



# THE STANCE ON SMOKING OF VISITORS WITHIN CATERING FACILITIES IN THE REPUBLIC OF NORTH MACEDONIA

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## KeyWords

Catering facilities, Framework Convention on Tobacco Control, Law on Protection from Smoking, non-smokers, Republic of North Macedonia, smokers, stance on smoking

## ABSTRACT

The basic Law on Protection from Smoking in the Republic of North Macedonia (NMK) went into effect in 1995. Ratifying the Framework Convention on Tobacco Control back in 2006, NMK had to implement all of the responsibilities taken over from the Convention, resulting in additions and amendments of the Law. This meant banning smoking within the enclosed areas of catering facilities. At the very beginning, the Law came across reactions and contrasting opinions. According to the caterers, the ban on smoking within the catering facilities decreased the profits. The smokers believed are discriminated against, that is, they are deprived of their right to personal choice; and the non-smokers believed that it was high time for law and order equally applicable to everyone.

The Law has been disputed many times, but a procedure for its discontinuation has never taken place. The views and stances of the smokers and non-smokers regarding the Law on Protection from Smoking within catering facilities are still subject to contrasting opinions. Aiming to establish the stance towards smoking within catering facilities, we conducted an anonymous survey. 53,4% from the smokers and 86,4% from the non-smokers argue that smoking is a health-hazard; 73,3% from the non-smokers, and 70% of the smokers argue that the Law on Protection from Smoking within the catering facilities is not being implemented. In addition to this, 73,3% from the smokers believe that the Law is discriminatory against them, and that the prohibition should be abolished. There is no dilemma that a more rigorous control needs to be implemented as part of the Law on Protection from Smoking within catering facilities, in addition to a mass anti-smoking propaganda aimed towards the general population, to help increase the awareness of the damaging consequences from smoking.

## 1.0 INTRODUCTION

The Republic of North Macedonia ratified the 2006 Framework Convention on Tobacco Control from the World Health Organisation (WHO), thus taking over the responsibility to implement the lawful regulation and apply it in real-life. The Framework Convention on Tobacco Control is the first international agreement in the public health area, under the patronage of the United Nations Organisation. The Convention lies upon the basic human rights and the WHO Constitution. It went into effect in 2005. Furthermore, this Convention obliges all of the countries ratifying it to take over steps resulting in decreasing the health, social and economic consequences of smoking. At the very beginning of its implementation, many reactions and contrasting opinions by the smokers and the caterers followed. According to the caterers, the smoking ban applicable to the enclosed areas at catering facilities reflects on the visitor's frequency and the profits. To solve the smoking issues, the caterers adjusted to the legal obligations by separating a smoking area outside the catering facility, thus using the terraces and other areas around the facilities (ex. gardens). To solve the smoking issue throughout the winter season, the caterers started enclosing the terraces with tarps, foils, glass, etc. - creating an enclosed smoking area. In 2017, this was subject to more rigorous measures by the inspection services, followed by rigorous penalties: closing down the facilities; monetary penalties ranging from Eur 2,000-4,500 for the owners and Eur 150-300 for the smokers caught on spot, respectively. The Law went through many additions and amendments, however, the basic principles of the Framework Convention on Tobacco Control have not been abandoned.

In 2017, immediately after the new Government was established, the smokers requested amendments to the Law on Protection from Smoking through an online petition. This petition as such, was supported by the caterers suggesting that the catering facilities could accommodate separate areas for smokers and non-smokers. The petition didn't live to see the requested amendment implemented in the Law on Protection from Smoking. However, the contrasting opinions regarding the ban on smoking in enclosed areas and the Government support on Law amendments, contributed towards the liberalisation of smoking within catering facilities. Even though the Law on Protection from Smoking hasn't been changed yet, the inspection control is considerably decreased, resulting in smoking allowed in a number of catering facilities.

## 2.0 MATERIAL AND METHOD

The goal of this research is to ascertain the line of thought of the visitors to: the catering facilities, the implementation of the Law on Protection from Smoking, and a final amendment or abolishment of the same. The research has been conducted through an anonymous survey on a representative group of 60 (sixty) smokers and 57 (fifty-seven) non-smokers above the age of 18 (eighteen) - all of which were visitors at three catering facilities in Tetovo, NKM. The survey was completed in November, 2019 consisting of 8 (eight) questions out of which: the first three define the structure of the surveyed group by gender, age and level of education; the remaining five define the: health hazards from smoking towards the smokers and the environment, abiding the Law on Protection from Smoking, smokers' discrimination against non-smokers, the need to abolish the Law, and the impact of the smoking ban within the enclosed areas of the catering facilities on the communication between the smokers and non-smokers. The survey data has been statistically developed with the help of the Microsoft Excel spreadsheet computer application, resulting in: ranking, percentage, spreadsheet, and graphic shaping of the surveyed data.

### 2.1 METHOD

This research was subject to two types of data: primary, resulting from the conducted field research; and secondary, resulting from the conducted literature review.

## 3.0 RESULTS AND DISCUSSION

### 3.1 DISTRIBUTION OF THE SURVEYED GROUP BY GENDER AND SMOKING STATUS

Represents the distribution of the survey by gender. The percentage of smokers is higher in women (56,7%), compared to the percentage in men (43,3%).



Chart 1: Structure of the surveyed group by gender and smoking status  
 (Source: Field research, 2019)

**3.2 STRUCTURE OF THE SURVEYED GROUP BY AGE AND SMOKING STATUS**

In the smoking group of men, the most common age group is the one between the age of 18-40 (46,4%), decreasing with the age higher than 60 - 21,1%. The highest percentage of non-smokers belongs to the age group of 41-60 years.

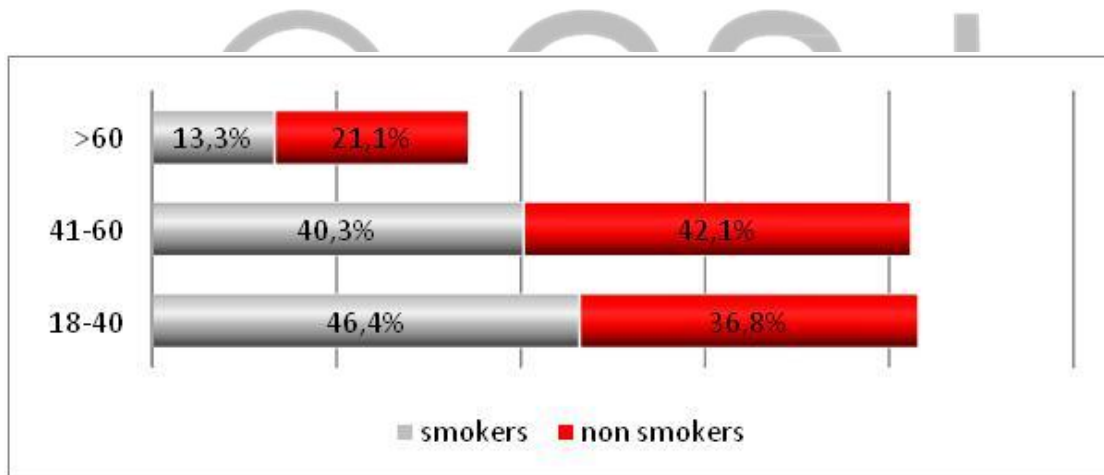


Chart 2: Structure of the surveyed group by age and smoking status  
 (Source: Field research, 2019)

**3.3 DISTRIBUTION OF THE SURVEYED GROUP BY LEVEL OF EDUCATION AND SMOKING STATUS**

The largest proportion of the smokers (46,6%) and the non-smokers (50,9%) are highly educated. This data points out the fact that a large percentage of the smokers and the non-smokers have not developed a right standing towards smoking, even though their level of education should indicate otherwise.

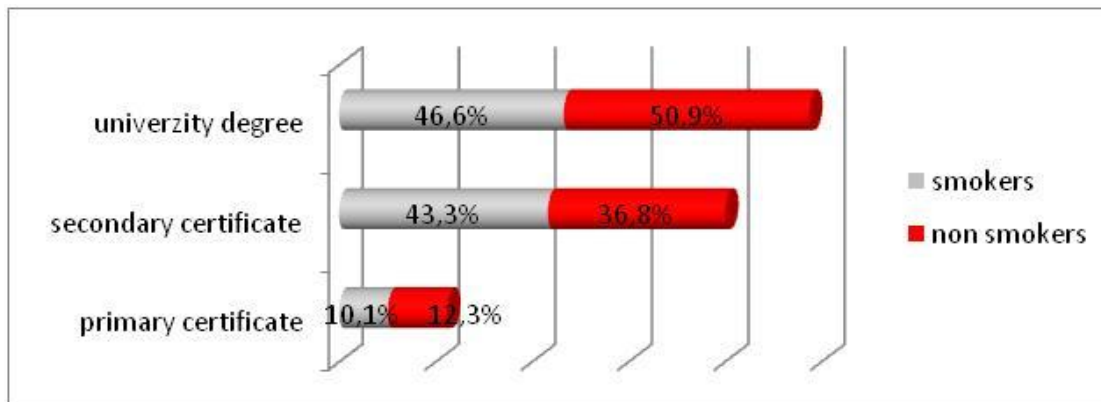


Chart 3: Distribution of the surveyed group by level of education and smoking status  
(Source: Field research, 2019)

### 3.4 PERCEPTION OF THE SURVEYED GROUP ON THE HARMFUL EFFECTS OF SMOKING

According to 53,4% from the smokers, and 86,4% from the non-smokers - smoking is harmful towards the smokers' health and the environment. The level of education impacts the knowledge of the harmful effects from smoking; however, the nicotine addiction is significant for most of the smokers to admit to this.

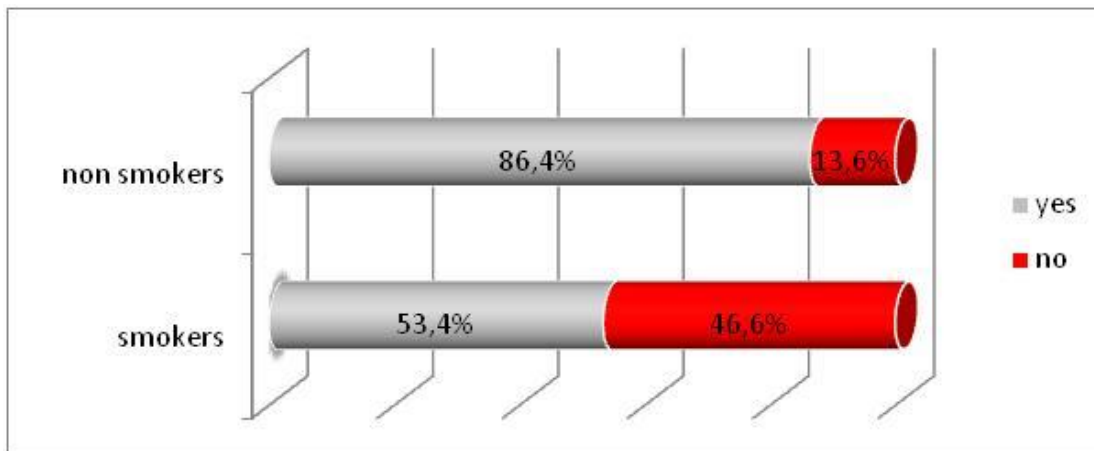


Chart 4: Perception of the surveyed group on the harmful effects of smoking  
(Source: Field research, 2019)

### 3.5 PERCEPTION OF THE SURVEYED GROUP TOWARDS ABIDING THE LAW ON PROTECTION FROM SMOKING WITHIN CATERING FACILITIES

The Law on Protection from Smoking in enclosed areas within catering facilities is not being abided to, as confirmed by 70% from the smokers, and 73,3% from the non-smokers. A high percentage of the smokers and the non-smokers are aware that the Law on Protection from Smoking is not being respected intentionally.

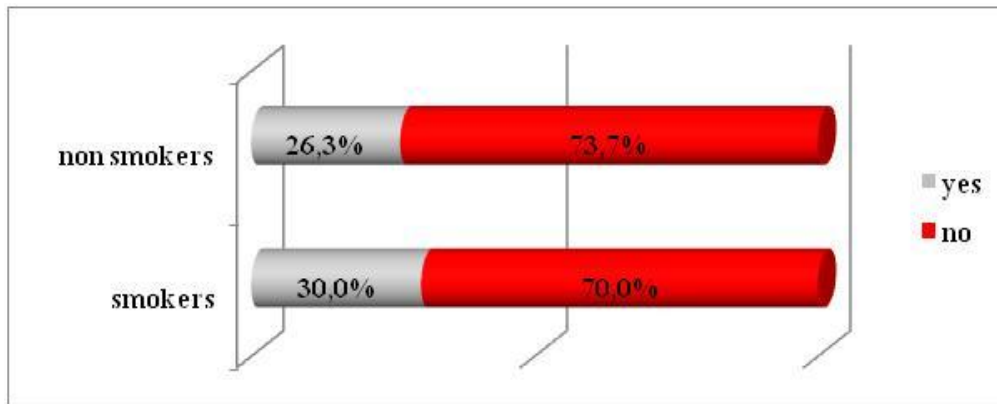


Chart 5: Perception of the surveyed group towards abiding the Law on Protection from Smoking within catering facilities  
 (Source: Field research, 2019)

**3.6 PERCEPTION OF THE SURVEYED GROUP REGARDING THE DISCRIMINATORY ROLE IN THE LAW ON PROTECTION FROM SMOKING TOWARDS SMOKERS**

The smokers (73,3%) believe they are discriminated against because they are not allowed to smoke within catering facilities. However, the non-smokers (49,1%) also believe there is a discrimination in place, even though are quite aware of the harmful effects of smoking.

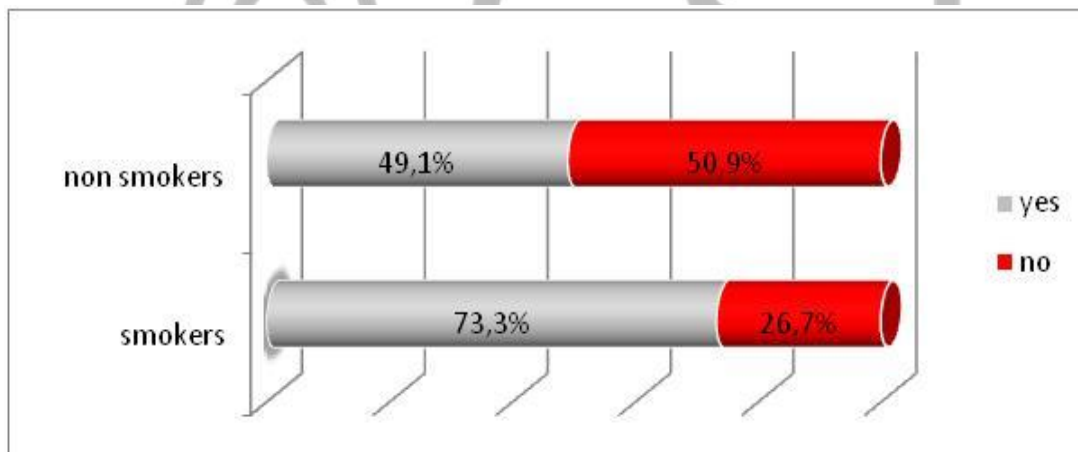


Chart 6: Perception of the surveyed group regarding the discriminatory role in the Law on Protection from Smoking towards smokers  
 (Source: Field research, 2019)

**3.7 STANCE OF THE SURVEYED GROUP FOR THE NEED TO ABOLISH THE LAW ON PROTECTION FROM SMOKING WITHIN CATERING FACILITIES.**

One third of the non-smokers (33,4%) and 70% from the smokers are pro-abolition of the Law, which is contrary to the knowledge of the harmful effects from smoking and the level of their education.

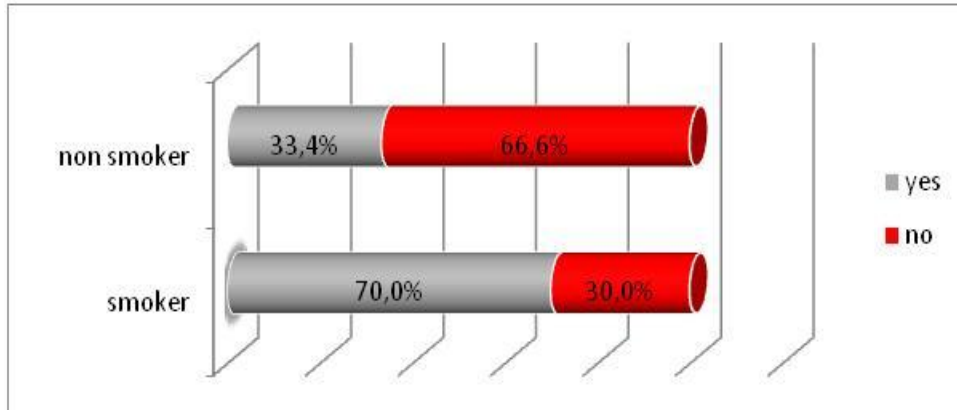


Chart 7: Stance of the surveyed group for the need of abolishing the Law on Protection from Smoking within catering facilities

(Source: Field research, 2019)

### 3.8 DISCUSSION

In line with the results from the conducted survey, included are a number of 60 (sixty) smokers and 57 (fifty-seven) non-smokers. 26 (43,3%) from the smokers are men, and 34 (56,7%) are women. On the other hand, insignificantly larger is the portion of men non-smokers, 29 (50,9%) compared to women non-smokers - 28 (49,1%).

The trend of a higher number in women smokers has been there in the last 20 (twenty) years, constantly increasing. The largest portion and a percentage of the smokers are aged 18-40, or 28 (46,6%); the non-smokers see a highest percentage in the age group of 41-60, or 24 (42,1%). The level of education is higher in both parties (smokers and non-smokers). These two groups of smokers had the opportunity to get informed on the harmful effects of smoking towards themselves and the environment within the educational system.

The smokers and non-smokers both agree regarding the data presenting the disregard of the Law on Protection from Smoking within catering facilities. This is the stance of 42 (70%) of the smokers, and 42 (73,7%) from the non-smokers who are not satisfied with the implementation of the Law within the catering facilities.

The smokers feel discriminated against as second-class citizens within the catering facilities, as reflected in the high number of positive responses - 44 (73,3%). From the surveyed non-smokers, 29 (50,9%) agree that the Law discriminates against smokers within the catering facilities since they have to step outside the enclosed area of the catering facility when they want to smoke a cigarette.

The stance on abolishing the Law on Protection from Smoking within catering facilities between the smokers prevails. This is the view of 42 (70%) of the smokers, and 19 (33,4%) from the non-smokers. The number of smokers and non-smokers who believe that the Law should be abolished is high, however, the reasons behind this stance are unclear and subject to an in-depth analysis. Nevertheless, this result directs us to the conclusion that something related to the Law on Protection from Smoking should be changed.

High number and a percentage of smokers - 45 (75%) and non-smokers - 49 (85,9%) agree that the Law on Protection from Smoking compromises the desire to socialize within the catering facility, because it means they

need to be seated at different areas of the facility. The party visiting the catering facility needs to make a decision whether they would seat in the enclosed or open area - which can be a difficult decision to make since there will always be a party not satisfied with the choosing. The non-smokers will have to put up with the nicotine smoke (if seated in the open area), or the smokers will need to smoke outside in the cases where the party is seated in the enclosed area. All of the above has a negative impact on the social aspect.

What is the caterers' view on the situation?

The Tourist-Catering Chamber of the Republic of North Macedonia made a comparative research on the conditions of the catering facilities prior and after the Law on Protection from Smoking went into effect. The comparison was made between the years of 2009 and 2010. Shocking decline in profits was noted, in addition to a high number of employees who were let go by the facility owners. According to the data from the State Statistics Office, the decline in profits in the catering facilities was due to the decreased living standard of the population, not the Law on Protection from Smoking.

#### 4.0 CONCLUSION

It is difficult to find a balance in the implementation of the Law on Protection of Smoking within catering facilities which will satisfy the requests of both - the smoking and non-smoking parties. The responses recorded in this survey note that the problem with the implementation of the Law on Protection from Smoking in the part regarding catering facilities is not clearly defined and is subject to multiple omissions which would need to be corrected in order to find the best possible solution, thus providing the satisfaction to both of the parties (smokers and non-smokers), and above all - the caterers who directly suffer the financial consequences from it.

#### 5.0 RECOMMENDATIONS

1. The employees within the catering industry review their stance on smoking within the catering facilities, and rigorously implement the Law on Protection from Smoking.
2. During their visit to a catering facility, the smokers and non-smokers respect the provisions from the Law on Protection from Smoking.
3. Inspection services conscientiously perform their duties when it comes to the implementation of the Law on Protection from Smoking within catering facilities.
4. The country takes measures in order to increase the awareness and knowledge of the general population on the harmful effects from smoking.

#### References

- [1] Zakoska, M. (2001). *Pusenje vistini i zabludi*, Napredok, Tetovo
- [2] Sl vesnik na RM broj 36/95 *Zakon za zastita od pusenje*, Ministerstvo za zdravstvo na RM
- [3] *Izmeni i dopolnenija na Zakonot za zastita od pusenje* Sl vesnik na RM broj 70/ 03, 29/04, 37/05, 103/08, 140/08, 35/10, 100/11, 157/13
- [4] World Health Organization. WHO report on the tobacco epidemic, 2008. The MPOWER package. Switzerland; 2008. Available at <http://www.who.int/tobacco/mpower/en>. Accessed November 18, 2019.
- [5] Bombard JM, Pederson LL, Nelson DE, Malarcher AM. Are smokers only using cigarettes? Exploring polytobacco use among an adult population. *Addict Behav* 2007;32:2411-9.
- [6] Zaza S, Briss PA, Harris KW. (2005). *The guide to community preventive services: what works to promote health?* New York, NY: Oxford University Press;
- [7] Wakefield M, Liberman J. (2008) Back to the future: tobacco industry interference, evidence and the Framework Convention on Tobacco Control. *Tob Control* 2008;17(3):145-6
- [8] World Health Organization. WHO Framework Convention on Tobacco Control. 2003 [updated reprint 2004, 2005]. Available from <http://whqlibdoc.who.int/publications/2003/9241591013.pdf>

- [9] [CDC. Cigarette smoking among adults -United States,\(2003\). MMWR 2005;54:509-13.](#)
- [10] European commission:Tobacco or health in the European Union: past present or future. Luxemburg: European communities 2004
- [11] V, Visnjic-Milic.(2019) Pušenje kao turistička atrakcija izvor: RTS,14 decembar 201
- [12] H.Josifovski Javnite prostorii zabraneti za pusacite,pusenje samo na verandi I terasi na ugostitelskite objekti. Nova Makedonija 14.12.2018  
[www.novamakedonija.com.mk](http://www.novamakedonija.com.mk)
- [13] RADULOVIĆ: ZAKON O ZABRANI PUŠENJA PUN NONSENSA [HTTPS://WWW.SLOBODNAEVROPA.ORG/](https://www.slobodnaevropa.org/) 30 ОКТОВАР 2011 ИНТЕРВЈУ ПРЕДРАГ ТОМОВИЋ
- [14] НЕПУШАЧИТЕ СЕ ЖАЛАТ ДЕКА НЕ СЕ ПОЧИТУВА ЗАКОНОТ ЗА ЗАШТИТА ОД ПУШЕЊЕ, ИНСПЕКЦИЈАТА ТВРДИ ДЕКА НЕМА ПРЕКРШУВАЊА  
04. 03. 2019 <https://www.kumanovonews.mk>
- [15] Угостителите против целосната забрана за пушење, Утрински весник бр.2855. 05.декември 2008

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