UDC 334 DOI: 10.34670/AR.2020.56.67.028 The effect of interest aspects on setting the form of public-private partnerships in the field of tourist services in developing markets

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Abstract

Public-private partnerships have become a globally used term and template for the establishment and execution of projects, which call upon cooperation between government and private business, where their role is gaining growing importance in promoting cooperation among various stakeholders to improve different aspects of society in developing countries, including economic development, social welfare, and government performance. There are many factors that reinforce the need to think in new ways to highlight mechanisms that allow achieving this partnership, including lack of infrastructure, declining budgets, expansion of private sector projects and population growth. Each country has its own challenges, priorities and special financial constraints. In some cases, such partnerships can bring greater benefits by mobilising the expertise, innovative spirit and managerial capabilities of the private sector. But at times the traditional public sector approach can be more appropriate. This leads directly to rethinking of the methods or procedures that the project actors (whether represented by a government entity at the level of organisations, or a manager at the level of a company) have to simplify and understand the process of optimal decision-making and manage the difficulties faced by the economic establishment. Therefore, there is a necessity to mark the conditions and criteria that drive each actor to enter into such partnerships, and thus determine the optimal form of partnership that responds to the needs of both parties in the domain of tourism investment, which will be discussed in this research.

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Keywords

Partnership agreements, working environment, criteria, tourism markets, developing countries, form, Syria.

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Introduction

The concept of partnership is not considered modern ideation, which has long been reflected in literature as the following formula – a system that brings together economic and social agents [Linder, 1999], in the area of international relations, the first use of the word partnership was made by the United Nations Conference on Trade and Development (UNCTAD) at the end of the 1980s. It should be noted that this cooperation differs from privatisation because the legal ownership of any assets created continues to rest with the public sector and it retains a key role in service specification, procurement, market regulation, and contract monitoring [Dwyer, Forsyth, Rao, www].

Many researchers highlighted this side of employing partnership mechanisms and using the most suitable form of PPP contracts in projects such as transport [Mehta, 2011; Rall, Reed, Farber, 2010], infrastructure [Burger, Hawkesworth, www; Wibowo, Kochendoerfer, 2011], medical services [Barrows et al., www; Shantaram Baliga et al., www], research [Aslam, Rawal, Saeed, www], and technology [Abe et al., www]. In the field of tourism activities, the collaboration between the different sectors can achieve a lot of benefits and lead to the result of developing new tourism areas through sharing the private partners in preserving the historical heritage sites, in developing of tourism strategies and the creation of policy networks, promoting the marketing campaigns of the tourist products. Such partnerships, if designed and implemented in a balanced regulatory environment, can achieve greater efficiency and sustainability to fulfill development goals, end extreme poverty and promote shared prosperity by expanding the delivery and quality of basic infrastructure services, and especially in the tourism field which plays a greater role in supporting the economic process [Franco, Estevao, www].

To get a good understanding of the main principles of cooperation in tourism activities, it's necessary to determine the factors or basics that affect and make the partnership between the public and private sectors a success strategic choice for sustainable development, which summarised in sharing all dangers, benefits and realising the rights and duties of each partner.

The research methodology

The study is constructed on the basis of the content analysis method that started by gathering data and facts about the legislative framework which organising and regulating the conduct of economic process including the partnerships between different actors (public and private) and other surrounding considerations (cultural, social and economic) regarding the investment market. Then as the second step – analysing these gathered facts to reach a result that can be generalised to similar search communities according to the induction method.

It should be mentioned that the best option in the study of partnership relations is to adopt a method that combines the descriptive and normative model together, because of the nature of the descriptive model, which is interested in describing the system performance and its distinguishing features, and can predict its characteristics in the future but not interested in determining the best way of dealing with any unexpected risk, thus the normative model comes to bridge this gap with its ability to find the optimal behaviour and how it should be applied. This is what the author adopted in an attempt to study the working environment that effects the criteria of partnership contracts in the developing tourism markets.

Analysis of the working environment that affects the form of partnership contracts in the developing tourism markets

However, in terms of practical application, the factors of success and failure are comparative and differ from one project to another and from one working environment to another in various economic fields, especially when talking about the domain of tourism services, which is dominated by uncontrollable factors such as seasonality, intangibility, inability to store, and this is the reason for not adopting clear and unified standards in making decisions about choosing the most suitable shape of partnerships, and that is why the different case-studies led to various solutions according to the circumstances controlled the market.

Hence, it is difficult to generalise a particular result on a wide range of search areas, either temporal or spatial, where we see for example [Cheryl, www; Sharma, Nasreen, www] the researcher gives a clear understanding of the dynamics and environmental factors governing a mixed economy like India, and the needs for the PPPs in general. Other researchers specialised in studying a developing tourist market within the type of winter tourism for the purpose of regional development through analysing the ability to achieve the needs of both the private economic agents and local authorities in PPP projects.

We noticed that in researches related to the developed tourist regions, e. g. where the authors tried to conclude the principles and management imperatives for the formation of private-public partnerships in tourism. Particularly in the developing tourist markets such as Syria, where tourism is still modest and needs serious efforts and plans of action to develop a special vision and identify appropriate standards in order to activate the methods of partnership and achieve the maximum benefit of the available tourist attractions, and especially during the political crisis of the last seven years which has strongly affected the various areas of the country's economic life including tourist market within the frameworks of applying public-private partnership mechanisms in tourism industry.

The last crisis that faces Syria and the reconstruction process which is supposed to be achieved in the near future necessitates realistic consideration of the inability of the public sector alone to meet the requirements of the rebuilding phase, and therefore the urgent need for efforts all parties, especially the private sector, and because of the sustainable need of the growth achieved and the improvement of the competitiveness of the economy requires attracting huge investments in various sectors, especially in the field of infrastructure, which must develop in both quantity and quality so that Syria can play its regional and strategical role as an attraction center and a bridge for the flow of energy, goods, and services among the regional countries with the declining of oil revenues and the increase of public spending burdens on the basic social services such as education, health.

Public-Private Partnership Law No. 5 of 2016 aims to regulate general contracting procedures to achieve the forms of this sharing, including the scope of application, regulatory framework, proceedings for issuing, forwarding, concluding and surveying the content of partnership contracts, as well as the mechanisms for public participation in partnership projects. Therefore enabling the private sector to participate in the design, construction, building, implementation, maintenance, rehabilitation, development, management or operation of infrastructure utilities, or projects required to provide public services or services for the public interest, in addition to enabling foreign investors to invest in partnership project companies and to transfer the proceeds of their foreign exchange investments. The bill did not deal directly with the types and forms of partnership contracts, but deliberately set out all this in the executive and regulatory pronouncements that set provisions for each category, provide services, build new facilities or infrastructure utilities, under the definition of conditions and situations

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that require a return to the state. The activation of the partnership law and the selection of priority projects to start implementation in a manner consistent with national priorities are among the most important tasks that the government must take to advance the process of economic development in the next stage.

This type of tourism investment is reflected in the tourism projects that the government shares with the private sector with a certain percentage of their capital. This phenomenon of partnerships started in Syria in 1977 after the establishment of the Ministry of Tourism, where two of World Chains hotels (the Sheraton and Meridian hotels) were set up. Followed by the foundation of number of tourist companies with financial support and encouragement from the government. However, after examining the tourist framework of public-private partnerships in terms of the number of establishments and their revenues, a large proportion of them still suffer consecutive losses since their inception, or profits are considered to be non-competitive if compared to the current capital size of these projects (except for four-star hotels where the largest share is specified to the private sector and managed by international hotel management companies).

Therefore, it is possible to say that the economic performance of most partnership projects is still modest and limited because most of them are run by local companies whose capital is supported by the government. This makes the performance of these enterprises like other public sector companies are dominated by administrative and bureaucratic corruption, in addition to the lack of most modern marketing and promotional suitable methods, which in turn reflected in the poor tourist services provided.

The basic criteria and indicators which determine the shape of partnership in the field of tourism services

Choosing the appropriate form of partnerships in different tourist destinations and in various spheres of hospitality management relies on fixed features of the region where the partnership is planned to be confirmed, the level of tourism growth that has achieved there, and the capacity of the private partner to highlight on the effective role and the practical value of this relation in supporting and strengthening of tourism projects and activities in general [Dupeyras, MacCallum, www]. But the most important in taking the decision about the PPP model is estimating the various impacts and influences that will be reflected by the project on the surrounding economic and social domains.

For the *public sector*, when talking about the PPP projects related to the tourism industry there is no substantial variance comparing to the other conventional economic projects, but remains the interest and prosperity of society is the essential standard that should be observed by the public actor in implementing tourist partnership projects. This standard is tightly associated with the basics and measures of sustainability, which aims to realize the steady presence for a better lifestyle in different areas, which is illustrated through terms of good practice indicators [Spenceley, Snyman, Eagles, www].

1. Socio-cultural aspects that appear in increase and maintenance of the number and quality of jobs created in the tourism industry; ensuring a decent level of wages and optimal working conditions, as well as creating access to employment for all persons and avoiding discrimination on the basis of sex, race, disability or any other sign, supporting the social equity through the search for forms of equitable distribution of economic and social benefits derived from tourism throughout the host region, creating opportunities for income generation by the poor layers of citizens, and providing social services for them, and involving the residents in the planning process, as well as expanding

their rights and opportunities in making decisions about the management, and further development of tourism in the region by conducting discussions with other stakeholders in conjunction with the locals with respecting their traditions and characteristics and strengthening of historical heritage, authentic culture.

- 2. Environmental aspects, which summarise in maintaining and improving the quality of the landscape, both in the city and in the countryside, avoiding physical and external deterioration of the environment, and carrying out activities aimed at preserving natural areas, habitats, and natural environments, and minimising their damage for contributing in fulfilling the biological diversity, working on rational use of resources through minimising the use of limited and non-renewable resources in the creation and operation of tourist facilities, as well as reducing the pollution of air, water, land, and the accumulation of waste.
- 3. In addition to this, we cannot ignore the importance of supporting and providing the convenient legal environment such issuing appropriate laws and legislation that organise the mechanisms of partnership in any field of the economic process.

The standards and foundations that set by the *private actors* when engaging in any of the economic partnership projects, including those related to tourism, are neatly attached with the functional and essential nature of the private property, which is fundamentally directed to increasing the net profits and owned assets through cumulating of capitals invested in the project and allocated for fulfilling the requirements of the production process. So that the private partner is straightly interested in appreciating the economic feasibility of the tourism project, which means the real possibility of achieving earnings, in other words, the standards that command taking the decision of sharing in a project, are related to price effectiveness, sustainable pecuniary and the ratios of profitableness, such as using the indexes of net present value, internal rate of return.

The partnership projects in tourism services require taking into consideration the interests of the user of the final service, i. e. the tourist besides the mutual benefit of both parties, because the sustainability of the investment profitability is achieved by the full satisfaction of tourists on the tourist experience in destination, and that ensure reiterating demand for the product through re-visit, in addition to contributing in product marketing through the word of mouth of the consumer himself and thus gaining the public sector's highest interest in preserving the welfare of the residents.

Results

Choosing the ideal and the most suitable form of partnerships in tourism involved observance of the public sector standards, and essentially what connecting with administrating the locative expansion and the utilisation means of the attractions and the distinctive natural features of destinations in a way that effects on the tourist demand generally. As a result for analyzing the previous standards, it could be mentioned that the most appropriate form of partnerships contract that corresponds to the vision of both public and private actors in the tourism industry is BOT: Build, Operate and Transfer), this kind of PPP forms means that the private partner takes charge of the building, constructing, preserving, organising and administrating the project as a concession contract within a fixed time period, where the private actor obtains earnings through selling and providing different tourist services and facilities, but on the other hand giving payment to the public sector as a fee in a certain annual tariff till the expiration of the contract term. After that, the whole work processes of the accomplished project return back to the public partner supervision with the entire rights and property of land and its facilities. Due to the investment nature of this type of contracts, it is subject to the laws governing the investment and this

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arranges many obligations and also rights of exploitation to the investor during the concession period, where he is required to implement and operate the project on time, and not allowed to terminate the agreement individually, in addition to return the project to the government free of charge and in good condition at the end of the contract or concession period. While the government is committed not to establish identical projects or license another investor to work in a similar project during the contract period, and not to issue legislation or laws that would reduce the income necessary to cover the costs and the appropriate profits, as well as the right to resort to the means of peaceful settlement of disputes without the intervention of local or international courts when appearing disputes between the parties with regard to the implementation of the contract or the stages of construction or operation or even transfer of ownership, while the regulatory authorities have the right to carry out all administrative, financial, and security control procedures throughout the contract or concession period.

Perhaps the most significant disadvantage of the adoption of BOT form that the projects implemented require sufficient experience for implementation, which the local private sector actually does not own, because of the state's monopoly and the lack of desire to participate previously in these projects, which requires creating an alliance with foreign capital to operate and manage the project. However, since investment laws provide large facilities for foreign capital, this will in the long term lead to the depletion of foreign exchange outside Syria. On the other hand, the decision of foreign companies on any issue returns to their governments, so whatever the project is of great economic and financial benefit, remains subject to the political decision of these countries.

The Syrian experience in service contracts in the oil sector is a unique experience in the depth of the lessons learned after the withdrawal of foreign companies as a result of the imposition of economic sanctions by the United States and the European Union, which caused the deterioration and even stopping of production in some fields, resulting severe damage to the local economy. While the biggest problem is the government's reliance on the local or foreign private sector to cover its disability in financing capacity as if it would make these investments without guarantees charged the state much more than implementation them alone, knowing that the actual cost of partnership projects is higher than conventional purchase contracts due to the high value of loans borrowed by the private sector, which typically demands high-profit rates and often has higher purchasing costs. It should be noted that the problem of funding is not sufficient justification for participation, especially when the government economic reports and plans indicate that the actual budget deficit to GDP did not exceed 3%, and show a surplus of actual savings compared to investments but do not invest as required.

Syria has adopted the BOT model since the mid-1970s in the tourism sector as in projects of the Meridian and Sheraton hotels were constructed, also this formula was taken on by investing in existing projects and laboratories in order to increase their productivity and contributing in decreasing the operational risks. BOT projects face multiple problems, especially when the contracts are not well-drafted, a balanced contract is achieved when investment is made over a long period of time without resorting to judgment or occurring disputes, taking into account the interests of both parties without allowing to maximise the benefits of one party at the expense of the other, as the entrance into disputes will harm the reputation of the state towards investors and companies responsible for organising the contracts, and the same applies to companies especially the global ones, because the multiplicity of conflicts will lead to caution of other states to deal with them. Therefore, when signing any contract, it should be transparent and clear to ensure increased competition between serious companies wishing to obtain these contracts, and this requires a legal framework and administrative body to resolve disputes in different domains, especially when these contracts spread widely in the tourism industry.

The dependence on the BOT formula in the tourism partnership was in response to the need of the

tourist market, where the Ministry of Tourism supervises the proposed project according to certain conditions, and after the contract completion the land and all the established facilities return to the government in exchange for an annual investment agreed by both parties. This model of contracting is considered to be the best one but is tarnished by only one negative character, which is related to obtaining large project financing loans, because in this situation the banks refuse to grant any loan if there is no adequate warranty, where the land invested is the most suitable one, however the land in the case of BOT is not owned by the private partner, so the bank cannot be able to put a mortgage on it and the owner does not accept the mortgage for the possibility of the investor's default on repayment and therefore the continuation of land mortgage. On account of the absence of a law regulates and controls partnership contracts, and the delay in implementation of some projects, a new mechanism has been put in place to give banks loans according to the actual implemented as a result of the objection of private banks, while the public ones requested additional procedures that allow to seize the project and sell it to another investor if any breaching for the obligations has happened by the investor.

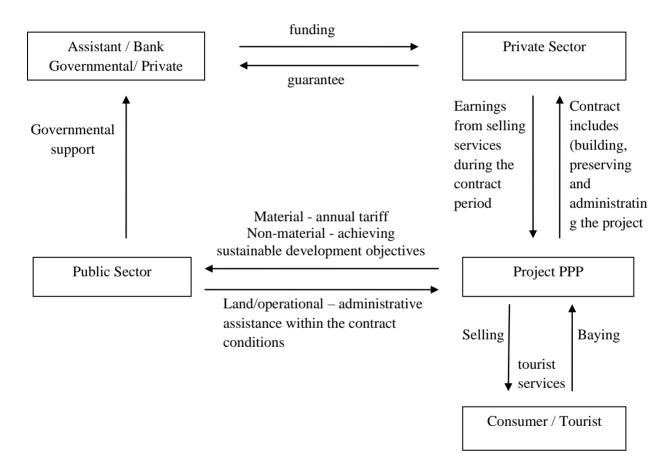


Figure 1 - The key work settings of BOT form of PPPs in tourism

Conclusion

The success of the partnership in the field of tourism depends on the existence of a clear vision that defines the required of this partnership, which is not considered an aim in itself but a means to achieve the objectives of the state in sustainable development, and since this type of projects can have significant effects on both parties in particular and on society in general, therefore, a stable political

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and economic environment and a clear, non-derogable legal framework must be provided, with the importance of working hard to promote the atmosphere of acceptance among the public to be supportive of participatory projects, and this responsibility lies largely on the shoulders of various media.

It could be mentioned that PPP forms in general and BOT in particular can give a guarantee for a quicker establishment and more a more convenient administration of tourism projects in accordance with the determined indicators and fixed standards of each partner, this in turn positively impacts on the local economic situation through enabling the state to set up a viable project without the need to borrow or debt, because direct financing from the public budget will not be necessary since private sector sources will perform this task for the purpose of the development and construction of infrastructure, benefiting from the experience of the private sector in managing and operating these projects, where it was found that the private sector is more careful and efficient in terms of administrating large projects and the keenness on the speed of implementation and cost savings to recover expenses and achieve the desired profits. Also, the effectiveness of the public sector's supervision at all stages of the project implementation (including its ownership of all assets even after the end of the contract period) supports the commitment to achieving sustainable development goals, which are considered constants for the public sector when engaging in any of the partnership projects.

The private sector funds used in the BOT projects are not included in the state budget figures (expenditure account) and thus contribute to reducing the deficit, because they are considered additional sources of financing and development of basic projects within the development policy of the state with the participation of the private sector. The implementation of projects according to the BOT model is a strong incentive to attract private investments, where this reflects positively on the economic situation of the host country, contributes in developing of institutions, encouraging investments and expanding financial markets and cash loans to capitalise projects as many as possible. As BOT contracts contribute to the development of the country's economic potential, training local workers on the latest technologies used, introducing modern technology in various fields, participate in the growth of national capital markets and reduce the incidence of waste in various aspects.

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Влияние процентных аспектов на формирование формы государственно-частного партнерства в сфере туристских услуг на развивающихся рынках

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Аннотация

Государственно-частное партнерство широко используется для создания И осуществления проектов, которые призывают к сотрудничеству между правительством и частным бизнесом, где их роль приобретает все большее значение в содействии сотрудничеству между различными заинтересованными сторонами для улучшения различных аспектов жизни общества в развивающихся странах. Существует множество факторов, которые усиливают необходимость поиска новых путей выявления механизмов, позволяющих достичь этого партнерства, включая отсутствие инфраструктуры, сокращение бюджета, расширение проектов частного сектора и рост численности населения. Каждая страна имеет свои собственные проблемы, приоритеты и финансовые ограничения. В некоторых случаях такие партнерства могут принести большую пользу за счет мобилизации экспертных знаний, новаторского духа и управленческого потенциала частного сектора. Но иногда традиционный подход государственного сектора является более обоснованным. Возникает необходимость обозначить условия и критерии, побуждающие каждого субъекта вступать в такие партнерские отношения, и тем самым определить оптимальную форму партнерства, отвечающую потребностям обеих сторон в области инвестиций в туризм.

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Для цитирования в научных исследованиях

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Ключевые слова

Соглашения о партнерстве, рабочая среда, критерии, туристические рынки, развивающиеся страны, форма, Сирия.

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