

2020 - CORE QUESTIONNAIRE OF THE REPORTING INSTRUMENT OF WHO FCTC

A. ORIGIN OF THE REPORT

Name of contracting Party:

Netherlands

Information on national contact responsible for preparation of the report:

Title

Ms

Family name

Slingerland

First name

Helma

Full name of institution

Ministry of Health, Welfare and Sport

Mailing address

Mailing address 1 Parnassusplein 5

Mailing address 2

Post code 2511 VX

Post box

City Den Haag

Country

Netherlands

E-mail

w.slingerland@minvws.nl

Alternative email address

Telephone number

0031621160393

Fax number

Signature of government official submitting the report:

Title

Ms

Family name

Slingerland

First name

Hilma

Full name of institution

Ministry of Health, Welfare and Sport

Mailing address

Mailing address 1 Parnassusplein 5

Mailing address 2

Post code 2511 VX

Post box

City Den Haag

Country

Netherlands

E-mail

w.slingerland@minvws.nl

Alternative email address

jt.d.wildt@minvws.nl

Telephone number

0031621160393

Fax number

Web page

Period of reporting:

	Month	Year
Start date	2001 (2)	2017 (18)
End date	2011 (12)	2020 (21)

B1. TOBACCO CONSUMPTION

Prevalence of tobacco use

Smoking prevalence in the adult population (all)

(Please provide prevalence data for total adult population, and identify the age considered, e.g. 15 years old and over, 18-64 years; see B112)

Current smokers

	Prevalence (%) (please include all smoking tobacco products in prevalence data)	Average number of the most-consumed smoking tobacco product used per day
MALE	25.7	10.4
FEMALE	19.2	9.1
TOTAL (males and females)	22.4	9.8

Daily smokers

	Prevalence (%) (please include all smoking tobacco products in prevalence data)	Average number of the most-consumed smoking tobacco product used per day
MALE	18.4	12.9
FEMALE	13.7	11.7
TOTAL (males and females)	16.0	12.8

Occasional smokers

	Prevalence (%) (please include all smoking tobacco products in prevalence data)
MALE	7.3
FEMALE	5.5
TOTAL (males and females)	6.4

Former smokers

	Prevalence (%) (please include all smoking tobacco products in prevalence data)
MALE	35.1
FEMALE	31.7
TOTAL (males and females)	33.4

Never smokers

Prevalence (%)
(please include all smoking tobacco products in prevalence data)

MALE	39.2
FEMALE	49.1
TOTAL (males and females)	44.2

Please indicate the smoking tobacco products included in calculating prevalence for question B11:

All tobacco products, e.g. cigarettes, roll your own, cigars, pipe.
It is measured by the general question do you smoke.

Please indicate the age range to which the data used to answer question B11 refer:

	From	To
Age range	18	100

Please indicate the year of the data used to answer question B11:

2018

Please indicate the source of the data used to answer question B11:

2018 - health survey life style monitor, CBS IN COLLABORATION WITH rivm and trimbos institute

Please provide the definitions of “current smoker”, “daily smoker”, “occasional smoker”, “former smoker” and “never smoker” used in this report.

Current smoker	smokes (sometimes)
Daily smoker	smokes daily
Occasional smoker	calculated: current smokers minus daily smokers
Former smoker	ex-smokers, has smoked before but do not smoke anymore
Never smoker	has never smoked

Please provide a brief explanation of the trend in smoking prevalence in the adult population in the past two years or since submission of your last report.

In 2018, fewer people smoked compared to 2017 and 2014- i.e. decreasing trend.

Smoking prevalence in the adult population (by age groups)

(If data are available, please provide prevalence data by age group, and identify the age group considered, preferably by 10-year categories, e.g. 25-34, 35-44 years)

	Range - start age	Range - end age	Prevalence (%) (please include all smoking tobacco products in prevalence data)
MALES - current smokers ¹	18	19	16
MALES - current smokers ¹	20	24	35
MALES - current smokers ¹	25	29	31
MALES - current smokers ¹	30	39	35
MALES - current smokers ¹	40	49	25
MALES - current smokers ¹	50	64	27
MALES - current smokers ¹	65	74	15
MALES - current smokers ¹	75	100	14
FEMALES - current smokers ¹	18	19	23
FEMALES - current smokers ¹	20	24	30
FEMALES - current smokers ¹	25	29	25
FEMALES - current smokers ¹	30	39	19
FEMALES - current smokers ¹	40	49	23
FEMALES - current smokers ¹	50	59	20
FEMALES - current smokers ¹	65	74	13
FEMALES - current smokers ¹	75	100	7
TOTAL (males and females) - current smokers ¹	18	19	20
TOTAL (males and females) - current smokers ¹	20	24	33
TOTAL (males and females) - current smokers ¹	25	29	28
TOTAL (males and females) - current smokers ¹	30	39	28

TOTAL (males and females) - current smokers ¹	40	49	24
TOTAL (males and females) - current smokers ¹	50	64	23
TOTAL (males and females) - current smokers ¹	65	74	14
TOTAL (males and females) - current smokers ¹	75	100	10

Please indicate the smoking tobacco products included in calculating prevalence for question B12:

All tobacco products, e.g. cigarettes, roll your own, cigars, pipe. It is measured by the general question do you ever smoke. It concerns all current smokers.

Please indicate the year of the data used to answer question B12:

2018

Please indicate the source of the data used to answer question B12:

2018 - health survey/ lifestyle monitor, CBS in collaboration with RIVM and Trimbos 2018

Please provide a brief explanation of the trend in current smoking prevalence by age group in the past two years or since submission of your last report, if data are available.

decrease among 18-19 years, 25-29 years, 50-64 years, 65-74 years

no changes among 2--24 years, 30 -39 years, 40-49 years, 75 plus years

Prevalence of smokeless tobacco use in the adult population (all)

(Please provide prevalence data for total adult population, and identify the age considered in B132, e.g. 15 years old and over, 18–64 years; see B132)

Males

Prevalence (%)

(please include all smokeless tobacco products in prevalence data)

Females

Prevalence (%)

(please include all smokeless tobacco products in prevalence data)

TOTAL (males and females)

Prevalence (%)

(please include all smokeless tobacco products in prevalence data)

Please indicate the smokeless tobacco products included in calculating prevalence for question B13:

There's no data available.

Please indicate the age range to which the data used to answer question B13 refer:

From To

Please indicate the year of the data used to answer question B13:

Please indicate the source of the data used to answer question B13:

no data available

Please provide the definitions of "current user", "daily user", "occasional user", "former user" and "never user" (of smokeless tobacco products) used in this report in the space below.

Current user
 Daily user
 Occasional user
 Former user
 Never user

Please provide a brief explanation of the trend in smokeless tobacco use in the adult population in the past two years or since submission of your last report.

no data available

Prevalence of smokeless tobacco use in the adult population (current users) by age group (by age groups)

(If data are available, please provide prevalence data by age group, and identify the age group considered, preferably by 10-year categories, e.g. 25-34, 35-44 years)

Range - start age	Range - end age	Prevalence (%) (please include all smoking tobacco products in prevalence data)
----------------------	--------------------	---

Please indicate the smokeless tobacco products included in the answer to question B14:

Theres no data available.

Please indicate the year of the data used to answer question B14:

Please indicate the source of the data used to answer question B14:

Please provide a brief explanation of the trend in current use of smokeless tobacco by adult age groups in the past two years or since submission of your last report.

no data available

Tobacco use by ethnic group(s)

(please include all smoking or smokeless tobacco products in prevalence data)

	Ethnic group(s)	MALES - Prevalence (%)	FEMALES - Prevalence (%)	TOTAL (males and females) - Prevalence (%)
Current users ³	Non-western background	33.1	20.6	26.6
Current users ³	Western background	27.3	21.7	24.5
Current users ³	Dutch background	24.4	18.6	21.5

Please indicate the tobacco products included in the answer to question B15:

All tobacco products, e.g. cigarettes, roll your own, cigars, pipe. It is measured by the general question do you ever smoke.

Please indicate the age range to which the data used to answer question B15 refer:

	From	To
Age range	18	100

Please indicate the year of the data used to answer question B15:

2018

Please indicate the source of the data used to answer question B15:

2018 - health survey/ lifestyle monitor, CBS in collaboration with RIVM and Trimbos 2018

Tobacco use by young persons

(please include all smoking or smokeless tobacco products in prevalence data)

	Age range	SMOKING TOBACCO - Prevalence (%)	SMOKELESS TOBACCO - Prevalence (%)	WATER PIPE - Prevalence (%)
BOYS - Current users ⁴	12-16	8.6	32.5	6.9
BOYS - Current users ⁴	12	0.8	18.1	2.2
BOYS - Current users ⁴	13	3.9	25.5	2.7
BOYS - Current users ⁴	14	7.7	35.1	6.6
BOYS - Current users ⁴	15	14.7	43.7	11.6
BOYS - Current users ⁴	16	17.7	42.1	12.8
GIRLS - Current users ⁴	12-16	7.0	22.3	4.3
GIRLS - Current users ⁴	12	0.1	7.5	0.5
GIRLS - Current users ⁴	13	1.7	12.6	1.7
GIRLS - Current users ⁴	14	8.0	26.3	4.6
GIRLS - Current users ⁴	15	12.9	35.1	8.2
GIRLS - Current users ⁴	16	12.9	30.1	6.8
TOTAL (boys and girls) - Current users ⁴	12-16	7.8	27.5	5.7
TOTAL (boys and girls) - Current users ⁴	12	0.5	13	1.4
TOTAL (boys and girls) - Current users ⁴	13	2.8	19.2	2.2

TOTAL (boys and girls) - Current users ⁴	14	7.9	30.6	5.6
TOTAL (boys and girls) - Current users ⁴	15	13.8	39.5	9.9
TOTAL (boys and girls) - Current users ⁴	16	15.4	36.2	9.9

Please indicate the tobacco products included in calculating prevalence for question B16:

All tobacco products, e.g. cigarettes, roll your own, cigars, pipe

smokeless = E-cigarettes

Please indicate the year of the data used to answer question B16:

2017

Please indicate the source of the data used to answer question B16:

2017- HSBC-nEDERLAND/LEEFTSIJLMONITOR, UU, Trimbos and SCP with RIVM 2017

Please provide the definition of "current smoking/tobacco use" used to answer question B16 in the space below.

Current smoking: Have smoked at least once in the past four weeks. (TOBACCO AND WATERPIPE)
For E-cigarettes , the numbers reflect the lifetime prevalence.

Please provide a brief explanation of the trend in tobacco use by young persons in the past two years or since submission of your last report.

Since 2015 current smoking and life time prevalence of E-cig has decreased.

Current use of waterpipe did not change over the 2 years period.

Please attach the relevant documentation.

HBSC 2013 see page 116

File type "pdf"

Use of novel and emerging tobacco and nicotine products

	Age range	Heated tobacco products (HTPs) - Prevalence (%)	Electronic Nicotine Delivery Systems (ENDS) - Prevalence (%)	Electronic Non-Nicotine Delivery Systems (ENNDS) - Prevalence (%)	Other products - Prevalence (%)
YOUNG PERSONS - Boys	12-16		32.5		
YOUNG PERSONS - Girls	12-16		22.3		
YOUNG PERSONS - Total (boys and girls)	12-16		27.5		

B2-B9. HEALTH, SOCIAL AND ECONOMIC INDICATORS

Exposure to tobacco smoke

Do you have any data on exposure to tobacco smoke in your population?

Yes ✓

Please provide details in the space below (e.g. exposure by gender, at home, in the workplace, on public transport).

15.8 of non-smoking adults (18+) are daily exposed inside to tobacco smoke of others. Of them, 27.8% are exposed for one hour or more.

Among adult men, 17.2% are exposed; among women, this is 14.6%.

Please indicate the year of the data used to answer question B21:

2018

Please indicate the source of the data used to answer question B21:

2018 Health survey/lifestyle monitor, CBS in collaboration with National Institute for public Health and environment (RIVM) AND trIMBOS INSTITUTE, 2018

Please attach the relevant documentation.

Factsheet
smoking
prevalence

No comment

File type "pdf"

Tobacco-related mortality

Do you have information on tobacco-related mortality in your population?

Yes ✓

What is the estimated total number of deaths attributable to tobacco use in your population?

19244

If available, please provide any additional information on mortality attributable to tobacco use (e.g. lung cancer, cardiovascular diseases) in your jurisdiction.

19244 is 13,1% of all deaths (20 years and older)

Lung cancer: 8692 (83%) / COPD 5371 (77%) / CHZ 1319 (15%) / Esophageal cancer 939 (52%) / strokes 722 (9%) / heart failure 630 (7%) / pancreatic cancer 421 (16%) / bladder cancer 330 (28%) / oral cavity cancer 195 (58%) / kidney cancer 171 (17%) / larynx cancer 170 (84%) / gastric cancer 123 (10%) / diabetes 160 (6%)

Please indicate the year of the data used to answer question B32 and 33:

2015

Please indicate the source of the data used to answer questions B32 and B33:

2015, RIVM, Nationale Drug Monitor, Jaarbericht 2017. See also:

<https://www.lokaalmiddelenbeleid.nl/tabak/feiten-en-cijfers/maatschappelijke-kosten-baten-analyse-van-tabaksontmoediging.html> AND: <https://www.trimbos.nl/kerncijfers/nationale-drug-monitor>

Please submit a copy of the study you refer to:

Scientific data
tobacco
products

No comment

File type "pdf"

Tobacco-related costs

Do you have information on the economic burden of tobacco use in your population, e.g. the overall cost of tobacco use imposed on your society?

Yes ✓

Please provide details (e.g. direct (health care-related) and indirect costs and, if possible, the method used to estimate these costs).

Health care costs due to smoking are 3,5 billion euros per year
Costs for employers 3,6 billion euros per year.

Please indicate the year of the data used to answer question B42:

2016

Please indicate the source of the data used to answer question B42:

Social cost-benefit analysis of tobacco control policies in the Netherlands, Maastricht University, RIVM and Trimbos-institute / Kok L, Berden C, Koopmans C. Kosten van Roken. Amsterdam: SEO Economisch Onderzoek; 2016.

Please submit a copy of the study you refer to:

Report cost No comment
smoking 2003

File type "pdf"

Supply of tobacco and tobacco products

(with reference to Articles 6.2(b), 20.4(c), and 15.5)

Licit supply of tobacco products

	Product	Unit (e.g. pieces, tonnes)	Domestic production	Retail sales	Exports	Imports
Smoking tobacco products	cigarette	pieces		10.4 billion		
Smoking tobacco products	fine cut tobacco	kg		5.8 million		

Please provide information on the volumes of duty-free sales (e.g. product, unit, quantity), if available.

N.A.

Please indicate the year of the data used to answer question B51 and 52:

2019

Please indicate the source of the data used to answer questions B51 and B52:

information based on the excise concerned release for consumption that occurred in The Netherlands

Please attach the relevant documentation.

Seizures of illicit tobacco products

(with reference to Article 15.5)

Seizures of illicit tobacco

	Year	Product	Unit (e.g. pieces, tonnes)	Quantity seized
Smoking tobacco products	2019	cigarettes	pieces	112.123.298
Smoking tobacco products	2019	fine cut tobacco	kg	128.205
Smoking tobacco products			kg	
Smoking tobacco products			kg	
Smoking tobacco products		waterpipe tobacco	kg	15.933

Do you have any information on the percentage of illicit tobacco products on the national tobacco market?

No ✘

Please provide any further information on illicit tobacco products.

Please indicate the source of the data used to answer questions in section B6:
data from customs administration the netherlands

Please attach the relevant documentation.

Tobacco-growing

Is there any tobacco-growing in your jurisdiction?

No

Please indicate the year of the data used to answer questions in section B7:

Please indicate the source of the data used to answer questions in section B7:
N/A

Please attach the relevant documentation.

Taxation of tobacco products

(with reference to Articles 6.2(a) and 6.3)

What proportion of the retail price of the most popular price category of tobacco product consists of taxes (e.g. sum of excise, sales and import duties (if applicable) and value added tax/goods and services tax (VAT/GST))?

How are the excise taxes levied (what types of taxes are levied)?

Specific tax only	No
Ad valorem tax only	No
Combination of specific and ad valorem taxes	Yes
More complex structure (please explain below)	Yes

If a more complex structure of taxes (*please explain*):

Rates per January 1, 2020.

- Cigars: Excise --> Ad-valorem 8% of the Retail selling price, VAT --> 21%

_Cigarettes: Excise --> Ad-valorem 5% of the Retail selling price, specific excise of € 180,32 per 1.000 pieces, minimum € 196,99. VAT --> 21%

Smoking tobacco: Excise --> specific excise of € 114,65 per kilogramme. VAT --> 21%

Rates per April 1, 2020.

Cigars: Excise --> Ad-valorem 8% of the Retail selling price, VAT --> 21%

Cigarettes: Excise --> Ad-valorem 5% of the Retail selling price, specific excise of € 219,25 per 1.000 pieces, minimum € 238,31. VAT --> 21%

Smoking tobacco: Excise --> specific excise of € 155,97 per kilogramme. VAT --> 21%

If available, please provide details on the rates of taxation for tobacco products at all levels of Government and be as specific as possible (specify the type of tax, e.g. VAT, sales, import duties)

Product	Type of tax	Rate or amount	Base of tax ⁵
Smoking tobacco products			-

Please briefly describe the trends in taxation for tobacco products in the past two years or since submission of your last report in your jurisdiction.

see upload 8.8

with the national prevention agreement it was the first time a tax raise was done in order to reach a smoke free generation by 2040. on april 1 2020 excise duty was raised with 1 euro for a package of 20 cigarettes and in order to prevent substitution excise duty on other products as rolling ryo Tobacco, volume Tobacco and heat sticks have also been increased identically in absolute terms.

Do you earmark any percentage of your taxation income for funding any national plan or strategy on tobacco control in your jurisdiction?

No ✘

Please indicate the year of the data used to answer questions B81 to B86:

2020

Please indicate the source of the data used to answer questions B81 to B86:

Wet op de accijns

Please attach the relevant documentation.

No comment

File type "pdf"

Price of tobacco products

(with reference to Articles 6.2(a))

Domestic

Please provide the retail prices of the three most widely sold brands of domestic tobacco products at the most widely used point of sale in your capital city.

	Name of the most widely sold brands	Number of units or amount per package	Retail price	Currency
Smoking tobacco products	cigarettes Marlboro red	20	7.20	euro
Smoking tobacco products	cigarettes Camel blue	20	7.20	euro
Other tobacco products	(RYO) Drum	50 g	10.70	euro

Imported

Please provide the retail prices of the three most widely sold brands of imported tobacco products at the most widely used point of sale in your capital city.

	Name of the most widely sold brands	Number of units or amount per package	Retail price	Currency

Please indicate the year of the data used to answer question B91:

2020

Please indicate the source of the data used to answer question B91:

Please briefly describe the trend in the prices of tobacco products in the past two years or since submission of your last report in your jurisdiction.

price has gone up

Please attach the relevant documentation.

C1. GENERAL OBLIGATIONS

With reference to Article 5

Have you developed and implemented comprehensive multisectoral national tobacco control strategies, plans and programmes in accordance with the Convention?

Yes ✓

Have you established or reinforced and financed:

a focal point for tobacco control?	Yes
a tobacco control unit?	Yes
a national coordinating mechanism for tobacco control?	Yes

Please provide details (e.g. the nature of the national coordinating mechanism, the institution to which the focal point for tobacco control or the tobacco control unit belongs).

the Ministry of Health, Welfare and Sports is in the lead and has a coordination role for Tc.

Please provide a brief description of the progress made in implementing Article 5.1 and 5.2 (*General obligations*) in the past two years or since submission of your last report.

in 2018 we developed a comprehensive strategie to reach a Tobacco free generation by 2040

<https://www.rijksoverheid.nl/documenten/convenanten/2018/11/23/nationaal-preventieakkoord>

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

Protection of public health policies with respect to tobacco control from commercial and other vested interests of the tobacco industry

Have you adopted and implemented, where appropriate, legislative, executive, administrative or other measures or have you implemented, where appropriate, programmes on any of the following:

protecting public health policies with respect to tobacco control from commercial and other vested interests of the tobacco industry?

Yes ✓

ensuring that the public has access, in accordance with Article 12(c), to a wide range of information on tobacco industry activities relevant to the objectives of the Convention, such as in a public repository?

Yes ✓

If you answered "Yes" to any of the questions under C121 or C122, please provide details in the space below (specifically, please refer, if relevant, to whether your government or any of its departments 1) have raised awareness on tobacco industry tactics and the need to prevent interference by the tobacco industry with decision making; 2) have avoided entering into any partnerships or voluntary agreements with the tobacco industry; 3) have established any measures to limit interaction of public officials with the tobacco industry, including in the form of a code of conduct; 4) have not granted any incentives, privileges, benefits or preferential tax exemptions to the tobacco industry to establish or run their business; etc.).

There is a website available to the public where ministries can publish documents that refer to contact that was needed with representatives of the Tobacco industry for ensuring proper implementing of the law, or unsolicited letters ministries receive from the industry.

The webpage is: <https://www.rijksoverheid.nl/onderwerpen/roken/inhoud/transparant-over-contact-tabaksindustrie>.

Please provide a brief description of the progress made in implementing Article 5.3 in the past two years or since submission of your last report.

- The government set up a document that explains how it interprets article 5.3.
- All governments (from municipalities to ministries) have been informed about article 5.3 and how the government interprets this article.
- A website and protocol about article 5.3 have been developed (see link above)

Have you utilized the “Guidelines for implementation of Article 5.3 of the WHO FCTC” when developing or implementing policies in this area?

Yes ✓

Please provide details in the space below or refer to section I of the additional questionnaire. Response to this question or to the additional questionnaire is **voluntary**. <https://extranet.who.int/dataform/655321?token=uvpqbrdfx7zgt5y&lang=en> (<https://extranet.who.int/dataform/655321?token=uvpqbrdfx7zgt5y&lang=en>)

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

Please attach the relevant documentation.

C2. MEASURES RELATING TO THE REDUCTION OF DEMAND FOR TOBACCO

With reference to Articles 6–14

Price and tax measures to reduce the demand for tobacco

Have you adopted and implemented, where appropriate, legislative, executive, administrative or other measures or have you implemented, where appropriate, programmes on any of the following:

tax policies and, where appropriate, price policies on tobacco products so as to contribute to the health objectives aimed at reducing tobacco consumption?

Yes ✓

prohibiting or restricting, as appropriate, sales to international travellers of tax- and duty-free tobacco products?

No ✗

prohibiting or restricting, as appropriate, imports by international travellers of tax- and duty-free tobacco products?

No ✗

Please provide a brief description of the progress made in implementing Article 6 (*Price and tax measures to reduce the demand for tobacco*) in the past two years or since submission of your last report.

N.A.

Have you utilized the “Guidelines for implementation of Article 6 of the WHO FCTC” when developing or implementing policies in this area?

No ✗

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

Please attach the relevant documentation.

Protection from exposure to tobacco smoke

Have you adopted and implemented, where appropriate, legislative, executive, administrative or other measures or have you implemented, where appropriate, programmes on any of the following:

banning tobacco smoking in indoor workplaces, public transport, indoor public places and, as appropriate, other public places ?

Yes ✓

What is the type/nature of the measure providing for the ban?

national law	Yes
subnational law(s)	No
administrative and executive orders	No
voluntary agreements	Yes
other measures (please specify in C223 below)	No

Please provide a brief explanation of the type/nature and content of the measures providing for the ban.

Smoking is prohibited in indoor workplaces, public transport, indoor public places and in the hospitality sector. A smoking room is allowed.

Smoking in outdoor places is not prohibited. From 2020, smoking will be prohibited at outdoor school areas.

Do any of these measures provide for a mechanism/ infrastructure for enforcement?

Yes ✓

Please provide details of this system.

Legislation is enacted and enforced by the government in the form of case law and administrative enforcement.

Please specify the settings and extent/comprehensiveness of measures applied in indoor workplaces, public transport, indoor public places and, as appropriate, other public places.

Indoor workplaces:

government buildings	Complete
health-care facilities	Complete
educational facilities ⁶	Complete
universities	Complete
private workplaces	None
other (please specify below)	Complete

Please provide a brief explanation of any "other" policies in the space below

Indoor shopping centre, event hall, congress centres, airport, a closed area for passenger transport.

Please specify the settings and extent/comprehensiveness of measures applied in indoor workplaces, public transport, indoor public places and, as appropriate, other public places.

Public transport:

	airplanes	Complete
	trains	Complete
	ferries	Complete
	ground public transport (buses, trolleybuses, trams)	Complete
	motor vehicles used as places of work (taxis, ambulances, delivery vehicles)	Complete
	private vehicles	None
	other (please specify below)	None

Please specify the settings and extent/comprehensiveness of measures applied in indoor workplaces, public transport, indoor public places and, as appropriate, other public places.

Indoor public places:

	cultural facilities	Complete
	shopping malls	Complete
	pubs and bars	Complete
	nightclubs	Complete
	restaurants	Complete
	other (please specify below)	None

Please provide a brief summary of complete and partial measures, with specific details of the partial measures that have been implemented:

Banning tobacco smoking in indoor workplaces

A smoking room is allowed in all indoor places.

Banning tobacco smoking in public transport

We consider public transport as the moving vehicle. There are no smoking rooms in public transport. At stations a smoking room is allowed or outside in the open air.

Banning tobacco smoking in indoor public places

Smoking rooms are allowed in indoor public places.

Please provide a brief description of the progress made in implementing Article 8 (*Protection from exposure to tobacco smoke*) in the past two years or since submission of your last report.

The smoking ban is clearly set out in the Act, January 1st 2015.

The exception for pubs and bars smaller than 70sq. meters that existed since 2011 was ended in 2015, so now there is a complete smoking ban in pubs and bars.

Have you utilized the “Guidelines for implementation of Article 8 of the WHO FCTC” when developing or implementing policies in this area?

Yes ✓

If you answered “Yes” to question C229 please provide details in the space below or refer to section B of the additional questionnaire available at this link. Response to this question or to the additional questionnaire is **voluntary**. <https://extranet.who.int/dataform/655321?token=uvpqbrdfx7zgt5y&lang=en> (<https://extranet.who.int/dataform/655321?token=uvpqbrdfx7zgt5y&lang=en>)

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

A lawsuit is initiated by CleanAirNederland (CAN) to ban smoking room in the hospitality sector. the Dutch Supreme Court ruled that smoking rooms in the hospitality sector do not offer sufficient protection against smoke, as required by the WHO-FCTC, and, thus, are banned per September 2019. Legislation to ban smoking rooms in (semi-)public sectors and public buildings (per 2021), and in the private sector (per 2022) is in preparation.

Please attach the relevant documentation.

Regulation of the contents of tobacco products

Have you adopted and implemented, where appropriate, legislative, executive, administrative or other measures or have you implemented, where appropriate, programmes on any of the following:

testing and measuring the contents of tobacco products?

Yes ✓

testing and measuring the emissions of tobacco products?

Yes ✓

regulating the contents of tobacco products?

Yes ✓

regulating the emissions of tobacco products?

Yes ✓

Please provide a brief description of the progress made in implementing Article 9 (*Regulation of the contents of tobacco products*) in the past two years or since submission of your last report.

From May 20th 2016 the new European Tobacco Product Directive is implemented in national law. New standards for regulation and contents are enforced. The Netherlands adopted maximum emissions for both cigarettes and roll your own.

Have you utilized the "Guidelines for implementation of Articles 9 and 10 of the WHO FCTC" when developing or implementing policies in this area?

Yes ✓

If you answered "Yes" to question C236 please provide details in the space below or refer to section C of the additional questionnaire available at this link. Response to this question or to the additional questionnaire is **voluntary**. <https://extranet.who.int/dataform/655321?token=uvpqbrdfx7zgt5y&lang=en> (<https://extranet.who.int/dataform/655321?token=uvpqbrdfx7zgt5y&lang=en>)

Article 9 and 10 were part of the basis for the new European Tobacco Products Directive.

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below (e.g., whether your country 1) has incorporated product regulation in the national tobacco control legislation; 2) has access to either governmental or independent – not owned or controlled by the tobacco industry – laboratories for testing contents and/or emissions of tobacco products; 3) has regulated ingredients, such as flavours (e.g. menthol); 4) has regulated product characteristics, such as design features (e.g., cigarette ventilation); etc.).

The Netherlands also regulate the content of electronic cigarettes / e-liquids with and without nicotine.

The Netherlands asked the European Commission to take action to improve the European Tobacco Products Directive with respect to the measurements of TNCO contents of cigarettes. The ISO method that is currently used underestimates the quantity of harmful substances to which smokers are exposed. There is a better method; the Canadian Intense (CI) method for example provides a more suitable alternative, closer to human smoking behavior and not susceptible to changes in filter ventilation, as the ventilation holes in the filter are taped and inhalation is deeper and more frequent.

Please attach the relevant documentation.

**Report tobacco
additives**

No comment

File type "pdf"

Regulation of tobacco product disclosures

Have you adopted and implemented, where appropriate, legislative, executive, administrative or other measures or have you implemented, where appropriate, programmes on any of the following:

requiring manufacturers or importers of tobacco products to disclose to Government authorities information about the:

contents of tobacco products?	Yes
emissions of tobacco products?	Yes

requiring public disclosure of information about the:

contents of tobacco products?	Yes
emissions of tobacco products?	Yes

Please provide a brief description of the progress made in implementing Article 10 (*Regulation of tobacco product disclosures*) in the past two years or since submission of your last report.

From May 20th 2016 the industry has to submit information about contents and emissions of tobacco products in the EU Common Entry Gate System. Besides this, the industry has to submit health risks reports and market research.

Have you utilized the “Guidelines for implementation of Articles 9 and 10 of the WHO FCTC” when developing or implementing policies in this area?

Yes ✓

If you answered “Yes” to question C244 please provide details in the space below or refer to section C of the additional questionnaire available at this link. Response to this question or to the additional questionnaire is voluntary. <https://extranet.who.int/dataform/655321?token=uvpqbrdfx7zgt5y&lang=en> (<https://extranet.who.int/dataform/655321?token=uvpqbrdfx7zgt5y&lang=en>)

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below (e.g. whether your country has incorporated tobacco product disclosures in the national tobacco control legislation; has regulated the public disclosure of toxic constituents and emissions of tobacco products, aiming to raise public awareness and advance tobacco control policy; etc.).

The Netherlands also regulated the disclosures of contents of electronic cigarettes / e-liquids with and without nicotine.

Please attach the relevant documentation.

Packaging and labelling of tobacco products

Have you adopted and implemented, where appropriate, legislative, executive, administrative or other measures or have you implemented, where appropriate, programmes on any of the following:

requiring that packaging, individual cigarettes or other tobacco products do not carry advertising or promotion?

Yes ✓

requiring that packaging and labelling do not promote a product by any means that are false, misleading, deceptive or likely to create an erroneous impression about its characteristics, health effects, hazards or emissions?

Yes ✓

requiring that each unit packet and package of tobacco products and any outside packaging and labelling of such products carry health warnings describing the harmful effects of tobacco use?

Yes ✓

ensuring that the health warnings are approved by the competent national authority?

Yes ✓

ensuring that the health warnings are rotated?

Yes ✓

ensuring that the health warnings are clear, visible and legible?

Yes ✓

Does your law mandate, as a minimum, a style, size and colour of font to render the warning clear, visible and legible?

Yes ✓

ensuring that the health warnings occupy no less than 30% of the principal display areas?

Yes ✓

ensuring that the health warnings occupy 50% or more of the principal display areas?

Yes ✓

ensuring that health warnings are in the form of, or include, pictures or pictograms?

Yes ✓

Does the Government own the copyright to these pictures and pictograms?

Yes ✓

Would you grant a non-exclusive and royalty-free licence for the use of health warnings developed in your jurisdiction with other Parties?

No ✗

requiring that each unit packet and package of tobacco products and any outside packaging and labelling of such products contain information on relevant:

constituents of tobacco products? No

emissions of tobacco products? No

requiring that the warnings and other textual information appear on each unit packet and package and on any outside packaging and labelling in the principal language or languages of the country?

Yes ✓

Please provide a brief description of the progress made in implementing Article 11 (*Packaging and labelling of tobacco products*) in the past two years or since submission of your last report.

Plain packaging for cigarettes and RYO is foreseen for october 2020..

Have you utilized the “Guidelines for implementation of Article 11 of the WHO FCTC” when developing or implementing policies in this area?

Yes ✓

If you answered “Yes” to question C2516 please provide details in the space below or refer to section D of the additional questionnaire available at this link. Response to this question or to the additional questionnaire is voluntary. <https://extranet.who.int/dataform/655321?token=uvpqbrdfx7zgt5y&lang=en> (<https://extranet.who.int/dataform/655321?token=uvpqbrdfx7zgt5y&lang=en>)

by 2022 neutral vending machines are only allowed with the intervantaion of a sales person

If you have any other relevant information pertaining to or not covered in this section, please provide details in the space below.

-

Please attach the relevant documentation.

Education, communication, training and public awareness

Have you adopted and implemented, where appropriate, legislative, executive, administrative or other measures or have you implemented, where appropriate, programmes on any of the following:

educational and public awareness programmes? (*Please refer to programmes implemented since submission of your two-year report.*)

Yes ✓

To whom are these programmes targeted?

- adults or the general public
 - children and young people
 - men
 - women
 - pregnant women
 - ethnic groups
 - other (please specify)
 - Other
-

Do you reflect the following key differences among targeted population groups in educational and public awareness programmes?

- age
 - gender
 - educational background
 - cultural background
 - socioeconomic status
 - other (please specify)
 - Other
-

Do these educational and public awareness programmes cover:

- health risks of tobacco consumption?
 - health risks of exposure to tobacco smoke?
 - benefits of the cessation of tobacco use and tobacco-free lifestyles?
 - adverse economic consequences of tobacco production?
 - adverse economic consequences of tobacco consumption?
 - adverse environmental consequences of tobacco production?
 - adverse environmental consequences of tobacco consumption?
-

awareness and participation of the following agencies and organizations in development and implementation of intersectoral programmes and strategies for tobacco control:

- public agencies?
 - nongovernmental organizations not affiliated with the tobacco industry?
 - private organizations?
 - other (please specify)?
 - Other
-

Are the elaboration, management and implementation of communication, education, training and public awareness programmes guided by research and do they undergo pre-testing, monitoring and evaluation?

Yes ✓

Are appropriate and special training or sensitization and awareness programmes on tobacco control addressed to:

- health workers?
- community workers?
- social workers?
- media professionals?
- educators?
- decision-makers?
- administrators?
- other (please specify)
- Other

Please provide a brief description of the progress made in implementing Article 12 (*Education, communication, training and public awareness*) in the past two years or since submission of your last report.

Nix18 campaign, aimed at supporting the legal age limit for tobacco of 18 years
 Healthy School approach (gezonde school aanpak), aimed at educating children about the risks of tobacco use and promoting exhaustive smoke free policies for schools

Have you utilized the "Guidelines for implementation of Article 12 of the WHO FCTC" when developing and implementing policies in this area?

No ✘

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

N.A.

Please attach the relevant documentation.

Tobacco advertising, promotion and sponsorship

Have you adopted and implemented, where appropriate, any legislative, executive, administrative or other measures or have you implemented, where appropriate, programmes:

instituting a comprehensive ban on all tobacco advertising, promotion and sponsorship?

Yes ✔

Does your ban cover:

- display and visibility of tobacco products at points of sales?
- the domestic Internet?
- the global Internet?
- brand stretching and/or brand sharing?
- product placement as a means of advertising or promotion?
- the depiction of tobacco or tobacco use in entertainment media products?
- tobacco sponsorship of international events or activities and/or participants therein?
- contributions from tobacco companies to any other entity for "socially responsible causes" and/or any other activities implemented under the umbrella of "corporate social responsibility" by the tobacco industry?
- cross-border advertising, promotion and sponsorship originating from your territory?
- the same forms of cross-border advertising, promotion and sponsorship entering your territory for which domestic regulation apply?

cooperating with other Parties in the development of technologies and other means necessary to facilitate the elimination of cross-border advertising?

Yes ✓

imposing penalties for cross-border advertising equal to those applicable to domestic advertising, promotion and sponsorship originating from your territory in accordance with national law?

No ✗

Please provide a brief description of the progress made in implementing Article 13 (*Tobacco advertising, promotion and sponsorship*) in the past two years or since submission of your last report.

From May 20th 2016 there is an advertising ban for electronic cigarettes / e-liquids with nicotine. At the moment (2020) there is already a strict ban on commercials. Only speciality shops (shops selling more than 90 brandtypes of Tobacco) are allowed to advertise. (Note: however, for example supermarketes and online shops can never be specialty shops). In 2021 the ban on tobacco advertising will be expanded. From 2021 Advertising on building façades will be forbidden for all these shops, and only specialty shops that sells exclusively tobacco products (and no other products) are still allowed to advertise tobacco products inside.

Have you utilized the "Guidelines for implementation of Article 13 of the WHO FCTC" when developing and implementing policies in this area?

Yes ✓

If you answered "Yes" to question C2715 please provide details in the space below or refer to section F of the additional questionnaire available at this link. Response to this question or to the additional questionnaire is voluntary. <https://extranet.who.int/dataform/655321?token=uvpqbrdfx7zgt5y&lang=en> (<https://extranet.who.int/dataform/655321?token=uvpqbrdfx7zgt5y&lang=en>)

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

Since July 1st 2017, there is also an advertising ban for electronic cigarettes / e-liquids without nicotine and herbal products for smoking.

The Netherlands is willing to extend to advertising ban with a display ban to reduce the visibility of tobacco products at points of sales.

Please attach the relevant documentation.

Demand reduction measures concerning tobacco dependence and cessation

Have you adopted and implemented, where appropriate, legislative, executive, administrative or other measures or have you implemented, where appropriate, programmes on any of the following:

developing and disseminating appropriate, comprehensive and integrated guidelines based on scientific evidence and best practices?

Yes ✓

programmes to promote cessation of tobacco use, including:

- media campaigns emphasizing the importance of quitting?
programmes specially designed for underage girls and young women?
programmes specially designed for women?
- programmes specially designed for pregnant women?
- telephone quitlines?
- local events, such as activities related to World No Tobacco Day or National No Smoking Day, if appropriate?
other (please specify)?

stoptober Other

design and implementation of programmes aimed at promoting the cessation of tobacco use, in such locations as:

- educational institutions?
 - health-care facilities?
 - workplaces?
 - sporting environments?
 - other (please specify)?
 - Other
-

inclusion of diagnosis and treatment of tobacco dependence and counselling services for cessation of tobacco use in national programmes, plans and strategies for:

- tobacco control?
 - health?
 - education?
-

inclusion of programmes on the diagnosis and treatment of tobacco dependence in your health-care system?

Yes ✓

Which structures in your health-care system provide programmes for the diagnosis and treatment of tobacco dependence?

- primary health care
 - secondary and tertiary health care
 - specialist health-care systems (please specify below)
 - specialized centres for cessation counselling and treatment of tobacco dependence
 - rehabilitation centres
 - Other
-

Are the services provided in these settings covered by public funding or reimbursement schemes?

primary health care	Fully
secondary and tertiary health care	Partially
specialist health-care systems (please specify below)	Partially
specialized centres for cessation counselling and treatment of tobacco dependence	Partially
rehabilitation centres	Partially
other (please specify below)	None

Which health and other professionals are involved in programmes offering treatment for tobacco dependence and counselling services?

Health professionals including:

- physicians
 - dentists
 - family doctors
 - practitioners of traditional medicine
 - other medical professionals (please specify below)
 - nurses
 - midwives
 - pharmacists
 - Community workers
 - Social workers
 - other (please specify)
 - Other
-

training on tobacco dependence treatment incorporated into the curricula of health professional training at pre- and post-qualification levels at the following schools:

- medical?
 - dental?
 - nursing?
 - pharmacy?
 - Other
-

facilitating accessibility and/or affordability of pharmaceutical products for the treatment of tobacco dependence?

Yes ✓

Where and how can these products be legally purchased in your country?

At the pharmacy one can get prescription drugs on recipe of a GP.

At the drugstor one can get nicotine patches and nicotine chewing gum and other non-prescription nicotine medicines.

Which pharmaceutical products are legally available for the treatment of tobacco dependence in your jurisdiction?

- nicotine replacement therapy
 - bupropion
 - varenicline
 - other (please specify)
 - Nortriptyline
 - Other
-

Are the costs of these products covered by public funding or reimbursement?

nicotine replacement therapy	Partially
bupropion	Partially
varenicline	Partially
other (please specify below)	Partially

Please provide other details in the space below.

Please provide a brief description of the progress made in implementing Article 14 (*Demand reduction measures concerning tobacco dependence and cessation*) in the past two years or since submission of your last report.

Since jan 1 2020 pharmaceutical products and prescription drugs are for free when used in combination with quit smoking support.

Have you utilized the “Guidelines for implementation of Article 14 of the WHO FCTC” when developing and implementing policies in this area?

No

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

Please attach the relevant documentation.

C3. MEASURES RELATING TO THE REDUCTION OF THE SUPPLY OF TOBACCO

With reference to Articles 15–17

Illicit trade in tobacco products

Have you adopted and implemented, where appropriate, legislative, executive, administrative or other measures or have you implemented, where appropriate, programmes on any of the following:

requiring marking of all unit packets and packages of tobacco products and any outside packaging of such products to assist in determining the origin of the product?

Yes ✓

requiring marking of all unit packets and packages of tobacco products and any outside packaging of such products to assist in determining whether the product is legally sold on the domestic market?

Yes ✓

requiring that unit packets and packages of tobacco products for retail and wholesale use that are sold on the domestic market carry the statement: "Sales only allowed in ..." or carry any other effective marking indicating the final destination of the product?

Yes ✓

developing a practical tracking and tracing regime that would further secure the distribution system and assist in the investigation of illicit trade?

Yes ✓

requiring that marking is presented in legible form and/or appears in the principal language or languages of the country?

Yes ✓

requiring the monitoring and collection of data on cross-border trade in tobacco products, including illicit trade?

Yes ✓

facilitating the exchange of this information among customs, tax and other authorities, as appropriate, and in accordance with national law and applicable bilateral and multilateral agreements?

Yes ✓

enacting or strengthening legislation, with appropriate penalties and remedies, against illicit trade in tobacco products, including counterfeit and contraband cigarettes?

Yes ✓

requiring that confiscated manufacturing equipment, counterfeit and contraband cigarettes and other tobacco products derived from illicit trade are destroyed, using environment-friendly methods where possible, or disposed of in accordance with national law?

Yes ✓

adopting and implementing measures to monitor, document and control the storage and distribution of tobacco products held or moving under suspension of taxes or duties?

Yes ✓

enabling the confiscation of proceeds derived from illicit trade in tobacco products?

Yes ✓

promoting cooperation between national agencies and relevant regional and international intergovernmental organizations in investigations, prosecutions and proceedings, with a view to eliminating illicit trade in tobacco products, with special emphasis on cooperation at regional and subregional levels?

Yes ✓

licensing or other actions to control or regulate production and distribution in order to prevent illicit trade?

Yes ✓

Please provide a brief description of the progress made in implementing Article 15 (*Illicit trade in tobacco products*) in the past two years or since submission of your last report.

EU Track and Trace system is implemented

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

3.3.1.2: However, we do have tax stamps for tax purposes. These are not based on the FCTC.

3.3.1.7: This activity occurs via the European/Dutch customs and excise legislation. This is not based on the FCTC.

3.3.1.9: This activity occurs via the European/Dutch customs and excise legislation. This is not based on the FCTC.

3.3.1.10: This activity occurs via the European/Dutch customs and excise legislation. This is not based on the FCTC.

Please attach the relevant documentation.

Sales to and by minors

Have you adopted and implemented, where appropriate, legislative, executive, administrative or other measures or have you implemented, where appropriate, programmes on any of the following:

prohibiting the sales of tobacco products to minors?

Yes ✓

Please specify the legal age:

18

requiring that all sellers of tobacco products place a clear and prominent indicator inside their point of sale about the prohibition of tobacco sales to minors?

Yes ✓

requiring that, in case of doubt, each seller of tobacco products requests that the purchaser provides appropriate evidence of having reached full legal age?

Yes ✓

banning the sale of tobacco products in any manner by which they are directly accessible, such as open store shelves?

Yes ✓

prohibiting the manufacture and sale of sweets, snacks, toys or any other objects in the form of tobacco products which appeal to minors?

No ✘

prohibiting the sale of tobacco products from vending machines?

No ✘

Do you ensure that tobacco vending machines are not accessible to minors and/or do not promote the sale of tobacco products to minors?

Yes ✓

prohibiting and/or promoting the prohibition of the distribution of free tobacco products:

- to the public?
 - to minors?
-

prohibiting the sale of cigarettes individually or in small packets?

Yes ✓

providing for penalties against sellers and distributors in order to ensure compliance?

Yes ✓

prohibiting the sales of tobacco products by minors?

No ✘

Please provide a brief description of the progress made in implementing Article 16 (*Sales to and by minors*) in the past two years or since submission of your last report.

by 2022 neutral vending machines are only allowed with the intervention of a sales person

Displayban by juli the first 2020 in supermarkets and other points of sale by the first of januari 2021. An exception is made for tobacco speciality shops

Plain packaging: for sigaretttes and RYO is foreseen for october 1, 2020

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

Please attach the relevant documentation.

Provision of support for economically viable alternative activities

Have you adopted and implemented, where appropriate, measures or programmes on any of the following:

promoting economically viable and sustainable alternatives for:

tobacco growers?	Not applicable
tobacco workers?	Not applicable
tobacco individual sellers?	No

Please provide a brief description of the progress made in implementing Article 17 (*Provision of support for economically viable alternative activities*) in the past two years or since submission of your last report.

No Tobacco is grown in the Netherlands since WW2. No programmes for growers or workers exist. Furthermore, no programmes exist for individual sellers of Tobacco products who will be affected by a reduction of tobacco consumption.

Have you utilized the “Policy options and recommendations on economically sustainable alternatives to tobacco growing (in relation to Articles 17 and 18 of the WHO FCTC)” when developing and implementing policies in this area?

No

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

-

Please attach the relevant documentation.

C4. OTHER MEASURES AND POLICIES

With reference to Articles 18–21

Protection of the environment and the health of persons

Have you adopted and implemented, where appropriate, legislative, executive, administrative or other measures or have you implemented, where appropriate, programmes on any of the following:

implementing measures in respect of tobacco cultivation within your territory, which take into consideration:

the protection of the environment?	Not applicable
the health of persons in relation to the environment?	Not applicable

implementing measures in respect of tobacco manufacturing within your territory, which take into consideration:

the protection of the environment?	Yes
the health of persons in relation to the environment?	Yes

Please provide a brief description of the progress made in implementing Article 18 (*Protection of the environment and the health of persons*) in the past two years or since submission of your last report.

Environmental and labour laws are applicable. No new developments have occurred since the last report.

Have you utilized the “Policy options and recommendations on economically sustainable alternatives to tobacco growing (in relation to Articles 17 and 18 of the WHO FCTC)” when developing and implementing policies in this area?

No

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

Please attach the relevant documentation.

Liability

Have you adopted and implemented, where appropriate, legislative, executive, administrative or other measures or have you implemented, where appropriate, programmes on any of the following:

Does your tobacco control legislation contain measures regarding criminal liability for any violations of that tobacco control legislation?

Yes

Do you have separate criminal liability provisions in relation to tobacco control (outside of the tobacco control legislation)?

Yes

Do you have any civil liability measures that are specific to tobacco control?

Yes

Do you have any general civil liability provisions that could apply to tobacco control?

Yes

Do you have civil or criminal liability provisions that provide for compensation for adverse health effects and/or for reimbursement of medical, social or other relevant costs?

Yes

Has any person in your jurisdiction launched any criminal and/or civil liability action, including compensation where appropriate, against any tobacco company in relation to any adverse health effect caused by tobacco use?

Yes

Have you taken, as appropriate, any legislative, executive, administrative and/or other action against the tobacco industry for full or partial reimbursement of medical, social and other relevant costs related to tobacco use in your jurisdiction?

No

Please provide a brief description of any progress made, as appropriate, in implementing Article 19 (*Liability*) in the past two years or since submission of your last report.

In 2016, various parties, including dozens of health organizations, attempted to enforce criminal charges against tobacco producers (our government was not involved). In February 2018 the Dutch Public Prosecution Service decided not to consider it a criminal case and decided not to prosecute, because successful criminal prosecution of the tobacco producers would not be feasible. The parties subsequently started a procedure at the Dutch Court of Justice to compel the Public Prosecution Service to prosecute four major tobacco producers. The Court of Justice delivered its decision on December 6, 2018. There are no indications that tobacco producers have not acted in accordance with the Tobacco Products Directive or national regulations. According to the court, the addition of additives and the existence and operation of the ventilation holes are known to the regulators and are accepted in the current system and there is no question of a manipulated or "cheating cigarette". The Public Prosecution Services decision not to prosecute is therefore well founded. Finally, the Court holds that the ultimate goal of the complainants, namely the elimination of cigarettes and the creation of a smoke-free generation - no matter how socially relevant that aim is - cannot be achieved through criminal law. It is up to the legislator to do this. Such far-reaching measures against tobacco producers can only be decided by the (European) regulator. (ECLI:NL:GHDHA:2018:3335)

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

After introducing a smoking ban in the hospitality business (since 2008) there have been several liability procedures from entrepreneurs, smoking interest groups and smokers against the government. Last year there came an end in the procedure against the government about smoking rooms. Smoking rooms have to close in the hospitality business this year and in public places in 2021 and in the working places in 2022.

Please attach the relevant documentation.

Research, surveillance and exchange of information

Have you adopted and implemented, where appropriate, legislative, executive, administrative or other measures or have you implemented, where appropriate, programmes on any of the following:

developing and/or promoting research that addresses:

- determinants of tobacco consumption?
- consequences of tobacco consumption?
- social and economic indicators related to tobacco consumption?
- tobacco use among women, with special regard to pregnant women?
- the determinants and consequences of exposure to tobacco smoke?
- identification of effective programmes for the treatment of tobacco dependence?
- identification of alternative livelihoods?
- Other

harm reduction products,
novel tobacco products

training and support for all persons engaged in tobacco control activities, including research, implementation and evaluation?

Yes ✓

a national system for epidemiological surveillance of:

- patterns of tobacco consumption?
- determinants of tobacco consumption?
- consequences of tobacco consumption?
- social, economic and health indicators related to tobacco consumption?
- exposure to tobacco smoke?
- Other

Please list all surveys, including the year of the survey, that you have undertaken in the past.

Research from RIVM (National Institute for Public Health and the Environment) and Trimbos Institute.

www.rivm.nl

[www.trimbos](http://www.trimbos.nl)

Does your country have any plans to repeat any of the above or to undertake a new tobacco survey within three to five years of your last survey? Please provide details in the space below.

The Peilstationonderzoek is conducted every 4 years;

The HBSC is conducted every 4 years;

regional and global exchange of publicly available national:

- scientific, technical, socioeconomic, commercial and legal information?
 - information on the practices of the tobacco industry? information on the cultivation of tobacco?
-

an updated database of:

- laws and regulations on tobacco control?
 - information about the enforcement of laws on tobacco control?
 - pertinent jurisprudence?
-

Please provide a brief description of the progress made in implementing Article 20 (*Research, surveillance and exchange of information*) in the past two years or since submission of your last report.

<https://www.trimbos.nl/docs/2611d773-620a-45af-a9e5-c27a7e6688e4.pdf>

- Peilstationsonderzoek, surveillance research about youth between 10-18 years among kids and their parents, every 4 years, last time 2019, data not available yet)
 - The HBSC, youth between 12-16 years,. International comparisons possible. conducted every 4 years. last time 2017.
 - Substance use reaserch among youth in practise based education, special education, youth residential care and youth forensic care. last time eind of 2019, available in 2021.
 - The Health Survey (gezondheidsenquete) gets conducted every year. persons above the age of 12. This questionnaire is expandend with a lifestyle module every other year for persons over 15 year.
 - GGD Gezondheidsmonitor; regional health survey among persons aged 19plus. every 4 years. last time 2016.
 - Monitor pregnancy and substance use, last time 2018
 - Nemesis Netherlands Mental Health Survey and Incidence Study- currently running
-

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below (e.g. whether you included information on WHO FCTC implementation in your Voluntary National Review (VNR) on the Sustainable Development Goals (SDGs), related to target 3.a).

N.A.

Please attach the relevant documentation.

D. INTERNATIONAL COOPERATION AND ASSISTANCE

Pursuant to Article 21.1(c) and in accordance with Article 26, have you either provided or received financial or technical assistance (be it through unilateral, bilateral, regional, subregional or other multilateral channels, including relevant regional and international intergovernmental or nongovernmental organizations and financial and development institutions) for the development and strengthening of multisectoral, comprehensive tobacco control programmes of developing country Parties and Parties with economies in transition in any of the following areas:

development, transfer and acquisition of technology, knowledge, skills, capacity and expertise related to tobacco control?

Assistance provided	Yes
Assistance received	Yes

provision of technical, scientific, legal and other expertise to establish and strengthen national tobacco control strategies, plans and programmes?

Assistance provided	Yes
Assistance received	Yes

appropriate training or sensitization programmes for appropriate personnel in accordance with Article 12?

Assistance provided	Yes
Assistance received	Yes

provision of the necessary material, equipment and supplies, as well as logistic support, for tobacco control strategies, plans and programmes?

Assistance provided Yes

Assistance received Yes

identification of methods for tobacco control, including comprehensive treatment of nicotine addiction?

Assistance provided Yes

Assistance received Yes

promotion of research to increase the affordability of comprehensive treatment of nicotine addiction?

Assistance provided Yes

Assistance received Yes

Please identify the Party or Parties from which assistance was received or to which assistance was provided.

Scientific research organisations, among others:

- RIVM
 - Trimbos Institute
 - ZonMw
 - WHO
 - European Commission
 - International congresses
 - FDA
-

Please provide information about any assistance provided or received in the space below, including any support received from nongovernmental organizations (please, specify).

research and exchange of knowledge about:

- users
 - health risks
 - communication possibilities
 - user trends
 - e cigarettes
 - TNCO measurement method
-

If you have not received or provided assistance in any of the aforementioned areas, please identify any financial or technical assistance that may be under consideration, if appropriate.

Have you encouraged relevant regional and international intergovernmental organizations and financial and development institutions in which you are represented to provide financial assistance for developing country Parties and for Parties with economies in transition to assist them in meeting their obligations under the Convention?

Yes ✓

Please provide details in the space below.

E. PRIORITIES AND COMMENTS

What are the priorities for implementation of the WHO Framework Convention on Tobacco Control in your jurisdiction?

- Protection of youth (prevent smoking)
 - Provide assistance for quitting smoking
 - Protection against second hand smoking
-

Have you identified any specific gaps between the resources available and the needs assessed for implementing the WHO Framework Convention on Tobacco Control?

No ✕

What, if any, are the constraints or barriers, other than lack of resources, you have encountered in implementing the Convention?

- Interpretation of the scope of the article
 - The support of citizens and the parliament.
-

Do you have any of the following products available on your national tobacco market?

- smokeless tobacco products
 - water pipe tobacco
 - Electronic Nicotine Delivery Systems (ENDS)
 - Electronic Non-Nicotine Delivery Systems (ENNDS)
 - heated tobacco products (HTPs)
 - Other
-

Have you adopted and implemented any policy or regulation that is specific to the following tobacco products?

- smokeless tobacco products
 - water pipe tobacco
 - Electronic Nicotine Delivery Systems (ENDS)
 - Electronic Non-Nicotine Delivery Systems (ENNDS)
 - heated tobacco products (HTPs)
 - Other
-

If you have any relevant information related to questions E5 and E6, please provide details in the space below.

- The Netherlands has implemented the European Tobacco Products Directive in national law by May 20th 2016.
 - The Netherlands adopted an advertisement ban and legal age of 18 for Tobacco products for smoking, ENDS, ENNDS, and herbal products for smoking.
-

Please provide any other relevant information not covered elsewhere that you consider important.

The Netherlands adopted a smoking ban in public-spaces, but restricted smoking rooms were allowed under certain conditions. These smoking rooms in the hospitality sector have been banned since 27 September 2019. Smoking rooms in public buildings will be closed in 2021 and smoking rooms in companies will be closed in 2022. Smoking on outdoor terrains of schools, colleges and universities will be banned August 2020.

Your suggestions for further development and revision of the reporting instrument:

© 2020 WHO