



# HUMAN RIGHTS IN TOURISM

## - FINDINGS AND RESULTS

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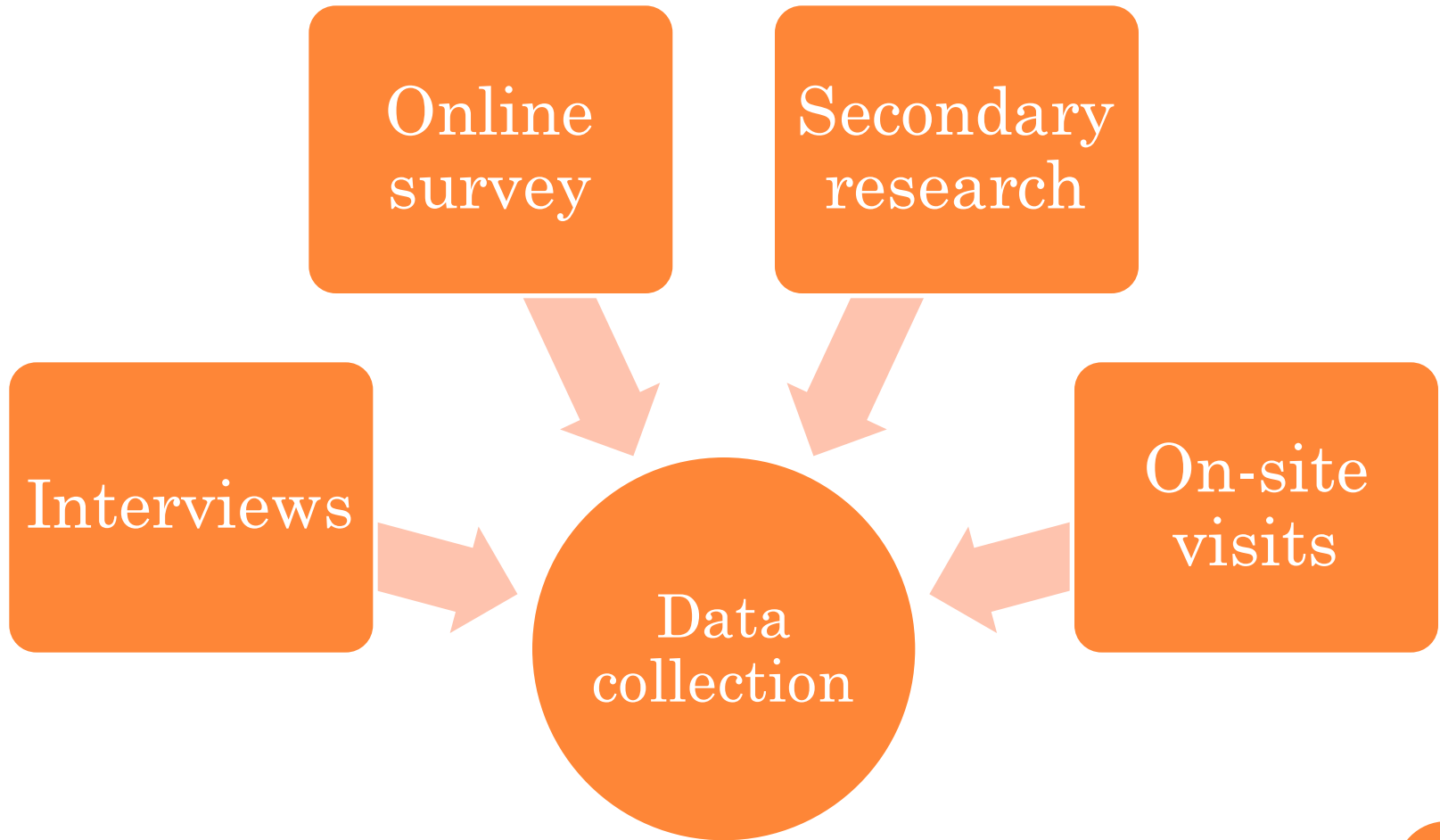


## OBJECTIVES

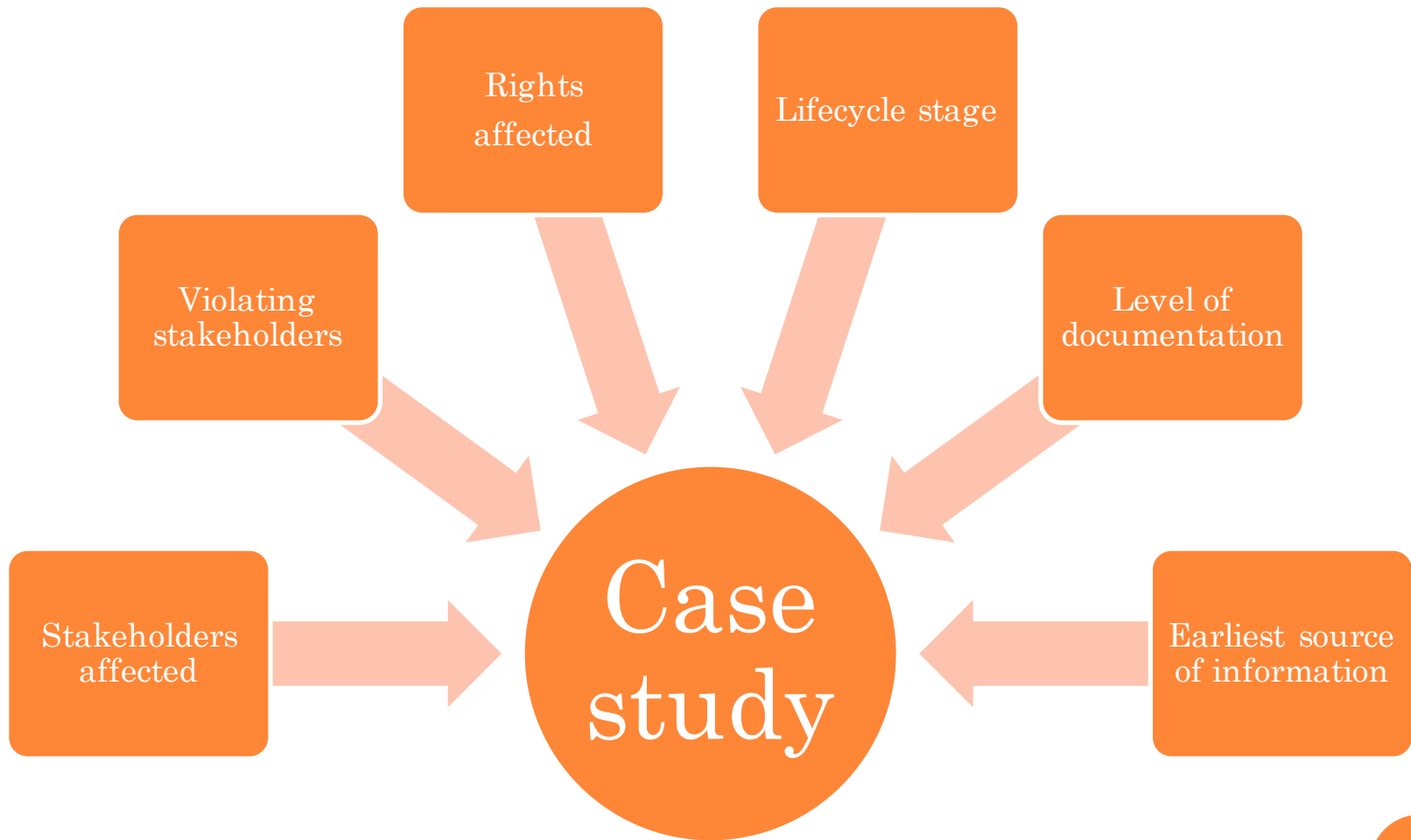
- ❖ To develop a systematic inventory and analysis of the human rights implications of tourism and known cases of human rights violations in the context of tourism
- ❖ To reflect the role of governments and the tourism industry in different types of Human Right violations
- ❖ To analyse existing tools and instruments for avoidance of such violations
- ❖ To develop recommendations for the tourism industry, governments, donor organisations and other stakeholders to deal with the issue – before it becomes a case.



# METHODOLOGY



# METHODOLOGY



# COMMUNICATION AND EVIDENCE ANALYSIS - SOURCES

Initial Source of Information	Number of Cases	% of all Cases
NGO	75	60.5%
Multinational Organisation	18	14.5%
Media	16	12.9%
Academics	14	11.3%
Not specified	1	0.8%

Source: own evaluation, n=124



# COMMUNICATION AND EVIDENCE ANALYSIS

## - LEVEL OF EVIDENCE

Level of Documentation	Description	Number of Cases	% of all Cases
High	Traceable primary sources from at least two different sources provide a chronological picture of related facts and identify the key stakeholders by their names. All 5 Ws ( <b>W</b> ho did affect <b>w</b> hose human rights through <b>w</b> hich action, and <b>w</b> here and <b>w</b> hen did it happen?) are comprehensively described.	37	22.4%
Moderate	At least one traceable primary reference is available and provides an adequate picture of facts and involved stakeholders. At least 4 Ws are specified.	40	24.2%
Low	Information is only available in secondary sources (e.g. media), however with no reference on traceable primary sources. 2 or 3 of the five Ws are specified.	47	28.5%
Insufficient	Insufficient information for qualifying as a 'case'. The available documentation specifies 0 or 1 of the Ws	20	12.1%
Not Rated	Information does not show a clear link between the tourism industry and human rights. Cases are not qualified as relevant for the analysis.	21	12.7%

Source: own evaluation, n=165

# HUMAN RIGHTS AFFECTED

Rights affected	Number of found relevant cases	% of all found relevant cases
Right to decent work	56	45.2%
Right to an adequate standard of living (including right to housing, right to food and right to water)	55	44.4%
Right to participation in decision-making processes	34	27.4%
Right to protection from discrimination	20	16.1%

Source: own evaluation, n = 124, multiple responses possible





# HUMAN RIGHTS AFFECTED

- ❖ High job insecurities, exhausting working conditions, unwanted sexual attention
- ❖ Government authorities or managerial staff prevent workers from joining unions
- ❖ Forceful relocations from areas designated for tourism development with no provision for alternative housing
- ❖ Access to livelihoods lost as a result of relocation
- ❖ Competition for water between tourism providers and local inhabitants
- ❖ Discrimination at a workplace based on race, age, nationality or gender
- ❖ Discrimination by preventing the local communities from access to hunting grounds or leisure places such as beaches, through erecting physical barriers or establishing unaffordable monetary fees.





# STAKEHOLDERS GROUPS AFFECTED

Group category	Number of found relevant cases	% of all found relevant cases
Non-Staff	73	58.9%
Staff-direct	46	37.1%
Staff-indirect	5	4.0%

Source: own evaluation, n = 124, one responses possible

- ❖ **The rights of staff:** bad working conditions and being prevented from collective bargaining
- ❖ **The rights of non-staff:** land grabbing, competition for water and depriving local communities of their traditional income-earning means.



## STAKEHOLDERS GROUPS AFFECTED – PERSONS WITH HIGH RISK EXPOSURE

Group category	Number of found relevant cases	% of all found relevant cases
Rights of migrant workers	7	5.6%
Rights of children	11	8.9%
Rights of women	13	10.5%
Rights of indigenous people	19	15.3%

Source: own evaluation, n = 124, one responses possible



# STAKEHOLDERS GROUPS AFFECTED

## ❖ Women's rights

- Gender discrimination at a workplace
- Unwanted sexual attention
- Economic inequalities increased by loss of traditional jobs, cultural barriers to entry to jobs in the tourism industry
- Time lost fetching water, diverted from other activities
- Trafficking for sex tourism purposes

## ❖ Children's rights

- Child labour
- Forced prostitution
- Forced labour of children

## ❖ Indigenous people

- Forceful displacement
- Barring access to pastures, hunting grounds or water
- Nature conservation used as a justification for eviction



# AREAS OF SPECIAL INTEREST: CHILD LABOUR IN TOURISM

- ❖ Children work behind the scenes in SMEs and informal sectors
- ❖ Key international instruments by the United Nations and ILO exist to combat child labour
- ❖ There are national regulations that go beyond these international instruments.
- ❖ Translating the law into practice is a challenge for the authorities
- ❖ Reports and studies repeatedly and cautiously speak of 13 to 19 million people aged under 18 who directly or indirectly work in the formal tourism industry.
- ❖ These numbers refer to the study “In the Twilight Zone“ by Maggie Black (on behalf of ILO) from the year 1985 though. Already in her study Black underlines the difficulties of making accurate judgements.



# VIOLATING STAKEHOLDERS

Group category	Number of found relevant cases	% of all found relevant cases
Government/Public Authorities	51	41.1%
Destination-based tourism business	53	42.7%
International Tourism business	57	46.0%
Tourists	17	13.7%
Other	16	12.9%

Source: own evaluation, n = 124, one responses possible





# VIOLATING STAKEHOLDERS

- ❖ **Government authorities:** human rights violations at various levels, from local tourist boards to national governments.
- ❖ **Destination-based tourism businesses:** violating staff rights, persecuting union members, taking part in the land expropriation and forced evictions.
- ❖ **International tourism businesses:** forced relocations, affecting right to water and right to decent work.
- ❖ **Tourists:** sex tourism and right to privacy
- ❖ **Other groups:** middlemen facilitating the human trafficking for sex tourism or forced labour purposes





# AREAS OF SPECIAL INTEREST: CHILD LABOUR IN TOURISM

- Children work behind the scenes in SMEs and informal sectors
- Working conditions are detrimental to children's physical, mental and emotional well-being
- Key international instruments by the United Nations and ILO exist to combat child labour
- There are national regulations that go beyond these international instruments.
- Translating the law into practice is a challenge for the authorities
- Reports and studies repeatedly and cautiously speak of 13 to 19 million people aged under 18 who directly or indirectly work in the formal tourism industry. (10-15 %)
- It is assumed that there is a close correlation between poverty and child labour



# AREAS OF SPECIAL INTEREST: GENDER INEQUALITY IN TOURISM

- Higher proportion of women working in tourism industry than in the economy as a whole
- Low barriers to entry, flexible working hours and part-time work contribute to women employment
- Tourism employment tends to be structured in gender pyramids pushing women into lower job levels
- Women in tourism appear to be concentrated in gender specific jobs (e.g. servers, cleaners, travel agency sales persons) resulting in gender-related gaps in payment and job status
- Women are contributing a substantial amount of unpaid labour to home-based tourism businesses as contributing family workers
- The payment and job status of women in tourism industry vary dramatically across regions and sectors



# GENDER INEQUALITY IN TOURISM

## Trends of benefits and threats of women employed in the industry (UNWTO and UN Global Report on Women in Tourism 2010)

+ Women's pay in the hotels and restaurants sector is closer to men's pay than in other sectors

- Women in tourism are not being paid as much as men

+ There are more women employers and entrepreneurs in the hotels and restaurant sector than in other sectors

- Women are under-represented in professional positions; rather they are concentrated in low-skill occupations in the tourism sector

+ More ministerial positions in tourism are held by women than in other areas

- Women do not receive the same level of education and training in services as men do

+ Tourism creates more opportunities for women to participate in informal and self-employed home-based work than other sectors

- Women are more likely to be unpaid workers in family businesses





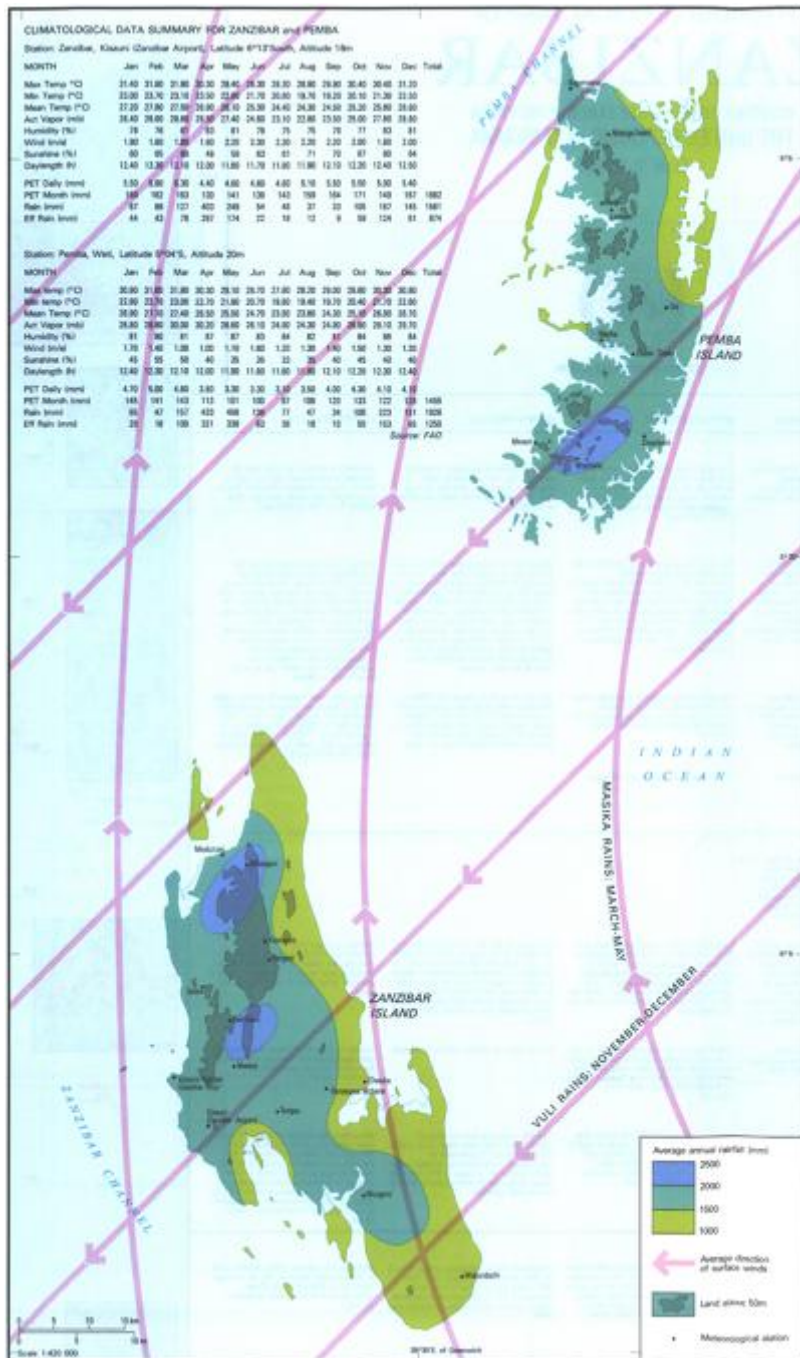
An aerial photograph of Zanzibar, Tanzania, showing a densely packed coastal city with numerous buildings and a harbor filled with boats. The water transitions from shallow turquoise near the shore to deep blue further out. A large orange circle and several smaller ones are overlaid on the left side of the image.

# ZANZIBAR

Water-related issues







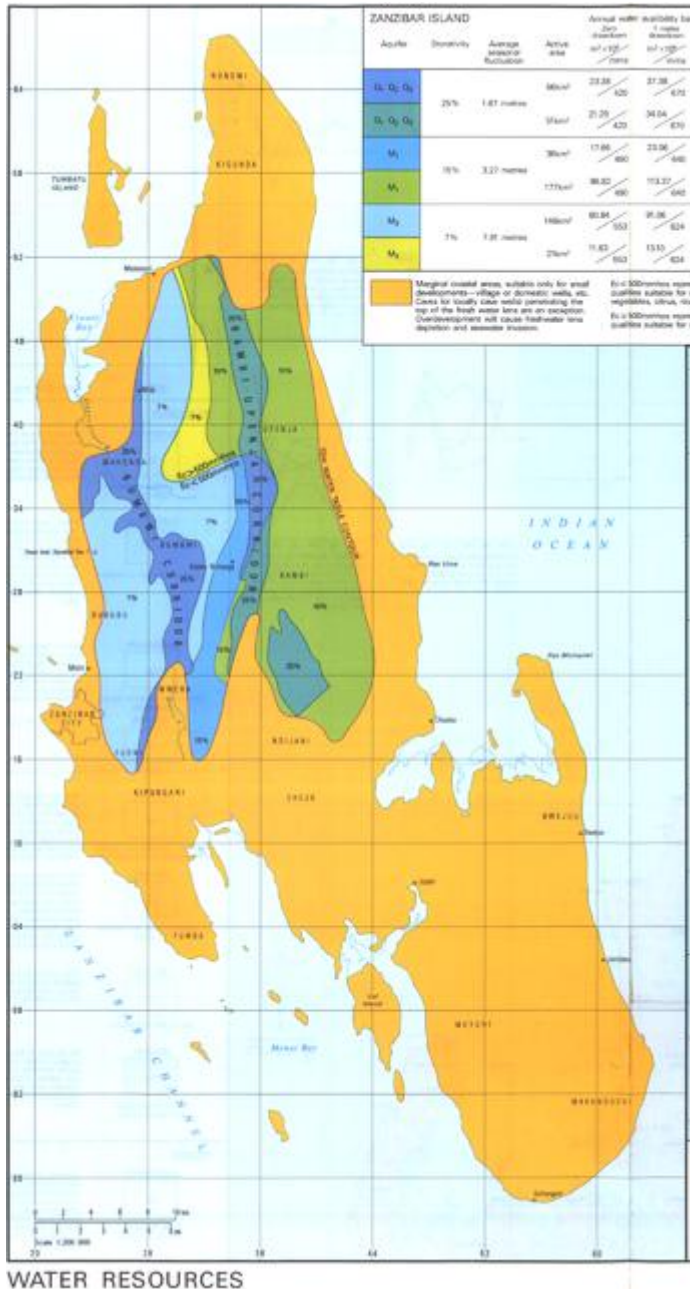
# WATER SITUATION

- For the time being enough water is potentially available
- “1,5 % of precipitation would be enough to supply the population.”
- But no tourism related growth scenarios are available.





# WATER SITUATION



- Most of the ground water is located in the hilly middle part of the island
- 70% leakages due to old pipes and illegal water takings
- Inhabitants are affected by water shortages – increased by electricity shortcuts
- >90 % of the hotels are not connected to the public water pipe system, but take it by water tanks.



## WATER SITUATION

- Since 2008 ZAWA charges for use of water, but only 2,4 % of ZAWA costumers have water meters, therefore they are charged with a flat rate.
- Flat rate has to be paid also for private dwells.
- Dwells in the thin ground water layer near the coast lead to salinisation of the dwells but also of the whole ground water body.

# WASTE WATER SITUATION



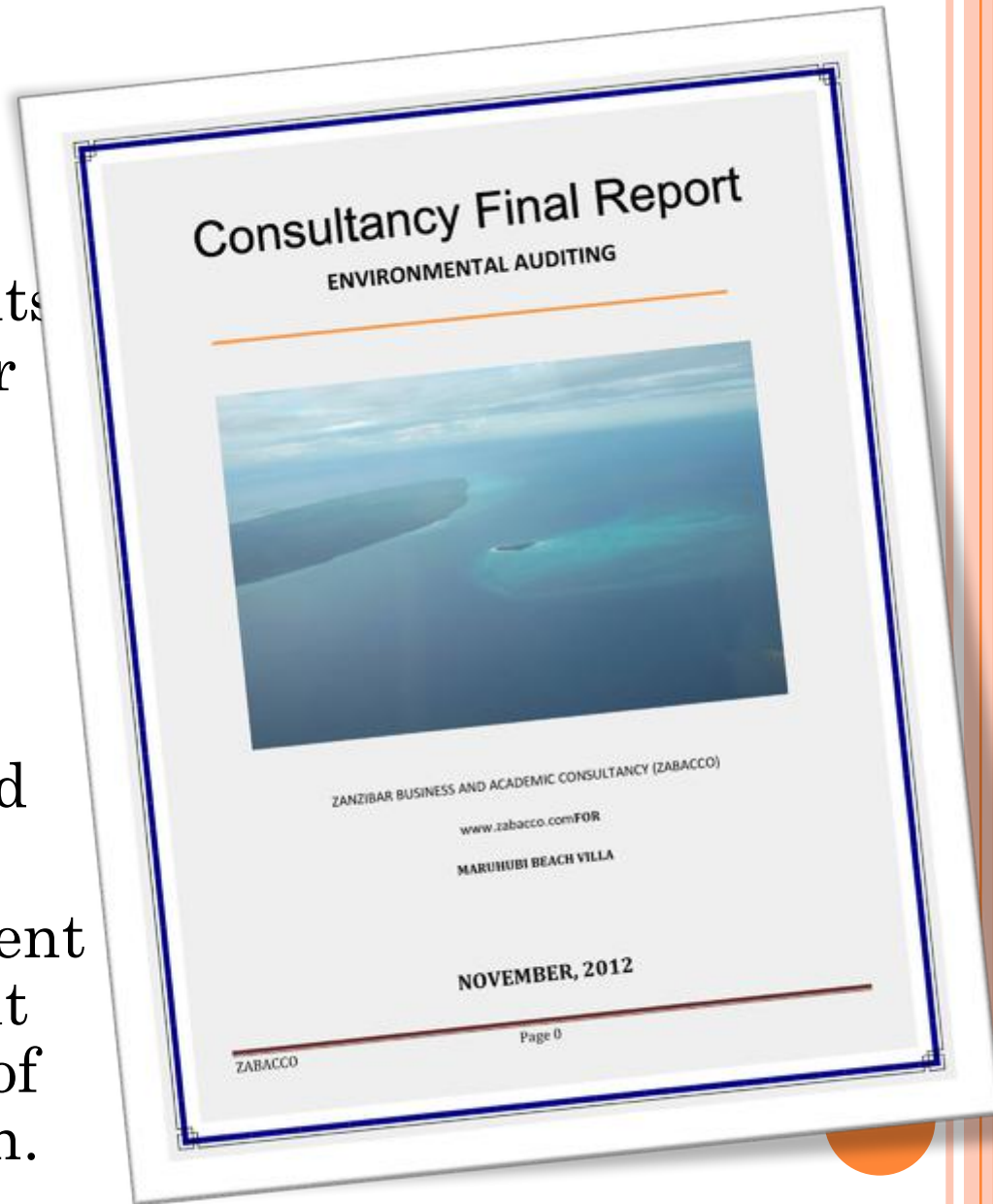
Symbolic picture

- Most of the villages and hotel use pits or septic tanks for waste water ‘treatment’.
- Septic tanks are often emptied and deposited on illegal deposits.
- Several of the (larger) hotels were reported to pump the wastewater into the sea.
- Old septic tanks often leak into the ground water.



# LEGAL SITUATION

- Environmental and Social Impact Assessments (EIAS) are mandatory for hotel investments.
- EIAS are commissioned by the Department for Environment (part of Ministry for Natural Resources) and conducted by private consultancies.
- Hotel owners have different knowledge / opinion about existence (!) and quality of the EIAS implementation.





# CONCLUSIONS

- Human Rights – the right for access to water and healthy water - are violated.
- The reason for violation is not so much the private sector but state failure
- Also the right for decent working conditions seems to be violated – by the private sector.







# Dominican Republic

Working conditions



# MINIMUM WAGES IN THE DOMINICAN REPUBLIC

No	Economic Sector	Minimum wage per month (DOP/ EUR)**	
1	Hotels and restaurants*	DOP 5,191.00 DOP 5,768.00 DOP 8,040.00	EUR 93,00 EUR 103,00 EUR 144,00
2	Free Trade Zones	DOP 7,220.00	EUR 130,00
3	Sugar Industry	DOP 5,625.00 sugar refinery DOP 146.00 per day farm worker in sugar plantations	EUR 101,00 EUR 2,62 per day
4	NGOs	DOP 8,220.00	EUR 148,00
5	Construction sector: 8 minimum wages (plumbers, painters, electricians etc.)	Depend on the specific tasks/activities	---
6	Operation of heavy machines in the farming sector	Depend on the specific tasks/activities	---
7	Other unspecified private sectors*	DOP 6,880.00 DOP 7,763.00 DOP 11,292.00	EUR 123,00 EUR 139,00 EUR 203,00

Ministry of Labour and National Salary Committee 2014

\* Capital: < DOP 2,000,000.00/ DOP 2,000,000.00 - 4,000,000.00; > DOP 4,000,000.00 (EUR 36,000 - 71,000)

\*\* Exchange rate November 2014



# COSTS OF FAMILIES' BASIC SHOPPING BASKET (COSTO CANASTA FAMILIAR)

The **families' basic shopping basket** includes 305 goods and services which represent 90% of the Dominican households' consumption (e.g. food, rental, transport, health, education, telecommunication).

Quintile 1 DOP/EUR	Quintile 2 DOP/EUR	Quintile 3 DOP/EUR	Quintile 4 DOP/EUR	Quintile 5 DOP/EUR
DOP 12,514.05	DOP 17,961.50	DOP 22,153.14	DOP 29,053.97	DOP 57,664.11
EUR 228,00	EUR 327,00	EUR 403,00	EUR 529,00	EUR 1,049,00

Central Bank October 2014

Basis: National survey on household income and expenditures

Exchange rate November 2014



# MINIMUM WAGES IN HOTELS & RESTAURANTS

Minimum wage per month (DOP/EUR)	Profit sharing	Obligatory tip	Voluntary tip	In kind benefits
<b>DOP 5,191.00/</b> EUR 93,00 <b>DOP 5,768.00/</b> EUR 103,00 <b>DOP 8,040.00/</b> EUR 144,00	Employers must share <b>10%</b> of their net profits with their employees	<b>10%</b> (distributed amongst employees)	Advantage for those employees who have direct contact to clients (waiters, bellboys, bartenders etc.)	Free meals. transport, living space, workwear, education etc. (mostly in big hotels/ restaurants)

## Costs of families' basic shopping basket:

**Quintile 1: DOP 12,514.05/EUR 228,00**

Difference to the minimum wages: EUR -135,00/-125,00/-84,00 EUR

- ❖ Given the high occupancy rates of more than 60-70% which most hotels in the Dominican Republic have achieved over the last 10 or more years, this means that an additional income of 70 up to more than 100% to the minimum salary has been paid in average.



# INCOME INFLUENCE FACTORS

Years	Average nominal wages per month (DOP)	Average real wages per month (DOP)	Loss of income through inflation (DOP)
2005	9,200.80	9,200.80	0.00
2006	9,766.50	9,078.97	-687.53
2007	10,485.46	9,183.15	-1,302.32
2008	11,586.61	9,171.28	-2,415.33
2009	11,976.36	9,345.01	-2,631.35
2010	12,466.39	9,148.30	-3,318.09
2011	13,686.73	9,260.81	-4,425.91
2012	14,388.66	9,388.09	-5,000.57

Labour Force Survey / Central Bank 2012

+ Exchange rate DOP/ US\$



# RECOMMENDATIONS – LEGAL FRAMEWORK

Recommendation	Public Sector	Private Sector	Donors
<b>Ratification of the <i>Declaration of Human Rights</i>, the <i>International Covenant on Civil and Political Rights</i> and the <i>International Covenant on Economic, Social and Cultural Rights</i> by all signatory states.</b>	X		
<b>Extension of <b>extraterritorial laws</b> to enable <b>consistent prosecution of child sexual abuse crimes</b> whilst abroad.</b>	X		
<b>Integration of human rights aspects into <b>legal instruments regulating tourism development and operations</b>.</b>	X		
<b>Introduction of a <b>national minimum wage</b>.</b>	X		
<b>Implementation of <b>capacity building activities targeted at public sector stakeholders</b> on human rights compliant legislation.</b>			X

# RECOMMENDATIONS – INTERVENTION, ENFORCEMENT, IMPLEMENTATION

Recommendation	Public Sector	Private Sector	Donors
Introduction of <b>sanction mechanisms</b> for tourism development that adversely affects human rights at different levels.	X		
Implementation of <b>fiscal instruments</b> at national levels.	X		
General support of <b>good governance structures within the destinations.</b>			X
Integration of human rights issues into all <b>tourism-related bilateral negotiations.</b>			X
Implementation of <b>fiscal instruments</b> at national levels.	X		



# RECOMMENDATIONS – PLANNING, MANAGEMENT, EVALUATION

Recommendation	Public Sector	Private Sector	Donors
Providing <b>clarification of land ownership and community properties</b> at national and regional levels (with a focus on indigenous groups, where applicable).	X		
Obligatory <b>involvement of potentially affected groups</b> in tourism planning and decision-making processes.	X	X	
Broadening the scope of existing, legally binding environmental impact assessments to <b>obligatory human rights impact assessments</b> .	X		
Establishment of <b>binding standards for tourism development and operation at national levels</b> .	X		
Introduction of <b>mechanisms for monitoring tourism development</b> and its human rights impacts at different levels.	X		

# RECOMMENDATIONS – PLANNING, MANAGEMENT, EVALUATION

Recommendation	Public Sector	Private Sector	Donors
Extension of <b>tourism certification schemes</b> to social justice and human rights.	X	X	
Development and implementation of <b>industry standards and codes of conduct</b> at a national level.		X	
Establishment of <b>clear and practicable monitoring and sanction mechanisms</b> .		X	
Consistent <b>application of existing human rights instruments</b> .		X	
<b>Upscaling and mainstreaming of existing company initiatives</b> and instruments across private tourism sector.		X	

# RECOMMENDATIONS – PLANNING, MANAGEMENT, EVALUATION

Recommendation	Public Sector	Private Sector	Donors
Extension of <b>sustainability reporting schemes</b> to human rights aspects.		X	
Development and implementation of mechanisms for <b>monitoring human rights impacts of country projects</b> implemented by donor organisations.			X
Integration of human rights issues into all areas of <b>supply chain management</b> .			X
Support for and application of instruments that help <b>transfer informal to formal tourism employment</b> .	X		X
Promotion of <b>unionization of the tourism sector</b> .	X	X	X

# RECOMMENDATIONS – COMMUNICATION

Recommendation	Public Sector	Private Sector	Donors
Development and implementation of a <b>clearing house mechanism at an international level.</b>	X		
Establishment of an <b>intersectoral multi-stakeholder steering group</b> for regular exchange on human rights in tourism at national level.	X	X	
Development and implementation of promotional campaigns that aim to <b>raise travellers' awareness of human rights issues.</b>	X	X	
Development and implementation of promotional campaigns that aim to <b>raise citizens' awareness of human rights issues</b> and to provide <b>conditions for informed decisions/action</b> by local population.	X		
Development and <b>systematic expansion of human rights training programmes</b> for private sector stakeholders to different thematic and geographic areas.		X	

# RECOMMENDATIONS – COMMUNICATION

Recommendation	Public Sector	Private Sector	Donors
Implementation of <b>regular staff training</b> on human rights issues by private sector.		X	
Commitment for <b>awareness-raising and training activities</b> on human rights issues targeted at <b>suppliers, and industry partners.</b>		X	
Implementation of <b>training programmes on good governance and its linkages to tourism development</b> targeted at employees of donor agencies.		X	
Implementation of <b>capacity building activities targeted at private sector stakeholders</b> on human rights compliant tourism operations.			X
Implementation of <b>regular staff training</b> on human rights issues by private sector.			X
<b>Conduct baseline studies and systematically gather data</b> on the relationships between tourism development and human rights.	X		X

# RECOMMENDATIONS – CROSS SECTION

Recommendation	Public Sector	Private Sector	Donors
<b>Financial and technical support for developing countries</b> for those measures/activity areas mentioned above in which implementation is prevented by a lack of resources.			x







**THANKS FOR YOUR ATTENTION**

