Social responsibility in smoke-free air policy

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Abstract. This article aims to identify social responsibility of stakeholder in the implementation of smoke-free area policy in relation to Surakarta City’s development as Child-friendly City. This research employed literature review method. Literature source comes from scientific journals, research reports, credible website, and news portal. To identify the dimensions of social responsibility, it is traced from the criteria developed by The United Nations Guiding Principles on Business and Human Rights, the Global Impact of the United Nations, and ISO 26000. From the result of research, it can be concluded that there is interconnected economic-political interests between city government and Cigarette Company making the fulfillment of children’s right to the smoke-free region not the priority.

1. Introduction

The availability child-friendly public space is one of the children’s rights that should be fulfilled in the child-friendly city. The child-friendly public space is characterized with clean and pollution-free environment, particularly in playground and child’s activity area. The smoke-free policy constituting the public and private sectors’ regulation prohibiting smoking inside room and in public area [1] is one of attempts to create child-friendly space.

Indonesia is the state with the third highest number of smokers in the world. The number of smokers in Indonesia is about 75 million people or 33% of Indonesian population and over 75% of Indonesian populations are passive smoker [2]. Central Bureau of Statistic reports that about 23.21% of five-year and above populations are smoking in 2020. The number of beginning smokers is also high; the proportion of 10–18-year smokers is 3.81%. In detail, children aged 10-12 year smoking reach 0.13%, aged 13-15 year 1.6%, and 16-18 year 10.07% [3].

National Commission for Tobacco Control conducted a survey on 612 respondents in 25 provinces in Indonesia on June 1-19, 2020. Out of the number, 47% of respondents report being active smoker, 46% non-smoker, and 7% former smoker. Most smokers do not reduce their cigarette consumption during Covid-19 pandemic. Institute for Demographic and Poverty Studies (IDEAS) conducted a survey on 1,013 poor family heads, 437 of which are smokers. About 77.1% of respondents constituting the heads of poor family do not decrease their cigarette consumption during Covid-19 pandemic. In detail, 63.8% of respondents consume cigarette as much as that before pandemic. Even, 13.3% of respondents report their increased cigarette consumption [4,5].

Cigarette endangers not only the health of smokers but also the health of those exposed to smoke. Secondhand smoke/SHS or also called environmental tobacco smoke/ETS is the cause of death,
disease, and disablement. About 88 million American not smoking, including 54% of children aged 3-11 years, are exposed to smoke. The exposure to smoke causes disease and early death in non-smoking children and adults [6,7]. Smoking around children and baby is very hazardous because their body still develops. Children and adolescents also tend to imitate smoking behavior when they often see others smoking. Some studies show that the youth less likely smokes if their school, house, and recreational places are smoke-free [8].

To reduce the number of smokers and to provide protection from smoke exposure, Indonesian government establishes the smoke-free region policy, determining space or area prohibited from being used for smoking activity or activities of producing, selling, advertising, and/or promoting tobacco product. The smoke-free area includes the place for learning, teaching, education and/or training activities, closed and opened area used for children’s playground, worship place, public transportation vehicle, workplace, closed and opened spaces used for the community’s activities [9].

Many states have enacted some free-smoke law, but World Health Organization (WHO) estimates that only 5% of global populations are protected by comprehensive smoke-free law [10]. Many researchers have identified some factors affecting the effectiveness of smoke-free air policy: support from the affected ones, i.e., active smoker or passive smoker, local government, and cigarette industry. The smoke-free policy is different from other polices to reduce tobacco consumption because this policy affects non-smoker. Therefore, public support the provision of smoke-free space or room [11].

Smoking status and nicotine addiction distinguish the level of support to smoke-free policy. Smoker with high nicotine addiction gives less support to the rule of smoke-free space [12]. Among adolescents, social norm of the children’s closest environment, smoking status, and perception on the effect of smoke determines the youths’ attitude to smoke-free area policy [13].

In Indonesia, Central and Local Government’s support becomes an important factor in the implementation of smoke-free area policy. Septiano et al. [14] mentions some reasons of this, as follows: firstly, Indonesia has not signed and ratified yet WHO’s Framework Convention on Tobacco Control (FCTC), has low tobacco tax, and does not prohibit fully tobacco promotion and sponsor, and has no anti-smoking information campaign, and tobacco control in Indonesia is left behind that in other South East Asian countries. Secondly, the presence of local autonomy policy enables local government to propose and to adopt smoke-free area policy independently. Thirdly, Indonesia has active tobacco industry, with economic interest to prevent the government from adopting tobacco controlling policy at national and local levels.

The equally important factor is the effect of cigarette industry. Tobacco industry has attempted to attenuate the policy to protect people from smoke exposure through campaign for misleading information about the danger of cigarette for many years, that in turn break the individual’s right to breathe clean air [9]. The adoption of smoke-free policy needs an effective advocacy to fight against tobacco industry’s intervention [14].

Some research on the smoke-free area policy conclude that this effectiveness of policy is determined by the presence of stakeholder’s support and obedience, particularly the key stakeholders who have power and authority, in this case local government and cigarette company. Therefore, social responsibility becomes an issue interesting to study. Social responsibility is a concept developed by ISO 26000 [15] meaning that the social responsibility for the effect of business activities on community and environment lies not only on the company but also non-profit public organization (state and community). Furthermore, this article aims to identify the dimensions of social responsibility for local governments, companies, and non-profit organizations in relation to the implementation of a smoke-free area policy in Surakarta City.

2. Research methods
This research employed literature review method. Literature was selected purposively with the keywords relevant to social responsibility topic, free-smoke regional policy, and context of problem in Indonesia and specifically relevant to the development of Child-friendly City in Surakarta. Literature source comes from scientific journals, research reports, credible websites, and news portal. Social
responsibility is identified using the criteria developed by The United Nations Guiding Principles on Business and Human Rights, the Global Impact of the United Nations, and ISO 26000. The strategy of searching for literature employed database from Web of Science, Scopus, Science direct, and google scholar. The searching for articles were conducted from June to July 2020, with unlimited publication year.

3. Results and discussion

3.1. Social responsibility: concept and dimension
Social Responsibility concept is developed by ISO 26000 as the expansion of Corporate Social Responsibility (CSR) concept. CSR is a concept in which corporation has various social responsibility to all stakeholders, internal (employees and shareholders) and external to company (consumers, local community, and society) in overall aspects of the company's operations which include three key aspects, namely economic, social, and environmental aspects or known as the triple bottom line [16]. ISO 26000 [15], expanding social responsibility being not only corporate responsibility but also the responsibility of all organizations, be it government organizations, companies or civil organizations. The definition of social responsibility, according to ISO 26000 Working Group on Social Responsibility [17] is an organization’s responsibility for the effect of its decision and activity on society and environment through transparent and ethical behavior consistent with the sustainable development and society welfare; by considering stakeholder’s expectation; corresponding to international law and behavior norm; and integration of all organizations.

To identify dimension and element of social responsibility related to smoke-free policy, this article will trace CSR reference source focusing on social responsibility related to respect to human rights, namely The United Nations Guiding Principles on Business and Human Rights, the Global Impact of the United Nations, dan ISO 26000. Social dimension of CSR can be investigated from the concept of business responsibility for human rights developed by United Nations Business Responsibility for Human Right [18]. Buhmann et al. [19] states the discourse of CSR focuses on human rights as main social area in CSR debate. In 2008, UN’s Human Right Council presents the framework of Protect, Respect, Remedy [20] (called UN’s Framework), displaying the combination of state’s duty to protect individuals from human right infringement by others (e.g. company), corporate responsibility for respecting human rights, and the need for better access to the fulfillment of human rights in both business environment and in conventional and new public recovery institution (e.g. court or international ombudsman).

To implement the "Protect, Respect and Remedy" framework of the United Nations (UN), The United Nations Guiding Principles on Business and Human Rights (UNGPs) [21] were developed by the Special Representative of the Secretary General Secretary-General/SRSG) John Ruggie hence known as the Ruggie Principles or Ruggie Framework. These guidance principles provide the first global standard to prevent and to deal with the risk of adverse effect on human resource related to business activity, and to provide framework acceptable internationally to improve standard and practice concerning business and human rights [20,21].

UNGPs involve three pillars elaborating how state and business should apply the framework: 1) State’s obligation to protect human rights, 2) corporate responsibility to respect human rights, and 3) access to recovery for the victim of business-related infringement. Basic principles of the state’s obligation to protect human rights are 1) state should protect its people from the violation of human rights committed by third party, including business corporation, in their territory and/or jurisdiction, and 2) state should clearly establish the expectation that all business corporations domiciled in their territory and/or jurisdiction respect human rights in all their operations. Basic principles of corporate responsibility to respect human right is that business corporation should respect human rights. It means that the company should avoid the infringement of others’ human rights and should deal with the adverse effect of human rights involving their business operation [22].
Corporate responsibility related to human right protection is also mentioned in United Nations (UN) Global Compact [23]. UN Global Compact is a United Nations’ organization that is binding, operating in business field to encourage the states to adopt sustainable and social corporate policy, and then to report their result of implementation to the organization. The mission of UN Global Compact is to support the company to run business responsibly by synergizing their strategy and operation with the principle of human rights, laborer, environment, and anti-corruption and to take strategic action to realize the sustainable development goals, by emphasizing on collaboration and innovation.

The latest reference source of social responsibility concept is developed by ISO 26000 [15]. The objective of social responsibility is to contribute to sustainable development. ISO 26000 applies to all types of organization in private and public sector, non-profit organization, small or big, and whether they are operating in developed or developing countries. Government organization, like other organization can use International Standard ISO 26000, but it is not intended to replace or in any way to change the state’s obligation. Each organization is encouraged to be more responsible socially using this International Standard. ISO 26000 Post Publication Organization [24] confirms that ISO 26000 talks about “social responsibility” rather than “corporate social responsibility” because its guideline applies to all type of organization, not only private industry or company. ISO 26000 standard defines “social responsibility” clearly and in detailed to prevent misunderstanding, i.e. the organization’s responsibility for the effect of its decision and activity on community and environment, through transparent and ethical behavior that 1) contributes to sustainable development, including health and community welfare; 2) considers the stakeholders’ expectation; 3) corresponding to the law enacted and consistent with international behavior norm; and 4) is integrated in all organizations and is practiced in its relation (to stakeholder).

Referring to The United Nations Guiding Principles (UNGPs) on Business and Human Rights, UN Global Compact, and ISO 26000, Social Responsibility in relation to the implementation of smoke-free area policy is social responsibility of public organization (in this case Central and Local Government), company (cigarette industry), and non-profit organization or other civilian organizations. Aspects or dimension of social responsibility can be formulated into three dimensions: 1) community-oriented dimension, participating in social problem management to create sustainable social structure that can result in the improved welfare of community (adopted from ISO 26000), 2) Dimension of commitment to the fulfillment and protection of human rights (adopted from UNGPs, UN Global Compact, and ISO 26000 2010), i.e. the obligation of protecting and respecting human rights, and 3) Dimension of contribution to the Sustainable development goals (adopted from UN Global Compact and ISO 26000), i.e. contributing to sustainable development, including public health and welfare, and having responsibility to reduce and to remove business practice that harms environment.

3.2. Smoke-free air policy: benefit and constraint
Smoke-free air policy, indoor and outdoor, particularly in public space, has exerted positive effect on the quality of health. The researchers in Harvard School of Public Health (HSPH) [25] have found that children and adolescents living in smoke-free houses in the state with the Law promoting the smoke-free public spaces have smoke exposure level much lower than those living in the region without smoke-free law. Recent study found the correlation between the enactment of smoke-free law and the substantial decrease in perinatal mortality rate, premature mortality rate, and respiratory tract infection and asthma in children. The policy of protecting children from adverse effect of smoking and smoke-exposure is potentially useful to the people’s health and therefore should be prioritized by policy makers [26]. The smoke-free public space also makes residence and environment livable, family-friendly, and useful to all communities by reducing the dangerous smoke exposure and gives healthy role model to children to prevent them from smoking [8].

Although the smoke-free policy affects positively and significantly the quality of public health, it cannot be implemented easily. Satterlund et al. [27] identifies three basic constraints in the free-smoke policy: political polarization, organization, and local political orientation. Septiono’s et al. [14]
research on the diffusion of smoke-free policy in Indonesia found that the high economic contribution of tobacco industry inhibits the implementation of tobacco controlling policy. Cigarette industry lobbies the policy maker to extend the decision-making process, particularly in the region with higher tobacco production. The adoption of cigarette production and consumption controlling policy will putatively bring economic loss to tobacco farmers, decreased income to government and more unemployment rate because the disturbance in tobacco manufacture. On the contrary, urban, and rural areas without tobacco industry receive smaller economic advantage from tobacco industry. Therefore, they have stronger position to fight against the tobacco industry’s lobbying to the adoption of smoke-free policy.

Hurt et al. [28] study the involvement of transnational cigarette companies Phillip Morris International (PMI) dan British American Tobacco (BAT) in inhibiting the enforcement of smoke-free policy air in Indonesia. In 2009, PMI has been the majority shareholder (97.95%) in Sampoerna Cigarette Company, constituting the second largest cigarette company in Indonesia following Gudang Garam. PMI produces Marlboro Mix 949 cigarette targeting the youths and making promotion that mislead the consumer about the effect of smoking through A Mild advertisement. The cigarette promoting strategy is targeted to the youths by sponsoring some events focusing on the youths like music and sport events. On June 2009, BAT reacquired (85%) Bentoel’s share, the fourth largest tobacco company in Indonesia. On September 2009, BAT buy the rest of Bentoel’s share and now has 99.74% of company’s share. BAT has some Indonesian cigarette brands. Bentoel X Mild cigarette is marketed as the low-tar, low-nicotine cigarette, the advertisement of which targets the youths.

As the part of global strategy, transnational cigarette company also contributes to the formulation of public policy in Indonesia. For example, supported by tobacco producer association, the Ministries in Indonesian government release Roadmap of Industry and Customs Policy resulting from Tobacco 2007-2020 in 2007. This roadmap invites industrial participation in developing tobacco control law. Tobacco Industry utilizes this invitation to negotiate with government institution and successfully puts tobacco famers as an important part of this Roadmap. In addition, intervention with public policy, the strategy taken by transnational cigarette company is to allocate Corporate Social Responsibility (CSR) to sponsor music and sport events focusing on the youths. PMI, through Sampoerna, is also involved in the smoking prevention program to the youths, documented not to reduce smoking habit among the youths but to attenuate tobacco control. Sampoerna Foundation also establishes partnership with government, academic institution, and private business in national education policy, in which a leader of national education occupies the position of members of Foundation Advisory Council. Yayasan Sampoerna (Sampoerna Foundation) provides scholarship for advanced study and to support initiative “save adolescents”, providing fund to the poor children to study in primary and secondary schools. PMI is the primary donor of this CSR [28].

Considering the strong influence of transnational Cigarette Company in cigarette-controlling policy in Indonesia, the application of smoke-free policy needs strong commitment by the local government leader. This policy also needs power activated politically, from the supreme leader to street bureaucrat [29].

3.3. Social responsibility in smoke-free air policy: the case in Surakarta City
In Surakarta City, Smoke-Free area policy is established through Surakarta Peraturan Daerah Kota Surakarta Nomor 9 Tahun 2019 (City’s Local Regulation Number 9 of 2019) about Kawasan Tanpa Rokok (Smoke-Free Area) [30]. Nevertheless, smokers and cigarette advertisements are still found in many prohibited places, particularly the areas close to children’s teaching-learning and playing activities. This problem makes Surakarta City unsuccessfully gain the Child-friendly City predicate. The smoke-free and cigarette promotion and sponsor-free area is an indicator of the achievement of Child-friendly City. The local regulation of smoke-free area underlies the regulation of cigarette advertisement and smoke-free area [31].

The dynamic of smoke-free area policy in Surakarta City represents the public policy process inseparable from conflict of interest. Many stakeholders with various interests prioritize their own
interest in the process of formulating and implementing smoke-free area policy. The main stakeholders involved in the smoke-free area policy in Surakarta City are classified into civilian organizations activating the demand for the ratification of local regulation about smoke-free area policy, Surakarta City government, and Cigarette Company.

Civilian organizations raise a movement urging the enactment of Local Regulation about smoke-free area policy based on their apprehension with many children being the main target market of cigarette industry. Forum Anak Surakarta (Surakarta Children Forum) found 1,472 cigarette advertisements, promotions, and sponsors only within two weeks in the city of Surakarta. This finding is the result of monitoring conducted by Forum Anak Surakarta accompanied with Yayasan Kakak and Lentera Anak [32]. Regarding this finding, Yayasan Keperdulian Anak Surakarta and Yayasan Lentera Anak Surakarta raise mass media support, the community that has developed its region into a smoke-free area, Deputy Chairperson of Ad hoc Committee for Local Regulation about smoke-free area, Chairperson of Women Empowerment, Child Protection, and Community Empowerment Office of Surakarta to fight for the protection of child against the target of cigarette industry [32,33].

The attempt of protecting children from the target of cigarette industry can be taken through developing Child-friendly City, an indicator of which is the implementation of Smoke-free Area, and no cigarette promotion, advertisement, and sponsor are found. Having passed through a long formulation process, finally Surakarta City’s Government establishes Local Regulation Number 9 of 2019 Smoke-free area. However, in its two year-implementation, this local regulation implementation still finds some constraints. The most fundamental problem is the people’s limited awareness of not smoking haphazardly. Despite some information about smoking prohibition, cigarette stump and wrap in smoke-free area locations, including public garden [34].

The constraint encountered in the implementation of smoke-free area policy cannot be blamed on the smokers’ disobedience, while economic interest contributes more strongly to it. Viewed from economic aspect, cigarette industry is the largest contributor to local tax of Surakarta City. The Chairperson of Surakarta Customs Office states that the realized revenue of Surakarta Customs Office is 54.5% of target or IDR 1.16 trillion per August 2020 and IDR 1.8 trillion in the end of year. The largest revenue is contributed by cigarette company, nearly IDR 1.5 trillion. In Surakarta City area, there are 15 cigarette company factories, and other six tobacco product processing companies (HPTL), the sample product of which is vape [35].

The implementation of smoke-free area policy in Surakarta City encounters the dilemma between an interest in realizing the Child-Friendly City and the contribution of cigarette tax income to local original income [36]. Until the ratification of smoke-free area policy in Surakarta, the regulations related to advertisement, promotion, and sponsor applies to five smoke-free areas only: education, health, worship place, public transportation vehicle, and child playground. Local politicians decline the implementation of cigarette advertisement prohibition in 100 percent areas of Surakarta City for some reasons: the difficulty in enforcing the local regulation, particularly in supervising and imposing sanction to the one smoking in all city streets and, considering the life sustainability of those dependent on cigarette industry. However, the certain reason of declaration is City Government’s unpreparedness for losing the potential local original income from cigarette customs through cigarette industry advertisement, promotion, and sponsor [37].

The case of smoke-free area policy in Surakarta City proves that social responsibility of public organization and business, viewed from three criteria - community development, human right protection, and contribution to sustainable development goals – is not easy to realize in its implementation. Economic business interest becomes the main consideration so that the potency of human rights infringement and environmental damage is very large.

4. Conclusion
The smoke-free policy is an indicator of Child-friendly City that cannot be implemented easily as it is replete with conflict of interest. One of civilian movements urges the enforcement of policy to prevent the effect of smoke exposure on children and adolescents, but on the other hand both international and
national cigarette industrial corporation attempts to maintain its business existence in some ways, among others: intervening the public policy governing cigarette consumption and allocating corporate social responsibility fund to sponsor art activities with adolescent audience being the target and to distribute education scholarship grant. Both central and local governments are faced with dilemmatic situation between interest in public health and economic interest to maintain the life sustainability of those dependent on cigarette industry and the very strategy contribution of cigarette tax to fund the local development. These interconnected economic and political interests become the main constraint to public organization (government) and business organization (cigarette company) in undertaking social responsibility obligation to make the people prosperous and to fulfill the children’s right to clean, health, and pollution-free living environment.

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