Malaysia has declared plans to implement a generational smoking ban. What else is needed to ensure future tobacco-free generation policies across the Western Pacific?

In January 2022, after New Zealand announced a lifetime ban from purchasing combustible cigarettes for those born after 2008, Malaysian health minister Khairy Jamaluddin declared that Malaysia would also pursue a tobacco-free generation (TFG) policy. Although some cities in the Western Pacific have introduced generational tobacco bans, Malaysia is the first country to announce a decisive pathway towards legislation and implementation at the national level, seeking to pass a law this year that would ban smoking and possession of tobacco products for people born after 2005.1

A generational tobacco ban would be a firm step toward a tobacco-free generation (TFG) in Malaysia and across the Western Pacific. At present, tobacco control measures are implemented to varying degrees across ASEAN member states, with the majority banning sales of cigarettes to minors in compliance with the WHO Framework Convention on Tobacco Control (FCTC).2 Advocates have laid out TFG proposals to various governments with strong tobacco control policies, including Malaysia, the Philippines, Singapore, Thailand, and Vietnam.3 However, a TFG is only one of many tobacco end-game proposals.4 Policymakers have previously tended to discount this option in the face of potential industry opposition and, in some cases, high revenues from tobacco taxation. A TFG proposal was first mooted in Singapore, which has the most comprehensive minimum legal age requirements, covering the sale, use, possession, and purchasing of tobacco products in the region.5 Proponents argued for a long-term but phased approach that did not promote a minimum legal age requirement serving as a ‘rite of passage’.5,6 Yet, despite public support, the government instead opted for the less controversial alternative of increasing the minimum legal age requirement to 21.7

Even after the introduction of such bans, industry opposition has previously forced reversals. For instance, the local government of Balanga City in the Philippines briefly implemented a TFG policy in 2016, banning the sale, distribution, use, advertising, and promotion of tobacco products and electronic nicotine delivery systems (ENDS) within 3 km of the university town, covering about 95% of Balanga City. It also banned the sale and use of all tobacco products and ENDS to those born or after 1 January 2000. There was evident public support for the policy and adult and youth smoking rates declined.8 In response, the industry, represented by the Philippine Tobacco Institute (PTI), brought Balanga City to court for going beyond the provisions of the Philippines’ 2003 Tobacco Act and for ‘unreasonable’ age discrimination and ‘interference to’ PTI’s ‘business.’8 The courts struck down the city’s ability to implement the ban; Balanga City authorities have been appealing this decision since 2018. Other cities in the Philippines have subsequently explored TFG policies but have been held back by the threat of litigation.8  

If successful, therefore, Malaysia stands to lead the way for TFGs across the region. Policymakers in Singapore, for instance, have already stated their openness to reconsidering a TFG proposal after New Zealand and Malaysia announced their policies.

History however suggests Malaysia will face a tough challenge. Opponents have already brought up potential impacts on illicit tobacco trade and cited controversially-high industry-led estimates, a known tobacco industry tactic that has delayed or weakened tobacco control policies in the region.9 Industry opposition is likely to be amplified by the addition of ENDS in the generational ban, further threatening a large e-cigarette market which has recently shrunk following various bans on vaping and nicotine-containing e-liquids and a national fatwa declaring e-cigarettes haram (forbidden).10

At the same time, regional experience also suggests the way forward for Malaysia and other neighbouring

*Corresponding author at: Research for Impact, Singapore.
E-mail address: gayle@rforimpact.com (G.G.H. Amul).
© 2022 The Author(s). Published by Elsevier Ltd. This is an open access article under the CC BY-NC-ND license (http://creativecommons.org/licenses/by-nc-nd/4.0/)

www.thelancet.com Vol 24 Month July, 2022

The Lancet Regional Health - Western Pacific 2022:24: 100530
Published online xxx
https://doi.org/10.1016/j.lanwpc.2022.100530
aspirants. First, policymakers need to adequately anticipate strong industry opposition, by comprehensively reviewing current tobacco control legislation for loopholes that enable anti-ban litigation. Second, as with any policy, generational tobacco bans will require effective enforcement of existing policies, including confronting institutional corruption surrounding the illicit tobacco trade. Finally, governments and advocates must pro-actively take an evidence-based stance that acknowledges and pre-empts biased arguments against progressive tobacco control measures, starting with objective, independent research on the need for and impact of the ban. The opportunity to pass a generational ban is an important opening gambit that must be further supported with political will, clear foresight, and pragmatic implementation to successfully realize the goal of TFGs across the Western Pacific in the future.

Contributors
GGHA, SEO, AMK and JSY conceptualized this correspondence. GGHA drafted the initial manuscript. SEO, AMK and JSY substantially revised the manuscript. GGHA, SEO, AMK and JSY approved the final version of the manuscript.

Declaration of interests
The authors declare no conflict of interest.

Acknowledgements
No funding was received in the writing of the manuscript.

References
1. CodeBlue. Malaysia to Ban Cigarettes for Anyone Born After 2005. 2022. [cited 2022 May 20]. Available from: https://codeblue.galen-centre.org/2022/01/27/malaysia-to-ban-cigarette-sales-to-anyone-born-after-2005/.
2. Amul GGH, Pang T. The state of tobacco control in ASEAN: framing the implementation of the FCTC from a health systems perspective. Asia Pac Policy Stud. 2018;5:47–64. https://doi.org/10.1002/app5.218.
3. What is TFGI Endgame? The TFGI Endgame. The Tobacco Free Generation International. 2022. [cited 2022 May 20]. https://www.tobaccofreegen.com/what-is-tfgi-endgame/.
4. McDaniel PA, Smith EA, Malone RE. The tobacco endgame: a qualitative review and synthesis. Tob Control. 2016;25:594–604. https://tobaccocontrol.bmj.com/content/25/5/594.
5. Khoo D, Chiam Y, Ng P, Berrick AJ, Koeng HN. Phasing-out tobacco: proposal to deny access to tobacco for those born from 2000. Tob Control. 2010;20(6):355–360. https://doi.org/10.1136/tobaccocontrol.2010.050865.
6. Berrick AJ. The tobacco-free generation proposal. Tob Control. 2013;22(suppl 1):i22–i26. https://doi.org/10.1136/tobaccocontrol-2012-050865.
7. Ministry of Health Singapore. Minimum Legal Age for Tobacco Raised to 21 Years Old from 1 January 2021. 2020. [cited 2002 May 20]. Available from: https://www.moh.gov.sg/news-highlights/details/minimum-legal-age-for-tobacco-raised-to-21-years-old-from-1-january-2021.
8. WHO. Balanga City Case Study: a City-Wide Approach to Creating a Smoke-Free City and Banning Tobacco Advertising. WHO Western Pacific Regional Office; 2019. [cited 2022 May 20]. Available from: https://cdn.who.int/media/docs/default-source/documents/the-power-of-cities/balanga-case-study-final.pdf?sfvrsn=444d32a5_2.
9. Amul GGH, Tan GPP, van der Eijk Y. A systematic review of tobacco industry tactics in Southeast Asia: lessons for other low- and middle-income regions. Int J Health Policy Manage. 2020;10(6):324–337. https://doi.org/10.34172/ijhpm.2020.37.
10. van der Eijk Y, Tan C, Ong S, et al. E-cigarette markets and policy responses in Southeast Asia: a scoping review. Int J Health Policy Manage. 2021. https://doi.org/10.34172/ijhpm.2021.35. In press.