

Context

The Article 5(E) of the Smoking and Tobacco Products Usage (Control) (Amendment) Act 2013 bans television and other mass media from broadcasting any scene depicting smoking and other forms of tobacco use in any cinema, drama or documentary produced in Bangladesh or produced abroad but available and broadcast in Bangladesh. In case of cinema, if the story necessitates, scenes of tobacco use are permissible provided that written warning about the harmful effects of tobacco products shall be displayed on the screen as per the Smoking and Tobacco Product Usage (control) Rules, 2015. Violation of such provisions are considered as punishable offence. However, there has been no systematic study or evaluation on the compliance with these major regulations in the television media of Bangladesh. The foremost objective of this current study is to measure the extent to which the television media comply with tobacco control law while broadcasting drama and cinema, to help the government with the findings to implement the law, and in the long run, to contribute in achieving a tobacco-free Bangladesh.

Objective

To support the implementation of tobacco control law by evaluating the compliance with provisions of the law with regard to broadcasting drama and cinema in Bangladesh's television media.

Methodology

All the drama and cinema contents aired on a total of 19 Bangladeshi TV media channels in 14 days were captured and monitored in two separate periods (festive period and normal period), each containing 7 days. To understand whether there is any deviation in the frequency or nature of scenes associated with tobacco products, tobacco use and overall compliance of tobacco control law, seven days following the festival of Eid-ul-Fitr (5 June - 11 June 2019) were considered as festive period and seven days in the following month (5 July - 11 July 2019) were considered as normal broadcasting period. A local media monitoring company was hired to obtain all the drama and cinema contents broadcast in the 19 TV media channels in the total span of 24 hours during study period. A monitoring format was developed on the basis of the Article 5(e) of the Smoking and Tobacco Products Usage (Control) Act, 2005 and its Rules (2015) to assemble and evaluate the data collected from scrutinizing each of the drama and cinema contents.

Results

Although the existing tobacco control law bans and penalizes scenes depicting smoking and use of other tobacco products, most (59 percent) TV media platforms were found to be in violation of such provision. In addition, with regard to broadcasting cinemas depicting smoking and use of other tobacco products, the study did not find any TV media that is fully compliant with the regulations of tobacco control law. It was also found that instances of violation spikes during festive-centered special programs (47 percent), compared to normal broadcasting periods (30 percent).

According to Article 5 (Sub-Article 1, Clause 5E) of the Smoking and Tobacco Products Usage (Control) (Amendment) Act, 2013,

- *‘broadcast, display or describe or cause to be broadcast, displayed or described any scene of using any tobacco products in any cinema, drama, or documentary produced in Bangladesh or produced in abroad but available and broadcasted in Bangladesh through television, radio, internet, stage show or any other public media;*

However, if it becomes necessary for the sake of story of a cinema, the scene of using tobacco products may be displayed provided that written warning about the harmful effects of tobacco products shall be displayed on the screen, according to the rules;’

However, the Smoking and Usage of Tobacco Products (Control) Rules, 2015 says,

- *‘at the time of displaying the scene of usage of tobacco products, a health warning containing "Smoking/consuming tobacco causes death" shall have to be displayed in the middle of the screen covering at least one-fifth of the screen, in white letters against a black background, in Bangla and such health warning shall have to be displayed continuously as long as the scene runs;’* [Article 5(1). Clause a]

It also says,

- *‘in case of a movie telecasting in the television which has scene of usage of tobacco products, a health warning containing "Smoking/consuming tobacco causes death" shall have to be displayed in full-screen for at least 10 (ten) seconds in white letters against a black background in Bangla while showing such scenes, in between two advertisement breaks, after the first advertisement break i.e. before starting the scene and also before the second advertisement break i.e. after the end of the scene’* [Article 5(1), Clause b of the Rules]

The Clause C of Article 5(1) of the Rules also requires as follows,

- *‘in case of a movie showing in a cinema hall which has scene of usage of tobacco products, a health warning containing "Smoking/consuming tobacco causes death" shall have to be displayed in full screen for at least 20 (twenty) seconds in Bangla before starting the movie, before and after the break and after completion of the movie.’*

According to the law,

- *If any person contravenes the provisions of this section, he shall be punishable with imprisonment for a term not exceeding three months or a fine which may extend to one lakh taka, or both and if*

he contravenes the provisions more than once, every time the amount of fine or punishment shall be doubled. [Article 5(4) of the Act]

Drama

The study has monitored and analyzed 907 pieces of drama contents (single episode drama, episodes of drama series, foreign drama series dubbed in local language) that had been aired in 14 days on 17 TV media channels. While the tobacco control law bans any depiction of smoking and tobacco use in drama contents, 10 (59%) TV channels violated such provisions by broadcasting dramas with such scenes. A total of 55 scenes in 20 TV dramas containing smoking and tobacco use had been identified. Smoking and tobacco use appear most frequently in scenes with leisure activities (40 percent), anxiety or tension (23 percent), criminal operations or planning (21 percent), and scenes where people are chatting or discussing (16 percent). Smoking and tobacco use also appear in scenes depicting songs, traveling, and even regular day-to-day activities as well. In 56 percent of cases, it is the male protagonist that is smoking. 38 percent of smoking scenes show other male artists smoking; 04 percent such scenes show both the male protagonists and other male artists smoking and 2 percent of such scenes portray female artists smoking or using other tobacco products. In 55 percent of scenes showing smoking, there are non-smokers on screen, particularly female artists, who are being the victims of passive smoking. In addition to cigarettes, the study has also found scenes where the use of e-cigarettes, cigars and hookah has been shown.

It was also found in the study that TV channels tend to violate tobacco control law more frequently during festive-centered broadcasting sessions. While 30 percent (4 out of 17) of TV channels are found to be violating regulations of tobacco control law in normal broadcasting session, the number spikes to 47 percent (8 out of 17) during festive period. The appearance of e-cigarettes in drama occurred only during festive-centered broadcasting period when the audience is larger in number.

Cinema

The study has monitored and analyzed 426 feature-length cinemas aired on 19 television channels in 14 days. All these 19 TV channels, which also include the state-owned Bangladesh Television (BTV), have broadcast cinemas containing scenes with smoking and tobacco use. However, none of these broadcasts were in fully compliant with requirements set by the Clause E of Article 5(1) of the Rules of tobacco control law to air cinemas containing in case scenes with smoking or tobacco use. The study has identified 490 scenes with smoking and tobacco use in 182 cinemas, among which 322 scenes (66 percent) do not have any health warning. In 168 scenes, there have been health warnings but not in accordance with the requirements of the Rules which is to display a health warning in the middle of the screen, containing "Smoking/consuming tobacco causes death" message written in white letters against a black background and covering at least one-fifth of the screen area. The Rules also require TV channels to display a "Smoking/consuming tobacco causes death" in full-screen for at least 10 (ten) seconds (after the first break and before the second break) in case the cinema has scenes depicting smoking or tobacco use in between two advertisement breaks. All the TV media channels have been found to be in violation of such Rules.

In cinema, the use of tobacco appears most frequently in scenes depicting criminal activities or planning (62 percent), leisure activities (19 percent), and tension or anxiety (14 percent). Smoking and tobacco use have also been observed in scenes with songs, traveling, and regular day-to-day activities. It is also found that in 22 percent of these scenes show non-smokers in vicinity being victims of passive smoking. The use of cigarettes, e-cigarettes, cigars, and hookah is particularly noticeable. Only the cinemas broadcast during festive session have scenes depicting use of e-cigarettes.

Discussion

According to the findings of the study, most of the TV media outlets of Bangladesh are not compliant with tobacco control law when it comes to broadcasting drama and cinema. This means that this particular provision of tobacco control law is playing virtually no role in curbing the use of tobacco products. Television and other mass media are used worldwide in a variety of ways to instigate the habit of smoking. In its portrayal in mass media, smoking is associated with a number of desired qualities such as masculinity, glamour, and keen intelligence. For example, after Philip Morris International (PMI) introduced the 'Marlboro Men' which associated rugged masculinity with the habit of smoking, the sale of Marlboro brand saw a 300 times spike in a span of two years. The findings of the study show that in 67 percent of the smoking scenes, it is the male protagonist (hero) who is smoking. Smoking is frequently depicted in scenes where the tension and stress is mounting in the plot. According to a study published in Oxford Academic Journal and conducted among school-going children, smoking scenes in drama and cinema as well as images of media stars smoking in magazines and newspapers normalizes the habit and gives the impression to the youth that such addiction is socially acceptable. As a result, despite being well-aware regarding the harmful effects of cigarettes, the youth tend to consider cigarettes as an inseparable element of aura of attraction and also a tool to relieve mental stress.

The analysis of scenes depicting tobacco use shows that in most cases, non-smokers, particularly the female characters, tend to fall victims of passive smoking. Such scenes can normalize public smoking, downplay the grave dangers associated with it, and create a negative impression among the public with regard to the implementation of the related provisions of the law. Drama and cinema broadcast during festivals were found to be having scenes depicting the use of e-cigarettes. It should be the matter of further investigation whether the depiction of emerging tobacco products (ETPs) was the result of any collaboration with e-cigarette traders. TV drama and cinema broadcast during festivals have a much larger audience and also tend to violate the tobacco control law in a staggering frequency. The involvement of the tobacco industry in the making of festival-focused drama and cinema cannot be ruled out.

All the TV media have been found to be in violation of the tobacco control law when it comes to broadcasting cinema that has scenes depicting smoking and use of tobacco products. The inherent weakness of the law as well as the lack of clarity, alongside the lax implementation, are responsible for such a deplorable situation. The law bans broadcast of any drama and cinema depicting smoking and use of other tobacco products, but again sets conditions that allow such broadcast. Since the law prohibits any advertisement of tobacco products in mass media, considers it as a punishable offence and as these provisions are strictly enforced, tobacco companies may exploit the loopholes and promote their products via drama and cinema in TV media.

Recommendations

In order to achieve tobacco-free Bangladesh by 2040, there is no alternative to strengthening tobacco control law and ensuring its strict implementation. In this regard:

- Ensure compliance with provisions related to the broadcasts of drama and cinema by strictly monitoring the TV media outlets. Any instance of violation should not go unpunished.
- The clause related to the broadcast of cinema is weak and lacks clarity. The existing provision that allow a window to broadcast scenes depicting smoking and tobacco use should be repealed and such scenes should be banned altogether. Strict enforcement should be ensured.
- Amend the tobacco control law to ban the depiction of the use of e-cigarettes, vaping and other emerging tobacco products (ETPs). Ensure strict implementation of the amended law.