

The Extent to Which Tourism Industry Has a Legal Impact on the Algerian Economic System

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Abstract:

The current study aims at investigating the tourism industry and its legal impact and economic importance as a strategic sector which plays a focal role in achieving economic growth rates and reflects the extent of civilization and scientific progress of people because it is a human activity. This sector has received great attention due to its direct positive impact on other sectors (agriculture, industry ...) in addition to its effective contribution to support the balance of payments and generate employment opportunities in addition to that it is characterized by low cost.

Keywords: Tourism Industry - Law - Economy - E-Marketing - Impact of Tourism.

1. INTRODUCTION

Tourism is one of the most growing industries in the world¹. It has become among the most important sectors in the international trade. The tourism industry is no longer the same as it was years ago, and its branches have saturated and branched out and become involved in most areas of daily life, and tourism is no longer that person who carries a small bag and travels a country and wanders between the monuments of countries, as it has become affected and transcends every place in the world.

This diversity is a result of the development of the tourism industry and its advancement to the forefront of the economic sectors in the world, as tourism was able to overcome all crises and followed the experiences. It is an industry that does not erect or die but grows year after year despite all the unfortunate events that may go through. Thus,² it can be said that the

¹Toumi Miloud and Khareef Nadia, the role of e-marketing of tourism in revitalizing the tourism industry, research submitted to the international forum entitled:

The economics of tourism and its role in sustainable development, Faculty of Economic and Commercial Sciences and Management Sciences, Universities of Biskra, 2010, p. 3.

² Ahmed Mahmoud, The Tourism Industry, Dar Kanooz Al-Maarifa, first edition, Jordan, 2007, p. 24.

twentieth century is the launching station of tourism, while the twenty-first century is the century of the tourism industry in its modern concept.¹

Tourism, then, is an industry linked to the human desire for knowledge and crossing borders, and some expected years ago that the tourism movement would decrease with the development of media and the emergence of the Internet, which is full of information, images and data, but the years proved that tourism will remain the most growing and most established industry, and despite the entry of many countries in the recent period into the travel and tourism market, it is the market. It can absorb the whole world, it is made by the world and for the world, and only the most sophisticated, understanding, and open-minded can take as much from it as they like.²

Based on these data, one could raise the following questions: What is the need for tourism industry and its economic impact on the Algerian legal system? What is the extent of the need for a tourism industry and its economic impact on the Algerian legal system? Can tourism be considered a blessing or a curse?

This what the researcher investigates in this study utilizing the following plan:

The first element of research: Tourism industry as a mechanism to serve the national economy.

The second element of research: Importance and Impact of tourism on the Algerian economic system.

2. Tourism industry as a mechanism to serve the national economy

Before dealing with the topic of tourism industry, it is important to know the conceptual framework for tourism (first requirement) i.e., the tourism environment as well as delving into the reality and applications of tourism in the economic sector (second requirement).

2.1. Conceptual Framework for Tourism

Identifying the concept of tourism requires defining it (first branch), its types and motives (second branch), its components and foundations.

2.1.1. Definition of Tourism

Tourism definitions differ with the difference in the ways it is perceived. There are some who define it as a social phenomenon; whereas there are some others who consider it an economic phenomenon and others see it as a factor to foster human relationships and cultural development.

¹Atta Mohammed Omar, *The Tourism Industry and its Economic Importance*, Scientific Symposium (The Impact of Terrorism on Tourism), Damascus, 2010, p. 3.

² Ahmed Mahmoud, op. cit. 24, 25.

Generally, tourism can be defined as the cultural, economic, and organizational activity of individuals moving to a country other than their own, and staying for at least 24 hours for any purpose, except for paid work within the visited country.¹

It is also defined by some scholars ²as a phenomenon of this era that stems from the growing need for comfort, change, a sense of the beauty of nature, a sense of joy, and the enjoyment of staying in an area that has its own nature.³

According to some reports, tourism is a set of activities practiced by individuals in areas other than their usual place of residence for several purposes without engaging in work at the destination.⁴

As for a tourist, the United Nations World Tourism Organization defines them as a person who visits a country other than the one, they usually reside in for any reason other than seeking employment in the visited country.⁵

Therefore, the tourism industry can be defined as the public and private organizations that participate in the development, production, and marketing of goods and services to meet the needs and preferences of tourists. The term "tourism" is generally used to describe travel and reflects some cases of increasing expansion in leisure travel.

2.1.2. Tourism Types and Foundations

Tourism types vary based on foundations, desires, and needs. Thus, it can be classified into many elements which are:

- a. Based on the foundation and goal: tourism is divided into religious tourism and sport tourism, conferences tourism and cultural tourism as well as medical tourism and recreational tourism.
- b. Based on the geographical location: divided into internal tourism, regional tourism, and international tourism.

¹Toumi Miloud and Khareef Nadia, op. cit. 3.

²Adly Esmat, *Tourism and Archaeological Security under Tourism Laws*, New University House, Egypt, 2008, p. 17. 17.

³As for the legal aspect, the tourism contract is defined as a contract whereby the tourism and travel agency undertakes to provide the tourist or client with several services, depending on the nature of the activity and includes several services for a sum that determines the type and nature of the service and between tourism and travel agencies and the organization of trips whose programs are determined by customers, see in this regard: Abadi Sarawa Batoul, *The Tourism Contract*, Halabi Law Publications, first edition, Lebanon, 2012, p. 20. 20.

⁴Tourism Is defined as « activities of persons traveling to and staying in places outside their usual environment for not more than one consecutive year for leisure, business and other purposes not related to the exercise of an activity remunerated from within the place visited » work, Tarun Kumar, *A Knowledge Intensive Service Activity in the Tourism Industry in Australia*, a report prepared for the OECD KISA project, consulted on 22, november, 2024, 13:30,

On the following link: <http://fr.scribd.com/document/374025369/34609098-pdf>.

⁵Bouamoucha Hamida, *the role of the tourism sector in financing the tourism economy to achieve sustainable development - a case study of Algeria - Memorandum for the degree of Master in the framework of the School of Economics and Management Sciences, specializing in international economy and sustainable development*, Farhat Abbas University, Setif, 2011-2012, p.19.

- c. Based on duration of stay: seasonal tourism and transit tourism.
- d. According to the number: To individual tourism and group tourism.¹
- e. According to the criterion of nationality: It is divided into foreign tourism, tourism for residents outside the country and tourism for citizens of the country.
- f. According to age: youth tourism and vanguard tourism: Successful tourism and retiree tourism.

* The motives for tourism vary from one person to another, including.

- a. Religious motives: such as traveling for the purpose of pilgrimage or visiting famous religious places.
- b. Historical, cultural, and educational motives: It is to watch some major events in the world or cultural parties, or to see ancient historical monuments such as the pyramids in Egypt and Mansoura in Algeria, or to visit civilized sites such as the Eiffel Tower.
- c. Health reasons: Traveling for medical purposes or to get away from cold weather.
- d. Ethnic motives: Such as visiting your home country (country of origin).
- e. Sporting motives: Traveling for the purpose of watching a sports match or cheering for a particular team.
- f. Economic motives: It is for the purpose of business and obtaining business deals for businessmen.
- g. Other various motives: They are for the purpose of adventure, bragging, or boasting.

2.1.3. Foundations and Components of Tourism in Algeria

Tourism in Algeria is based, like all the other touristic country, on some foundations and components which make it unique namely, archaeological, some others due to nature, and others due to development. This latter can be detailed as follows:

A: Tourism Requirements

It refers to the touristic resources especially the geographical ones like the natural landscapes: relaxing places, mountains, valleys, beaches, forests, and deserts in addition to the religious architectural historical monuments and traditional industries, folklore, different popular arts and habits and traditions.

As for the natural requirements, Algeria is rich with its wealth and diverse and landscapes. We see the towering mountains, the vast high plateaus of the plains and the Sahraoui coastline stretching over 200 kilometres.

¹BouamouchaHamida, op. cit. pp. 25-30.

Algeria's land is between 18 and 30 of the northern latitude and between 9 of the western and 12 of the eastern length (the midline between the tips of the globe passes near the city of Mostaganem).

It was formulated in a very distinct natural template, since the greater part of the north has a Mediterranean climate and the next atlas prevails, while the desert atlas prevails in the south.

It is moulded into a very distinct natural template, as most of the north has a Mediterranean climate and is dominated by the Hill Atlas, while the desert south is dominated by the Saharan Atlas.

- As for the tourist areas in Algeria, they can be summarised into 6 regions:

- 1- The northern plains and coasts and the highlands of the North Atlas, which are characterised by archaeological sites and long beaches.
- 2- The region of the Atlantic chain, which is characterised by the largest mountain peak in the north, Lala Khadija.
- 3- The High Plateaus region: It is characterised by its continental climate and its ceramic and traditional industry.
- 4- Saharan Atlas region: Which is characterised by the development of climatic and mineral tourism.
- 5- North Sahara Oasis region: It is characterised by oases with their palm trees and lakes.
- 6- The Sahara region: It is characterised by vast areas and majestic mountains.¹

B: Tourism Foundations in Algeria

Tourism foundations in Algerian legislation are as follows,

- a. Tourism Demand: This is the willingness and ability to buy, which means that tourists are more likely to visit the area.
- b. Tourism Supply: The tourist supply includes all that the tourist region offers and offers on its actual and expected coasts. The tourist offer includes natural, historical, and industrial attractions as well as services and goods that may influence individuals to visit a particular country and prefer it to another country.²

The tourism supply is characterised by its use in the places where it is located and cannot be changed. It is also characterised by inflexibility, i.e. not replacing the tourist product or commodity, and introducing modifications according to the tastes and

¹ Ahmed Mahmoud, op. cit. 33, 34, 35.

² Bouamoucha Hamida, op. cit. 30 - 36.

desires of tourists, and one of its characteristics is that the tourist commodity is not transferred to the consumer, but he is the one who moves to it, unlike other goods.¹

- c. Tourism revenues: It is all that the country generates from tourist revenues and what tourism generates as an economic activity and as a tax base.
- d. Tourism Expenditure: This refers to the amounts paid for the acquisition of consumer goods and services as well as valuables for the visitor's use or disposal during their visit.²

2.2. Tourism Reality in Algerian Economic Sector

Due to Algeria's prosperity and the diversity of its tourism heritage, this has created an important position and great ambition for the political class to make tourism an important resource and a contributor to the development mechanisms, making it emerge from its isolation to become an important tourist pole.

2.2.1. A Statistical Reading of the Reality and Prospects of Tourism in Algeria

At the beginning of the 1970s, tourism was not flourishing, but the situation changed when a development strategy was adopted to revive tourism as an alternative that generates jobs and wealth.

In recent years, tourism revenues in hard currency have risen, with 222,414 tourists arriving in 2003, and 2002 hard currency receipts were 33.7 per cent higher than 2001 receipts, which totalled \$95.5 million.³

Regarding the operation in the tourism sector, the number of workers in the tourism sector in 1999 reached about 12,067 workers, while the number did not exceed 10,054 in 1985.⁴

The Ministry of Tourism expects 3 million tourists, including 2 million foreign tourists, by 2015, indicating that the expected number of investments is particularly in the accommodation capacities. In this regard, the ministry emphasizes that the banking sector should consider the professional requirements of the tourism industry, affirming that the Algerian authorities aware of these obstacles have the means to realize their ambitions.

Several measures will be implemented to encourage foreign investment, particularly in the areas of partnership or management by attracting businessmen and investors.⁵

2.2.2. Government Tasks to Enhance Tourism Resources

Among the direct national responsibilities falling under the state's tasks in tourism development are:

¹ Ahmed Mahmoud, *ibid*, p. 28.

² Ahmed Mahmoud, *ibid*, p.28.

³AboudiZaid Mounir, *Tourism in the Arab World*, Dar Al Raya, first edition, Jordan, 2008, pp. 247 - 249.

⁴Kwash Khalid, *op. cit.*, p. 234.

⁵AbdiZeidMunir, *ibid.*, p. 248,249.

- 1- Collecting accurate and precise information about the importance of tourist attractions and available facilities in the country, through cooperation with the Tourism Authority in publishing tourist brochures in an engaging style supported by images and distributing them worldwide through embassies.
- 2- Providing sufficient quantities of daily consumer goods needed by tourist groups and urging the Ministry of Trade and Industry to pay attention to the increasing demand for these goods.
- 3- Maintaining the exchange rate of the national currency and combating inflation in commodity prices while monitoring price movements.
- 4- Providing and addressing shortages in vital infrastructure services such as water and electricity and ensuring their sufficiency and efficiency.
- 5- Addressing traffic congestion and congestion resulting from vehicle movement on public streets.
- 6- Raising awareness about the spread of certain diseases and epidemics and ensuring that incoming tourists are not infected with any infectious or epidemic diseases, especially with the current spread of COVID-19.
- 7- Controlling tourist markets and tourist flows.
- 8- Exercising caution against the rise in cheating and price manipulation and eliminating the phenomenon of theft by increasing the number of tourist police, especially in crowded areas and tourist sites.¹

The workforce associated with the tourism industry can be classified into 4 categories:

- 1- Permanent workers directly involved in the tourism sector, whose jobs are linked to tourist spending on tourism facilities such as those working in hotels, entertainment centres, and restaurants.
- 2- Indirectly involved workers in the industry, who are employed in services related to tourism activities and promotion.
- 3- Workers attracted to the industry as temporary additional forces due to its growing nature, often from the residents of the tourist region and not from outside it.
- 4- Workers in various sectors benefiting from the tourism industry such as those in construction, furnishing, supply and provisioning, agriculture, animal husbandry, and poultry farming.¹

¹Al-Hamiri Adnan Abdul-Jabbar, *Fundamentals of Finance and Investment in the Tourism Industry*, Al-Warraq Foundation, First Edition, Jordan, 2010, p. 267.

2.2.3. The Role of E-Commerce in Enhancing Tourism Industry

The role of e-commerce in activating tourism industry:

A: Product

Companies use the highly automated techniques in the following fields:

- Designing services using computers rather than traditional design methods.
- Producing goods and providing services using computer as well.
- Get instant and real-time information on product and brand conditions, do market and consumer research and purchase behaviour.
- Thanks to the use of the Internet, buyers can compare products on the line directly, giving them the opportunity to search for the best offers.

B: Price

Information technology has contributed to a real revolution in price structure and dynamics through:

- Study the costs of producing and distributing the tourism service and its relationship to the demand for the product.
- Estimate the demand for products and thus determine the appropriate prices.

C: Distribution

By means of electronic channels, traditional channels are replaced, thereby reducing mediation.

D: Promotion

It is one of the most influential elements of the marketing mix by electronic marketing so that it is called direct marketing which refers to all the activities of the medium that generates a series of communication and responses with customers.²

Promotion methods includedirect mail advertising through the physical environment: e-commerce has contributed to a major qualitative change in the physical environment element, and this change was represented by:

- The shift from a real-world environment of buildings and offices to a virtual environment.
- The emergence of virtual reality technologies that virtualize reality.¹

¹Amal Saif Nasser Al-Salami, Tourism Industry in Oman, Shura Council, General Secretariat for Information and Research, Jordan, 2006, p. 1213.

²E-marketing is defined as the application of the Internet and related digital technologies to achieve marketing objectives.

3. Importance and Effect of Tourism on the Algerian Economic System

Tourism occupies an important place in the global economy and has been growing continuously since the end of the Second World War. Tourism is no longer an honor but has grown and become the industry of the era and the future.²

In the following, the importance of tourism (first requirement) and its implications for the Algerian economic system (second requirement) will be presented:

3.1. Tourism Importance

Tourism has a capital importance in different domains, economy (first branch), social and cultural (second branch), environmental and political (third branch).

3.1.1. Economic Importance

Because tourism is an economic phenomenon that has evolved over time and increased its importance because of modern scientific and technical development, the role of tourism in the field of economic development can be summarized in the following points:

- Expanding employment opportunities for children.
- Strengthening the economic structure and strengthening it.³
- Increasing national income because of increased investment in the field of tourism projects.
- The prosperity of industries and services related to tourism activity.
- Increase the state's income from hard currency.⁴

3.1.2. Social and Cultural Importance

This importance includes two sides, a positive and a negative one.

A: From the Positive Side

*Social balance: Where social classes come closer to each other as a result of the increase in the incomes of individuals and workers in the tourism sector directly or indirectly.

*Urban growth: Tourism is a major cause of urban advancement in terms of interest in archaeological and natural tourist attractions.

¹Toumi Miloud and Khareef Nadia, op. cit. 10.

²Marraj Houari, "Tourism and its impact on global economic development, the case of the Algerian economy," University of Laghouat, pp. 21-28.

³Al-Haddad Mohammed Mahjoub, Assessing the competitiveness of the tourism industry in Libya as an alternative source of income under the liberalisation of services trade, Fourth International Forum on Competition and Competitive Strategies for Industrial Enterprises Outside the Hydrocarbon Sector in Arab Countries, Misrata University, Faculty of Economics, 2004, p.2

⁴Adly Esmat, op. cit. 27

It also represents a cultural and social means of transferring and exchanging cultures and civilizations between peoples. Through it, cultural exchange between tourist countries is achieved as languages, dialects, intellectual beliefs, arts, and literature are transmitted through the incoming tourist traffic, thus influencing them culturally and being influenced by them, thus achieving the cultural impact of tourism, which represents an important axis of development in society.

B: From the Negative Side

- ❖ Social transformations: through introducing unusual new traditions to citizens of the different areas.
- ❖ Widespread corruption and cultural and social degradation.
- ❖ Culture clash: As a result of the behavior of some tourists and their actions that do not necessarily reflect their daily lifestyle in their country, but due to reasons such as the tendency to love adventure and curiosity, which leads to the rejection of tourism by members of the host country.

3.1.3. Environmental and Political Section

This importance will be addressed from an environmental and then a political point of view:

A: Environmental Importance

It may have a negative or a negative effect.

a. Positive Side

- Tourism benefits the environment through measures that incentivize the protection of the physical features of the environment, historical sites and monuments, and wildlife.
- Historical and cultural heritage determines the attractiveness of a country to tourists and encourages governments to preserve its features, so many countries make great efforts to provide systematic protection of cities and archaeological areas.
- Tourism is a means of raising awareness of the importance of nature and spreading awareness among tourists, entrepreneurs, government, and local people.
- Generating funds contributes to the preservation of nature and the environment, thus achieving the exploitation of tourism resources.

b. Negative Side

- The impact of tourism on ecosystems: Tourism threatens fragile ecosystems in mountainous areas through hiking and skiing, as well as deforestation caused by increased consumption of firewood.

- Pollution and waste.
- Overexploitation of natural resources.¹

B: Political Importance

- Tourism helps to strengthen the bonds of friendship between different countries through the good relations that can be established between different peoples and countries.
- Among the most important actual images that make tourism a reason for the convergence of many countries:
- The agreement of airline contracts, transit of people, taxes, immigration, customs, security, and health issues.

3.2. The Effects of Tourism on the Future of the Algerian Economy

These impacts will be addressed in two ways: Economic impacts (Section I) and social impacts (Section II) in each component separately:

3.2.1. Economic Effects on Tourism

A: Tourism Revenues

- Tourism revenues reflect the country's ability to meet the needs of tourists, and in return, they spend on various goods and services.
- Tourism revenues in Algeria have witnessed a significant development, with an increase of 277.7 index points. It can be said that the pace of development in Algeria surpasses that of Tunisia and Morocco. However, although the growth rate of revenues was high, the average revenues in Algeria amounted to \$195.66 million.
- While there were fluctuations during the nineties due to political instability, lack of tourist supply, and investment shortages.
- But with the beginning of the 2000s, revenues witnessed an increase due to improved security conditions, stability, an increase in the number of arrivals, and consequently an increase in spending and the beginning of government attention to this sector.

B: Tourism Contribution in Export

Statistics have shown that exports of goods are increasing. In Algeria, they rose from \$21.65 billion in 2000 to \$63.48 billion in 2007, which is a good indicator of the structure of the Algerian economy.

¹BouamouchaHamida, op. cit. 36 et seq.

C: Gross Domestic Product Contribution in Tourism

- The tourism and travel industry's gross domestic product (GDP) is the value added of activities that produce goods and services destined for tourists such as hotels and airlines.
- The statistics showed a rise in gross domestic product (GDP), mainly due to higher oil prices. This is clear because Algeria's economy is mainly dependent on the exploitation of petroleum and gas wealth.

D: The Tourism Balance and Its Contribution to the Trade Balance

The tourism balance refers to the difference between the expenditures of foreign travelers in the country and the expenditures of resident travelers abroad.

Tourism is considered an important factor in financing the balance of payments for many countries due to the returns it generates. Statistics indicate that the Algerian tourism balance during the period between 2000 and 2009 was negative. This was due to the increase in expenditures, meaning that the amount spent abroad exceeded the revenues of those coming to Algeria, mainly because of political conditions and the inability of Algerian products to compete.

This has an impact on the trade balance, making the effect of tourism negative.

3.2.2. Social Effects on Tourism

It goes without saying that all segments of society are affected in one way or another by the tourism aspect, and these effects can be summarized as follows:

A: The impact of tourism on employment

Tourism is one of the largest job-generating sectors in various fields. It is a labor-intensive industry, and the job creation rate in the tourism sector is among the fastest rates in other sectors, growing by 1.5 percent.

Tourism activity is important in creating employment opportunities through interactions that supply tourism with its needs for goods and services such as agriculture and food trade.¹

B: The impact of tourism on the standard of living

The positive effects of tourism on the national economy, whether in terms of its contribution to the gross domestic product and creating wealth for the country by providing permanent settlement jobs, all of this reflects positively on individuals in society by achieving prosperity for individuals and improving their living conditions. This varies according to tourism revenues and the total number of accommodations. Statistics have shown that the per

¹Adly Esmat, op. cit. 28, 29.

capita share of tourism revenues in Algeria evolves from year to year, which reflects on the living standards of individuals.¹

4. Conclusion

Tourism has currently become the industry of the era due to its importance in several aspects, starting from its contribution to the national income and supporting the national economy through the currency it earns, capital inflows, and improving the balance of payments. It also helps in reducing unemployment by employing the workforce, thus contributing to government revenues, creating more job opportunities, and improving the standard of living, especially in developing countries.

However, in Algeria, despite having the qualifications, its share remains weak in the national economy compared to other countries. This is due to several reasons, including security concerns. Indeed, the contradiction in tourist flows towards Algeria in recent years can be attributed to the deterioration of security conditions, as security significantly influences tourist demand. Additionally, there is a lack of coordination between the entities responsible for promoting tourism (such as the National Tourism Office) and budgetary constraints, as well as insufficient reception services.

Furthermore, there is a shortage of investments and tourism infrastructure, a decline in service coverage in Algerian hotels, social and cultural environments affecting tourist reception, weak communication channels relied upon by Algeria, lack of professionalism in the field, seasonal tourism phenomena, and the instability of the political apparatus serving this sector. Not to forget the neglect of archaeological and touristic landmarks and the lack of care for them.²

Based on the above, and to activate tourism, the following recommendations can be proposed:

- Prepare a comprehensive development plan with clear landmarks and a timeline.
- Review the training system related to this sector.
- Strengthen the legal and legislative system to ensure the necessary incentives for tourism.
- Involve the private sector and foreign capital.
- Raise tourist awareness among citizens through audio-visual means.
- Improve the international image of tourism through seminars, forums, and media.
- Prioritize the tourism sector, traditional industries, and crafts as a priority in the government's agenda and allocate more funding.

¹BouamouchaHamida, op. cit. 140 et seq.

²Atta Mohamed Omar, op. cit. 31.

Finally, it can be asserted that Algeria is a tourist country rich in wealth, heritage, and authenticity; it just requires awareness and proper utilization.

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