

TEM E N G L I

BLOWING SMOKE



Opinion

TEMPO, MAY 27-JUNE 2, 2013

BLOWING SMOKE

WHO said members of the House of Representatives (DPR) cannot legislate? They are certainly good at the tricks of the trade, such as the loss or omission of key regulations, from articles on nicotine to the anti-smoking bill. They now have a new maneuver: 'smuggling' in the Tobacco Bill to be included in the 2013 Program of National Legislation or Prolegnas. A few of the Bill's supporters among the lawmakers have even gone to the provinces to campaign for it.

This is not good performance, it is merely the sly workings of a politician. Such antics at the DPR are truly worrisome. Worst of all, it is a slap in the face to anti-smoking campaign activists and supporters, who will commemorate World Tobacco Day on May 31. Yet, the legislators' maneuvers are clearly going in the opposite direction. They are not going towards reducing the negative impact of tobacco on health, they are instead preserving the hegemony of the cigarette industry. These indications are obvious in people, who time and again, seek to bring these efforts down. They are, among others, the Indonesian Tobacco Society Alliance and the National Coalition to Save Kretek, whose membership consist of cigarette producers.

Today, among the Prolegnas bills awaiting enactment, it is 56th among a total of 70. It is marked with a star, meaning that it must still await the proper titling, as approved by the DPR plenary session on December 13, last year. Somehow, there is an impression that the Bill is being pushed forward, even though its required supporting academic papers are still missing. This must be explained to the DPR's Legislating Body, which is currently chaired by Ignatius Mulyono, who actually submitted the Bill.

The DPR Ethics Committee must immediately involve itself because there are indications of a strange procedural breach. In the middle of a declining performance among the legislators in enacting the high pile of bills, suddenly there was a rush of activity to get the Tobacco Bill passed. They surely must realize that the Bill is not a priority. What the public eagerly awaits, in fact, is the ratification of the Framework Convention on Tobacco Control. This World Health Organization (WHO) convention protocol was ratified by 172 nations in 2003. Those who took part in the convention are required to pass an anti-smoking legislation or one that controls the effects of tobacco smoking.

Poles apart from the Tobacco Bill, the law meant by the conven-



tion aims to fight the negative effects of cigarette smoking. Cigarette advertising and sales have been strictly monitored, in order to protect the people's health. Such a draft legislation, titled Control of the Effects of Tobacco Products on Health, had once made it to the Prolegnas list, but for some reason it was dropped like a hot potato in 2006.

The attitude of our lawmakers who tend to be pro-cigarette industry is evident from the 2009 scandal in which a key 'tobacco article' mysteriously vanished. This article was important because it clearly explained the addictive characteristics of tobacco, whose circulation needs to be controlled. Three of the legislators—Ribka Tjiptaning, Asiyab Salekan and Maryani A. Baramuli—were even charged with 'losing' the nicotine regulation and reported to the police. But the case went nowhere.

The lost article has since been found, appearing in Law No. 36 on Health. The President had in the meantime issued Government No. 109/2012 on the Control of Tobacco Products on Health. This regulates, among others, the requirement to post prominent warning signs on smoking, which is on 40 percent of all cigarette packaging. The problem is, the regulation lacks legal enforcement. In other words, we still need anti-smoking laws which provide criminal penalties and fines on cigarette companies which violate these regulations.

The DPR and the government must prioritize the Anti-Smoking and not the the Tobacco Bill, which clearly protects the interests of the cigarette producers. The cigarette industry needs no protection or defense. The victims of cigarette smoking are the hundreds of millions of Indonesians who are today addicted to nicotine. WHO data shows that cigarette smoking addicts have risen from 53.9 percent in 1995 to 67.8 percent in 2011. This means two out of three men in this country are cigarette smokers. Indonesia is third on the world's biggest list of smokers, after China and India.

Our country should emulate Australia, which last year strictly regulated the circulation of cigarette smoking. Down Under, pictures or warning signs on the dangers of smoking vividly occupy 75 percent of the packaging. The Australian government's reason for doing this makes a lot of sense: the health costs to the smoker is far greater than the money the government gets from tobacco taxes.

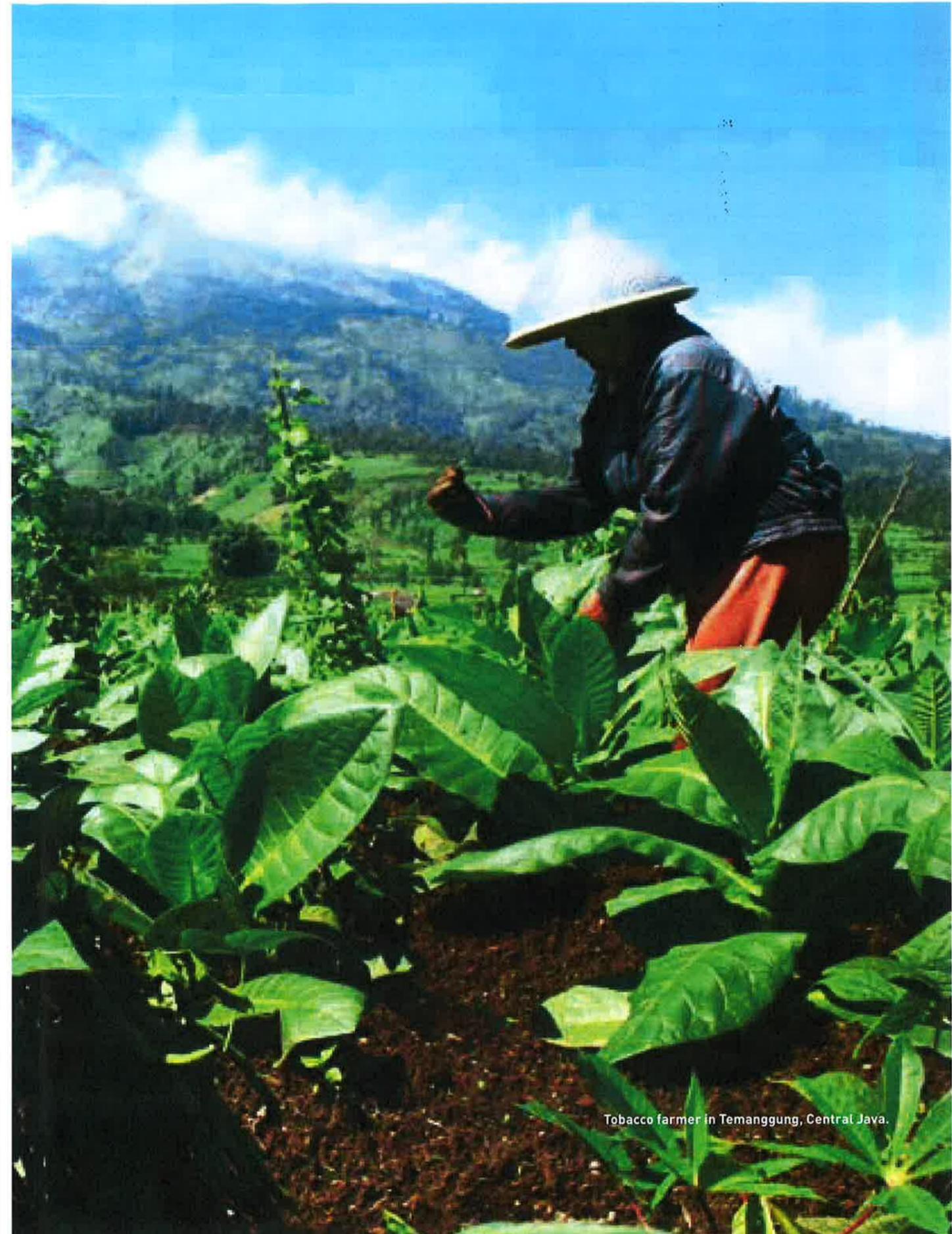
That should be the consideration of our politicians at Senayan, who should not allow themselves to be trapped in the games of cigarette producers. ● FULL STORY PAGE 14

COVER STORY

TOBACCO SMOKE SCREEN

THE HOUSE OF REPRESENTATIVES' LEGISLATING BODY ADDED THE TOBACCO BILL WITHOUT THE APPROVAL OF PARTY FACTIONS OR A HOUSE COMMISSION. CIGARETTE COMPANIES SEEM TO HAVE LOBBIED HARD FOR IT. IT IS THE THIRD ROUND IN THE FIGHT OVER REGULATIONS ON ADDICTIVE SUBSTANCES

PHOTO: TEMPO/BUDI PURWANTO



Tobacco farmer in Temanggung, Central Java.



DURING recess at the House of Representatives (DPR), from mid-April to the second week of May, Sumarjati Arjoso was unhappy. The politician from the Grand Indonesia Movement Party (Gerindra) faction had heard that her colleague in the Legislating Body was touring some provinces to publicize the Tobacco Bill.

Sumarjati was displeased because the bill had not yet been approved to be publicized. It was decided in a DPR plenary session on December 13, 2012 that the bill would be put on ice for while. A total of 292 House members—of the total 560—who attended this meeting did not agree that this bill be added to the priority list of the 2013 National Legislation Program, which was read out by the Legislating Body chairman, Ignatius Mulyono.

Most of the DPR members who interrupted Ignatius questioned the Tobacco Bill, because it was never discussed in party factions or in a House commission. Sumarjati

remembered that this bill was dropped from the legislation program list two years ago. “Why has it suddenly been added again now?” said the former head of the National Population and Family Planning Board (BKKBN), two weeks ago.

National Mandate Party (PAN) faction secretary Teguh Juwarno said, “This Tobacco Bill found its own way into the DPR.” Teguh suspects that this bill was put in place by the cigarette industry because it featured the word tobacco. Another DPR member questioned the why the Bill for Controlling the Impact of Tobacco Products on Health, which has been a priority since 2010, was dropped. Some also suggested that this bill be dropped because protection for tobacco farmers is already found in the Bill on Protecting and Empowering Farmers.

Because of mounting interruptions, DPR Deputy Speaker Taufik Kurniawan, who was presiding over the session, stopped the debate and offered faction chairpersons time to lobby. Sumarjati stepped forward representing her faction, in conjunction with eight other faction leaders, cir-

Demonstration demanding cancellation and revision of Health Law No. 36/2009, at the State Palace, July 2011.

cling around Ignatius Mulyono in the lobby of the plenary hall. “In this forum, Pak Ignatius said that the bill made it because it was submitted by Sampoerna,” she said.

After a 15-minute break, Ignatius explained that the lobbying led to the Tobacco Bill being marked with a star. “This means it needs to be studied in more depth,” he said. Taufik added that if it is to be publicized, the bill must first be discussed by a special team formed by the House’s Health Commission. The star can only be removed in a plenary session.

When he was asked to confirm the discussion in that plenary meeting, Ignatius denied he specifically said that the bill was advanced by Sampoerna. The truth, said the Democrat Party politician, was that he was invited several times by Sampoerna to

hear about the importance of tobacco and cigarette regulations which protect farmers and the industry. “Don’t only look at it from its impact on health,” he said.

At the executive forum held at Hotel Millennium on July 14, 2011 by Sampoerna, for instance, Ignatius spoke about protecting farmers and the industry, as well as securing tax revenue from cigarettes for state finances. A few days before that forum, the Legislating Body held a meeting to discuss a letter from the Indonesian Tobacco Community Alliance (AMTI), which submitted a draft of a Bill on Controlling Tobacco Products.

AMTI is a cigarette industry association established by Sampoerna and seven cigarette factory and tobacco farmer associations in 2010. In fact, this third-largest cigarette producer in Indonesia is the largest financial supporter of the Alliance, holding seminars, publishing pamphlets, and mobilizing farmers to protest regulations which are detrimental to the industry. “The funds are put up jointly. It makes sense if Sampoerna is the largest contributor,” said Muhaimin Moeftie, an Alliance administrator.

Muhaimin confirmed inviting Ignatius and Speaker of the House Marzuki Alie, or visiting the Legislative Body, to discuss cigarette and tobacco regulations. Just like Ignatius, Muhaimin said, the cigarette industry wanted to be involved with the DPR in working on tobacco regulations. “I guess it makes sense they are lobbying because they have a vested interest,” said Muhaimin.

Two months after that meeting, in a plenary meeting of the Legislating Body on December 14-15, 2011, the Bill on Controlling the Impact of Tobacco Products on Health was dropped from its 2009-2014 list of priorities. The tobacco issue was dropped from discussion, until the National Coalition to Save Clove Cigarettes (KNPK) submitted a draft of a Tobacco Bill in October 2012. It was not much different from the draft submitted by the Alliance.

The tobacco issue was heating up again. It climaxed in that plenary meeting on December 13. When reading the names of the 70 Bills being prioritized in 2013, Ignatius mentioned that the Tobacco Bill at 59 on the list was ‘newly added legislation.’ “This is what we are upset about. That draft was never discussed and has no academic paper,” said Sumarjati Arjoso.

An academic text, according the DPR’s Rules of Order, is the main condition for a bill to be added to the priority list. After lobbying was done at that plenary meeting, Taufik Kurniawan said that one reason the bill received a star was that the Legislating

Body did not yet have an academic paper to go along with the draft. “So, the Legislating Body is going to collect academic papers before any further deliberations,” he said.

KNPK Coordinator Zulvan Kurniawan denied the news that they smuggled in their draft. He said the draft was officially sent to the Legislating Body along with an academic paper, and was received by the Legislating Body’s secretariat. The KNPK was even invited once to discuss it in an opinion-hearing meeting. “It comprehensively deals with protection for tobacco farmers, the industry, vendors, and state revenue from cigarette taxes,” he said.

Indra, a Legislating Body member from the Justice and Prosperity Party (PKS), said that the tobacco issue had been discussed several times in the Legislating Body. However, it is called the Bill on Controlling the Impact of Tobacco on Health. The Indonesian Democratic Party of Struggle (PDI-P) faction had been heavily encouraging that deliberations on this bill be deemed a priority. “I was asked to anticipate foreign intervention in cigarette regulations,” said Hendrawan Supratikno from the PDI-P.

However, those politicians had never agreed on its contents. As such, when the bill was made a priority in a plenary session, a majority of DPR members, especially those sitting in the Health Commission, questioned it. “Especially since its name was changed to Tobacco,” said Indra.

This debate did not stop the Legislating Body from continuing deliberations on the bill. Despite still being a starred item on the agenda, Legislating Body leaders have publicized the bill in several provinces. During recess at the end of last March, Legislating Body deputy chair Ana Muawanah, accompanied by four politicians from various factions, publicized the Tobacco Bill at the office of the Governor of East Java.

Ana and those legislators asked the participants there—representing cigarette factories, farmers, academics, and bureaucrats—for input as to the format for tobacco regulations. “That was a forum for requesting the public’s input on tobacco regulations,” said Anom Surahno, head of the PR bureau of East Java province.

East Java is one province which submitted a draft of the Tobacco Bill. This province, in addition to Central Java and West Nusa Tenggara, is the largest tobacco farming area in Indonesia. For this reason, in addition to the group led by Ana, another team visited Kudus. This team was led personally by Ignatius Mulyono, along with deputy chair Dimiyati Natakusuma, Djama-

Tobacco Bill, National Coalition for Saving Clove Cigarettes (KNPK) Version

Article 4

- The scope of tobacco covers:
- Cultivation of tobacco and cloves
 - Tobacco and clove crop yields
 - Production
 - Trade
 - Advertising, promotions, and sponsorship;
 - Prices and taxes
 - No-smoking areas

Tobacco Bill, Indonesian Tobacco Community Alliance (AMTI) Version

Article 3

- The control of tobacco products includes the regulation of:
- Tobacco products
 - Products from tobacco crops
 - Sale of tobacco products
 - Packaging and labeling
 - Advertising, promotions, and sponsorship
 - Smoke-free and limited smoking areas
 - Responsibilities of producers and importers
 - Responsibilities of the government
 - Public rights, responsibilities, and participation

Tobacco Bill, East Java Province Version

Article 4

- The scope of tobacco covers:
- Planning and Stipulation
 - Research and Development
 - Development of cultivation, tobacco-related industries, and marketing
 - Utilization
 - Guidance and supervision
 - Control
 - Information systems
 - Production and empowerment of farmers and tobacco-related industries
 - Financing
 - Tobacco Council
 - Public Participation

MAKING THE GRADE

TOBACCO farmers in Temanggung, Central Java, depend on Cong Yen. “If it wasn’t for him, maybe tobacco farmers couldn’t make a living,” said Agus Parmuji, a farmer in Wonosari village, Temanggung, two weeks ago.

Cong Yen, a middle-aged man, is a grader or tobacco supplier for Gudang Garam. He looks for the right kind of tobacco for that cigarette factory centered in Kediri, East Java. This is why all of the farmers in the area covering Mount Sindoro, Mount Sumbing, and Mount Perahu know him.

According to Agus, *Koh Yen*—as this grader is known—is a simple looking man. He usually wears a T-shirt and green sandals. *Koh Yen*, he said, smiles at everyone he meets. Sometimes he treats farmers to a meal at food stalls. His favorite dish is rice with mixed vegetables or fried rice.

Koh Yen’s hobby is raising Japanese carp and racing pigeons for Gudang Garam. “He keeps the pigeons near the Gudang Garam factory,” said Agus Setiawan, subdistrict chief for Campurejo village, who is also Head of Advocacy and Regulations of the National Leadership Board of the Tobacco Farmers of Indonesia. According to Agus Parmuji, *Koh Yen* sometimes paints at his house.

Koh Yen’s white house at Jalan Diponegoro 8, Temanggung, has a 1970s design. It is 65 x 50 meters in size, and is surrounded by a tall fence. The front yard is shaded by trees. Over 10 housekeepers work there. Three automobiles—a Toyota Innova, Kijang, and Fortuner—are usually parked inside. “He usually drives himself,” said Yanto, Yen’s driver, who has been working there since 1987.

Koh Yen took up the grader profession from his father, Abraham. Agus Parmuji said that *Koh Yen* had been helping his father with the tobacco business since he was in the elementary school. It was also his father who linked tobacco farmers to the large Gudang Garam factory. Of Abraham’s six children, only Cong Yen has gotten into this business. “He is a second-generation grader for Gudang Garam,” said that Coordinator of the Central Java Clove Cigarette Militia.

Graders are an integral part of the cigarette business. Agus Setiawan said that the grader profession came about after many cigarette factories began operating. Tobacco farmers were around before 1950. However, it was only in 1970 that tobacco centers started to form. The tobacco supply for the new factories started to develop in the 1980s. Under the graders there are sub-graders, whose number several dozen in Temanggung. They purchase tobacco from the farmers then sell it to the grader. Last year, a grader could make a profit of about Rp5,000 per kilogram.

Sometimes the grader profession runs in the family. Five graders in Temanggung who supply Gudang Garam still have a family connection to the business. “Their parents used to be graders,” said Zulfan Kurniawan, Coordinator for the Nation-



Oei Hong Djien

al Coalition for Saving Clove Cigarettes. The Djarum cigarette factory has nine graders in this temperate region. They divide their ‘turf’ based on the locations of tobacco plantations in Mount Sindoro, Mount Sumbing, and Mount Prah in Temanggung, Wonosobo, Magelang, and Kendal. Quality tobacco is also produced in Muntilan, Magelang, Central Java.

Being a grader means getting close to the farmers as producers. In general, they are part of the management of cigarette factories. “There is a sociological factor,” said Zulfan. However, Sampoerna uses Sadhana Arifnusa as a grader. Sadhana’s office is on the sixth floor of the Esa Sampoerna Center, on Jalan Kertajaya Indah Timur in Surabaya. There are two companies there, Sadhana and Sadhana Arifnusa.

There is one famous grader, Oei Hong Djien, a tobacco supplier for Djarum whose area covers the mountainous region of Merbabu. He has come to be known as a collector of artworks, such as paintings, sculptures, and free-standing pieces. In mid-2012, this man often referred to as OHD opened a private museum of his art collection.

It is mentioned on the OHD Museum website that since it was acquired in 1960, Hong Djien has collected over 2,000 works of art—including works by famous painters such as Affandi. He is often asked to officially open prestigious art exhibitions. Hong Djien has even been named an advisor to the W. Widayat Museum and The National Art Gallery of Singapore for Indonesian art.

Born in Magelang in 1939, he graduated as a doctor in 1964, then studied for his medical specialization in the Netherlands from 1966-1968. Letty Surjo, Hong Djien’s in-law, said that two years ago her father-in-law stopped dealing in the tobacco business. However, she would not say if Hong had passed on the management of the family business.

● JOBPIE SUGIHARTO, OLIVIA LEWI PRAMESTI (TEMANGGUNG), ANANG ZAKARIA (MAGELANG), AGITA SUKMA LISTYANTI (SURABAYA), AMANDRA MUSTIKA MEGARANI (JAKARTA)

GOING UP IN SMOKE

WITH CIGARETTE SALES REVENUE REACHING RP233 TRILLION, MANY PARTIES HAVE AN INTEREST IN THE TOBACCO ISSUE. WHEN CIGARETTES WERE TO BE CATEGORIZED AS AN ADDICTIVE SUBSTANCE, THE RELATED ARTICLE IN THE LAW ABOUT TO BE SIGNED BY THE PRESIDENT DISAPPEARED. TODAY, HEALTH ACTIVISTS, TOBACCO FARMERS, AND THE INDUSTRY BATTLE IT OUT OVER THE DELIBERATIONS ON THE TOBACCO BILL.

1992 2000 2006 2009 2009

» The Health Law is passed by the House of Representatives (DPR). The article which categorizes cigarettes as an addictive substance is removed.

» The DPR proposes a revision to the Health Law, adding cigarettes as an item containing addictive substances.

» Nearly half of the DPR members propose a Bill on Controlling the Impact of Tobacco Products on Health. This motion is dropped from the 2004-2009 National Legislation Program.

» The revised Health Law is passed. Cigarettes are categorized as items containing addictive substances. This clause vanishes in the final text of law as passed in a DPR Plenary Session.

» The Health Ministry formulates a Government Regulation on Safeguarding Materials in Tobacco Products Containing Addictive Substances for Health, which falls under the Health Law. The President never signs this regulation.

"You must inform the government that no country classifies cigarettes as a drug."

A letter from British-American Tobacco consultant **Sharon Boyse** on August 6, 1992, the Human Relations Department of BAT Indonesia.



PRO AND CONTRA

One example is the Bloomberg Initiative to Reduce Tobacco Use. This foundation, which belongs to New York City Mayor and Jewish tycoon Michael Bloomberg, has given a lot of funds to tobacco control programs and for combating the dangers of smoking. In Indonesia, the Medco Foundation belonging to the Panigoro family has a similar program. Arifin Panigoro is listed as an advisor to the National Commission on Tobacco Control.

Michael Bloomberg



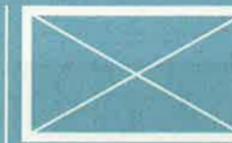
- Bali Health Office Rp1.6 billion A Smoke-Free Bali 2012-2014
- Jakarta Residents Forum (FAKTA) Encouraging tobacco control policy Rp2.5 billion 2012-2014
- National Commission on Tobacco Control Strengthening tobacco control policy Rp1 billion 2012-2013
- Directorate of Infectious Diseases, Ministry of Health Tobacco control policy Rp3 billion 2011-2013
- Bali Child Protection Agency Smoke-Free Bali Rp590 million 2013-2014
- National Child Protection Commission Monitoring cigarette sponsoring and promotions
- PT Sampoerna Tbk
 - » Indonesian Tobacco Community Alliance Activities:
 - » Farmer demonstrations
 - » Tobacco seminars
 - » Association meetings
 - » Supporting legislation
 - » Book publishing, websites, and pamphlets
- Cigarette Factories
 - » National Committee of Clove Cigarette Defenders
 - » Indonesian Association of Tobacco Farmers
 - » Indonesian Association of Clove Farmers
 - » All-Indonesia Labor Union Federation-Cigarettes, Tobacco, Food and Beverage
 - » Indonesian Labor Union Alliance Confederated Congress
 - » All-Indonesia Labor Union Federation for Democracy
 - » Kudus Cigarette Companies Forum
 - » Jakarta Vendors Association
 - » Clove Cigarette Community Defenders Team
 - » Indonesia Berdikari

PUFF DADDIES

According to *Forbes* magazine in 2012, some of the world's wealthiest people own cigarette companies.



1. Budi Hartono and Michael Hartono PT Djarum Rp150 trillion
» Produces 51.1 billion cigarettes/year



3. Susilo Wonowidjojo Gudang Garam Rp74 trillion
» Produces 193 billion cigarettes/year



8. Peter Sondakh Benteol Rp24 trillion
» Produces 35 billion cigarettes/year



10. Putera Sampoerna Rp23 trillion
» Produces 91.7 billion cigarettes/year

2010

2011

2012

2012

2013

» HM Sampoerna Tbk proposes a draft Bill on Controlling the Impact of Tobacco to be added to the 2009-2014 National Legislation Program. This measure is rejected.

» Gadjah Mada University's Center for People's Economy submits an academic text on the Controlling the Impact of Tobacco Bill, which was written at the request of the Indonesian Tobacco Community Alliance, sponsored by Sampoerna.

» The National Committee of Clove Cigarette Defenders submits a draft of a Tobacco Bill.

November
» No. 109/2012 on Safeguarding Materials in Tobacco Products Containing Addictive Substances for Health.

December
» The DPR adds the Tobacco Bill (which was written by the Parliament Forum, the National Committee of Clove Cigarette Defenders, the Indonesian Tobacco Community Alliance, and the Tobacco Revitalization Team of the Provincial Government of East Java) as a legislative priority in 2013, and drops the Controlling the Impact of Tobacco on Health Bill.

February-March
» The House's Legislative Body invites groups which oppose and support the Tobacco Bill.

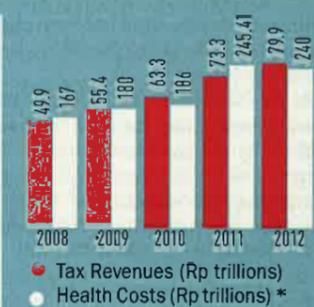
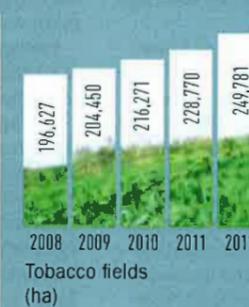
April-May
» The DPR publicizes the Tobacco Bill.

PHOTO: RADAR SURABAYA/LAMBERTUS HUREK, TEMPO/GUNAWAN WICAKSONO, TEMPO/MURADI, AP/KARLY DOMB SADOF

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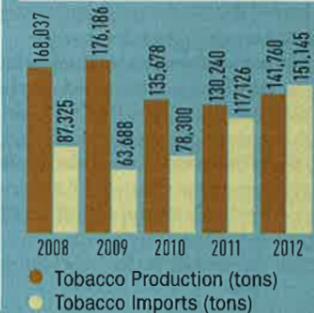
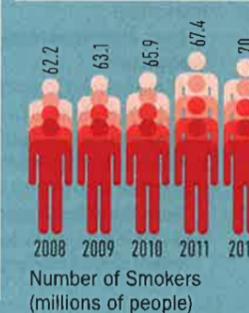
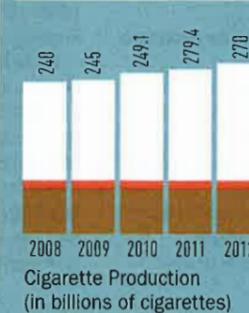
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MUHAIMIN MOEFTIE:

WE ARE ACCUSED OF MANY THINGS

THE draft legislation on tobacco has been placed on this year's list of priority national legislation at the House of Representatives (DPR). The Alliance of Tobacco Communities (AMTI) is one of the institutions which submitted the draft. The DPR rejected it in 2010, but today the draft has been placed on the fast track, thanks to the efforts of a number of legislators.

At the December 2012 plenary session, it was revealed that the draft bill had been pushed by the cigarette industry. The resurgence of the draft law may indicate a resumption of the 'tobacco war' which broke out after the mysterious 'disappearance' of the article on cigarettes in 2009. Three weeks ago, AMTI official Muhaimin Moeftie was interviewed by *Tempo*, accompanied by Deradjat Kusumanegara, stakeholder relations of HM Sampoerna company and the AMTI secretary-general. Excerpts:

Your organization has been active in lobbying for the enactment of the Tobacco Law.

We submitted the draft in 2010, complete with supporting academic papers by Gadjah Mada University. It was titled the Draft Legislation on the Control of Tobacco Impact. After that it was on and off, and finally dropped. We were surprised to find it is now on the priority list. We had met with the

DPR Legislating Body a number of times, once at the Millenium Hotel in 2011, during which we invited the chairman Ignatius Mulyono and DPR Speaker Marzuki Alie to discuss it. There was also a hearing about it at the DPR last February.

The draft was marked with a star before going up to the Legislation Body.

We were unaware of the process, but we heard that the DPR had publicized it at the regional level. As a follow-up, we hoped to be involved in that process.

At the plenary session, Ignatius Mulyono said the draft was a request of Sampoerna.

Well, Sampoerna is a member of AMTI which was set up in 2010. The membership consists of eight elements: white cigarette organizations, labor unions and farmers. If Sampoerna is seen to be the biggest contributor in this organization, that's understandable.

Does AMTI then represent white cigarette producers?

Some *kretek* (clove) cigarette producers are also members. Sampoerna, Bentoel are the biggest *kretek* cigarette producers. Philip Morris only represents 7 percent of white cigarettes, the rest are *kreteks*.

Does the alliance agree that production and distribution must be regulated?

When a child smokes a cigarette, the

sponsors of sports events, music and the industry are blamed. We are always accused of being responsible for many things. This is because we are not regulated. We feel better if cigarettes are regulated by comprehensive legislation instead of being a wild card like it is now. That is why we submitted a comprehensive draft legislation: health protection for children, consumers, the economy, labor, sociocultural issues, the industry, state revenues and the sense of justice, as well as sustainability for the tobacco and clove farmers. Of course, the result may not satisfy everyone, but at least we are involved. In the past, we used to protest, mobilizing farmers. Since we were invited to discuss possible regulatory policies, we now will campaign through such policies. We approve of regulations that are just and balanced. Opinions of all stakeholders must be heard and must be part of the policy. What we reject is the Framework Convention on Tobacco Control (FCTC).

Why is that?

Actually, the FCTC is the same as Government Regulation No. 109/2012, but this is reviewed every year and its enforcement becomes tighter. In Australia, which ratified the convention, cigarette wraps are all the same, there are no brands or names. This is scary because those which survive will be the famous brands.

Kretek cigarette supporters claim regulation benefits white cigarettes and hits at them.

Philip Morris also produces *kretek* since they bought Sampoerna. How can they say that it wants to hit at *kretek* cigarettes.

Perhaps because there is standardization of tar and tobacco which is difficult to be obtained by kretek producers.

Tar is measured by smoke, not tobacco. Furthermore, the tar and nicotine limitation has been regulated since 2003, so why make a big deal now? And every factory has its own standards for clove and tobacco. Sampoerna uses Madura tobacco because that's our level. Other factories may use Temanggung tobacco, so tobacco is already naturally determined. Whether *kretek*, white cigarettes, they are all the same: there is a risk to health.

If the Tobacco Law is passed, will Regulation No. 109 automatically be null and void?

We still don't know what has been approved in the draft law. But clearly, we are not happy with Regulation No. 109 because it requires producers to package cigarettes bearing pictures of the ill-effects of smoking. Yet we accept this regulation, because it has considered our viewpoints. ●

PRIJO SIDIPRATOMO:

WE HAVE NOTHING TO DO WITH THE FARMERS

THE National Commission on Tobacco Control is not a state organization whose activities are paid by public funds. Set up in 1998, this commission has a membership of 24 NGOs, comprising activists, academics, doctors and former politicians. Their activities consist of pushing for and overseeing the regulations on controlling tobacco products. In 2010, this commission came under public spotlight when it received funds from the Bloomberg Initiative, the foundation owned by the New York mayor and financial tycoon Michael Bloomberg, to campaign and push for the regulation of cigarettes. The commission was immediately accused of being a 'foreign lackey to kill off specifically unique *kretek* cigarettes.' "Tobacco became a political issue, even though the objective was the protection of people's health," said chairman of the commission, Prijo Sidipratomo, who is a radiologist at Cipto Mangunkusumo General Hospital, two weeks ago.

Why are you against the Tobacco Bill?

Because the process is unbalanced and very much pro-industry. It was never publicly discussed, yet it became a priority in the list of national draft laws in 2013 in the House of Representatives (DPR). Meanwhile, the Bill on the Negative Impact of Cigarettes on Health, which had already made the priority list, has been dropped! This Tobacco Bill has strongly been pushed by the tobacco industry. As far as I know, Sampoerna is behind it. During the December plenary session, this draft legislation was marked with a star (scheduled for discussion) yet it had already done its campaigning in the regions.

What will happen if this Tobacco Law is passed?

Government Regulation No. 109/2012 which protects public health and the negative effects from tobacco will no longer be valid. Tobacco has become a political issue because the politicians have manipulated

it in such a way that gives the impression tobacco control will kill farmers and the industry. The fact is that in any country where cigarettes are tightly regulated, the industry and the farmers have not collapsed.

But doesn't the bill also regulate health aspects?

The focus, besides on the industry, is also on the protection of tobacco farmers. So why not include it in the law on farming or the law on industry? Why must it be especially regulated? There is no special law on rice, right?

Because tobacco is a special plant.

What's so special about it? In fact, tobacco has been differentiated from other plants so that it does not qualify for subsidized fertilizer and seedlings. This is because its impact causes a disadvantage to public health. Tobacco is only grown in three provinces: Central and East Java, and West Nusa Tenggara. In other words, tobacco is not a mainstream plant, and it's not originally from Indonesia either.

Isn't the protection of farmers the responsibility of the state?

Aren't tobacco farmers protected so far? The size of their lands have not changed but the price of tobacco always fluctuates. It goes down during harvest time, but the price of cigarettes never come down. So, the farmers' protection seem to be linked to the industry. Public health is also something that should be faced by the industry. We have nothing to do with farmers.

So, what is the main objective of tobacco control regulation?

The protection of people's health, especially the poor. Out of 70 million cigarette smokers, 70 percent come from this group. The cost of buying cigarettes is only second to buying rice in importance.

The problem is that the regulation will affect kretek (clove) cigarettes, which is a local tobacco market.

The regulation does not distinguish between *kretek* or white cigarettes, hand-



rolled or machine-made cigarettes. In fact, Government Regulation No. 109 treats manual production of *kretek* cigarettes as a small industry. The target of the regulation is the big cigarette industries.

There have also been charges that the sponsor of this health regulation is the white cigarette industry, like Philip Morris and the pharmaceutical industry.

Where's the logic in that? The regulation on the dangers of smoking does not differentiate between white and black cigarettes. Moreover, Philip Morris also owns *kretek* interests after it bought Sampoerna. As for the pharmaceutical industry, they would logically allow smokers to go on buying cigarettes as long as they buy their medication.

So who are the sponsors?

This commission consists of 23 NGOs so fees are collected from them. The Indonesian Doctors Association, for example, donates Rp5 million a year. The others also contribute, but much less.

From Michael Bloomberg or the Bill Gates Foundation?

In the six months that I have led this commission, I have had nothing to do with them. Perhaps the previous organizers, but I suspect it was a very small amount. Actually, this should be the work of the government, as the people's protector. But the available funds are very small, used more for curative rather than preventive measures out of smoking cigarettes. ●