AXEL LUTTENBERGER, Ph.D., Assistant Professor
University of Rijeka, Faculty of Maritime Studies

LEGAL CHALLENGES FOR ENVIRONMENT PROTECTION IN ITS ROLE OF INCREASING TOURIST CONSUMPTION

UDC: 349.6:338.486
Original scientific paper

The paper elaborates legal issues concerning environment protection in its role of increasing tourist consumption, particularly in coastal area. Namely, human activities have considerable impact on tourism. It gives out an analysis of the Treaty establishing European Community and of accession requirements for Candidate countries. The paper deals with main new regulation on environment protection, energy savings and renewable energies proposal, with an outlook to water management and priorities for development. Finally, the need for a proper legal framework as an important factor for success of tourism and increased tourist's consumption is emphasized.

Key words: environment protection, environmental rules, coastal area, tourist consumption, water management

INTRODUCTION

Tourism is a highly competitive industry and the quality of tourism offer is therefore seen as a key element for both the competitiveness and future sustainability sector. Tourist's perception of destination is affected by many different elements (such as transport, accommodation, attraction, etc) which need to be managed through Integrated Quality Management (IQM).

Damage to the environment threatens the very viability of tourism industry. It is indisputable that preservation of environment constitutes an important factor of tourist offer for greater tourist consumption. It is therefore necessary to promote eco-efficiency techniques and to develop tools and indicators for evaluating the impact of policy measures and environmental projects on competitiveness and innovation. The need of adequate legal regulation is of utmost importance.
1. THE EUROPEAN UNION (EU) TREATY AND CANDIDATE COUNTRIES

Article 3(1) (a) of the current Treaty establishing the European Community is the only one referring to "measures in the sphere of tourism". In their preparation for accession to the EU, the Candidate countries were continuing to gradually align their national policies towards those of the EU, and transposing acquis into their legislation.

EU for its part is increasingly involving the Candidate countries in its activities and informs them of developments. Community support for tourism development in the candidate countries has been provided mainly through Phare Programme. Instrument for Structural Policies for Pre-accession (ISPA) assists Candidate countries to undertake urgent investments in transport and environmental sector.

The water sector falls within the priorities listed in the EU Treaty, in particular sustainable economic and social development and the campaign against poverty, poverty being generally defined as a lack of means for sustainable livelihood. Therefore this activity is now placed within an integrated water resources management prospective.

Water management policy must take proper account of water resources available at their real cost mindful of actual needs of various sectors concerned. Development based on resource conservation and sparing use of water should be favoured. There should be public information and education activities to make people aware of the value of water involving local communities at all levels of project preparation, management and maintenance.

2. NEW LEGAL CHALLENGES ON ENVIRONMENT PROTECTION OF THE EUROPEAN UNION

The Eco Management and Audit Scheme (EMAS) ¹ is a voluntary instrument for organisations willing to commit themselves to evaluate and improve environmental performance. The revision prepared in the year 2000 brought an extended scope for participation, including now all economic sectors and all organisations having impact on environment.

On 24 September 2000 a new revised EU Eco-label Scheme² came in force. It is a voluntary tool for informing consumers about environmental performance of products and services based on life cycle considerations and environmental criteria. Under a new regulation the services sector is included for the first time. Services will now also be able to apply for certificate.

The EU Strategy relevant to tourism - the parts of coastal zone (ICZM)³ adopted on 28 June 2000 and Directive 76/160/EEC on the LIFE programme aims to reduce pollution costs.

A new EU Directive on the Quality of Bathing Water use of only two back standard than the current management methods costs.

Human activities agriculture have considerable impact on the environment.


The LIFE - projects aimed at improved tourism in is included in tourism and the performance of implementation of ec

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⁵ For the period 2000-2004
European Community is now also able to apply for Eco-label. The first "product groups" to be dealt with is tourist accommodation.

The EU Strategy for Integrated Coastal Zone Management is also highly relevant to tourism – the problem of uncontrolled tourism is particularly severe in many parts of coastal zone. The EU Strategy for Integrated Coastal Zone Management (ICZM) adopted on September 2000 aims to help resolve the problems in the coastal zone including tourism pressures, through a process of policy co-ordination and participative decision making.

For a tourist industry, clean and safe water is an important argument to attract visitors to their area. It was decided back in the 1970’s, that bathing water quality should be monitored and tested in order to protect bathers from health risks and to preserve the environment from pollution. This resulted in 1976 in set of binding standards. On 24 October 2002, the Commission has adopted the proposal for a revised Directive of the European Parliament and of the Council concerning Quality of Bathing Water. The proposed Directive, replacing the previous, makes use of only two bacteriological indicators parameters, and sets out higher health standard than the current Directive. It also provides long-term quality assessment and management methods in order to reduce both monitoring frequency and monitoring costs.

Human activities such as urban and industrial wastewater and pollution from agriculture have considerable impact on tourism, and tourism industry itself has considerable impact on tourism.

A new EU Water Framework Directive was adopted in 2000 complementing already existing regulation on impacts from urban waste water and from agricultural pollution, with objectives to protect all waters, rivers and lakes, groundwater and coastal water, and ensure good quality for all those waters within 15 years. Water managements is to be based on river basin, not administrative borders, with mandatory involvement and participation of citizens and interested parties. Pollution should be tackled at source by emission controls, and quality standards set for all waters.

Tourism will benefit as well from the improvement of water quality and water management.

The LIFE - Environment instrument finances innovative and demonstration projects aimed at improving environmental protection. The promotion of sustainable tourism is included among these priorities, and in particular evaluation of the impact of tourism environment, developing and testing of environmental indicators to measure the performance of companies and destinations, experimental methods for implementation of environmental management and Ecotag, experimental implementation of economical instruments, innovative techniques and methods for

1 No 1836/93 of 29 June 1993 on the promotion of environmental performance of water management in the European Community and the Council of 17
rehabilitation of large tourist sites in decline, reduction of pressures generated by tourist flows and innovative approaches for implementation of benchmarking of the performances in companies and destinations.

3. ENERGY SAVINGS AND RENEWABLE ENERGIES PROPOSAL AND ITS IMPACT ON TOURISM INDUSTRY

As regards the objective of EU energy policy one must point out the Green Paper «Towards a European strategy for energy supply»8. The aim of the paper is to supply citizens with safe, competitive energy compatible with environment protection, and the challenge of getting the right balance between social, economic and environmental dimension. The Green Paper advocates acting more on demand, to control its growth, rather than on supply.

Securing the energy supply is very important for the economy, including tourism, to operate successfully.

Regarding promotion of renewable energies, in May 2000 the Commission adopted a proposal for a directive on the promotion of electricity from renewable sources9 laying down targets with overall objective of 22% of the electricity consumed in EU to be produced from renewable sources by 2010.

These measures will have impact on tourism, particularly on tourism infrastructure and tourist facilities by making energy savings and reducing the energy bill and contributing to the generation of green energy and sustainable development.

Furthermore, the measures to combat climate changes, for instance, reducing greenhouse emission by 8% in the period 2008-2012 will have direct effect on tourism by improving the quality of environment.

4. WATER MANAGEMENT AND PRIORITIES FOR DEVELOPMENT

Users need to understand that the right to use water implies responsibilities for its sustainable use as well as reuse. In environment where water and water-related services have traditionally been seen as «free», the message that water has an economic value and services have to be paid for, needs to be convincingly conveyed.

Proper consideration must be given to the water needs and the protection of aquatic ecosystem. Water bodies and particular wetland areas are extremely rich of biodiversity and often of crucial importance for the poorest; management strategies should recognise the importance of these resources. Moreover, the self-purification capacity of health aquatic ecosystem and wetlands is an important element of long-term sustainability in water uses.

Tourist industry is not only a significant user of water, but also a major polluter, with most waste being discharged untreated into waterways. The need of cost-effective and ecologically sustainable technologies for all kinds of liquid and solid waste disposal is a system.

At the level based on the main water resources mainly from Bonn Intern development of EU development.

CONCLUSION

Legal framework sustainability of dealing with the green tourism is sustainable attention to the tourism. The preservation and better tourist coexistence in my opinion in implementing rules.

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8. The LIFE, R
10. Directive on 10.05.2000

waste disposal is a key issue. There is also a need to invest in pollution management system. At the level of the European Community, such policy development has to be based on the mainstreaming water management with the application of an Integrated water resources management framework. The Commission wishes to build the results from Bonn International Freshwater conference (December 2001) and support the development of EU initiative to address some of the priority issues related to water and development.

CONCLUSION

Legal framework of environment protection and energy savings contributes to sustainability of tourist's development. The challenge that the world is facing in dealing with the growing scarcity and decreasing quality of its water resources is to ensure sustainable and equitable access to safe water for all its use, with special attention to the tourist industry.

The preservation of environment is an important factor for success of tourism and better tourist consumption. In my opinion the EU should support Member states and Candidate countries in implementing rules relevant to organise environment-friendly activities.

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