Putting Tourism to Rights

A challenge to human rights abuses in the tourism industry



A report by Tourism Concern

Written and researched by

Jenny Eriksson, Rachel Noble,
Polly Pattullo and Tricia Barnett

TourismConcern

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Cover photo: An everyday experience for the Kayan – a photo opportunity for the tourists.

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Tourism Concern is a campaigning organisation founded in 1989 to fight exploitation in tourism, particularly in developing countries. It aims to promote greater understanding of the impact of tourism on environments and host communities, to raise awareness of the forms of tourism that respect the rights and interests of people living in tourism destinations, to promote tourism that is just, sustainable and participatory, to work for change in current tourism practices, and to enable tourist and travellers to travel with critical insight and understanding.

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Abbreviations

BIS	UK Department for Business, Innovation and Skills	ILO KDAD	International Labour Organisation
BCUK	Burma Campaign UK	KPAP	Kilimanjaro Porters' Assistance Project
CORE	Corporate Responsibility Coalition	MDG	Millennium Development Goals
COHRE	Centre on Housing Rights and Evictions	NLD	National League for Democracy (Burma)
DCMS	UK Department for Culture, Media and Sport	SPDC	State Peace and Development Council (Burma)
DEFRA	UK Department for Environment, Food and Rural Affairs	ST-EP	Sustainable Tourism – Eliminating Poverty
DFID	UK Department for International	TNC	Transnational corporation
	Development	UDHR	Universal Declaration of Human
ECPAT	End Child Prostitution, Child		Rights
	Pornography and the Trafficking of Children	UNDP	United Nations Development Programme
ECOSOC	United Nations Economic & Social Council	UNESCO	United Nations Educational, Scientific and Cultural Organisation
EU	European Union	UNHCR	United Nations High Commissioner
FCO	UK Foreign and Commonwealth		for Refugees
	Office	UNWTO	United Nations World Tourism
FEEO	Federation of Environmental and		Organisation
	Ecological Organisations (Cyprus)	USAID	United States Agency for
GDP	Gross domestic product		International Development
GSTC	Global Sustainable Tourism Criteria		
ICESCR	International Covenant on Economic, Social and Cultural Rights		

The pleasure principle

profound disconnect persists in the minds of governments, industry and international donor agencies when it comes to addressing the human rights dimensions of the global tourism industry – the largest and fastest growing services industry in the world. Their primary focus remains on tourism's potential to generate economic growth, which has meant unfettering the sector from rules and regulations that might hinder its rapid expansion. This is particularly true where developing countries are concerned. Plagued by high unemployment and debt, but rich in cheap labour and unspoilt landscapes, many governments see tourism as the panacea to their economic woes. Yet while tourism may swell the national coffers, countless numbers of people particularly those who are already vulnerable and poor have their basic human rights violated as a direct result of tourism's growth, exacerbating their poverty and trapping them in a cycle of deprivation.

More than 60 years have passed since the United Nations (UN) introduced the Universal Declaration of Human Rights (UDHR). The UN defines these as:

"...those rights which are inherent in our nature and without which we cannot live as human beings. They are rights which enable people to fully develop and utilise their innate qualities, such as intelligence and talent, and satisfy deeper needs, such as spirituality. Human rights are the foundation for the quality of life in which each individual's inherent dignity and worth will receive due respect and protection."

The right to freedom of movement is enshrined in Article 13 of the Declaration, reflecting our ancient, natural desire to venture beyond our immediate horizon. People have been travelling around the globe since long before recorded history and for a range of reasons: to search for food and resources; as the result of war or natural disaster; to trade or barter; or out of simple curiosity. But it was only in the second half of the last century, just two or three decades after the inception of the UDHR, that people began travelling en masse in search of pleasure. According to the United Nations World Tourism Organisation (UNWTO), between 1950 and 2006 international tourism arrivals expanded at an annual rate of 6.5 percent, increasing from 25 million to 842 million travellers. The revenue generated by these arrivals reached some US\$680 billion in 2005, growing at a faster rate than the world economy (UNWTO) and creating jobs for 9.2 percent of the global workforce (International Labour Organisation, 2009). Numerous new destinations have appeared on

the tourist map during this time, with many of these in the developing world.

So what does this mean for human rights? Clearly, tourism has the potential to generate enormous social and economic benefits for destination countries. There is, on paper at least, an increasing recognition of the need for tourism to be developed sustainably, which means generating long-term benefits for the people, natural environments and economies in the areas in which it takes place (George and Varghese, 2007). Tourism has also been highlighted as an important contributor to the achievement of the Millennium Development Goals (MDGs) in relation to poverty alleviation, environmental sustainability and gender equity.

However, tourism is a competitive, resource-hungry industry, which is often highly exploitative. International hotel chains and operators jostle to expand and out-price each other, and cash-strapped governments compete to attract business by offering cheap land and tax free investment, often complemented by weak labour laws. This places constant pressure on those at the bottom of the tourism supply chain – the maids, porters, cooks and drivers, as well as the inhabitants of the land and ecosystems earmarked for tourism development. Given this scenario, it is imperative that governments, including the UK Government and industry players, incorporate and explicitly address the human rights implications of tourism in policy dialogues and debates on sustainable development.

This report exposes the violations of human rights that have occurred as a direct result of tourism through an examination of key articles of the UDHR and subsequent UN declarations. It challenges the UK Government and industry to recognise that human rights are a fundamental element of any sustainable approach to development – including tourism development, and calls for action to ensure their protection.

The human rights conventions

Keeping the faith

All human beings are born free and equal in dignity and rights

Article 1, Universal Declaration of Human Rights

dopted by the United Nations General Assembly in 1948, the UDHR sets out the common standards required to secure the fundamental rights and freedoms of all peoples, societies and nations. The Declaration's 30 'articles of faith' include civil and political rights, such as the right to freedom of movement, freedom of thought, religion and expression. Economic, social and cultural rights are also covered, including the right to food and housing, the right to work and equal pay, and the right to education. These rights are designed to be indivisible and mutually supporting. The Declaration has now been accepted by most governments, which are required by law to respect the principles it contains. As such, the UDHR is one of the most significant documents of our time, serving as a pivotal authority on human rights issues and the foundation stone in the advancement of international human rights law.

Numerous declarations and conventions aimed at enhancing and strengthening the UDHR have subsequently been introduced. This includes the Declaration of the Rights of Indigenous Peoples and the UN Convention on the Rights of the Child. The conventions are legally binding and many are directly relevant to the tourism industry. In addition, since the 1930s, the International Labour Organisation (ILO) has set many important precedents in developing core labour rights conventions, which are also highly relevant to tourism. A summary of all these can be found in the table below.

Whose duty to protect?

The state is required to protect its citizens against human rights abuses by third parties, including tourism businesses, by international law. Although governments cannot be held responsible for such violations, they are obliged to take necessary steps to prevent, punish and redress abuses where they occur (UN General Assembly Human Rights Council, 2009).

The UN establishes the responsibility of businesses, including the tourism industry, to respect and not impinge upon the rights of others. In this vein, the UNWTO has established a Global Code of Ethics for Tourism, which sets out guidelines for industry for helping to minimise tourism's negative social, cultural and economic impacts (see page 39).

However, despite the numerous human rights conventions and the clear lines of responsibility for ensuring that rights are protected, serious abuses occur all over the world in the name of tourism. Industry employees live in squalid conditions and are unable to feed their families, while communities in destination countries are stripped of their land and deprived of their livelihoods. The perpetrators of these human rights abuses range from governments striving to maximise tourism revenues by selling off land to developers with one hand while aggressively stifling dissent with the other, to multinational hotel chains siphoning off water supplies and destroying natural habitats, to local groups and individuals seeking to profit through the exploitation of other more vulnerable groups and individuals. Tourists, too, in exercising their right to freedom of movement, are often unwitting collaborators in the exploitation of others.

The human rights conventions and declarations provide a vital framework within which governments and the tourism industry must situate the ongoing development of the sector. They represent a common standard of dignity, decency and mutual respect for all humankind — essential facets of any truly sustainable approach to development.

The International Bill of Human Rights¹

1948 Universal Declaration of Human Rights

1966 International Covenant on Economic, Social and Cultural Rights

1966 International Covenant on Civil and Political Rights

International Human Rights Instruments

1969 Declaration on Social Progress and Development

1986 Declaration on the Right to Development

1989 UN Convention on the Rights of the Child

2001 Optional Protocol to the Convention of the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography

2003 International Convention on the Protection of the Rights of All Migrant Workers and

Members of their Families

2007 Declaration of the Rights of Indigenous Peoples

International Labour Organization (ILO) Core Labour Rights

1930 Forced Labour Convention

1948 Freedom of Association and Protection of the Right to Organise Convention

1949 Right to Organise and Collective Bargaining Convention

1951 Equal Remuneration Convention

1957 Abolition of Forced Labour Convention

1958 Discrimination (Employment and Occupation)
Convention

1973 Minimum Age Convention

1989 Indigenous and Tribal Peoples Convention

1999 Worst Forms of Child Labour Convention

Go as you please?

Everyone has the right to freedom of movement and residence within the borders of each state; and everyone has the right to leave any country, including his own, and to return to his country

Article 13, Universal Declaration of Human Rights

rticle 13 of the UDHR suggests that the right to move around the world is inviolate. The UNWTO also enshrines the right to travel in Article 7 of its Global Code of Ethics for Tourism (2001): 'The prospect of direct and personal access to the discovery and enjoyment of the planet's resources constitutes a right equally open to all the world's inhabitants.' In reality, however, not everyone has the power to exercise this right.

Tourists from the rich, industrialised countries, such as western European states, America and Japan, account for nearly 65 percent of international tourism expenditure (UNWTO, 2008). The world is theirs to explore and rarely do they experience a problem of entry: perhaps a nominal form to fill in at the airport or a visa to acquire. This is not the case for people from poorer, developing countries. When they wish to visit the developed world, fears over illegal immigration mean that they are typically faced with complex formfilling and stringent entry requirements.

Some states limit the right of their own citizens to travel. The Cuban government reserves the right to restrict the freedom of movement of Cubans who oppose the regime, while legislation in the USA makes it difficult for all but Cuban Americans visiting family to travel to Cuba.

Internal restrictions

Globalisation – the increasing integration of the global economy facilitated by international free trade policies – has only opened doors for some. It has also created distortions which enable wealthy multinational developers to buy up land and build resorts which displace huge numbers of people and limit public access to land (see page 9).

Access to beaches is one of the most controversial issues in many countries with a major investment in coastal tourism. The privatisation of coastlines for



Alex is a beach vendor in Punta Cana in the Dominican Republic. "You can never win this fight. The beaches are not ours any more."

tourism not only limits local peoples' enjoyment of their own beaches, it can also have a major impact on those who depend upon access to the coast for their livelihoods.

■ Winnifred Beach, Jamaica

With the massive growth of tourism, many of Jamaica's best beaches have been appropriated

Foreign Office advisories

Some governments discourage their citizens from travelling abroad to protect them from natural disaster or political unrest. The UK Foreign and Commonwealth Office (FCO) provides travel advisories for all countries, which occasionally warn UK citizens to avoid visiting what are considered to be 'dangerous' places. Inevitably, this can have a negative impact on countries dependent on tourism.

Tourism Concern has successfully lobbied the FCO to ensure that their advisories are regularly revised and that they are applied consistently. For example, following the terrorist

attacks on the World Trade Centre in New York in September 2001, the FCO only advised 'vigilance' on travel to the US. However, in the wake of the 2002 bombings in Bali, the FCO advised a blanket ban on 'all non-essential travel' to Indonesia². Yet the rest of the country, which comprises more than 17,000 islands, remained peaceful. Travel restrictions continued to be imposed on Indonesia right up to 2004. As a consequence, Bali – where the average basic wage for hotel staff was just £34 per month – suffered a 43 percent decline in average income (Tourism Concern, 2004a).

The right to freedom of movement

for hotel developments. Unlike some Caribbean islands, land immediately above the high-water mark can be privately owned in Jamaica. Licences can also be issued to privatise the water for 25 metres out to sea. The hotels argue that such measures are to prevent their guests from being harassed by 'drug-pushers' and 'beach bums'. However, such practices are excluding Jamaicans from their own coastlines.

Winnifred Beach, south of Port Antonio, is one of the area's few beaches that the public can enjoy. Local vendors earn a living by selling drinks, food and crafts. However, a proposal for a beach park and holiday cottages is threatening the beach with privatisation. In response, in 2008 local people established the Winnifred Beach Defence Committee. Campaigners are invoking a clause in Jamaican law that prohibits the privatisation of beaches which have been in public use for 20 years or more. The case was due to be heard in September 2009. Other

popular beaches, such as San San Beach and Blue Lagoon, now charge an entrance fee – a price which most residents can not afford. 3

Dominican Republic

Alex Nuñes is a beach vendor at the Natura Park Resort in the Dominican Republic. He knows that the law says that the beaches should be public and accessible for everyone. In reality, this is far from the case. "The police are not here for the Dominicans but for the tourists," says Alex. "The hotels do not obey the law; they have power and money instead. If they want to get rid of all the Dominicans they will." However, Alex believes that nothing will change. If he raises his voice and demands his right to be on the beach, more guards will come, then the owners, then the police. "I don't want to be humiliated in front of my children," he says. "The beaches don't belong to us anymore" (Dielemans, 2008).

Tourism's land-grabbers

Everyone has the right to own property alone as well as in association with others; no one shall be arbitrarily deprived of that property

Article 17, Universal Declaration of Human Rights

hroughout the world, the onward march of tourism continues to involve the arbitrary, forceful and occasionally violent removal of people from their homes. Land and sea are being grabbed up by governments and developers for the construction of hotels, resorts, golf courses, marinas and water parks. Such forced evictions – the permanent or temporary removal of people against their will from their homes or lands without access to legal or other protection – are often suffered by the most vulnerable and marginalised groups. In many cases there is limited negotiation and little or no compensation for those displaced (Brockington, 2002; First Peoples Worldwide, 2007).

Tourism is a land-hungry industry. The most desirable sites for new developments are typically in unspoilt locations along coastlines or rivers or enjoying panoramic views. However, such sites are also often the most productive in terms of agriculture, forest utilisation, pastoralism or fishing. They are seldom uninhabited, even in the remotest regions of the world.

For example, land is commonly appropriated for the creation and extension of national parks to promote wildlife tourism and conservation. This is often done at the expense of local communities – the rationale being that tourists won't want to see people or cattle blotting the landscape of their safari. Despite having been excluded from the land which formed the basis of their livelihoods, opportunities for such communities to become involved in the lucrative wildlife tourism sector remain limited. While foreign tourists pay thousands of dollars to shoot lion, elephant and other trophy species, communities living near wildlife areas can face large fines and even imprisonment if caught entering a national park to hunt and gather food and firewood without the right paperwork. They also pay a great cost in terms of human-wildlife conflict: many lives are lost every year to big game species and entire harvests are decimated by elephants wandering out of the park boundaries.

If the primary motive for creating national parks is really wildlife conservation, then local communities living on park boundaries must be given an incentive to protect it and be allowed to benefit from it in some way, including through tourism.

For many, land is not just a commodity, but provides the basis of a just and dignified livelihood, especially for indigenous, rural and coastal communities. Article 25 of the UDHR enshrines the right to an adequate standard of living, which includes housing. This article is violated if people are deprived of their lands without recourse to justice or compensation.



The South African government has stepped up its 'slum' clearance programme in the lead up to the 2010 World Cup.

Even those who do not live in 'paradise' locations are vulnerable to displacement. 'Beautification' is used as an excuse to demolish homes or replace them with tourist facilities. The make-shift shacks which constitute home for so many in the developing world are considered by some governments to give visitors the 'wrong impression', prompting them to be bull-dozed. Such land clearances have been taking place in South Africa in the lead up to the 2010 World Cup, evoking fierce protests from local groups, such as the shack-dweller movement, Abahlali baseMonjondolo. The government's campaign of intimidation has included arrests, beatings and forced relocations (Tourism Concern, 2009a).

Digya National Park, Ghana

In April 2006, more than 7,000 people were evicted from their homes in the Digya National Park on the island of Dudzorme on Lake Volta. The government plans to develop the area as a game reserve for tourists. Tragically, more than 100 people died after an overloaded ferry carrying the evicted residents capsized. According to Amnesty International (2006), evictions 'were carried out without adequate prior consultation, adequate notice and compensation or alternative accommodation'.

■ Garifuna, Honduras

The Garifuna have lived on the coast of Honduras since 1797, when the British trans-

The right to land and natural resources

ported their ancestors there from St Vincent in the eastern Caribbean. In 1992, the Garifuna achieved legal recognition in the courts for their communally held land in the Tela Bay area. Despite this, powerful business interests are threatening to encroach on their lands and have used intimidation and violence in an attempt to force the Garifuna into submission. According to campaigning group Human Rights First, the growth of tourism, in particular the huge Los Micos project at on Tela Bay, which is partfunded by the Inter-American Development Bank, has been accompanied by a rise in the number and intensity of threats to Garifuna leaders seeking to defend the rights of their community (Mowforth et al., 2008).

Among the violent incidents have been the shooting of Gregoria Flores Martinez, the co-ordinator of the main Garifuna organisation challenging the Los Micos project. In 2006, community leader Jessica Garcia was offered money by an unidentified man to sign a document surrendering ownership of communal Garifuna lands to a real estate company, Promociones y Turismo. When she refused, the man allegedly put a gun to her head and forced her to sign. He threatened her life and the lives of her children if she published the document (Human Rights First, 2006).

Lombok, West Nusa Tenggara, Indonesia

On 18th September 2005, 37 people were shot and wounded on the island of Lombok when police opened fire on a crowd of more than 700 peasants. The peasants were protesting against plans to construct a new international airport in a fertile area in order to tempt tourists over from the neighbouring island of Bali. A month earlier, over 2,600 peasants from the village of Tanak Awu were threatened with eviction from their land to make way for the new airport (Land Action Research Network, 2005).

Hacienda Looc, Philippines

Thousands of peasant farmers of the Hacienda Looc in the state of Batangas in the Philippines have been fighting since the mid 1990s to retain ownership of their fishing areas and farm lands in the face of proposals for a major tourism development. They have endured threats, intimidation and, on one occasion, two farmers were shot dead. When bulldozers began contouring

the hills for golf courses, women from Umalpas-Ka (an organisation whose name means 'Break Free') climbed the hillsides and formed a human barricade to protect the land, forcing a stand-off with the police, the military, and private security officers employed by the development company, Fil-Estates Properties.

In 1995, the Manila Southcoast Development Corporation had entered into a joint venture with Fil-Estate Properties to develop 1,269 hectares of the Hacienda Looc into the Harbortown Golf and Country Club. The complex is to include four golf courses, a 120-room luxury hotel, holiday chalets and a yacht marina. The local and national governments support the development – the largest in the country – whose instigators in the business world have close connections with Filipino politicians.

Since 1996, the farmers have been engaged in a series of lawsuits accusing local officials of taking property fraudulently on behalf of Fil-Estate Properties. The farmers argue that much of the land had already been allocated to them by land reform policies. However, in April 2009, their campaign suffered a set back when the Court of Appeals rejected a petition filed by 45 farmers to protect 1,000 hectares of their land, paving the way for their certificates of ownership to be cancelled.

Adelaide Sevilla, one resident, who appeared in The Golf War, a documentary film about the project (Schradie and DeVries, 2000), said: "If we lived in a city we would not have means for livelihood. We do not know the jobs there, unlike here, where we can eat as long as we plant kamote [a type of sweet potato]. Our aspiration is to have land to till and cultivate all throughout our lives, as long as we live because it is what feeds and supports our children."

Thirst wars

by the UN Economic and Social Council (ECOSOC) in its General Comment 15 on Articles 11 and 12 of the International Covenant on Economic, Social and Cultural Rights (ICESCR). These Articles set out the human right to adequate food and physical and mental health, and the responsibility of states to take measures to ensure their provision. According to ECOSOC (2002):

'The human right to water is indispensable for leading a life in human dignity. It is a prerequisite for the realization of other human rights ... The human right to water entitles everyone to sufficient, safe, acceptable, physically accessible and affordable water for personal and domestic uses.'

The ICESCR has been ratified by 151 of the 192 UN member states. However, ECOSOC's General Comments on the Covenant are not legally binding, but are intended to assist states and international organisations to fully realise the rights contained in the treaty. Thus, access to adequate, potable water as a human right remains a contested issue.

Some 13 percent of the world's population – nearly 900 million people – do not have enough food and water to live healthy and productive lives (UNESCO, 2006a). In many parts of the world, water availability is decreasing and its quality is worsening. Water shortages are already an issue in many places with low rainfall – the same places that are attractive destinations for tourists. In numerous countries, the situation is being greatly exacerbated by the impacts of climate change (see page 38). Less rainfall means increased water scarcity, while rising sea levels are breaching coastlines and contaminating freshwater tables.

As the cost of maintaining water supplies goes up and as water itself becomes scarcer, the existence of some communities will be threatened. As the twenty-first century advances, the UN has talked of 'water wars' becoming a threat in some parts of the world, such as Africa, where up to one in two people could face water scarcity by 2025 (Smith, 2009).

A lack of clean water, whether it is for drinking, hygiene, sanitation or agriculture, is linked to other rights, such as the right to a livelihood, health and education. Water also plays an important role in many cultural rituals, so a shortage can undermine cultural rights. The further people have to walk to collect water, a role predominantly fulfilled by women, the less time they have to spend on other important livelihood and social activities, such as growing food and caring for children. Thus: 'The human rights implications of water related concerns ... go beyond the immediate issue of access to water' (Institute for Human Rights and Business, 2009).



By a pool on Gran Canaria. Scarce water resources are often diverted from local communities to provide for tourists.

The inequalities of water consumption between developed and developing countries are starkest in the tourist resorts of poor countries. According to the Food and Agriculture Organisation, 15,000 cubic metres of water can sustain 100 rural families in developing countries for three years, or 100 nomadic pastoralists with 450 cattle for three years, or 100 urban families for two years. The same amount of water would supply 100 guests in a luxury hotel for just 55 days (Vidal, 1995). Luxury resorts in Zanzibar use up to 2,000 litres of water per tourist per day. A Yale University postgraduate study estimated that the daily domestic water consumption of local people in Zanzibar is just 30 litres per day (Gössling and Hall, 2006).

The tourism industry invests heavily in the infrastructure of destinations, primarily to meet the needs of tourists. Scarce water resources are diverted from communal supplies to provide for tourists – who expect flushing toilets, baths and showers, water features, swimming pools, well-tended lawns and golf courses. Tourists consume far more water than locals – and far more water than they do at home.

Gambia

A Gambian lodge owner tells how new hotel developments are affecting his community: "the water table in our region is dropping by one metre per year. It is a serious problem and yet

Case study: Water

there appear to be no controls whatsoever on the tourist strip where most of the hotels are" (Goodwin, 2007).

Costa Rica

In a major victory for residents of the village of Sardinal in Costa Rica, in 2009 the constitutional court ruled against a controversial water pipeline project which would have drawn water from their aquifer to supply the sprawling resorts and golf course of Ocotal and Playas del Coco on the country's Pacific coast. The villagers staged a series of heated protests against the proposed pipeline, which at one stage forced the work to stop. According to Mauricio Alvarez of the Costa Rican Federation for Conservation of the Environment, the villagers had not been told about the pipeline.

"They feared that in the future there will be no water for them and that priority will be given to the tourists," he said (Zagt, 2009).

South India

The fast-paced growth of tourism in Kerala – with its backwaters, beaches and nature reserves – has come at a cost. "Water is probably the biggest issue here now," says campaigner Sumesh Mangalassery. "Most of the hotels rely on water being brought in by tankers from nearby villages... Two years ago, there were protests about the situation here, with villages complaining their water was being stolen. A handful of the villagers were selling access to their wells to the hotels, who were using them to fill giant ten-thousand-litre tanks on to the back of trucks and transporting them down here" (Hickman, 2007).

Golf guzzlers

Golf is a multinational business with highly placed corporate interests, celebrity endorsement and government support. Golf tourism creates many jobs and generates huge amounts of revenue. Since 1985, as the sport has become increasingly popular across the world, the number of golf courses in Europe alone has doubled. Where once a swimming pool was needed to keep tourists happy, a golf course is now the order of the day.

As well as guzzling land, the creation of golf courses — and the attendant hotels and condominiums — has a devastating effect on the rights of local people and the environment. There is contamination from fertilisers and pesticides, which poses a threat to the health of people and ecosystems (see page 21), as well as habitat destruction and, above all, an increase in water consumption. Every day, an estimated 2.5 billion gallons of water are used to irrigate the world's golf courses — the equivalent to the daily water needs of four-fifths of the world's population (Worldwatch Institute, 2004).

Water-scarce Cyprus is a late arrival on the golf scene, but is rapidly catching up. In 2009, the government gave the go-ahead to 14 new golf courses, which will bring the total number on the island to 17. But water supply is already a problem and reserves are said to be at their lowest for a century (Tourism Concern, 2009b).

According to Christos Theodorou, head of the Federation of Environmental and Ecological Organisations (FEEO) of Cyprus, a 'double crime' is being committed.

"On the one hand, they're going to be building on farmland and damaging the flora and fauna; and on the other, the projects will consume water and require desalination plants, worsening the pollution of the environment ... With the island in the throes of a long drought, and with scientists warning of increasingly lesser rainfall in the years to come, it is inconceivable that we are turning to golf courses" (Hazou, 2008).

The Cypriot government says that each golf course will have its own desalination unit which will be powered by renewable energy sources. It argues that golf courses will strengthen tourism and economic growth. However, FEEO has pointed out that renewable energy technologies are not yet advanced enough to keep up with such a growth in demand, and that funds would have to be diverted from existing energy needs.

Constantinos Charalambous of Friends of the Earth Cyprus (2009) agrees that the plans are unsustainable and can only cause more water shortages. "Research shows that golf courses in Cyprus are not profitable for the owners, unless they combine them with the building and selling of big villas and hotels around the course – which is what the government proposes for making the investment more attractive. No one is interested in playing golf when the temperature is up to 38 degrees or more. So the golf courses are just an excuse to allow the building of more hotels and villas in areas that are not supposed to allow these kinds of investments." he says.

The sacred for sale

Indigenous peoples shall not be forcibly removed from their lands or territories. No relocation shall take place without the free, prior and informed consent of the indigenous peoples concerned and after agreement on just and fair compensation and, where possible, with the option of return Article 10, UN Declaration on the Rights of Indigenous Peoples

n 13th September 2007, the UN General Assembly adopted the United Nations Declaration on the Rights of Indigenous Peoples. This sets out the individual and collective rights of the world's 370 million native peoples, spread across 70 countries worldwide. It calls for the maintenance and strengthening of their cultures and emphasises their right to develop in keeping with their own values, needs and aspirations.

Indigenous peoples – groups self-defined as ethnically distinct and whose cultures and traditions managed to largely withstand the social, cultural and economic impacts of colonialism – have unique cultural practices, social institutions and legal systems. Indigenous peoples have frequently been regarded as inferior and 'under-developed' by mainstream society. Such a distinction requires that it is not only their individual rights as human beings that need protecting, but also their collective rights as discrete groups with particular needs, such as the protection of their ancestral lands.

However, the frequent lack of official title deeds means that indigenous peoples are increasingly the losers in the tourism game. Their land, natural resources and cultures are regularly packaged into a tourism 'product'. This is happening all over the world – in Kenya, India, Honduras, Ethiopia, Ecuador, Botswana, the Andaman Islands, Australia and so on. However, for indigenous peoples, land is not a commodity that can be owned and sold, but something that has been held in trust from ancestral times for future generations (Gray 1996; Downing 1996). Their daily life revolves around belief systems and knowledge and kinship patterns strongly linked to the places occupied by their ancestors. Thus, forcible eviction from their traditional land can cause not only psychological suffering, but also cultural destruction.

Quebrada de Humahuaca, Argentina

The Quebrada de Humahuaca, an ancient valley in northeast Argentina, became a UNESCO World Heritage site in 2003. Two years later, 40 families from the indigenous Collas community were forced to leave their homes when developers, accompanied by police and an excavator, arrived on their land. The developers reportedly claimed that the property was theirs, despite having neither title deeds nor a judicial order to carry out an eviction. They were said to be planning to build hotels in anticipation of a tourism boom (COHRE, 2006).

■ Narmada Dam, India

Tribal people living near the controversial Narmada Dams project in Gujarat have been struggling against displacement for over 20 years. One group, the Tadvi, had their land acquired for 'public purpose' in 1961. However, fair compensation has never been paid and they have remained on their land. Then, in 2005 the government announced the Kevadia 'ecotourism' project, covering 1,777 hectares of Tadvi land and again threatening them with displacement.

The government has been seeking private investment in the project, despite its avowed 'public purpose'. Furthermore, contrary to its supposed 'eco' credentials, the proposed tourism project includes a water park, golf course, botanical garden and theme park (Equations, 2008:7).

Despite protests by the Tadvi, in August 2009 the government confirmed that the project would be fast-tracked (Pareek, 2009). Hari Tadvi, of Tadvi organisation Satyagrahi Samiti, says that the government is "trying to develop tourism in the agricultural land of tribal farmers." (Indian Express, 2008).

Siria Maasai, Kenya

One night in 2003, the homes of the 300 families of the Siria Maasai on the Paradise Plain on the borders of the Maasai Mara National Reserve were razed to the ground. One young man was shot in the back and killed as he tried to run away.

The Siria Maasai claim that they were thrown off their land by a private company, the Oloololo Game Ranch Ltd, which hired mercenaries to evict them. The company claims it has a title deed to the land and, although that deed has never been produced, a court accepted the claim and gave them control over the land. The Siria are now forced to squat on a nearby escarpment. They are still fighting to be recognised as the rightful land owners. Two luxury tented camps, Kichwa Tembo and Bateleur Camp, complete with infinity pools, now bring tourists to the site of their former home (Minority Rights Group International, 2009).

The rights of indigenous peoples

The Bushmen of the Kalahari

One of the most high profile cases of forcible eviction of tribal peoples is that of the San Bushmen of the Central Kalahari Game Reserve (CKGR) in Botswana. In 1997, the Botswana government instigated the first series of evictions of Bushmen from their ancestral lands, where vast diamond deposits have been found. In June the following year, about 600 Bushmen were moved from Xade in the reserve to 'New Xade', a site 60 kilometres outside the CKGR boundary, where they have lived in conditions lacking any infrastructure and affording no water supplies. Despite this, the government claims it is acting in the best interests of the San by bringing them into the 'modern' world, where they will have better access to healthcare and education. However, the Bushmen reject the concept of development as defined by the modern world. Their defence of their own world view and their right to determine their own future is defiant. "We think we are developed. We survive on this land. I don't know what they mean by development. I want my culture to be respected."4

In an attempt to enforce the evictions, the San were forbidden to hunt in the CKGR. Health care, water and food supplies to the reserve were withdrawn. The evictions continued until 2006, when, following a protracted legal battle, the Botswana High Court declared that the eviction of the Bushmen was 'unlawful and unconstitutional'. Since then, however, the government's policy of intimidation has continued. In May 2009, the goats of the Bushmen, which had only recently been returned to them, were rounded up and confiscated. Survival International, reporting on the situation, said: "Unless they can return to their ancestral lands, their unique societies and way of life will be destroyed, and many of them will die" (Survival, undated).

Now the government has decided that it wants to develop a tourist lodge near the Bushmen's community at Molapo and, in 2008, awarded the concession to the South African owned business, Safari and Adventure Company. The new tourist lodge will undoubtedly need to access a borehole for water. Meanwhile, the government has reportedly removed the pump from the Bushmen's borehole, forcing them to drink water from rain-



A traditional Bushmen dwelling. Their eviction from their ancestral lands has put their survival in doubt.

filled depressions in the sand or to make a round trip of over 400 kilometers to fetch water from outside the reserve using donkey-carts (Finn, 2008).

Botswana is not a signatory to the ILO Indigenous and Tribal Peoples Convention, the strongest international legal instrument safeguarding tribal peoples' rights. This convention states that indigenous peoples: "shall have the right to decide their own priorities for the process of development as it affects their lives, beliefs, institutions and spiritual well-being and the lands they occupy or otherwise use, and to exercise control, to the extent possible, over their own economic, social and cultural development. In addition, they shall participate in the formulation, implementation and evaluation of plans and programmes for national and regional development which may affect them directly" (ILO, 1989).

In March 2009, the UN Human Rights Council concluded its review of Botswana, in which Denmark urged the government to 'provide access to land and support for the residents of the reserve, as specified in the United Nations Declaration on the Rights of Indigenous Peoples.' The San have said tourism should not be developed in the reserve unless they are in control of it. Bushman Tobee Tcori said: "There should be no tourism in that area before we go back" (Survival, 2009).

Short-changed?

Indigenous peoples have the right to redress, by means that can include restitution or, when this is not possible, just, fair and equitable compensation, for the lands, territories and resources which they have traditionally owned or otherwise occupied or used, and which have been confiscated, taken, occupied, used or damaged without their free, prior and informed consent⁵

Article 28, UN Declaration on the Rights of Indigenous Peoples

t is bad enough to be deprived of a home and driven off land that has traditionally provided a livelihood. It is even worse to suffer this treatment with little or no recompense.

Endorois, Kenya

In Kenya, the Endorois, a semi-nomadic pastoralist people, were expelled from their lands in 1973 to make way for a conservation area – and tourism. This included the Lake Bogoria Hotel, which is owned by former president, Daniel arap Moi. The Endorois were moved to inhospitable land which was unable to support cattle, but their ire was placated by government promises of an income from tourism. They received no money until 2006, more than 30 years after the evictions. Even then, they were given four percent of the revenues instead of the promised 10 percent. Their case is being heard by the African Commission on Human and People's Rights; a result was due in 2009 (Minority Rights Group International).

Moken, Thailand

The Moken are an ethnically distinct, nomadic people who would traditionally spend most of their time on the Andaman sea between Thailand and Burma, settling on the coast only during the monsoon. In the 2004 tsunami, the homes and boats of the Moken living on the

tourism coast of Khao Lak in Thailand were completely destroyed. While still living in temporary camps inland, the government announced plans for a German-funded hospital to be built on the site of the Moken village of Tung Wa. However, the German Embassy refuted the announcement: this was an attempt to seize prime tourism land.

The government did not offer the Moken compensation, only permanent housing several kilometres inland. However, the Moken weren't moving. Hong Kathalay, a Moken fisherman, said, "I have lived here since I was born. Our ancestors are buried here. My children were born here. This is our home" (Rice, 2005).

Akom Samas, a Moken leader, said: "A local government agency claimed our land. We rejected this and started rebuilding. Certainly there are some greedy people trying to benefit from our misfortune. We've been intimated and threatened by private investors and by land speculators." (Hagler, 2005)

Eventually, the Moken were forced to lease their land back from the government. However, the lease only extends for five years and over a third of their land was kept for development. "Now we are all very concerned about the land tenure. We would like to construct a place for our children to stay on. Because after five years what's going to happen?" asked Samas (ibid).



This father and his son are Chao Ley or Moken, known as Sea Gypsies. They don't own title deeds to their land, leaving them vulnerable to land-grabs by government and developers.

⁵ http://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf

The right to social progress and development

Foreign exploitation: where the money goes

Social progress and development shall aim at the elimination of all forms of economic exploitation, particularly that practised by international monopolies

Article 12, UN Declaration on Social Progress and Development

he tourism industry is dominated by a small number of powerful transnational corporations (TNCs). These companies increasingly control whole segments of the global tourism supply chain the tour operators, airlines, hotels, coach companies and car rental firms. It is very difficult for local entrepreneurs in destination countries, particularly in the developing world, to compete against such a power block. Rather, local hoteliers are dependent on the tour operators and the airlines to supply the tourists, which means that the parent TNCs can call the tune. In The Gambia, one local hotel manager reported that the rates paid to hotels by overseas tour operators have barely risen in ten years. The operators can effectively dictate the volume of tourist flows to the country, and hotels have little choice but to accept the contractual terms they are offered (Sharpley, 2009).

Tourism is often dubbed 'the engine of development' for countries in the developing world and hailed as a means of creating jobs, stimulating investment and generating foreign exchange. Yet the uneven pattern of ownership within the global industry creates vast 'leakages' of revenue – whereby the money generated by tourism 'leaks' back to the tourism operators and suppliers in the industrialised world and never reaches local hands.

All-inclusive packages, for example, in which tourists pay for virtually all their holiday needs upfront to a tour operator in their home country, bring little benefit to host countries. Again, The Gambia – which has seen a proliferation of all-inclusive packages – saw an annual increase in international tourist arrivals of 7.5 percent between 2000 and 2005. However, annual average earnings for Gambians decreased to just US\$290 – less than a dollar a day – while the spread of poverty has continued unabated since the 1990s (ibid).

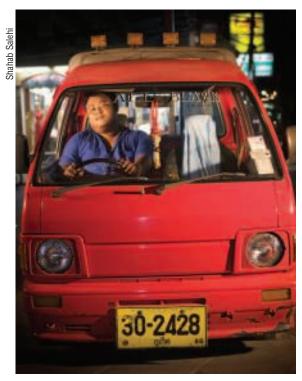
Tourists require modern infrastructure, chic hotels, smooth roads and modern airports. This is often financed by bilateral and multilateral aid, which ultimately has to be repaid. Tourists also expect to find familiar food at their holiday buffet, which may have to be imported. Similarly, luxury hotels can not source furnishings locally – they, too, have to be imported. These costs contribute significantly to the leakages.

Globalisation and the dominant mantra of free trade means that homegrown tourism industries find it even harder to compete against the big industry players. Despite crippling shortages of funds to pay for basic services, such as health and education, cash-strapped governments in the developing world compete against each other to lure the business of foreign



Advertisement in Sri Lanka. Coastal land all over the world is up for sale to foreign investors.

The right to social progress and development



Jirawat, a tuk-tuk driver in the resort of Phuket in Thailand, says that tourism means price increases. "In the past, when I was short of money at least I could do fishing, but now we don't have any fish left."

investors with offers of tax holidays, tax concessions and other inducements as a means to stimulate economic growth. In Cambodia, for example, the government allows investors to form 100 percent foreign-owned companies which can buy land outright (Levy and Scott-Clark, 2008). Such practices have led many campaigners in destination countries to dub tourism as 'the new colonialism'. Furthermore, as the example of The Gambia above illustrates, the link between tourism and wider social and economic development is yet to be proven, and is in many cases negligible (Sharpley, 2009).

This letter, which appeared in *The Gleaner* newspaper in Jamaica, describes the costs of tourism to local people:

"Millions of taxpayers' dollars have been spent on super highways, improved water supply, beautification and policing projects for this [tourism] industry. Additional millions are now being spent to expand old and build new ports for cruise ships. We have given away all of our most beautiful beaches and coastline areas for hotel and condo development. As a result of the all-inclusive hotel concept, the local population has been cut off from fully sharing the proceeds from tourism. Each year, our minister of tourism gleefully

announces that tourist arrivals exceed our expectations, yet the average Jamaican, particularly those in the tourist areas, complain of little benefits... What measurements do we have to assure us that the investment of our distressed taxpayers in tourism has provided acceptable returns? How do we determine that a reasonable percentage of the tourist dollar remains in and circulates in our economy? We should no longer be prepared to accept that what is good for tourism is always good for Jamaica." (Lofters, 2008)

Rough seas

The cruise ship industry in the Caribbean is an enormous and growing sector of the region's tourism industry. The cruise ships, none of which are owned by Caribbean nationals, are mobile, self-contained holiday resorts. The islands they patronise benefit

A fair deal: the Maasai voucher scheme, Kenya

A project in Kenya supported by the Travel Foundation shows how it is possible to provide a sustainable and responsible tourism experience.

For more than 30 years, the Maasai of the Maasai Mara had been exploited by driver guides who pocketed over 90 percent of the money paid by visitors to go on cultural tours of the communities. On the initiative of Cheryl Mvula, a consultant in responsible tourism, a new system has been put in place. Tourists now buy a US\$20 voucher from their lodge for a tour. The vouchers are handed over to the village headman who exchanges them for money which is paid directly into a special village fund controlled by the Maasai community. Despite some teething problems, more and more communities are adopting the system.

As a result of the project, earnings from tourism have vastly increased. In the village of Enkerei, for example, where the project began, 165 people have access to clean water and sanitation for the first time, and 300 children now have the opportunity to go to school. As the Travel Foundation (2007) puts it: 'Villagers now, for the first time in over 30 years of running tourism businesses, feel that they are part of the tourism industry in Kenya.'

The right to social progress and development

briefly from these transient visitors, but the power remains with the cruise lines.

Islands have to invest heavily to keep the cruise ships happy and the operators can pick their own itineraries – playing off the different islands according to what they require. The Dominican Republic, for example, has invested more than US\$3.6 million in port facilities since 2002.

Cruise ships employ only a small percentage of Caribbean nationals. Six of the major cruise lines own private 'desert islands' for their customers to enjoy, which cuts out any benefits to local people. Furthermore, rather than sourcing products from local producers and suppliers, the cruise ships transport everything with them.

Caribbean cruising - not so cool for the workers



Gigantic cruise ships provide floating all-inclusive holidays for millions. The places that they visit, such as the islands of the Caribbean, benefit only briefly and slightly but are in thrawl to the powerful cruise industry.

The officers and management of the cruise lines of the Caribbean are dominated by European and North American staff, supported by an 'international crew' often drawn from the poorest parts of the world, including Latin America, India and the Philippines. Crew members are typically paid low wages, labour for long hours in shoddy conditions and endure an authoritarian

management code. "Conditions for workers below deck haven't improved in decades," says Tony Sasso, a Miami-based inspector with the International Transport Workers Federation. "Many are reluctant to come forward and complain. To most people, workers on cruise liners are nonentities. They have an almost invisible existence" (Pattullo, 2005).

Riding the wave

he tsunami of December 2004 killed more than a quarter of a million people in 11 countries bordering the Indian Ocean and devastated many coastal areas. In the wake of the disaster, some governments saw the mass displacement of coastal peoples from their land as a golden opportunity to sell off and develop the beaches for tourism. In many places, newly established coastal buffer zones prevented residents from returning to rebuild their homes and their livelihoods – ostensibly to protect them from another tsunami.

However, this rule has not been applied to tourism developers, who seem to be free to flout any such coastal planning laws (Tourism Concern 2005). As Naomi Klein reported in The Shock Doctrine (2007), according to the Thailand Tsunami Survivors and Supporters Group, "for businessmen-politicians the tsunami was the answer to their prayers since it literally wiped these coastal areas clean of the communities which had previously stood in the way of their plans for resorts, hotels, casinos, and shrimp farms. To them all these coastal areas are now open land."

While the Indian and Sri Lankan Governments have been pumping funds into new tourist initiatives, many of the people who had their homes and livelihoods devastated by the tsunami still live in poor conditions. For example, in Sri Lanka, as of July 2008 – more than three and a half years since the tsunami hit – over 6,000 families were still in need of rehousing (UN Habitat, 2008).

Fishing communities everywhere have been sidelined as tourism projects flourish. Large, internationally owned hotels are increasingly colonising beach fronts, leaving little room for fishermen to store boats and nets. In some places, fishing, especially around coral reefs, has been banned. Where fishing is allowed, catches have dwindled, affected by effluents from hotels and chemical deposits from golf courses and other industrial developments. For many of these communities, fishing is much more than just a job. It is a way of life that has been practised by their families for generations. And with limited educational and employment opportunities – including in the tourism industry – it may be the only livelihood option available to them.

Arugam Bay, Sri Lanka

Arugam Bay is a low-key surfing destination traditionally dependent on farming and fishing in east Sri Lanka. Following the tsunami, it was one of 15 locations earmarked for tourist 'townships' by the government at a cost of US\$1.2 billion. New housing for an estimated



A lone fisherman casts his line at Unawanatuna, Sri Lanka. Since the tsunami many fishing communities have been rehoused inland and cannot afford the daily journey to the coast.

5,000 displaced families was to be provided in five separate inland locations – more than one kilometre from the sea, cutting the fishing families off from their only source of livelihood. The chairman of the Sri Lanka Tourist Board allegedly told the community: "These houses will be given to people who support our programme... If you build any illegal structures in Arugam Bay, the army and the police will have to come and remove them" (Fernando, 2005).

Raheem Haniffa, a local tourism entrepreneur, said: "Nobody talked to us about the development plan or asked us what we thought. Nothing was said about compensation for having to leave the homes or the land that we own" (Tourism Concern, unpublished). Following vehement opposition from local residents, the plans were shelved. However, since the end of the civil war in May 2009, the development of tourism in Sri Lanka is being aggressively pursued once more.

■ Kerala, India

In Kerala, southern India, the state government has identified 20 'beach beautification' schemes to be funded by money from the central government's Tsunami Rehabilitation Programme. One of the projects, an artificial reef planned for Kovalam, would put 500 fishermen out of work and see fish breeding grounds used for sports fishing for tourists. Local opposition groups also fear that waves deflected off the reef will cause increased erosion in neighbouring fishing communities (Tourism Concern, 2008a).

Case study: The tsunami of tourism

■ Kovalam, Tamil Nadu, India

In April 2006, on the eve of the Tamil New Year, police raided the village of Kovalam, 30 kilometres south of Chennai. Villagers, including women, were beaten. A number of men and eight children were arrested. One man later died of his injuries. The villagers say that the police raid had been prompted by a complaint by the general manager of the luxury Fishermen's Cove Beach Resort Hotel, who made unsubstantiated claims that hotel guests had been threatened by villagers using 'deadly weapons'. The hotel had also complained that fishermen had been defecating in front of the hotel and parking their boats on the beach (Mangalassery, 2009).

The hotel, now owned by the Taj Group, was built on village land some 30 years ago with the permission of the local panchayat (village council). In exchange, the community was provided with supplies of rice and drinking water, and help with children's school fees.

However, following the tsunami in 2004, which destroyed houses and washed Kovalam's boats and fishing equipment out to sea, relations began to sour when the villagers parked their newly donated boats on the beach in front of the hotel. The hotel management demanded that the boats be removed since they obstructed the tourists' view of the sea. More recently, the hotel has appropriated additional beachfront land (previously used by fishermen) by planting coconut palms. Uniformed security guards parade the beach in front of the hotel, often challenging local residents who attempt to pass (Tourism Concern, 2008b).

■ Kaipanikuppam, Villupurum District, India

Kaipanikuppam is a poor fishing village one hour's drive north of Pondicherry. No one died in the tsunami here, but houses were destroyed and all fishing boats and equipment were lost. By May 2008, only 115 new houses were built to accommodate some 250 families, making living conditions extremely cramped. According to the villagers, their new houses leak, there is a lack of privacy and sanitation is poor. The village desperately needs to build more homes, but the land on either side of Kaipanikuppam has been bought by developers and sold on for tourism and industrial developments. A large Indian hotel conglomerate has allegedly acquired 160 acres of land to the north of the village. The company needs the approval of the



Will these local men in Kaipanikuppam, India, benefit from tourism?

panchayat before it can start building and has tried to tempt the villagers with promises of jobs. However, with little education and a lack of skills, the community realises that they are unlikely to benefit. Meanwhile, real estate agents continue to put strong pressure on the villagers to sell their land, before selling it on for massive profits.

☐ Chothavilai, Tamil Nadu, India

In this village with its famously beautiful beach: "Large acres of land have been fenced off in preparation for future holiday homes and guesthouses. A few tastefully designed houses are already in place, warding off the local community with heavily padlocked gates with signboards warning off 'unwelcome visitors'" (Kabani, unpublished).

□ Batticaloa, Sri Lanka

In Batticaloa, eastern Sri Lanka, a picturesque promenade complete with green benches and wooden gazebos encircles a lighthouse. In a clear example of tourism developments taking precedence over the needs of local people, fishermen must store their nets in corrosive sea water and their boats among the few coconut palms on either side of the development.⁶

It makes you sick

Everyone has the right to a standard of living adequate for the health and well-being of himself and his family

Article 25, Universal Declaration of Human Rights

he right to health is closely connected with other human rights such as the right to housing, to freedom of movement, to employment, and the right to land, water and a livelihood. If these rights are not in place, the quality of people's lives deteriorates and with that, their health.

Tourism can have a direct impact on the health of local people. Golf courses (see page 12), for example, require high doses of chemicals – seven times the rate per hectare of industrial farming (Monbiot, 2007). An average golf course in a tropical country such as Thailand needs 1,500 kilograms of chemical fertilizers, pesticides and herbicides per year (UNESCO, 2006b). Higher rates of some cancers, such as non-Hodgkin's lymphoma, have been found among golf course attendants (Monbiot, 2007).

Lifestyle choices and individual behaviour can also put both tourists and locals at risk from sexually transmitted diseases, including HIV/ AIDS. Statistics are difficult to secure, but in Jamaica, the highest incidence of HIV/AIDS – twice the national average – has been recorded in the parish which includes the famous tourist centre of Montego Bay.

Working conditions in low-status tourism jobs are often detrimental to health: long hours, hard physical work, lack of rest, and unhealthy environments. But for the often poorly equipped porters who carry the luggage and equipment for trekkers in the Himalayas, in Peru or up the slopes of Mount Kilimanjaro, Tanzania, the cost can be frostbite, altitude sickness and even death.

Many porters in the Himalayas are poor farmers from lowland areas, and are as unused to the high altitudes and harsh conditions as Western trekkers. Nepalese porters suffer four times more accidents and



Effluent from hotels in areas lacking adequate infrastructure is commonly pumped straight out to sea to the detriment of local people and the environment.



A porter in Nepal. Many porters are not provided with adequate equipment to endure tough climbs and freezing temperatures; they risk frostbite and even death.

illnesses than do trekkers. Kalbahadur Rai is a Nepalese porter who was hit by altitude sickness while carrying a heavy load for tourists. An unsympathetic trek leader made him continue, then left him to descend alone. Kalbahadur slipped into a coma, and woke in hospital to find that his frostbitten feet had to be partially amputated. There are many reports of porters being abandoned by tour groups when they fall ill. They have even been abandoned in life-threatening blizzards while trekkers get rescued by helicopter. In Tanzania, there are reports of porters having to carry portable toilets up and – once full – back down Mount Kilimanjaro (Tourism Concern Ethical Tour Operators Group, 2009).

On Machu Picchu, Peru, a campaign initiated by Tourism Concern has helped to reduce the abusive treatment of porters. A member of the Machu Picchu Porters' Syndicate describes conditions before the campaign began: "The wages we receive don't match the physical effort we put in. The tour operators don't offer us equipment like sleeping bags and waterproofs... We have to sleep outside. We are contracted as 'beasts of burden'...and treated as if we weren't human." Following a syndicate-led strike in September 2001, there is now a US\$8 a day minimum wage for porters. The government fines agencies that fail to comply with the regulations and in some instances, has withdrawn their operating permits.

The right to health and well-being

☐ Chapelco, Argentina

The Mapuche people, who live downstream from the ski resort of Chapelco in Patagonia, have used water from a local stream for generations. However, with the opening of the resort they began to suffer frequent attacks of diarrhoea, urinary infections and stomach ailments. The waters were contaminated by the discharge of

effluent from the resort. After local people took action, by barricading access to Chapelco, the resort eventually installed a sewage plant and some of the community's water problems have been resolved. However, snow cannons (artificial snowmakers) used by the resort suck up much of the water that serves the Mapuche, threatening shortages (Mowforth et al., 2008).

Porters on Kilimanjaro

Porters crammed into a small tent on Kilimanjaro, Tanzania.

Kilimanjaro Porters' Assistance Project (KPAP) is striving to improve the working conditions of mountain porters, using guidelines developed by Tourism Concern. Since July 2004, KPAP has provided proper mountain climbing gear for 4,782 porters and has sponsored classes in first aid and HIV/AIDS awareness.

'Many porters are poorly outfitted for the physical rigours of climbing and suffer due to inadequate protection from the extreme weather found on the mountain. KPAP provides mountain climbing clothing, at no cost, to porters' (KPAP, 2008).



KPAP monitors trekking companies to ensure that their practices on the mountain reflect what is professed in their brochures. This includes interviewing porters and observing climbs.

Culture vultures

Everyone, as a member of society, has the right to social security and is entitled to realisation...of the economic, social and cultural rights indispensable for his dignity

Article 22, Universal Declaration of Human Rights

he fundamental right to dignity and respect is reinforced in Article 2 of the UN Declaration on Social Progress and Development. This emphasises 'the importance of founding development on respect for the dignity and value of the human person and the recognition and effective implementation of economic, social and cultural rights without any discrimination.'

In some developing countries, however, local cultures are subsumed and consumed by tourism. In many instances, this undermines the economic, social and cultural rights that are seen as intrinsically linked to a person's right to dignity. For indigenous tribal groups in particular, contact with tourists can upset cultural norms and lead to changes in dress and behaviour. Traditional arts, such as dance, are modified to suit the tastes of tourists, while traditional crafts are lost to be replaced by imported, mass produced plastic replicas.

As tourism penetrates ever remoter parts of the world, many indigenous peoples are experiencing strangers in their communities for the first time. But they did not invite these outsiders in and have little control over the encounter, which is often intrusive, voyeuristic and brings little benefit to local people.

Fragments of Epic Memory (1997) by Derek Walcott,

Nobel prize-winning poet from St Lucia

"But in our tourist brochures the Caribbean is a blue pool into which the republic dangles the extended foot of Florida as inflated rubber islands bob and drinks with umbrellas float towards her on a raft. This is how the islands from the shame of necessity sell themselves; this is the seasonal erosion of their identity, that high-pitched repetition of the same images of service that cannot distinguish one island from the other, with a future of polluted marinas, land deals negotiated by ministers, and all of this conducted to the music of Happy Hour and the rictus of a smile. What is the earthly paradise for our visitors? Two weeks without rain and a mahogany tan, and, at sunset, local troubadours in straw hats and floral shirts beating 'Yellow Bird' and 'Banana Boat Song' to death."



Mao is a 17-year-old tour guide in Sapa, Vietnam. When strangers ask to visit her home and take photographs, her parents feel uncomfortable, but the family need the money and do not complain.

Private lives

Article 12 of the Universal Declaration of Human Rights states that: 'No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.' However, the protection of the law has been of little use when the lives of local people are disrupted and their privacy invaded by the presence of tourists.

Tunisia

The Berbers of Matmata, a village in southern Tunisia, live in pit dwellings dug out of the sandstone. They have become a great tourist attraction, especially since the film Star Wars was shot there. "This is tourism at its most voyeuristic," says the Rough Guide to Tunisia, "and barbed wire and dogs around many of the pits demonstrate that not everyone in town is happy about it" (Jacobs and Morris, 2001).

□ Slum Tourism

The demand amongst tourists for 'novel' experiences has made so-called 'slum tourism' a new attraction. However, visiting the informal settlements of Mumbai, India, or the favelas of

The right to dignity, respect and privacy

Rio in Brazil on organised tours has been criticised for turning the lives of the poor into a voyeuristic sideshow, which does little to tackle the poverty which forces people to live in such conditions. Others argue that, if organised by community groups or through organisations working directly with local residents, the experience can be positive and empowering.

The Morrinho Project is a tourism initiative based in the favelas of Rio. The main focus is to support community-controlled tourism activities and provide income generating opportunities for local people. Kelly Martins Oliveira, president of one of the residents associations which has been consulted on the project, says: "It gives visibility to the community in a positive way and promotes wealth generation. The community likes hosting tourists as they can show how proud they are of their home. In time, the benefits could be larger, with more people being involved in, for example, hosting tourists

in their own houses. Money generated by tourism activities could be invested in social activities" (Tourism Concern, 2008c).

Over-exposed

Tourists often take pictures of local people without seeking permission, a practice which can lead to tensions between host and visitor. Tourists may also be asked for money in exchange – thus the photographer is the consumer; the photographed local is the object that is bought.

In stark contrast to the situation facing the Mursi (see opposite), the Kuna people of the San Blas archipelago off the Caribbean coast of Panama have retained a high degree of autonomy over their land and the tourist encounter. Foreign ownership of land is forbidden. The Kuna general congress has passed a statute which states that tourist activities are only allowed if they respect, conserve and validate the culture and environment of the Kuna.



Indigenous peoples, such as these Mursi women of Ethiopia, some with lip plates, are often a popular tourist attraction, but typically have little control over the encounter with tourists and thus derive little benefit.

The Mursi of the Omo Valley, Ethiopia

It is a five hour drive from the nearest town to reach the Mursi of the Omo Valley in southern Ethiopia. Tourists pay to travel here by the carload to photograph the women of this remote tribe, famed for the large circular clay plates which they insert into a piercing in their lower lips. The tourists do not stay long, however, and the encounter is rarely a happy occasion for either visitor or host. As the tourists get out of their fourwheel drives, groups of Mursi of all ages cluster around them and, without welcome or greeting, press them for money in return for being photographed. 'Every visitor is hemmed in by pinching, poking, tugging people competing with each other as they demand that we take photos for money' (Tourism Concern, 2009d), Money from tourism can fend off starvation. But no one consulted the Mursi about the arrival of the tourists into their lives, what a fair price would be to host the visits, or the way in which they and their culture are represeonted.

David Turton, an anthropologist who has spent 40 years among the Mursi, talked to some Mursi men about their encounters with tourists. This is an edited extract from their conversation.

DT: When the tourists come up and down this road to the Omo and take photographs, and when we come and film you like this, what do you say about it, privately?

Arinyatuin: We say 'It's their thing. They are that sort of people – people who take photographs. It's the whites' thing'. What do we know about it? You are the ones who know. We just sit here and they take photographs. There's one [a Polaroid photograph] that, as you look at it, you can see your own body appearing. If it's bad, tell us.

DT: I'm trying to find out what you think...
Arinyatuin: We've no idea. They can't speak our language, so we can't ask them why they are doing it... When the tourists have taken their photographs, they drive off. We say, 'Is it just that they want to know who we are, or what? They must be people who don't know how to behave.' Even old women come and totter about taking photographs. 'Is this how whites normally behave?' That's what we say.

Bio-iton-giga: Why do they do it? Do they want



The Mursi women of Ethiopia with pottery plates worn in the lower lip are a curiosity for tourists. The Mursi see tourists as people 'who don't know how to behave'.

us to become their children, or what? What do they want the photographs for?

DT: They come because they see you as different and strange people. They go back home and tell their friends that they've been on a long trip, to Mursiland. They say: 'Look, here are the people we saw.' They do it for entertainment.

Komorakora: We said to each other, 'Are we here just for their amusement?' Now you've said the same, so that must be it.

Bio-iton-giga: If they are going to take photographs, they should give us a lot of money, shouldn't they? But they don't.

Arinyatuin: Yes, we are always arguing with them. They cheat us... They are thieves, aren't they? White people are thieves... This photography thing comes from your country, [smiling] where the necklace beads grow. Give us a car and we'll go and take photographs of you.

Human zoos

ourists to Baan Mai Nai Soi, a poor nondescript village in Mae Hong Son province of northwest Thailand, go to view what has been described by human rights groups as a 'human zoo'. The village is home to the Kayan, members of the ethnic Karen people who have fled fighting and persecution across the border in Burma. Baan Mai Nai Soi is one of three 'tourist villages' in Mae Hong Son housing some 600 Kayan refugees. The Kayan women wear brass coils around their necks, making them appear elongated (in fact, the rib cage is compressed). The villages are controlled by powerful Thai business interests, who earn a lucrative income from the tourists who flock there to stare at and photograph the so called 'long-necked' or 'giraffe' women. There are no men in evidence in the village – they do not wear coils around their necks so have no tourist value.

Groups of Kayan also live and work in tourist villages in the neighbouring provinces of Chiang Mai and Mae Sai. However, the situation they face is reportedly very different from the Kayan women of Mae Hong Son. The Kayan here tend not to come from war zones and enter freely as economic migrants. They are paid regularly for their work in the tourist villages and some feel they get a good deal (Tourism Concern, confidential source, 2009).

The poor treatment of the Kayan in Mae Hong Son and the widespread denial of their human rights is predicated on their vulnerability as refugees and their commodity value to the Thai tourist industry. Here we document how the various abuses of the Kayan's human rights contravene at least 14 different articles of the UDHR.

Article 1: 'All human beings are born free and equal in dignity and rights.'

In the tourist villages of Mae Hong Son, female Kayan children are born to a preordained life as stateless tourist attractions and are denied the right to choose whether or not this is what they want for themselves. For the vast majority, wearing neck rings and selling trinkets to tourists is their only means of subsistence. Male Kayan children are born into a life where they are hidden, living on the periphery of their families in the villages because they have no role as tourist attractions.

Zember, a young Kayan woman, decided to remove her neck rings, which she saw as a symbol of her entrapment. "People see us as aliens from another planet. They are shocked [to realise] we're normal human beings". No longer of value to the tourism industry, Zember is one of just a handful of Kayan to have had her request for overseas resettlement by the



Trying out the brass coil and headdress of the 'long-necked' Kayan who live in 'tourist villages' in Thailand.

UN granted by the Thai authorities. She now resides in New Zealand (Haworth, 2008).

Article 2: 'Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.'

The Kayan claim that when they first fled Burma, they were deliberately separated out from the other Karenni families into the tourist villages by the Thai authorities, while the other refugees were set up in an official UN camp. According to Mu Paw, a Kayan woman: "They do not want the Kayan to leave Thailand because of the money they bring in from tourism. The government told the world that the Kayan are free and happy, but this is not the reality."

Kitty McKinsey, a spokeswoman for the United Nations High Commissioner for Refugees (UNHCR) in Bangkok stated: "As official refugees the Kayan have the right to resettlement abroad or to full Thai citizenship, they are being given neither" (Haworth, 2008).

Article 3: 'Everyone has the right to life, liberty and security of person.'

The rings of the Kayan women are part of their cultural identity. In Mae Hong Son, for many Kayan, the rings have become a symbol of oppression.

Article 5: 'No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.' Many Kayan feel that they and their cultural practices have been turned into a commodity and a spectacle to please tourists. Zember said: "I don't want to be put on display anymore" (Haworth, 2008).

Article 6: 'Everyone has a right to recognition everywhere as a person before the law.'

Having been granted neither Thai citizenship nor refugee status for almost two decades, in December 2008 the Thai authorities gave the Kayan a choice between remaining in the tourist villages as 'economic migrants', or moving to the main refugee camp where they could gain formal refugee status and apply for resettlement overseas with the UN. A number of families chose to move to the camp. However, although hundreds of camp residents have now departed for third countries, only a handful of Kayan have been granted exit visas, with many applications appearing to 'stall'.

Meanwhile, the Kayan who chose to remain in the villages were assured they would receive Thai minority cards. It is thought that one village may have received them, but residents of another of the villages,



Kayan dolls, formerly crafted by the Kayan women, are now imported from China

Huay Pu Keng, had still not been issued with cards several months later, despite paying out considerable fees to the local business interests who control the villages. The window of opportunity for them to move into the main refugee camp has now closed, leaving them without legal recognition as either refugees or legal migrants. They are totally under the control of the businessmen (Tourism Concern, confidential source, 2008/9).

Article 9: 'No one shall be subjected to arbitrary arrest, detention or exile.'

The Kayan have significant limitations imposed on their freedom of movement and can only leave Mae Hong Son if they obtain an official permit. Some who have ventured outside the province have been forcibly returned. Mu La from Kayan Tayar, one of the villages in Mae Hong Son, said: "We want to leave here, never mind where to, only away from here. We feel like prisoners" (Oelrich, 2008).

The Kayan of Chiang Mai and Mae Sai also endure restrictions on their freedom of movement. In September 2008, 11 Kayan were arrested by police in Sattahip, near the popular beach resort of Pattaya, for breaching their temporary Thai entry permits by leaving the province of Chang Mai to work in a tourist village established in Sattahip. A Thai national, who allegedly organised for the Kayan to travel from the north, was also taken in for questioning (Panrak, 2008).

Article 12: 'No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.'

The Kayan have no privacy. Their homes in the villages are open to the gaze of visitors. Tourists pay an entry fee to the villages, which includes the 'right' to take their photographs.

Ma Lo is another young Kayan woman who took off her neck rings in protest against the exploitation of her private life and her culture. She says that there is a postcard of her breastfeeding her baby. "I was so ashamed when I saw the postcard for the first time, but I couldn't do anything against it" (Oelrich, 2008).

Article 13(1): 'Everyone has the right to freedom of movement and residence within the borders of each state.'

The Kayan women are virtually confined to the tourist villages. They can only go into the local town to buy food and are not allowed to stay out overnight. In

Case study: The Kayan

2009, a group of Kayan women who had opened a small cultural museum outside their village in an attempt to benefit more directly from tourism were ordered to return. The museum was closed by Karenni community leaders under pressure from the Thai businessmen who profit from the 'long-neck' villages. Some of the Kayan men have remained on the site, where they have built a fish farm and planted crops. However, their wives are prevented from joining them and have been told that they are not to be seen outside the confines of the 'human zoo' (Tourism Concern, confidential source, 2009).

In 2008, 11 Kayan, including four children, went missing from the village of Huay Sua Tao and were believed to have been abducted for tourism. When they were found a few weeks later by police in Chiang Mai Province, three of the adults were charged with human trafficking while the remaining four – despite allegedly the victims of human trafficking – were fined 1,800 baht for travelling outside Mae Hong Son without a permit. The deputy headman of their village claimed the group had left in search of work voluntarily, having not been paid for two months (Weng, 2008a).

Article 13(2): 'Everyone has the right to leave any country, including his own, and to return to his country.'

Mu Lon, a Kayan woman, was offered resettlement in New Zealand under a UNHCR programme. In 2006, as fellow Burmese departed for new lives abroad, Mu Lon and 20 others were left behind. The government had refused to issue them exit visas, claiming that it 'would be unfair to those in the camps who are waiting in line for resettlement.'

Since then, a few Kayan have been allowed to leave and others who entered the camp in December 2008 were granted refugee status. However, the resettlement prospects for many remain unresolved. Families are also being split up, as some family members have been granted refugee status while others are still waiting to have their applications accepted. They may have to wait five to ten years to join wives, children and siblings overseas (Tourism Concern, confidential source 2009).

Article 15: 'Everyone has a right to a nationality'
UNESCO research found that 'a lack of citizenship'
constituted 'the major risk factor for Highland girls



An everyday experience for the Kayan - a photo opportunity for the tourists.

and women in Thailand' vis-à-vis trafficking or similar exploitation (UNESCO Bangkok). However, Thailand is not a signatory to the UN's 1951 Refugee Convention, which would require it to take responsibility for stateless persons and refugees, such as the Kayan – leaving them vulnerable to exploitation by private interests. Kayan born in Thailand are not always registered and therefore do not have ID cards. Registration can be a long and difficult process and requires a level of literacy, which many do not possess. Others are not made aware of the requirement to register, while others say that the Thai 'owners' of the villages have prevented them from obtaining ID cards.

Article 17: 'Everyone has the right to own property alone as well as in association with others.'

Most Kayan have no legal status and therefore have no right to own property.

Article 18: 'Everyone has the right to freedom of thought, conscience and religion.'

Kayan culture allows women to make a choice about wearing the rings or not. "The Thai authorities just want us to stay and preserve our culture as a tourist attraction...but our culture brings us no benefits, only others. I feel unhappy about it – this is why I took off my neck rings," said Mu Whit (Weng, 2008b).

Article 23: 'Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.' Without citizenship, the Kayan women are denied the right to work except in the villages as tourist attactions. "Tourists pay an entrance fee of 250 baht (about £4)," explained Mu Paw. "About 1,500 baht per month is paid to the women wearing the neck rings during the high season. When tourist numbers drop during the rainy season, the fee is reduced and villagers must depend upon food aid. The money is controlled by a local Thai official who works with the village authority. The Kayan people do not know how much the local authority and the Thai village chief earn from tourists or the tour companies" (Tourism Concern, 2008d).

Article 25: 'Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family.'

The three Kayan villages lack basic sanitation and there is no electricity. Access to the villages is along poorly maintained roads, unlike most others in Thailand. According to Zember (2008): "The tourists think we are primitive people. The guides say they don't

want to see good roads or clean villages or anything modern, so we have to live like this to please the tourists."

Article 26: 'Everyone has the right to education.'

The lack of citizenship has a bearing on educational opportunities. Hill people in Thailand, such as the Kayan, have a significantly lower chance of entering primary school, according to a survey by UNESCO and the Thai government (UNESCO Bangkok, 2008).

Today, the first generation of literate Kayan women are struggling to escape the villages in order to continue their education, prompting some to remove their neck rings. Musar, an 18-year-old Kayan woman, says: "I am sad that I have had to take off my rings... [but] I wanted to continue my education. If I were allowed to study with these rings, I would put them on immediately" (Soe, 2008).

Other young women recount similar experiences. "I can't go out from the village. There is neither freedom nor basic rights living in the village," said 16-year-old Mu Thaung. "The main reason to take off my rings was to be able to further my education freely" (ibid).

Recently more than 10 Kayan girls have gone to high school outside their villages. However, the girls reportedly feel afraid of the local authorities and tour operators who control the villages. Some say they have been forced to put the rings back on by local Thai businessmen (ibid).

Article 27: 'Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.'

Traditionally, tribal people like the Kayan live from agriculture, raising animals and hunting. There is no merchant class, yet the Kayan in Thailand survive by selling themselves and trinkets. The Kayan are excluded from the cultural life of the Thai community around them while the survival and development of their own culture beyond a tourism commodity is under threat.

Lost innocence

The child shall be protected against all forms of exploitation. He shall not be the subject of traffic, in any form...and shall not be admitted to employment before an appropriate age Principle 9, Convention of the Rights of the Child

ince 1989, 191 of the world's countries have adopted the UN Convention on the Rights of the Child, which is geared specifically towards protecting the welfare of children. UN Conventions are legally binding, which means that those countries which have ratified have agreed to adhere to the provisions it contains.

However, these provisions are frequently flouted. Despite being illegal under international law, an estimated 13-19 million children work in the tourism sector, according to the ILO. This accounts for some 10-15 percent of the total tourism workforce, excluding those who work in the informal sector. Girls are particularly vulnerable, especially to sexual exploitation (ILO).

When the environmental sustainability of a destination is threatened by unregulated tourism development, so too are the rights of the child. 'Secure the future for our children,' for example, was a heartfelt slogan used by opponents of a mega-resort on the island of Bimini in the Bahamas.

Kenya

In Kenya, children who do not have access to schooling because of parental poverty are more likely to work in the tourist industry. "If I could get enough money, I could be a good parent, but right now I have nothing, that is why my two children are working as tour guides," said one parent (ILO, 2000).

Gulf States

Child jockeys, often trafficked from Asia and Africa, are used in camel races all over the Middle East – a centuries-old desert tradition and tourist attraction in the region. This is despite a ban on this practice being passed in the United Arab Emirates (UAE) in 2005.

As of May 2009, the UAE estimated that only 1,100 of the 3,000 child camel jockeys identified in 2005 had been returned to their homes in Bangladesh, Pakistan, Sudan and Mauritania (Anti-Slavery International, 2009). Some are as young as four years old, and are forced to work up to 18 hours a day in the scorching heat. A number of children have reportedly died after falling from their camels. "I only remember death was dancing on all sides," recalled one former jockey (Asghar, S. M. et al., 2005).



Campaigning against a hotel development on Bimini island, Rahamas

Child Sex Tourism

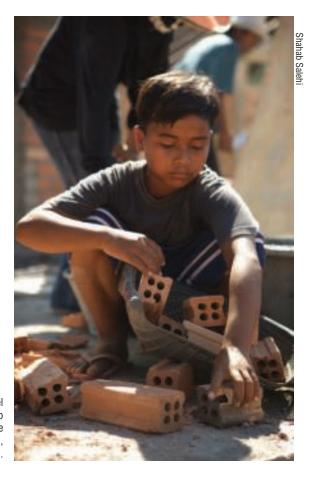
Child sex tourism involves the exploitation of children and their communities by individuals who travel to another, usually less developed country, to engage in sexual acts with minors. According to UNICEF (2007), more than 1.2 million children, the majority girls, are trafficked into the sex trade every year. Vietnamese girls, for instance, are taken to Cambodia while Kenyan children from the interior are taken to the coast.

Costa Rica

Costa Rica has emerged as a new 'hot spot' for the sexual exploitation of minors, with internet sites promoting the country as a paradise for sex tourism. Some of these sites offer 'all-inclusive sexual holiday packages' (Mesoamerica, July 2003, Institute for Central American Studies, quoted in Mowforth et al., 2008).

□ India

Goa is a major destination for child sex tourism, according to the UN. Demand is so high that children are trafficked into the state by criminal gangs operating throughout India. "Traffickers in Bombay contact the local traffickers and ask them how many girls they want, and then they traffic the girls by buses," explains Arun Pandey, director of charity Anay Rahid Zindag, which was set up to try to rescue children from the sex trade, "It's a very organised network" (Urry, 2007).



Lid, a 10-year-old Burmese refugee, works on a hotel building site in Khao Lak, Thailand. Children count for up to 15 percent of the tourism workforce – they become tour guides, work in bars and hotels, make souvenirs and, in significant numbers, are sexually exploited.

Tackling child sex tourism

ECPAT (End Child Prostitution, Child Pornography and the Trafficking of Children) works around the world in an effort to tackle child sex tourism and to hold offenders to account. Its Code of Conduct for the Protection of Children from Exploitation in Travel and Tourism — launched jointly with the UNWTO and a number of tour operators in 1998 — is an instrument of self-regulation and corporate social responsibility designed to raise awareness and enhance protection for children.

By 2007, the code had been adopted by nearly 600 industry bodies from 26 countries. TUI Nordic, for example, which participated in drawing up the code, informs both staff and customers about child sex tourism and includes a clause against such practices in its contracts with hotels.

Domestic legislation to prosecute child sex tourists in the country where they have committed an offence is often weakly implemented and dependent on political will. An alternative is for countries to prosecute their own nationals for crimes committed abroad. Forty-four countries have such legislation, including the UK.

However, according to ECPAT: 'The overarching principle underpinning UK government policy, that it is better to have the offender arrested and dealt with in the country where the offence takes place, has created a blind-spot for British law enforcement and the public at large. Less than half a dozen cases have been prosecuted in the UK since 1997 compared with over 65 cases in the USA and 28 in Australia' (Beddoe, 2008).

Sun, sand, sea and sweatshops

Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment

Article 23, Universal Declaration of Human Rights

he World Travel and Tourism Council (2008) estimates that tourism accounted for over 238 million jobs worldwide in 2008. By 2018, this figure is expected to rise to more than 296 million, representing over 9 percent of the global workforce.

In many countries tourism is the largest single provider of jobs in both the formal and informal sectors of the economy, making it an attractive option. Where few income-earning opportunities exist, jobs in tourism become highly sought after. However, employment in the industry is often characterised by low pay, long hours and poor working conditions, as well as seasonal periods of unemployment. This problem is compounded by the volatility of tourism. Natural disasters, terrorist threats or global economic crises mean that tourists can suddenly stop coming, leaving employees to be laid off without notice or compensation. In many poor regions with a high dependency on tourism, the results can be devastating.

Joshua, for example, works as a waiter along the Mombassa coast in Kenya, which suffered a significant fall in visitors following a bomb in a hotel and tribal clashes in 2002. He has to take what work he can find, always without contracts: "I am paid 219 shillings (£1.50) a day – but not if you are sick or have a rest day. We are only meant to work eight hours a day but if you don't do it then [there] is no point coming back tomorrow. The managers tell the tour operators we are earning a good wage because the operators don't want their clients to have to pay tips" (Tourism Concern, 2004b).

Social Progress and Development for all?

The UN Declaration on Social Progress and Development pledges to promote a high standard of living, full employment and equal opportunities for economic and social progress and development. Article 5 of this Declaration emphasises that: "Social progress and development requires the full utilisation of human resources, including ... the assurance to disadvantaged or marginal sectors of the population of equal opportunities for social and economic advancement in order to achieve an effectively integrated society."

A similar clause is contained in the UN Declaration on the Right to Development, which stresses that the promotion of human rights and social justice requires the recognition and implementation of economic, social and cultural rights, without discrimination.



This waiter works at a 4-star resort in the Dominican Republic. The staff's own housing is not so luxurious – he shares this bathroom with 20 other families.

The UNWTO's Global Code of Ethics for Tourism picks up on this important theme, stating that: 'Local populations should be associated with tourism activities and share equitably in the economic, social and cultural benefits they generate, and particularly in the creation of direct and indirect jobs resulting from them.' However, the reality is that host communities rarely share equally in the benefits created by tourism. In many cases, local people have no role in the planning decisions around tourism projects, despite the profound impacts such developments and the sudden influx of tourists can have on social structures and the ability to sustain a livelihood. Nor do local people have a say in their conditions of work, which are typically menial and low paid. Training opportunities can be limited, while senior management positions are dominated by foreign nationals.

Dominican Republic

Consuela cleans rooms at an all-inclusive fourstar hotel in the Dominican Republic. "The conditions for the worker in the Dominican Republic are very poor. Our salaries are not

enough to satisfy our main necessities. Every day we think about what we're going to eat and how to pay for the electricity. We have to smile to the tourists but it is not what we are feeling in our souls. We want to work and we want to make your holidays happy. But it is difficult" (Tourism Concern, 2004b).

Egypt

Ashraf el Sayad is an executive chef on a fivestar cruise boat on the Nile in Egypt. "Most workers depend on tips because the wages are too low and provide a fraction of what we need to live on. Sometimes we ask for tips and are considered impolite... We are not beggars – we are just desperate to feed our kids... Most of the foreign hotels and boats use foreign executive chefs; it is not because we are bad or not properly trained but people don't trust me because I am Egyptian, while they trust a German or French chef. When this happens I begin to hate myself." (Conversation with Tourism Concern, 2005)

As a significant employer of women, the UNWTO (2009a) has highlighted tourism as an important contributor to the promotion of gender equality and the empowerment of women, as set out in the third Millennium Development Goal. However, women in destinations in the developing world largely work in poorly paid roles, such as chambermaids and laundry workers. Securing time off can be extremely difficult and the long hours of work can fragment family life, particularly for mothers with young children. The arrival of tourism can also dramatically alter traditional patterns of work, with negative social and economic impacts. For example, since the island of Zanzibar opened up to tourism, women who were traditionally involved in buying, preparing and selling fish have been completely cut out of the process, as fishermen choose to sell their catches directly to hotels (La Cour Madsen, 2003).

Migrant workers

The International Convention on the Protection of the Rights of Migrant Workers and Their Families seeks to guard against the inhumane living and working conditions, physical and sexual abuse and other degrading treatments so often suffered by migrant workers, including in the tourism industry.

The UAE is yet to ratify the convention. In the Emirate of Dubai, a boom in tourism has ensured a steady demand for cheap migrant labour to construct luxury hotels, apartments, golf courses, marinas and

artificial islands. Most of the men who come to Dubai are recruited by agents in South Asia, who lend them the money for their plane ticket and promise good pay and conditions. However, on arrival they are housed in segregated ghettoes and are forced to work long hours for little pay. As migrant workers in a country with weak labour laws and a poor human rights record, they have little recourse to legal counsel. "My shift is eight hours and two overtime, but in reality we work 18 hours," said one worker. "The supervisors treat us like animals" (Abdul-Ahad, 2008).

On the Bahamian island of Bimini, cheap Mexican labour was drafted in to work on the construction of a mega-resort, despite local demand for jobs. However, the Mexican workers were reportedly housed in squalid conditions, had their passports confiscated on arrival, were forbidden from leaving the construction site during rest hours and were not paid what they had been promised. Mauricio Santos, one of seven Mexicans who managed to leave after three months on the island, said: "When we had been a month working and without receiving any payment, we decided to no longer work, which resulted in their mistreating us; they insulted us and gave us only one meal a day. Also they threatened us, saying if we continued with this attitude they were going to send us to a jail" (Arreola, 2007).

Land of beauty, land of fear

Burma – a land of golden pagodas and welcoming smiles, of secluded beaches, verdant landscapes and sweeping deltas, steeped in myriad cultures and ancient histories. However behind the gloss of the holiday brochures, the real Burma tells a very different story.

Burma (officially known as Myanmar) has been in the grip of an oppressive authoritarian regime since 1962, when a military coup ousted the democratically elected government. In an attempt to establish legitimacy, the regime held elections in 1990. However, to the ire of the generals, the people of Burma overwhelmingly rejected their rule, voting instead for the National League for Democracy (NLD), led by Aung San Suu Kyi. The NLD's landslide victory was immediately rejected by the junta and military rule reinforced. Aung San Suu Kyi, who has come to symbolise Burma's struggle for freedom, has spent most of the ensuing years under house arrest, while the NLD operates in exile. Incidents of torture, executions, forced labour and political arrests remain commonplace (Council of the European Union, 2008). Elsewhere, international pressure on Burma's governing body, the State Peace and Development Council (SPDC), for democratic reform has continued to mount, but with

The development of tourism in Burma is directly linked to mass human rights abuses on a scale unmatched by any other country in the world. For 35 years, Burma's borders were closed to the outside world while the generals pilfered and mismanaged the country's natural and economic resources through a reign of oppression and terror, driving the economy to the brink of collapse.

In a desperate bid to generate foreign currency and investment, the regime declared 1996 as 'Visit Myanmar Year'. In preparation for this, a huge clean up of historic sites and monuments was mounted. These 'beautification' schemes entailed the displacement of up to a million people – most of whom were already facing extreme poverty and hardship - with little or no compensation. Families were given just hours to gather possessions before their homes were bulldozed to the ground. The 5,200 inhabitants of the ancient city of Pagan, famous for its ubiquitous golden pagodas, were deemed an eyesore and relocated at gunpoint to an infertile dustbowl a few miles away. Meanwhile, vast resources were poured into rejuvenating Burma's roads, airports, railways and hotels. Much of this work was carried out with forced labour. Prisoners shackled in leg-irons – many of them regime dissenters, some as young as 13 - were deployed to dredge the moat



Part of the Shwe Dagon temple complex in Yagon, Burma. Up to one million people have been displaced from their homes to clean up historic sites for tourism.

around Mandalay Palace and to construct roads and railways linking key tourist sites (Tourism Concern, 1995). In 1998, the ILO accused the SPDC of a 'crime against humanity' for its systematic use of forced labour (ILO, 1998).

Less than two percent of Burma's GDP goes on healthcare and education (UNDP, 2007). Meanwhile, vast resources are channelled into strengthening the army and waging war against the ethnic Karen in the northeast of the country.

Tourism today

The violent repression of the pro-democracy demonstrations in September 2007, followed by the devastation of Cyclone Nargis in May 2008, caused a significant drop in tourism numbers. However, the regime continues to promote and profit from tourism.⁷ According to the SPDC, tourism earned Burma US\$182 million in 2007, up from US\$164 million in 2006 (Myanmar Travels and Tours /Government of Myanmar, 2008). Hotels and resorts are owned by the regime and their associates, either directly or through joint venture schemes. Foreign investment in hotels, apartments and commercial complexes is valued at thousands of millions of dollars (ibid). However, the murky web of influence and investment that has been spun by members of the regime makes it difficult to know how much of this goes into their pockets. One former tourism minister put the amount at 12 percent (International Confederation of Free Trade Unions, 2005), but the real figure could be much higher given the revenue yielded by additional taxes, corruption, and other economic links that they may have with the tourism industry.

It is impossible for international tourists to visit Burma without providing money to the regime. Visa fees, airport duties and currency exchange — all unavoidable expenses for foreign nationals — as well as domestic travel and entrance fees at main tourism attractions, provide vital financial support to the SPDC, while the presence of tourists furnishes the regime with a veneer of legitimacy.

Mass human rights abuses continue to be perpetrated by the regime in the name of tourism. Since 2000, a hotel construction boom in Ngwe Saung, on the Bay of Bengal, has caused 16,000 people to lose their land and livelihoods. Entire villages have been forcibly relocated inland and up to 80 percent of farmland and palm gardens have been confiscated. Traditional onshore fishing has been banned and the beaches appropriated for tourists (Centre on Housing Rights and Evictions, 2007). Western diplomats in Rangoon have reportedly remarked that the list of owners of the hotel plots at Ngwe Saung 'reads like a 'Who's Who' of generals and their cronies' (Templeton, 2003).

In 2002, just outside Rangoon, while many were affected by food shortages, 650 acres of rice paddy was converted into a golf course designed by celebrity South African golfer, Gary Player (Monbiot, 2007).

The European market

While the majority of visitors to Burma are from Asia, the American and European markets represent up to 70 percent of tourism profits, with Europe constituting over a quarter of the market share in 2005 (UNWTO, 2009b). France and Germany topped the list, followed by the UK (Ministry of Hotels and Tourism).

Some 25 UK tour operators continue to run trips to the country, while other large international operators, including TUI and Kuoni, sell holidays to Burma through their European subsidiaries. Research by Tourism Concern in 2009 has shown that UK tour operators are using hotels and resorts listed under European legislation because they are owned by members of the regime subject to financial sanctions. A number of the UK operators also frequent hotels that are managed under joint venture schemes, despite most stating that they avoid using businesses with known links to the regime (Tourism Concern, 2009e).

While some popular guidebook series, such as Rough Guides, stopped producing a Burma edition on ethical grounds, other guidebook publishers continue to encourage tourism to the country, including Lonely Planet, which is majority owned by BBC Worldwide. The enduring significance of the tourism industry in

Burma is further reflected in the Burma Campaign UK's (BCUK) 'Dirty List'. Of the 171 international companies listed in 2008, 57 – one third – relate to the tourism sector, and include tour operators, hotel chains and airlines (BCUK, 2008).

To go or not to go?

In light of the mass human rights abuses committed in the name of tourism in Burma and the appropriation of tourism profits to bankroll the junta, Aung San Suu Kyi called for an international tourism boycott. In 1997, she stated: "They should come back to Burma at a time when it is a democratic society where people are secure – where there is justice, where there is rule of law. They'll have a much better time. And they can travel around Burma with a clear conscience" (Kean and Bernstein, 1997). Suu Kyi's ongoing incarceration means that she has not been able to speak publicly on tourism since then and the NLD is becoming increasingly split on the issue. However, potential visitors should consider the arguments carefully when deciding whether or not to go.

Many are in favour of tourism to Burma because of the financial benefits that it can bring to ordinary Burmese, and contend that it is wrong to deny them this important income generating opportunity. However, although tourism industry employees in Burma are just as important as everyone else, only a tiny proportion of Burma's 52 million citizens are employed in this



Opposition leader Aung San Suu Kyi called for a tourism boycott of Burma in 1997.

Case study: Burma



Protestors call for the release of Aung San Suu Kyi outside the Burmese embassy in London.

sector, with the vast majority working and living as farmers in rural areas (BCUK).

It is also argued that travel to Burma sends a message of solidarity to the Burmese people and that the presence of foreign tourists could help bring about democracy. Hlaing Sein, a Burmese exile and democracy campaigner living in the UK, disagrees: "Some have tried to argue tourists being in Burma could help prevent human rights abuses, as the regime would not do certain things in front of tourists, but we saw how silly this argument is during the 2007 uprising. When protests started, even before the crackdown, tourists hid in their hotels until they could get on the first flight out" (Tourism Concern, 2009f).

In fact, Burmese citizens are not allowed to discuss politics with tourists and could be punished if caught doing so. Any genuine interaction is strongly discouraged. For example, in 2001 local officials were ordered to limit 'unnecessary contact' between tourists and Burmese. Most tourism is managed through tour packages to key tourist areas. While some visitors do travel independently, vast swathes

of the country remain strictly out of bounds as the generals attempt to censor what tourists see.

The UK Government acknowledges that the position of Suu Kyi and the NLD on tourism is no longer clear. However, it urges for 'anyone who may be thinking of visiting Burma on holiday to consider carefully whether, by their actions, they are helping to support the regime' (FCO, 2008). Patrick Guthrie, head of the Treasury's Asset Freezing Unit, which is responsible for implementing the financial sanctions regulations in relation to Burma, states that the UK Government encourages UK tour operators "not to trade with companies which they know are, directly or indirectly, explicitly linked to the regime" (personal communication with Tourism Concern). However, the surest way for operators to avoid supporting the junta is simply not to go.

Another argument put forward by advocates of tourism to Burma is that the economic sanctions imposed by the EU and United States have failed to have any real impact on the grip of the regime and only serve to harm ordinary Burmese. However, as highlighted by the BCUK, the biggest barrier to development in Burma is the regime itself. The more money it derives from tourism and foreign investment, the more prolonged its rule will be. Tourism Concern, the British Trades Union Congress (which remains closely affiliated with the Federation of Trade Unions of Burma) and BCUK all support a tourism boycott as part of a package of international measures to restrict the regime's financial flows. The boycott should not be viewed in isolation, but be seen rather as one element of a broader strategy of diplomatic pressure and engagement by the international community in an attempt to secure prosperity and freedom for the people of Burma.

Holidays for all?

Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay

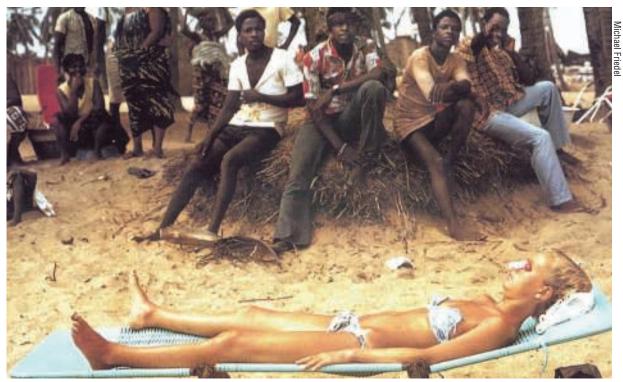
Article 24, Universal Declaration of Human Rights

nly a small percentage of the world's population goes on holiday, and one of the paradoxes of tourism is that many of those who work in the industry are the least likely to enjoy a holiday themselves. Paid holidays are still rare in many countries. Even in the UK, temporary and some part-time workers, as well as those who are self-employed, often do not have the usual entitlement to paid leave.

In the developing world, holidays are a luxury enjoyed only by the elite, but even they can be faced with discrimination on the grounds of being 'local'. In Tanzania, local wildlife conservationist, David Maige, complained to the minister of tourism after he was barred from entering a tourist hotel on the edge of the Great Rift Valley. He said that locals visiting the hotel as tourists were discriminated against on the

orders of the hotel management. "We are not allowed to approach the facility, let alone being allowed in and being served" he said (Tairo, 2009).

The right to go on holiday, however, needs to be measured against the damage tourism can do to both host populations and to our planet. Some people are now challenging the right to fly because of climate change (see page 38). Three-quarters of British outbound tourists travel by air and flying is currently responsible for emitting some 700 million tonnes of carbon each year, constituting five percent of total annual carbon emissions. The real impacts, however, are much greater, as aircraft pollutants released high into the atmosphere have an enhanced greenhouse effect (Tourism Concern, 2009g).



An audience for a sunbather in Togo. Only a small percentage of the world goes on holiday. Those least likely to take a holiday often live in favoured tourist destinations.

Case study: Climate change

To fly or not to fly?

he impacts of climate change, including greenhouse gas emissions from flying, have a greatly disproportionate effect on the developing world and the people least responsible for causing it. This includes many popular tourism destinations, such as the Maldives, the Pacific Islands and the Caribbean. According to Oxfam Australia (2009), 75 million Pacific Islanders will have to relocate by 2050 because of the effects of climate change in Fiji and the Solomon Islands, which includes rising sea levels, increased flooding and storms, and food and water shortages. In the Philippines, the Verde Island Passage - hailed as world's most diverse marine ecosystem - is under threat from rising sea levels and temperatures. Scientists warn that the destruction of this unique marine habitat would affect the livelihoods and wellbeing of nearly two million people working in the fisheries and tourism sectors (Williams, 2009).

The UN Human Rights Council (2009) points to the barrier that climate change poses to development in many developing countries, particularly small island states, impacting on the right to life, food, safe water, health, home, land and properties, livelihoods, employment and development. They highlight the responsibilities of developed countries to reduce their climate impact and help mitigate the effects in the developing world.

At the Indigenous Peoples' Global Summit on Climate Change which took place in April 2009, delegates stated: "We are deeply alarmed by the accelerating climate devastation brought about by unsustainable development. We are experiencing profound and disproportionate adverse impacts on our

cultures, human and environmental health, human rights, well-being, traditional livelihoods, food systems ... economic viability, and our very survivalas Indigenous Peoples." The resulting Anchorage Declaration calls on governments around the world to respect and protect the rights of indigenous peoples, to set binding emissions reductions targets and for indigenous peoples to be included in related decision-making processes.

On the other hand, if aviation stopped tomorrow, the livelihoods of millions of people who are dependent on tourism would be at risk. In Fiji, earnings from tourism contribute significantly to its GDP. The World Travel and Tourism Council estimate that by 2018, tourism will account for 80 percent of GDP in Antigua and Barbuda, representing 95 percent of all jobs (Tourism Concern, 2009g). Alternative livelihood options in such countries are typically extremely limited.

There is no straightforward solution to managing this human rights dilemma. What is clear is that world governments and the tourism industry need to do more to reduce global carbon emissions and to assist poorer countries in mitigating and adapting to the impacts of climate change. It is also clear that a 'mono-dependency' on tourism is a risky strategy for any country, suggesting the need for governments and donors to invest more in other key sectors, such as agriculture. The anticipated long-term benefits of tourism should be weighed up against the demands that the growth of the sector will place on water supplies in increasingly water scarce regions. Finally, it is clear that, with our individual right to have a holiday, comes a wider collective responsibility to ensure that this does not impinge on the rights of others.



Climate campaigners are challenging the proposed expansion of airports in the UK.

Putting human rights on the tourism itinerary

his report exposes what is normally hidden from view: the many and diverse human rights violations which are perpetrated to further the interests of the tourism industry. Such abuses are hidden because they largely affect those who feel powerless and who lack faith that their voices will be heard.

Thus, it is easy for the major players of the tourism industry to constantly promote a one-sided picture: that tourism creates wealth by providing jobs and brings in essential foreign exchange, that it eliminates poverty and helps to bring about peace. Many of these declarations promote global tourism as if it were a social enterprise rather than a highly competitive industry.

However, the evidence shows that it is time for all the key players to work together to ensure that exploitation in tourism becomes history, and that the future development of the industry is beneficial to all. This includes multilateral development agencies, national and local governments, developers, tour operators, hotels, industry bodies, NGOs, host communities, the media and tourists themselves.

The following highlights the current state of play with the different major players in relation to human rights. Tourism Concern believes that new processes need to be established for change to take place and makes recommendations for what these changes must be

UN World Tourism Organisation

With a membership of 161 governments from six global regions and another 370 affiliate members from the private sector, universities and NGOs, the UNWTO has, more than any other of the key players, the responsibility to bring about change. It promotes itself as the global agency for tourism policy issues, supports tourism development and has the ear of both governments and business.

Despite having adopted the MDGs, the UNWTO apparently fails to recognise the root causes of poverty and deprivation; how these can hinder the realisation of the opportunities presented by tourism (Sharpley, 2009); and how these root causes are themselves so often exacerbated by tourism development. Rather, the UNWTO took the position in 2005 that: 'Tourism has not yet been given sufficient recognition by many governments and international development assistance agencies, particularly in view of its enormous potential to generate economic, environmental and social benefits.'

Nonetheless, the UNWTO has made a radical shift since its establishment in 1975, when its mission was



Community-based tourism initiatives, like this locally run trekking tour in Bolivia, provide direct benefits to local people.

simply to strengthen national and local economies through tourism development. In addition to adopting the MDGs and producing reports on poverty alleviation (2002), it has introduced a Global Code of Ethics for Tourism (1999). Although the Global Code is not legally binding, in 2004 the UNWTO established the World Committee on Tourism Ethics as an independent and impartial body reporting directly to the UNWTO General Assembly. The responsibilities of the Committee are threefold: to promote and disseminate the Global Code of Ethics; to evaluate and monitor its implementation; and to provide conciliation for the settlement of differences concerning the application or interpretation of the Code. The mechanism for challenging practices that do not match the application and interpretation of the Code are set out in Article 10.

On the other hand, however much the UNWTO encourages us to believe that it is fighting poverty through tourism, particularly through its ST-EP Programme (Sustainable Tourism – Eliminating Poverty), it is, at the same time, ignoring the inequities inherent in the mantra of economic growth and market liberalisation which it encourages amongst its members. Thus, among the factors inhibiting the fulfilment of the UNWTO's goal of bringing prosperity through tourism is the fact that many of its member countries frequently transgress their obligations to protect the rights of their citizens in order to facilitate the growth of tourism.

In addition, while many of the member governments are seeking solely to expand their industries and do not represent the victims of tourism, UNWTO mem-

bership fees prohibit small campaigning organisations from becoming affiliate members, thus preventing them from raising human rights issues directly to the members. Without a strict requirement to show evidence of the adoption of the Universal Declaration of Human Rights in order to become a member, or to adhere to the Global Code of Ethics, it is unlikely that member governments such as Burma, India, Algeria, Kenya, Egypt, Peru, Cambodia, Sri Lanka and Iran, are going to change their practices.

The UNWTO's recognition of the need to meet the MDGs must be welcomed. However, in order to prove that this is not mere rhetoric, direct steps need to be taken if a real change is to be effected by 2015, the deadline for achieving the MDGs.

Destination governments

All governments have a legal duty to protect and ensure the human rights and freedoms of their citizens. In fact, most governments ignore or deny the existence of human rights violations within their own borders, while being quick to condemn atrocities elsewhere. Many countries in the developing world see attempts by Western governments to raise human rights issues as political or neo-colonialist meddling. Too often, governments are more concerned with the right to economic development than the rights of the individual, especially if the individual in question is poor and powerless. This is true of even the most benign governments and is particularly illuminated through the almost universal use of tax breaks and other fiscal incentives to encourage foreign direct investment, often involving large-scale development projects which ride roughshod over the rights of local

Immense international competition exists between countries for tourism business. As such, any guidance and planning legislation on sustainable development are all too often disregarded. This has been true in many countries, including small island states such as Cape Verde and the Bahamas. Both these countries have directors for sustainable tourism, but their mandates are undermined by their governments' overriding need to succeed in a competitive global market and to generate foreign exchange. Often this is to pay off debt. Evidence in this report has shown us that such developments can engender a host of human rights abuses.

Corruption and money laundering also play a powerful role in tourism-related human rights abuses. Land-grabbing by government officials is commonplace and there has been a lengthy history of this in many countries. Blackmail and threats are used to

drive away locals living in attractive locations. Swed-Watch (2009) report that in Thailand, companies bribe local authorities in order to gain ownership rights to coastal areas. This is despite the fact that people have been living there for decades.

Even the most committed of governments, such as Costa Rica, which has an excellent record for environmental management, cannot control the sale of land that results in human rights and environmental abuses.

Some governments are demonstrating good practice in the field of child sex tourism by taking action to support and encourage the fight against this crime. There are now 44 countries with extra-territorial legislation against child sex tourism (ECPAT International, 2008).

The UK Government

A confusing picture emerges in relation to outbound tourism and the UK Government's commitment to addressing its human rights impacts. The tourism portfolio is fractured across at least five government departments: the FCO, the Department for International Development (DFID), the Department for Environment, Food and Rural Affairs (DEFRA), the Department for Business, Innovation and Skills (BIS) and the Department for Culture, Media and Sport (DCMS). Thus the focus of the Government has seesawed from recognising the role of tourism in sustainable development (the FCO), to subsuming it within strictly business-oriented policies (under DFID).

The FCO was pivotal in supporting a lengthy dialogue between industry, government and NGOs which sought to find ways to work together so that outbound tourism could be more beneficial to local people in destinations. This resulted in 2003 in the establishment of the Travel Foundation, which raises funds primarily from tourists who pay a voluntary levy through member tour operators.

Meanwhile, although DFID proclaims a 'rights based' approach to development, this appears not to apply to tourism. Tourism Concern was optimistic in July 1998 when Clare Short, then the Secretary of State for International Development, declared: "The link between tourism, poverty, human rights and sustainable development is well established. The challenge for all of us is to use our influence ... to ensure that the poorest benefit from sustainable tourism" (Letter to Tourism Concern, July 1998). However, DFID's current tourism focus is apparently limited to supporting business and national level development strategies. For example, DFID provides budgetary support to the Indian Government's current five-year plan, which encourages large-scale tourism expansion and ignores grassroots concerns.

The DCMS formerly held the UK's membership to the UNWTO, but in 2009 claimed it could no longer afford the fee. The House of Commons' (HoC) International Development Committee (2009) has now urged DFID to take on this membership so that it can exert influence over "wider debates on the contribution that tourism can make to poverty reduction and on the need for the tourism sector to address climate change". The Committee stated that, given the economic significance of tourism in so many developing countries, DFID "cannot afford to ignore it". They recommend that: "Capacity-building in the sector, including training and development for local employees, could form part of DFID's livelihoods and growth programmes". Their report also highlights the greater role DFID could take in raising awareness amongst holidaymakers and in influencing sustainable tourism policies in destinations (ibid).

As the government 'leader' for outbound tourism, DEFRA (along with the newly formed Department of Energy and Climate Change) has an important role in reconciling the needs of the tourism industry with the challenges of climate change. Instead, it burdens the industry with taxes that do nothing to ameliorate the problems and alienates much of the public by supporting airport expansion. Climate Change Secretary Edward Miliband has stated that the government will 'protect flying for the masses' (Watt and Webb, 2009) with apparently little consideration for the impacts that climate change is inflicting on many developing countries, including tourism destinations.

Previously the Department for Trade and Industry, BIS facilitates opportunities for British businesses to compete internationally for large infrastructural development projects, such as airports and ports. Regrettably, however, the Government has been reluctant to address the issue of the regulation of British businesses' activities overseas. A campaign run by the Corporate Responsibility Coalition (CORE), part of the Trade Justice Movement, has pushed for reform to UK company law through the Companies Act to include greater requirements on businesses to account for their social and environmental impacts. Under the new law, which came into force in October 2007, directors of UK-listed companies have a duty to consider the impact of any decision they take on employees, customers, suppliers, the community and the environment. CORE is also demanding better access to justice for victims of corporate abuse outside of the UK, enabling them to seek redress in UK courts.

The continuity and coherence required to effectively address the human rights impacts of outbound tourism on destination countries will be difficult to

achieve while such a range of government ministries continue to deal with the issue in such an 'un-joined up' way.

UK tour operators

There has been an important shift by a handful of UK operators (which are often owned by companies outside of the UK) and other international industry players in the last few years towards accepting that they have responsibilities for the impacts of their businesses in destinations. This is in great part to do with years of public campaigning by Tourism Concern and other advocacy groups representing voices in developing countries in order to highlight poor practices and exploitation. Such campaigns have created reputational risks for tour operators.

However, there is still a considerable gap between policy and practice and a propensity towards 'green-washing', rather than dealing with the challenges of real structural change. Few industry-wide corporate social responsibility policies have been produced for tourism and industry bodies remain resistant to the prospect of regulation. However, self-regulation has failed to stop the corporate violation of human rights.

Whether operators are small, medium or large in size, similar principles apply to the way they contract suppliers. The tourism supply chain is very complex, encompassing flights, accommodation, transport, food delivery, recreation and entertainment activities, construction and maintenance. As a highly competitive business, contracts are negotiated down to the lowest possible prices. For the biggest players, low profit margins and high turnover are the norm.

The consequences of this are that people at the bottom of the supply chain, including those employed in popular hotels used by the biggest transnational operators, frequently suffer from poor working conditions (Tourism Concern, 2004a). The supply chain is at its most exploitative when no or very small payment is made to the people serving as the focus of a 'cultural' visit or excursion. Many indigenous people, for example, do not understand their value in the supply chain and thus are not in a position to negotiate a fair deal.

Tourism Concern is working with a group of small and medium sized operators, the Ethical Tour Operators' Group, to identify ways in which they can bring more ethical considerations into their practices.

In general, UK operators are remaining silent about the effects of climate change and their responsibilities towards diminishing its impacts. Many now offer offsetting schemes as part of their packages, but the value of these in terms of effectively tackling

climate change, rather than simply alleviating the operator's responsibilities and an individual tourist's guilt about flying, are deeply questionable.

Hotels

In March 2006, the International Business Leaders Forum's International Tourism Partnership and the UNWTO announced a human rights initiative for the hotel industry. This important initiative was intended to create a framework to assist hotel groups to address human rights within their own business operations. It sought to reinforce the UNWTO Global Code of Ethics with a specific set of human rights principles for the industry, with appendices for individual sectors. The executive director of the Tourism Partnership at the time, Lyndall De Marco, said: "In a business context advancing human rights is both about managing risk and realising new opportunities. By respecting, protecting and promoting human rights, companies can help contribute both to a stable operating environment and the well-being of those within their spheres of influence and responsibility. The case for corporate engagement is increasingly clear" (UNWTO, 2006).

According to Dawid de Villiers, special advisor to UNWTO on ethical matters, "to be truly effective, the tourism industry needs to take a comprehensive approach to human rights, encompassing a wide spectrum of human rights issues, including, but not limited

to, concerns around child and bonded labour, workplace health and safety, commercial exploitation of children, the exploitation of migrant workers, discrimination and the displacement of indigenous people and other vulnerable groups" (ibid).

The initiative was an ambitious attempt to equip participating companies with a tool to respond to the full spectrum of human rights challenges confronting the industry. It was intended to enable individual companies to benchmark their human rights performance, and where necessary take steps to update or expand the scope of existing human rights strategies. Hotels, as one of the larger and more complex groups within the tourism sector, were to be the first to be addressed. However, in a deregulated market, such a scheme was always unlikely to succeed.

Lucy Amis, head of human rights for the International Business Leaders Forum, said: "There is a genuine appetite for change but the hotels face difficult challenges that we still don't have the answers to, such as gender rights in the Middle East. It requires more discussion across the industry with external stakeholders. Sometimes our ambitions are at odds with host governments and there are genuine issues around the level of influence the companies have within the hotels. As they don't own the properties they have less leverage" (Tricia Barnett, personal communication).

An operator's perpsective

Noel Josephides, director of tour operator, Sunvil, insists that he only features destinations where there is a tangible social gain from any operation there. He highlights Egypt as an example of where this is not happening: "Tourism is not filtering down to the people even after all these years. Tourism is dominated by large, international companies and increasingly I worry about the growing trend towards all-inclusives because once there, the holidaymakers don't leave the hotels or cruise ships and Nile boats. Clearly there is lots of money to be made from the all-inclusives, where everything is paid for in advance, but it remains with few people. The trickle down is very important and it's not being addressed. The question is where is the money going? Why isn't it helping the people? You only make big money by exploiting somebody - either clients or suppliers."

Josephides points out that a lot of the market

leaders own the hotels and resorts: "Forty percent of Thomas Cook's business is with all-inclusives. There is particular growth in Turkey and Egypt. The big operators own the travel agency, the tour operator and the inbound handling agent as well as the coaches and, increasingly, they own or lease the hotels. This raises very serious issues. The big players are extremely powerful." Small operators, he says, are almost immaterial. "The efforts we make to be fair in our businesses are just a pin-prick. Although the big operators appear to be making efforts to improve practice, I'm still not very clear how because it's not easy to see change. It's important to encourage hotels to behave environmentally but this isn't the main question. They only follow codes of practice if it saves them money. Nothing has improved on the social side or on exploitation. The industry is going backwards." (Communication with Tourism Concern 2009)

Hotel chains nowadays are primarily asset free and instead offer franchises and management contracts. For example, InterContinental Hotels, the world's biggest hotel group, controls 4,300 hotels (630,000 rooms) and includes Holiday Inn, Crowne Plaza and Indigo brands.

As it stands, there is a vast profusion of national, regional and international codes of practice and kitemark schemes that businesses can sign up to that are less demanding and which do not make reference to human rights, effectively letting them off the hook. In an attempt to cut through the confusing morass of certification schemes and declarations and to make genuine headway, the Sustainable Tourism Stewardship Council, comprised of industry and independent agencies, has worked for several years to take the best of the existing codes to produce a single code. The criteria have been developed as the minimum standard for the tourism industry to meet in order to protect and sustain the world's natural and cultural resources, while ensuring tourism meets its potential as a tool for poverty alleviation. A new organisation, the Tourism Sustainability Council, will serve as the international accreditation body and will begin operating in 2010. Its global governance committee includes industry, governments, UN bodies, social and environmental NGOs and certifications programmes.

Non-governmental organisations (NGOs)

The response by international NGOs to the 2004 Asian tsunami highlighted the fact that tourism does not figure on most of their agendas. Despite a heavy on-site presence, there was apparently little recognition amongst the vast majority of NGOs that the catastrophe had led to attempts by governments and industry to embed tourism on the cleared coastlines of India, Thailand and Sri Lanka at the expense of local people. Such recognition would have been crucial in helping to identify the longer term needs and human rights issues facing coastal communities during and after the reconstruction phase.

The far-reaching and complex impacts of tourism are inextricably linked with a myriad of other development issues addressed by international NGOs. For example, aid agencies have a long history of supporting farmers in the developing world. Many such governments are encouraged by multilateral lending institutions, such as the World Bank, to invest their scarce resources into developing tourism infrastructure, often at the expense of their agricultural needs. As a consequence, farming is abandoned as people migrate to urban areas and tourism hotspots in search of work, where their poverty and migrant status makes



These Mursi in Ethiopia have set up their own community tourism association. Such initiatives can benefit from external NGO support when getting started.

them vulnerable to exploitation. Agricultural land in tourism areas is also frequently converted to tourism, such as in the Philippines, while in Goa wealthy land owners have abandoned acres of rice paddy in order to vie for the tourist dollar (Wrisley, 2009).

There are also a growing number of small, community-based tourism initiatives that present genuine opportunities for poverty alleviation, but which may require outside support from local or international NGOs. For example, the Thailand Community Based Tourism Institute supports hill tribe villagers in the north of the country and fishing communities in the south to manage their own tourism projects and thus ensure that their human rights are safeguarded. This provides additional income to the villagers and makes a fundamental difference to their ability to determine their own development needs.

There are significant opportunities for international NGOs to help address tourism-related development issues. However, to date there has been a critical failure on their part to recognise the overlaps between their important efforts to address the structural inequalities facing the world's poor and the key role that tourism often plays in this.

On the other hand, many local NGOs in destination countries are challenging the destruction and human rights abuses caused by tourism developments. Tourism Concern is linked up to organisations all over the world which are campaigning to raise awareness of tourism's impacts on local people. The founding organisation, the Ecumenical Coalition on Third World Tourism, was established in Southeast Asia in the early 1980s in order

to tackle the problem of sex tourism. From these small beginnings has grown an expansive network made up of informally linked organisations, supporting each other with information and resources, and working together to challenge human rights abuses perpetrated in the name of tourism and leisure. For example, with the support of Tourism Concern, grassroots NGOs in India and Sri Lanka are working to empower local people to demand a voice in government plans for tourism development along their coastlines in the aftermath the tsunami. Tourism Concern also publishes the *Ethical Travel Guide*, which lists the growing number of community-based tourism initiatives that are springing up all over the world, providing a valuable opportunity to market their products to travellers from the UK.

Tourists

International tourist arrivals are expected to reach 1.5 billion by 2020 (UNWTO). Millions more will continue to travel domestically, particularly in the growing economies of China and India. Given their vast numbers, tourists can be a powerful force in helping to address the exploitative nature of the industry.

However, in the bid to flee everyday realities, it is all too easy to forget that the places we visit for our holidays are also other peoples' homes. Tourists often inadvertently cause offence to local cultures by behaving inappropriately; for example, by flashing large areas of flesh, photographing 'exotic' locals without asking permission, or trampling over sacred places which should be viewed from afar. We are often guilty of projecting our own standards on our hosts and of seeking to recreate our own familiar environments without regard for what local people might want.

Tourists can go a long way in helping to ensure that the basic human rights of their hosts are respected. This can be as simple as finding out a bit about the customs of the places they visit so as not to cause offence, being respectful of local peoples' privacy and sacred spaces, consuming water moderately where it's scarce, and reporting suspected incidents of child sex tourism to their hotel, operator or local police.

In the current era of budget airlines, tourists must also take their share of responsibility for the impacts of climate change, which is having a disproportionate effect on developing countries. Flying less and staying longer, or opting for alternatives to flying, are both options tourists could consider.

As the lifeblood of the tourism industry, tourists have a vital role to play in influencing the behaviour of hotels and tour operators. This could include asking to see their operator's responsible tourism policy or

enquiring how their hotel ensures that their water usage is not depleting the supplies of local people. In the UK, tourists are increasingly demanding more 'responsible' holidays, reflecting a growing sensitisation to broader environmental and social issues. However, widespread green-washing by the tourism industry is threatening to undermine this positive shift. A Mintel survey conducted in January 2008 also suggested that there is a threat of consumer 'burn-out' resulting from the intense coverage of climate change related issues in the media. The survey reported that 36 percent of consumers "just want to relax and not be bothered with ethical or environmental issues" whilst on holiday, an increase of 13 percent since October 2006 (Mintel, 2008).

These challenges indicate the important role for campaigning organisations, educational bodies and the media in continuing to sensitise tourists to the impacts of tourism, as well as empowering them to help make that impact more positive for local people in destinations. If tourism is a demand-led industry, then enlightened tourists could make an enormous difference to the future development of the industry.

The media

Travel journalists and the media have an important role in reporting on human rights transgressions by the tourism industry and promoting more sustainable forms of tourism. In the UK, some newspapers and travel writers are partly rising to this challenge, for example, by running features on community-based and 'eco' tourism initiatives and engaging in debates around green-washing. At present however, such coverage remains marginal.

This is partly because the travel pages are effectively bankrolled by the tourism industry. Tourism, like any other commercial sector, must advertise to survive. Tour operators buy up advertising space and pay for journalists to go on promotional trips to sample their wares, confirming the exquisiteness of their product to the wider public. Images of pristine shorelines, welcoming hosts and sunnier climes are deployed to tempt the tourist. Glossy magazines and travel programmes present idyllic landscapes and smiling peoples, where life is easy and your problems can be forgotten. Stories of displacement, poverty and poor labour conditions are not a turn on for tourists in search of some well-earned sun and relaxation. Arguably however, a better balance needs to be struck between the necessity to provide stories that appeal to tourists and sell holidays, and the need for honest accounts of the situation for people on the ground.

A break from the past

ecades of rapid tourism development have not solved the financial woes of developing countries. Instead of reducing the gap between rich and poor, much tourism has served only to highlight the contrast between the affluent lifestyles of tourists and the poverty of many people in the developing world.

All too often, the tourism product – an assemblage of people, place and culture – exists only in the pages of the holiday brochures. The attempt to create and maintain the illusion of paradise for a wealthy minority is being undertaken at the expense of the human rights of peoples and communities all over the world, who derive little benefit from the development of tourism in their neighbourhoods. This occurs despite the often high levels of aspiration among local people to participate in tourism and their great optimism as to its potential advantages. Such optimism is soon dashed as the international players are given preferential treatment, making it difficult for local entrepreneurs to compete.

Meanwhile, the might of the industry's biggest operators continues to grow, with the annual turnover of some transnational operators exceeding the income of some of the countries in which they operate. For example, TUI's revenue for 2008 was posted as almost US\$35 billion, bigger than the annual GDP of many developing countries. However, little of this trickles down to those at the bottom of the tourism supply chain or living in tourism destinations. Instead, as the hotels and second homes proliferate, the cost of living increases and access to land and other natural resources that many poor people depend upon for their livelihoods is curtailed, driving them further into poverty. This is a scenario which, as this report has shown, is repeated all over the world.

There is a growing discourse around the need for tourism to be developed sustainably. Many operators now have specialised agents developing policies and products along these lines, while the UNWTO has a responsible tourism programme seeking to promote more ethical approaches. Responsible tourism policies are written into government development plans and the issues are hotly debated by academics across the world. There has been a proliferation of certification schemes and grassroots, community-managed tourism initiatives are springing up all over the world. These shifts mark an important step in the right direction and should be embraced and supported by all. However, they represent but a drop in the ocean of this gargantuan industry. There is a yawning gulf between policy and practice, highlighting the need for new mechanisms to help transform the rhetoric into concrete action which will ensure that human rights are respected and protected. We also find ourselves increasingly in an environment where the green-wash often can not be deciphered from the genuine, threatening to disillusion the tourist and undermine the pioneering efforts of those who are striving towards more genuinely ethical tourism practices.

Now, more than 60 years since the formation of the Universal Declaration of Human Rights, governments must recognise that human rights must be placed at the centre of any truly sustainable approach to tourism development. Given the scale and rapid growth of the industry, particularly in the developing world, there is a pressing need to address its negative impacts. This should include recourse to justice for those whose rights have been violated in tourism's name and to seek out and implement more ethical, fairly traded alternatives. In cases where the industry continues to fail to regulate itself sufficiently and to perpetuate human rights abuses, governments must be prepared to regulate. This is essential if governments are to fulfil their international commitments to eradicating global poverty and achieving the MDGs

Governments, industry, tourists, the media, community groups and NGOs all have an important part to play in pushing for more sustainable, human rights oriented forms of tourism. The tourism industry in particular should be deeply concerned that, as illustrated by this report, its continued expansion frequently defies almost every Article of the UDHR and numerous other human rights conventions. The industry must accept that it has a responsibility to respect the human rights of communities and its employees in destination countries, and that good conduct in one area cannot be off-set against violations elsewhere. This is perhaps even more vital in countries with a poor human rights record, where the state itself fails to protect its citizens from violations. To be true to the tenets of sustainable development, it must adopt a human rights approach and commit to more fairly traded tourism.

Recommendations

Tourism Concern urges all major tourism stakeholders to take meaningful action to ensure that the human rights of destination communities and tourism industry employees are respected and protected in line with their obligations under international human rights laws and conventions. Specifically, we urge:

The UNWTO

- To open doors to community-based organisations and NGOs in recognition of the legitimacy of grassroots perspectives, and to take full cognisance of the concerns expressed therein. This will ensure that the UNWTO fulfils its commitment to its Global Code of Ethics, which identifies local communities in destinations as key tourism stakeholders.
- To ensure that member countries are in compliance with the Global Code and to utilise the mechanism set out in Article 10 to challenge practices which do not match its correct application and interpretation. This is particularly relevant in relation to Articles 2, 3, 4, 5 and 9 of the Code, which make specific reference to the need to protect vulnerable stakeholders.
- To implement mechanisms to assist member countries in complying with the Global Code of Ethics and to strengthen the Code's potential to mitigate human rights abuses in the tourism industry. This could include a requirement for signatory countries to chart a 'Plan of Action' to ensure wide dissemination of the Code to all key stakeholders, particularly communities directly impacted by tourism development and grassroots advocacy groups who may wish to make use of the mechanism in Article 10.

Destination governments

- To fulfil their international legal obligations to protect their citizens from human rights abuses perpetrated by third parties, including the tourism industry, through appropriate policies, regulation and vitally adjudication and access to redress.
- To implement the necessary regulations and planning controls to ensure that the development of the tourism industry is sustainable and does not irreplaceably deplete natural resources or cause irreparable damage to the environment.
- To ensure the right to self-determination of indigenous peoples in respect to prospective developments on their land and in their vicinity, in accordance with the UN Declaration on the Rights of Indigenous People.
- To ensure wider dissemination of the UNWTO's Global Code of Ethics to communities impacted by tourism, including those who may have a grievance concerning its implementation and who may wish to make use of the mechanism set out in Article 10.

The UK Government

- To identify a single government department to take on full responsibility for outbound tourism which explicitly recognises and seeks to address tourism's impacts on development and human rights.
- That DFID takes on the membership of the UNWTO so that it can engage in and influence international debates around tourism, poverty alleviation, human rights and climate change; and incorporates tourism development into its poverty reduction dialogues with the countries in which it operates, as recommended by the HoC International Development Committee (2009).
- To hold UK businesses operating overseas to account through the implementation of corporate social responsibility regulations and reporting mechanisms that are set out within a human rights framework; to ensure better access to justice for victims of corporate abuse committed by UK businesses outside of the UK, enabling them to seek redress in UK courts (as recommended by CORE).
- To work with the tourism industry to reduce global carbon emissions and mitigate the impacts of climate change; to provide assistance to developing countries, including those with a heavy dependency on tourism, in meeting the costs of adaptation and mitigation.
- To ensure that it does not provide financial support to tourism developments that jeopardise human rights and threaten natural resources by ensuring that full independent social and environmental impact assessments are carried out on any industry or overseas government development projects before committing funding.

UK tour operators and tourism trade associations

- To respect and protect human rights as a primary responsibility by adopting policies that reflect the four core elements of human rights diligence set out by the Special Representative of the UN Secretary General on Human Rights and Transnational Corporations and other Business Enterprises. These are: 1. having a human rights policy;
 - 2. assessing the human rights impacts of company activities;
 - 3. integrating those values and findings into corporate cultures and management systems;
 - 4. tracking as well as reporting performance (UN General Assembly Human Rights Council, 2009).

- To close gaps between policy and practice by taking responsibility for and seeking to mitigate human rights abuses that occur throughout their tourism supply chains, including where tour operators use third party agents to manage contracts with suppliers.
- To utilise existing codes of practice to help mitigate tourism's negative impacts and maximise benefits to local communities, including codes that have been developed for specialised markets (such as trekking and international volunteering).
- To make use of all available social and environmental impact assessments and labour audits when contracting with hotels, whether directly or indirectly, to ensure that the human rights of employees are protected. This should include: a guaranteed living wage; the provision of written employment contracts; the right to paid leave; the provision of safety equipment; training opportunities; and freedom to form or join unions.
- To ensure that there are no ongoing legal disputes over land ownership on any site which they intend to use
- To provide full information to their staff about their ethical policies and to make this information publicly available through their brochures and on their websites.
- To accept their responsibilities with respect to climate change and work with government and destination communities to take meaningful action that will limit its impacts on people and the environment both at home and abroad.

Hotels

- To make use of all available independent social and environmental impact assessments when contracting with developers, either directly or indirectly, and to ensure that there are no ongoing legal disputes over land ownership or access to key resources, such as water, on any site where a hotel is to be built; to commission an independent assessment where one has not been carried out before proceeding.
- To adopt a single, well understood code of practice, such as the STC, that is holistic, and includes significant issues around human rights and environmental protection.
- That leading national and international hotel and tourism associations insist that their members ensure that contracted hotels meet these standards

and that accreditation to any association should only be given as a result of an independent audit.

UK-based NGOs

- To consider taking tourism onto their agendas as a key determining factor in development in many of the countries in which they work.
- To identify whether tourism development has played a role in relation to land issues, natural resources depletion and other human rights abuses that their beneficiaries may face.
- To incorporate an awareness of tourism and its relationship to globalisation and market liberalisation within their long-term development work.
- To include tourism as a significant potential factor which could impact on the lives and livelihoods of their beneficiaries when undertaking social needs assessments of disaster hit areas (for example, in relation to post-tsunami reconstruction).

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