

Effective Implementation of the WHO Framework Convention on Tobacco Control through the MPOWER Policy Package

Ban on tobacco advertisement, promotion and sponsorship in South-East Asia

Every year, 1.2 million people in the South-East Asia Region die from tobacco-related illnesses

Introduction

Tobacco products, specially cigarettes are among the most marketed products in the world as the tobacco industry spends billions of dollars each year to market its products. In places where advertising is permitted, the largest single expenditure by tobacco companies is devoted to advertising and promotion. The industry uses a mix of tobacco advertising, promotion and sponsorship (TAPS) tactics to directly influence tobacco use and attitudes related to tobacco. Through advertising and promotion the tobacco industry tries to create an environment in which tobacco use is familiar and socially acceptable, and the warnings about health consequences are undermined.

There is conclusive evidence that tobacco advertising, promotion and sponsorship:

- Attracts new tobacco users;
- Increases the amount of consumption among current users; and
- Reduces willingness among users to quit.

On the other hand, studies have confirmed that regulation of tobacco advertising, promotion and sponsorship is a key factor in reducing tobacco use.

Because of its effect on tobacco use, the WHO Framework Convention on Tobacco Control (FCTC) is straightforward when it comes to the issue of tobacco advertising, promotion and sponsorship. Article 13 of the WHO FCTC mandates *that each Party shall, in accordance with its constitution or constitutional principles, undertake a comprehensive ban on all forms of advertising, promotion and sponsorship. This shall include, subject to the legal environment and technical means available to the Party, a comprehensive ban on cross-border advertising, promotion and sponsorship originating from its territory.* Where Parties' domestic constitutional principles prevent such a ban, Parties are obliged to impose restrictions to the greatest possible extent.

The Convention obliges Parties to undertake appropriate legislative, executive, administrative and/or other measures within a period of five years after entry into force of the Convention. Being the early ratifiers of the treaty, most countries in South-East Asia are required to meet their obligations under this article in 2010.

WHO FCTC defines

Tobacco advertising and promotion as “any form of commercial communication, recommendation or action with the aim and effect of promoting a tobacco product either directly or indirectly”.

Tobacco sponsorship as “any form of contribution to any event, activity or individual with the aim, effect or likely effect of promoting a tobacco product or tobacco use either directly or indirectly”

WHO Report on the Global Tobacco Epidemic, 2009 reveals that

- A comprehensive ban on all advertising, promotion and sponsorship protects people from industry marketing tactics and could decrease tobacco consumption by about 7%.
- Partial bans have little or no effect; if advertising is prohibited in a particular medium, the tobacco industry merely redirects expenditures to places where advertising is permitted.

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The Conference of Parties at its third session adopted the guidelines for implementation of Article 13 that provides detailed mechanism for implementation of the provision.

The WHO Report on the Global Tobacco Epidemic, 2008 recommended MPOWER, a package of six effective policies for implementation of the WHO FCTC. One of the six policies is “Enforce ban on tobacco advertising, promotion and sponsorship” which suggests two interventions for this policy objective:

1. Enact and enforce effective legislation that comprehensively bans all forms of direct tobacco marketing,
2. Enact and enforce effective legislation to ban indirect tobacco advertising, promotion and sponsorship.

Legislation to ban TAPS in countries of South-East Asia:

In keeping with their obligation under the WHO FCTC, several governments in the South-East Asia Region have already enacted or amended their laws to ban various forms of TAPS. Some countries have initiated legislative process and made significant progress to enact the law to ban TAPS. Some countries that are yet to enact relevant laws currently have executive regulations at national or sub-national levels that restrict tobacco advertising in selected media.

Bangladesh

The “Smoking and Tobacco (Control) Usage ACT 2005”, and its rules prohibit advertising and sponsorship of smoking tobacco products, such as cigarettes, bidi and other smoking products. However, it did not cover the smokeless tobacco and the advertisement at the point of sale. It bans direct advertisements and sponsorships of smoking forms of tobacco in any form in the print and electronic media including bill boards and handbills and prohibits advertising of tobacco brand names, logos, trademarks and signs in any printed document. Regarding indirect advertising, it prohibits some promotional activities such as the free distribution of tobacco products, tobacco-sponsored events, trademark and logo advertising, scholarships, gifts and prizes. The law however, makes the ban of advertising in a range of media including print and electronic, theatres, films, billboards, emails, internet and automatic vending machines.

Penalties: If any person violates these provisions of the advertising and promotion ban, he or she could be punished with imprisonment up to three months and/or with fines up to TK 1000/- (US\$ 15). TAPS offences are cognizable, bailable, and triable by the magistrate upon a written complaint by an authorized officer.



Tobacco advertisement on the signboards are pulled down by legal bodies in Bangladesh.

Bhutan

Bhutan does not have a law banning TAPS. However, it has developed a draft Tobacco Control Act 2008, which includes TAPS regulations. The draft law is at the final stage of passage in the parliament. Currently, the country has a few Royal decrees through which tobacco production and use are regulated. As a policy, the government does not allow any advertisement and sponsorship of tobacco products.

The draft law includes provisions for banning of all advertisements of tobacco and tobacco products in a range of media including print media, radio, television, video tapes, internet and on billboards and transport vehicles. It also suggests banning the free distribution of tobacco products, use of tobacco brand names and trademarks. The country has an advantage as there are no national or international tobacco companies or marketers operating within its jurisdiction. It has a very small media base which is sensitized against tobacco promotion.

Penalties: All advertising materials contravening the proposed law are to be confiscated and fines equivalent to the prescribed fine or the value of the material (whichever is higher) are to be levied on offenders. The draft law suggests increasing fines for subsequent offences.

India

‘The Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production and Supply and Distribution Act, 2003 (COPTA) prohibits direct and indirect advertising of all tobacco products. However, it has exempted advertising at the point of sale. To prevent brand sharing and surrogate advertising of tobacco products, the rules under the law have comprehensively defined a ‘indirect advertising’ which includes free sampling, trademark diversification, brand stretching, brand sharing, sponsorship, scholarship, gifts and prizes. The rules also

restrict the content, size and number of 'points of sale' advertisements. It also prohibits the display of tobacco products that permits visibility and access to minors and in the vicinity of educational institutions. The rules have been amended more than once to cover more areas and have put restrictions on the display of tobacco products or their use in movies and television programmes. It has also put restrictions on the display of names / logos of tobacco brands in any manner during media coverage of international events sponsored by tobacco manufactures. The law and subsequent rules cover media ranging from handbills to billboards and videotapes.

Penalties: The contravening advertisement and related material will be seized and forfeited by the government, which will dispose it as prescribed by the law. In the case of first offence, the convicted the person / agency may be punished with imprisonment for a term which may extend up to two years and /or fines which may extend to Rupees 1000 (US\$ 22). The punishment will be increased to imprisonment for a term which may extend to five years and/or fines which may extend to Rupees 5000 (US\$ 110) in case of subsequent offences.

Indonesia

Indonesia is yet to accede to the WHO FCTC and does not have any TAPS legislation. Currently, there is a regulation (PP No. 19/2003) that restricts the timing and content of TAPS in the electronic media. The regulation restricts direct tobacco advertising on television between 5 am to 9.30 pm. There is no restriction on other forms of advertising, promotion and sponsorship, except free sampling. However, a health warning must be incorporated in all advertisements. Cigarette packs, smoking, and words associated with children, teenagers and pregnant women are however, not allowed in advertisements.



Direct advertising of Tobacco product in Indonesia.

The draft Tobacco Control Bill contains provisions on TAPS which will be discussed in the new parliament in 2010. There are ongoing civil society efforts to table a draft Bill in parliament prohibiting TAPS.

Penalties: In case of violation, according to PP 19/2003, the Indonesian FDA (Badan POM) would send a verbal appeal, then a written appeal and recommendation to the Ministry of Trade and Ministry of Industry for "withdrawal of their business license".

Maldives

The former constitution of Maldives gave government agencies the mandate to issue regulations regarding TAPS. Based on that it prohibited tobacco advertising in government media in 1984. Ministry of Health and Family prohibited all forms of TAPS in 1995. Under its new constitution adopted in 2008, all such regulations are to be given legal status for enforcement by an act of parliament. Pending such action, an enabling law giving interim legal status to all these regulations was enacted but expired in August 2009. Maldives therefore needs to enact TAPS regulations under the Act on Tobacco Control.

Myanmar

The Control of Smoking and Consumption of Tobacco Products Law, 2006 bans all forms of direct and most forms of indirect tobacco advertising and sponsorship. It is very comprehensive and regulates TAPS in all forms of media. It bans direct advertising, tobacco sponsorship and publicizing by any other means. Further, it includes provisions to ban the sale of toys, confectioneries in the form of tobacco products, or tobacco labels on any goods. Myanmar law is distinctive as it prohibits all promotional descriptions, including in newspapers, journals and magazines, high-technology mass media channels, and tobacco branding on personal goods. The law entails that there should be counter-communication that sensitizes the public about the adverse health effect of tobacco smoking and consumption.

Penalties: The penalty for violating the provisions on TAPS is a fine of 20,000 to 50,000 kyats (UD\$ 174 – 435) for the first offence and punishable with imprisonment for a term which may extend up to two years. The second and subsequent offenders may face a more stringent penalty which involves a fine of 50,000 to 200,000 kyats. Obstruction to inspection is punishable with imprisonment up to two years and / or a fine.

Nepal

Nepal has not yet banned TAPS by law. It has developed a draft law which is under the consideration of the parliament. Meanwhile, a government decree prohibited tobacco advertising in the electronic media in 1998. So, tobacco advertising on television and radio is prohibited. In 2006, the Supreme Court of Nepal ordered the government to prohibit tobacco advertising in the print media.



Tobacco advertising on billboard in Nepal.

Sri Lanka

“The National Authority on Tobacco and Alcohol (NATA) Act No.27 of 2006” of Sri Lanka prohibits most forms of direct and indirect TAPS. Under the NATA Act, tobacco advertising, sponsorships and the free distribution of tobacco products in major forms of media are banned. All forms of direct and most forms of indirect TAPS are prohibited under this law. It also bans tobacco industry sponsorship of any educational, cultural, social, or sporting organization, activity, or event. The law has included ample measures to regulate the corporate social responsibility activities of tobacco companies by prohibiting the promotion of any financial or other support given to such activities.

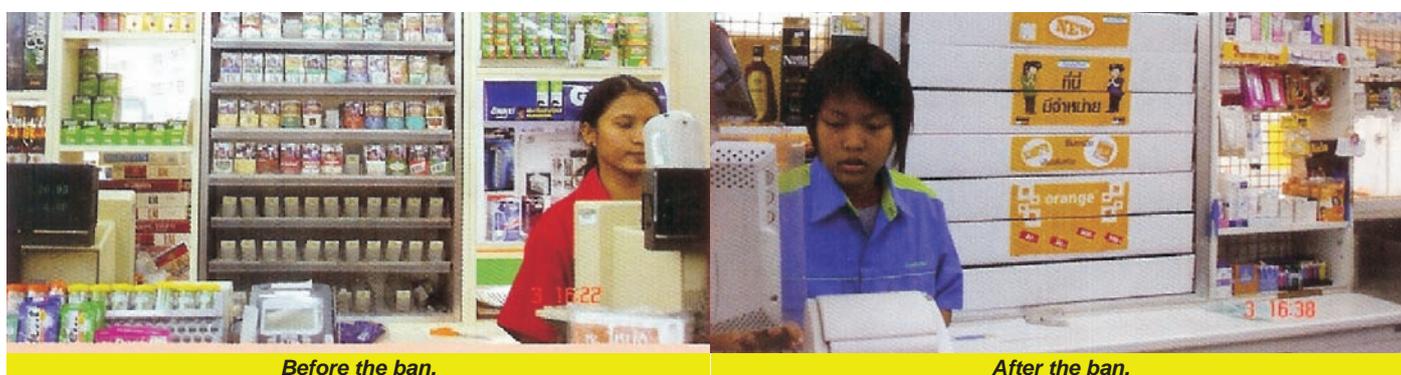
Penalties: According to the law, contravention is punishable offence. The violator may be sentenced with a fine not exceeding 2 million Rupees. Violation of the ban on tobacco sponsorship, price incentives, and corporate social responsibility promotions face fines up to Rupees 50,000 (US\$ 435) and/or imprisonment up to two years.

Thailand

Thailand has banned tobacco advertisements since 1989. Until August 1992 the advertising ban was under the Consumers' Protection Act 1979.

In August 1992, the Ministry of Public Health (MOPH) became responsible for the newly-enacted Tobacco Products Control Act 1992 which bans all forms of direct and indirect tobacco advertising in the print and electronic media and at point of sale. The ban outlaws brand stretching, brand sharing, trademark diversification, and all surrogate advertising. Tobacco advertising of sports and services and various forms of promotion including gifts, coupons, discounts, tobacco imitations and free distribution are also prohibited. The country reviews the law periodically on the basis of the information gathered at the ground level on its compliance and effectiveness and modifies it for better results. The latest revision extended the prohibition of advertising and display of tobacco products at the point of sale which came to force on 24 September 2005. Thailand is the only country in the Region to have attempted this prohibition. A ministerial notification is being developed to ban cross-border advertising.

Penalties: According to the legal provisions of Article 19 of Thailand's tobacco control law, direct advertising is punishable by a fine up to 200,000 Baths (US\$ 5805), other forms of indirect advertising are punishable by fines up to 20,000 Baths (US\$ 580).



Thai shops before and after the ban on display of tobacco products at the point of sale.

Legal provisions banning different modes of Tobacco Advertisement in Member countries

Country	National TV and radio	International TV and radio (broadcast from abroad, including satellite)	Local magazines and newspapers	International magazines and newspapers	Billboards and outdoor advertising	Point of sale	Internet
Bangladesh	Yes	No	Yes	No	Yes	No	No
Bhutan	Yes	No	Yes	No	Yes	Yes	No
DPRK	Yes	Yes	Yes	Yes	Yes	Yes	Yes
India	Yes	Yes	Yes	Yes	Yes	No	Yes
Indonesia	No	No	No	No	No	No	No
Maldives	Yes	No	Yes	No	Yes	Yes	No
Myanmar	Yes	No	Yes	No	Yes	Yes	Yes
Nepal	Yes	No	No	No	No	No	No
Sri Lanka	Yes	No	Yes	No	Yes	Yes	Yes
Thailand	Yes	No	Yes	No	Yes	Yes	Yes
Timor Leste	No	No	No	No	No	No	No

Source: Information provided by the countries for WHO Report on Global Tobacco Epidemic 2009.

Provisions for restricting Tobacco Promotion and Sponsorship

Country	Free distribution of tobacco products in the mail or through other means	Promotional discounts	Non-tobacco goods or services identified with tobacco brand names	Brand name of non-tobacco products used for tobacco product	Appearance of tobacco products in TV and/or films (product placement)	Sponsored events
Bangladesh	Yes	No	Yes	No	No	Yes
Bhutan	No	No	No	No	No	No
DPRK	Yes	Yes	Yes	Yes	Yes	Yes
India	Yes	Yes	Yes	Yes	Yes	Yes
Indonesia	Yes	No	No	No	No	No
Maldives	Yes	Yes	No	No	No	Yes
Myanmar	Yes	Yes	Yes	Yes	Yes	Yes
Nepal	No	No	No	No	No	No
Sri Lanka	Yes	Yes	Yes	Yes	Yes	Yes
Thailand	No	Yes	Yes	Yes	Yes	Yes
Timor Leste	No	No	No	No	No	No

Source: Information provided by the countries for WHO Report on Global Tobacco Epidemic 2009.

Enforcement and monitoring mechanism of TAPS regulations

Bangladesh has been implementing a coordinated strategy for enforcing the regulations regarding TAPS. The law has included the provisions for mobile courts to take cognizance of violations of the regulations and take on-the-spot action. Beside the government, there is a good network of NGOs which helps the government to monitor and enforce the law. They regularly send information on violation of the law to concerned government offices and ask them to organize a mobile court. There are task force committees at district and sub-district levels involving government administration, civil society and NGOs to help implement the law.



Law enforcing agencies removing the tobacco advertisement in Bangladesh.

The National Steering Committee on Tobacco Control looks after the implementation and monitoring of national tobacco control activities in **Bhutan**. However, the Communication Authority of Bhutan is primarily responsible for implementing its TAPS regulations. The Royal Bhutan Police assists the authority in enforcement action. Bhutan has set up multi-sectoral coordination for tobacco control measures involving Ministry of Health,

Ministry of Trade and Industries, Ministry of Education, Department of Revenue and Customs, city corporations, and municipalities, the Royal Bhutan Police, the Road Safety and Transport Authority, the broadcast and print media, Office of the Attorney General etc.

A National Steering Committee in **India** facilitates the enforcement and monitoring mechanism for TAPS legislation and regulations. Similar committees are being set up in the states as well. It is envisaged in the law that the police will enforce the law at different levels. The Ministry of Health and Family Welfare organized several training programmes at different levels for law enforcers to create awareness among them about tobacco control laws, including TAPS. At the national level, advocacy with stakeholder ministries has been undertaken to implement TAPS regulations.



Music competition sponsored by tobacco company in India.

In **Maldives**, the National Tobacco Control Committee is mandated with overall policy coordination for tobacco control including TAPS provisions. However, the Ministry of Economic Development, the Maldives Customs Services, and the Ministry of Health and Family are responsible for various aspects of TAPS implementation. The Ministry of Economic Development looks into licensing and regulations, while Customs Services screen and control the entry of tobacco advertisement

materials from outside the country. These authorities have offices at national and sub-national levels.

The Minister for Health in **Myanmar** is the chair of a National Tobacco Control Committee that monitors the implementation of the tobacco control programme including the regulation of TAPS. The national focal point for tobacco control located in the Ministry of Health coordinates the implementation of TAPS.

The **Sri Lankan** law envisaged a National Authority of Tobacco and Alcohol (NATA) to enforce and monitor the implementation of its provisions, including prohibition of TAPS and to address violations. It has also involved NGOs in implementation.

The National Tobacco Control Committee in **Thailand** looks into monitoring and evaluation of tobacco control policies and programmes including formulation and development of new laws. It has a strong network of government and nongovernmental organizations working in a coordinated manner in implementing the TAPS interventions for tobacco control.

Civil society organizations like ASH Thailand, South-East Asian Tobacco Control Alliance (SEATCA) and the Thai Health Promotion Institute (THPI) have taken over some of the responsibilities for monitoring of TAPS. In addition, the Tobacco Research and Knowledge Management Centre at Mahidol University, which is supported by THPF, is responsible for monitoring and evaluating the effectiveness of the ban on TAPS.



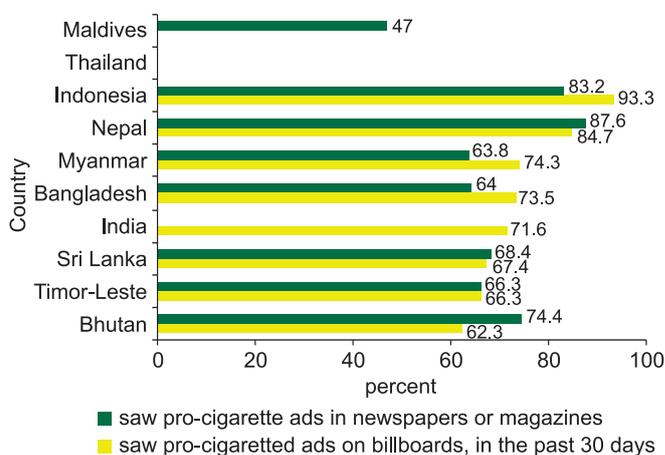
No ban on Tobacco advertisement in Timor-leste

Reports on implementation of regulations on TAPS

Different surveys and reports including the components of the Global Tobacco Surveillance System –GTSS (i.e. Global Youth Tobacco Surveys – GYTS, Global Adult Tobacco Survey – GATS) provide an opportunity to track the real situation in implementing the TAPS ban. These reports also identify the way forward for the respective countries to address the challenge of implementing these interventions.

The findings of GYTS 2006-2007 show that in most of the Member countries almost two - third (ranging from 47% in Maldives to 87% in Nepal) of the survey students noticed pro-cigarette advertisements in newspapers, magazines and nearly 70% noticed the advertisements on billboards in a majority of the countries.

Exposure to tobacco advertisements in different media among students aged 13-15 years in selected Member States of the Region



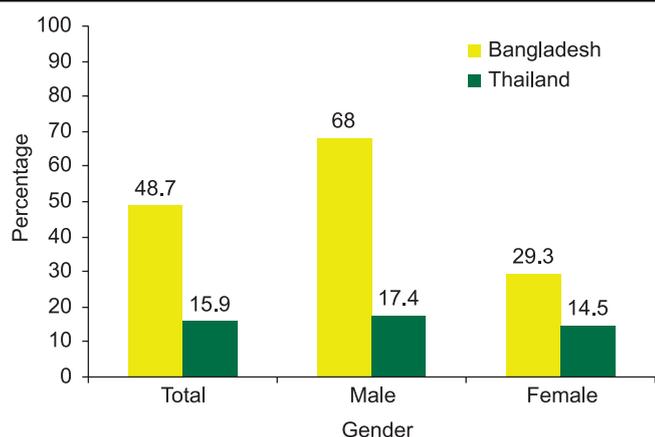
Source: Global Youth Tobacco Survey, 2006-2007

Regarding indirect advertisements and promotion, the GYTS 2006-2007 findings show that nearly one in ten students in most Member countries was offered free cigarettes by a tobacco company representative (range 3% in Sri Lanka to 21.9% in Timor-Leste) and have an object with a cigarette brand logo with the exception of Timor-Leste (34.3%).

On the other hand, the recently concluded Global Adult Tobacco Survey (GATS) in Thailand and in Bangladesh exposed some realistic and useful information on the subject. The GATS Thailand report 2009 discloses that 15.9% of the adults noticed advertisements on cigarettes and other promotional advertisements during the last 30 days. While 6.7% of them noticed “in stores where cigarettes are sold”, 2.3% of them noticed in stores “anywhere else”. However, the figures for advertisements noticed in sport/music/fashion/art events are also very low (1.3%). Cigarette promotion noticed on clothes or items featuring cigarette brands is 6.6%.

The GATS Bangladesh report 2009 reveals that 47% of people aged 15 years and above noticed, during last 30 days, cigarette advertisements, sponsorship, and promotion. The most common site for noticing cigarette advertisements was in a store (33.2%), posters (14.1%), public transportation (8.4%), public walls (6.5%), billboards (6.1%), television (5.4%), cinemas (3.1%), newspapers (1.8%), and radio (1.2%). The most common type of promotion noticed was free gifts / discounts on other products (10.4%). Other promotion activities noticed were free samples (13%), coupons (7.9%) and clothing items with a brand name or logo (6.8%), advertisements in stores.

Percentage of adults noticed advertisements and promotions of cigarette in last 30 days



Source: *Global Adult Tobacco Survey, Bangladesh and Thailand, 2009*

Cross-border TAPS in the South-East Asia Region

Guidelines on Article 13 of the WHO FCTC suggests that “ Parties with a comprehensive ban or restriction on tobacco advertising, promotion and sponsorship should ensure that any cross-border tobacco advertising, promotion and sponsorship originating from their territory is banned or restricted in the same manner as domestic advertising, promotion and sponsorship. Parties should make use of their sovereign right to take effective actions to limit or prevent any cross-border tobacco advertising, promotion and sponsorship entering their territory, whether Parties that have restrictions or from non-Parties, recognizing that in the same cases effective actions might have to be addressed in a Protocol.”

Although countries in the South-East Asia Region have made substantial progress in preventing domestic advertisement and promotional activities, they are, however, facing a formidable challenge from cross-border TAPS.

In **Bangladesh**, cross-border inflow or outflow of TAPS are not mentioned in the country’s tobacco control law. However, its provisions for regulating the domestic TAPS of smoking products across the print and electronic media is expected to reduce outflow of TAPS from the country to other territories.

Bhutan strictly prohibits the domestic production of advertising materials. The bill on tobacco control suggests that Tobacco Control Board and Tobacco Control Unit will communicate with international and regional organizations and local NGOs to effectively carry out tobacco control. It has also proposed ban on internet ad ban which could prevent TAPS inflow and outflow from the country.

The **Indian** Cigarettes and Other Tobacco Products Act (COPTA) 2003 has put restrictions on inflow of

tobacco advertisements or other promotional materials. The ban on TAPS, including the prohibition on the display of tobacco products and use in film and TV programmes, has far-reaching effects in reducing TAPS in the Region as Indian media is widely viewed across the Region.

Myanmar prohibits TAPS in mass media communication systems that are the source of import and export of TAPS. The Tobacco Control Law in Myanmar mandates the Central Board for Tobacco Control to maintain communication with international and regional organizations, including NGOs, to effectively carry out tobacco control. This provides a legislative framework for future arrangements for the exchange of information and cooperation regarding cross-border TAPS. Further,

The Tobacco control laws of **Sri Lanka** and **Thailand** have put stringent measures to control domestic TAPS, however those do not include specific ban on the advertisement and promotion on incoming electronic and print media.

Opportunities and challenges for implementation of TAPS ban

There are growing opportunities in the Region to advance the policy goals for achieving a comprehensive ban on TAPS. Countries in the Region are witnessing increased national efforts to intensify their tobacco control programmes. The legislative environment has been growing further as Bhutan, Maldives and Nepal are awaiting the formulation and passage of their tobacco control laws. Some of countries in the Region have already generated good practices based on their tobacco control laws. Certain countries (India, Myanmar, Sri Lanka, Thailand) have pioneered the attempts to regulate TAPS in films, at point of sale, and on satellite television and the internet. This could motivate other countries in the Region to advance their TAPS measures and make a precedence for TAPS regulations. Regional bodies like SAARC and ASEAN have been sensitized with the issue of tobacco control and can be engaged in cross-border TAPS regulation.

There are a number of issues that pose challenges to the development and implementation of TAPS regulation in countries of the Region. The main challenges are inadequacies and loopholes in the laws that have allowed exemptions to various forms of TAPS. The tobacco industry has been exploiting these inadequacies and loopholes to promote tobacco and thereby defeat the purpose of the regulations. The enforcement structure and mechanism to implement the TAPS regulations need improvement in terms of adequate human, technical and financial resources. Exemption for advertising at the point of sale, tobacco companies’ increasing practice of brand extension and trademark diversification, and promotion of corporate social responsibility are the main challenges for implementing a comprehensive ban on TAPS.

For these reasons, TAPS is being seen, including in some prohibited forms, in spite of legislation or executive orders being passed and implementation mechanisms are in place. The enforcement of tobacco control law 2005 in **Bangladesh** has stopped most of the regulated forms of TAPS specially the direct advertising. However, the main form of tobacco advertising continues is the point of sale advertising which is exempted in the law. Tobacco companies are taking the advantage of the exemption in the law and display of promotional posters in the shops. Survey findings show that tobacco companies distribute promotional materials such as gifts to students and customers. They sponsor and support education programmes and development activities like tree plantation as corporate social responsibility contributions. These activities are published in the print media which ultimately promote their image.



Point of sale advertisement in Bangladesh.

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India has taken ample measures to implement the advertising ban effectively. However, the ban on indirect advertisements of tobacco products has suffered a serious setback due to legal challenges and inadequate enforcement. Cigarette companies are engaged in using surrogate advertising and brand stretching. They are sponsoring and contributing to organize events such as fashion shows, music and bravery awards etc. through which they are trying to be socially acceptable.



Brand stretching of a famous cigarette brand in India.

Since **Indonesia** has the minimum restrictions on tobacco advertising and promotions, the tobacco

companies directly advertise their products in all forms of media. The tobacco industry uses the sponsorship mechanism to attract the youth and promote their market. Sponsorship events range from music festivals, movies, television shows, and sports, art and cultural functions.

Due to the continuous development of stringent rules and regulations, the tobacco industry in **Thailand** has changed its marketing strategy and shifted its promotional efforts and resources largely to corporate social responsibility activities. It sponsors programmes and activities related to young people, education and environmental development. For example, the industry sponsors the ASEAN Art Award, fellowships for journalists, and environmental activities run by schools. Cross-border tobacco advertising and promotion exists in Thailand such forms as televised sporting events. The sale and promotion of tobacco products on the internet still exists and is currently not covered specifically by the law.

The way forward

WHO/SEARO has been consistently supporting Member countries in implementing effective tobacco control measures to achieve the goals of the WHO FCTC. It has supported the sustained advocacy, public education and awareness raising activities for social mobilization against tobacco use and to make tobacco control efforts effective. It has been providing substantial support to develop, enact and enforce the tobacco control legislation in the Member countries. However, for implementing and enforcing a comprehensive ban on TAPS, the countries will have to go further and extend their efforts to develop/amend/formulate legal instruments to cover the scope of the ban including provisions on TAPS at point of sale, cross-border TAPS and all direct and indirect methods of marketing of all tobacco products. Effective monitoring, enforcement and sanctions supported and facilitated by strong public education and community awareness programmes are essential for implementing a comprehensive ban. Civil society and NGOs have a vital role in building support for developing and ensuring compliance with the laws. At the same time, regional and international cooperation using platforms like SAARC and ASEAN is fundamental for elimination of cross-border TAPS. The Guidelines adopted by the Conference of Parties (COP) for implementation of Article 13 of the WHO FCTC is the most effective tool that can help countries to navigate ways for enforcing an effective and comprehensive ban on tobacco advertising, promotion and sponsorship.