

Tourism as a carrier of human rights values

ABSTRACT

Tourism is not simply an economic activity, but a phenomenon of great social consequence. Tourism is influenced by various stakeholders, while on the other hand tourism itself influences people and their values. The aim of the article is to present some possible areas of impact touristic sector on the hierarchy of values of people.

The work uses the legal-dogmatic analysis method, description and functional method.

KEYWORDS: *interpersonal relations, tourist, host, human dignity*

Introduction

Tourism is not simply an economic activity, but a phenomenon of great social consequence¹.

Indeed, tourism is more than the sale of hotel rooms, restaurant meals, and tours of interesting sites. It is an activity through which people from different cultures, with different personalities and life histories, encounter one another and one another's spaces. It is a domain highly inflected by power

¹ Belhassen, Y., Caton, K. (2011). On the need for critical pedagogy in tourism education. *Tourism Management*, 32, 1389–1396.

relations, and it has the capacity to engender a host of troublesome impacts, but also to serve as a profound space of possibility for positive change.²

In a globalized world alarming percentage of jobs today will become obsolete, automated, or replaced by robots. Many of the at-risk jobs include a high proportion of repetitive, low-skill tasks. Work in the tourism sector, including tourist services, will be increasingly automated. There will be fewer social relations in favor of artificial intelligence. For instance, a large part of a hotel laundry department, room service deliveries and luggage handling, as well as cooks and cashiers could be replaced by robots or other equipment. Technology-assisted self-service will also expand further, and human tour guides at attractions will be replaced with QR codes and personal mobile devices.³ Tourism prefer to sightsee on their own with a non-imposing guide. Hotel front office and service center staff will be partially replaced by mobile apps to process check-ins/outs, service orders, and information requests. Besides repetitive tasks, artificial intelligence AI-based machines will be able to perform functions that require higher cognitive capabilities. More personalized services, such as generating social media postings, providing online customer services, and suggesting relevant service offerings, could be effectively performed by non-humans.⁴

We should seek the way to include interpersonal contacts into tourism. For the same reason, professional ethics are even more important now and, in the future, to protect the integrity of all stakeholders. Humanities should be incorporated in the responsibilities of workers to provide them with a solid philosophical foundation, including knowledge in ethics, law, history, and arts, from an analytical perspective. Such competencies will allow future professionals to examine the theoretical frameworks of ethical systems and understand their relationship with legal systems and contested moral issues.

² Caton, K. (2014) Underdisciplinarity: Where are the humanities in tourism education? *Journal of Hospitality, Leisure, Sport & Tourism Education*, 15, 24-33.

³ See also: Yavuz, M. C., Cavusoglu, M., & Corbaci, A. (2018). Reinventing tourism cities: Examining technologies, applications and city branding in leading smart cities. *International Interdisciplinary Business-Economics Advancement Journal*, 3(1), 57-70, 69.

⁴ Hsu C.H.C (2018) Tourism education on and beyond the horizon, *Tourism Management Perspectives* 25, 181-183.

From this reasoning it should be noted that tourism is a branch of industry based on human labor, labor-intensive. In addition, it is work done for people, so the human element is of great importance in tourism. It is therefore important to emphasize the importance of human rights in tourism. The aim of this article is the subject approach, namely whether tourism, like the sector, is or can be a carrier of human rights? Is it possible to spread humanistic ideas and universal values thanks to the development of tourism?

Human rights as moral values

When defining the concept of human rights, it is important to treat them as a category of moral laws, and not only positive ones (codified in various documents). A recognition that human rights are only positive rights would lead to the conclusion that the state, by taking codification activities in the field of human rights, gives us these rights. The moral nature of laws means that no authority gives them to us, documents (internal and international law) confirm them. Rights and freedoms result from our humanity and their source is human dignity. The principle of respect for human dignity, which underlies the protection of human rights, has been confirmed in many documents, including in art. 1 of the Universal Declaration of Human Rights of 1948, according to which *“All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.”*⁵

The reference to the principle of respect for human dignity also appears in art. 30 Constitution of the Republic of Poland from 1997:

*“The inherent and inalienable dignity of the person shall constitute a source of freedoms and rights of persons and citizens. It shall be inviolable. The respect and protection thereof shall be the obligation of public authorities.”*⁶

⁵ Universal Declaration of Human Rights proclaimed by the United Nations General Assembly in Paris on 10 December 1948 (General Assembly resolution 217 A).

⁶ The Constitution Of The Republic Of Poland of 2nd April, 1997 As published in Dziennik Ustaw No. 78, item 483.

No matter what definition we base the meaning of human rights on, they should be understood and the source of their origin known, and these are universal values.

It is worth mentioning that values are often considered in the context of conflict of values,⁷ or even conflict of interest: what is an interest for one party can be breach of right for the other one.

Legal-axiological approach to tourism

This approach is not only a matter of need or moral obligation but has also legal basis. The Global Code of Ethics for Tourism⁸ adopted by WTO in 1999 sets of principles whose purpose is to guide stakeholders in tourism development. At the beginning of the document there is a preamble, which contains a number of directional norms, which set the basis for subsequent articles. In this part, the signatories expressed some beliefs about the principles that the tourism sector should follow. It is stated that tourism is not only about creating and consuming on an individual or groups of stakeholders, but also should promote economic development, building peace, respect human rights and fundamental freedoms of all people, regardless of race, gender, language or religion. Such a catalog of values contradicts and even changes the stereotypical perception of tourism as an economic sector producing only pleasure.

In the provision of art. 1 of the Code refers to responsible tourism based on mutual understanding and promotion of universal human ethical values in a spirit of tolerance and respect for the diversity of ethical, cultural and religious values. Tourist activities undertaken by all tourism actors, i.e. tourists, tour operators, local people should respect mutual values. Tourist activities

⁷ Sitek M., (2018) Human rights in the age of value conflict. Selected issues [in:] Sitek M., Tafaro L., Indelicato M. (ed.) From human rights to essential rights, Józefów, 21;

Krajewska, A. (2018). Wychowanie do wartości w społeczeństwie niepewnych wartości. *Journal of Modern Science*, 36(1), 27-40. <https://doi.org/10.13166/jms/82981>.

⁸ Global Code of Ethics for Tourism adopted by resolution A/RES/406(XIII) the thirteenth WTO General Assembly (Santiago, Chile, 27 September - 1 October 1999).

should be carried out in accordance with the customs of the host country, respecting both its law and customs. Tourists are obliged to behave in accordance with the law and local customs and to obtain necessary information related to it, even as part of self-education, as well as about health and safety rules in a given location:

ARTICLE 1

Tourism's contribution to mutual understanding and respect between peoples and societies

- 1. The understanding and promotion of the ethical values common to humanity, with an attitude of tolerance and respect for the diversity of religious, philosophical and moral beliefs, are both the foundation and the consequence of responsible tourism; stakeholders in tourism development and tourists themselves should observe the social and cultural traditions and practices of all peoples, including those of minorities and indigenous peoples and to recognize their worth;*
- 2. Tourism activities should be conducted in harmony with the attributes and traditions of the host regions and countries and in respect for their laws, practices and customs;*
- 3. The host communities, on the one hand, and local professionals, on the other, should acquaint themselves with and respect the tourists who visit them and find out about their lifestyles, tastes and expectations; the education and training imparted to professionals contribute to a hospitable welcome;*

(...)

Later on, in the provision of art. 2 of the Code, the emphasis of normative regulations is placed on the individual and collective aspect of tourism. Tourism, entertainment, sport and cultural activities are an opportunity to learn about cultural and social differences in the places visited. The tourist activity itself should contribute to the development of human rights, in particular to the protection of the rights of persons belonging to vulnerable groups, such as children, the elderly, the disabled and ethnic minorities. Regardless of the context, human exploitation by a person is contrary to the objectives of tourism.

Tourism supports the host community economically, socially and culturally:

ARTICLE 2

Tourism as a vehicle for individual and collective fulfilment

- 1. Tourism, the activity most frequently associated with rest and relaxation, sport and access to culture and nature, should be planned and practised as a privileged means of individual and collective fulfilment; when practised with a sufficiently open mind, it is an irreplaceable factor of self-education, mutual tolerance and for learning about the legitimate differences between peoples and cultures and their diversity;*
 - 2. Tourism activities should respect the equality of men and women; they should promote human rights and, more particularly, the individual rights of the most vulnerable groups, notably children, the elderly, the handicapped, ethnic minorities and indigenous peoples;*
- (...).

Human rights breach in selected tourism destination countries

Despite the documents and declarations mentioned above, one could draw the theory that tourism does not affect the development or observance of human rights, looking at the list of levels of human rights protection in countries that are significant tourist destinations.

Tourism changes people's view of countries where human rights are violated. The sector does not seem to pay attention to whether countries that are popular tourist destinations respect standards that protect the basic values of the human being. As prof. S. Tafaro states the level of protection of human rights is higher in countries that give more freedom to individuals, while they do not apply in the countries that most deny or violate them?⁹

⁹ Tafaro, S. (2018). Essential rights today. Reconfiguration and priorities. *Journal of Modern Science*, 36(1), 67–91. <https://doi.org/10.13166/jms/90175>.

Meaning, on a global scale, the second largest tourist destination (after France) is the United States, hosting 77.5 million tourists (representing 6% of all arrivals).¹⁰ In the United States, human rights violations against women in prison and detention have often been reported. Rape and other forms of sexual abuse are popular, cruel and degrading shackles for pregnant or bedridden women. Furthermore, the detention of 59 American prisoners in Guantánamo Bay in Cuba is still unclear. As early as 2016, the UN Human Rights Committee expressed concern that the investigation of torture in the context of anti-terrorist activities, which the US was legally obliged to conduct, did not take place. Amnesty International says no action has been taken to put an end to impunity for regular violations of human rights, including torture and enforced disappearances under the CIA's secret program of prisons in the name of fighting terrorism and ensuring security. In addition, the death penalty is still used in the United States. Citizens themselves often support this type of punishment. In November 2016, in the election, the Oklahoma electorate voted to ban Oklahoma courts by calling the death penalty as "cruel and extraordinary" punishment. In California, a state where most people are waiting for the death penalty, voters voted against its abolition, and in Nebraska the electorate chose to abolish 2015 laws abolishing the death penalty. At EU level, the United States was the main destination for Europeans traveling outside the EU in 2015, achieving a result of 13.8% of all EU residents overnight stays outside the Union.¹¹ In particular, the US was the most popular destination for tourists from Ireland, France, Luxembourg, Hungary, Poland, Finland, Sweden and the United Kingdom.

Turkey was the second most popular destination with 10.4% of all accommodation outside the EU.¹² Turkey is a country open to tourists. According to the World Travel & Tourism Council, in 2017 the tourism sector in Turkey accounted for 12.5% of national GDP, offering jobs for 8.1% of the

¹⁰ Travel&Tourism Economic Impact 2017 Turkey <https://www.wttc.org/-/media/files/reports/economic-impact-research/countries-2017/turkey2017.pdf> 5.

¹¹ Ibid.

¹² Ibid.

workforce.¹³ In a country with such a significant share of tourism in the economy, the safety and protection of tourists' 'at European level' is ensured through the care of residents, travel agencies, private health services etc. However, the rights of the people living in Turkey are not fully respected.

It can be mentioned Article 17 of the Constitution of the Turkish Republic:

„No one shall be subjected to torture or mal-treatment; no one shall be subjected to penalties or treatment incompatible with human dignity.”¹⁴

Amnesty International points out in its 2017 annual report: “Following the coup attempt, there has been an increase in torture and other ill-treatment in detention and prisons. This occurred in both southeastern Turkey as well as in Ankara and Istanbul. Abuse investigations were ineffective. (...) After the abolition of the Human Rights Institution in April, no mechanism was established to monitor places where detainees are placed. The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment visited these centers in August and in November submitted a report to the Turkish authorities. Nevertheless, the government did not publish the report before the end of the year. The UN Special Rapporteur on torture visited the centers in November after his visit was delayed by the Turkish authorities. (...) Lawyers said that 42 people detained in Nusaybin in May, after clashes between people associated with the PKK and government forces, were beaten and were victims of other abuses during the arrest.”¹⁵

Many other examples can be mentioned here. However, it should be noted also that these countries are making efforts to, at least to some extent, respect

¹³ One can notice a huge impact of the socio-political situation on the sense of security of tourists, which brings changes in the inflow of tourists. After a series of bombings, an unsuccessful coup attempt and a diplomatic crisis with Russia, the number of foreign tourists visiting Turkey dropped to 25.3 million in 2016, from 36.2 million in the previous year. <http://www.hurriyetdailynews.com/turkeys-tourism-revenue-rises-to-26-3-billion-in-2017-126556> access: 17.05.2018

¹⁴ https://global.tbmm.gov.tr/docs/constitution_en.pdf

¹⁵ Annual report Amnesty International 2016/2017, <https://amnesty.org.pl/wp-content/uploads/2017/02/air201617-wyb%C3%B3r-tekst%C3%B3w-po-polsku.pdf> [access: 30.08.2019]

ethical standards in force in tourism by: firstly participating in the United Nations, and also by ratifying acts of international law such as: the International Covenant on Civil and Political Rights¹⁶, the International Covenant on Economic, Social and Cultural Rights¹⁷, as well as the Labor Standards of the International Labor Organization (ILO) and International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families¹⁸, which include the rights of persons involved in tourism development.

Tourism as an interpersonal medium

Even though at the national level there are cases of human rights violations, often on a massive scale, but in interpersonal contacts, in individual relations it can be stated that tourism is a carrier of human rights values. Tourism, especially mass tourism, can play important role in fostering dialogue among people in this global village we live in, which is getting smaller every day and where relations are becoming more and more difficult both to forge and to sustain. For example, one of the aims of *Life Beyond Tourism* initiative (founded by Fondazione Romualdo Del Bianco) is promoting *authentic tourism*, which means travelling not simply for personal pleasure but also to allow the traveler to familiarize with the identity of his or her chosen destination in its unique development through time, and also to make acquainted other visitors to that destination, interpreting and discussing with the existing heritage.¹⁹ People involved in tourism can raise the level of promoters of intercultural dialogue. This statement can be proved by mentioning compara-

¹⁶ Adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December 1966 entry into force 23 March 1976.

¹⁷ Adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December 1966 entry into force 3 January 1976.

¹⁸ Adopted by General Assembly resolution 45/158 of 18 December 1990

¹⁹ Del Bianco, P. (2010) *Life Beyond tourism. For the intercultural dialogue, for tourism based on values not just on consumer services*, Florence & Cracow. Twin Cities in Europe – Common Cultural Heritage, 209.

tive research of schoolchildren on the impact of tourism on shaping the hierarchy of values and life aspirations.²⁰ Young people actively participating in tourism rated higher values such as: life full of impressions, equality, true friendship and logical. This should not come as a surprise, because – as we can see - these are values whose relationship with tourism is very close. For an exciting life was described as exciting and active; equality as a brotherhood; true friendship as a close camaraderie; logical as consistent, intelligent. Analysis of these features indicates a direct relationship with tourism, which is associated, among others with activity, cooperation in a group, responsibility for a companion of an escapade, and thus close friendship as well as a consistent and intelligent pursuit of the destination of a tourist trip.

Conclusions

One can say that tourism is developed in countries that abuse or breach human rights and therefore support undesirable situations by co-financing regimes. This is true, however, it should also be noted that the growing tourism sector gives jobs to poor people, often unskilled, strengthening their sense of dignity.

On the other hand, tourism considered not as a sector as a whole, but as individual activity connecting people, influence interpersonal contacts and has positive effects on both tourists and local community that host tourists. In this aspect tourism can be considered as a carrier of human values, such as brotherhood, openness and tolerance.

²⁰ Warchoła, M. (2016) Wpływ uprawiania turystyki na kształtowanie hierarchii wartości i aspiracji życiowych podkarpackiej młodzieży szkół ponadgimnazjalnych, *Studia Paedagogica Ignatiana. Rocznik Wydziału Pedagogicznego Akademii „Ignatianum” w Krakowie* 19/1, 197-219.

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LEGAL ACTS:

- Global Code of Ethics for Tourism adopted by resolution A/RES/406(XIII) the thirteenth WTO General Assembly (Santiago, Chile, 27 September – 1 October 1999).
- International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families Adopted by General Assembly resolution 45/158 of 18 December 1990

International Covenant on Economic, Social and Cultural Rights adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December 1966 entry into force 3 January 1976.

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https://global.tbmm.gov.tr/docs/constitution_en.pdf

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Travel&Tourism Economic Impact 2017 Turkey <https://www.wttc.org/-/media/files/reports/economic-impact-research/countries-2017/turkey2017.pdf> 5