MEETING SUMMARY REPORT:

Frameworks for Change
The Tourism Industry and Human Rights

29 May 2012

Friends House, London, UK

Contents

About the organisers

Tourism Concern

Tourism Concern is an independent campaigning organisation founded in 1989 to challenge exploitation and human rights abuses in the tourism industry, particularly in the global South. It aims to increase understanding of the social, cultural, economic and environmental impacts of tourism on local communities, and works to promote tourism that is sustainable, equitable, participatory, and founded upon a respect for human rights.

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The Institute for Human Rights and Business

The Institute for Human Rights and Business (IHRB) is dedicated to being a global centre of excellence and expertise on the relationship between business and internationally proclaimed human rights standards. It aims to provide a trusted, impartial space for dialogue and independent analysis to deepen understanding of human rights challenges and issues and the appropriate role of business.

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Acknowledgements

Tourism Concern and IHRB sincerely thank all those who participated at the meeting, particularly the panellists, some of whom travelled a considerable distance to take part.

Disclaimer

The views and opinions set out in the third party presentations and discussion points of this report do not necessary reflect those of Tourism Concern or IHRB.

Executive Summary

The Institute for Human Rights and Business (IHRB) and Tourism Concern convened this multi-stakeholder, one-day roundtable meeting to explore the challenges, risks and opportunities around integrating human rights into tourism development and management.

The roundtable sought to create a space for tourism and other interested stakeholders to explore what it means for the industry to take a human rights approach, and why this is integral to true sustainability. Building on Tourism Concern's recent briefing, *Why the tourism industry needs to take a human rights approach: The business case* (2011)[1] the meeting attempted to make clear the need for the sector to continue to constructively engage and align with international human rights standards, in particular, the business responsibility to respect human rights, as clarified in the UN Guiding Principles on Business and Human Rights for implementing the UN 'Protect, Respect, Remedy' Framework (UNGPs)[2].

An overview of tourism and human rights issues and an introduction to the UNGPs, including the work of the UN Working Group on Business and Human Rights, was followed by three panels exploring particular areas of risk for the tourism sector: water rights; land rights and indigenous peoples; and labour rights. A final panel examined existing tourism sector approaches that could be expanded and built upon, and sought to establish what needs to happen for tourism sector stakeholders to work effectively towards implementing their responsibility to respect human rights.

Key challenges identified included: the complexity and diversity of the business and human rights agenda, as well as the tourism sector itself; clarifying where roles and responsibilities lie; ensuring approaches are manageable; prioritisation of issues; the practicalities of human rights due diligence; undertaking meaningful, sustained community consultations; influencing and engaging supply chain partners; resource constraints; and the need for training and further practical tools and guidelines.

Opportunities identified for taking the human rights agenda forward included: using the guidance contained in the UNGPs to assist in developing processes of human rights due diligence as a means to identify, mitigate and address potential adverse human rights impacts and associated risks; engagement with the UN Working Group on Business and Human Rights, which exists to support and share learning in this regard; greater cross-sector learning; utilisation of existing toolkits and guidelines (e.g. those produced by IHRB and the ILO); and learning from and building on existing tourism industry initiatives and schemes. There was broad consensus that a multi-stakeholder approach and dialogue are essential to the effective engagement and management of sustainability and human rights issues.

In terms of next steps, great emphasis was placed on the need for the lead to come from the tourism sector itself. A specific suggestion was made for the formation of a multi-stakeholder working group on tourism and human rights, which could further explore issues and develop approaches and guidance, and act as point of engagement with the UN Working Group on Business and Human Rights. A direct request was issued to tourism sector stakeholders to engage in the on-going UN Working Group dialogues and consultations, including through its annual Forum.

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[1] *Why the tourism industry needs to take a human rights approach: The business case* is available to download at: www.tourismconcern.org.uk/uploads/file/campaigns/TourismConcern_IndustryHumanRightsBriefing-FIN.pdf
[2] *Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect, Remedy" Framework* (John Ruggie, 2011) can be downloaded at: www.business-humanrights.org/media/documents/ruggie/ruggie-guiding-principles-21-mar-2011.pdf

Introduction

The UNGPs were established in response to the continuing processes of globalisation, which have seen an unprecedented increase in the geographic scope, activities, power and financial resources of the private sector, notably multinational businesses. The UNGPs seek to provide clarification on the roles and responsibilities of private sector entities vis-à-vis States with respect to human rights, as well as the role of both in ensuring access to redress for those whose rights have been violated. The application of the UNGPs is particularly pertinent when businesses operate in countries where adherence to international human rights norms and standards are weak due to lack of government will, capacity or resources – as is the case in many tourism destinations - or because of on-going or recent violent conflict – which also applies to destinations such as Sri Lanka, India, Burma, Nepal and Sierra Leone.

Unanimously endorsed by the UN Human Rights Council in June 2011, the development of the UNGPs was led by the Special Representative of the Secretary General, Dr John Ruggie, and entailed extensive consultations over six years with business sectors, governments and civil society. As such, they have won unprecedented levels of support. The UNGPs offer a principled but pragmatic framework for businesses to implement their corporate responsibility to respect human rights throughout their activities, supply chains and business relationships. The responsibility to respect is clearly reaffirmed within the UNGPs as a baseline standard applicable to all businesses, everywhere, irrespective of size, sector, or where they operate.

Through a series of presentations and panel discussions that drew on the diverse expertise of participants, this multi-stakeholder meeting aimed to demonstrate how effective human rights due diligence, as set out in the UNGPs, offers a useful tool for working towards greater industry alignment with international human rights norms and standards for business.

Participants included representatives from tour operators, travel trade associations, the hotel sector, non-governmental organisations, unions, and academia. UK Government representatives, including the UK Foreign and Commonwealth Office, were unable to attend. It is recognised that the absence of destination governments meant an important dimension to the discussions was missing. Furthermore, due to logistical reasons, it was not possible to include direct representation from communities in overseas tourism destinations.

Session One provided a brief **overview of tourism and human rights issues**, followed by an **introduction to the UNGPs** and the work of the UN Working Group on Business and Human Rights, which is mandated to monitor and support the implementation of the UNGPs by governments and business. A direct request was issued to tourism sector stakeholders to engage in the on-going UN Working Group dialogues and consultations, including through its annual Forum.

The following sessions explored three pertinent areas of human rights risks and challenges facing the tourism sector:
- **Session Two - The right to water**
- **Session Three - The right to land and indigenous peoples**
- **Session Four - Labour rights**

A **fifth session**, **Building on good practice – Solutions and ways forward** focused on existing tourism sector initiatives that could offer learning and be built upon further by drawing on the framework for change offered by the UNGPs.

The key challenges and opportunities identified during the meeting are presented on pages 6-7.

In order to encourage open discussion, the meeting was conducted under the Chatham House Rule. This means that, apart from the presentations, comments are not attributed to individuals or organisations in this report. It should be noted that tourism industry representatives were also sought for the panels in Sessions Two to Four; however, all invitations were declined.

Meeting Outcomes

Key challenges

The key challenges identified with respect to integrating a human rights approach both strategically and in operations and supply chains in tourism include:

- Encouraging the industry to engage with human rights generally, to take ownership of the uptake of the UNGPs and the implementation of its business responsibility to respect human rights.

- Understanding how to undertake human rights due diligence – is the guidance provided by the UNGPs sufficient? Further practical guidelines needed for tourism, plus examples of success stories and good practice.

- The size, complexity and evolving nature of the business and human rights agenda - lack of understanding and clarity on where and how to engage, and how to prioritise issues.

- The scale, diversity and fragmentary nature of the global tourism sector, which overlaps with government bodies (e.g. tourism ministries and boards). Lack of understanding and clarity on roles and responsibilities, particularly when operating in contexts where government capacities, resources and infrastructure are weak.

- Clarifying how the industry causes or contributes to human rights violations, including cumulative adverse human rights impacts stemming from sector-wide activities. Identifying where human rights risks lie, given that the voices of people negatively affected by tourism often go unheard due to their socioeconomic marginalisation, limited civil society space, and unresponsive States. Apparent failure of existing auditing processes to uncover human rights issues.

- Operating with due diligence in contexts where corruption is prevalent (national, state, local and village levels).

- Ascertaining how much and what level of information and knowledge tourism businesses need to maintain about the potential human rights impacts of their activities.

- Ascertaining appropriate levels of business transparency while ensuring accountability and fulfilling stakeholder expectations.

- Engaging and influencing supply chain partners. Need for investment in training and awareness-raising.

- Ensuring that human rights do not become a 'bolt-on' and are integrated into existing initiatives.

- Winning the necessary buy-in and support from senior management, and effectively integrating human rights/sustainability policies across all business operations and supply chains.

- Allocation of the necessary resources to address human rights issues sufficiently, particularly in the difficult economic climate.

- Challenges around green-washing.

- Ensuring effective community engagement, which should be integral to the entire due diligence process. A good level of cultural knowledge and understanding are required, plus negotiation skills. Can be time-consuming and require adequate resourcing.

- Ensuring gender is given adequate consideration. Essential to maintain a gender perspective when developing human rights approaches (i.e. community engagement) given the particular vulnerabilities and challenges faced by women.

- Managing conflicting points of view even where tourism businesses do strive to put communities first. Communities themselves are not homogenous.

- Ensuring effective and adequate access to remedy for victims of human rights transgressions. Do the UNGPs offer sufficient access to remedy where national authorities often cannot or will not enforce their international human rights obligations?

- Trend towards outsourcing workforce and franchising out of brand names is augmenting human rights risks and undermining corporate accountability mechanisms, including access to redress.

- Limitations of the UNGPs in guarding against economic injustice in international tourism, which undermines destination development, e.g. repatriation of profits and tax avoidance.

Opportunities and next steps

A range of opportunities, frameworks and initiatives for working towards effective management of human rights risks and implementation of the business responsibility to respect human rights were flagged:

➢ As well as clarifying the universal corporate responsibility to respect human rights, the **UN Guiding Principles on Business and Human Rights** make a strong business case for taking a rights-based approach in order to manage risks associated with corporate complicity in human rights abuse. Guiding Principles 11-24 provide specific guidance on businesses' human rights responsibilities, processes of due diligence, and access to remedy.

➢ **The UNGPs** are gradually being incorporated into government policies and hard law, while tourism to date has escaped the same levels of human rights scrutiny as other sectors: effective engagement in UNGPs sooner rather than later will enable tourism sector stakeholders to keep up with policy changes and 'know and show' that they are working to enact their responsibility to respect human rights.

➢ **The UN Working Group on Business and Human Rights**[3] exists to support dissemination and implementation of the UNGPs, including sector specific and cross-sector learning. They are keen for the tourism sector to engage in the on-going dialogues and consultations, notably the Business and Human Rights Forum that takes place on 4-5 December 2012 (see p.10)

➢ **A range of existing and forthcoming tools and guidelines** were highlighted, including:
  - Tourism Concern's publications, including: *Why the tourism industry needs to take a human rights approach*; *Putting Tourism to Rights;* and *Water Equity in Tourism,* which contains nine principles for water equity in tourism plus detailed recommendations for all stakeholders.[11]
  - IHRB's draft guidelines for a rights-based approach to business acquisition and use of land (p.18)

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[3] See: www.ohchr.org/EN/Issues/Business/Pages/WGHRandtransnationalcorpora tionsandotherbusiness.aspx

- CEO Water Mandate guidelines for responsibility business engagement in water policy (p.16)
- A range of ILO toolkits and resources (p.21)
- The Staff Wanted Initiative 'SEE' Formula (scrutinise, engage, ensure) (p.24)
- International Employers' Organisation guide for employers and companies for understanding and implementing the UNGPs (p.10)

➤ **The experience and learning from other sectors**, e.g. Water – A Business Imperative (Diageo and International Business Leaders Forum).

➤ **Learning and opportunities offered by existing tourism sector initiatives**, including:
- The Global Sustainable Tourism Criteria for tour operators and hotels, and new draft criteria for destinations (p.25)
- ABTA's sustainability workstreams and human rights 'touch points' (p.27)
- Travelife (p.27)
- Code of Conduct for the Protection of Children from Sexual Exploitation in Travel & Tourism (p.28)
- Kuoni's Statement of Commitment to Human Rights and on-going implementation of the Action Plan (p.29)

➤ **The opportunities offered through multi-stakeholder approaches**. Learning from other sectors, tourism, and human rights organisations and institutions highlight the criticality of such approaches in fostering sustainable means of managing and addressing human rights risks and impacts.

➤ **The formation of a sector multi-stakeholder working group on tourism and human rights** was suggested, which could further explore issues and develop approaches and guidance, and act as point of engagement with the UN Working Group on Business and Human Rights (see p.30)

➤ **The EC funding call:** *European Multi-stakeholder platforms on corporate social responsibility in relevant business sectors[4], is an opportunity for tourism sector stakeholders to resource and coordinate their engagement on human rights. The deadline for the call is 14 September 2012.

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[4] See:
http://ec.europa.eu/enterprise/newsroom/cf/itemdetail.cfm?item_id=5928&lang=en&title=European%20Multistakeholder%20platforms%20on%20corporate%20social%20responsibility%20in%20relevant%20business%20sectors

Session 1 - Introducing the issues

Key human rights issues in tourism
Mark Watson - Executive Director, Tourism Concern

- Tourism is a rapidly growing international industry and a major development driver for many lesser developed economies. However, there are serious questions about how the benefits of this sector are shared, and of its impacts on human rights.

- For tourism to be sustainable, local people must enjoy some of the proceeds from tourism, participate in the opportunities it offers, and not suffer adverse human rights impacts.

- A human rights approach makes sense in terms of business sustainability, as well as promoting social, economic and environmental sustainability of tourism destinations.

- Key human rights issues related to tourism include: Land rights; indigenous people; depletion of natural resources including water; dignity, respect and participative decision-making; labour conditions, including health and safety; and sexual exploitation, including of children.

A Framework for change: UN Guiding Principles on Business & Human Rights
John Morrison, Executive Director – Institute for Human Rights and Business

- What does sustainability in tourism mean and how does this fit with Business and Human Rights? What are the true costs of tourism in terms of supply chains and franchises, where businesses fail to respect human rights? What does sustainable tourism look like in the context of longstanding human rights abuses, such as in Burma/Myanmar, which is now is opening up to tourism? Such questions cannot be reduced to the idea of 'footprints' (as with environmental impact).

- A human rights approach provides a lens for scrutinising activities and that may flush out risks and opportunities that are otherwise overlooked.

- The unanimous endorsement by the UN Human Rights Council in 2011 of the UNGPs signalled a fundamental shift. The Business and Human Rights agenda and the UN Guiding Principles on Business and Human Rights are now an unavoidable discussion for all business sectors. The only uncertainty for tourism is how this sector will respond.

- Businesses have direct responsibilities to respect human rights. The UNGPs clarify and elaborate on these and offer guidance for the implementation of the **"Protect, Respect, Remedy"** Framework. This refers to:
    1. The **State duty to protect** human rights abuses by businesses
    2. The **business responsibility to respect** human rights, which means that businesses should act with due diligence to avoid infringing on the rights of others and to address adverse impacts where these arise
    3. The need for **access to redress** for those whose rights have been abused as a result of corporate activities

- It is important to note that the formation of UNGPs was not only a Northern-led process. Widespread consultations were undertaken globally among governments, civil society and the business sector, including, for example, National Human Rights Institutions, the International Trades Union Congress (ITUC), and the

International Employers' Organization (IOE). The IOE has recently published a guide for employers and companies for understanding and implementing the UNGPs[5].

- Although the UNGPs don't yet represent hard law, they are gradually being incorporated into government policies. For example:
    - California has recently introduced the Transparency in Supply Chains Act, and the Dodd-Frank Act in 2010 (re: financial regulation)
    - The EU is working to advise member states and promote policy coherence on the implementation of the UNGPs, as set out in its new CSR strategy[6]
    - Reporting requirements in Denmark are likely to become mandatory
    - *The OECD Guidelines for Multinational Enterprises* now include a chapter on Human Rights[7] Franchise relationships are now covered under the National Contact Point Process

- Laissez-faire tourism business is a thing of the past.   As yet, tourism has not been in the spotlight, but a high profile case of alleged adverse human rights impacts can change the game as it has in other sectors. Identifying and managing these risks through a process of human rights due diligence is therefore essential. Due diligence allows businesses to 'know and show' that they are working to respect human rights, and to be transparent in advance.

- Five key questions that the tourism sector needs to examine:
    1) Where are the greatest risks for the tourism industry?
    2) Does the industry contribute to negative impacts or is it just linked indirectly?
    3) How much due diligence does the sector need to do in advance?
    4) How much transparency is necessary and appropriate in order to meet stakeholder expectations?
    5) How to provide remedy when bad things happen?

Engaging with the UN Working Group on Business & Human Rights
Michael Addo, member of the UN Working Group on Business and Human Rights

- The unanimous endorsement by the UN Human Rights Council of the UNGPs led to the creation of the Working Group on the issue of human rights and transnational corporations and other business enterprises (the UN Working Group).
- The UN Working Group has five members representing different geographical regions. It meets three times a year, undertakes 2 country visits, and attends additional events.

The UN Working Group Mandate is to:

- Promote dissemination and implementation of the UNGPs
- Promote good practice and share learning
- Support capacity building
- Guide the work of the Forum on Business and Human Rights, which meets annually[8]

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[5] See: http://lempnet.itcilo.org/en/hidden-folder/ioe-guide-on-un-guiding-principles-human-rights
[6] See: http://ec.europa.eu/enterprise/policies/sustainable-business/corporate-social-responsibility/index_en.htm
[7] See: www.oecd.org/document/28/0,3746,en_2649_34889_2397532_1_1_1_1,00.html
[8] The Forum on Business and Human Rights was established by the UN Human Rights Council. It sits under the guidance of the UN Working Group to discuss trends and challenges in the implementation of the UNGPS, and to promote dialogue and cooperation on business and human rights related issues. This includes sector specific challenges, operational environments, specific rights or groups, as well as identifying good practices. See:
www.ohchr.org/EN/Issues/Business/Pages/ForumonBusinessandHR2012.aspx

The UN Working Group strategy is to:

- **Secure the UNGPs as a common point of reference.** Promote policy convergence, avoid duplication, maintain integrity of the UNGPs, showcase good practice
- **Use UNGPs to enhance accountability**. Including capacity building of all stakeholders and supporting processes for providing effective remedy.
- **Promote a receptive environment.** Embed UNGPs in global and regional governance frameworks, e.g. World Bank, World Trade Organisation. Facilitate and support different efforts at dissemination and implementation. Reach out to new audiences - including tourism. Promote the business case.
- **Maintain strong engagement and dialogue with all stakeholders.** For example, at the annual Forum on Business and Human Rights; UN Working Group sessions will devote at least half a day to garner stakeholder views.
- Engagement, dialogue and listening are central to the UN Working Group's approach – there is a need for different sector stakeholders to engage, including tourism.

Opportunities for outward engagement - The UN Working Group is available to:
- Provide advice and clarifications on the UNGPs
- Support sector-specific activities
- Share good practice and lessons**.** However, it is critical for each sector to learn its own lessons, e.g. what works for the extractives sector will not necessarily work for tourism.

Opportunities for inward engagement:
- UN Working Group regularly issues calls for stakeholder input to consultations
- The multi-stakeholder UN Forum on Business and Human Rights meets for the first time on 4-5 December 2012 in Geneva. This is an opportunity to work towards a common objective.

Why the tourism sector should engage:
- **Managing risk:** Every sector is exposed to reputational risk. Dialogue with UN Working Group could help forestall reputational damage.
- **"Knowing and showing":** Companies have to do their own human rights due diligence and provide access to remedy, irrespective of whether the governments of the countries in which they operate do so. Human rights due diligence is about 'knowing and showing', rather than being 'named and shamed'. It allows companies to identify, address and avoid risks.
- **Sharing good practice***:* Showcasing what the tourism sector is doing on business and human rights with other sectors.

DISCUSSION POINTS

➢ The global free market economy incentivises companies to behave in a certain way, which negatively impacts upon human rights.

➢ The tourism industry is highly fragmented and complex, e.g. construction and property ownership are often separate. However, this should not undermine international human rights laws. Governments need to regulate to protect people against rights infringements caused by corporate activities.

➢ Human rights can help clarify many, but not all, issues. Although human rights law cannot respond to every question, the universality of human rights is critical.

➤ The UNGPs remain voluntary and OECD Guidelines for Multinational Enterprises[9] are weakened because many governments shield companies from the National Contact Point (NCP) process. The UNGPs and OECD Guidelines fall short when governments are unable or unwilling to challenge big business. They are also weak in terms of ensuring access to justice and remedy for victims of human rights abuse. Governments need to bolster the effectiveness of the OECD process, otherwise the OECD Guidelines are also unenforceable.

➤ The tourism industry is possibly relatively slow in adopting principles of CSR and human rights for several reasons: its fragmented nature - tourism is an amalgamation of several different sectors; tourism is a 'feel good' industry - sees itself as an economic and social force for good; a resource/focus issue amongst NGOs – the vast majority of reports of human rights violations around 2000 focused on the extractives and manufacturing sectors; it is only since circa 2005 that other sectors have been highlighted, e.g. information communication and technology.

➤ Sufficient resources need to be devoted to addressing the issue. The voices of people negatively affected by tourism often go heard, which means the issues remain unclear or unknown. It is necessary to put tourism-associated human rights issue on agendas of the UN and EU.

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[9] See: http://www.oecd.org/document/18/0,3343,en_2649_34889_2397532_1_1_1_1,00.html

Session 2: Water rights and tourism

Water and Tourism
Daniel Yeo, Senior Policy Analyst - WaterAid

- There is a general overloaded of information about 'the world water crisis'. It is important to cut through the complexity and examine what it really means and why it matters.

- Water stress / 'scarcity' are essentially issues of how water is distributed, rather than physical quantity. Addressing these challenges requires water to be made a political priority. This is often not the case. Applying the right skills and sufficient resources are also essential.

Effective water distribution is contingent upon:
- Available and reliable information
- Effective institutions
- Adequate investment in infrastructure
- The impacts of climate change on freshwater resources (sea level rises, changing rainfall patterns etc.) present added future uncertainty

- 784million people currently lack sufficient water access - why does this matter?

Inadequate access to water and sanitation:
- Is the biggest killer of children under the age of five in sub-Saharan Africa
- Hampers economic growth and social development
- Carries significant risks, including around political and social stability, and in relation to disasters and other extreme events

Government and business roles and responsibilities around water and sanitation rights
- Governments have a duty to *fulfil* and *protect*:
    - As set out in numerous human rights frameworks, notably General Comment 15 of the UN Committee on Economic, Social and Cultural Rights (2002)[10]; the UN Human Rights Council (2010); and is reflected in various national-level legislation
    - To 'fulfil' means to facilitate, promote and provide access
    - Fulfillment of the right to water has several dimensions: availability, quality, accessibility
- The UNGPs elaborate on:
    - The State duty to *protect* the right to water against abuse by business
    - The corporate responsibility to *respect* human rights
    - Access to *remedy* for those whose rights have been adversely impacted

What does this mean for businesses and why should they care?
- When considering water-related risk, there is a tendency to focus on immediate impacts
- However, there are bigger strategic risks related to the wider societal and development context that businesses depend upon for market and staff

The tourism industry and water could benefit from the following:

- **Pursuing a 'Do No Harm' approach:**
- Manage own water footprint (reduce consumption etc.)
- Actively engage in issues relating to water catchment areas

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[10] See: http://www.unhchr.ch/tbs/doc.nsf/0/a5458d1d1bbd713fc1256cc400389e94/$FILE/G0340229.pdf

- Undertake human rights due diligence to identify, mitigate and address potential adverse human rights impacts and associated risks

  - **Alignment:**
- Learn from and align with the existing development landscape and principles
- Understand the context and other actors in which you do business
- Understand politics and power, and how this affects water distribution

  - **Leadership**
- Contributing to fair governance and equitable water access, including through engagement with public policy
- It is in business interests to engage - direct risks to society pose indirect risks to business
- Pursuit of a collaborative approach: disclosure of dilemmas and seeking to jointly address collective problems

What should the tourism industry do where state is absent (unable or unwilling)?
- Community projects aimed at direct water provision can replace or undermine government
- Need to be mindful of power dynamics
- There is a danger that poorly managed community projects can escalate risks
- Winning the business case means going beyond philanthropy

Water rights and tourism – A case study from Zanzibar[11]
Rachel Noble, Head of Policy and Research - Tourism Concern

Tourism is a thirsty business:
- Tourism consumes significant quantities of water both during construction and operation of services and facilities (guest rooms, swimming pools, gardens, catering, laundry, golf, etc.)
- Tourism development is typically concentrated in hot regions and dry seasons, and is most intense in coastal areas where water resources are fragile (e.g. prone to saltwater intrusion), or economically scarce due lack of infrastructure and government capacity.
- Industry initiatives typically focus on water saving within hotels – fail to address impacts at wider community / destination level, including impacts on right to water.

Water Equity in Tourism programme
- Research undertaken in Bali (Indonesia), Goa (south India), The Gambia (West Africa), and Zanzibar (Tanzania, East Africa).
- This found that the over-exploitation, appropriation and pollution of water resources by tourism development are, in many cases, impacting negatively on the right to water and sanitation of local communities in terms of water quality, accessibility, availability and affordability.

Zanzibar context
- Rapid increase in tourist arrivals - from 19,400 in 1995 to 220,000 in 2011. While tourism has created jobs and opportunities for many, 42 per cent of residents remain in poverty, while 50 per cent of rural dwellers lack water access.
- Tourism is concentrated on the east and north coasts of Unguja island, which is classed as 'water poor'. Research undertaken in villages of Nungwi, Kiwengwa and Jambiani.

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[11] Tourism Concern's report, *Water Equity in Tourism – A Human Right, A Global Responsibility*, is available to download from: http://www.tourismconcern.org.uk/index.php/news/37/61/PRESS-RELEASE-New-report-reveals-massive-water-inequity-between-tourism-and-locals.html

Key findings
- All villages reported daily struggle to access sufficient water. The greatest burden is borne by women, who spend significant time, energy and resources fetching water. This prevents them from engaging in other socioeconomic activities.
- Hotels' average daily water use per room was found to be 1,482 litres - 16 times higher than the daily water consumption of local households.
- Very limited use of water saving strategies in hotels (e.g. rainwater harvesting, grey water recycling). Many hotels used soak pits to dispose of sewage, posing threats to health and the natural environment.

Kiwengwa village:
- Local wells have reportedly become increasingly salty as tourism development has intensified. This is forcing many households to purchase water from private tankers. However, this option is not always affordable.
- An agreement was struck (with government involvement) for two hotels to supply the community with water pumped from caves. However, according to villagers, the hotels did not always honour the agreement and prioritised their water requirements over the basic needs of the community. This has led to demonstrations and attempts by locals to cut the water pipelines. As a result, the cave sources are now guarded 24 hours a day.
- When one of the hotels closed, part of village was left without entirely without piped water.

Jambiani village:
- Villagers attribute low water pressure to hotels siphoning off mains supply. Public water flow is also hampered by power cuts. Many hotels have private generators so can continue pumping water.
- A three-month power cut in 2010 led to a cholera outbreak in which at least four people died. It is probable that the well became contaminated from sewage leaked from soak pits used by nearby hotels.
- This inequity and associated serious health issues have again led to local anger and resentment.

Emerging common themes
- Highly complex issue with many interrelated factors, including: weak legislation and enforcement, lack of information and coordinated planning, low levels of awareness, capacity and resource limitations, lack of political / industry will, incremental privatisation of water
- Wider issues placing strain on water resources include deforestation (including for tourism) leading to watershed degradation, climate change, population growth, and urbanisation.

Opportunities
- Examples of positive cooperation between hoteliers and communities reported in each of the villages with respect to supporting water access (e.g. provision of water tank).
- Hotelier advocacy: villagers reported that hoteliers had successfully applied pressure on water authorities to fix broken public pipes quickly.
- Over half the hotels were keen for information and training on water conservation, and were interested in participating in initiatives addressing water inequity.
- Village Water Committees established under Zanzibar Water Policy (2004) as potential focal points of engagement (although their current effectiveness is questioned by villagers).
- Development of community protocols. Tourism Concern's local partner, Mwambao Coastal Community Network, is exploring the potential for developing community protocols for engaging with hotels and government to ensure equitable distribution and management of water.

Concluding thoughts
- Tourism development can clearly be seen to be contributing to infringements of water rights. Water inequities are leading to social conflict and resentment. Both undermine sustainable, inclusive tourism, plus wider socioeconomic development.

- Industry stakeholders need to increase but move beyond water saving in hotels and enact their business responsibility to respect human rights.
- This requires on-going dialogue and consultation with local stakeholders in order to monitor and mitigate adverse impacts, and ensure effective remedies where required.
- Complex problem requiring collective approach to solving, in coordination with destination government authorities, as well as supply chain partners, including dialogue, information sharing, advocacy, training and capacity building, technology transfer.

Private sector engagement in water policy

Stephen Kenzie - **Sustainability Programme Director, International Business Leaders Forum**

Part of the UN Global Compact, in 2010 the **CEO Water Mandate** produced a *Guide to Responsible Business Engagement with Water Policy[12].*

Five core principles for businesses were identified:
1. Advance sustainable water management
2. Respect public and private roles
3. Strive for inclusiveness and partnerships
4. Be pragmatic and consider integrated engagement
5. Be accountable and transparent

Water: A Business Imperative (WBI)

- WBI was a series of business roundtables organised by Diageo, Africa Practice and IBLF in support of the CEO Water Mandate's aim of advancing responsible corporate practice around water, and identifying the role businesses can play in supporting effective and fair water policies.

- The roundtables were held across Africa in Cameroun, Ghana, Kenya, Nigeria and South Africa, and at the UN Global Compact Leaders Summit, in order to discuss corporate engagement with water issues.

- WBI objectives:
- Demonstrate the CEO Water Mandate principles in action
- Identify a role for business in supporting effective and fair public water polices
- Provide a 'safe' forum where business, government and NGOs could better understand their respective perspectives

What has happened since:
- **Alliance for Water Stewardship**[13]- An international initiative that is working with water authorities, companies, local communities and environmentalists to establish an International Water Stewardship Standard, which will utilise third-party verification.
- **WRI Aqueduct**[14] - has produced a Water Risk Framework for business
- **GEMI**[15] - has produced a Water Sustainability Tool
- **CEO Water Mandate Water Action Hub**[16] – a project that will develop a mapping tool to connect actors with a shared interest in improving water management on a location-specific basis, to help generate collective action.
- Possibility of **WBI-2**

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[12] Available at: http://ceowatermandate.org/files/Guide_Responsible_Business_Engagement_Water_Policy.pdf
[13] See: http://www.allianceforwaterstewardship.org/
[14] See: http://insights.wri.org/aqueduct/how-it-works
[15] See: http://www.gemi.org/water/
[16] See: http://www.water-energy-food.org/en/knowledge/institutions/view__water_action_hub.html

DISCUSSION POINTS

➢ Tourism industry is hugely diverse, fragmented and complex – overlaps with governments. How to understand and manage such complexity in terms of roles and responsibilities, and engaging on human rights issues?

➢ Engagement should be solution driven. The business case for the tourism sector's practical engagement in water policy and stewardship needs to be made, with the opportunities of engagement highlighted.

➢ There is significant need for on-going capacity-building and sensitisation of communities in tourism destinations around water and sanitation rights, and to support local advocacy efforts in this regard. Specific issues and approaches vary according to context, including nature of civil society space, freedom of expression etc.

➢ A responsive state is vital. Many lack capacity, resources or political will. For example, in Goa, there is disillusionment among civil society advocates after years of inaction by the government, which many see as 'hand in glove' with big hotels and developers.

➢ The water issue is complex and challenging – there are no quick solutions or easy answers, which is why all stakeholders need to work together towards finding them. This includes with regard to the practical application of the 'do no harm' principle / human rights due diligence. However, is not clear what this process looks like, as it has not yet been attempted, although it should always be context specific.

➢ Multi-stakeholder dialogue is critical, including with affected communities. This is likely to be a key factor in successful hotel-community cooperation in Zanzibar.

➢ Approaches need to take explicit account of how women are disproportionately impacted by insufficient access to water and sanitation. While Zanzibar's water policy recognises this, the village Water Committees tend to be dominated by older men. The Water Committees also face problems of corruption – some are thought to be involved with the private water tanker business, so it is therefore not in their interests to resolve piped water problems.

➢ Lack of understanding of water resource management among hotels was also a major problem in all Tourism Concern's research sites. For example, boreholes were commonly sited of in close proximity to the shoreline, which increases the chance of saltwater intrusion.

➢ Notion of water as an element of 'ecosystem services' as offering a possible incentive to better management? However, this can lead to further commodification of water resources, to the detriment of poor communities.

➢ Pros and cons of importing 'Western' water technologies and attitudes to less developed countries by the tourism industry – they can improve access to water and sanitation and hygiene; but may perpetuate unsustainable levels of consumption. Countries need to determine their own needs and strategies for resolving water issues.

Session 3: Tourism, land rights and indigenous peoples

Tourism, Land Rights, and Indigenous People
Salil Tripathi - Director of Policy, Institute for Human Rights and Business

- IHRB has produced a set of draft guidelines for a rights based approach to business acquisition and use of land, based on extensive stakeholder consultation.[17]

- Why land matters: Access to land is essential for poverty reduction, while landlessness threatens a range of human rights. However, there is no 'right to land' under human rights law. Rather, land is a cross-cutting issue implied in other human rights (e.g. right to adequate housing). However, currently there is no justice for the landless.

- ILO Convention 169 requires anybody acquiring land to pre-obtain the free, prior and informed consent of local communities. However, injured parties (including indigenous people) have no right to veto, therefore Convention 169 is essentially meaningless.

- The notion that land can be acquired 'for public purpose' through tourism, as sometimes claimed, should be refuted.

- What might the responsibility to respect land rights through due diligence mean for tourism businesses in practice?
    - Should be based on 3 principles: transparency, non-discrimination, and accountability
    - Baseline studies to establish legal ownership, identify local needs, and ensure respect for cultural norms should be undertaken prior to operations commencing
    - Early and on-going consultation with all stakeholders without threat of force or intimidation is vital. Essential to ensure the rights of the disadvantaged and marginalised are respected, including women.
    - Work with governments to ensure fair acquisition of land and seek support for arbitration if appropriate.

Case study: Sukenya Farm
Carl Soderbergh - Director of Policy and Communications, Minority Rights Group

- Sukenya Farm is located near Kenya's border with Tanzania. Tanzania Breweries, a government parastatal, originally bought the land to cultivate barley. The local Maasai were not properly consulted. They sought legal redress at the time but were unable to pursue the case effectively. However, the brewery hardly used the land so the Maasai were not too badly affected. Tanzania Breweries then sold the land to Thomson Safaris (a US company), which established a private reserve.

- The Maasai have lived harmoniously with wildlife around Sukenya Farm for centuries. However, Thomson Safaris sold the fiction of an empty wilderness devoid of humans to their clients. This fiction was maintained by enforcing the reserve boundaries, often violently and sometimes aided by the police. They also employed members of a minority Maasai clan as security guards, which has created inter-clan conflict.

- A case was brought against Thomson with the support of MRG in 2010. This was lost on the grounds that legal rights had been established when the Maasai lost their original case against Tanzania

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[17] See: http://www.ihrb.org/commentary/staff/developing-practical-tools-for-business-on-land-and-human-rights.html

Breweries. The affected communities appealed on basis that this is a new case and that international recognition of indigenous peoples' customary land rights has strengthened considerably since the first decision 25 years ago. Tanzania's Appeals Court agreed that decisions were made without a proper trial and the case is pending.

- A mediated out of court settlement has also been sought with Thomson, but to no avail. Intimidation and harassment of locals by Thomson staff reportedly continues. Local Maasai boys now run away in fear when they see jeeps approaching. Such a reaction must raise questions for Thomson's guests.

- This case also demonstrates why corporations need to 'get it right' in the first place. It seems unlikely that Thomson would want to be in this situation. Undertaking human rights due diligence, including consulting and operating with respect for local people, might have helped Thomson to address and manage the situation.

Land and indigenous peoples: A tour operator perspective
Amanda Marks - Director, Tribes Travel / The Tribes Foundation

Tribes Travel has had a mixed experience of engaging with indigenous peoples. This includes an encounter where it was decided it would be inappropriate to take tourists; an example where a well-intentioned approach failed; and one where a positive relationship with an indigenous people has been successfully established.

Overall conclusion: there are many ways of working with indigenous peoples and there is no 'one size fits all' solution to the challenges that such engagement will present.

- **The Hadza** - The Hadza are an ethnic group in north-central Tanzania. As traditional hunter-gatherers, the Hadza appeal to Tribes Travel's typical client base. However, the Hadza generally take on change with great difficulty. Tribes Travel assessed the potential social and cultural impacts of taking tourists to visit the Hadza, including impacts on their human rights. They decided it would be inappropriate to do so.

- **The Chaga -** The Chaga live on the southern and eastern slopes of Mount Kilimanjaro. They are farmers, formerly of bananas, but also of coffee since it was introduced by colonialists. This has led to some prosperity, including access to money, education and housing. However, in the last 10 -20 years their fortunes have taken a downturn due to falling coffee prices. Tribes were asked by Twin Trading (of the Café Direct brand) to create alternative livelihood opportunities for the Chaga through tourism. The project was seen a potential win-win: support Chaga farmers and take tourists somewhere they could not otherwise easily visit. Tribes suggested a slightly higher price than was suggested, in order to limit tourist numbers and help ensure meaningful benefits to local people. It was proposed that four accommodation huts would be built, and training was offered on hosting and hygiene etc. However, after two years, the Chaga became frustrated at the slow pace of the initiative. They abandoned the huts and built a campsite. They now have too many visitors and limited returns.

  Key lesson: tourism development is not easy - there will be conflicting points of view even when you do try to put communities first.

- **The Maasai** –Tribes have been working with a Maasai village in a remote area between west Kilimanjaro and Amboseli. A tourist camp was set up in co-operation with their local ground handlers. The Maasai wanted tourists to come but did not want to be directly involved. An agreement was struck whereby they are paid fees and lease money, but do not need to directly deal with tourists. This village has engaged in, and is benefitting from, tourism on its own terms. It seems to be working well.

DISCUSSION POINTS

➤ One tour operator reported that they have taken tourists to the Chaga campsite and it "seemed OK". In response, it was stated that the original concept was to ensure a small impact from tourism and a direct link to the coffee co-operative, agreed with a multi-stakeholder group. This seems to have been lost and few people now benefit from campsite. The funds are also not managed in a transparent way. However, there is no clear conclusion from this example. It 'failed' due to a difference between community and business perspectives.

➤ Large tour operator initiatives aimed at reversing the inequitable benefit-sharing of tourism in tourism in Africa offer macro-scale benefits, such as carbon offset investment in Kenya, and the positive work with Maasai villages undertaken through The Travel Foundation.

➤ The Dorobo Fund in Tanzania was given as another example of positive community engagement on tourism management issues. In explicit recognition of the land rights of local Maasai communities, the Dorobo Fund reportedly set up a multi-stakeholder committee to consult and agree upon land use for grazing and tourism. Communities are compensated for any loss of grazing during the dry season.

➤ The Sukenya Farm case highlights issues around 'greenwashing': According to their website, Thompson Safaris are all about sustainability and CSR, yet they clearly failed to listen to the local community. Thompson Safaris vehemently denies the situation at Sukenya Farm and purports an alternative version of reality. Companies always deny their involvement in human rights abuses (e.g. Nike, Gap, BP, Shell), but are usually forced to accept responsibility in the end.

➤ Minority Rights Group was careful to consult with all stakeholders in relation to Sukenya Farm, including the minority clan employed by Thompson. Thompson should have consulted similarly. Thompson arguably allowed a western land use mind-set to dominate their decision-making, whereby land lacking physical structures is seen as land that is available for development.

➤ Travel editors rarely publish stories about people in wildlife areas, which perpetuates the myth of the wilderness devoid of people.

➤ Land rights issues do not only affect indigenous peoples. Many marginalised communities are displaced due to tourism development. For example, the government of Sri Lanka is pushing the development of several 'mega-resorts', such as in Kalpitiya, without any consultation with local people.

➤ A good level of cultural knowledge and understanding, plus negotiation skills, are required in order to engage and consult with communities sufficiently and effectively, and make the right decisions. These skills don't have to be in-house e.g. NGOs and specialist consultants can help.

➤ Processes of effective community engagement take time. Are tour operators, local industry officials and ground handlers prepared to invest this time? Community consultation should not be the last stage of a process, whereby communities are essentially asked to endorse decisions that have already been made; it should be integral to the entire process (the same applies to the oil and mining sectors etc.). Equally, community consultation should not be used as a means for businesses to promote themselves as 'ethical'.

Session 4: Labour rights in tourism

Sustainable tourism and Decent work - ILO policy, mandate and tools
Wolfgang Weinz, Hotels, Catering and Tourism Specialist – International Labour Organization

- The work of the International Labour Organization (ILO) is based on tripartite consensus between employers, workers, governments.

Tourism means development and employment:
- Tourism is one of the largest and most dynamic industries in the global economy
- The sector allows for quick entry for youth, women and migrant workers
- Tourism has created more than 235 million direct and indirect jobs (approximately 8 per cent of the global workforce)
- Women account for 60 – 70 per cent of the tourism labour force
- International tourism export receipts have reached over USD 1.2 trillion (30 per cent of global service exports; 45 per cent of service exports for Least Developed Countries)

- However, difficult working conditions contribute to high staff turnover. This has consequences for business costs, productivity, competitiveness, service quality, and social dialogue.

Decent Work - A four pillar approach

- Sustainable tourism is built on social justice, economic development, and environmental integrity. **Decent work** means that workers have a voice and are protected by fundamental rights at work; that employment creates sustainable income and career opportunities, and minimum standards of social protection and social security are ensured.

- **Pillar 1**: **Standards and rights at work**

Relates to ILO Convention No. 172 on Working Conditions in Hotels and Restaurants and Recommendation No. 179 (1991). These cover:
- Hours of work and overtime
- Progressive elimination of split shifts
- Number and length of meal breaks
- Uninterrupted weekly rest of not less than 36 hours
- Average daily rest of 10 consecutive hours
- Steps to provide annual paid leave of four weeks
- Recommendations to governments to promote skills development and career enhancement

- **Pillar 2**: **Employment promotion and enterprise development**

ILO work to promote this pillar in the tourism sector includes:
- Study of socially responsible human resources and labour relations practice in international hotel chains
- *Reducing Poverty through Tourism* - Working paper, fact sheet and training toolkit[18]
- *Good Practices Guide for Guesthouses and Small Hotels* (forthcoming)
- Sustaining Competitive and Responsible Enterprises (SCORE) project in South Africa

- **Pillar3**: **Social protection**

ILO work to promote this pillar in the tourism sector includes:
- 75 OSH (Occupational Safety and Health) Standards in Tourism and a web based self-assessment form[19]
- Guidelines on HIV/AIDS in tourism (toolkit in preparation)
- Study on small and medium enterprises (SMEs) in tourism in cooperation with OECD

- **Pillar 4**: **Social dialogue**

ILO work to promote this pillar in the tourism sector includes:

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[18] See: http://www.ilo.org/sector/Resources/training-materials/WCMS_162289/lang--en/index.htm
[19] See: http://shstandards.com/english/Home.asp

- *Guide for Social Dialogue in the Tourism Industry*[20] - Effective social dialogue can enhance the potential for employment growth, address changing demographics, promote sustainable tourism, and skills development

A trade union perspective
Peter Rossman Communications Director - IUF

- IUF focuses on global hotel chains because this is where the bulk of its membership lies and is and where IUF can act most effectively.

- Typically conditions of work in larger hotel brands are more favourable than in smaller establishments. Deplorable conditions in the major brands can give an indication of conditions in the sector as a whole.

- The trend among transnational corporations (TNCs), including global hotel chains, is to reduce and degrade employment, even as the number of actual operations and total employment expand. The mechanism for this is the outsourcing of both services and employment relations, including within the outsourced service itself. Such layers of outsourcing dissolve employer responsibility.

- The system of licensing, franchising and subcontracting out brands has become a key modus operandi for companies. This is undermining union representation and collective bargaining rights. Workers' right in international human rights law are built on the recognition of the unequal bargaining relationship between the individual worker and the individual employer. Workers must therefore be able to organise themselves into unions to effectively exercise their rights to bargain the terms and conditions of employment. However, in many countries, outsourced workers cannot join a union of permanent workers, so are excluded from bargaining with the company, which holds the power to determine their terms and conditions of employment. Instead, the real bargaining takes place between the parent company and the employment agency.

- It is important to understand the financial drivers for franchising, outsourcing etc. As well as competing for guests, companies are competing on financial markets to deliver the highest (often short-term) returns to investors.

- Many global hotel chains are becoming purely branding operations, which generate revenue for investors on the basis of intellectual property (brands, trademarks). They own few or no assets, and there is little or no payroll boost return on assets or return per employee. For example, Intercontinental Hotel Group (IHG) has for years set the benchmark rate of return to investors at 16-18 per cent. IHG owns just 13 hotels, but on their website lists some 4,500 hotels in 100 countries. These returns are not financially, economically or socially sustainable. However financial analysts regularly benchmark companies against one another using crude rations, which conceal the actual operations and give no indication of the potential scale of human rights abuses.

- There is no record of what is happening with employment in regulatory filings or CSR/sustainability reports. Outsourced workers disappear into an accounting black hole, which conceals the abuse. If they appear at all, it is as "miscellaneous costs of doing business" or "non-depreciable rents".

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[20] See: http://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---sector/documents/briefingnote/wcms_162194.pdf and http://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---sector/documents/publication/wcms_162264.pdf

- Relevance of UNGPs: Human rights due diligence suggests that as outsourcing increases, human rights risks augment. Companies are required to respond accordingly. Important to challenge companies by asking for details of subcontracting and use of agency work.

- Companies' claim to legitimacy rests on the assertion that they are investing and creating jobs. However, both are questionable. Investment is declining as a percentage of revenue and work is being outsourced, while the direct jobs that are created are low-quality, insecure, and 'dead-end'. Both hotel properties and entire brands are being regularly swapped and disposed of. Disposable properties and disposable brands are a formula for disposable jobs.

- For example, in August 2009, Hyatt fired its entire housekeeping staff at three non-union hotels in the Boston (USA) area, replacing women who had worked there for decades with workers from a temporary agency[21]. Many of the fired workers were required to train their replacements, who now earn minimum wage. Few, if any, of the subcontracted workers receive health insurance.

- 'Speed-up' at Hyatt and other leading hotel chains requires housekeepers to clean up to 30 rooms per shift – approximately double the industry average of 15 years ago. The injury rate for US hotel workers is 25 per cent higher than that of service workers as a whole; among hotel workers, housekeepers, who are overwhelmingly women, have the highest rates of injury and accidents. The hotel sector has become plagued by work-related injuries and musculo-skeletal disorders.

- Hotel chains, like other TNCs, have also become instruments for tax avoidance. For example, Hilton is owned by private equity fund, Blackstone. It is now the world's largest hotel group according to room numbers. Blackstone's business consists of loading companies with debt and then passing them on. They are not hoteliers, and they claim that they are not even employers but an "asset class". They work on a constant rotation cycle, with many properties being parked in Real Estate Investment Trusts. These trusts pay no taxes provided they distribute 100 per cent of the profits to shareholders. Complete profit repatriation is pursued wherever national tax regimes allow it. However, the UNGPs say little about this, although it is highly relevant for assessing the contribution of tourism to local and national development.

- The hotel industry sits on layers of multiple violations of human rights, including breaches of the following Articles from the *Universal Declaration of Human Rights*[22]:

- **Article 23**
- The right to work, free choice of employment, just and favourable conditions of work, and to protection against unemployment.
- The right to equal pay for equal work
- The right to just and favourable remuneration ensuring for him/herself and family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.
- The right to form and to join trade unions for the protection of their interests.

- **Article 24 -** The right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

- **Article 25 -** The right to a standard of living adequate for the health and well-being of him/herself and family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

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[21] See: http://www.hyatthurts.org/about-the-boycott/
[22] See: http://www.ohchr.org/en/udhr/pages/introduction.aspx

- **Article 8 -** The right to effective remedy by competent national tribunals for acts violating the fundamental rights granted by the constitution or law.

Breaches of the *International Covenant on Economic, Social and Cultural Rights*[23]*can also be seen:*

- **Article 7c -** Equal opportunity for everyone to be promoted in his employment to an appropriate higher level, subject to no considerations other than those of seniority and competence. Outsourcing effectively closes the door to career advancement, since few of the workers on whom the industry depends are actually employed by the hotels.

Staff Wanted Initiative: Combating forced labour, trafficking and exploitation in the UK hospitality industry
Neill Wilkins, Programme Officer – Institute for Human Rights and Business

- Staff Wanted Initiative is a joint programme of IHRB and Anti-Slavery International.[24]

- The hospitality sector is the fifth largest industry in the UK, employing approximately 2.4 million people and delivering £34 billion in tax revenue. The sector increasingly uses agency staff because of a number of perceived benefits:
  - Worker flexibility - overcoming peaks and troughs in demand
  - Outsourcing of administration and human resources function allows concentration on building the brand while reducing costs

- Agency staff are vulnerable to exploitation in a range of areas, including:
  - Excessive hours and compulsory overtime
  - Availability for work and unrealistic piecework rates
  - Holiday and sickness pay, and the withholding of wages
  - Excessive charges for services, uniforms, laundry, food

- Migrant workers within such agencies are particularly vulnerable and face additional challenges, including with respect to:
  - Control of passport and documents
  - Being charged illegal fees and other excessive charges
  - Debt bondage and forced labour
  - Tied or sub-standard accommodation

- Lack of effective regulation of agencies supplying staff to the tourism sector and proper enforcement of employment rights contributes to a situation where workers can be exploited by unscrupulous agencies and hotels.

- Law abiding businesses are denied a level playing field and are undercut by rogue companies.

- Staff Wanted Initiative suggests hotels and other hospitality sector businesses using agency staff use the **SEE formula** as a means to remain alert to and guard against such exploitation as part of a process of human rights due diligence:

  1. **Scrutinise** - relationships with agencies, their pricing and their operations
  2. **Engage** - with workforce to ensure that you are aware of working practices, which may put staff at risk of exploitation
  3. **Ensure** - that operations and management processes do not allow for the exploitation of staff

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[23] See: http://www2.ohchr.org/english/law/cescr.htm
[24] See: www.staff-wanted.org

- Olympics and jubilee celebrations bring increased media spotlight to the issues in the hospitality sector. The SEE formula and Staff Wanted Initiative information have been sent to all major London hotels in the run up to the 2012 Games -

DISCUSSION POINTS

➢ Do the UNGPs offer effective access to remedy in a world where national authorities cannot or will not enforce their international human rights obligations? This is where they break down and the principle of human rights due diligence can revert to 'CSR'. Crucial to develop the concrete application of what is strongest in the UNGPs.

➢ The presentations are rather one-sided as the hospitality sector is bearing the brunt of responsibility for all the wrong-doings of the entire industry. It was requested that the language is kept balanced.

➢ People working in the industry should not be painted with such a broad brush. The poor pay and working conditions described, and the characterisation of dead-end and disposable jobs, are not true for every company and are unfair on the many hotel employees who take great pride in their jobs. One tour operator has been working to monitor and improve working conditions by regularly surveying local staff, and by offering training opportunities and increasing the employment of local people.

➢ Migrant workers are often characterised as being 'naturally amenable' to working long hours for little pay. This is reflected in the mentality of some employers within the tourism industry.

Session 5: Building on good practice – Solutions and ways forward

Global Sustainable Tourism Criteria – A Framework for Change
Jane Ashton, Board member - Global Sustainable Tourism Council

Global sustainable Tourism Council – oversees the GST Criteria:[25]
- Membership-based, non-profit, NGO. Includes businesses, governments, NGOs, academia, individuals and communities
- *Vision:* Tourism fulfils its potential as a vehicle for socio-economic benefit for all stakeholders, and for conservation of destinations and their natural and cultural heritage
- *Mission*: To be an agent of change in the world of sustainable travel and tourism by fostering increased knowledge, understanding, adoption and demand for sustainable tourism practices

The Global Sustainable Tourism Criteria:
- Attempt to overcome proliferation of tourism sustainability labels
- Created with the input of experts, groups and companies from around the world
- Define sustainable tourism in a way that is actionable, measurable and credible
- Offer a minimum standard of sustainability for tourism businesses and destinations globally
- GSTC recognition and approval provides reassurance, credibility and improves standards
- Ease of promotion by Online Travel Agents and Tour Operators

GSTC Criteria for Hotels and Tour Operators – Second version (February 2012)
37 criteria, 4 pillars: Sustainability Management, Social & Economic, Cultural, and Environmental.

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[25] See: http://www.gstcouncil.org/

Organised into four actions:
1. Demonstrate effective sustainable management
2. Maximise social and economic benefits to the local community and minimise negative impacts
3. Maximise benefits to cultural heritage and minimise negative impacts
4. Maximise benefits to the environment and minimise negative impacts

The GSTC can be used as a framework for self-evaluation, third- party certification, guidelines for developing standards, and improving performance.

Many of the GSTC directly relate to human rights, for example:
o   The organisation is in compliance with all applicable local to international legislation and regulations (including, among others, health, safety, labour and environmental aspects).

o   Planning, design, construction, renovation, operation and demolition of buildings and infrastructure provide access for persons with special needs, where appropriate.

o   Land and water rights, and property acquisition are legal, comply with local communal and indigenous rights, including their free, prior and informed consent, and do not require involuntary resettlement.

o   Local residents are given equal opportunity for employment including in management positions. All employees are equally offered regular training, experience and opportunities for advancement.

o   Local services and goods are purchased and offered by the organisation, following fair-trade principles.

o   The organisation offers the means for local small entrepreneurs to develop and sell sustainable products that are based on the area's nature, history and culture (including food and beverages, crafts, performance arts, agricultural products, etc.).

o   The organisation has implemented a policy against commercial, sexual or any other form of exploitation and harassment, particularly of children, adolescents, women and minorities.

o   The organisation offers equal employment opportunities to women, local minorities and others, including in management positions, while restraining child labour.

o   The international or national legal protection of employees is respected, and employees are paid at least a living wage.

o   The activities of the organisation do not jeopardise the provision of basic services, such as food, water, energy, healthcare or sanitation, to neighboring communities.

o   The organisation follows established guidelines or a code of behavior for visits to culturally or historically sensitive sites, in order to minimise negative visitor impact and maximise enjoyment.

o   The organisation incorporates elements of local art, architecture, or cultural heritage in its operations, design, decoration, food, or shops; while respecting the intellectual property rights of local communities.

GSTC Destination Criteria – Draft version 1 (February 2012)
Organised into four actions:
1. Demonstrate sustainable destination management
2. Maximise social and economic benefits to the host community; minimise negative impacts
3. Maximise benefits to communities, visitors and cultural heritage; minimise negative impacts

4. Maximise benefits to the environment and minimise negative impacts

The criteria:

- View a destination as a unified entity of communities, tourism- related activities, and the cultural and ecological surroundings
- Consider cumulative impacts of all tourism activities
- Emphasise the role of destination management organisations in planning, voluntary initiatives, and regulation
- ➢ **Public consultation on draft destinations criteria at www.gstcouncil.org**

Key challenge – It can take a long time to influence suppliers and supply chain partners

Tourism and Human Rights – An ABTA overview
Simon Pickup, Sustainable Tourism Manager – ABTA

ABTA in context

- Membership based association – largest travel related association in the UK
- Mission: to build confidence for companies to trade and invest, confidence for customers to book, and confidence that the industry is building a sustainable future.

Sustainability at ABTA

- Approach grounded in business sense
- Aims to incorporate and address ABTA membership; supply chain issues; supportive destination policies; plus issue specific work areas

Sustainability workstreams and human rights touch points (shown in italics)

Membership Programmes	Supply Chains	Destination Programmes	Issue Specific
Sustainable tourism committee *Cruise (labour standards)* *Communications* Small-Medium Operators *Volunteer Tourism* *Retail* *Indicators* Training	*Travelife System* Overseas Agents	*Egypt* *Turkey* *Thailand* *Dominican Republic* Lobbying	Animal Welfare

➢ Plus: *Child sex tourism*

About the Travelife System:

- A joint European initiative launched in 2007 involving tour operators, trade associations, NGOs, tourism ministries, academics
- Developed through a multi-stakeholder process involving over 60 participants
- Co-financed by EC (EU Life/Tourlink and EU ECO Innovation/INTOUR)
- Outputs: Supplier sustainability handbook, sustainable management and accreditation scheme

Purpose of Travelife:

- To provide an affordable and achievable solution to influence the mass market
- To allow hotels to get started with sustainability and promote achievements
- To remove complexity and costs from the supply chain and tour operator operations
- To raise customer awareness and drive demand

Travelife and human rights - 4 core areas of integration:

1. Protection of human rights in the workplace
Freedom to enter and leave employment without penalty; safety of workers; contracts; living wage; working hours; benefits; documented disciplinary procedures; freedom from discrimination; right to representation; right to trade union membership; effective complaints procedures; child workers protection

2. Protection of Land Rights, Land Access and Livelihoods
Planning permission; land rights protection (traditional purposes, livelihoods); involvement of communities in communications about culture; planning processes; developments and extension

3. Protection of Resources and Environments
Energy and water consumption; waste production and reductions; environmental protection and contributions to conservation / biodiversity

4. Ensuring Harmonious Interactions
Provision of customer information on appropriate behaviour and protocols outside of the hotel

Challenges facing the industry around integrating human rights:

- The human rights agenda is wide, complex, and still growing. May be seen as 'scary'
- Where to start? Where to stop? How to prioritise?
- Need to avoid human rights becoming a 'bolt-on' to advanced sustainability
- Defining roles. Stakeholders include national and local governments; destination management and development authorities; national institutions; destination associations; suppliers; communities and third parties.
- Cultural sensitivities and global nature of tourism
- Over 1600 audits, none of which has generated concerns over human rights abuses. Suggests challenges around auditing human rights, including difficulties in understanding or capturing when potential human rights abuses could occur in relation to tourism product (e.g. land acquisition concerns)

- Opportunities for addressing human rights challenges offered by multi-stakeholder processes. Tourism and sustainability rely on multi-stakeholder processes. Interconnectivity of stakeholders around common objectives allows for progress to be made.

What is needed:
- Translation: from theory into practical guidance – a framework
- Clarity on where to start
- Clarity on stakeholder roles and responsibilities, and how these fit together
- An international dimension
- Clearer profiling of success stories and best practice

Code of Conduct for the Protection of Children from Sexual Exploitation in Travel & Tourism[26]: A success story?
- Logical Framework and clear process
- Enables stakeholders with differing roles to engage
- Takes on a global identity

Human Rights Statement of Commitment and Action Plan
Matthias Leissinger, Vice President of Corporate Responsibility - Kuoni

- Corporate Responsibility is an integral part of Kuoni Group Code of Conduct, which sets out binding principles of ethical behaviour for management and staff. Human rights have been a focus area of

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[26] See: http://www.thecode.org/

Kuoni's corporate responsibility for several years. Kuoni publicly states its aim to "respect and proactively foster internationally-recognised human rights within our sphere of influence, especially the rights of the most vulnerable of our society. We seek to avoid complicity in human rights abuses and to further develop appropriate response mechanisms."

Kuoni and human rights – Summary of current performance:
- **Employees:** 'Empower' survey for employees; training and succession management
- **Child Protection:** Kuoni signed the Child Protection Code in 2006. Over 400 hoteliers trained in 2010-2011. Child protection programmes in India, Kenya and Dominican Republic
- **Supply chain management:** 13 human rights related standards in Kuoni's Supplier Code of Conduct, which is included in 90 per cent of contracts; 95 per cent of key hotel partners audited
- Kuoni is now expanding its approach and published a *Statement of Commitment on Human Rights and related Action Plan[27]* in 2012.

Motivation to develop Human Rights Statement and Action Plan:
- Commitment of Executive Board
- Risk prevention (corporate risk assessment identified 4-5 strong human rights risks linked to reputation and brand damage)
- Business ethics
- UN Guiding Principles on Business and Human Rights
- NGO pressure
- EU pressure for human rights reporting

Developing the Human Rights Statement and Action Plan (approximately 10 months):
1. **Desk research** into guidelines for the private sector; guidelines for tourism specifically; leaders in other sectors; competitor analysis
2. **Internal and external stakeholder consultation** (i.e. Kuoni management, NGOs) spanning Switzerland, Sweden, UK, India, South Africa – a positive response was received
3. **Approval** by Kuoni's Corporate Responsibility Advisory Board, followed by Executive Board approval - buy-in from senior management vital
4. **Implementation**: soft launch on website and implementation of planned actions (published on website)

Key points of the Statement of Commitment on Human Rights:
- References a range of key international human rights frameworks
- Scope includes entire value chain
- Initially prioritising child protection, labour rights, and due diligence at destinations, to reflect Kuoni's sphere of influence

Action Plan for implementation includes:
- Child protection – implementation of the Child Protection Code[26]
- Labour rights – collaboration with human resources departments; addressing supply chain issues (agents and hotels)
- Due diligence in destinations – Human rights impact assessments in selected destinations, to assess where Kuoni has influence and how they can integrate human rights issues. To include consultation with local communities

Key challenges
- Need for practical tools for integrating human rights into supply chains
- Need for investment in training and awareness-raising

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[27] See: http://www.kuoni.com/docs/gl_12_020_statement_of_commitment_0.pdf

DISCUSSION POINTS

- Are certification schemes sufficient to identify and address human rights impacts? Very few hotels or operators fail certification schemes and consumers don't know what they mean. However, according to customer satisfaction surveys of a major tour operator, customers staying in Travelife certified hotels tend to be more satisfied.

- Tourism has been historically quite insular and therefore is missing out on cross-sector learning. Greater scope for tourism industry to learn from other sectors on addressing human rights impacts and integrating the UNGPs.

- How to prioritise human rights issues in tourism? Kuoni has limited its focus on a small number of rights to begin with, and on destinations on which to focus, and will slowly integrate others.

- How to undertake human rights due diligence? The UNGPs provide significant guidance, but is this enough and do people understand? The issues will vary across tourism destinations.

- Tourism industry needs to take ownership of how it takes up the UNGPs and implements its business responsibility to respect human rights.

- The formation of a tourism sector multi-stakeholder working group on human rights was suggested, which could further explore issues and develop approaches and guidance, and act as point of engagement with the UN Working Group on Business and Human Rights (see page XX). Questions were raised around who such a working group should involve, given the huge diversity and global scope of the tourism industry, including destination governments, which were not represented at the meeting.

- It was suggested that the working group could start with self-selected coalition of the willing.

- Any such industry working group or initiatives could start small and focused, for example, by analysing and developing tourism sector human rights due diligence with respect to specific issues (e.g. water or labour) and then scale up to incorporate others.

- Multi-stakeholder groups could be formed at destination level, but community representation and participation would be essential. The challenge of engaging destination counterparts and colleagues was raised, as resources and priorities don't always match.

- The EC funding call: *European Multi-stakeholder platforms on corporate social responsibility in relevant business sectors*[28]*,* was flagged as an opportunity for tourism sector stakeholders to resource and coordinate their engagement on human rights. The deadline for the call is 14 September 2012.

Conclusion

This report has offered a brief summary of the presentations and discussions that took place at a multi-stakeholder meeting held to explore the human rights impacts and risks associated with the tourism sector, and to promote greater alignment of the industry with international human rights norms and standards. While many

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[28] See:
http://ec.europa.eu/enterprise/newsroom/cf/itemdetail.cfm?item_id=5928&lang=en&title=European%20Multistakeholder%20platforms%20on%20corporate%20social%20responsibility%20in%20relevant%20business%20sectors

challenges are identified in this report, so too are numerous opportunities for overcoming these. In particular, the UN Guiding Principles on Business and Human Rights were highlighted as a valuable framework for achieving this alignment. The UNGPs set out a process of human rights due diligence through which businesses can better manage and remediate the human rights risks and impacts associated with their activities, thereby supporting the fulfilment of their business responsibility to respect human rights. The business responsibility to respect human rights is a minimal, universal expectation of business behaviour. The UNGPs are now being incorporated into government policies and are increasingly applied as a lens for analysis and campaigning by civil society and those seeking to defend against corporate complicity in human rights infringements. Therefore it is not a matter of if the tourism industry is to engage in this agenda, but a question of when and how.

This meeting and report has sought to assist in this process of learning and engagement. It is hoped that the contents will serve as a useful resource for industry, government and civil society stakeholders to reflect upon, and utilise as a basis for further initiatives and action towards implementing a rights-based approach to tourism. The meeting convenors, Tourism Concern and the Institute for Human Rights and Business, are keen to continue their engagement in these processes and to offer support where appropriate.

Appendix I – Speaker Biographies

Key human rights issues in tourism

Mark Watson - Executive Director, Tourism Concern
Mark is a Chartered Manager with an MSc in sustainability and a degree in geography and international development. He was Campaigns Director of human rights charity Stonewall and Executive Director of One Planet Products before founding the UK Foundation for AIDS Research in 2009. In 1986 he spent three months in

Dhaka, Bangladesh studying the effects of poverty on social exclusion; then in 1991 he led a six month expedition to the Amazon to consider the social and environmental consequences of rainforest destruction. Mark joined Tourism Concern in January 2012.

A Framework for Change: UN Guiding Principles on Business and Human Rights

John Morrison - Executive Director, Institute for Human Rights and Business (IHRB)
John has extensive experience working with leading companies on issues of corporate responsibility and human rights. He worked previously with The Body Shop International plc and led the Business Leaders Initiative on Human Rights from 2003 to 2009. He has also worked for a number of civil society and governmental organisations on issues of migration, human trafficking and forced labour.

Michael Addo - UN Working Group on Human Rights & Transnational Corporations & Other Business Enterprises
Michael is one of five members of this UN Working Group, which was established in June 2001 and is tasked with promoting and disseminating the Guiding Principles on Business and Human Rights, and ensuring that they are effectively implemented by governments and business. Michael is also Senior Lecturer in international human rights law at the University of Exeter. He holds a PhD and LLM and is qualified as a lawyer and advocate at the Ghana Bar.

Water rights and tourism

Dr Stroma Cole - Senior Lecturer in Tourism Geography, University of the West of England
Stroma combines her academic career with action research and consultancy, most recently looking at tourism and water inequality in Kerala, India, and Bali, Indonesia. She was formerly Chair of Tourism Concern for six years, a charity promoting ethical tourism. With research interests in responsible tourism development in less developed countries, the anthropology of tourism and the link between tourism and human rights Stroma is an activist researcher critiquing the consequences of tourism development.

Daniel Yeo - Senior Policy Analyst, WaterAid
Daniel has a background in public policy and has worked for the UK government on: international climate change; European security and defence; and EU transport and climate. He worked for a research centre exploring relationships between government, business and civil society in tackling global risks such as climate change and resource scarcity; and as a consultant, advising public and private sector clients on climate change and energy. He leads WaterAid's work on water security and climate change policy and is a Special Advisor to the CEO Water Mandate.

Rachel Noble - Head of Policy and Research, Tourism Concern
Rachel joined Tourism Concern as Campaigns Officer in 2008, where she worked on the Burma campaign amongst others. She has since led on the Putting Tourism to Rights and Water Equity in Tourism programmes, including coordinating research in Zanzibar, The Gambia and Goa, India, and developing a set of water equity principles. She was previously a Campaigner at the Environmental Investigation Agency. This entailed political lobbying and capacity-building in Southern and Eastern Africa and Europe in relation to the international illegal ivory trade and conservation best practice. Rachel has an MSc in Development Management a BA in Social Anthropology.

Stephen Kenzie - Programmes Director (Sustainability) International Business Leaders Forum (IBLF)
Since joining IBLF in 2006, Stephen has contributed to projects on: launching responsible business networks in Sudan and Tanzania; organising business roundtables in Africa to address issues around water public policy; producing publications on business and human rights; supporting IBLF in the Business Call to Action, and researching implications of climate change mitigation policies for the tourism industry. Stephen manages the UN Global Compact Network UK Secretariat, providing support for UK-based endorsers of the UN's corporate

responsibility framework. He leads on IBLF's work on responsible business networks and projects promoting action on water security and climate change.

Tourism, land rights and indigenous peoples

Kelly Davina Scott - Programme Support Manager (Natural Resources), Institute of Human Rights and Business
Davina's remit at IHRB includes work on business responsibilities in relation to the right to water, and the development of forthcoming guidelines for business on land and human rights. She holds an LLM in International Law and MA in International Studies and Diplomacy from the School of Oriental and African Studies, University of London. She holds a BSc International Relations (Major), Political Science (Minor) at the University of the West Indies, Jamaica.

Salil Tripathi - Director of Policy - Institute for Human Rights and Business
Previously Salil was a researcher at Amnesty International (1999‑2005) and a policy adviser at International Alert (2006‑2008). At Amnesty, he co-wrote policy papers on complicity, privatisation, corruption, and sanctions, and was part of research missions to Nigeria and Bosnia‑Herzegovina. He represented Amnesty in early negotiations leading to the Kimberley Process Certification Scheme, and was involved with the Voluntary Principles for Security and Human Rights until 2008. He sat on the advisory panel of the International Finance Corporation and is a member of corporate citizenship panels at GE Corp and Exxon Corp.

Carl Soderbergh - Director of Policy and Communications, Minority Rights Group International (MRG)
Carl previously worked for Amnesty International as director of the Swedish section and conducted a number of field research missions for the organisation. He assisted business leaders in establishing an Amnesty Business Group in Sweden. Carl has also worked for UNHCR in Pakistan and Sudan.

Amanda Marks – Managing Director, Tribes Travel / The Tribes Foundation
Amanda is the co-founder and Managing Director of award-winning company Tribes Travel, and is a trustee of The Tribes Foundation. Having travelled extensively through Africa and the Middle East as an overland tour guide, Amanda developed a particular love for these two regions. As a director of Tribes, she travels regularly all over the world, and continues to enjoy a special interest in indigenous cultures. Tribes Travel is a long-standing member of Tourism Concern's Ethical Tour Operators Group (ETOG).

Labour rights in tourism

Lucy Amis - Research Fellow, Institute for Human Rights and Business
For almost a decade Lucy led IBLF's Business and Human Rights Programme, prior to which she worked for EIRIS. She has advised several international hoteliers on their human rights policies, and co-drafted a set of Human Rights Principles for the Tourism Sector. She authored the *Guide on How to Develop a Human Rights Policy* (2010), and *Human Rights Translated: A Business Reference Guide* (2008), amongst others. She collaborated with UN Special Representative Ruggie on his survey of human rights policies and practice in 2006, and has served on the advisory Amnesty International Business Group and UN Global Compact Human Rights Working Group.

Dr Wolfgang Weinz - Senior Technical Specialist, Hotels, Catering & Tourism, International Labour Organisation
Wolfgang has worked at the ILO, Geneva, since 2007. He previously worked for the IUF, first as Regional Coordinator for Central and Eastern Europe (1995-2000), and subsequently as Strategic Project Coordinator on the MULTI initiative (2000-07). From 1993-1995 he was employed at the Research Unit on Consumer, Environmental, Agricultural and Technology Policy at the European Parliament. Wolfgang has a PhD on Trade Unions and Industrial Relations and worked as a Trade Union Officer for the NGG in Hamburg from 1986-1990, where his focus was consumer and environmental policy for the internal European market.

Peter Rossman – Communications Director, International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF)

American by birth, Peter has been with the IUF in Geneva, Switzerland since 1991, where he is responsible for international campaigns and communications. He has been involved with the elaboration and application of the OECD Guidelines on Multinational Enterprises and the UN Guiding Principles on Business and Human Rights, has been an advisor to the Party of European Socialists on European Union financial regulation. Peter has published widely on global trade and investment, and human and trade union rights, among other topics.

Neill Wilkins – Programme Officer, Institute for Human Rights and Business (Staff Wanted Initiative)

Neill co-ordinates the IHRB Migration Programme and has been very involved in the development of the Dhaka Principles – a set of overarching principles for business relating to migrant workers in company supply chains and service industries around the world. He is responsible for the Staff Wanted Initiative, a partnership programme with Anti-Slavery International, which seeks to raise awareness and prevent exploitation of staff in the UK hospitality industry. Prior to joining the IHRB Neill was part of the Campaigns Team at the Body Shop International and also worked for the charitable giving arm of The Body Shop Foundation.

Building on good practice – Solutions and ways forward

Frans de Man, Director, Retour Foundation

Frans founded Retour in 1986. His work here has included: project -building with Maasai in Tanzania; consultancies in Latin America for Netherlands Development Assistance; providing expertise to UNWTO/UNEP for the World Ecotourism Summit, and to ECPAT for the child sex tourism Code; and lobbying as NGO tourism steering committee coordinator in the Rio+20 process. Frans was a consultant on domestic Dutch tourism policy in the 1990s, and ran two small tourism enterprises in Spain (2003-2009), gaining direct knowledge of small stakeholder vulnerabilities. Frans is working on a PhD on CSR and sustainable tourism with a view to helping bridge the gap between theory and practice.

Jane Ashton – Director, Group Sustainable Development, TUI Travel PLC / Board member, Global Sustainable Tourism Council (GSTC)

Jane leads the development of policy and strategies to steer TUI Travel PLC towards becoming more sustainable. She works with industry peers, international bodies, NGOs and Government to develop strategies for sustainable tourism. Previously Jane worked for specialist tour operators in overseas, marketing and product manager roles before joining First Choice in the 1990s. Her roles at First Choice included Brand Manager Sovereign, Manager Long-Haul, and Product Development Manager. Since 2001 she has pioneered sustainable tourism, becoming Head of Sustainable Development, TUI Travel PLC, in 2008, and, since March 2011, Director of Group Sustainable Development.

Simon Pickup - Sustainable Tourism Manager, ABTA Ltd

Simon began work on responsible tourism and health and safety in 2005 with the Federation of Tour Operators. In 2007 he was promoted to Operations and Services Coordinator. He worked on several EC funded projects, including the creation of the Travelife Sustainability System, which enables tour operators to work with hotels on social and environmental best practice. In 2010, following its merger with FTO, Simon became ABTA Sustainable Tourism Manager. He is responsible for delivering initiatives for ABTA's tour operator and travel agent members, and is working with destination governments on their role in ensuring the sustainability of tourism in their countries.

Matthias Leisinger – Head of Corporate Responsibility, Kuoni

Matthias has been with Kuoni since 2003. He first served as a project manager in the Environmental Affairs unit and was appointed Head of Corporate Responsibility for the Kuoni Group in 2008. Matthias is a member of the advisory boards of the Swiss Import Promotion Programme and of Swisscontact, and has been chairman of "The Code", an organization fighting the sexual exploitation of children in the tourism sector, since 2010. Matthias

studied geography, history and political science at the University of Zurich and at Rouen University in France. Between 2007 and 2010 he earned an MBA in sustainability management from Lüneburg University's Center for Sustainability Management.

Closing reflections

Frances House - Director of Programmes, Institute for Human Rights and Business
Frances leads the IHRB migration programme and is also involved with many other aspects of the Institute's work. She has longstanding experience of working in the business and human rights field through her previous roles as Regional Director (SE Asia and China) and subsequently Policy Director with the International Business Leaders Forum, and as an active member of the Amnesty International Business Group.

Appendix II – Participant list

Business	Name	Role
ABTA	Simon Pickup	Sustainable Tourism Manager
Association of Independent Tour Operators / Cedarberg Travel	Ian Russell	
Four BGB	Debbie Hindle	Managing Director
Four BGB	Nathalie Amos	Associate

Considerate Hoteliers Association	John Firrell	Director
Environment Business Development Group	Richard Tapper	
Explore Worldwide	John Telfer	Operations Director
Kasbah Du Toubkal / Discover Ltd	Chris McHugo	
Green Tourism	Andrea Nicholas	
International Tourism Partnership	Stephen Farrant	Director
Kuoni	Matthias Leisinger	Head of Corporate Responsibility
Marriott	Barbara Powell	Senior Director, International Social Responsibility
Saddle Skedaddle	Lizzie White	Product Manager of Fair Trade Holidays
Sunvil Discovery	Rachel Jelley	Product Manager and Responsible Tourism Manager
The Roberts Bridge Group	Rob Bailes	Consultant
The Tourism Company	Richard Denman	
Tribes Travel	Amanda Marks	Managing Director
TUI	Sean Owens	Sustainable Product Manager
TUI	Jane Ashton	Head of Sustainable Development
TUI / Forum for the Future	Sarah Tulej	Intern / MSc scholar
TwentyFifty Limited	Monique Bianchi	Human Rights/Social Sustainability Consultant
World Travel & Tourism Council	Natasha Mytton Mills	Project Coordinator
World Travel & Tourism Council	Anja Eckervogt	Media Relations Manager
Zalala Beach Lodge Safari / gender expert	Angela Hadjipateras	Director
	Clare Lissaman	Freelance consultant
Civil society		
Corporate Responsibility Coalition	Marilyn Croser	Coordinator
IBLF	Stephen Kenzie	Programme Director
IHRB	Davina Scott	Programme Support Manager (Natural Resources)
IHRB	Neill Wilkins	Programme Officer
IHRB	Frances House	Director of Programmes
IHRB	John Morrison	Executive Director
IHRB	Sallil Tripathi	Director of Policy
IHRB	Lucy Amis	Research Fellow
IUF	Peter Rossman	Communications Director
IUF	Massimo Frattini	
London Metropolitan University	Marina Delponti	MA International Tourism Management and Development / Travel agent
Middlesex University	Dr Nadia Bernaz	Senior Lecturer /Prog. Leader MA Human Rights & Business
Minority Rights Group International	Carl Soderbergh	Director of Policy and Communications
Retour Foundation	Frans da Man	Director
Sustainable Travel International	Marilyn Larden	Vice President, UK & Europe
The Travel Foundation	Wendy Moore	Programmes Advisor
The Travel Foundation	Jenny Morgan	Livelihoods Officer
Tourism Concern	Rachel Noble	Head of Policy and Research
Tourism Concern	Mark Watson	Executive Director
Tourism Concern	Peter Bishop	Programmes Manager
Tourism Concern	Evelise Freitas	Volunteer

Travel Industry Carbon Offset Scheme	Jessica McConnell	
Travelmole	Valere Tjolle	
Cranfield University	Rajiv Maher	
University of East London Business School	Raoul Bianchi	Principal Lecturer
University of Gloucestershire Business School	Angela Kalisch	Senior Lecturer, International Tourism Management
University of Surrey	Donna Chambers	Programme Director MSc - International Event Management
University of the West of England	Stroma Cole	Senior Lecturer
Water Aid	Daniel Yeo	Senior Policy Analyst
Women for Justice and Peace (Sri Lanka)	Puni Selvaratnam	
	John Bell	Travel journalist
	Guyonne James	(Independent)
	Hans-W. Dorr	BA International Tourism Management
	Catherine Mack	Travel Writer
	Mauricia Fessal	MSc candidate
Government and Related		
ILO	Wolfgang Weinz	Hotels, Catering and Tourism Specialist
UN Working Group on Business and Human Rights	Micahael Addo	