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REGARDING THE PROBLEM OF CRIME VICTIM IN THE TOURISM INDUSTRY

Summary. The author of this article defines the place of tourism as the object of criminal acts; analyses some factors of this sphere victimization.

Key words: tourism business, crime, victim of crime, victimization, fraud, criminal schemes, trafficking.

Formulation of problem. Tourist business is a highly dynamically direction of entrepreneurial activity in the world and Ukraine. But at a time when Ukraine is in crisis, crime has gained widespread. This also applies to the tourism industry. The problem of tourism business securing has become the strategic objective as for government, so for the most tourist activities that make highly competitive efforts to improve the quality of tourism services and the tourist business security system formation.

In conditions of social, political and economic crisis in tourism deepening criminality is the threat to national security, and more and more tourists become victims of crime. More criminal schemes are revealed during the citizens of Ukraine abroad. Criminality is the negative factor which influences the effectiveness of the tourism industry activities, protection of rights, freedoms and legitimate interests, undermining stability and rule of law system in general [1, p. 154].

Actuality of the research theme. The actuality of the research theme is confirmed by numerous research scientists in this field. These are such Ukrainian and foreign scientists, as Y. Antonyan, A. Herzenzon, P. Grishaev, I. Danshin, A. Dzhuszha, V. Ivaschenko, Kamarudin & Nasir and Breetzke, Horn, Crotts, Williams, Cohen and Felson, N. Orel, O. Udalova, C. Kolesnikov, A. Nadon, O. Pyschulina, N. Hutorova, S. Hunger, V. Stashys, A. Sakharov, A. Trainin, V. Panov, M. Havronyuk and others. But the place of tourism business and victim in a criminal scheme are not insufficiently studied and investigated. *Formulation purposes of article (problem).* Therefore the aim of the research is to determine the tourism business place as object of criminal acts and sphere of crime and victims of crime researching.

The main material research with the new explanation of scientific results. Tourism and crime. How are they related? Who can become a victim of crime in the tourism sphere? It should be noted that this problem has not been investigated by domestic and foreign criminology. Among the known theories of crime, there are two theories that can be attributed to it. These are "The routine activity" theory and the theory of "hot spots" (researchers Cohen and Felson, Kamarudin & Nasir (2011), Breetzke and Horn (2009), Crotts (1996), Williams (2010) [2].

According to the first theory (the theory of routine activity, Cohen and Felson, 1979) changes in the current activities of their daily life can lead to crime. This theory also explains that the changes in the socio-economic conditions can affect the overall level of crime and victimization. Cohen and Felson in the theory of crime suggested the concept of "normal actions". According to this theory, in order for a crime to occur, three elements must take place in time and space: a motivated offender, a suitable victim (target) and the lack of necessary supervision [4, p. 53]. According to this theory crime will be committed likely when these conditions occur once in a certain period in a certain place. For ex-

ample, if tourist (potential victims) at night time decided to walk along dangerous streets in unfamiliar place (absence of protection) with high level crime organization (motivated criminals association), the likelihood of robbery increases.

The second criminological theory (Crotts, 1996), that can be associated with tourism, is the theory of "hot spots". This theory explains that there are specific places where most likely the crime towards tourists will be committed (the probability of becoming a victim of crime). Besides these specific places allow criminals to avoid responsibility for the crime. These are bars, night clubs, discos, places of recreation etc. Tourists became victims of crime for several reasons: they are easily recognized by their clothes with bright headlines, they tend to carry large amount of money and expensive things such as cameras, jewellery etc. They often take part in activities that are dangerous for the residents of the host country (extreme and dangerous events). They are unlikely to report crimes because it's difficult and expensive to return back to the country as a victim or a witness during the trial. It is interesting that the researchers Mawby, Brant and Hembli (1999) determined that tourists rarely become victims of crime while on vacation in Britain. Only 50 of 514 respondents were surveyed on holiday victim of a crime in the UK) [2].

Barker, Page & Meyer's (2002) researching results argue that there many factors to become tourist victim of crime such as age, gender, ethical affiliation, country and location, communication skills, the choice and number of travel companion and others. For example, older tourists are more experienced and wise. They stop at the resorts when tourists younger placed in dangerous regions. Women are more cautious after dark.

So, the multiple researches have shown that crimes often occur in places where there three elements: potential victims, potential criminals and the favourable conditions for crime. For example, it would be:

- the places of tourists mass gathering: passenger terminals at airports, seaports, railways, subways, transit zone or bus lines between the terminals and the city centre; large shopping centres, beaches; residence of tourists (hotels, motels, camping);
- the places with high criminal risk (compact living of the poor and (or) the unemployed people, large industrial areas);
- the places where there are the atmosphere of adventure and forbidden pleasures (night clubs, individual objects entertainment);
- the police low level control, where tourists may soon be alone in a completely unfamiliar environment [5, p. 27].

The most common in the field of tourism has become fraud (some researchers call the following travel scams). There are various methods of fraud in the tourism sphere. Some travel companies have many ways to attract potential buyers, unfortunately in their arsenal, is not always honest in relation to the very tourist. In the area of tourism business are many scams that prey on inexperienced citizens. There are several schemes under which most often are scammers (of course, we are not talking about worthy and decent tourist companies). Most of all it is related to the relationship between a tour operator and travel agency and tour operator and the consumer. Typically, most of the "surge" in tourism is on the eve of the summer season, when even the average tour

operator accumulate large sums of money from tourists but not yet listed foreign partners, hotels and airlines [6, p. 27].

So-called "employment" with the help of travel agencies is also one of the ways of criminal offenses. This profitable business is based on ordinary fraud. Using the difficult economic situation, unemployment and imperfect legal protection of citizens some people begin to organize criminal business – they offer for working abroad, where citizens suffer cruel exploitation, earn meagre money for themselves but bring huge profit to the organizers of this "business". The special component of this crime – women and children trafficking. The criminal sphere representatives engaged in the supply of cheap labour in brothels and other illegal brothels became to hide under recreational – tourist firms [7, p. 62]. Let's speak about sexual services children's in tourism (sex tourism) providing [9, p. 2]. According to the definition of the international organization ECPAT, child sex tourism means the sexual exploitation of children and young persons who do not live in places where the acts of violence against children are committed [10, p. 25]. Exploitation in the form of pornography, child trafficking and child marriages increases the problem exploitation through sex tourism increasing. This includes the violence during the time of country traveling and business trips (it is the person male or female (according to official statistics, about 5%, who first visit the country as tourists for the first time, and then continue their travelling, or people who go on abroad to work as teachers, researchers and social workers, and then use their position to obtain access to children). Such people are often called "tourists who use children for sex". Often these people come from richer countries in the less developed countries however sex tourists may travel within their country or region. Engaging poor countries to CSEC often are occurred through sex tourism that spreads due to the easy movement for wealthy citizens (mainly from Western countries) and imperfect extradition laws and becomes a significant problem for tourist countries. About 2 million children worldwide are exploited in commercial sexual business; the significant proportion of this is the subject of modern slave trade. The danger lies in the negative impact on minors who are victims of crimes and in the total destruction of public morality. The minors are facing with sexual, physical, psychological violence, abuse, rape, involvement in criminal activities, which can lead to serious life consequences, and sometimes threaten the person existence. Children who are victims of sexual exploitation in criminal business, receive moral, spiritual and physical injuries, they are delayed in their physical and mental development, they are often infected with HIV, suffer from other dangerous diseases (sexually transmitted diseases), they became drug and alcohol addicted, girls suffer from early pregnancy, abortion, and sometimes there are lethal birth. The children's right to the happy and healthy childhood is violated, their future productive is threatened.

The travel insurance is also the wide range of criminal actions. We must remember that the existence of the insurance policy is not always guarantee of free treatment abroad for the tourists. Tourists are often victims of fraud by employees calving and local doctors. The doctor who works at the hotel, said tourist that his insurance policy is not valid and sends to another doctor (by appointment), which treats cash. The fees for services may be very large and there is no guarantee that the insurance company will agree to return it. Sometimes there are cases that the insurance company that issued the insurance policy does not exist.

Conclusions. On the basis of the investigated theoretical and practical material we can make a conclusion that the safety of tourist activity is essential for the formation of favourable conditions for tourism development and strengthening the country's tourist image. The main factors that contributed to the fact that tourists during the holidays became victim of crime are:

– the presence of tourists large sums of money and other valuables (valuables, expensive equipment (photo-and video cameras, etc.) ;

– the new experiences desiring and willingness to take risks for the sake of it, and as the result – loss of alertness, concentration and inadequate responses to potential and real emerging threat to personal safety;

– in certain cases it is the negative attitude towards tourists with the local population;

– the reluctance of tourists to notify the competent authorities of their temporary stay country (place) about the crimes that have been committed against them, not to be involved in complex legal procedures that may prevent or delay their return to their homeland or create other problems.

Therefore, to reduce crime level and tourism victimization should the efforts of many countries to develop a strategy of economic security industry in the implementation of which provide for transparent and fair competition between tourist activities must be consolidated; it is necessary to carry out the statutory audit of tour operators and to make public financial statements of tourist firms; to review and improve legislation of tourism enterprises; to form a system of tourist agencies internal controls.

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Нестерова І. А. Щодо дослідження проблеми жертви злочину в туристичній індустрії

Анотація. У статті автор визначає місце туристичного бізнесу як об'єкта злочинних діянь і сфери вчинення злочинів, досліджує причини віктимізації цієї сфери.

Ключові слова: туристичний бізнес, злочинність, жертва злочину, віктимізація, шахрайські дії, кримінальні схеми, торгівля людьми.

Нестерова И. А. О проблеме изучения жертвы преступлений в туристической индустрии

Аннотация. В статье автор определяет место туристического бизнеса как объекта преступных деяний и сферы преступлений и изучает причины виктимизации данной отрасли услуг.

Ключевые слова: туристический бизнес, преступность, жертва преступления, виктимизация, мошеннические действия, криминальные схемы, торговля людьми.