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Toward a smoke and aerosol-free United Nations: past, present and future of a meaningful endeavor

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Abstract

To strengthen the implementation of the WHO Framework Convention on Tobacco Control (WHO FCTC), an important effort concerns the adoption of tobacco control measures within United Nations (UN) premises. This article recapitulates the history of tobacco control initiatives targeting the UN workplaces, draws attention to current challenges of this meaningful endeavor, and reflects on possible future developments on the subject. Beginning in 2006, the Economic and Social Council (ECOSOC), building on the technical groundwork of the Ad Hoc Inter-Agency Task Force on Tobacco Control, recommended the implementation of a complete ban on smoking at all UN indoor spaces and on sales of tobacco products at all UN premises. In late 2008, the General Assembly finally addressed this issue through the adoption of Resolution 63/8 on Smoke-free United Nations premises. This resolution formally framed tobacco control not only as a global public health priority but also as an internal workplace responsibility for the UN system, recognizing the symbolic and political role of the UN on the social acceptability of the habits of smoking. Following this political mandate, UN duty stations advanced efforts to institutionalize smoke-free policies across the system. Nevertheless, the battle was not close to its end, since new challenges would soon emerge from 2012 onwards: the mass consumption of electronic nicotine delivery systems (ENDS), heated tobacco products (HTP), electronic non-nicotine delivery systems (ENNDS), and novel nicotine products. In recent years, although the original scope of the UNGA Resolution 63/8 does not explicitly address aerosol-emitting devices or novel tobacco and nicotine products, some UN duty stations, supported by the NCD Task Force, the WHO FCTC Secretariat and WHO, have implemented restrictive measures targeting these products. Looking forward, to further strengthen the UN system's support to the WHO FCTC framework, there is, therefore, a need for updating UNGA Resolution 63/8 by including provisions that explicitly extends its scope to novel and emerging tobacco and nicotine products, to aerosol-emitting habits, and that encompass both indoor and outdoor premises. Such an expansion would be in line with the spirit and provisions of the Convention, as well as with the Sustainable Development Goals.

Keywords: tobacco control, smoke-free United Nations, e-cigarettes, emerging nicotine products.

1. Introduction

In 2025, the WHO Framework Convention on Tobacco Control (WHO FCTC) celebrates the 20th anniversary of its entry into force. When the process of negotiation of the treaty started, there was an estimated 4 million tobacco-related deaths per year, and an expectation that tobacco would cause as many as one in seven deaths per year by 2020, 70% of these in the developing countries [1]. As one of the most successful examples of multilateral spirit and effective international cooperation on public health, the Convention has been responsible for refraining this tobacco toll and avoiding innumerable premature deaths worldwide every year.

For ensuring the concrete implementation of the WHO FCTC, the United Nations (UN) system has been continuously requested to work in a coordinated manner, including in what concerns the implementation of tobacco control restrictive measures within its premises. This article recapitulates the history of tobacco control initiatives targeting the United Nations workplaces, draws attention to current challenges of this meaningful endeavor, and reflects on possible future developments on the subject.

2. Background work

The historical origins of the actions aiming at promoting smoke-free UN workplaces resort back to, at least, the mid-nineties. In 1995, during the 48th World Health Assembly (WHA) of the World Health Organization (WHO), when the UN buildings were seen as "ash-speckled smokey places, especially in lounge areas" [2], Australia led a group of countries that sparked a discussion on a ban on the use and sale of tobacco products at the UN premises [3]. The diplomatic context was that of broader tobacco control discussions around Resolution WHA 48.11, entitled "An international strategy for tobacco control", one of the pioneering documents that led to the WHO FCTC.

In the following years, the impetus to develop tobacco restrictions targeting the UN buildings was intensely fostered with the establishment of the Ad Hoc Inter-Agency Task Force on Tobacco Control (hereinafter mentioned as the Tobacco Task Force). The Tobacco Task Force was created by the Secretary-General in 1998 as an ad hoc UN institutional body under WHO leadership, with a mandate to intensify a joint United Nations response and to galvanize global support for tobacco control (E/2000/21).

In its early reports (2000, 2002 and 2004) to the Economic and Social Council (ECOSOC) on the progress made by the Tobacco Task Force in the implementation of multisectoral collaboration on tobacco control or health, the Secretary-General focused on how UN agencies could collectively support countries on the ongoing negotiations for the WHO FCTC. He highlighted the technical evidence provided by the Tobacco Task Force regarding the health impacts of second-hand smoke and recommended that governments consider adopting smoke-free policies as part of a broader commitment to well-being and public health. Even though there is no direct mention of smoking in UN premises, staff and visitor's exposure, or second-hand smoke in UN buildings, these first reports laid the technical groundwork for later formal actions within the UN system and ensured that subsequent policy adoption on this matter was evidence-based.

The WHO FCTC was adopted in 2003, and entered into force in 2005, with the ambitious objective of, as highlighted in its article 3, “to protect present and future generations from the devastating health, social, environmental and economic consequences of tobacco consumption and exposure to tobacco smoke by providing a framework of tobacco control measures to be implemented by the Parties at the national, regional and international levels”. This binding instrument represents a major turning point in national and international policies for tobacco control. In this favorable context, the Tobacco Task Force progressively shifted its approach from advocating and coordinating UN inter-agency actions toward a bold and effective internal implementation smoke-free premises as a necessary demonstration of UN commitment to health protection.

3. On the road to UNGA Resolution 63/8

In its 2006 report to the ECOSOC (E/2006/62), under the topic of discussion on "Tobacco use and production: key areas of concern", the Secretary-General introduced a new section, entitled "Second-hand smoke and smoke-free workplaces". The aim of this section was to accurately reflect the ongoing debates in the Tobacco Task Force's meetings on this matter.

In this document, the Secretary-General build upon the scientific evidence of the Tobacco Task Force to address the risks of exposure to second-hand smoke in a forceful manner: “There is no safe level of exposure to second-hand smoke” (E/2006/62, para. 14). As a consequence, restrictive measures to tackle the problem were consolidated not merely as a feasible possibility, but as the necessary approach, since “the elimination of exposure to second-hand smoke through

legislated smoke-free environments is the only scientifically supported solution for protection against its harmful effects” (E/2006/62, para. 14).

Regarding tobacco smoke in the workplace, the 2006 report recognizes smoke as a preventable occupational hazard and highlights that the documented health effects of exposure to second-hand smoke at workplaces range from asthma and low birth weight in children to cancer and cardiovascular diseases in adults. The acknowledgement of this progressive and consistent accumulation of technical evidence has encouraged the Secretary-General to explicitly mention, for the first time in his reports, the need for tobacco control measures in the working environment of the UN system.

At that moment, the headquarters of WHO were already a smoke-free environment. The sale of tobacco products at WHO had also been halted since 1972. Nonetheless, the situation was not as favorable throughout the rest of the UN system. Hence, the Secretary-General endorsed the Tobacco Task Force’s claim that the UN as a whole, as an institution advocating for tobacco control worldwide, had an obligation to move further: “now that the Convention has become a globally implemented treaty, the Task Force feels the United Nations should set a high global example by making the United Nations premises smoke-free” (E/2006/62, para. 28). Consequently, the 2006 report provided the evidence and rationale to prompt the ECOSOC to concretely act.

That same year, the ECOSOC adopted the important Resolution 2006/42 on Smoke-free United Nations premises. The resolution recommends that the General Assembly consider the implementation of a complete ban on smoking at all UN indoor spaces and on sales of tobacco products at all UN premises. This document constitutes the first formal intergovernmental mandate requiring the UN system to regulate smoking within its buildings. Nevertheless, the whole membership of the UN was not yet prepared to embrace the recommendation of the ECOSOC neither at the 61th Session of the General Assembly (2006) nor at its 62th Session (2007). It was necessary to wait a few more years to observe further advancements in this agenda.

In this period, outside the UN system, public health groups of the civil society, led by the non-governmental organization Global Smokefree Partnership, started to also drive their militancy toward a smoke-free UN policy. The Tobacco Task Force reported to the Secretary-General that, in 2007, a call for public support to this claim received immediate response from over 160 civil

society groups (E/2008/59, para. 15). Therefore, pressure for a smoke-free UN was also exerted from outside the organization.

Resolution 2006/42 had also requested the Secretary-General to submit a report on the implementation of the initiative to the 2008 session of the ECOSOC. This request represented the window of opportunity to relaunch the discussion in the UN system. Grounded on the updated technical inputs of the Tobacco Task Force, the 2008 Secretary-General's report (E/2008/59) highlighted the increasing number of countries adopting laws and guidelines for the implementation of smoke-free places and cited voluntary steps taken at some UN duty stations to enforce smoke-free policies. To conclude the smoke-free workplaces section of the 2008 report, the Secretary-General boldly stated that, despite the favorable global momentum, "no action was taken by the General Assembly to consider the Council's recommendation" provided by Resolution 2006/42 (E/2008/59, para 17).

The reaction of the ECOSOC that same year was equally supportive of the implementation of a comprehensive policy toward the prohibition of smoking at UN premises. Through the ECOSOC Decision 2008/231, the Council reiterated its previous stance, and urged the General Assembly to, at its 63th Session, consider the recommendations set out in Resolution 2006/42.

In late 2008, the General Assembly finally addressed this issue. Taking advantage of the Tobacco Task Force's technical groundwork, the whole membership of the UN adopted Resolution 63/8 on Smoke-free United Nations premises (A/RES/63/8, November 2008). The resolution cemented provisions aiming at a complete ban on smoking at all indoor premises throughout the UN system and a complete ban on sales of tobacco products at all its buildings. The adoption of this resolution formally framed tobacco control not only as a global public health priority but also as an internal workplace responsibility for the UN system.

4. From political mandates to concrete enforcement measures

UNGA Resolution 63/8 was proposed by the members of the Group of 77 and China – represented by Antigua and Barbuda –, together with Australia, Canada and New Zealand, and was supported countries from different geographic regions¹. After almost two decades of its adoption, UNGA Resolution 63/8 still represents the most important set of provisions for tobacco

¹ List of cosponsors of the draft resolution: Argentina, Finland, France, Ireland, Israel, Lebanon, Netherlands, Portugal, Spain, Sweden, Switzerland and United Kingdom of Great Britain and Northern Ireland. See Document A/63/L.14/Add.1, General Assembly, 3 November 2008.

restrictive measures in the UN premises. Nevertheless, due to legal and operational peculiarities of the UN system, its everyday implementation faces concrete challenges since its adoption in 2008.

An important initial aspect to consider is the fact that, while the resolution “decides” to implement a complete ban on smoking and on sales of tobacco products at UN Headquarters indoor premises, it only “recommends” the implementation of these restrictions in the other UN premises. Differently said, it means that the implementation of Resolution 63/8 is obligatory at the UN Headquarters in New York, but it has no binding force neither on major UN offices outside New York – such as the UN Offices at Geneva, Nairobi and Vienna² – nor on specialized agencies, unless those offices and agencies’ own governing bodies decide to implement its provisions. Such a level of autonomy of these bodies in the implementation of administrative decisions resorts from the UN Charter (art. 57 and 63), which states that specialized agencies are brought into relationship with the UN through specific agreements, and that they remain, in accordance to current practices, autonomous organizations with their own governing bodies, budgets, and staff regulations.

As a consequence, the implementation of restrictive measures varied across UN duty stations in the years following the adoption of the UNGA resolution. Pushed by their obligations to immediately comply with the resolution, New York Headquarters moved quickly. In 2009, the Under-Secretary-General for Management addressed to all members of the staff the Information Circular ST/IC/2009/29, entitled “No smoking policy at United Nations Headquarters premises”, by which he implemented a comprehensive ban on smoking and on the sale of tobacco products at all UN Headquarters indoor premises and annexes in New York. Nonetheless, other UN agencies and bodies, including UN regional and national offices, required more time to align their internal regulations with the new policy. These inequalities in the implementation of UNGA Resolution 63/8 reveal the challenge of applying a system-wide mandate in a decentralized organizational structure. Indeed, this context was not particular to the implementation of this resolution, since it affected the whole system that was created by the WHO FCTC. Therefore, it is not without reason that, in 2012, the Tobacco Task Force’s report (E/2012/70) shed lights on the need to further strengthen the multisectoral and inter-agency response for the full implementation of the Convention.

² At the UN system’s documents, these offices are also referred to as “offices away from Headquarters (OAH)”. Vide, for example, The essential guidebook for senior leaders of the United Nations. United Nations (2019).

As an attempt to tackle this problem of lack of convergence among UN duty stations, the ECOSOC issued Resolution 2012/4, entitled “United Nations system-wide coherence on tobacco control”. Through this document, the Council recognized the leadership role of WHO in coordinating the actions of other relevant United Nations agencies, development banks and other regional and international organizations in the prevention and control of non-communicable diseases and their risk factors. In this resolution, tobacco was undoubtedly recognized as one of the main risk factors for the most prominent non-communicable diseases, while also being associated with other risk factors. Therefore, ECOSOC Resolution 2012/4 has become a guiding document for the coordination of the UN system in the implementation of tobacco control actions, including concrete enforcement measures targeting its own workplaces.

5. An ever changing scenario: the emergence of novel tobacco and nicotine products

After the landmark adoption of UNGA Resolution 63/8 and the establishment of political mandates to promote the uniform enforcement of tobacco control measures, the task has become to institutionalize smoke-free policies in workplaces across the UN system. WHO and the Tobacco Task Force, through the NCD Task Force³, continued to highlight the importance of smoke-free UN premises as part of the system’s role in supporting the WHO FCTC [4]. The rationale behind this stance underlines that, by enforcing its own bans and consistently aligning internal practices with external advocacy, the UN gains political credibility. Nevertheless, the battle was not close to its end, since new challenges would soon emerge: the mass consumption of electronic cigarettes and heated tobacco products.

Commercially viable electronic cigarettes (e-cigarettes) were initially developed in China in 2003, and made available in the United States and European markets from 2006 on [5]. During their first years of commercialization, they were produced by small companies, as an alternative for the intake of nicotine without burning tobacco. This marketing was grounded on the argument that aerosol-emitting devices would help with quitting smoking [6]. By 2013, major tobacco companies started to acquire these small companies and to invest in the development of their own products [7]. Alongside with the disposable and cigarette-shaped e-cigarettes, these firms then added alternative devices to their portfolio of products, such as e-pipes, aerosol pens and other

³ In 2013, through Resolution E/RES/2013/12, the ECOSOC requested for “the Secretary-General to establish the United Nations Inter-Agency Task Force on the Prevention and Control of Non-communicable Diseases by expanding the mandate of the existing Ad Hoc Inter-Agency Task Force on Tobacco Control”. The NCD Task Force is interchangeably referred to by the acronym UNIATF. The UNIATF’s annual reports to ECOSOC are available at: <https://uniatf.who.int/governance/task-force-reports-to-ecosoc>.

devices that may not look like a cigarette. Devices that look like pens, cell phones or USB computer drives are only a few examples of the more than two hundred types of electronic nicotine delivery systems (ENDS) fabricated since then [5]. Since 2014, electronic devices also began to be used to provide a different system of tobacco consumption, the so-called heated tobacco products (HTP) [6], and for non-nicotine products, the electronic non-nicotine delivery systems (ENNDS) [8], enlarging even more the portfolio of products made available to smokers by major tobacco companies.

Taking into consideration this evolving scenario, the Secretary-General updated, in 2016, the provisions of the "No smoking policy at United Nations Headquarters". Through the Information Circular ST/IC/2016/10, he reiterated that "smoking at United Nations Headquarters indoor premises and annexes in New York is fully banned and that tobacco products are not sold at United Nations Headquarters premises in New York", as added that "the ban on smoking also applies to e-cigarettes and similar derivative products" (ST/IC/2016/10, para. 5). Therefore, the ban at New York premises was extended to encompass the emerging tobacco products. In the same sense, in 2019, WHO, the WHO FCTC Secretariat and the NCD Task Force elaborated a guidance document on "How to make your campus smoke-free", with eight straightforward concrete steps to support UN agencies in the establishment of smoke-free campuses [4]. In the same year, the United Nations Office at Geneva (UNOG) launched a dedicated smoke- and vape⁴-free policy along with a cessation program for staff, combining prohibition of use and sales in indoor premises with cessation support services [9]. These initiatives testify the willingness of some UN duty stations to modernize their internal policy on tobacco control by tackling the impact on health and on the habit of smoking exerted by emerging products. Nonetheless, seeing the UN system as a whole, there is still work to be done to integrate restrictions to aerosol-emitting devices into tobacco control programs.

6. Toward a smoke and aerosol-free United Nations

Despite the aforementioned trend toward health promotion in some UN duty stations, the implementation of restrictions to novel tobacco and nicotine products is not uniform within the

⁴ "The term "vaping" has been used by the industry as a euphemism intended to suggest that the aerosol emitted by electronic delivery systems is merely "water vapor," thereby downplaying the presence of other potentially harmful chemical constituents. This article avoids industry-driven expressions and instead adopts the use of technical terminology endorsed under the WHO FCTC framework. Vide Report FCTC/COP/7/11, 2016, on Electronic Nicotine Delivery Systems and Electronic Non-Nicotine Delivery Systems (ENDS/ENNDS). Therefore, the terms "vaping" and "vape" appear herein only when directly quoted from bibliographic references.

UN system and depend on a favorable interpretation of the provisions of UNGA Resolution 63/8. Indeed, the original scope of the resolution addresses a "ban on smoking", as aerosol-emitting devices and similar habits had not yet emerged; and it targets "tobacco products", since novel nicotine products were not commercially available for mass consumption yet. The current context is even more challenging for the original text of the resolution, as the industry continues to develop new products beyond ENDS, ENNDS and HTP, such as orally absorbed synthetic nicotine pouches.

In 2022 and 2023, the NCD Task Force engaged with several UN duty stations to assess their smoking policy and identify the existence of barriers to becoming smoke-free campuses. According to information shared with us by the NCD Task Force, UN entities and campuses reported the following challenges: (i) lack of clarity on who is in charge of the campus smoking policy; (ii) perception that having designated smoking areas was seen as sufficient action; (iii) concern that walking outside the campus to smoke would take up excessive time; and (iv) limited decisional power over the smoking policy in cases where UN agencies rent floors or buildings.

The difficulties to implement effective smoke and aerosol control remain relevant even for the most restrictive UN duty stations. Some of them have campus with large outdoor areas where staff, delegates and visitors continue to smoke and use e-cigarettes and aerosol devices regardless of the restrictions. Smoking shelters, located in specific points of the campus, have been used by some UN stations as a strategy to try to limit the spaces to be used by smokers. This strategy has long been applied in tobacco control programs of private companies to comply with national occupational laws, and the sale of smoking shelters has become a profitable market. Nevertheless, the effectiveness of this type of measure for UN premises requires a more careful evaluation. Firstly, it has not yet been possible to guarantee that ENDS, ENNDS and HTP users are keen to share the same space with traditional cigarette smokers, so they may opt to distance themselves from the shelters. Secondly, the tobacco control policies in UN workplaces are expected to convey a symbolic and political message, an expectation that is not required from programs of private companies or other workplaces. Since smoking shelters provide a specific place to smoke and the use aerosol devices, their availability in UN premises - especially if they are misallocated in areas of intense circulation of visitors - may convey a misled message against the UN system's commitment with the WHO FCTC principles of the protection of health and promotion of healthy habits. Finally, there is consistent evidence on an association between the frequency that youth observe smoking in various locations and the perception that smoking is socially acceptable [10].

Visits by groups of students and young professionals from all parts of the world are common at UN premises. Thus, the potential impact on future generations – of seeing high-level international professionals smoking or using aerosol-emitting devices outdoors or in shelters at UN stations – on the social acceptability of the habits of smoking and using aerosol-emitting devices should not be neglected.

Looking forward, to further strengthen the UN system's support to the WHO FCTC framework, there is, therefore, a need for updating UNGA Resolution 63/8 by including provisions that explicitly extends its scope to novel and emerging tobacco and nicotine products, to aerosol-emitting habits, and that encompass both indoor and outdoor premises. Such an expansion of scope would be in line with the spirit and provisions of Article 8 – on the protection from exposure to tobacco smoke –, as well as with Article 13 – on tobacco advertising, promotion and sponsorship – of the Convention. It would also reinforce countries' commitments to the 2030 Agenda for Sustainable Development, particularly target 3.a the Sustainable Development Goals, which calls for strengthening the implementation of the WHO FCTC in all countries. Figure 1 below draws, in a schematic manner, the timeline of the tobacco control initiatives at the United Nations workplaces.

7. Conclusion

In summary, an updated UNGA resolution on smoke and aerosol-free UN premises would legitimate the Secretary-General and the heads of other UN duty stations to consolidate and institutionalize more effective smoke and aerosol-free policies across the UN system. Therefore, the task in the upcoming years is to enlarge the political mandate of the heads of the United Nations duty stations on this matter while continuing to ensure uniform enforcement of tobacco control measures within the system. In a more legitimized political context, administrative decisions – such as updating internal norms and programs to address a complete ban on smoking and using aerosol-emitting devices, and renegotiating contracts with outside vendors to halt the sale of ENDS, ENNDS, HTP and other novel and emerging tobacco and nicotine products – are expected to advance smoothly.

In recent years, some Parties to WHO FCTC have advanced initiatives in this sense and brought this discussion to the Eleventh session of the Conference of the Parties (COP11) of the Convention. The momentum to regulate the use and sale of these emerging products in UN premises should not be missed. Relaunching this discussion under the WHO FCTC legal

framework seems to be an auspicious pathway to spark the process of reviewing the normative of tobacco control in UN workplaces.

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Authors' contributions

All authors contributed equally to the work (writing – original draft). All authors read and approved the final manuscript.

Competing interests

The authors declare that they have no competing interests.

Data Availability Statements

The authors declare that all data and other content supporting the findings of this study are referenced within the article.

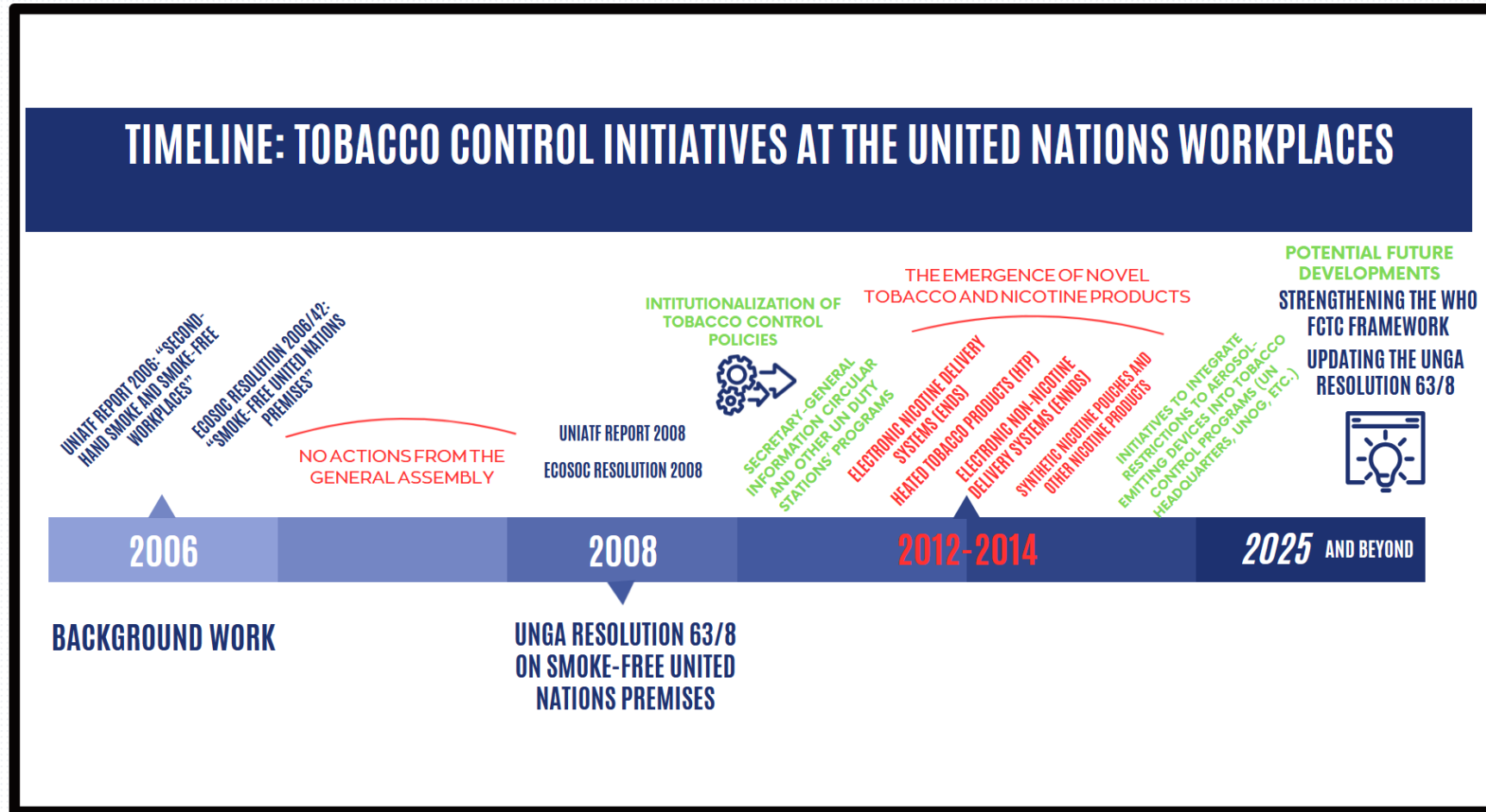


Figure 1: Schematic timeline of tobacco control initiatives at the United Nations workplaces

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