

Slovenia, 9 April 2024

The case study of how Slovenia managed to achieve the changes to the tobacco legislation (in accordance with the Commission Delegated Directive (EU) 2022/2100)

In February 2023, the Ministry of Health of the Republic of Slovenia submitted the proposal of the Act on Amendments to the Restriction of the Use of Tobacco Products Act (in accordance with the Commission Delegated Directive (EU) 2022/2100) into public consultation until 30th of March 2023. The proposal also included: a ban on all flavours in electronic cigarettes, with the exception of some tobacco flavours; a ban on characteristic flavours for heated tobacco products and the introduction of health warnings on their packaging; a ban on adding additives in electronic cigarettes without nicotine; a ban on smoking rooms with a transition period of five years; inclusion of definitions of new nicotine products in the existing legislation; a ban on internet and cross-border distance selling; and a more effective control over the implementation of the Restriction of the Use of Tobacco Products Act.

Slovenian non-governmental organisations cooperated constructively in the public consultation, gave our own suggestions and supported the proposal of the amendments. At the same time we issued public statements in support of the proposal. Representatives of NGOs, Ministry of Health and National Institute of Public Health participated in interviews with the media to achieve a large spread of information to the public and to convince the public to support health for all. During this time we had a positive experience with the media, which was very supportive and on the side of health. At the same time Slovenian national tobacco control group held meetings in order to support the amendments. The national tobacco control group is led by National Institute of Public Health and includes representatives of Slovenian Coalition for Public Health, Environment and Tobacco Control; Youth Network No Excuse Slovenia; Ministry of Health; National Laboratory of Health, Environment and Food; National Institute of Public Health; University Clinic Golnik and WHO country office in Slovenia.

The biggest opponents to the changes to the tobacco legislation were Slovenian vape shop owners and an NGO, which unites vapers. They advocated that the use of flavoured electronic cigarettes is less harmful and is a successful smoking cessation aid.

From spring and until autumn there was a calm period in the process. During this time the tobacco industry heavily promoted tobacco and tobacco related products to children and adolescents. In September 2023 Slovenian Coalition for Public Health, Environment and Tobacco Control (SCTC) sent a Letter of Support to the President of the Republic of Slovenia Nataša Pirc Musar and the Slovenian Prime Minister Robert Golob, in the name of 160 Slovenian NGOs in the field of health, in support of the changes to the tobacco legislation. The President of the Republic of Slovenia acknowledged our letter and issued support for the changes to the tobacco legislation.

In October 2023 the Slovenian Prime Minister Robert Golob [announced a possible increase of excise duties on tobacco and tobacco related products](#). Due to this, we at SCTC prepared a Letter of Support addressed to the Slovenian government, in which we stated support for the proposed changes to the Slovenian tobacco legislation and the increase of excise duties on tobacco and tobacco related products. We sent the letter to foreign NGOs in the field of tobacco control, where we are active members



(European Public Health Alliance – EPHA, European Network for Smoking and Tobacco Prevention – ENSP and SmokeFree Partnership – SFP). We asked them to forward the Letter of Support to their members and ask them to sign the letter and send it to the Slovenian government. Some members have also added additional facts and links to researches in the letter. This proved to be successful. A network of NGOs, which help each other, is extremely important in achieving changes in the field of tobacco control.

On 9 November 2023 the [Slovenian government approved the proposed amendment](#). However, the approved amendment did not include the ban of the menthol flavour in electronic cigarettes. It also included a ban on smoking rooms with a transition period of five years, which we were fighting to shorten to only one year. Slovenian NGOs and the public health sector once worked together to support this approval with public statements, appearances in the media and contacting deputies of the National Assembly, while calling for the ban of the menthol flavour and the shortening of the transition period of the smoking rooms ban to one year. We also organised an interview with a Greek pulmonologist Prof. Dr. Panagiotis Behrakis, who received an award by the World Health Organization in 2023 for his efforts in the global anti-smoking movement, and who supported the changes to the tobacco legislation and highlighted the dangers of e-cigarettes in the interview. The interview, that spread over two pages, was published in the biggest Slovenian daily newspaper in November.

In February 2024 we once again prepared and sent out Letters of Support with the help of foreign NGOs in support of the ban of the menthol flavour and of shortening the transition period of the smoking rooms ban to one year. 24 foreign NGOs from 20 different countries have sent Letters of Support to Slovenian decision-makers from the Commission for Social Care, Labour, Health and the Disabled and Committee on Health. SCTC has also made special contact with the deputies of National Assembly in an effort to persuade them to vote in favour of the changes to the tobacco legislation.

The proposed amendment was reviewed by the Commission for Social Care, Labour, Health and the Disabled on 7 March 2024. On 12 March 2024 it was reviewed by the Committee on Health. Representatives of NGOs and public health institutions actively participated in both sessions, where we highlighted the more successful countries in the field of tobacco control and spoke in favour of the changes to the tobacco legislation, especially the ban of the menthol flavour and the shortening of the transition period of the smoking rooms ban to one year. The Commission for Social Care, Labour, Health and the Disabled and the Committee on Health [both supported the amendment](#). Following this, the Slovenian NGO uniting vapers immediately informed World Vapers' Alliance, which started spreading information online that Slovenia chose the wrong path.

On 27 March 2024 the National Assembly reviewed the proposed amendment to the tobacco legislation and on 28 March 2024 the National Assembly [voted on the proposed legislation](#). All 77 deputies in the National Assembly voted in support of the adoption of the tobacco legislation amendment with no votes against. With this, the changes to the tobacco legislation were officially approved. The biggest achievements of the amended legislation are the ban on all flavours (except the tobacco flavour) in electronic cigarettes and heated tobacco products and shortening of the transition period of the smoking rooms ban. Smoking rooms will only be able to be used until 31 December 2025, after that they will be banned as well.



The protection of children and adolescents' health and ensuring healthy living environment are guaranteed by the Constitution of the Republic of Slovenia and must take precedence over the right to free economic initiative and profits generated by products harmful to health, which are used primarily by children and adolescents. The Constitution of the Republic of Slovenia clearly states that economic activity may not be carried out in conflict with the public health benefit.

The case study of how Slovenia managed to achieve the changes to the tobacco legislation (in accordance with the Commission Delegated Directive (EU) 2022/2100) is important as it serves as a model of good practice to other countries, which have yet to achieve the same. We hope that the Slovenian model of good practice can help other countries to follow Slovenia's path.

On 9 April 2024 the amendments to the tobacco legislation were [published in the Official Gazette of the Republic of Slovenia](#). We would like to especially thank European Network for Smoking and Tobacco Prevention, SmokeFree Partnership, European Public Health Alliance and all of their members.

The law enters into force on April 24, 2024. The transitional period for e-cigarettes will end on 24 April 2025.

Mihaela Lovše,
Slovenian Coalition for Public Health, Environment and Tobacco Control president