

Annex

Referring to point **2 Demographics**

Source

The results of 2001 census of the Republic of Armenia (figures of the Republic of Armenia). State committee of the organization and conduction of the RA census 2001, National Statistical Service of the Republic of Armenia, Yerevan 2003 www.armstat.am

Referring to point **3 Tobacco Use**

i. **Prevalence**

Definitions

Adult smokers

Daily smokers - they smoke daily at least one cigarette or other tobacco product (cigars, pipe, etc).

Occasional smokers – they have smoked more than 100 cigarettes in their lifetime, smoke currently, but not every day

Current young smokers - young people, who have smoked at least one day during the last 30 days

ii. **Supply**

(a) Licit supply of tobacco

Source

National Statistical Service, Statistical Yearbook of Armenia 2005. www.armstat.am

(c) Seizures of illicit tobacco

Source

Estimation of the International Center for Human Development www.ichd.org

Referring to point **5 Legislative, executive, administrative and other measures**

Price and tax measures to reduce the demand for tobacco

In accordance with the Government decision #1043-n 06/06/2002, there are restrictions for duty free sale to international travelers (the limit is 400 cigarettes and 25 cigars).

Protection from exposure to tobacco smoke

Protection from exposure to tobacco smoke is regulated by the Article 11 of the law of Republic of Armenia On restrictions of tobacco sale, consumption and use. Adopted by the National Assembly of Armenia on December 24, 2004.

Article 11. Tobacco Use Restrictions

1. Smoking shall be prohibited inside:
 - 1) educational institutions: educational, out-of-school, children's educational and other institutions;
 - 2) cultural institutions: cinemas, theaters, sport areas, circuses, concert halls, museums, libraries, exhibitions, lecture halls and recreation and entertainment facilities designed for persons under 18;
 - 3) health institutions: hospitals, polyclinics, ambulatories, sanatoriums and other healthcare facilities;

- 4) spaces of the premises of all types of institutions and organizations, with the exception of places, **envisaged for that purpose;**
- 5) in the areas, where smoking is prohibited, according to fire hazards safety rules;
- 6) public transport and vehicles, including buses, mini-buses, trains (other than the wagons designated for smoking) as well as airport terminals, bus and train stations.

*Point 2 of the Article 11 stipulates that managers of institutions and organizations take appropriate measures to allocate **special areas** for smoking. A no-smoking warning should be posted in a visible place. It is necessary to note that according to the transitional provision of the Law, the second part of Article 11 came into force on the 2nd of March, 2006. Point 4 of Article 11 regulates smoking inside restaurants, cafes and other public catering facilities, where may be separated territories, sectors, zones, allocated for smoking.*

Regulation of tobacco products disclosures

Tobacco products disclosure is regulated by the Government decision #540-n 28/04/2005 “On Approving the technical Regulation on Tobacco”, according to which it is required from both – manufacturers and importers to disclose information on the contents. Information that must be disclosed includes contents of nicotine and tar, the residue quantities of pesticides (hexa-chlorine-cyclo-hexane and its isomers and double-chlorine-double-phenyl- triple-chlorine-ethane and its metabolites), radio nuclides (caesium and strontium), etc.

Without the compliance certification the sale of raw tobacco and tobacco products in the territory of the Republic of Armenia is prohibited. The raw tobacco and tobacco products which are subject to mandatory compliance certification and are circulated in the territory of the Republic of Armenia should be accompanied with the stamping of the compliance sign or compliance certificate.

The Health Ministry of the Republic of Armenia elaborates and approves the methods of determining residual pesticides and radio-nuclides in tobacco raw material and tobacco products.

Illicit trade in tobacco products

The processes referred to in **point 15.2(a)** are regulated by the Government decision #540. It requires marking of packaging to assist determining the origin of the product. The same decision stipulates to mark on the package info allowing to determine that given tobacco product has been imported and is sold legally. Tobacco products without such prescribed info are considered as illegal.

Point 15.3

According to Article 9 of the Law On restrictions of tobacco sale, consumption and use marking should be made on the state language of the Republic of Armenia (Armenian) and in legible form.

Point 15.4 (b)-(e)

According to Article 10 of the Law On restrictions of tobacco sale, consumption and use, all those tobacco products, which were produced or realized in violation of this Law or do not meet the requirements, defined by the Armenian legislation, are subject to confiscation. The confiscated tobacco is subject to elimination in accordance with the procedure to be set up by the Armenian legislation. The decision on elimination is in process of elaboration. However, in 2004 there were cases of elimination of the confiscated tobacco products.

Point 15.7

Manufacturing of tobacco products is licensed according to the RA Law on Licensing. Distribution of tobacco products does not require a direct licensing, but according to the RA Law “On Local Duties and Payments,” the points of sale in order to sell tobacco products have to pay local duties and then to get the right to sell tobacco products.

Point 19.1

In many cases the liability for violation of the legislation is stipulated by Armenian legal acts. **Criminal liability is also envisaged.**

Sale to and by minors

Sale to and by minors is regulated by the Article 8 of RA Law "On restrictions of tobacco sale, consumption and use", adopted by the National Assembly of Armenia on December 24, 2004.

Article 8. Restrictions on Sale of Tobacco Products

1. Sales of tobacco products shall be prohibited:
 - 1) to persons under the age of 18 ;
 - 2) by persons under the age of 18;
 - 3) in opened packs or by pieces;
 - 4) without direct participation of the seller (through all forms of self-service, including via vending machines, other electronic or mechanical devices), with the exception of the places, where the entrance of minors is prohibited by legislation of the Republic of Armenia;

Liability

The RA Code on Administrative Infringements stipulates appropriate liability for violation of the norms related to realization, consumption and use of tobacco. In particular, Article 116 of the Code, which defines responsibility for violation of the rules of using railway transportation means, says that smoking in the wagons of suburban (including the whole wagon area), local and distant destination trains in the places not specified for smoking, as well as in the underground (subway) trains, has to be reacted by warning and fines up to 20% of the minimal salary, fixed in the Republic of Armenia.

Regulation of the contents of tobacco products

The contents of tobacco products is regulated by the Government decision #540-n "On Approving the technical Regulation on Tobacco," which envisages testing and measuring of the contents of the tobacco products. According to the above-mentioned decision, testing should be conducted by the certified testing laboratory. The testing methods should be defined under the standards presented the Technical Regulation. The residue quantities of pesticides should be determined by the methods approved by the RA Health Minister.

Packaging and labeling of tobacco products

Packaging and labeling of tobacco products is regulated by the Article 9 of RA Law "On restrictions of tobacco sale, consumption and use", adopted by the National Assembly of Armenia on December 24, 2004., Government Decision #540-n and Decision #916-N of the RA Minister of Health

Article 9 Packaging of Tobacco Products

1. Each package of tobacco product shall include the following information in the state language of the Republic of Armenia:
 - 1) data of tar, nicotine contents, which shall be placed on one of the side panels of the cigarette pack.
 - 2) Warning on the harmful effect of consumption of tobacco for the health. The text of the warning on the harmful effect of tobacco on the health of population shall be approved by an authorized body.

The health warning text shall occupy no less than 30 % of the front and back panels of the consumer packaging (cigarette pack) used in the wholesale and retail trade.
 - (2) The health warning text shall be:
 - 1) clear and legible;
 - 2) printed in dark ink on a contrasting background;
 - 3) printed in a way that does not allow its removal;
 - 4) placed on the pack in a way preserving it from damage, when opening the pack.
 - (3) The health warning text shall not:

- 1) be printed on or attached to the transparent or other outer wrapping, considered as such;
- 2) be hidden or covered with other printed information or image;
- 3) be printed on the excise stamps of consumer packaging (cigarette pack).

The Law also stipulates requirements for packing of tobacco products. In particular, the Law requires that each packing of tobacco products should include the following descriptions in the state language of the Republic of Armenia:

1) information on the tar and nicotine composition to be placed on one of the side walls of the cigarette pack.

2) warning on the negative impact of tobacco on the human health.

The text of the warning on the negative impact of tobacco on human health is to be approved by the Authorized body.

On the basis of the mentioned article of the Law the text of the warnings on the negative impact of the tobacco on the human health was approved on the 5th of October, 2005, by Decision #916-N of the RA Minister of Health.

Tobacco advertising, promotion and sponsorship

The relations, arising in advertising of tobacco, are regulated in accordance with the requirements of the Law on Advertising of the Republic of Armenia.

Article 15. Peculiarities of Advertising of Certain Kinds of Goods

1. In advertisements of alcoholic beverages and tobacco it is prohibited:
 - a) to suggest that alcoholic beverages and tobacco have curing, stimulating, calming and relaxing features;
 - b) to induce the consumers to widely use alcohol and tobacco, negatively assess their moderate use or non-use;
 - c) to present as a positive feature the high content of alcohol in beverages and of nicotine in tobacco.
 - d) to suggest that smoking or use of alcoholic beverages is essential for obtaining good-looking appearance, achieving of social success or gaining an attraction.
 - e) to shoot and picture people under the age of 25.
2. Tobacco advertising not including warning statement about harmfulness of smoking is prohibited.
3. In alcoholic beverages and tobacco advertising it is prohibited to address directly to the under-aged.
4. It is prohibited to demonstrate or picture the process of use of alcoholic beverages and tobacco during their advertising.
5. Advertising of strong (20% and more spirit's volume percentage) alcoholic drinks (excluding cognac) and tobacco through electronic mass media is forbidden.
 - 5.1 Tobacco and alcoholic beverage advertising is prohibited on the first and the last pages of newspapers, or on the first, last pages and covers of magazines.
 - 5.2 In printed mass media means at least 10% of the tobacco advertising must include health warning inscription on the harmful usage of tobacco.
 - 5.3 Outdoor advertising of tobacco is prohibited by means of placards, ad sheets, announcements, billboards, light boards and by other means.

The relations, arising in sponsorship and promotion of tobacco, are regulated in accordance with the requirements of the RA Law on. "On Limitations of Realization, Consumption and Use of Tobacco."

In particular, it says:

- 2) to prohibit offering tobacco products as a means for promoting other products or for other motivation;

- 3) not to indicate the brand names and trademarks of tobacco products on sports equipment and accessories, toys, dolls, miniature models of racing cars, video, audio and video-audio games, candy and similar items;
- 4) to prohibit distribution of all brands of tobacco products or their samples free of charge for promotion purposes;
- 5) to prohibit dissemination, selling or offering as a premium (prize) of any merchandise (e.g., T-shirts, caps and sport shirts, visors, backpacks, sunglasses, stationary supplies) bearing any tobacco product brand name or trademark displayed so as to be visible to others when worn or used.

This provision shall not impose any restriction on the appearance of brand names and trademarks of tobacco products on smoking-related items such as cigarette lighters or ashtrays.

Tobacco sponsorships during international events, actions or among their participants shall be prohibited.

Referring to point

6. Programs and plans

Based on Article 2 of the RA Law "On Limitations of Realization, Consumption and Use of Tobacco." on September 22, 2005, the RA Government, by its Decision #1630-N, adopted the RA State Tobacco Control Program and the List of Priority Actions in Tobacco Control.

The State Tobacco Control Program and the List of Priority Actions in Tobacco Control are designed for five years. It is a multi-sectoral program with engagement of many ministries, governmental agencies concerned. The main goal of the Action Plan is sustainable decrease of smoking prevalence. The most important objectives are working out of the policy, aimed at quitting rates increase and growth of the proportion of the non-smokers in the population; increase elaboration and introduction of the effective surveillance system; reduction of exposure to the second-hand smoke; increase of the effective public awareness system; increase of the role of health professionals in tobacco control. The List of Priorities points out concrete events, terms, approximate budgets and responsible bodies. In the process of realization of the project cooperation with non-governmental organizations is encouraged.