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Legal Basis of Protecting Consumer Rights in Tourism Industry

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ABSTRACT

The global economy of many nations is significantly influenced by the tourist sector. The protection of consumer rights is becoming more and more crucial for sustainable growth as the tourism industry grows and draws more visitors. Travel to Uzbekistan, which is well-known for its fascinating natural scenery and rich cultural legacy, is becoming more and more popular. Understanding the significance of consumer protection in the tourist industry, Uzbekistan has put in place a strong regulatory framework that places a high priority on treating both domestic and foreign visitors fairly and ethically. With an emphasis on Uzbekistan, this study examines the legislative framework for defending consumer rights in the travel and tourism sector. It looks at the laws and regulations that are now in place to protect consumers, names the appropriate government agencies in charge of enforcing consumer rights, and discusses the particular difficulties that Uzbekistan's legal system presents. The report also makes recommendations for enhancing systems that might not be doing a good job of defending consumer rights in the tourism sector, drawing lessons from other nations' successful experiences in this area.

Keywords: protection, consumer rights, laws, rights and obligations of consumers, tourism sector problems.

In many countries the tourism sector is a key economic force and a substantial contributor to the world economy. The necessity to protect consumer rights in the tourism sector is growing as a result of both the industry's expansion and the number of tourists. Due to its stunning natural surroundings and rich cultural history Uzbekistan is becoming a more popular travel destination for visitors from around the world. As the country's tourism sector grows and develops, protecting consumer rights becomes increasingly important for sustainable development. The legal framework of Uzbekistan gives particular emphasis to the importance of consumer protection in the tourism sphere, considering the dynamic nature of the industry and the unique historical and cultural features that entice tourists to the nation. Uzbekistan's consumer protection laws and regulations demonstrate the country's dedication to provide an equitable and ethical approach for both domestic and international travelers. The study examines the legal foundation for protecting consumer rights in the tourism industry. It will look at the rules and legislation that now control

consumer protection, public bodies that are responsible for protecting consumer rights, as well as the challenges in the current legal system specific to the context of Uzbekistan, also there will be mentioned some effective experiences of other countries in protecting consumer rights and some recommendations for the improvement of systems that fall short to protect consumer rights in the tourism industry.

To begin with, laws and regulations are set up to guarantee that travelers, as consumers for various travel services, are protected, treated fairly, and provided with high-quality experiences. These legal rules demonstrate the responsibility of service providers in the tourism industry in addition to the rights as well as the obligations of tourists. In Uzbekistan there are some laws that regulate the protection of consumer rights like the Law “On consumer rights”, the Law “On tourism” and others. Firstly, the Law “On protection of consumer rights” aims to empower consumers by outlining their rights and ensuring they are informed about their entitlements. It regulates business practices, sets standards for quality, safety, and reliability, and provides mechanism for dispute resolution. The law also encourages consumer education to raise awareness about their rights and protection mechanisms. By fostering a fair marketplace, the law contributes to market stability and builds consumer confidence, promoting economic growth by fostering trust between consumers and businesses. The law states some basic consumer rules such as accurate information, free choice, safety, compensation for damage, legal protection, and the ability to consumer associations. They can also apply to courts for rights violations and form public associations. Socially-vulnerable groups can have legal benefits and preferences for trade and household services (*Article 4. On Protection of Consumer Rights. 1996*). There is also mentioned, that manufacturers and service providers are required to provide consumers with accurate and timely information about their goods, including regulatory documents, specific features, price, production date, guarantor, rules for safe use, service life, manufacturer’s name, property ownership, repair and maintenance services, storage methods, and certification. Insufficient information may result in suspension of sales by state authorities until necessary information is provided. This includes information on phonogram use and certification for goods (*Article 6. On Protection of Consumer Rights. 1996*). Moreover, consumers have the right to cancel contracts and demand compensation for damages caused by invalid or inadequate information about goods or services. They can request information within a reasonable time, request damages if not provided, and submit requirements to manufacturers. Compensation for damages based on features of goods is determined by the consumer’s knowledge (*Article 7. On Protection of Consumer Rights. 1996*). Also, the state ensures consumers’ rights and interests are protected by law when purchasing goods and services. Public bodies, administration, and courts provide this protection. Specially authorized state bodies include the State Committee of Uzbekistan for privatized enterprises, Uzbek Agency for standardization, Ministry of Health, Construction Committee, and others (*Article 23. On Protection of Consumer Rights. 1996*).

Another key component of protecting consumer rights in the tourism industry is the Law “On Tourism”. It is a comprehensive regulatory framework aimed at promoting responsible and sustainable tourism practices. It safeguards the rights and interests of tourists, regulates services, enhances tourism development, and facilitates tourism administration. It also promotes sustainable tourism practices, protecting natural and cultural heritage, and defining the roles of government bodies in overseeing and regulating the tourism sector. The law outlines the rights, obligations, and responsibilities of both tourists and service providers, ensuring fair treatment, and quality experiences. In the article 30 “On Tourism” mentioned rights and obligations of tourists and sightseers like the right to access services provided by the contract, receive reliable travel information, ensure personal security, receive emergency medical care, receive compensation for both material and non-pecuniary damage, and terminate the contract without compensation for material damage to tour operators and travel agents if the tour cost exceeds the agreed-upon amount in the contract. And the obligations are: tourists must inform tour operators and travel agents of any health or age restrictions, travel restrictions outside permanent residence, and entry restrictions into temporary residence countries. They must comply with tourist service

agreements, local legislation, respect local traditions, customs, and religious beliefs, avoid environmental damage, and adhere to customs and border control rules (*Article 30. On tourism. 2019*). Alongside tourists, service providers, like tour operators, travel agents, guides, and instructors-guides have specific rights and obligations outlined in the Law “On Tourism” to maintain ethical and responsible practices. Tour operators and travel agents are one of the fundamental components of the tourism sector. These entities have rights and obligations that aim to protect the interests of tourists and uphold ethical standards within the industry. According to article 29 their rights include the following: tour operators and travel agents have the right to change tour duration, route, service conditions, transport type, safety measures, and costs with consent from tourists and sightseers. They can increase the tour costs with consent, terminate contracts due to unexpected incidents, and demand compensation for losses and non-pecuniary damage caused by tourists, sightseers, or tourism subjects. Notification is required twenty days before the tour starts. In terms of obligations, tour operators and travel agents must ensure services are provided, compensate for losses, provide tourists with information about tour organization rights, obligations, contribute to tourism resource conservation, and monitor compliance with local legislation in the temporary residence country (*Article 29. On tourism. 2019*). In terms of guides and instructors-guides, their role is crucial in providing tourists with valuable insights, knowledge, and assistance during their visits to various attractions and destinations. The Law “On Tourism” recognizes the rights and obligations of guides and instructors-guides to ensure the quality and professionalism of their service. Based on article 31, guides have the right to demand information from tour operators, travel agents, or consumers, familiarize themselves with right and obligations documents, and independently conclude agreements with tourists. Also, guides are obliged to have appropriate education, knowledge of history, culture, and economy, planning tourist routes, wearing badges, and be equipped with safety measures, practical skills in emergency situations, and primary medical care (*Article 31. On tourism. 2019*).

Moreover, public entities and ministries have vital functions in enforcing regulations, defining standards, and monitoring compliance in the tourism sector that contribute to protecting consumer rights. Ministries and other relevant entities set rules for equitable treatment of consumers, high standards of disputes in order to protect travelers’ rights and guarantee a satisfying trip. They also take part in campaigns to inform customers and companies about their rights and obligations in the tourism industry. In Uzbekistan, the State Committee for Tourism Development is essential to protect consumer rights and encourage ethical behavior in the travel and tourism sector. In its function as the regulatory authority in charge of tourism development and regulation, the Committee has particular tasks and functions concerning the development of the tourism sector. The State Committee of the Republic of Uzbekistan for the development of tourism in chapter two clearly mentions the main tasks and functions of the Committee. The Committee is responsible for promoting a holistic approach to tourism development in Uzbekistan, aiming to increase the country’s tourism potential and economic status. It conducts marketing research, implements advertising and informational policies, and promotes national tourism products. The Committee also coordinates tourism development advisors and events to increase tourism services and infrastructure, focusing on international standards. It coordinates tourist activities, develops quality and safety standards, and optimizes state and market regulation in the tourism sector. The Committee promotes competition, eliminates barriers, and encourages entrepreneurial activities. It also improves efficiency, simplifies visa procedures, and monitors tourism legislation compliance. It also expands international cooperation with organizations like UNWTO, organizes events, and develops training proposals for tourism workers (*Chapter 2. State Committee of the development of tourism. 2016*). Also, the Committee enforces consumer protection laws by controlling compliance, providing explanations, requesting necessary documents, ordering manufacturers to eliminate violations, appealing to courts, and exercising other powers as per the law to protect consumers’ rights (*Article 25. On Protection of Consumer Rights. 1996*). Local authorities are also responsible for protecting consumer rights by implementing legislation, collaborating with state bodies and consumer associations, considering complaints and

recommendations applying to courts for defense, and exercising other powers within their competence. This ensures the protection of consumers' rights (*Article 24. On Protection of Consumer Rights*. 1996).

Despite the fact that Uzbekistan has consumer protection laws, there are still challenges and problems in the tourism sector. The creation and implementation of a strong legal framework that meets particular requirements of the tourism sector is one of the main challenges. Although Uzbekistan has regulations protecting consumer rights, it can be difficult to ensure that these rules are effectively implemented and enforced in the country's dynamic as well as diverse tourism industry. Another issue is information inequalities, particularly in the tourism sphere where guests might not necessarily possess the same degree of knowledge as local service providers. This disparity increases the need for clear and widely available information on the rights and duties of consumers because it may result in possible explanation and unfair treatment of tourists. Also, it can be difficult to maintain a high standard of service quality across a range of tourism offerings, such as travel, accommodation, and tour expenses. Differences in service standards might affect how customers feel about a service and give rise to questions about the consistency and equity of the offerings. As online platforms for travel bookings and arrangements become more common, there are new challenges in maintaining the protection of consumer rights. Within the legal framework, issues include data security, privacy and transparency need to be given special consideration. Moreover, inadequate knowledge about the rights and available channels of resources among visitors may make it difficult for them to effectively exercise their consumer rights. It is crucial to give easily accessible information and instruction to both domestic and international tourists regarding their rights and the means by which they might pursue legal recourse. Also, given the possibility of barriers of culture and language, the diversity of visitors to Uzbekistan poses issues for the enforcement of consumer rights. It is crucial to make sure that consumer protection laws take into account a variety of cultural backgrounds and communication requirements.

To conclude, the legal basis for protecting consumer rights in the tourism industry in Uzbekistan is crucial for the sustainable growth and development of the country's burgeoning tourism sector. As Uzbekistan's beauty and cultural heritage continue to attract a growing number of visitors, it is essential to uphold consumer protection laws and regulations to ensure a fair and ethical environment for both domestic and international travelers. The country's legal framework reflects a strong dedication to safeguard consumer rights within the tourism sphere recognizing the dynamic nature of the industry and the unique attractions that draw tourists to the country. By examining the existing rules and legislation, challenges and opportunities, it becomes clear that there is a need to learn from effective experiences in other countries and to consider above mentioned recommendations for enhancing systems that currently fail to meet expectations in protecting consumer rights in the tourism industry.

References

1. On Protection of Consumer Rights. 221-i-coh. (1996, April 26). Retrieved from: <https://lex.uz/docs/4525010>
2. On the organization of activity of the State Committee of the Republic of Uzbekistan for the development of tourism. RP-2666-coh. (2016, December 2). Retrieved from: <https://lex.uz/docs/4613710>
3. On tourism. LRU-549-coh. (2019, July 18). Retrieved from: <https://lex.uz/docs/4834921>