking signs or logos, they will be penalized in the form of a fine of Rp. 50 million. "So smoking must now be outside. Not in the building," This KTR regulation is different from the existing regional regulation. Because these rules do not prohibit everyone from smoking in the building but only limit. "I think the previous regulation, Perda No. 5/2008, was ineffective for the City of Surabaya. In this Regional Regulation, KTR (regulated) is more specific," Because

smoking is no longer allowed inside buildings, government agencies or private companies are required to build facilities or rooms for smoking outside the building. After the Perda is passed, Surabaya City Government must prepare how the implementation instructions and technical instructions in the mayor's regulations.

<https://surabaya.kompas.com/read/2019/04/04/23045871/sah-merokok-sembarangan-di-surabaya-dikenai-denda-rp-250000?page=all>.

According to Koontz and O'Donnel argues that policy is a statement or general understanding that guides thought in making decisions that have certain limits on decision making (*Sagala, Syaiful. 2010: 27*). The KTR and KTM programs in Perda No. 5/2008 are programs that are shown as an effort to respect people who don't smoke or are also called passive smokers, and more importantly also maintain health by avoiding cigarette smoke without offending and disappointing active smokers by providing a special place to be able to enjoy cigarettes in the area designated as KTM by the government. Whereas in the area designated as KTR (No Smoking Area), all people are prohibited from selling or smoking cigarettes. This was confirmed by the government by not providing designated smoking areas in the KTR area. Perda No 5 of 2008 concerning KTR and KTM as Public Policy

Problems that occur in the implementation of Perda No. 5 of 2008 concerning KTR is a lack of awareness and understanding that occurs in the community and enforcement of regulations that are less strict by the authorized officials. All of this can be proven by the lack of understanding of the people in non-smoking areas about the existence of a regulation that regulates Non-Smoking Areas (KTR). So many violations that occur in areas without cigarettes. This can be caused by the lack of clarity in the officers who monitor or enforce these regulations for the sake of the smooth regulation. (*Hartanto, Deny: 2015*)

The scope of the No Smoking Area, according to the Republic of Indonesia Ministry of Health (2011), namely 1). Health Care Facilities; 2). Place of Teaching and Learning Process; 3). Children's Playground; 4). Worship place; 5). Public transportation; 6). Workplace; 7). Public places; 8). Other Places Specified

The leader or person in charge of the places as determined must establish and implement the KTR. Health service facilities, teaching and learning places, children playgrounds, places of worship and public transportation are the scope of KTR that are prohibited from providing special places for smoking and are KTR that are free of smoke to the outer limits. Whereas the workplace, public places, and other designated places can provide a special place for smoking.

The purpose of establishing a no-smoking area is 1. To create a healthy and clean air quality free from cigarette smoke; 2). Changing community behavior for healthy living; 3). Reducing the number of smokers and preventing novice smokers; 4). Creating a healthy young generation; 5). Increase optimal work productivity; 6). Reducing morbidity and / or mortality; 7). Protect children and non-smokers from health risks; 8). Prevents discomfort, smell and dirt from the cigarette room; (*RI Ministry of Health, 2011*).

## **RESEARCH METHODS**

### **Research Design**

This research will use a qualitative approach that is expected to provide a more complete and comprehensive perspective to produce an in-depth study of social phenomena / phenomena.

### **Research location**

The research location is in the city of Surabaya. The selection of research sites must have considered various aspects. Several locations of public open areas in the city of Surabaya will be selected as research locations.

### **Types and sources of data**

Informants in this study include Surabaya City government officials who are directly related to the No Smoking Area Policy (KTR) and the public who use public open space.

### **Data collection techniques**

Data collection techniques carried out using: In-depth interviews (in-depth interviews). In-depth interviews will be conducted on a number of respondents in the community and officials who are directly related to the No Smoking Area Policy in the City of Surabaya.

### **Data Analysis Techniques**

In descriptive research, the process of analyzing and interpreting data is not only done at the end of data collection or standing alone, but is also carried out simultaneously when data collection takes place in the field, so in qualitative research, it is often known as a cycle process. After obtaining information, an analysis is carried out to look for conclusions while then the next information is collected

## **RESULTS AND DISCUSSION**

Cigarette production in Indonesia still tends to be high even though the anti-smoking campaign is being intensively carried out by the government. In 2017 cigarette production was 341.9 billion cigarettes. According to the Director of Customs and Excise Admissions and Regulations Directorate General of Customs and Excise Susiwijono, if you look at the figures of the realization of cigarette production specifically in the period June-July 2014, it can be seen that the effect of the enactment of Government Regulation Number 109 of 2012 related to the provisions of the Health Warning (Pictorial Health Warning ) which requires the installation of health warning pictures of 40 percent of the area of cigarette packaging, is not too significant in controlling the production and consumption of cigarettes. "Maybe there is an effect on cigarette consumption, but it's not too big," This amount of production is inseparable from the high consumption of cigarettes in Indonesia.

Of the ten largest smokers in the world, Indonesia ranks third after China and India. The results of monitoring from the Tobacco Consumption Agency in the world noted that more than 65 million people in Indonesia are active smokers. The results of the National Economic Social Survey show that there has been a sharp increase in the increase in smokers in Indonesia.

For the city of Surabaya, the number of active smokers among young people/ students is quite alarming. Based on the survey, in October 2012, active smokers were 12.98 percent and 14.3 percent of students had and sometimes smoked. The danger of the threat of cigarette smoke to health is becoming an important focus for governments in some areas. This can be seen from the Regional Regulations in several cities in Indonesia that apply the problem of areas that are allowed to smoke, no smoking, and limited smoking. After DKI Jakarta, Surabaya as the second-largest city in Indonesia began implementing smoking area regulations. Surabaya City Government has ratified Regional Regulation No. 2 of 2019 concerning No-Smoking Areas.

This Regional Regulation on smoking is dilator behind by several problems that often arise due to people who smoke carelessly or freely. The Surabaya City Government sees that people who do not smoke or can be termed passive smokers often get the effects of people who smoke or are active smokers. Of course, passive smokers get a loss here, especially related to health problems and disruption of the public environment.

As stated in the Surabaya City Government's consideration in Perda No. 2 of 2019 that this Regional Regulation is dilator behind by several things namely: based on the provisions of article 28 H paragraph 1 of the 1945 Constitution of the Republic of Indonesia, the State guarantees the right of everyone to get a good living environment and healthy; The Surabaya government also wants to support Government Regulation No. 19 of 2003 concerning the safeguarding of cigarettes for health; Surabaya City Government efforts to respect the rights of smokers. This requires the provisions regarding Smoking Restricted Areas and the presence of momentum deemed appropriate for the Government of Surabaya to implement the Regional Regulation on Cigarette Areas.

Surabaya City Government stated in Regional Regulation No. 2 of 2019 that the places mentioned as No-Smoking Areas are health infrastructure, places for teaching and learning process, an arena for children's activities, places of worship, and public transportation.

If reviewed further, this mayor's regulation provides provisions regarding the Implementation of Surabaya City Regional Regulation Number 2 of 2019 concerning Non-Smoking Areas. Location or places that are prohibited from engaging in smoking activities except in the place that has been provided, which is commonly known as the Smoking Area. This area is clearly written in Surabaya Mayor Regulation Number 25 of 2009 concerning Implementation of Surabaya City Regulation Number 2 of 2019 concerning Non-Smoking Areas. No-Smoking Zone is a room or area that is declared prohibited for the activities of production, sale, advertisement, promotion and / or use of cigarettes. Restricted Smoking Areas are places or areas where smoking activities should only be carried out in special places.

The increasing smoking habits of the people must be suppressed by limiting the freedom of smoking to public places which foamy interfere with other people. The non-smoking area does not intend to forbid people to smoke but only to regulate smokers to protect public health (passive smokers). As explained in Surabaya City Mayor Number 25 of 2009, article 1 paragraph 17 and 18 referred to as No-Smoking Zone is a room or area that is declared prohibited for the activities of producing, selling advertisements, promoting, or using cigarettes. While the Smoking Restricted Area is a place or area where smoking activities can only be done in a special place (smoking area).

Efforts to stop smoking should be the duty and responsibility of all levels of society. Information and education efforts, especially among the younger generation, can also be linked to efforts to overcome the dangers of narcotics, school health efforts, and public health education in general. Community role models, including officials, religious leaders, teachers, health workers, artists and sportsmen, should be an example of not smoking. Health professionals, especially doctors, play a very important role in counseling and setting an example for the community. It is also necessary to regulate and control cigarette promotion advertisements, put health warnings on cigarette packs and cigarette

advertisements. A non-smoking climate must be created. This must be carried out simultaneously by all of us who want the achievement of a healthy nation and nation of Indonesia.

In the new Regional Regulation, namely Regional Regulation No. 2 of 2019: No-Smoking Zone is a No-Smoking Zone is a room or area that is declared prohibited for the activities of production, sale, advertising, promotion and / or use of cigarettes. teaching and learning, the arena of children's activities, places of worship, public transportation. Everyone in a No Smoking Area is prohibited from producing or making cigarettes; selling cigarettes; carrying out cigarette advertisements; promote cigarettes; and / or using cigarettes.

## CONCLUSION

Smokers who carelessly smoke cigarettes in public places and certain places. If found to engage in smoking activities in prohibited places, a fine of Rp. 250,000 will be imposed. Administrative sanctions are in effect because the city of Surabaya currently has a Local Regulation 2/2019. The Regional Regulation on Non-Smoking Area (KTR) regulates not only smoking, but every activity related to cigarettes and tobacco is regulated in this regulation.

Everyone is prohibited from smoking and carrying out activities related to cigarettes and tobacco in public places, workplaces and government offices. Even at work, smoking is prohibited, including selling, advertising, promoting cigarette products. Every office or workplace must provide a designated smoking area. But the smoking area must be in an open space not in one location at work. The smoking area must be in direct contact with outside air so that air can circulate properly. The smoking area must be separated from the main place or activity of people.

At least seven regions must be forbidden to smoke. The seven KTR areas are Health facilities, place of teaching and learning process; arena of children's activities; - worship place; public transportation; workplace (office), public places (other public facilities parks) And other places.

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