

MARITIME TRANSPORT AND TOURISM SUSTAINABLE DEVELOPMENT

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Abstract:

Maritime transport worldwide had always been and still remains to be a very important catalyst for the economic development. It is the backbone of international trade and key engine driving globalization. Around 80% of global trade by volume and over 70% by value is carried by sea and is handled by ports worldwide; these shares are even higher in the case of most developing countries.⁵⁴⁷

In Adriatic and Ionian countries, maritime transport is playing an important role due to the geographical position, and has been a key factor for the development of trade and the maintenance of contacts between them and the rest of the world. Currently maritime transport has become an efficient way to attract various visiting tourists, and therefore, plays an important role in the development of tourism in Mediterranean.

Recently, EU and many International and National Organizations are paying a special attention for the development and modernization of maritime transport, in order to play a more effective role in the framework of the sustainable development of transport, tourism and the economy in general.

This paper will present an expanded view of the improvement of the legal framework and maritime infrastructure, aspects that directly affect the development of tourism. For this purpose, in this paper we will pose the progress of recent years in maritime transport and the legacy of the past with particular focus on its recent modernization.

Key Words: Maritime Transport, Tourism, Infrastructure, Environment

1. Introduction

Strategically positioned in the north of the center of the Mediterranean, Adriatic and Ionian seas can be considered to be a very important maritime activity in Europe. This is a very heterogeneous area in terms of economic, environmental, cultural and historical interactions. The economic and social relations between countries and regions have always been a very important factor. They include valuable and vulnerable marine ecosystems are facing numerous environmental challenges such as increasing urbanization and maritime traffic. The prospect of EU membership for some of the countries bordering these seas means that in the future there will be a steady rise in the free movement of people, goods and services in the seas. Divisions resulting from conflict situations and the differences in economic development are being overcome. However, coastal countries still represent unequal levels, building technical experience and financial resources to ensure the sustainable development and management of sea

According to statistics, it turns out that only in Europe, maritime ports handle 30% of the external transport of tourists and 35% of the domestic passenger transport⁵⁴⁸. Considering the statistics the role of maritime transport in the global economy can be considered as the backbone to support international trade and globalization.

Maritime transport and maritime affairs in general should be considered as a very important source not only economic but also social development of the modern world. For all coastal states, the sea has been and continues to be a source of prosperity for the further development of international reputation. Maritime highways requires no funds to build and maintain them, but just to build and

⁵⁴⁷ UNCTAD Review of Maritime Transport 2012, Foreword of Supachai Panitchpakdi – Secretary General of UNCTAD

⁵⁴⁸ EMSA Report 2006, “Safer and Cleaner Shipping in the European Union”, Foreword of Executive Director Willem de Ruiter, page 1. (ISBN 92-95032-04-7).

maintain the ports, which are the points of departure and arrival of ships as well as serve as a link between shipping other types of transport.

The purpose of this study is to present in an efficient way possible of positive and negative effects that maritime transport plays in the sustainable tourism development and consequently revenues from tourism. Likewise, this study aims at presenting the weaknesses and strengths of transport and will provide some ideas on where to constrain attention on strengthening the maritime transport and increasing the economic income from tourism without affecting environmental pollution.

It is also necessary to make an economic and legal analysis of the situation regarding the role of maritime transport on tourism in Europe, highlighting the shortcomings and benefits and to take necessary measures to increase as much as possible the benefits, despite the global crisis that has occupied European countries.

The legal innovation of studying of the impact of maritime transport in tourism development will be located in two main aspects: in academic aspect which has a certain importance for the academic audiences in the fields of business, tourism and the legal and practical aspects where companies and touristic agencies as well as the population to be more informed on this mode of transport as well as the challenges and benefits of marine transportation in the field of tourism as well as strengthen their co-ordination towards a sustainable development.

The following study will focus primarily on transport as an element that has a significant impact on a country's tourism. If economic development would be compared with the human body then the sustainable transport would be considered as the blood and blood vessels with transport infrastructure⁵⁴⁹. As that there are several modes of transport like land, air and maritime this study will be focused to only on maritime transport and its impact on tourism, including the description and development of the legal framework as well as maritime infrastructure, excluding other modes of transport, as well as this study will not be focused on the role of maritime transport of goods in tourism development.

In the following research article it will be used the qualitative approach. It will initially be done an interpretative and epistemological approach of the concept of tourism, later will be used a legal and economic interpretation of the current legal system in the field of tourism and maritime activities which will make possible the establishment of a legal framework to enable the readers to easily understand the scope of this study and finally a description of the performer current situation by suggesting measures that should be taken in the future to determine the appropriate national and international strategies with the view to increase the passenger transport and tourism in the country.

2. Sustainable Development Of Tourism

Sustainable development is the word that came into vogue recently. Development is generally defined as the process whereby a community, region or nation improves its economic position by increasing the quantity and quality of products and services available. Tourism development can be measured in the context of job creation, income growth and also improve the availability of basic services such as health, education and cultural opportunities as well as reducing levels of inequality.⁵⁵⁰

2.1 Theoretical Concept Of Tourism

Tourism can be defined as "a multidimensional industry, comprehensive, multi sector and profit-oriented activity".⁵⁵¹ It touches many lives and different economic activities. There is no universal definition to define tourism. However, scholars generally agree that this term should be considered between the two dimensions of *demand* and *supply*⁵⁵².

According to the World Tourism Organization, conceptually and in relation to demand, tourism is "the activity of people who travel and stay in a place outside their usual environment for

⁵⁴⁹ Delia, P., Andrea, M-P., 2008, "Sustainable Development of Transport Service as an important part of the Tourism Service" p.388.

⁵⁵⁰ Gilberto Ricardo 2004, Sustainable Tourism Development: A case study of Bazaruto Island, Mozambique

⁵⁵¹ Bryman A & Cramer D 1999, WTO Guide For Local Authorities on Sustainable Tourism Development

⁵⁵² http://en.wikipedia.org/wiki/Supply_and_demand, last seen on 27.03.2013

not more than one year for entertainment and other business purposes.⁵⁵³ "The concept of "Tourist" itself includes all types of travelers including the typical family vacation. When friends or relatives from distant places come to visit, they normally are considered tourists. As well as travelers who travel for business and spend the night outside their dwelling communities are considered tourists. The tourism industry is established as a result of interaction between businesses, organizations and tourism or economic activities. It presents some key components of which this article will focus mainly on tourism infrastructure.

Tourism has social impacts on countries. Its positive impacts upon the social development and modernization of host societies arise from its contributions, *inter alia*, to employment creation and development of small and medium-sized enterprises. However, there are a number of negative social impacts that can accompany tourism development in the developed and developing countries⁵⁵⁴. The main adverse impacts of tourism are connected to pressure on natural resources, harm to wildlife and habitats, the generation of pollution and wastes, and social and cultural pressure related to conservation and sustainable use of biological diversity.⁵⁵⁵

*Tourism infrastructure*⁵⁵⁶ includes key elements such as roads, airports, seaports, railways, parking spaces, system of waste and sewage waters and electrical services, Gatwick and road signs and safety. This category also includes facilities created by the community which can be used in cases of organizing entertainment activities. The way how people arrive at a particular destination - and the elements that are available for them can have an impact on the attractiveness of the country by the visitors. If the infrastructure is not in the necessary standards and basic services have problems, tourists can go elsewhere.

2.2 Coastal And Maritime Tourism⁵⁵⁷

The economy of coastal countries is deeply connected with the sea, in particular the traditional sectors such as maritime transport, fisheries and coastal and marine tourism. The sea can be considered as a refuge for some of the most important treasures of the world heritage, including historic cities and virgin beaches, tourism is economically important for the Adriatic and Ionian coastal areas as one of the main marine activities and rapid growth in the region .

Coastal and maritime tourism plays a very important role in economic incomes of a country. Its further development can be channeled through the strengthening of links between coastal tourism and cultural promotion of transnational routes, addressing concerns by developing joint seasonal touristic offers / combined programs and the promoting of the image and profile of the region as a whole, strengthening the quality of services and products offered and improving the geographical distribution of the accommodation offers. Cultural heritage in the coastal zone and in the seabed is an important element in terms of tourism development and corporate identity and thus should be promoted.

By revealing the true potential for tourist development in the Adriatic and Ionian seas, promoting the economic growth and jobs for the coastal areas in the region, will require a consistent approach. The tourism activities have a significant impact on the environment on which they depend on. A long practice of developed countries has shown that intensive coastal tourism is usually followed by a negative impact on the marine environment. It can lead to pollution of the sea, if waste water treatment plants do not have the capacity to handle all sewage and as a result, the discharge of a certain amount directly into the sea. It can endanger marine species and ecosystems. Coastal

⁵⁵³ Cooper, Fletcher, Gilbert, Shepherd and Wanhill, 1998:8, WTO Guide For Local Authorities on Sustainable Tourism Development

⁵⁵⁴ UNESCO, Commission on Sustainable Development, 7th session 1999 "Tourism and Sustainable Development" Report of Secretary General E/CN.17/1999/5/Add.2 page 2.

⁵⁵⁵ UNESCO, Commission on Sustainable Development, 7th session 1999 "Tourism and Environment Protection" Report of Secretary General E/CN.17/1999/5/Add.3 page 2.

⁵⁵⁶ Seetah, B.; Juwahir, T D; Lamport, M.J., 2011 „Does infrastructure matter in Tourism Development“ University of Mauritius Research Journal, Volume 17

⁵⁵⁷ For more on the European Commission Policies you can see http://ec.europa.eu/commission_2010-2014/damanaki/headlines/speeches/2012/09/20120927_speech_en.htm

protection through beach nourishment instead of using protective barriers (due to their visual appeal) may have adverse environmental effects.

2.3 Measures For A Sustainable Development Of Tourism

"*Sustainable development*"⁵⁵⁸, when it is focused on people, means that it meets the needs of the present without compromising the ability of future generations to meet their needs without degrading based resources. Sustainable development means ensuring a better quality of life for everyone, now and for future generations.⁵⁵⁹

In the context of tourism, the resource problems are not environmental problems, they are usually problems created by man.⁵⁶⁰ For this reason, the community participation is crucial for sustainable tourism. The basic principles that govern sustainability are: planning and acting strategically; importance of the protection of fundamental economic processes; and the need to preserve biodiversity. "Sustainable development of tourism means the fulfillment of the needs of tourists and visitors while protecting the opportunities for expansion of future generations intended to reduce the tensions and conflicts arising from the complex interaction between the tourism industry, visitors and the local community, aiming at excellence in the management of all resources in a way that can meet the social and economic needs while maintaining cultural integrity, essential ecological processes, biological diversity and life support systems".⁵⁶¹

Essentially, sustainability means that all environmental elements that are treated immediately and by an integrated relationship natural environment should be discussed under the context of the economic environment and not on sector basis.

3. Maritime Transport

Maritime transport worldwide has been and still remains to be a very important catalyst of economic development and economic progress of all coastal states. Maritime transport improves the trade and contacts between most of the European countries as well as increases the income of a state through the growth and development of tourism in the country. It ensures security and provides energy, food, goods, and also is one of the main carriers for passengers and tourists around the world. Maritime industries are an important source for the increasing of employment and incomes of the global economy.

In the "White Paper" on the European Transport Policy⁵⁶² the Commission predicted that there is about 40% of domestic demand for transport and maritime transport only could afford this. Commission also proposed the development of "Maritime Highway" as a true competitor of road transport. These highways became part of the Trans-European Network (TEN-T).⁵⁶³

3.1 Legal Framework

Legal framework in the field of maritime includes all international and regional conventions laws and regulations that govern the legal, economic and social developments in the field of maritime, setting rules on rights and obligation of the entities and maritime activities, legal responsibility on the sea area with the main goal to facilitate passenger transport from the ports of other countries to ports in Europe and vice versa, as well as protection of the marine environment, which serves as one of the key components for attracting tourists during cruise ships operations.

If we would make a brief description of the determination how the maritime transport of passengers works, then we the first think it comes in the mind is the loading and unloading of the passengers traveling by ship. In this field there are two main components we should take in consideration: firstly, the meaning of word "ship", and secondly the meaning of word "port" Under

⁵⁵⁸ European Commission 2006 "*Methodological work on measuring the sustainable development of tourism*" page 5

⁵⁵⁹ UN Definition on Sustainable Development

⁵⁶⁰ Barton, 2000; *Sustainable Communities: The potential for eco-neighborhood* London: page 7; Hall CM & Lew AA 1998. *Sustainable Tourism: A Geographical Perspective*. New York: Longman. P. 3;

⁵⁶¹ Albanian Ministry of Tourism 2005, "*The Strategy and Action Plan for the Development of Cultural and Environmental Tourism*"

⁵⁶² http://ec.europa.eu/transport/strategies/2011_white_paper_en.htm last time seen on 09.05.2012

⁵⁶³ http://en.wikipedia.org/wiki/Trans-European_Networks, seen on 09.05.2012

the first component is important to mention two main regulatory framework; the development and improvement of the legal framework in the field of maritime environmental protection from ships; and, what is more important the enforcement of maritime safety and security. Without the necessary safety and security measure there is neither clean marine environment nor sustainable tourism.

Maritime transport would be considered as a serious threat to the marine environment and the marine environment is one of the key elements in attracting tourists. Protection of the marine environment is a hot topic in the focus of global organizations, the importance of which is increasing very fast. It is not the fact that the marine environment is vulnerable to pollution, but because of the dependence of human society from the marine environment. Pollution of the marine environment threatens many interests of society in various fields ranging from human existence to recreation including tourism.⁵⁶⁴

In a macroeconomic perspective, marine pollution directly threatens the tourism as one of the major sources of gross domestic incomes of different states from which these countries are directly depending on. A clean environment ensures efficient use of sand and sun, various marine water activities like diving, rowing, pleasure surfing etc.

The legal framework for the protection of the marine environment from pollution has its origins "thanks" to the 1967 disaster when the ship called the "*Torrey Canyon*"⁵⁶⁵ collided and sank near the coast of England, resulting in spilling into the sea of a very large quantity of oil and diverted the attention of the entire community in the field of maritime tourism in that area for a very long period.

For this reason, it came out the necessity to develop a legal framework for the protection of the marine environment. Immediately the international legal framework was established and developed with the aim to protect the marine environment from pollution, and is mainly based on International Conventions that have the origin from the United Nations Convention on the Law of the Sea (UNCLOS) in 1982 that is also called "Constitution of the Seas". This convention was ratified from 161 parties, including 135 coastal states and sets out the legal framework within which all activities in the seas and oceans must be carried out. In Chapter XII, the Convention regulates the relations of the States Parties to the Convention for the prevention, reduction and control of pollution of the marine environment.

Provisions of UNCLOS were followed and complemented by other International Conventions of International Maritime Organization (IMO). Conventions focused primarily on determining the obligations of States to take measures for the prevention of sea pollution, termination and reduction of consequences and sea damage such conventions are MARPOL 73-78⁵⁶⁶, Barcelona Convention⁵⁶⁷, OPRC1990⁵⁶⁸, and BWM Convention 2004⁵⁶⁹.

To achieve the growth of transport and the number of tourists traveling with ships is very important to ensure the safety of life and the comfort of the passengers on ships and in ports or port facilities. To this end, the international legal framework in the field of maritime security, especially after the Sept. 11 terrorist attacks was enforced significantly. In this area cannot leave without mentioning the three most important conventions as the "United Nations Convention on the Law of the Sea 1982"⁵⁷⁰, the Convention on "Suppression of Unlawful Acts against the Safety of Maritime Navigation (SUA Convention)"⁵⁷¹ and what is more important SOLAS International Convention 74-78⁵⁷² which along with the two codes "ISM Code (International Safety Management)" and "ISPS

⁵⁶⁴ Churchill, R.R and Lowe A.V "*The Law of the Sea*" Third Edition, Manchester University Press 1999, page 328

⁵⁶⁵ http://en.wikipedia.org/wiki/Torrey_Canyon_oil_spill, last seen on 09.09.2012

⁵⁶⁶ International Convention for the Prevention of Pollution from Ships 1973 as modified by the Protocol of 1978 (MARPOL) '73-79. It contains 6 Annexes with preventing different form of marine pollution from ships.

⁵⁶⁷ Barcelona Convention for Protection against Pollution in the Mediterranean Sea 1976. It is a regional convention to prevent and abate pollution from ships aircraft and land based sources in the Mediterranean Sea.

⁵⁶⁸ International Convention on Oil Pollution Preparedness, Response and Co-operation (OPRC) 1990. This convention establishes measures for dealing with marine oil pollution incidents nationally and in cooperation with other countries.

⁵⁶⁹ International Convention for the Control and Management of Ship's Ballast Water and Sediments (BWM)2004

⁵⁷⁰ United Nations Convention on the Law Of the Sea (UNCLOS) 1982"

⁵⁷¹ IMO Convention for the Suppression of Unlawful Acts Against the Safety of Marine Navigation (SUA Convention) 1988". The Convention ensure the appropriate actions against persons committing unlawful acts against ships.

⁵⁷² International Convention for the Safety Of Life At Sea (SOLAS) 74-78

Code (Ship and Port Facilities Security)" has the aim to define the criteria and conditions of safety of human life, goods and national business.

Regarding safety and security in ports and port facilities there is a significant reinforcement of the legal framework as well as strict implementation of legislation in this area, as well as continuously work in consolidating the activities of the sectors of Port State Control and Flag State Control who are an integral part of the Maritime Administration and who are the main subjects for the implementation of criteria for admission to the Memorandum of Understanding.

4. Maritime Infrastructure

One of the elements of maritime transport to be effective for the growth and development of tourism is very important the development of the infrastructure. Maritime infrastructure includes all ports and port facilities serving for embarking and landing of passengers from ship to land and vice versa. Infrastructure is the main basis for the functioning of the transport chain, which starts in the sea and continues with the intermodal transport with other types of transport such as road, rail or air, including service on the free movement of people.

5. Sustainable Development

Sustainability in the development of maritime transport is a notion that has recently started and is becoming more and more important for all countries. Moving of maritime transport to a much cleaner environment has been one of the most debated issues in recent times. The elements mentioned above as maritime security and environmental protections are not the only issues related to the development of tourism. What it is necessary is the determination of a wide range of instruments which affect the sustainable development of transport. Starting with the consumption of fuel from ships, the emission of gases, best use of other energy sources, the use of economic and environmental technology recycling etc..

According to the studies, research and statistics of EU it results that there is still a very big difference between the ideal use provided by the "White Paper on Transport"⁵⁷³ and the current situation of use of the above fields. According to the letter it is necessary to reduce up to 60% of emission of harmful gases by 2050, and it requires further attention. Reducing the emissions, finding and implementing alternative ways of management and recycling are causing more and more debates between business sectors. The sectors are not implementing very positive policies to strengthen environmental liabilities in the industry and particularly in the regional context, but I join the opinion that different industries need to work to further improve their environmental performance.

Another important factor in the sustainability of transport is the possibility to enter into dynamic competitive relations within the business. Given that maritime transport is characterized by a competitive environment which usually goes beyond national borders, the conditions for business improvement should be seen in a wider perspective. Conditions for economic growth and in particular the tourism sector as well as the development of marine business segments should be considered on top of the interests of the business sector. This includes uniform interpretation of national and European legislation on free competition. In this area, businesses are having a rapid growth also some segments as maritime tourism, yachting and shipping industry which are considered as potential opportunities to further strengthen the business sector in the Mediterranean countries and the EU.

6. Conclusion

Adriatic and Ionian seas contain many important marine ecosystems. Their natural beauty and diversity make them desirable tourist destinations. Recently in the marine and coastal environment has evolved a high diversity of habitats and species, including a substantial portion of endemic elements which can be considered as an element and a tourism attraction use to increase revenue by marine businesses and the state in general.

The protection of tourism requires a joint assessment of needs and activities related to the sea in the Adriatic and Ionian area and requires the need to establish a framework to move towards a coherent and common marine environment creating the basis for determining the actions toward

⁵⁷³ http://ec.europa.eu/transport/themes/strategies/2011_white_paper_en.htm last seen on 10.09.2012

sustainable economy and joint initiatives to address these challenges and opportunities with a transnational dimension that cannot be solved by individual countries. Increasing cooperation is expected to generate growth of employment through innovation, contributing to a sustainable and comprehensive economy as required by the Europe 2020⁵⁷⁴ strategy by using the seas and coastline. Also there is a need to create appropriate conditions for economic growth based on long terms on sustainable activities and effective shipping and fishing, by improving the status of the marine environment and a safer maritime space.

For the impact of maritime transport to be more positive for the tourism is necessary to establish and strengthen the cooperation based on some very important aspects which are: growth and perfection of Blue Economy⁵⁷⁵ which consists in increasing the interaction between Adriatic and Ionian coastal countries, by developing an integrated network of shipping for all the macro-region, ensuring the sustainability of maritime transport and tourism adequately protected marine and coastal environment, enhancing quality and improving the geographical distribution of accommodation and creating opportunities for new jobs through the development and innovation in aquaculture and mariculture.

Another area of sustainable development is the improvement of cooperation and coordination towards a healthy marine environment, encouraging the use of sustainable and integrated maritime and coastal zone management taking into account ecosystem services.

Creating a cleaner and safer maritime space, and maximizing the use of maritime tourism stands as an important pillar and as a fundamental prerequisite for the development of economic activities such as tourism and transportation and a guarantee for effective commercial and social connection throughout the region by identifying potential threats pointed out and by improving the implementation of Directive 1999/35/EC⁵⁷⁶ on the controls required for safe operation of Ro-Ro ferry service and high-speed passenger transport.

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⁵⁷⁴ European Commission “A strategy for smart sustainable and inclusive growth” (COM (2010) 2020)

⁵⁷⁵ European Commission for Blue Growth Study. <https://webgate.ec.europa.eu/maritimeforum/content/2946>

⁵⁷⁶ EC Directive <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:1999:138:0001:0019:EN:PDF>

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