

Legislation, Administrative constraints, Governance, Financial resources and mechanisms

Spanish scale





Analysis of Threats and Enabling Factors for Sustainable Tourism at Pilot Scale

Legislation, Administrative constraints, Governance, Financial resources, and mechanisms

Spanish scale



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OVERVIEW

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REVIEW

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Abstract

This report aims to look over the legislation, administrative constraints, governance, financial resources and mechanisms that impact the protection of the Mediterranean Sea.

The first section is a brief introduction about the principal pressures in the Mediterranean coastal areas.

The second section describes the tourism governance in relation to the protection of the Mediterranean.

The third section addresses the evolution of the regulations on the Spanish Mediterranean Coast.

The fourth section integrates some of the main existing references to understand the sustainability/tourism nexus at present.

I. Introduction

The Mediterranean countries will face a great challenge in the years to come. They must develop and implement sustainable management, governance and planning measures. Climate change is a current latent problem that needs to be tackled from sustainability as well as a tourism and coastal management perspective. This is where ICZM (Integrated Coastal Zone Management) comes in. Integrated coastal management aims at the coordinated implementation of different policies affecting the coastal zone and including activities such as nature protection, aquaculture, fisheries, agriculture, industry, offshore wind energy, maritime transport, tourism, infrastructure development and climate change mitigation and adaptation.

This directive aims to achieve this goal for the different member countries, including Spain and other Mediterranean countries. It requires the development of sustainability policies, as well as the implementation of programmes such as the economic “blue growth” programme to tackle climate change.

The tourism sector is key to the sustainable development of a country or geographical location. The Mediterranean area has a large influx of tourists, mostly in areas close to the coast and in the summer season.

Mass tourism attracts a number of important benefits, such as economic profit and the creation of jobs in different sectors (especially in the service sector). However, it also causes a series of impacts, affecting the sustainability and the environment, such as pollution and the destruction of ecosystems.

Developing sustainable tourism is key to the future of Spain and other Mediterranean countries. For years, the OECD along with other organizations, have been developing proposals to implement policies at different levels: international, national, regional and local. A clear reflection of this orientation is the number of laws that were adopted in Spain to ensure the proper management and conservation of the marine environment.

Not to mention different other agreements and programs such as ICZM, which will be exhibited in more detail in the following sections.

II. Tourism pacification & Governance

Active, innovative and integrated policies are essential to ensure that tourism remains a competitive and sustainable sector. According to the latest OECD reports, this aspect is essential for the sustained growth of the tourism industry in its member countries.

Tourism remains one of the largest and fastest growing sectors in the world economy. It is a source of jobs, economic growth, export revenues, and domestic added value. It is essential that transport, as the key enabling sector for tourism, appropriately meets the needs of the tourism industry. The report recommends better coordination between transport and tourism public policy makers, in order to improve forecasting and ensure strategic transport planning that underpins tourism growth.

The sharing economy has grown exponentially in recent years and much of this growth has taken place in the tourism sector. Governments will need to address the challenges of consumer protection, regulation and taxation to ensure that their economies can benefit from this trend. The report recommends modernizing the rules and regulations related to the tourism industry to bring them into line with this objective.

II.1. Horizontal coordination

European horizontal coordination is organized around integrated coastal management. On the European Commission's website you can read about these concepts and how they are implemented, what their purpose is and what legal bodies are involved in (Nugent and Rhinard, 2015; Fig. 1).

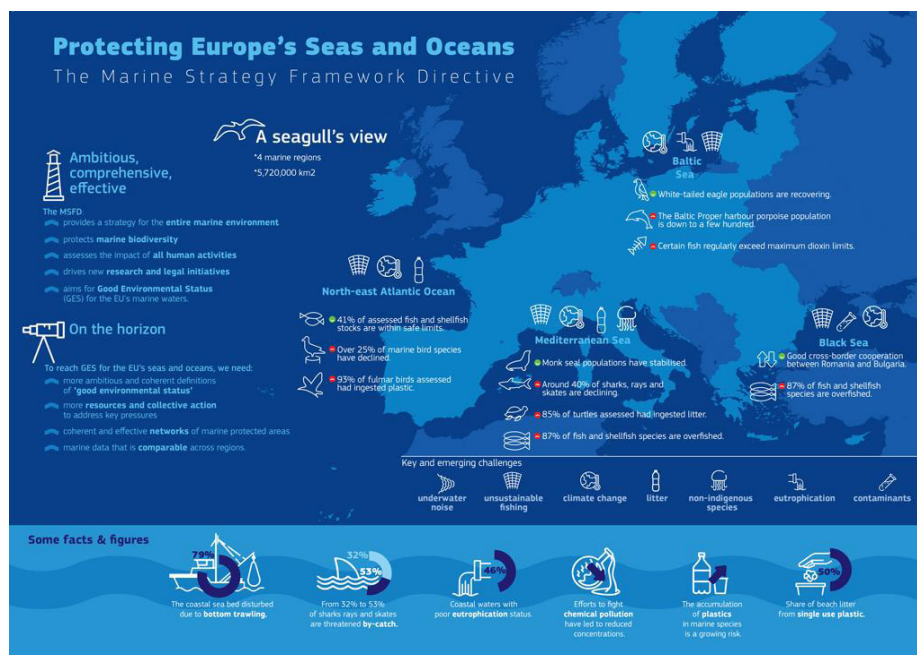


Figure 1. Protecting Europe's Seas and Oceans (Nugent and Rhinard (2015))

Coastal zones are among the most productive areas in the world and offer a wide variety of valuable habitats and ecosystem services that have always attracted humans and human activities. The beauty and richness of coastal areas have made them popular settlement areas and tourist destinations, as well as, important commercial zones and transit points. Today, more than 200 million European citizens live near coasts stretching from the Baltic Sea, the north-east Atlantic Ocean to the Mediterranean and the Black Sea.

However, this intense concentration of population and over-exploitation of natural resources puts enormous pressure on our coastal ecosystems, leading to the loss of biodiversity, habitat destruction, pollution, as well as conflicts between potential uses and problems of spatial congestion.

Coastal zones are also among the most vulnerable areas to climate change and natural hazards. Risks include flooding, erosion, sea level rise and extreme weather events. These impacts are significant and are already altering the lives and livelihoods of coastal communities.

Because the well-being of populations and the economic viability of many businesses in coastal zones depend on the state of the environment in these areas, it is essential to make use of long-term management tools, such as integrated coastal management, to improve coastal resources protection while increasing the efficiency of their uses. A sectoral approach leads to disconnected decisions that risk undermining each other's inefficient use of resources and missed opportunities for more sustainable coastal development.

Integrated coastal management aims at the coordinated implementation of different policies affecting the coastal zones and their related activities such as nature protection, aquaculture, fisheries, agriculture, industry, offshore wind energy, maritime transport, tourism, infrastructure development and climate change mitigation and adaptation. It will contribute to the sustainable development of coastal zones through the application of an approach that takes into account the limits of natural resources and ecosystems, the so-called "ecosystem-based approach".

II.2. EU coastal and marine policy

The protection of our coasts and marine waters faces complex and multifaceted problems. Our marine and coastal environment is under strong pressure from both land-based and oceanic sources of pollution (European Commission, 2021).

EU legislation to protect the marine environment has been progressively implemented in many relevant areas: for example, the regulation of fisheries through the Common Fisheries Policy (CFP) or the control of nutrient and chemical inputs into water through the Water Framework Directive (WFD). But these legal instruments, although crucial and complementary tools for the protection of marine waters, only contribute to the protection of the sea against specific pressures and thus resulting in a fragmented and sectoral approach.

Therefore, the European Union has adopted two additional instruments, the 2002 EU Recommendation on Integrated Coastal Zone Management and the 2008 Marine Strategy Framework Directive, which provide a comprehensive and integrated approach to the protection of all European coasts and marine waters.

The Marine Strategy Framework Directive (or Marine Directive) is the first piece of EU legislation that specifically covers the protection of the marine environment and natural resources and stabilized a proper framework for the sustainable use of our marine waters. The Directive involves many implementation challenges, which are addressed through a common implementation strategy between the Commission and the Member States and a regional approach for this strategist approach the implementation of its objectives.

The 2002 Recommendation on Integrated Coastal Zone Management defines the principles of good coastal planning and management. The need for such a tool has arisen after becoming aware that, despite the increasing deterioration of the natural, socio-economic and cultural resources of our European coastal zones, coastal planning activities or development decisions continue to take place in a sectoral, fragmented manner, leading to resource depletion, conflicting claims on space, and missed opportunities for more sustainable coastal development.

II.3. The Marine Strategy Framework Directive

The aim of the EU's ambitious Marine Strategy Framework Directive is to protect the marine environment more effectively across Europe. The Marine Strategy Framework Directive was adopted on June 17th, 2008. The Commission also developed a set of detailed criteria and methodological standards to help Member States to implement the Marine Strategy Framework Directive. These were revised in 2017, leading to the new Commission Decision on Good Environmental Status. Annex III of the Directive was also amended in 2017 to make ecosystem components, anthropogenic pressures and impacts on the marine environment coherent with the 11 descriptors of the MSFD and the new Good Environmental Status Decision.

The Commission adopted a report on the first implementation cycle of the Marine Strategy Framework Directive in June 2020. This report, required by Article 20 of the Directive, makes clear that even though the EU framework for the protection of the marine environment is one of the most comprehensive and ambitious worldwide, it needs to be strengthened in order to address prevailing pressures such as overfishing and unsustainable fishing practices, plastic litter, excess nutrients, underwater noise and other types of pollution.

II.4. Mediterranean Action Plan – Barcelona Convention

The Convention for the Protection of the Mediterranean Sea against Pollution (Barcelona Convention) was adopted on February 16th, 1976 in Barcelona and came into force in 1978. The Barcelona Convention was amended in 1995 and renamed as

the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean. These amendments to the Barcelona Convention became effective in 2004 (The Mediterranean Action Plan of the UNEP/MAP).

The Barcelona Convention (Fig. 2) and its seven Protocols, adopted in the framework of the Mediterranean Action Plan (MAP), constitutes the main regional, legally binding, Multilateral Environmental Agreement (MEA) in the Mediterranean.



Figure 2. Logo UN Barcelona Convention (Ministerio para la Transición Demográfica y el Reto Demográfico)

The Contracting Parties to the Barcelona Convention agree to take individually or jointly all appropriate measures in accordance with the provisions of the Convention and the Protocols in force to which they adhere to prevent, abate, combat and to the fullest extent possible, eliminate pollution of the Mediterranean Sea Area in order to protect and enhance the marine environment in the Mediterranean Sea Area and contribute to its sustainable development. In addition, these parties cooperate in the formulation and adoption of Protocols, prescribing measures, procedures and agreed standards for the implementation of this Convention.

There are several priority categories in the agreement, each with its own management and action protocol, also being implemented in different countries (Table 1).

Dumping Protocol: The Protocol for the Prevention of Pollution of the Mediterranean Sea by Dumping from Ships and Aircraft was adopted in 1976 and entered into force in 1978. Its objective is for the Contracting Parties to take all appropriate measures to prevent, mitigate and eliminate as far as possible pollution of the Mediterranean Sea by dumping of wastes or other pollutants.

Protocol on Prevention and Emergencies: The Protocol Concerning the Cooperation in Combating Pollution of the Mediterranean Sea by Oil and Other Harmful Substances in Cases of Emergency was adopted in 1976 and entered into force in 1978. This Protocol was replaced by the Protocol Concerning Cooperation in Preventing Pollution from Ships and, in Cases of Emergency, Combating Pollution of the Mediterranean Sea, which was adopted in 2002 and entered into force in 2004.

Land-Based Sources Protocol: The Protocol for the Protection of the Mediterranean Sea against Pollution from Land-based Sources was adopted in 1980 and entered into force in 1983. In 1996, the LBS Protocol was amended and renamed to the Protocol for

the Protection of the Mediterranean Sea against Pollution from Land-Based Sources. -Sources and activities based on. Amendments to the LBS Protocol entered into force in 2008.

Protocol on Specially Protected Areas and Biological Diversity: The Protocol concerning Specially Protected Areas in the Mediterranean was adopted in 1982 and entered into force in 1986. The Protocol was replaced by the Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean (SPA/BD Protocol) which was adopted in 1995 and entered into force in 1999.

Offshore Protocol: The Protocol for the Protection of the Mediterranean Sea against Pollution Resulting from Exploration and Exploitation of the Continental Shelf and the Seabed and its Subsoil was adopted in 1994 and entered into force in 2011.

Hazardous Waste Protocol: The Protocol on the Prevention of Pollution of the Mediterranean Sea by Transboundary Movements of Hazardous Wastes and their Disposal was adopted in 1996 and has been effective since 2008.

Protocol on Integrated Coastal Zone Management: The Protocol on Integrated Coastal Zone Management in the Mediterranean (ICZM Protocol) was adopted in 2008 and entered into force in 2011. The ICZM Protocol provides the legal framework for integrated management of the Mediterranean coastal zone. Under this Protocol, the Parties are called upon to take the necessary measures to strengthen regional cooperation to meet the objectives of ICZM. These measures include those aimed at protecting the characteristics of specific coastal ecosystems (e.g. wetlands and estuaries, marine habitats, coastal forests and forests and dunes), those aimed at ensuring the sustainable use of the coastal zone, and those aimed at ensuring that the coastal and maritime economy is adapted to the fragility of the coastal zone. The Regional Activity Centre of the Priority Actions Programme (RAC/PAP) assists the Contracting Parties in meeting their obligations under the ICZM Protocol. The Contracting Parties adopted in 2012 the Action Plan for the Implementation of the ICZM Protocol. They also adopted the Common Regional Framework for ICZM in 2019.

Table 1. State of ICZM Protocol adoption by Mediterranean countries (ICZM Platform)

Protocol on Integrated Coastal Zone Management (ICZM) of the Mediterranean 2008			
Contracting parties	Signature	Ratification	Coming into force
Albania	-	04.05.2010 / AD	24.03.2011
Algeria	21.01.2008	-	-
Bosnia and Herzegovina	-	-	-
Croatia	21.01.2008	01/29/2013 / R	02/28/2013
Cyprus	-	-	-
European Union	01.16.2009	29.09.2010 / AP	24.03.2011
Egypt	-	-	-
Spain	21.01.2008	22.06.2010 / R	24.03.2011
France	21.01.2008	29.10.2009 / AP	02/28/2013
Greece	21.01.2008	-	-
Israel	21.01.2008	04/08/2014 / AP	02.03.2016
Italy	21.01.2008	-	-
Lebanon	-	01.08.2017 / AD	08/31/2017
Libya	-	-	-
Malta	21.01.2008	10.04.2019	10.05.2019
Monaco	21.01.2008	-	-
Montenegro	21.01.2008	09.01.2012 / R	08.02.2012
Morocco	21.01.2008	21.09.2012 / R	21.10.2012
Slovenia	21.01.2008	01.12.2009 / R	24.03.2011
Syria	21.01.2008	22.02.2011	24.03.2011
Tunisia	21.01.2008	-	-
Turkey	-	-	-

Membership = AD; Approval = AP; Ratification = R

III. Evolution & Governance on the Spanish Mediterranean Coast

III.1. Tourism in the economy

The information related to this section can be found in the latest OECD report on tourism trends and policies for 2020. Tourism is one of the pillars of the economy and an outstanding engine of the economic and social development in Spain. In 2017 it represented 11.8% of GDP and in 2018 it sustained 13.5% of employment (or 2.6 million direct jobs). Tourism continues to contribute substantially to offset the country's trade deficit, in 2018, the tourism revenues amounted to 62,500 million Euros, which represents a growth rate of 3.6%, compared to 2017. In 2018, tourist arrivals reached 82.8 million (+ 1.1% compared to 2017), generating EUR 89.8 billion in international revenues (+ 3.3% compared to 2017). Travel exports represented 52.3% of the total service exports in 2018.

The three main source markets of Spain are the United Kingdom (22.4% of tourist arrivals), Germany (13.8%) and France (13.6%). There has been an increase in long-distance inbound travel from markets such as the United States, China and South Korea, largely due to improvements in air connectivity and growth in the global economy. Spanish inland tourism is also very significant. In 2018, Spain registered a total of 425.4 million trips, of which 139.9 million were overnight (+ 1.1% compared to 2017) and 285.5 million were day visitors (+ 1.9% since 2017; (OECD, 2021).

III.2. Tourism governance and financing

National responsibility for tourism has been under the authority of the Ministry of Industry, Trade and Tourism since 2018, having previously been under the umbrella of the Ministry of Energy, Tourism and Digital Agenda. The responsibility for defining, developing, coordinating and implementing tourism policy lies with the Ministry of Tourism under the authority of the central government and in the framework of Institutional relations at national and international levels. The State Secretariat coordinates three organizations at the national level (Fig. 3; OECD):

Turespaña: which is an autonomous body attached to the Ministry, in charge of carrying out the marketing and international tourism promotion of Spain. It draws on an international network of 33 tourism offices that support the implementation of the agreed marketing plan.

Paradores de Turismo: a public company that manages the state-owned hotel network with most of its establishments located in historical sites, national parks or protected areas. There are currently 97 establishments with more than 4 000 employees.

State Organisation for the Management of Tourism Innovation and Technology (SEGITTUR): a public entity and a sectoral body, responsible for the development of new technologies in the Spanish tourism industry, in both public and private sectors. It researches and manages technology, knowledge and innovation to improve the competitiveness, quality and sustainability of tourism, in all its aspects.

Coordination mechanisms between central and regional administrations in Spain are also important, given the size of the tourism economy. The 17 autonomous communities are responsible for the regulation and promotion of tourism within their territories. Local level entities, such as provinces and municipalities, manage their own interests mainly in terms of the promotion of tourism and the dissemination of information to visitors.

A recent law on public sector legal obligations highlights several forums established for effective coordination between tourism and relevant ministries, and key stakeholders; see box below. The State Secretariat for Tourism had an overall budget of 336 million Euros for the year 2018. In addition, 17 Autonomous regions and other bodies contribute significantly to overall tourism spending.

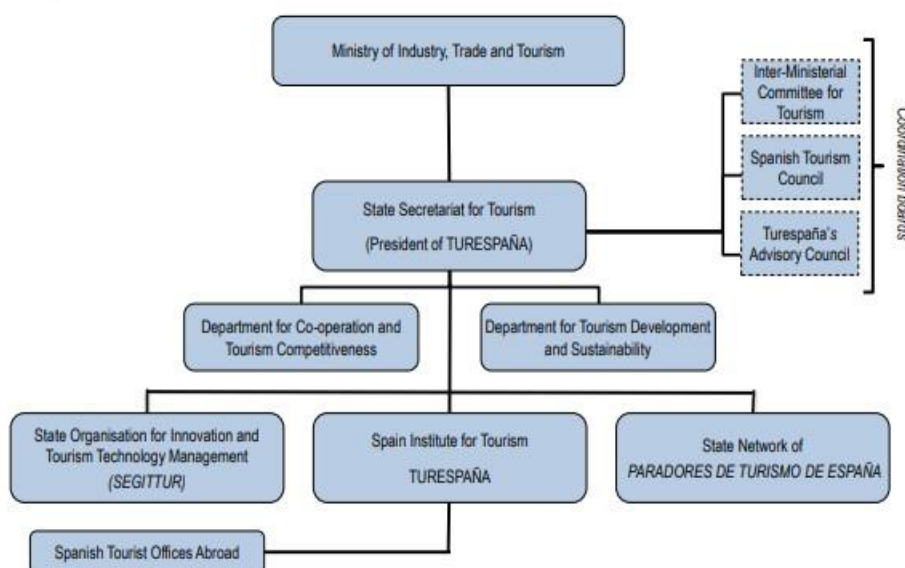


Figure 3. Organizational chart of tourism bodies (OECD, 2021)

III.3. Tourism policies and programs

Tourism policy in Spain is moving the Spanish tourism model towards the principles of sustainability, innovation and knowledge. The overall objective is to develop an intelligent and specialized high-quality product, in line with the digital age. Sustainability means higher revenues and profits, improved quality of experience, reduced seasonality, reduced expenses, and more efficient use of resources. The development of sustainable and inclusive tourism requires a higher degree of innovation in the use of big data, digitization and intelligence on tourism destinations.

Spain has recently started preparing a new Sustainable Tourism Strategy for 2030. The aim is to transform Spanish tourism towards a model of sustained and sustainable growth in order to maintain the country's leading position in tourism, while protecting the assets on which the sector depends. The strategy will contribute to the achievement of the UN Sustainable Development Goals and address the medium and long-term challenges of sustainable tourism in terms of socio-economic, environmental and territorial impacts.

The Strategy proposes that tourism growth should be based on the following five principles (OECD, 2021):

- *Socio-economic growth*: which includes both a focus on improving business profitability and the equitable distribution of wealth, while ensuring greater sustainability
- Encouraging both the business sector and destinations to change and adapt.
- Protection of natural and cultural resources: laying the foundations for the conservation of valuable heritages, addressing the need for ecological enhancement and the promotion of the underlying environmental values as part of the tourism experience.
- *Social benefits*: contributing directly to address the major challenges which the Spanish society is facing, such as growth, depopulation and rural inequality. Tourism will be managed as a driver for economic and social development with benefits and burdens distributed more equitably.
- *Broad participation and involvement*: given that tourism is a cross-cutting sector involving many stakeholders. The collaboration mechanisms will be designed to ensure sound governance between administrations at all levels together with the tourism industry.
- *Continuous adaptation*: The Strategy is not only concerned with growth and upgrading, but also with the development of the tourism sector. It also focused on supporting the sector to have the capacity to respond to a highly dynamic environment, characterized by new and emerging business models, changing customer motivations, and increasing competition.
- *The digitization and modernization of all the various elements of the sector*: is a high priority aiming at developing smart tourist destinations in the framework of the Smart Tourist Destinations Project, which is implemented by SEGITTUR. This project aims to strengthen Spain's position as a leading tourist destination worldwide, to seek new mechanisms to boost innovation in destinations through the deployment of information and communication technologies in order to create different and highly competitive services by stabilizing coordination. Coordination measures for tourism governance in Spain:

- *A recent law on the legal obligations of the public sector:* reinforces the importance of the coordination measures.
- *The “Conferencia Sectorial de Turismo”:* which is chaired by the Minister of Tourism, is a collegiate, consultative and executive coordination body that brings together high-level tourism representatives from the central government and the Autonomous Communities. This body analyzes debates and is informed on any major policy or regulatory issues affecting tourism.
- *The Spanish Tourism Council (CONESTUR):* is a consultative body, which brings national, regional and provincial tourism administrations. With the private sector together, including the chambers of commerce, the National Association of Tourism chambers of commerce, the National Association of Employers (CEOE), professional associations, trade unions and a broad spectrum of tourism professionals.
- *Inter-Ministerial Tourism Committee:* whose members represent those national ministries with responsibility for tourism-related issues.
- *Turespaña’s Advisory Council:* which is composed of 11 members, five of whom are from the private sector. This body helps to define and implement the most appropriate strategies for marketing Spain abroad. Given the cross-cutting nature of tourism, such coordinating bodies will play a relevant role in the Spanish tourism policy.

III.4. Legal framework relating to coastal management

This section describes the various texts and laws relating to the management, operation, development and preservation of the coast and the marine environment (Ministerio para la Transición Ecológica y el Reto Demográfico).

National Law

- Ley 22/1988, de 28 de julio, de Costas
- Ley 2/2013, de 29 de mayo, de protección y uso sostenible del litoral y de modificación de la Ley 22/1988, de 28 de julio, de Costas
- Real Decreto 876/2014, de 10 de octubre, por el que se aprueba el Reglamento General de Costas
- Ley 41/2010 de Protección del Medio Marino
- Convenio de Barcelona para la protección del medio marino y la región costera del Mediterráneo
- Convenio de Londres (Convenio sobre la prevención de la contaminación del mar por vertimiento de desechos y otras materias)
- Convenio internacional sobre cooperación, preparación y lucha contra

la contaminación por hidrocarburos (convenio OPRC) y protocolo sobre sustancias nocivas y potencialmente peligrosas (protocolo HNS)

- Directrices sobre actuaciones en playas y tratamiento del borde costero

Coastal Nuts

• **Andalucía**

- Directrices Regionales del Litoral de Andalucía, Decreto 118/1990).
- Ley 7/2002 de Ordenación Urbanística de Andalucía (modificada por la Ley 1/2006),
- Ley 1/1994 de Ordenación del Territorio de Andalucía
- Ley 9/2010 de Aguas para Andalucía
- Ley 2/1989, de 18 de julio, por la que se aprueba el inventario de Espacios Naturales Protegidos de Andalucía y se establecen medidas adicionales para su protección
- Programa de Gestión Sostenible de Recursos para la Conservación del Medio Marino Andaluz
- Plan de Ordenación del Territorio de Andalucía (POTA)
- Región de Murcia
- Ley 1/2001, de 24 de abril, del Suelo de la Región de Murcia
- Decreto 57/2004 que aprobó las Directrices y el Plan de Ordenación Territorial del Litoral de la Región de Murcia.
- Decreto nº 259/2019, de 10 de octubre, de declaración de Zonas Especiales de Conservación (ZEC), y de aprobación del Plan de gestión integral de los espacios protegidos del Mar Menor y la franja litoral mediterránea de la Región de Murcia
- Ley 3/2020, de 27 de julio, de recuperación y protección del Mar Menor.
- Estrategia Regional para la Conservación y el Uso Sostenible de la Diversidad Biológica

• **Valencia**

- Ley 4/2004, de Ordenación del Territorio y Protección del Paisaje

• **Cataluña**

- Ley 2/2010, de 18 de febrero, de pesca y acción marítimas de Cataluña
- Plan Estratégico para la Gestión Integrada de las Zonas Costeras en Cataluña (PEGIZC)
- Estrategia para el Desarrollo Sostenible de Cataluña
- Plan Director Urbanístico del Sistema Costero

International conventions relating to the delimitation of maritime boundaries

United Nations Convention on the Law of the Sea, adopted in Montego Bay on December 10, 1982 (ratified by Instrumento de ratificación de la Convención de las Naciones Unidas sobre el Derecho del Mar, BOE núm. 39, de 14 de febrero de 1997).

Management of maritime wrecks

Before the entry into force of the UNESCO Convention on the Protection of the Underwater Cultural Heritage, the rules of the Law of the Sea and the private institutions dealing with the maritime law applicable to underwater cultural heritage were of little help in resolving disputes. However, a high degree of legal uncertainty still remains. The notes of ambiguity and lack of international unification are referential in these regulations.

Despite this, the UNESCO Convention has made a major effort to develop one of the principles of UNCLOS protection. Through a marked administrative interventionism, States will preferentially ensure an in-situ protection of wrecks, which are of particular interest for the cultural heritage of mankind, excluding the possibility of the transaction of these goods.

Considering that, it's all about everyone's heritage; it's worth emphasizing the importance of the cooperation between states and their involvement in ensuring the best possible protection of submerged heritage (OECD, 2021).

IV. Sustainable Tourism & Governance

The following documentation integrates some of the main existing references to understand the sustainability/tourism binomial at present. We will start from the most general, by making reference to international texts before addressing the European context, by choosing the contributions that we consider to be the most significant by a larger group (Table 2). In general, documentation that allows us to the vision of international institutions for whom the application of the concept of sustainable tourism is not only possible in the European context, but above all, necessary in conventional destinations, as opposed to those who defend the rejection of conventional tourism as unsustainable (Ávila et al.2002).

Table 2. Main documents and basic institutional contributions in the relationship sustainability/tourism(Canizares Ruiz (2013))

AÑO	ORGANISMOS	DENOMINACIÓN
1980	OMT	Declaración de Manila sobre el Turismo Mundial
1985	OMT	Declaración de Derechos del Turismo y Código del Turista (Sofía)
1989	OMT	Declaración de la Haya sobre Turismo
1995	OMT	Carta Mundial del Turismo Sostenible (Lanzarote)
1993	Varios	Declaración Euro-Mediterránea sobre el Turismo en el Desarrollo Sostenible (Hyères-les-Palmiers)
1996	OMT, WTTC, CE	Agenda 21 para la Industria de Viajes y Turismo
1997	OMT, ONU, CE	Declaración de Berlín
1997	Varios	Declaración de Calviá sobre Turismo y Desarrollo Sostenible en el Mediterráneo
1997	OMT	Declaración de Malé
1997	OMT	Declaración de Manila sobre Impacto Social del Turismo
1999	ONG's Med Forum	Declaración de las ONG's del Mediterráneo sobre Turismo Sostenible y Participación de la Sociedad Civil
1999	OMT	Código Ético Mundial para el Turismo
1999	ONU	Decisión de la ONU «Turismo y Desarrollo Sostenible»
2001	Prov.de Rímini (Italia)	Carta de Rímini sobre la Sostenibilidad del Turismo
2001	UE	Comunicación de la Comisión «Un marco de cooperación para el futuro del turismo europeo»
2007	UE	Agenda Europea para un Turismo Sostenible y Competitivo
2010	UE	Declaración de Madrid
2010	UE	Comunicación de la Comisión «Europa, primer destino turístico del mundo: un nuevo marco político para el turismo europeo»
2010	Varios	Declaración de Turismo Sostenible de Málaga

Principles and approaches for sustainable tourism according to UNWTO should be based for instance on the following principles and approaches (Fernández, 2015):

Setting the course :

- Considering the big picture
- Seeking multi-stakeholder commitment
- Planning for the short and long term
- Considering global and local impacts
- Providing for sustainable consumption
- Seeking balance between sustainability and quality

Development of approach:

- Reflecting all impacts in costs (Polluter Pays Principle)
- Reducing risks (Precautionary Principle)
- Having a life-cycle perspective
- Considering functional alternatives
- Respecting limits

Ensure continuous progress:

- Adapting to changing conditions
- Undertaking continuous verification through indicators

V. Conclusions

The main conclusions of this work are:

- The management of the Mediterranean faces many challenges, such as Climate Change and the effects of tourism, which is the main economic sector of the Mediterranean region
- To have a correct management of Mediterranean tourism, the coordination and cooperation of all the neighboring countries is necessary.
- Within Spain, it is also necessary to ensure an effective and correct coordination and cooperation between the Mediterranean regions and the administration to achieve a sustainable development of tourism and other activities related to the Mediterranean.
- Despite the availability of proper legislation for the protection of the coast and the sustainable development of the Mediterranean, not many actions have been taken so far for its implementation.

References

Ávila R., et al. 2002. Turismo sostenible. Madrid: IEPALA.

Cañizares Ruiz M.D., 2013. Sostenibilidad y turismo: de la documentación internacional a la planificación en España <<Horizonte 2020>>. Boletín de la Asociación de Geógrafos Españoles, 61 :67-92.

European Commission, 2021. European Commission. Environment. The review of the Marine Strategy Framework Directive: https://ec.europa.eu/environment/marine/eu-coast-and-marine-policy/review_of_the_directive.htm

Fernández J., 2015. El turismo sostenible en España. Análisis de los planes estratégicos de sostenibilidad en el ámbito local. Tesis doctoral, Universidade da Coruña, Departamento de Economía Aplicada II, Coruña. doi:<http://hdl.handle.net/2183/14476>

Jefatura del Estado, 1997. Instrumento de ratificación de la Convención de las Naciones Unidas sobre el Derecho del Mar, hecho en Montego Bay el 10 de diciembre de 1982. BOE, 39:4966-5055. Madrid. [https://www.boe.es/eli/es/ai/1982/12/10/\(1\)](https://www.boe.es/eli/es/ai/1982/12/10/(1))

Ministerio para la Transición Demográfica y el Reto Demográfico, 2021. MITECO, from Convenio de Barcelona: https://www.miteco.gob.es/es/costas/temas/proteccion-medio-marino/proteccion-internacional-mar/convenios-internacionales/convenio_de_barcelona.aspx

Ministerio para la Transición Ecológica y el Reto Demográfico, 2021: Legislación. : <https://www.miteco.gob.es/es/costas/legislacion/default.aspx>

Nugent N., Rhinard M., 2015. The European Commission. Macmillan International Higher Education.

OECD, 2021. OECD iLibrary. <https://www.oecd-ilibrary.org/sites/8ed5145b-en/index.html?itemId=/content/component/8ed5145b-en>

The Mediterranean Action Plan of the UNEP/MAP, 2021. UNEP. Mediterranean Action Plan Barcelona Convention. Barcelona Convention and Protocols: <https://www.unep.org/unepmap/who-we-are/barcelona-convention-and-protocols>

UN Environment, 2021. ICZM Platform. from ICZM Protocol and Action Plan: <https://iczmplatform.org/page/iczm-protocol-and-action-plan>

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