

## CHAPTER ONE

### INTRODUCTION

#### A. Background

Indonesia produced 196,300 tonnes of tobacco in 2014 which approximately 148,705 tonnes of them become cigarette waste discarded each year. This huge number is in line with the active smokers in Indonesia which more than 60 million of adults using tobacco daily.<sup>1</sup> Even though the amount of waste generated from this activity is very large, but there is a benefit to be gained by the government financially. It is predicted that Indonesian tobacco manufacturers will contribute more than 153 trillion rupiahs in 2020 to the state treasury.<sup>2</sup>

Thus, every developmental activity causes positive and negative impacts on the continuity of human life and the environment.<sup>3</sup> One of the harmful effects of the development in modern society is a large number of waste products as a result of the various activities carried out by humans, such as industrial waste or household waste. Since the introduction of plastic as a material that can be used by humans in various forms, natural conditions

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<sup>1</sup> Anonymous, 2019, "The Tobacco Atlas: Fact Sheet of Indonesia", accessed from <https://tobaccoatlas.org/country/indonesia/> accessed on November 20<sup>th</sup>, 2019 at 5 a.m.

<sup>2</sup> Desk Editor Insider, 2019, "Indonesia To Raises Tobacco Tax 10% Starting 2020", accessed from <https://theinsiderstories.com/indonesia-to-raise-10-tobacco-excise-tax-next-year/> on November 20<sup>th</sup>, 2019 at 11.10 a.m.

<sup>3</sup> Otto Soemarwoto, 1994, *Ekologi, Lingkungan Hidup dan Pembangunan*, Sixth Edition, Jakarta, Djambatan, pp.150-152.

have changed significantly. Over 30 to 40 years, the environment is facing a new problem due to the impact of plastic waste.<sup>4</sup>

Surprisingly, the most environmental damage caused by cigarette butts waste is in the marine ecosystem because the ultimate amount of plastic waste that is frequently found in the ocean is cigarette butts. Globally, it is estimated that 4.5 trillion cigarette butts are discarded every year. This pollution does not only occur as a result of smokers on the beach, but unconsciously is also resulted from garbage on land which is thrown away through the river and ends at the ocean. Physically, cigarette butts are tiny thing compared to other landfills, but people seldom realize the dramatic impact behind its small shape.<sup>5</sup>

Thomas Novotny in his recent study shows that tobacco waste which very detrimental to the environment is the filter of cigarettes. The impact of toxic materials contained in cigarette butts actively brings disadvantages to the environment. Experts intensely reject the use of toxic materials because the effect is very harmful to the environment.<sup>6</sup> The nature of materials in cigarette butts is similar to plastic; this waste is also difficult to be degraded. Cigarette butts contain toxins which need long time to break down; a study demonstrated that cigarette butts have a resistance to be attacked by

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<sup>4</sup> R. R. Churchill & A. V. Lowe, 1998, *The Law of the Sea*, Third Edition, Manchester, Manchester University Press, p. 242.

<sup>5</sup> Thomas E. Novotny et al, 2019, "Cigarette Butts and the Case for an Environmental Policy on Hazardous Cigarette Waste". *International Journal of Environmental Research and Public Health*, vol. 6, no.5, p.6.

<sup>6</sup> Thomas E. Novotny et al, 2011, "Tobacco and Cigarette Butt Consumption in Humans and Animals." *Tobacco Control*, vol. 20, no. 1, pp.17-20.

microorganisms because of its materials.<sup>7</sup> Thus, the toxin that leach into the water will harm the ecosystem and also human life

Moreover, from trillions of cigarettes produced worldwide every year, most come with filters made from cellulose acetate. Thomas Novotny, a professor from San Diego State University said that cigarette butt filters are just as marketing tool in which there is no health benefit at all from the filters.<sup>8</sup>

Although the attention of cigarette butt pollution in the ocean has increased recently, the policymakers are inattentive on the issue of cigarette butt litter.<sup>9</sup> Indonesia still has no valid and specific regulations concerning tobacco waste products particularly cigarette butt waste. Lack of public awareness is one of the factors causing environmental pollution. Besides weak law enforcement of waste management, Indonesia also makes cigarette companies shrug off responsibility on tobacco waste products especially in the case of filters contained in a cigarette butt.<sup>10</sup>

Furthermore, some Indonesian prevailing laws are not sufficient to regulate the issue of cigarette butt waste management. Those regulations are: the Law Number 32 of 2009 on Environmental Protection and

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<sup>7</sup> Giuliano Bonanomi et al, 2015, "Cigarette Butts Decomposition and Associated Chemical Changes Assessed by <sup>13</sup>C CPMAS NMR." *Plos One Journal*, vol. 10, no. 1, p.12.

<sup>8</sup> James Rainey, 2018, "Plastic Straw Ban? Cigarette Butts are the Single Greatest Source of Ocean Trash", accessed from <https://www.nbcnews.com/news/us-news/plastic-straw-ban-cigarette-butts-are-single-greatest-source-ocean-n903661> on November 24<sup>th</sup>, 2019 at 10.12 a.m.

<sup>9</sup> Eike, 2016, "Why Plastic is the New Fish, and It's Basically Because We're All Flippin' Lackadaisical about It", accessed from <http://coresea.com/plastic-new-fish/> on August 25<sup>th</sup>, 2019, at 5 a.m.

<sup>10</sup> CIEL, 2017, "Plastic Industry Awareness of the Ocean Plastics Problem", accessed from <http://www.ciel.org/wp-content/uploads/2017/09/Fueling-Plastics-Plastic-Industry-Awareness-of-the-Ocean-Plastics-Problem.pdf> on January 20<sup>th</sup>, 2019, at 5 a.m.

Management, the Law Number 18 of 2008 on Waste Management, the Government Regulation Number 101 of 2014 on Management of Toxic and Hazardous Waste Materials, the Government Regulation Number 109 of 2012 on Materials that Contain Addictive Substances in Tobacco Products in the Interest of Health, the Presidential Regulation Number 83 of 2018 on Marine Waste Management, and the Environmental Ministerial Regulation Number 14 of 2013 on Symbol and Label of Hazardous Waste.

The author suggests enacting regulation concerning cigarette butt waste management by using an extended producer responsibility principle to eliminate the problem. Many publications are focused on conditions in developed countries, however, this research focuses on Indonesia which the issue of cigarette butt pollution becomes a crucial issue to be solved.<sup>11</sup>

The cigarette butt pollution in Indonesia is deteriorating sharply. So, based on this issue, it is interesting to examine the issue under the title: "Urgency of Regulating Cigarette Butt Waste Management in Indonesia".

This research is altered from the previous studies, this study focuses on the aspects of Indonesian law in dealing with cigarette butts waste management. It is different from previous researches which only focused on environmental and health issues. A study from Cheryl G. Heaton focused on the environmental impact of cigarette butt waste, Richard L. Barners further in his research shows that the principle of extended producer

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<sup>11</sup> Curtis C et al, 2017, "Tobacco Industry Responsibility for Butts: A Model Tobacco Waste Act". *Tobacco Control*, vol. 26, no. 1, pp. 113-117.

responsibility must be implemented to reduce the environmental impact caused by cigarette butts waste. Furthermore, research on cigarette butt waste conducted by Bradford Harris also explains the impact of cigarette filters on health and the environment.

Through this research, the author will try to make comparisons of cigarette butt waste management in some other countries. The function is to contribute knowledge and contribute information to Indonesia related to the waste management of cigarette butt in some countries. There are several countries that were selected as a comparison, namely Australia, the United States of America, France, and some other countries in the European Union. The author hopes that the results of this research can find a solution from the comparison of the cigarette butt waste management in the other country to Indonesia.

#### **B. Statements of Problem**

1. How is the urgency of regulating cigarette butt waste management in Indonesia?
2. How should the law regulate cigarette butt waste management in Indonesia?

#### **C. Objectives of Research**

1. To identify the importance of regulating cigarette butt waste management in Indonesia.
2. To analyse on how should the law be formulated to regulate the issue of cigarette butt waste management in Indonesia.

#### **D. Benefit of Research**

##### 1. Theoretical Aspect

The study gives a conceptual contribution to science, especially in the issue of cigarette butt waste management in Indonesia.

##### 2. Practical Aspect

This research provides benefits for the government to provide regulation on the cigarette butt waste management in Indonesia.