



**D.1.2. Analysis of existing policies for environmental resource management in the EU context, in West Indies, Colombia and Costa Rica**

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Abstract	This deliverable shows the state of the art for environmental protection and resource depletion management in terms of policies, economic actor’s awareness and existing incentives for good practices in the diverse context under analysis. National priorities and policies frameworks on environmental and touristic questions are taken into account (in Barbados but also in other countries of CARICOM, in Costa Rica and in Colombia).
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## EXECUTIVE SUMMARY

- 1. Environmental policies in CARICOM** **7**  
*Environmental policies are important in tourism-dependent CARICOM countries, which rely primarily on natural resources to lure visitors, to boost tourism industries. The analysis is conducted at a regional and at a national level (Barbados, St Lucia, St Vincent, Dominica, Tobago).*
- 2. Environmental policies in Costa Rica** **16**  
*National priorities on environmental policies: Efficiency and weakness in the use of natural resources and control of environmental impacts.*
- 3. Environmental and tourism policies in Colombia** **39**  
*The Analysis of the development of environmental policy in Colombia with the current national legal framework, instruments, stakeholders and ecosystem services (GIBSE). After an overview of the general Colombian laws towards tourism, the question of the Magdalena regional environmental management plan is questioned, with the example of Santa Marta national park (environment, tourism, conflicts).*
- 4. Environmental policies in the EU context** **60**  
*An overview of EU environmental policies since 1970s relating to climate change, waste disposal, biodiversity and protection (Conventions, Directives, general plans).*



## 1. Environmental policies in CARICOM

Socio-economic development has and continues to play a significant role in Caribbean economies, and may often be prioritized more than environmental concerns, on regional and national agendas. However, there is a growing awareness of the significant role that natural resources play in social and economic development, which has led to a transnational movement to safeguard, preserve and sustainably manage natural resources. The concept of sustainable development emerged and at its core, aims to balance different, and often competing, needs against an awareness of the environmental, economic and social constraints faced by society (Sustainable Development Commission n.d).

Environmental policies have been developed in the quest for sustainable development, to guide the management of interactions between the ecological (natural) and social (human) systems, and the results of such interactions (Mattai and Mahon 2006). This is especially relevant to tourism-dependent CARICOM countries, which rely primarily on natural resources to lure visitors, to boost tourism industries. With the Caribbean region receiving over 20 million tourist arrivals, and a similar number of cruise passenger arrivals, policymakers have recognized that the development of the tourism industry needs to be consistent and in accordance with environmental requirements (WTTC 2017).

Consequently, careful attention has been given to safeguard our limited resources through policy implementation at both regional and local levels. Strong environmental policies will not only make the tourism product sustainable but also competitive (Kangalee 2009).

### 1.1. Regional Policies for Resource Management

Given the differing financial and technical capacities of Caribbean SIDs sustainable development may not be achieved solely by national or country-focused initiatives. This, along with the fact that some resources are shared among territories, stresses the need for regional integration to strengthen resilience and stimulate sustainable growth and development. The recognition and understanding of the prevailing threats to the sustainability of tourism, prompted a response by regional agencies, with realization of the need for an integrated approach towards achieving sustainable development (table 1).

#### Table 1: Regional Policy Response to Environmental Management

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Regional Agency	Policy, Strategy, Legislation or other Relevant Document
Caribbean Community and Climate Change Center (CCCCC)	- Regional Framework for Achieving Development Resilient to Climate Change (2009-2015)
Caribbean Tourism Organization (CTO)	- Caribbean Sustainable Tourism Policy Framework

#### 1.1.1. *Regional Framework for Achieving Development Resilient to Climate Change (2009-2015)*

The Regional Framework established by the Caribbean Community Climate Change Centre (CCCCC), provides an outline for the adoption of reasonable adaptation policies and measures in response to climate change impacts such as increased frequency and severity of storms and hurricanes, sea level rise, coastal erosion, salt water intrusion, disruptions in rainfall. The Framework specifically refers to these impacts on coastal and marine ecosystems, water supply, tourism, coastal infrastructure and health as representing the primary threats to the security of the CARICOM nations (Caribbean Community Climate Change Centre 2009).

CCCCC's Regional Framework for the period 2009-2015, identifies a number of approaches and activities to address key vulnerabilities, some of which include improving energy-use efficiency, resorting to low- emission renewable energy sources, improving the reliability of water supply systems, better planning of coastal and marine infrastructure, and adapting tourism infrastructure and activities to climate change. Implementation of the framework and its activities, require participation from CARICOM governments, the private sector, civil society, regional organizations and even international organizations.

#### 1.1.2. *Caribbean Sustainable Tourism Policy Framework<sup>1</sup>*

This Policy Framework (2008) established by CTO, provides its thirty-two member states with a comprehensive guide to address emerging issues (particularly badly sited development, improper management of waste from resorts and cruise ships, loss of biodiversity, general over-use of natural resources by tourists and climate change) which may hinder sustainable tourism development. The Framework provides a platform for planning, implementing and monitoring measures

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<sup>1</sup> The policy is currently being updated.





to evaluate regional concerns that have implications for tourism. Notably, the policy refers to several threats to the integrity of natural resources arising inside and outside of the tourism sector and advocates for restoration, conservation, mitigation strategies, good practices and innovation to promote sustainability. CTO recognizes the impacts of tourism infrastructure development in sensitive zones and The Policy Framework urges the development of National Physical Plans (NPPs) and Integrated Coastal Zone Management (ICZM) Plans, which should provide a detailed description on the type and scale of tourism development within these zones (CTO 2008).

Departmental or institutional isolation is a common tendency throughout Caribbean countries, often resulting in duplicity and inefficiency. CTO's Policy Framework attempts to rectify this by encouraging regional and national ministerial and departmental collaboration on environmental issues, unifying action plans, strategies, standards, etc., to ensure that a more integrated approach. "An ounce of prevention is better than a pound of cure;" and the Framework encourages preventative action in terms of planning, with compulsory Environmental Impact Assessments (EIAs), Social Impact Assessments (SIAs), Hazard Vulnerability Assessments, to safeguard vulnerable ecological and social environments (CTO 2008).

## 1.2. National Policies for Resource Management

Development and implementation of Regional Policy Frameworks must be matched by national capacity to implement agreed upon actions at the national level, and to participate actively and effectively in regional processes (Mahon et al 2013). This section presents a review of the policy framework enacted by a selection of the CARICOM countries, namely, Barbados, St. Lucia, St. Vincent, Dominica and Tobago.



### 1.2.1. Policy Framework Barbados

Table 2: Policy Framework Associated with Tourism in Barbados

	Category	Policy, Strategy, Plan, Legislation or other Relevant Document
General	National Development (Broadest National Planning)	The Barbados Sustainable Development Policy Jan 2004 Physical Development Plan Amended 2017 Barbados Economic Recovery & Transformation Plan
	Tourism Development (Cross Cutting)	National Tourism Policy Barbados Tourism Master Plan 2014-2023 White Paper on Development of Tourism in Barbados 2012 Tourism Development Act Amendment 2014 The National Development through Sustainable Tourism Policy (2001) Special Development Areas (Amendment) Act 2001-20 Green Paper on Sustainable Tourism 2001
	Sector Specific (Environmental Management, Direct/Indirect)	Town and Country Planning Act Draft Environmental Management Act Coastal Zone Management Act Coastal Setback Policy Density and Overcrowding Policy Marine Pollution Control Act The Barbados Integrated Solid Waste Management Plan National Conservation Commission Act National Biodiversity Strategy and Action Plan Barbados' National Climate Change Policy National Environmental Summary 2010 Shipping Act Amended 2001
Specific	Environmental Preservation and Protection (Programs & regulations)	Land Use Planning for Sustainable Development Project Handbook of Development Guidelines EIA Regulations The Cleanup Barbados

Like many other Caribbean SIDS, unsustainable tourism practices have impacted negatively on Barbados' natural resources, including clearing of coastal vegetation, coral reef destruction, unauthorised and poorly designed protection structures and habitat loss, especially for endangered sea turtles (Mycoo 2006). Understanding and recognition of these impacts, triggered greater focus on tourism policy and planning. Emphasis has been placed on tourism development on particular sensitive zones as shown in national development plans, physical development plans, environmental policies and acts. There are many environmental management laws and policies, which impact directly or indirectly on Tourism, however, priority has been given to environmental degradation (prevention of beach erosion, conservation and enhancement of prime beaches, improvement of water pollution, infrastructure improvement, especially sewers, energy reduction). Tourism development policies focus on aspects such as assessing the existing natural resources and impacts from tourism, determining carrying capacities and improving inter-agency collaboration (The Sustainable Economic Development Unit 2002).

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### 1.2.3. Policy Framework for St. Vincent

Table 4: Policy Framework Associated with Tourism in St. Vincent

	Category	Policy, Strategy, Plan, Legislation or other Relevant Document
General ↓ Specific	National Development (Broadest National Planning)	National Economic and Social Development Plan 2013-2025 St. Vincent and The Grenadines National Physical Development Plan
	Tourism Development (Cross Cutting)	National Tourism Policy 2003 Tourism Sector Strategic Plan The Tourism Standards Act The Marine Tourism Policy National Tourism Sector Strategies Plan, 2002 – 2006
	Sector Specific (Environmental Management, Direct/Indirect)	National Environmental Management Strategy and Action Plan 2004-2006 National Parks and Protected Areas Policy 2010 St. Vincent and the Grenadines Forest Resource Conservation Act, 1992 St. Vincent and the Grenadines (SVG) Sustainable Energy for SVG: The Government's National Energy Policy 2009 The National Parks Act, 2002 The Forest Resources Conservation Act, 1992 The Wildlife Protection Act, 1987 Marine Parks Act, 1991 Fisheries Act, 1986 The Central Water and Sewerage Authority Act, 1992 The Saint Vincent and the Grenadines National Trust Act, 1969
	Environmental Preservation and Protection (Programs & regulations)	SGP Country Programme Strategy The Sustainable Grenadines Project Water Taxi Project EIA Regulations

St. Vincent and the Grenadines has been one of the forerunners in terms of environmental protection within the Caribbean Region. There are roughly 30 pieces of legislation with direct and indirect impact on the environment (Billiny 2014). These incorporate industry regulation, environmental sustainability, sector planning, inter-sectoral linkages and human resource development. Much attention has been focused on diversifying the tourism product by promoting sports tourism and eco-tourism, which the latter intends to reduce some of the negative impacts from tourism, while maintaining economic benefits. Focus has also been placed on sailing and water-based activities and the Marine Tourism Policy has been tailored specifically to regulate such activities (Government of St. Vincent and the Grenadines 2003).

### 1.2.4. Policy Framework for Dominica

Table 5 : Policy Framework Associated with Tourism in Dominica





Category		Policy, Strategy, Plan, Legislation or other Relevant Document
General Specific	National Development (Broadest National Planning)	Physical Planning Act No. 5 of 2002 Growth and Social Protection Strategy (GSPS) 2014 – 2018
	Tourism Development (Cross Cutting)	National Tourism Policy 2013 Tourism 2010 Policy The Tourism Master Plan 2005-2015 Dominica Sustainable Tourism Destination Plan Design Guidelines for Sustainable Tourism Development
	Sector Specific (Environmental Management)	Dominica National Biodiversity Strategy and Action Plan 2014-2020 Sector Strategy, Natural Resources and Energy Sector Plan 2010 Forest & Wildlife Act Water and Sewerage Act Marine Pollution Management Bill Solid Waste Management Act Land Management Authority Act Forests Act National Natural Disaster Plan Low-Carbon Climate Resilient Development Strategy 2012-2020
	Environmental Preservation and Protection (Programs & regulations)	Eco-Tourism Development Programme Tourism Sector Development Programme Upgrading of Eco-tourism Sites Project Draft Environmental & Planning Regulations for Renewable Energy 2010 EIA Regulations

Dominica’s tourism industry is largely based on its position as an eco-tourism destination and there is considerable economic interest related to the management of the island’s natural resources. The Government of Dominica has made provision for the conservation and sustainable use of its biological resources through the development and implementation of several different legal instruments including policies, acts and bills. Much attention has been placed on marketing Dominica as a “sustainable tourist destination” and promoting eco-tourism, and according to the Tourism 2010 policy, other tourism policies, programs and standards are to be incorporated with the principles required of the tourism sector arising from Green Globe certification. Numerous action plans been executed to reduce and/or minimize the loss of terrestrial and riverine biodiversity and sustainable use of environmental resources (Ministry of Tourism 2005).

Following the severe devastation of Hurricane Maria in 2017, Dominica has embarked on a journey to become the first climate resilient country in the world. To this end the country has established the Climate Resilient Execution Agency for Dominica (CREAD), and enacted legislation to support the execution of projects to increase resilience to impacts of climate change. (<http://www.investdominica.com/tag/cread/>).

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1.2.5. Policy Framework for Tobago

Table 6 : Policy Framework Associated with Tourism in Tobago

	Category	Policy, Strategy, Plan, Legislation or other Relevant Document
General Specific	National Development (Broadest National Planning)	Tobago Development Plan Medium Term Policy Framework of Tobago 1998-2000 Tobago Development Plan the Strategic Plan The Medium-Term Planning Framework 2002-2005-The Ministry of Finance The Town and Country Planning Act
	Tourism Development (Cross Cutting)	Vision 2020 Tourism Development Plan Trinidad and Tobago Tourism Development Act 2000 A National Tourism Policy for Trinidad & Tobago 2001 The Draft Eco-Tourism Policy (2010) The Tourism Master Plan 1995 Management Plan for the Buccoo Reef Marine Park - Institute of Marine Affairs (IMA), 1991
	Sector Specific (Environmental Management)	National Environmental Policy Environment Programme for Trinidad and Tobago The Environmental Management Act 2000 Protected Area Management Strategy Certificate of Environmental Clearance Designated Activities Order
	Environmental Preservation and Protection (Programs & regulations)	Service, Training, Attitude, Respect (STAR) programme, School Awareness, the Maracas Beach Redesign and Restoration Project The Small Tourism Enterprise Project (STEP) The National Tourism Quality Service Improvement Programmes The Maracas Beach Redesign and Restoration Project

The Tourism Policy for Trinidad and Tobago is the most comprehensive within Trinidad and Tobago’s tourism policy framework in terms of treatment of environmental issues (The Sustainable Economic Development Unit 2002). The major issues identified include: deterioration of water quality, degradation of sensitive ecosystems, loss of avifauna, sand mining increased pollution from solid waste, loss of wetlands and loss of biodiversity. The National Tourism Policy for Trinidad and Tobago identifies integrated national planning as the single most important means for ensuring sustainable tourism. In light of the environmental concerns, emphasis has been placed on policy approaches including: granting incentives to encourage usage of environmental friendly waste disposal systems, conservation of natural resources and designating areas of conservation for the protection of natural habitats and encouraging waste reduction through recycling and reuse of materials (Ministry of Tourism 2010). The Vision 2020 Tourism Development Plan recognizes the need for sound infrastructure in environmental



preservation and mandates that tourism infrastructure must be carefully planned and managed in the context of national physical development plans and balanced with the need for optimal resource utilization (Ministry of Tourism 2010).

Eco-tourism is becoming increasingly popular and in 2010 The Draft Eco-Tourism Policy presents a framework for the development of eco-tourism. Key objectives include: the identification and promotion of potential eco-tourism sites, the development and enforcement of standards for eco-tourism activities, the development of ecologically sound eco-tourism infrastructure and the development of natural areas into national parks (Ministry of Planning and the Economy 2012).

### 1.3. Conclusions

Caribbean countries are taking actions to develop policies, strategies, plans, legislation, projects, programs or other guidelines and establish goals towards the development of the tourism sector, to derive social, economic, and environmental benefits. The reference to several environmental issues suggests that there is a high level of awareness of the nature of impacts and need for an enabling policy framework to achieve sustainable tourism goals.

Although strides have been made, there may be some shortcomings or gaps. Clearly defined goals and objectives are key requirements for an effective policy. In some documents, objectives were vague and generalized, with no indication of whether the objectives were short, medium or long-term objectives. Objectives should be prioritized, to prevent the pursuit of less critical objectives at the expense of objectives likely to yield greater damaging or irreversible impacts on the environment (The Sustainable Economic Development Unit 2002).

Due to diverse stakeholders or target groups involved in the tourism industry and differing levels of contribution to environmental issues, the “one size fits all approach” may not be the most effective. Stakeholder or target groups (e.g. hoteliers and tourists), need to know what is expected of them and how their behaviour or actions are to be modified.

Since documents were developed at different times, some degree of overlap occurred. Some policies may be outdated and may not sufficiently address evolving concerns such as climate change. These documents should be updated to achieve greater harmonization, in particular, integrating tourism and environmental policies.



## 2. Environmental policies in Costa Rica

In a country where natural resources such as oil, coal and precious minerals are practically non-existent and also the territorial size is quite small, it is unthinkable to developed a big timber industry or the general exploitation of the land or the seas extensively as the main income resources; It has been recognized that Costa Rica's natural wealth lies in its exuberant biodiversity and a specialized agro-industry.

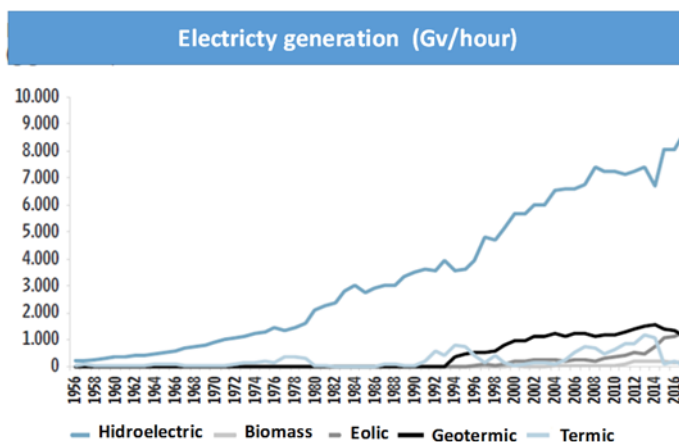
Therefore, the protection and adequate management of biodiversity should be a pillar for the development and socioeconomic well-being of the country. Costa Rica has developed laws and regulations that seek to protect wildlife, and hand to hand, also have buildup national plans for the boost of the tourism sector which mostly bases its action and development on the biodiversity as one of the most important components.

Then, the issues of environmental resources management and the growth of the tourism sector are considered as fundamental part of the national development plan which is formulated every four years during the change of national government.

Costa Rica has a global recognition in regard to environmental management, an aspect that has been key to attract visitors who come to this Central American nation to enjoy its natural beauty.

### 2.1. National priorities on environmental policies: Efficiency and weakness in the use of natural resources and control of environmental impacts (PEN,2018)

In Costa Rica, an intensive use of natural resources is used to provide broad access services and boost development, but in a way that adversely affects environmental sustainability. Although there are problems and conflicts over the coverage of some of these services, in general terms, electricity and drinking water reach the vast majority of the population and businesses (Figure 1).

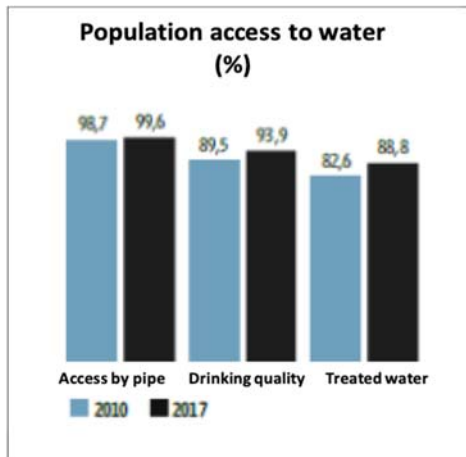


source management in the EU 16





Figure 1: Population access to water and electricity generation



Nor are there usually restrictions to get the fuels that fuel transportation, even if they do not come from resources extracted in the country. In spite of this, the limitations to control the effects of the use of resources persist: in the matter of wastewater, the polluting emissions derived from the consumption of hydrocarbons are increasing.

On the other hand, as an example of the efficiency in the provision of services based on the use of natural resources, in 2017 two relevant events were reported. One is that it highlights the greater generation of electricity from sources other than oil (99.7%) and the lower use of thermal plants in twelve years. The country reaffirms its strategic objectives with regard to the use of water resources as a central axis, from which comes the electric power that receives 99.4% of the population.

The foregoing does not imply omitting that all energy sources have environmental impacts and that other less harmful ones are not taken advantage of enough. In 2017, electricity production was 11,210,098 MWh. More than three quarters of this total was generated in hydroelectric plants, 11.4% in wind farms and 9.9% in geothermal plants.

From the point of view of the operators, 71.6% provided by the Costa Rican Electricity Institute (ICE), commercializing companies and cooperatives, and the rest of private entities, whose participation share is from 16.7% to 28.5% between 2008 and 2017.

For example, in the year under study, 98% of the generation depends on the sources: hydraulic, geothermal and wind. Although the ICE and other actors of non-conventional renewable energies, their contribution is still marginal. For example, *D.1.2. Analysis of existing policies for environmental resource management in the EU 17 context, in West Indies, Colombia and Costa Rica*



the potential of photovoltaic solar energy is 557 GW, but the installed capacity is only 138.

The demand for this service grows at low rates (1.2% in 2017), lower than production (3.9%) and is distributed in a disparate manner. The residential sector has the highest consumption (38.4%), mainly in the Central region. However, the values of the media reported for this zone are similar to the regions of Chorotega and the Central Pacific. In fact, the ten cantons with the greatest demand for electricity per inhabitant are located in coastal areas and the Greater Metropolitan Area, while the lowest values correspond to border cantons, rural cantons and with important relationships in the area of human development.

A second important fact, which exemplifies the country's effectiveness in the use of natural resources in favor of development, is the prolonged access to water for human consumption and productive activities, although there is a very intensive use and territorial differences important conflicts.

In 2017, the Water Directorate of Costa Rica (Minae) was awarded a flow of 31,638 cubic hectometres. Most of this volume was used to generate electricity (95.3%). The rest is used mainly in consumption, human and agro-industrial. 99.4% came from surface sources and 0.6% from underground sources.

Regarding access, between 2010 and 2017 there were improvements in some indicators, among which the percentage of the population that receives drinking water and with treatment stands out (Figure 4). The number of contaminated aqueducts was also reduced, from 38.9% to 22.6%, as a result of actions promoted by the Water Institute (AyA) in coordination with other operators.

As a complement to these measurements, the AyA carried out microbiological and residual chlorine analyzes to estimate the coverage of drinking water in health centers and public schools. The data indicate that 97% of the evaluated health centers receive water suitable for human consumption and 87.5% of in-hospital water does not present bacterial contamination. Costa Rica ranks second among seventeen Latin American nations with the best water coverage in hospitals, surpassed only by Paraguay.

In schools it was found that 95.9% receive drinking water. The average number of schools with access to water and sanitation coverage exceeds the average registered in 2013 worldwide (69% and 66%, respectively) and by the developed nations (89% and 90%, in each case).

Despite the achievements in the use of resources in favor of human development, serious limitations persist to control and reduce the residual effects of



such uses. Two aspects stand out. The first is that energy patterns operate in two opposite directions: on the one hand, greater weight of renewable sources in electricity generation, and on the other, higher hydrocarbon consumption, especially for a vehicle fleet that grows four times more than the population, despite the commitments made by the country to reduce polluting emissions.

In general, between 2008 and 2017 the use of secondary energy grew by 22.8%, going from 120,126 terajoules to 147,459. On average, about three quarters were covered with hydrocarbons, and the rest with electricity, coke and biomass. In that period, fossil fuels not only accounted for the highest proportion; they were also the source that registered the highest absolute growth (25%). Transportation remained the main consumer of energy in the country (60.4% of the total), that is, there was no substantive progress to diversify and modify the composition of the energy matrix as a whole. Similarly, in 2017, hydrocarbon imports increased 7% compared to the previous year.

The demand for energy is mainly explained by the vehicle fleet. The vehicle fleet increased by 5.7% between 2016 and 2017, and consists of 1,655,680 units, of which 57.1% are private cars, 24.7% motorcycles, 15.2% cargo vehicles and 2.9% buses, taxis and others. The weight of the sector is not only evident in the energy matrix, but also in the problems of mobility and pollution. There is no recent data on polluting emissions (the last inventory dates from 2012); However, given that transport is the main emitter in the country and that hydrocarbon consumption increases, in all the scenarios estimated an increasing trend of greenhouse gases is expected for the year 2030.

It should be noted that, despite progress in some of the goals of the VII National Energy Plan 2015-2030, actions to achieve sustainable energy development and low emissions remain insufficient. The axes with the greatest progress were energy efficiency, sustainability of the electricity matrix and clean fuels. Of the total targets, 20.6% have critical delays, 17.7% require substantial improvements and 6.3% still does not start. A second aspect that shows negative impacts is the use of water bodies as a repository of waste. However, it should be noted that since 2014 the coverage of sanitary sewage with treatment increased significantly, from 4.2 in 2014, to 8.2% in 2016 and to 14.4% in 2017. The value of this advance is still very low in relation to the global average, which is 60% and insufficient for a lag of several decades that has had an impact, above all, on the quality of urban basins. For the time being, the septic tank remains the main means of channeling wastewater (74.5%), compared to sewerage or latrine (23.4%).



A relevant event in 2017 was the publication, for the first time, of a National Wastewater Sanitation Policy, for the period 2016-2045. In this area, the absence of efforts in other areas is worrying: lag in land use planning, weak waste management, registration of actions in adaptation to climate change and agricultural practices that affect the quality of water bodies. In addition, although in the same year 132 million dollars were invested, the National Plan of Investments in Sanitation 2017-2045 establishes the need of much higher amounts to meet the objectives defined in the aforementioned policy. In addition to the impacts of the use of natural resources for productive or development purposes, patterns of citizen behavior generate negative effects on environmental sustainability.

Costa Rica is globally recognized for having one of five blue areas in the world, where the population exceeds 90 years of life in very favorable conditions. Costa Rica has evolved in the last 31 years in actions or events that have marked the pattern in the environmental development.

The findings regarding environmental balance and in the use of natural resources and control of environmental impacts, can be summarized as follows.

Table 7. Relevant environmental general findings

<b>Table 2. Relevant environmental general findings</b>	
<ul style="list-style-type: none"> <li>• According to the latest international measurement of the ecological footprint, Costa Rica has a 58.4% gap between the use of its natural resources and current availability.</li> </ul>	<ul style="list-style-type: none"> <li>• The Constitutional Chamber issued several sentences against the State, for lack of effective actions and planning for surveillance of protected wild areas.</li> </ul>
<ul style="list-style-type: none"> <li>• The energy matrix continues to depend on hydrocarbons (72%) and their use increased 25% between 2008 and 2017.</li> </ul>	<ul style="list-style-type: none"> <li>• In 2017, 26 collective actions were registered on environmental issues. Although It meant a decrease after seven years of high conflict, the figure remains high as a proportion of the total protests of the country.</li> </ul>
<ul style="list-style-type: none"> <li>• In 2017, 99.7% of electricity was generated with renewable sources and registered the lowest use of thermal plants (0.3%) in twelve years.</li> </ul>	<ul style="list-style-type: none"> <li>• Of the 81 cantons in the country, 42 have regulatory plans and only 20 of these cover the totality of its territories.</li> </ul>
<ul style="list-style-type: none"> <li>• Increased sewer coverage sanitary with water treatment: happened from 8.2% in 2016 to 14.4% in 2017.</li> </ul>	<ul style="list-style-type: none"> <li>• The environmental institutions that have Control and regulation tasks are the weakest in financing and autonomy,</li> </ul>



	while the strongest are those that manage natural resources for provide public services or support economic growth.
<ul style="list-style-type: none"> <li>• The area of organic crops represents 1.7% of the total agricultural area. In no year of the last decade came to reach 3%.</li> </ul>	<ul style="list-style-type: none"> <li>• Only 2.7% of the marine surface is find under some protection scheme, far from the goal of conserving 10% of these areas contained in the Aichi Targets for 2020.</li> </ul>
<ul style="list-style-type: none"> <li>• Less than 15% of agricultural farms treat production waters.</li> </ul>	<ul style="list-style-type: none"> <li>• At least thirty species that are fished in the country are are in danger of extinction or low threat.</li> </ul>
<ul style="list-style-type: none"> <li>• Two new areas of marine management were created.</li> </ul>	<ul style="list-style-type: none"> <li>• There is an increase in fishing Youth populations: between 2006 and 2014, the proportion of beaked croakers caught in this stage of life it went from 43% to 84%.</li> </ul>
<ul style="list-style-type: none"> <li>• Seven wetlands of international importance generate 3,215 million dollars annual reports on ecosystem services.</li> </ul>	<ul style="list-style-type: none"> <li>• Species protected by international treaties or national legislation, are in the list of species of fishing interest of the National Fishing Industry Management Institute (Incopescsa).</li> </ul>

## 2.2. National Development Plan 2019-2022.

Costa Rica formulates the National Development Plan every four years (PND 2019-2022), which expresses the main challenges facing the country for the next four years, this tool contributes to the strengthening of the State's capacity, in addition, sets a north to the development of the country.

For the years 2019-2022, the PND incorporates the integral approach of sustainable development as a guiding element and is conceived as "Development that meets the needs of the present generation, without compromising the ability of future generations to satisfy their own needs <sup>2</sup>" and to establish a trilogy based on the principles of the 2030 Agenda of the Sustainable Development Goals; with the purpose of achieving balance and integration among all the components of Sustainable Development: people, the planet and prosperity, strengthening peace in a climate of greater freedom and collaboration of all development actors ".

Among the main measures and initiatives to be implemented in the country, with the purpose of achieving a sustainable development model, the following are proposed:

a) Actions oriented to the development of a neutral economy in emissions are executed.

*D.1.2. Analysis of existing policies for environmental resource management in the EU 21 context, in West Indies, Colombia and Costa Rica*



- b) A climate change strategy is prepared and implemented.
- c) The Carbon Neutrality Country Program is executed.
- d) The Adaptation to Climate Change Strategy for the Biodiversity Sector is prepared and executed.
- e) Preparation and implementation of the National Energy Policy 2015-2013.
- f) Preparation and implementation of the National Urban Development Policy.
- g) Preparation and implementation of the National Biodiversity Strategy (2016-2025).
- h) Preparation and implementation of the National Wetland Policy (2017-2030).

The Alvarado Quesada administration (2018-2022) has set a national goal, which is quoted "Generate inclusive economic growth at the national and regional levels, in harmony with the environment, generating quality jobs, reducing poverty and inequality."

As part of the interventions proposed in the PND (2019-2022), and which are articulated to the topic of interest are the following:

Table 8: Proposed interventions in the PND (2019-2022).

<b>Strategic intervention</b>	<b>objective</b>	<b>Responsible</b>
Tourism growth program	Promote sustainable, innovative and inclusive tourism development, through the development of human talent and effective public management that will generate opportunities for local development, through the improvement of competitiveness tourism and the pleasant permanence of tourists.	Costa Rican Institut of tourism (ICT)
Work plan for the expansion of the coverage of the Training and Vocational Training Services (SCFP) in the English language	Increase competences in the English language at national and regional level.	National Institute of Learning (INA)





Strategic intervention	objective	Responsible
Comprehensive management program for tourist destinations	Promote an integral management of tourist destinations, to generate conditions that improve the competitiveness of the destination	ICT MCJ

Source: PND 2019-2022.

### 2.3. National Tourism Plan of Costa Rica 2017-2021.

The tourism model in Costa Rica is made up of five elements:

- a) Tourist; understood as the person who makes a trip to a specific destination outside of his usual environment.
- b) Destination; understood as the zone or geographic area that is visited.
- c) Origin; understood as the tourist market, formed by current and potential consumers or buyers.
- d) Industry; understood as service companies located in the area or geographic area visited (lodging, food services, transportation, others)
- e) Transit; understood as the connection between the market and the tourist destination

Each of these elements are complex and interact with each other in different ways, in which different actors are related, which dynamize the model.

According to the National Tourism Plan of Costa Rica, "the tourism system is of an adaptive type in which a significant group of actors participate, through which over the years a complex web of relationships has been woven, this has allowed to evolve and adapt to different variable environmental conditions with good success".

The model of sustainable tourism development promoted by the country stimulates and encourages development of the locals, also promotes the competitiveness of companies and the establishment of public-private partnerships, as a response to the different challenges and opportunities facing the country, for strengthen tourism activity and impact on human development.

Within the National Tourism Plan of Costa Rica, a reference is made to sustainability, indicating that the proposed model "is secured and perpetuated in the future in order to ensure that tourism growth occurs in such a way that they are reduced at the source or internalize (assuming the cost of natural and social



depreciation) negative externalities, environmental and social, to avoid reducing the capacity of the territory to sustain tourism activity in the future.

This plan is oriented to the fact that during the evolution of the proposed system Costa Rica approaches a condition of sustainability, oriented to what is proposed in the sustainable objectives of the World Tourism Organization and the United Nations Program for the Environment.

The principles for the case of Costa Rica are the following:

- "Make optimal use of environmental resources, as a fundamental element of tourism development, maintaining essential ecological processes and helping to conserve natural resources and biological diversity.
- Respect the socio-cultural authenticity of the host communities, preserve their cultural and architectural assets and their traditional values, and contribute to intercultural understanding and tolerance.
- Ensure viable long-term economic activities that provide well-distributed socio-economic benefits to all agents, including stable employment and income-earning opportunities and social services for host communities that contribute to the reduction of poverty.
- Promote satisfaction for tourists and represent for them a meaningful experience, which makes them more aware of the problems of sustainability and encourages them in sustainable tourism practices "

The plan includes an innovation component, which is oriented to the following:

- Incorporation of new business models
- Investment in human talent, linking this to the demands and trends of tourism in the territory.
- The associativism, social capital and entrepreneurship will be supported as forms of organization for the strengthening of tourism as an economic activity.

If the last thirty years are analyzed retrospectively, the Costa Rican State has promoted strategies aimed at maintaining this tourism model, based on three factors:

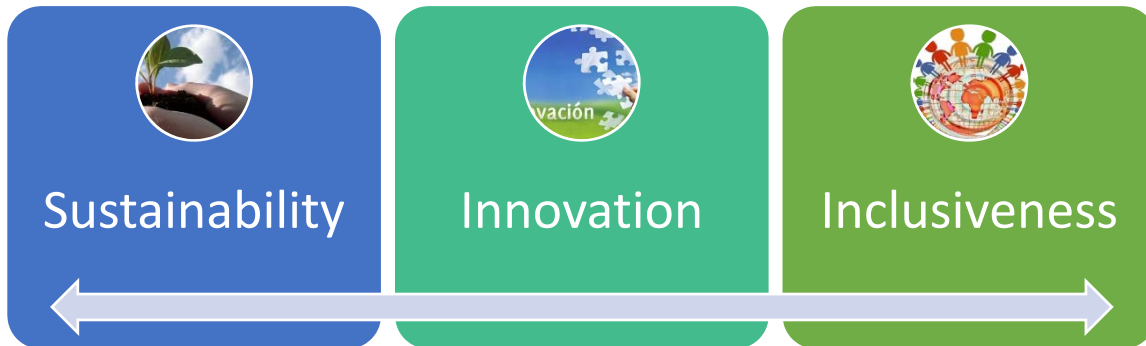




Co-funded by the  
Erasmus+ Programme  
of the European Union



Figure 2 : Factors oriented to maintain the tourist model of Costa Rica



Source: National Tourism Plan, Costa Rica.

Our policies have focused on attracting a tourist profile interested in nature, biodiversity, education, well-being, articulating the sun, the beach, ecotourism and sports in natural environments. That is, the strategy is to base the growth of the best prospects for the destination.

The key to the development of destinations in Costa Rica is focused on three factors, namely:

a) Natural and cultural attractions, which include the National Parks, Protective Areas, Forest Reserves, Biological Reserves, National Wildlife Refuges, Wetlands, Natural Monuments, Marine Reserves, and others. Protected by specific legislation with great attractions, for an area of 1.354.488 hectares that cover 26.55% of the national territory.

a) Hotel offers nationwide with available services.

b) Interrelations between tourist services, physical plant and distribution of attractions nationwide.

Costa Rica has focused on a differentiation policy based on certifications, programs and instruments that potential the tourism sector in the country, these have focused on positioning a country brand, strengthening attributes, services, quality, sustainability, nature, culture, among others. Among these can be mentioned the following:

*D.1.2. Analysis of existing policies for environmental resource management in the EU 25 context, in West Indies, Colombia and Costa Rica*



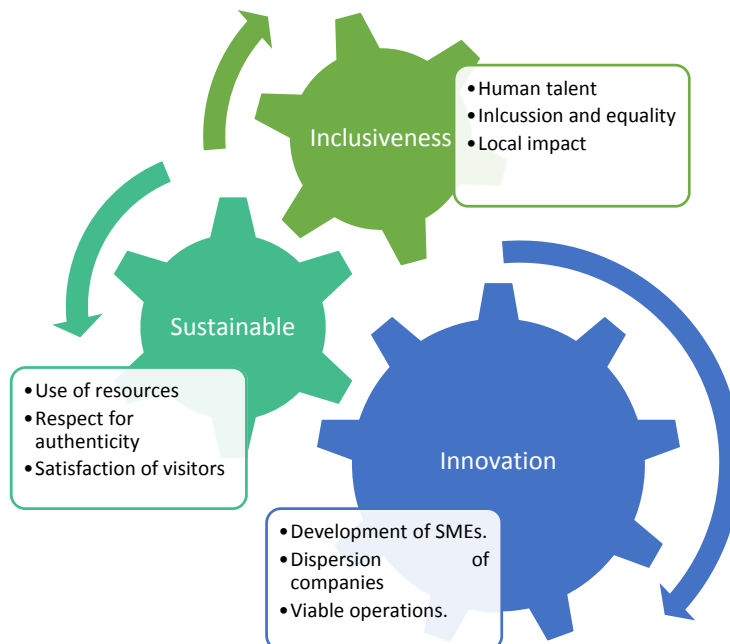
- Tourist Sustainability Certificate.
- Ecological Blue Flag.
- Code of Conduct for the protection of children and adolescents against commercial sexual exploitation in travel and tourism.
- Competitiveness of destinations.
- Coastal planning
- support programs for micro and small tourism businesses.
- Programs to improve the destination management.
- Strengthening of human capital and others.

Between 1985 and 2014, the line of international promotion promoted by the ICT has remained highlighting the natural attractions, local culture, comfort and being a destination that offers many possibilities to visitors. In 2014, the country brand was launched, with the purpose of promoting tourism, boosting exports and attracting investments.

The implementation of the model proposed by the Costa Rican Tourism Institute of Costa Rica requires coordination among actors, with the purpose of implementing policies, strategies, instruments (laws, regulations, norms, etc.), agendas, visions and objectives both at the public and private, with the purpose of boosting the economy and local development to generate value, reduce risks and strengthen governance, in response to challenges facing the country to strengthen tourism activity and human capital development.

The purpose of tourism policies is to establish the guidelines within which the actions associated with tourism activity should be addressed in the future in Costa Rica, these have three strategic axes and each strategic axis presents statements, which are shown in the following illustration.

Figure 3 : Strategic axes, National Tourism Plan, Costa Rica.



Source: National Tourism Plan, Costa Rica.

The strategic framework of the National Tourism Development Plan in Costa Rica is shown in the following table.

Table 9: Strategic Framework, National Tourism Plan, Costa Rica

<b>Overall objective:</b>					
Maintain tourism as the driving force of the Costa Rican economy by promoting a sustainable, innovative and inclusive tourism development model to contribute to the improvement of the quality of life to which it aspires as a nation.					
<b>General Goal:</b> Achieve a projected growth of around 7% in the income of foreign currency for tourism in the period 2017-2021					
<b>Specific objectives:</b>					
Promote the adoption of innovative practices to promote efficient use of tourism resources for the	Achieve tourism growth focused on diversification, innovation and quality to generate greater added	Strengthen the position of Costa Rica as a sustainable tourist destination	Strengthen productive linkages to contribute to the distribution of benefits of tourism among	Improve access to tourist information, assistance and security, both in its displacement	



benefit of tourists, businesses and the population in general.	value for tourists	for	Differentiated in the markets of interest.	local actors and communities.	as in the stay at the destination
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Source: National Tourism Development Plan, Costa Rica.

#### 2.4. Political and legal framework in Costa Rica

Part of its recognized as a conservationist country has been the political and legal framework, which begins from the inclusion of article 50 of the political constitution that forces the country to guarantee a healthy and ecologically balanced environment.

With this legal umbrella, the country has advanced in specific regulations on Environment topics, as the Organic Law of the Environment (Law 7554 of 1995), Law of Biodiversity (Law 7788 of 1998) Law of National Parks (Law 6084 of 1977) , Forestry Law (Law 7575 of 1996), wildlife (Law 7317 of 1992), among other. Each of those laws has their respective regulations, all assign the National System of Conservation Areas a leading role in its implementation.

Other legal instruments tending to improve environmental conditions or protection thereof includes Law No. 8839 of 2010 for waste integral management, the Law N°7779 of 1998 for Use, Management and Conservation of the soil.

Related with protected area management policies, the Biodiversity Law has established a civil society management and integration structure in which the National Council of Conservation Areas (CONAC) is the highest authority, followed by a structure decentralized that is reflected through 11 Regional Councils of Conservation Areas (CORAC's) and a series of Local Councils (COLAC's), associated to each protected area of the country. Within this structure, that promotes participation, there are representatives of the government as well as of each of the actors that have relevance in the territory, such as the community sector, the academic sector, the agricultural sector, the tourism sector, among others.

In protected areas, the policies and regulations in general in this area have allowed that the country has more than 26% of its territory under some kind of category of protection, were many of those are part of the tourist offer of the country. In addition, the country maintains a link of connectivity between these spaces, which are known as biological corridors that contribute to more than 45% of the country can be considered as a space with forest cover.

In relation to the coastal part, the country has a law on the Maritime Terrestrial Zone (Law 6043), which defines the type of activities that can be carried out in it, always through a regulator plan and a tourism development plan, however. Since the *D.1.2. Analysis of existing policies for environmental resource management in the EU 28 context, in West Indies, Colombia and Costa Rica*



enactment of this law, the establishment of infrastructure was prohibited, however, these areas, especially the most renowned, have a large number of facilities, most of which were built prior to the enactment of the law.

On the other hand, the country has subscribed to practically all the global and regional environmental commitments, which could include the Paris Agreement, the Kyoto Protocol, the Convention on Biological Diversity (ratified in the biodiversity law), the Convention on Climate Change, among others. Currently, the Sustainable Development Goals are the guiding principles that have been assumed by the different government institutions, since the common agreement is that all countries must move in that direction.

From the point of view of the country, the policies of the different sectors are derived from the National Development Plan. In each institution, policies are generated on issues that concern them. In this sense, SINAC has a National Biodiversity Policy 2015-2030, a Policy for Protected Areas (PA) of the National System of Conservation Areas (SINAC) of Costa Rica, a Strategy for Adaptation to Climate Change and a Strategy of Sustainable Tourism in the Protected Areas of the National System of Conservation Areas.

Regarding the tourism topic, although the SINAC strategy covers protected areas, the Costa Rican Tourism Institute (ICT) is responsible for managing this activity in an integral manner.

It is clear for the country that tourism is an important tool for the conservation of natural resources in the areas where it is planned and developed properly, hence all the protected areas that receive visitors have a general management plan and in many cases a plan for public use.

The policy instrument of the country is the National Tourism Development Plan 2017-2020, which follows the plan developed for the period 2010-2016, which, like this and its predecessors of the 1990s, has contemplated strategies of sustainability in all of them. It is possibly due that the responsibility of tourism in protected areas is from SINAC that ICT assume no to much responsibility that is a void because in these protected areas there are a number of limitations, especially to avoid tourism massive, for example, through carrying capacity, key aspect for sustainability that does not include this last institution. The National Tourism Development Plan analyzes visitor behavior in Costa Rica, the country's value proposition, positioning the country as a sustainable destination, proposed activities with the key actors and sectors in the country, defined the attractions and proposes a strategy for tourism remains one of the main currency entries of the country.



In the tourism sector, global commitments to sustainability are also assumed, both those proposed by the World Tourism Organization and the aforementioned SDGs.

Currently the country brand "Esencial Costa Rica" and its previous brand "No artificial ingredients" highlight the nature of the destination, promoting a site where sustainability is part of experience.

These policies focus on an adequate use of natural resources, ensure respect for the sociocultural dimension of the communities that receive visitors, ensure the development of long-term economic activities and ensure the satisfaction of the visitor.

Part of this policy includes the Certification Program for Tourism Sustainability, which recognizes the actions of tourism companies in the development of low-impact tourism for the environment.

Another element of environmental policy is the promotion of the Ecological Blue Flag Program that seeks to integrate sustainability in different sectors (for example, protected areas, schools, communities) and issues (for example, beaches, climate change, events)

One weakness of this policy element is that specific measures are not proposed to address the issue of climate change, which has various effects on tourism, from the point of view of drastic changes in the visiting sites, for example, in the beaches, climatic variation, which may affect, among other aspects, visitor mobility between destinations, increased diseases, among others. Particularly sensitive to this are the constructions that are found in the maritime-terrestrial zone, for which there are no forecasts for possible effects of climate change on them. At the local level, the municipalities through the regulatory plans are responsible for ordering the territory and with that they can have a positive or negative impact on the conservation of the ecosystems and on the development of a sustainable tourism.

One of the weakness of the country is that the territorial organization within institution are different, for example Costa Rica has 82 local governments, but SINAC has 11 conservation areas, the ICT has 7 tourist units and the Planning ministry has 6 socioeconomical regions. That situation complicate the management of the territory.



## 2.5. Manual for the elaboration of coastal regulatory plans in the Maritime Terrestrial Zone.

One of the country's objectives is to promote and encourage tourism development that promotes sustainable use of resources (natural and human), and an equitable distribution of benefits, ensuring that the projected growth phase for the future always added to the positioning achieved with the "tourist brand" of the country, and even more, the human development to which it aspires as a nation.

Under this premise, the quality of the tourist space becomes the basis of productivity and competitiveness of the activity, therefore, this conditions the way in which spaces are managed and managed for tourism and the way to design and operate tourist products.

Thus, the management and administration of tourist spaces must be supported in a process of ordering and planning the territory in search of a balance between resources and activity.

As described above, coastal zones play a very important role in tourism activity for two fundamental reasons:

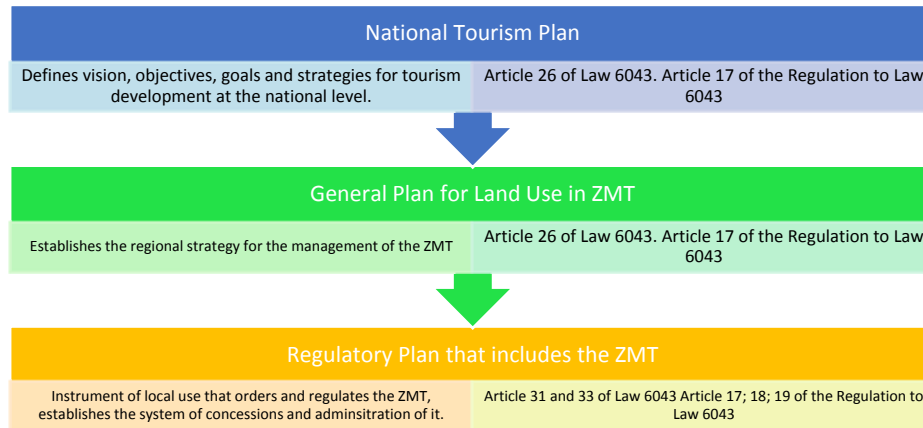
- a) Constitute vital spaces of the tourist heritage that contain high-ranking attractions associated with the sea, the beach, cliffs and the forest.
- b) In these spaces a good amount of tourist products is concentrated and offered that contribute to the competitiveness of the destination.

In Costa Rica, the coastal zone is managed through the participation of a group of governmental institutions, such as the Ministry of Environment and Energy (MINAE), the National System of Conservation Areas (SINAC), the Ministry of Public Works and Transportation (MOPT), National Institute of Housing and Urban Planning (INVU), Municipalities, and the Costa Rican Tourism Institute (ICT), among other possible. The Maritime Terrestrial Zone (ZMT), is an asset whose development according to Article 26 of the Law of the Maritime Terrestrial Zone, Law No. 6043, is a function of a National Tourism Development Plan from which a Use Plan for the coastal area.





Figure 4. Planning levels in accordance with Law 6043.



Source; Reach 266, Gazette No. 211, November 8, 2017.

The regulatory plan is a legal and technical instrument consisting of a set of plans, maps, regulations and any other document, totally binding graphic to achieve the objectives of territorial planning policies in pursuit of a balanced economic, social and environmental development in the Maritime Terrestrial Zone and adjacent areas.

The fundamental purpose of the instrument is:

- Implement the policies defined for development according to the National Tourism Development Plan
- Promote land use policies.
- It facilitates the promotion of tourist products in the region.

In Costa Rica the zoning proposal for the regulatory plan will be prepared at a scale of 1: 2,000 maximum, there will be seven land use zones, each of which is associated with Detailed Land Use Areas, such as It is presented in the following table.





Table 10. Types of Zoning.

Land Use Zone	Detailed Land Use Areas
<b>Tourist Development Zone</b>	Core Area for Tourist Attractions
	Planned Area for Low Density Tourism Development
	Planned Area for Tourism Development High Density
<b>Mixed Zone</b>	Mixed Area for Tourism and the Community
<b>Special Zone</b>	Coast town
<b>Zone For The Community</b>	Core Area for the Community
	Community Residential Area
	Base for Artisanal Fishermen
<b>Other Zone</b>	Area for Cooperatives
	Area for Roads
<b>Future Zone</b>	Area for Future Development
<b>Protection Zone</b>	Area for Protection

Source; Reach 266, Gazette No. 211, November 8, 2017.

## 2.6. National Wetland Policy 2017-2020.

The National Wetland Policy aims to provide a framework of action for long-term planning, aimed at the restoration of national wetland systems and the responsible use of them, contributing to the improvement of the quality of life of the communities.

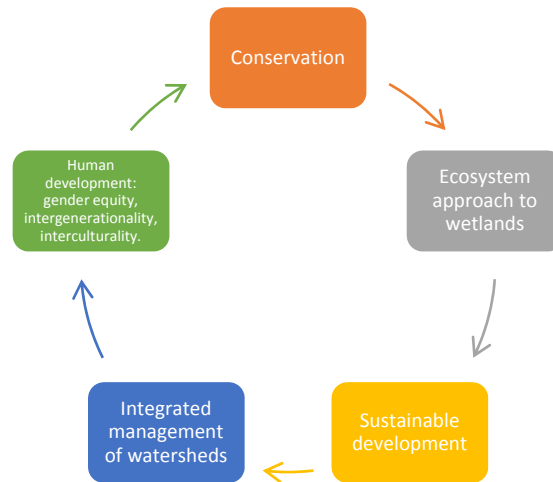
One of the main expected results of the policy is a considerable increase in the participatory local management of wetlands of international importance with a view to their conservation, sustainable use and fair and equitable distribution of their benefits.

The National Wetland Policy puts into perspective the current situation of wetlands in the national territory in order to provide tools and action plans that mitigate the problems they face and maximize the potential benefits of them.

The main approaches of the policy are the following:



Figure 5. Approaches to the wetland policy, Costa Rica, 2017



Source: Wetland Policy Costa Rica, 2017.

The principles are considered as general-universal rules that have a legal basis, so they are considered as the basis on which the way of thinking of a person is oriented, under the previous context the principles on which the policy is presented in the following table:

Table 11. Principles of the wetland policy.

Principles	Description
Integration of conservation and sustainable / rational use of wetland ecosystems.	This principle should be incorporated into the activities, plans, programs and strategies.
Participatory management	Active and effective involvement of society as a whole, through representation organizations and the participation of different actors, both in the formulation of the policy and in its execution, monitoring, evaluation, accountability and constant improvement, up to where legality allows it.
Preventive principle	Prevent and address the anthropic causes of the loss of wetland ecosystems, as well as the elements that make up its biodiversity.
Precautionary principle	Comprehensive analysis of any activity directly or indirectly linked to wetland ecosystems
Maintenance of ecological characteristics	Maintenance or enhancement of the structure and functioning of ecosystems
Adaptation and generation of resilience	Promote active and dynamic conservation of the functions and processes of ecosystems, so that their benefits continue



	to be perceived in the long term despite the new conditions to which they must face.
Subsidiarity	Any matter must be resolved by the authority (regulatory, political or economic) closest to the object of the problem.
Global shared responsibility	The benefits provided by wetland ecosystems are local, national and global, their conservation and sustainable use must be strengthened both by state institutions and through free or organized local citizen participation, as well as by the representation of the sector private and international cooperation.

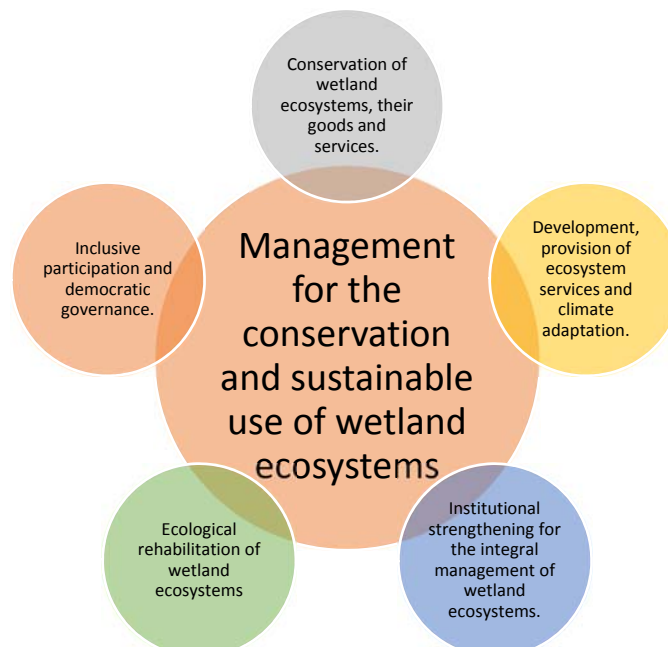
Source; National Wetland Policy, Costa Rica

The general objective of the policy is transcribed below:

"Integrally manage the wetland ecosystems of Costa Rica in order to contribute to national development through the conservation of their ecological integrity and the sustainable use of the ecosystem services they provide for current and future generations, with special emphasis on those populations with direct dependence on these ecosystems ". (Period of validity: 2017 and 2030).

To achieve the objective of the policy, five lines of action are proposed:

Figure 6. Action axes of the general objective of the PNH.



Source; National Wetland Policy, Costa Rica.



## 2.7. Other laws related to the use of natural resources in force in Costa Rica.

Costa Rica is an active party in processes promoted through international agreements, which are considered instruments of a normative nature, through which wills are established between two or more subjects of International Law, in order to create rights and obligations between the related parties. The government is responsible for undertaking the different actions to implement the provisions set forth in these agreements once they have been ratified by the competent body, among which the following are cited:

Table 12. Legal regulations related to the subject.

<b>International agreement</b>	<b>Linked items</b>
<b>Convention on International Trade in Endangered Species of Wild Fauna and Flora</b>	This convention regulates the trade of threatened species of Flora and Wild Fauna, this agreement is related to the Biodiversity Law.
<b>Convention on Wetlands of International Importance Especially as Waterfowl Habitat</b>	In article 3, point 1, it is quoted: "The Contracting Parties shall elaborate and apply their planning in a manner that favors the conservation of the wetlands included in the List and, as far as possible, the wise use of the wetlands in their territory"  Article 4, point 1, is quoted verbatim: "Each Contracting Party shall promote the conservation of wetlands and waterfowl by creating natural reserves in those, whether or not they are included in the List, and shall take appropriate measures for their custody."
<b>Convention on the protection of the world, cultural and natural heritage</b>	Article 4, is quoted verbatim: "Each of the States Parties to this Convention recognizes that the obligation to identify, protect, conserve, rehabilitate and transmit to future generations the cultural and natural heritage located in their territory, is primarily their responsibility. It will endeavor to act with that object for its own effort and to the maximum of the resources at its disposal, and where appropriate, through international assistance and cooperation that it can benefit from, especially in the financial, artistic, scientific and technical aspects. "
<b>Convention on biological diversity</b>	Article 1. "Objectives The objectives of this Convention, which are to be pursued in accordance



International agreement	Linked items
	<p>with its relevant provisions, are the conservation of biological diversity, the sustainable use of its components and the fair and equitable sharing of the benefits arising from the utilization of genetic resources, through, inter alia, adequate access to those resources and an appropriate transfer of relevant technologies, taking into account all rights to those resources and those technologies, as well as through appropriate financing. "</p>
<p><b>Biodiversity Law No. 7788 Published in La Gazette 101 of: 05/27/1998</b></p>	<p>ARTICLE 1.- Purpose "The purpose of this law is to conserve biodiversity and the sustainable use of resources, as well as to fairly distribute the benefits and costs derived"</p> <p>ARTICLE 3 .- Scope of application This law will be applied on the elements of biodiversity that are under the sovereignty of the State, as well as on the processes and activities carried out under its jurisdiction or control, independently of those whose effects are manifested. within or outside the areas subject to national jurisdiction. This law will specifically regulate the use, management, associated knowledge and fair distribution of the benefits and costs derived from the use of the elements of biodiversity. "</p>
	<p>ARTICLE 10.- Objectives This law seeks to achieve the following objectives associated with tourism:</p> <p>"1.-Integrate conservation and sustainable use of the elements of biodiversity in the development of socio-cultural, economic and environmental policies.</p> <p>4.- Regulate access and thus enable the equitable distribution of environmental and economic social benefits for all sectors of society, with special attention to local communities and indigenous peoples.</p> <p>5.- Improve management for effective and efficient management of the elements of biodiversity</p> <p>8.- Guarantee all citizens environmental security as a guarantee of social, economic and cultural sustainability</p>
	<p>ARTICLE 13.-</p> <p>"Organization to fulfill the objectives of this law, the Ministry of Environment and Energy will coordinate the administrative organization in charge of the management and conservation of biodiversity,</p>



International agreement	Linked items
	integrated by: a) The National Commission for the Management of Biodiversity. b) National System of Conservation Areas.
	ARTICLE 22 .- "National System of Conservation Areas Create the National System of Conservation Areas, hereinafter referred to as System, which will have its own legal status; It will be an institutional, decentralized and participatory management and coordination system, which will integrate the competencies in forestry, wildlife, protected areas and the Ministry of Environment and Energy, in order to dictate policies, plan and execute processes aimed at achieving sustainability in the management of Costa Rica's natural resources. "
<b>Organic Law of the Environment N ° 7554 Published in La Gazette 101 of 05/27/1998</b>	ARTICLE 1.- "Objectives This law will seek to equip Costa Ricans and the State with the necessary instruments to achieve a healthy and ecologically balanced environment. The State, through the application of this law, will defend and preserve that right, in search of greater welfare for all the inhabitants of the Nation. The environment is defined as the system constituted by the different natural elements that integrate it and their interactions and interrelationships with the human being "

## 2.8. General Observations

In general terms, a regulation of human activity on the use of the environment can be observed in Costa Rican politics. Within this regulatory framework are found planning objectives for low-impact tourism on wildlife, especially in protected or high-risk areas. Moreover, it is clear that the model used for this, shows a decentralized work, where the policies and regulations of the management of natural resources are individual for each particular zone (conservation area, national park, nature reserve, wetland, etc.). The Wildlife Law, a law that regulates the management of the country's biodiversity, manages to cover the protection of the entire natural resource and establishes norms at different levels depending on whether the resources are exploitable, manageable or are in danger of extinction, however, the regulation also tends to be very general and its interpretation can present a wide interpretation. On the other hand, the technical and methodological criteria for its



application are scarce and its articulation with different human activities, particularly with tourism, are not clearly defined.

### **3. Environmental and tourism policies in Colombia**

#### **3.1. Analysis of the development of environmental policy in Colombia**

Six important principles of Environmental Policy are framed in Law 99 of 1993.

- The biodiversity is part of the Colombian national wealth and has to be protected and used in a renewable and sustainable way.
- The national government will design promotion strategies for the inclusion of the quantitative measurement of environmental value and the use of mechanisms using financial instruments that promote precaution, repair and rehabilitation of environmental damage in favor of the subsistence of natural resources.
- The management of care for protection and environmental compensation in the territory, as a joint and combined work among all the members of the Nation, and the formation and subsequent active participation of various State groups and the private sector.
- The environmental administration of the Nation, will be developed in strict harmony and under the guidelines of the National Political Constitution.
- The National Environmental System, SINA, created for the strategic direction of heritage of our country, has the authority to determine mechanisms and models that will contribute in the process of protection, preservation, control and sustainable development of resources.
- The State Organisms specialised in environmental matters will be consolidated in accordance with the precepts of integral direction of the environment and its gear with the planning methods economic and social participation, established in the environmental and public policy of the country.

##### *3.1.1. Environmental Policy Procedures*

These in turn are framed within the ISO 14001: 2004 standard, and we highlight among others the following:





- Initial Self-Assessment of Environmental Management: In which the missionary faculty can be distinguished to direct and potentiate their strengths and opportunities in environmental policies, with which the location and positioning of the Organization can be distinguished, in order to strengthen the Environmental Management System (hereinafter SGA), and to verify the fulfillment and scope of the institutional mission objectives, taking into account the advances and progress obtained in general, in accordance with the outlined approaches.

- Commitment and Policy: Regarding the implicit duty that organizations have, regarding the consolidation of the Environmental Policy, for which it is imperative to support the processes of formulating strategies, review and implementation of appropriate practices, which guarantee the compliance with the goals set, strengthening its commitment to the Environmental Management System.

- Initial Environmental Review: Corresponds to the verification of the relevant reliable antecedents, which constitute the primary input for the creation of the Environmental System, which provides essential important statistical data that are taken as a reference and that constitute the fundamental raw material to optimize the approaches, in search of significant results that lead to the mitigation of environmental problems. (Retrieved from: INTERNATIONAL STANDARD ISO 14001 P 13).

### *3.1.2. Policies monitored in the environmental sector*

The Ministry of Environment and Sustainable Development (MADS) has been monitoring the policies environmental programs, which are the framework of different management areas, among which the following 13 policies:

- 1) PGSS - Policy for Sustainable Land Management
- 2) PNGIBSE - National Policy for the integral management of biodiversity and its ecosystem services
- 3) PNHIC - National Policy for Inland Wetlands of Colombia
- 4) PNEA - National Environmental Education Policy - SINA
- 5) PNAOCI - National environmental policy for the sustainable development of oceanic spaces and zones coastal and insular of Colombia
- 6) PGAU - Urban Environmental Management Policy
- 7) PPCCA -Policy for the Prevention and Control of Air Pollution





8) RESPEL - Environmental Policy for the Integral Management of Wastes or Hazardous Waste

9) PNGIRH - National Policy for the Integrated Management of Water Resources

10) PNPCS - Politics National Production and Sustainable Consumption

11) PNIGR - National Policy for the Integral Management of Waste

12) PNCC - National Climate Change Policy

13) PNGIRAE - National Policy Comprehensive Management of Waste Electrical and Electronic Equipment

### 3.2. PNGIBSE - National Policy for the integral management of biodiversity and its ecosystem services

#### 3.2.1. *Current national legal framework*

With the Political Constitution of 1991, the country raised the management and protection of natural resources and the environment – in other words, biodiversity – to the category of constitutional norm, through the recognition

- of the obligation of the State and of the people to protect the cultural and natural riches of the Nation (Article 8),
- of the right of Colombians to have a healthy environment (Article 79)
- and of sustainable development as the model that guides economic growth, the improvement of the quality of life and the social well-being of the Nation, without exhausting the base of the renewable natural resources, nor deteriorate the environment or the right of future generations to use it for the satisfaction of their own needs

The Political Constitution of 1991 is also clear in highlighting the duty of the State in protecting the diversity and integrity of the environment, conserving areas of special ecological importance, and planning the management and use of resources to ensure their sustainable development, conservation, restoration or replacement.



### 3.2.2. National instruments for the management of biodiversity

The main planning instruments (policies, plans and programs) that have been developed in Colombia to guide the protection, management and use of biodiversity are:

- National Biodiversity Policy. Promote conservation, knowledge and sustainable use of the biodiversity, as well as the fair and equitable distribution of the benefits derived from the use of the knowledge, innovations and practices associated with it by the national scientific community, industry and local communities. (1996)

- Forest Policy (Document Conpes 2834/10). Achieving a sustainable use of forests in order to conserve them, consolidate the incorporation of the forestry sector in the national economy and improve the quality of life of the population. (1996)

- Policy for the Environmental Management of Wild Fauna in Colombia. Generate the necessary conditions for the use and sustainable use of wildlife as a biodiversity conservation strategy and socioeconomic alternative for the development of the country, guaranteeing the permanence and functionality of the natural populations and the ecosystems of which they are part. (1997)

- National Environmental Policy for the Sustainable Development of Oceanic Spaces and Insular and Coastal Zones of Colombia (Document Conpes 3164/02) To promote the sustainable development of oceanic spaces and coastal areas that allow, through integrated management, to contribute to the improvement of the quality of life of the Colombian population, to the harmonious development of productive activities and the conservation and preservation of marine and coastal ecosystems and resources. (2001)

- National Policy for Inland Wetlands of Colombia. To promote the conservation and rational use of the interior wetlands of Colombia in order to maintain and obtain ecological, economic and socio-cultural benefits, as an part of the country's development. (2001)

- Urban Environmental Management Policy. Establish guidelines for the sustainable management of the urban areas, identifying and defining the role and scope of the different actors involved, in accordance with their competences and functions, in order to harmonize the management and strengthen room for inter-institutional coordination and participation, to contribute to the urban environmental sustainability and the quality of life of its inhabitants, recognizing the regional diversity and the types of urban areas in Colombia. (2008)



- National Policy for the Promotion of Research and Innovation (Colombia builds and sows future) (Document Conpes 3582/09). Create the conditions for knowledge to be an instrument of the development, mainly through accelerating economic growth and reducing inequality. This policy considers biodiversity as a strategic area and recognizes the need to advance in its knowledge and sustainable use. (2009)

- National Policy for the Integrated Management of Water Resources. Guarantee the sustainability of the water resource, through efficient and effective management and use, articulated to the ordering and use of the territory and the conservation of the ecosystems that regulate the water supply, considering water as a factor of economic development and social welfare, and implementing equitable and inclusive participation processes (2009).

- "Guidelines for the consolidation of the National System of Protected Areas". Establish the guidelines to advance in the consolidation of the National System of Protected Areas of Colombia as a complete system, ecologically representative and effectively managed, so as to contribute to territorial ordering, to the fulfillment of the national objectives of conservation and sustainable development in which the country is committed. (2010)

- Sustainable Production and Consumption Policy. Orient the change of production and consumption patterns of Colombian society towards environmental sustainability, contributing to the competitiveness of companies and the welfare of the population. (2010)

- Programs Conservation of species (Tremarctos ornatus, género Tapirus, Crocodylus intermedius, marine and continental turtles (icotea turtle), Andean condor, sharks, rays and gray marmoset. Guarantee the conservation and / or sustainable use of these species. (2001, 2005, 2002, 2006, 2010)

- National Program for the Sustainable Use, Management and Conservation of Mangrove Ecosystems. Advance actions to achieve the sustainable use of the mangrove ecosystems of Colombia, seeking the direct and permanent participation of the communities associated to them, considering them as a living space through the conservation and restoration of the same and the strengthening of the generation of productive, social, economic and ecologically appropriate alternatives. (2002)

- Program for the Sustainable Management and Restoration of Ecosystems of the Colombian High Mountain. To guide at the national, regional and local levels the environmental management of páramo ecosystems and to carry out actions for their sustainable management and restoration, by generating knowledge and information of their structure and function, ecological restoration, consolidation of  
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their water potential, the environmental planning of the territory, the sustainable use of present natural resources, the development of agreements, treaties, national and international technical cooperation, and the direct and permanent participation of the communities associated with these ecosystems(2002)

- Ecosystems Plan National Forestry Development Plan. Establish a strategic framework that actively incorporates the forestry sector into national development, optimizing comparative advantages and promoting the competitiveness of ligneous and non-ligneous forest products in the national and international market, based on the sustainable management of natural and planted forests. (2000)

- National Plan for the Prevention, Control of Forest Fires and Restoration of Affected Areas. Establish the national guidelines for the prevention, control and restoration of the areas affected by forest fires, mitigating their impact and strengthening the national, regional and local organization with short (three years), medium (10 years) and long programs term (25 years). (2002)

- National Action Plan to Combat Desertification and Drought in Colombia. Advancing actions against land degradation, desertification and mitigation of the effects of drought as well as for the sustainable management of dryland ecosystems, based on the application of practical measures to prevent, stop and reverse these degradation processes and contribute to the sustainable development of the affected areas. (2004)

- Regional action plans on biodiversity (Orinoco basin, South of the Amazon, Valle del Cauca, Quindío, Nariño, Norte de Santander, Sucre). Promote the conservation, knowledge and sustainable use of biodiversity, as well as a fair and equitable distribution of the benefits derived from its use.

- National Plan for Migratory Species. Advance actions for the conservation and sustainable management of migratory species of biodiversity in Colombia. (2009)

- National Strategy for the Prevention and Control of Illegal Trafficking of Wild Species. Identify, prioritize, guide, coordinate, articulate and execute actions aimed at reducing the illegal trafficking of wild species and the generation of substitute sustainable alternatives. (2002)

- General guidelines for the ex situ conservation of wild fauna in zoos and aquariums of Colombia. Plan of Action 2004 – 2014. Establish the guidelines for the implementation of ex situ conservation programs in Colombian zoos and aquariums as a complement to in situ conservation, which help to maintain biological diversity. (2006)



- National Strategy for the Prevention and Control of Illegal Trafficking of Wild Species in Colombia. Identify, prioritize, guide, coordinate, articulate and execute actions aimed at the eradication of the illegal trafficking of sloth species and the generation of sustainable productive alternatives that substitute this illicit, based on effective coordination links between the different institutions and other actors directly or indirectly responsible for environmental management. (2008)

- National Strategy for Forest Prevention, Control, Monitoring and Surveillance. Establish and implement an integrated set of guidelines, procedures and actions that harmoniously articulate the preventive, legal, administrative-financial and operational components of the prevention, monitoring, control and monitoring processes of the management and exploitation, mobilization, transformation and commercialization of forest resources, timber and non-timber resources, based on the coordinated management of environmental authorities and other competent State agencies and the active participation of the various actors in the forest production chain, other related productive sectors and civil society in general. (2010)

- Technical proposal All levels Biodiversity 21st Century: Technical Proposal of the National Action Plan on Biodiversity .. Strategies and lines of action to know, know and use Colombian biodiversity (1998)

### 3.2.3. *Information instruments*

Based on Law 99/93 (article 5, section 20 and article 31, section 22), the country has designed and implemented an environmental information system to advance its information management in a way that supports the decision making process.

Environmental Information System for Colombia (Siac): integrated set of actors, policies, processes, and technologies involved in the management of environmental information in the country, to facilitate the generation of knowledge, decision making, education and social participation for sustainable development. Within the Siac there are three information systems at national and regional level:

- the Environmental Information System (SIA);
- the Information System for Planning and Environmental Management (Sipga)
- and the Territorial Information System (Siat).

The following information systems are found within the SIA:



**Biodiversity Information System (SIB)** is a national alliance coordinated by the Research Institute of Biological Resources "Alexander von Humboldt", which seeks to facilitate the efficient and permanent management of information on biodiversity that is useful for the processes of information analysis and the generation of information products for decision making and the monitoring of the state of biodiversity.

**Marine Environmental Information System (Siam):** integrated set of conceptual elements, policies, standards, processes, human resources and technologies that articulate the marine-coastal environmental information generated, managed and / or required at the national, regional and local levels. It is coordinated and administered by Invemar.

**National Forest Information System (SNIF):** tool to promote the efficiency and quality flow of forest information to guide decision making regarding forests and the development of policies for the sector. It includes the collection, validation, processing and analysis of information about the supply and demand of forest ecosystem services and the environmental, social and economic dynamics of the forestry sector in the country. The SNIF is managed by Mads and Ideam.

**Subsystem of Information on the Use of Renewable Natural Resources (Siur):** a set that integrates and standardizes the collection, storage, processing, analysis, consultation of data and protocols to have homogenous and systematic normalized information on the use, transformation or use of natural resources, originated by the different economic activities of the country. The Siur manages environmental information related to catchments, discharges, energy consumption, atmospheric emissions, waste and other factors that affect the water, soil, air, climate and biodiversity of the country. The Siur is administered by the Ideam.

### 3.3. Users and institutional framework related to the management of the biodiversity

The country's management of its biodiversity involves 7 main groups of actors, which will be fundamental for the implementation of this policy at national, regional, local and at cross-border scales.

The identification of these actors has been made from the recognition of the participatory and democratic character that defines the Social State of Law in the Political Constitution of 1991 and of the subsequent developments that define the concrete mechanisms of participation of the citizenship in the different areas of public management. Special emphasis is placed on those organizations that are part of the





National Environmental System and that make up the National Environmental Council, in accordance with articles 4 and 13 of the Law 99 of 1993, respectively.

The first group of actors related to the integral management of biodiversity and its ecosystem services, concerns the **Policy Makers and Administrators**, that is, the public institutions responsible for generating the Environmental Sectoral Policy and the respective technical and regulatory instruments, as well as exercising authority on the protection of biological diversity in a given socio-ecological system at national, regional, local and cross-border scales.

In this group there are

- the Ministry of Environment and Sustainable Development (Art. 2 Decree 3570 of 2011),
- the National Authority of Environmental Licenses (ANLA),
- the Administrative Unit Special of the System of National Natural Parks,
- the Regional Autonomous Corporations of Sustainable Development (Articles 23 and 31 Law 99/93),
- the Urban Environmental Authorities,
- the public force (in its functions of Environmental Police and the National Army in compliance with its national security functions)
- and the Departments, Municipalities and Districts, which since Act 99 of 1993 also have environmental functions (Art. 64, 65 and 66).

These actors interact through: formulation of public policies, programs and strategies, management and action plans (including the Plans, Schemes and Basic Plans of Ordering Territorial) and projects, at national, regional, local and cross-border levels.

The second group of actors refers to **Direct Users**, that is, those who use biodiversity and their ecosystem services as the main element for the development of their activities, or as a source of raw materials or inputs for small, medium and big-scale production.

We can count in this group :

- The natural and legal persons, both public and private, of the agricultural and forestry sectors;
- extractive industry (mines and energy);
- road and port infrastructure;



- housing and territorial development;
- trade and tourism;
- consumers who demand products and services derived from biodiversity;
- the botanical and zoological gardens;
- the reserves and indigenous communities,
- the collective territories of Afro-Colombian communities;
- *the raizales and palenqueras communities*;
- peasant reserves and associations of small rural producers;
- non-associated peasants and settlers
- and environmental non-governmental organizations (NGOs).

The public and public-private management scenarios in which these actors interact are, for example, inter-ministerial and intersectoral agendas, participation in the construction of public policies and land use planning plans (POT, EOT), environmental licensing processes, public-private intersectoral agendas and mechanisms of self-regulation, among others.

The third group of actors is related to **Indirect Users**, who benefit from the biodiversity and its ecosystem services, but do not extract goods from biological diversity. This group includes natural and legal persons, both public and private, from the industrial transformation sector (manufactures), the services sector and civil society, that is, all the people who benefit daily from the existence of biodiversity and its ecosystem services, which for example allows us to have oxygen to breathe, water to supply the aqueducts, clean air, food in the markets.

The fourth group corresponds to the **Regulatory Bodies, that is, national institutions**, such as the Congress of the Republic and the National Government (Presidency, other corresponding ministries and administrative departments), and the jurisdictions, in charge to reform the Constitution, make laws and exercise political control and to issue decrees and other norms, concerning the Policy of Integral Management of Biodiversity and its Ecosystem Services.

The fifth group of actors refers to the **Control Entities**, that is, the General Controller's Office of the Republic, the General Prosecutor's Office of the Nation, the Public Prosecutor's Office (Attorney General's Office, the Office of the Ombudsman and persons) and citizen oversight offices. These institutions have the mission, among others, to oversee the management of the state treasury, investigate crimes,



prevent and / or sanction the disciplinary offenses of public servants, promote respect for human rights.

In the sixth group are the **Generators of Knowledge for Decision Making**, which are responsible for producing the knowledge and information necessary for the conservation of biodiversity and ecosystem services, through scientific research and / or empirical knowledge, to guide and support the conservation of biodiversity and ecosystem, as well as the processes of preparation of public policies, regulatory and technical instrumentation and social and sectoral territorial planning. In this group of actors are

- the research institutes linked to Mads (Sinchi, IIAP, Invemar e Ideam -Ley 99/93, Title V-),
- the Institute of Natural Sciences of the National University of Colombia,
- other institutes and research centers, universities and academies, botanical gardens and zoos,
- indigenous reservations and communities,
- the collective territories of black communities,
- *the raizales and palenqueras communities*,
- peasant reserves and associations of small rural producers
- non-governmental organizations (NGOs),
- the National Hydrocarbon Agency (ANH),
- Corpoica, the Colombian Geological Service and the Mining and Energy Planning Unit (Upme).

**The National and International Collaborators** belong to the seventh and last group of actors, which have an important impact in the internal dialogues of the Country in the matter of biodiversity, because of their role as cooperating entities, as funding entities or, even, as executors of it. In this group, there are the Presidential Agency for International Cooperation of Colombia (APC), international cooperation agencies for development, multilateral banking, international conventions and international governments.

#### 3.4. The integral management of biodiversity and its ecosystem services (GIBSE)

The Integral Management of Biodiversity and its Ecosystem Services (Gibse) is defined as the process by which actions are planned, executed and monitored for

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the conservation of biodiversity and its ecosystem services, in a defined social and territorial scenario and in different conservation states, in order to maximize human well-being, by maintaining the resilience of socio-ecological systems at the national, regional, local and cross-border scales. In this way, a framework of action is proposed that allows generating a balance between the different interests that society has regarding biodiversity and the maintenance of ecosystem services derived from it, which are key to human wellbeing, following the principles proposed by the Convention on Biological Diversity.

In this way, the idea of biodiversity is left behind as an object of management exclusively of the environmental sector and with exclusive jurisdiction to the natural sciences, to move to a management that promotes social and sectoral co-responsibility, so as to promote social participation and the recognition of biodiversity and its ecosystem services as a public value, and recognizing and incorporating aspects related to it, in the planning of short, medium and long-term actions to sustainably increase productivity and national competitiveness, while protecting and maintaining the natural and cultural riches of the country.

### 3.5. General Colombian laws towards Tourism

#### 3.5.1. *Law 1558 – 2012*

This law 1558 of 2012, that modifies the law 300 of 1996 "General Law of Tourism", aims to promote and develop the competitiveness of the sector and the regulation of tourism, through the necessary mechanisms for the creation, conservation, protection and use of national resources and tourist attractions, safeguarding sustainable development and optimization of quality, establishing mechanisms for participation of the public and private sectors in the activity.

The third article, which modifies the second article of Law 300 of 1996, includes four new guiding principles of the tourist activity, of which we can highlight the following:

"Sustainable development: Tourism that develops in harmony with natural and cultural resources in order to guarantee its benefits to future generations. The determination of "tourist carrying capacity" is a fundamental element of the application of this principle. Sustainable development is applied in three basic axes: environment, society and economy".



### 3.5.2. Sectorial Technical Standards in Sustainable Tourism

Since June 2005, the University Externado de Colombia (Bogota) was designated by the Ministry of Commerce, Industry and Tourism as the coordinating entity of the Sectoral Unit for Standardization in Sustainable Tourism. The Research Group "Tourism and Society" of that said university leads the Sustainable Tourism Sectoral Unit, in which the Sectoral Technical Standards for the sector are designed and which, as established by Law 1558 of 2012, become mandatory for providers of tourism services. These instruments promote therefore the approach of sustainable development and social responsibility in our sector.

#### *Colombian Sectorial Technical Standard NTS-TS 001-1. Tourist Destinations - Sustainability Requirements of the Tourist Area*

This standard specifies management requirements, as well as those related to environmental, sociocultural and economic sustainability, applicable to a tourist destination or a tourist area. The norm defines that in any destination or tourist area, programs focused on sustainability should be formulated and implemented as including as a minimum: objectives, activities, goals (quantifiable, achievable and measurable), indicators, responsible, deadlines for their achievement and follow-up, which lead to compliance with the sustainability policy.

That said sustainability policy must include its commitment in maintaining or improving positive impacts in environmental, sociocultural and economic terms; the management, minimization or elimination of those negatives generated or related to the development of their activity; compliance with legal requirements and continuous improvement; dissemination to the public and resident population. Likewise, it must contemplate the following requirements in its planning and execution:

Environmental requirements	<ul style="list-style-type: none"> <li>✓ Support for programs for the protection and sustainable use of biodiversity</li> <li>✓ Protected areas and strategic ecosystems</li> <li>✓ Water management</li> <li>✓ Energy management</li> <li>✓ Use of chemical products</li> <li>✓ Waste management</li> <li>✓ Management of atmospheric, auditory and visual pollution</li> </ul>
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	<ul style="list-style-type: none"> <li>✓ Greenhouse gas emission management</li> <li>✓ Management of emission of substances that deplete the ozone layer</li> <li>✓ Management of other environmental impacts</li> </ul>
Sociocultural requirements	<ul style="list-style-type: none"> <li>✓ Prevention of social risks</li> <li>✓ Support of communities</li> <li>✓ Support of ethnic groups</li> <li>✓ Satisfaction of resident populations</li> <li>✓ Conservation, protection and sustainable use of cultural heritage</li> </ul>
Economic requirements	<ul style="list-style-type: none"> <li>✓ Developing entrepreneurship and creating employment</li> <li>✓ Organization of informal vendors</li> <li>✓ Commercialisation and Marketing of supplies, goods and services of the resident population</li> <li>✓ Satisfaction of visitors and tourists</li> <li>✓ Tourism product and promotion</li> <li>✓ Economic monitoring</li> </ul>

The standard ends with guide annexes for the formulation of the sustainability policy such as:

- Guide for the assessment of aspects and impacts and formulation of programs
- Recommendations for good practices in the use of water, energy, solid waste, chemical products and hazardous waste.
- Examples of quantitative and qualitative indicators for three types of destinations: developed, developing and with indigenous, black or vulnerable populations.

*Colombian Sectorial Technical Standard NTS-TS 001-2. Tourist Beaches Sustainability requirements*

This standard specifies that each tourist destination must establish, implement and maintain one or several sustainability programs for the beach, considering the temporality and impacts of the activities carried out in these areas.

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These programs should include: the assignment of responsibilities, the means and the terms for their achievement and the respective monitoring and follow-up program.

Within the framework of this rule, guidelines are contemplated to meet the following requirements:

Environmental requirements	<ul style="list-style-type: none"> <li>✓ Waste dumping in the coastal areas and quality of sea water</li> <li>✓ Management of solid waste and quality of the sand on the beach</li> <li>✓ Efficient use of water</li> <li>✓ efficient use of energy</li> <li>✓ Ecosystem</li> <li>✓ Other environmental impacts</li> <li>✓ Prevention and answer to disasters</li> </ul>
Sociocultural requirements	<ul style="list-style-type: none"> <li>✓ Awareness and information</li> <li>✓ Organization of informal vendors</li> </ul>
Economic requirements	<ul style="list-style-type: none"> <li>✓ Satisfaction of tourists</li> <li>✓ Training</li> </ul>

The standard ends with guide annexes for the formulation of the sustainability policy such as:

- Legislation on coastal areas
- List of entities and public, private or mixed organizations that may be involved in the formulation and operation of the system for sustainability in beach destinations.
- Model questionnaire to assess the satisfaction of tourists and the community

*Colombian Sectorial Technical Standard NTS-TS 002 Accommodation and lodging establishments. Sustainability requirements.*

This standard specifies the environmental, sociocultural and economic sustainability requirements for accommodation and lodging establishments, defined by two levels, as follows: Basic level of sustainability and High level of sustainability.

Within the framework of this rule, guidelines are contemplated to meet the following requirements:



Environmental requirements	<ul style="list-style-type: none"> <li>✓ Natural Areas</li> <li>✓ Protection of flora and fauna</li> <li>✓ Water management</li> <li>✓ Energy management</li> <li>✓ Consumption</li> <li>✓ Waste management</li> <li>✓ Management of atmospheric, auditory and visual pollution</li> <li>✓ Participation in environmental programs</li> </ul>
Sociocultural requirements	<ul style="list-style-type: none"> <li>✓ Cultural Heritage</li> <li>✓ Prevention and management of negative social impacts</li> </ul>
Economic requirements	<ul style="list-style-type: none"> <li>✓ Hiring and training of local communities</li> <li>✓ Indirect benefits</li> </ul>

The standard ends with guide annexes for the formulation of the sustainability policy such as:

- Indexes of the efficient use of water in hotels
- Guide indexes on energy consumption

*Colombian Sectorial Technique NTS-TS 003 Travel agency. Sustainability requirements*

This norm establishes the requirements of sustainability in the environmental, sociocultural and economic aspects that are applicable to the following types of travel agencies: travel and tourism, wholesalers and operators.

Environmental requirements	<ul style="list-style-type: none"> <li>✓ Natural Heritage</li> <li>✓ Efficient use of water</li> <li>✓ efficient use of energy</li> <li>✓ Waste management</li> <li>✓ Advertising material</li> </ul>
Sociocultural requirements	<ul style="list-style-type: none"> <li>✓ Cultural Heritage</li> <li>✓ Prevention against the exploitation and sexual trade with minors in relation with tourist activities</li> </ul>
Economic requirements	<ul style="list-style-type: none"> <li>✓ Hiring and creating employment</li> <li>✓ Training of local communities</li> <li>✓ Indirect Benefits</li> </ul>



*Colombian Sectorial Technical Standard NTS-TS 004 Gastronomic establishments and bars. Sustainability requirements*

This standard specifies the environmental, socio-cultural and economic sustainability requirements for gastronomic establishments and bars.

Environmental requirements	<ul style="list-style-type: none"> <li>✓ Efficient use and water saving</li> <li>✓ Efficient use and energy saving</li> <li>✓ Use and handling of products</li> <li>✓ Waste management</li> <li>✓ Management of atmospheric, auditory and visual pollution</li> <li>✓ Participation in environmental programs</li> </ul>
Sociocultural requirements	<ul style="list-style-type: none"> <li>✓ Cultural heritage</li> <li>✓ Support of communities</li> <li>✓ Principles of sustainability</li> <li>✓ Management of sociocultural impacts</li> </ul>
Economic requirements	<ul style="list-style-type: none"> <li>✓ Hiring and creating employment</li> <li>✓ Training local communities</li> <li>✓ Indirect benefits</li> <li>✓ Satisfaction of the clients</li> </ul>

The standard ends with guide annexes for the formulation of the sustainability policy such as:

- General legislation for restaurants and bars
- Legislation for gastronomic establishments
- Legislation for bars

*Colombian Sectorial Technical Standard NTS-TS 005 Specialized land transportation companies and other motor vehicles that provide tourist services. Sustainability requirements*

This norm establishes the requirements of sustainability in the environmental, sociocultural and economic aspects that must be fulfilled by the companies of specialized automotive land transport and other automotive vehicles that provide tourist transport service.



Environmental requirements	<ul style="list-style-type: none"> <li>✓ Natural Heritage</li> <li>✓ Efficient use of water</li> <li>✓ efficient use of energy</li> <li>✓ Use and handling of products</li> <li>✓ Waste management</li> <li>✓ Management of atmospheric, auditory and visual pollution</li> <li>✓ Greenhouse gas emission management</li> <li>✓ Management of emission of substances that deplete the ozone layer</li> <li>✓ Management of other environmental impacts</li> </ul>
Sociocultural requirements	<ul style="list-style-type: none"> <li>✓ Codes of conduct</li> <li>✓ Cultural Heritage</li> </ul>
Economic requirements	<ul style="list-style-type: none"> <li>✓ Hiring and creating employment</li> <li>✓ Training local communities</li> <li>✓ Indirect benefits</li> </ul>

The standard ends with guide annexes for the formulation of the sustainability policy such as:

- Conversion factors for energy
- General legislation for the transport and the transit of public service
- Colombian technical standards applicable to specialized motorized land transport
- Colombian environmental legislation
- Environmental agreements and documents
- Elimination schedule for substances that deplete the ozone layer

*Colombian Sectorial Technical Standard NTS-TS 006-1 Management systems for sustainability. Professional organizers of congresses, fairs and conventions.*

This sectoral technical standard establishes the requirements of a management system for environmental, socio-cultural and economic sustainability, which must be met by professional operators of congresses, fairs and conventions.

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For this purpose, a sustainability policy must be defined and documented that includes, as a minimum, objectives, activities, goals (quantifiable, achievable and measurable), resources, responsible parties, deadlines and indicators for its achievement and follow-up.

*Colombian Sectorial Technical Standard NTS-TS 006-2 Venues for congress, fairs and conventions events. Sustainability requirements*

This sectoral technical standard establishes the environmental, sociocultural and economic requirements related to sustainable development, which must be met by venues where events such as congresses, fairs and conventions are held. The management system must take into account the following requirements:

Environmental requirements	<ul style="list-style-type: none"> <li>✓ Water management</li> <li>✓ Energy management</li> <li>✓ Waste management</li> <li>✓ Use of chemical products</li> <li>✓ Printed material</li> <li>✓ Flora and fauna</li> <li>✓ Management of atmospheric, auditory and visual pollution</li> <li>✓ Greenhouse gas emission management</li> <li>✓ Management of emission of substances that deplete the ozone layer</li> <li>✓ Management of other environmental impacts</li> </ul>
Sociocultural requirements	<ul style="list-style-type: none"> <li>✓ Codes of conduct</li> <li>✓ Prevention against the exploitation and sexual trade with minors in relation with tourist activities</li> <li>Promotion of responsible behaviours</li> <li>✓ Promotion of cultural heritage</li> </ul>
Economic requirements	<ul style="list-style-type: none"> <li>✓ Hiring and creating employment</li> <li>✓ Satisfaction of the participants</li> <li>✓ Satisfaction of the community</li> </ul>



*Colombian Sectorial Technical Standard NTS-TS 007*

Environmental requirements	<ul style="list-style-type: none"> <li>✓ Efficient use of water</li> <li>✓ efficient use of energy</li> <li>✓ Waste management</li> <li>✓ Advertising material</li> </ul>
Sociocultural requirements	<ul style="list-style-type: none"> <li>✓ Conservation and sustainable use of cultural heritage</li> <li>✓ Management and prevention of social risks</li> <li>✓ Support to communities</li> </ul>
Economic requirements	<ul style="list-style-type: none"> <li>✓ Hiring and creating employment</li> <li>✓ Advertising, promotion and satisfaction of clients</li> </ul>

3.6. The Magdalena regional environmental management plan (2013-2027).

The Regional Environmental Management Plan - PGAR 2013 - 2027, developed within the regulatory framework of the Decree 1200 of 2004, issued by the Ministry of Environment, Housing and Territorial Development and based on methodologies of prospective planning, allows to establish the vision, strategic lines, programs and goals towards the environmental sustainability of the department of Magdalena, for the next fifteen (15) years.

The construction process was carried out with the collective participation of officials of the Magdalena Regional Corporation -CORPAMAG-, communities and entities of the department in workshops, participation and consultation exercises.

The Autonomous Regional Corporation of Magdalena, was created by Law 28 of March 16, 1988, with the appellation of Autonomous Regional Corporation of Magdalena and the Sierra Nevada de Santa Marta. Law 99 of 19934, through article 33, modifies its jurisdiction and its current denomination, as the Autonomous Regional Corporation of Magdalena - CORPAMAG. The article 23 of this same law defines the Regional Autonomous Corporations as public entities, endowed with administrative and financial autonomy and legal personality.

Its jurisdiction includes the territory of the Department of Magdalena with the exception of the urban area of the District of Santa Marta and protected areas which are under the jurisdiction of National Natural Parks - PNN -. These overlays of territories create some tensions, between the national desire of touristic





development and indigenous rights on this protected area (Villaronga Wakker, 2000).

Another issue is the presence of armed conflicts in those parks (as well as in other Colombian national parks), which is a situation that has to be managed by institutional environmental authorities and agencies around ecotourism in National Parks. They are developing different strategies, like closing entry to visitors or denying access permits to these areas (Ospina, 2006). “In Colombia, the Government has declared that the task of protecting the environment is so significant that it should be pursued as a policy objective that observes neutrality towards the participants in the various conflicts taking place in park areas (Ministerio de Relaciones Exteriores de Colombia). However, the level of cooperation required between the combatants is a major stumbling block and has not been resolved despite attempts to develop protocols between the parties involved” (Ospina, 2006: 245).

#### *Santa Marta National Natural Park and Teyuna Ciudad Perdida*

Tourism has also gained in importance, even if the risks are still underlined by several stakeholders. The Sierra Nevada, because of its biodiversity and cultural heritage, has been one of the favourite destinations for international tourists. If it was seen as safe until 2003<sup>2</sup>, it is now considered on the list of the unsafe parks (Ospina, 2006: 245). Still, for some tourists, “taking risks becomes a motivation for thrill-seeking tourists who go to Colombia and especially the Sierra Nevada. These ‘tourists’ cast themselves in the role of the intrepid and innovative ‘traveller’ in their way of discovering the world (Urbain, 2002).” (Guilland, 2012). This profile of tourists is also interested in visiting the laboratory del maestro coca, later burn down as an anti-trafficking measure. “Today, the laboratories visited seem to have been assembled piece by piece especially for the tourists. At 20,000 pesos per visit (slightly over US\$ 10), it seems to be a bargain difficult to refuse (Guilland, 2012).

First informal, tourism activity is officially organised through one unique agency in 1993 to regulate treks to the site. Until 2006, the TURCOL agency was the only one to offer tours toward the Lost City. But since, other agencies took part of the activity. Local population tend to turn toward tourism activity in Teyuna Ciudad Perdida as an economic alternative (since notably 2006, when a wave of demobilization of some groups in the Sierra Nevada accompanied by numerous

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<sup>2</sup> « In 2003, eight tourists doing the trek to the lost city were kidnapped by the guerrilla group ELN (Ejército de Liberación Nacional), the National Liberation Army” (Guilland, 2012).



fumigations of coca crops has led many peasants, former coca growers, to find new economic activities to replace the financial fallout of illicit crops (Guilland, 2011).

Studying the national archeological site of Teyuna Ciudad Perdida (Sierra Nevada de Santa Marta) managed by The Colombian Institute for Anthropology and History (ICANH), Marie-Laure Guilland underlines identity and territory issues linked with the material, intangible and natural heritage and the development of tourism. The heritage site is built through exogenous expertises since 1977 (natural national park) and 1979 (Man and Biosphere program). Tourists can only go to Teyuna Ciudad Perdida (a site with archeological remains, terraces, through a 6 days trekking (the trail starts from the village of El Mamey and for a hike of approximately 23.3 kilometers to the Archeological Park<sup>3</sup>). Teyuna Ciudad Perdida is also situated in the Kogui-Malayo-Arhuaco Indigenous Reserve, a legally recognised indigenous area.

#### 4. Environmental policies in the EU context

One of the first measures towards environmental policies in the EU context is the Declaration of the Council of the European Communities and of the representatives of the Governments of the Member States meeting in the Council of 22 November 1973 on the programme of action of the European Communities on the environment. In fact, some institutions like The United Nations Economic Commission for Europe (UNECE), the Organisation for Economic Co-operation and Development (OECD) or the Council of Europe were active in these environmental issues before the European communities by edicting for example the **Bonn Convention - Convention on the Conservation of Migratory Species of Wild Animals** – signed in 1979 and put into place in 1983.

In the 1970s, national governments also took the environmental matter into hands, by creating an Environment Ministry for example (in France or in Great Britain) or by defining an environmental program (like in West Germany in 1971). It's only after these actions that we can see the emergence of a European Community environmental policy in the 1970s with the establishment of institutions and policy making at the EU level, as the EU's impact on the policies of member states and

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<sup>3</sup> “Since the trail to the Lost City is not clearly demarcated and you can get easily lost, the ICANH, Parques Nacionales Naturales and the indigenous authorities demands that visitors hire a trail guide”, <http://www.parquesnacionales.gov.co/portal/en/ecotourism/caribbean-region/sierra-nevada-de-santa-marta-national-natural-park/>



« and as a process of establishing transnational cooperation of societal actors across the EC » (Meyer, Poncharal, 2012).

EU policies are linked to a series of regional and international conventions and protocols such as:

- The Aarhus Convention - Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters – signed in 1998 and entered into force on 2001
- The Kyoto Protocol (1997) / 2<sup>nd</sup> Kyoto commitment period (2013-2020)
- Paris Protocol: Tackling global climate change after 2020

The European Union has now put in place a broad range of environmental legislation in order to reduce air, water and soil pollution. The overall direction in environmental policies is explained in the 7th Environment Action Programme (EAP) up to 2020. This program identifies three key objectives:

- to protect, conserve and enhance the Union's **natural capital**
- to turn the Union into a **resource-efficient**, green, and competitive low-carbon **economy**
- to **safeguard** the Union's citizens from **environment-related pressures** and risks to health and wellbeing

The aim is to take actions so that the European Union would be by 2050: "In 2050, we live well, within the planet's ecological limits. Our prosperity and healthy environment stem from an innovative, circular economy where nothing is wasted and where natural resources are managed sustainably, and biodiversity is protected, valued and restored in ways that enhance our society's resilience. Our low-carbon growth has long been decoupled from resource use, setting the pace for a safe and sustainable global society."

In this 7th Environment Action Programme (EAP) up to 2020, several policies exist, on different levels, like climate change, waste management, air pollution, water protection and management, protection of nature and biodiversity, soil protection, civil protection or noise protection<sup>4</sup>.

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<sup>4</sup> European Union, Environment : [https://europa.eu/european-union/topics/environment\\_en](https://europa.eu/european-union/topics/environment_en)



#### 4.1. *EU Climate change policy*

**Programme for the environment and climate action (LIFE) (2014-20).** This regulation establishes the fifth version of the LIFE programme, the EU's main funding framework for environmental and climate change policy. It focuses on concrete environmental and climate policy priorities as well as areas for action.

**EU policy framework for climate and energy (2020 to 2030).** The European Commission proposes a framework for EU climate and energy policies in the period from 2020 to 2030 which builds on the good progress made towards achieving the 2020 targets for greenhouse gas emissions, renewable energy and energy savings. At the heart of the 2030 framework is a 40 % reduction in greenhouse gas emissions by 2030.

#### 4.2. *Water protection and management*

**European Water Framework directive (WFD)** issued in 2000 to regulate all continental aquatic systems in order to take into account cumulative effects of environmental degradations. Before that directive, the European water policy was defined in a sectorial way « by and for water users abstracting water or discharging waste through water infrastructures: urban water services, irrigated agriculture and industries discharging pollutants into rivers ». (Bouleau, 2017)

#### 4.3. *Protection of nature and biodiversity*

A series of texts, directives and policies can be outlined for their major role in managing environmental issues and protection of nature and biodiversity:

- directive 79/409, so called « Birds directive » (directive Oiseaux) in 1979. It was modified several times and the last **Birds Directive** is taken in 2009. It aims to protect all European wild birds and the habitats of listed species, in particular through the designation of [Special Protection Areas](#) (often known by the acronym SPA).
- Directive 92/43 so called Habitat-Fauna-Flora (Habitats-Faune-Flore (HFF)) in 1992: **Directive on the Conservation of Natural Habitats and of Wild Fauna and Flora**. The aim is to protect the 220 habitats and approximately 1000 species listed in annex I and II of the directive which are considered to be of European interest following criteria given in the directive.
- the EU program **Natura 2000**. The Natura 2000 network is an ecological network of protected areas, one of the most important effort of conservation

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that is being implemented in Europe. It is constituted by Special Areas of Conservation (SAC) designated by state members (directive 92/43, 21 may 1992) and Special Protection Area (SPA) (directive 79-409, 2 april 1979). The network was supposed to put into coherence these two types of networks whose logics were the same: protecting the species through the conservation of their habitats (Gervasoni, Makowiak, 2010). This Natura 2000 network is part of The Emerald network launched in 1989 by the Council of Europe (in Europe but also in other countries, in Africa for exemple).

- The adoption of the action **Plan against wildlife trafficking** in the context of CITES regulation (*Convention on International Trade of Endangered Species - CITES*) adopted in 1973)
- the adoption of Regulation (EU) n° 1143/2014 on the **prevention and management of the introduction and spread of invasive alien species (IAS)**

It sets out rules to prevent and manage the introduction and spread of invasive alien species (IAS) in the EU. This law seeks to minimize and mitigate the adverse effects of IAS on EU biodiversity and ecosystems, as well as on human health and the economy<sup>5</sup>.

- The adoption of the Directive 2014/89/EU on **maritime spatial planning** and the Directive 2014/52/EU amending EIA Directive 2011/92/EU
- **Convention on Biological Diversity**. It gives the EU's approval to the UN Convention on Biological Diversity signed in Rio de Janeiro in June 1992. The convention has 3 aims:
  - o conservation of biological diversity (i.e. the variety of living things found on Earth);
  - o sustainable use of the components of biological diversity;
  - o fair and equitable sharing of the benefits from the use of genetic resources.

Biological diversity has major ecological, genetic, social, economic, scientific, educational, cultural, leisure and aesthetic benefits. The decision confirms EU countries' commitment to implement the convention's provisions.

- **Biodiversity strategy for 2020**. The European Union (EU) adopts a strategy to protect and improve the state of biodiversity in Europe for the next decade.

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<sup>5</sup> EUR-Lex – Access to European Union law: [https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=legissum:200701\\_1](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=legissum:200701_1).



This strategy identifies six targets which cover the main factors for biodiversity loss and which will reduce the greatest pressures on nature.

- **Bern Convention.** The aim of this convention is to ensure the conservation of European wildlife and natural habitats by means of cooperation between States.

#### *4.4. Environmental policies in France*

Vaérie Lacroix and Edwin Zaccai (2010) explain that in France, two processes can be underlined:

- The institutionalisation since the creation of the ministry of protection and environment. Some of the sectorial policies from other ministries are recycled into this new ministry.
  - o 1971: creation of the environmental ministry (foundation phase)
  - o 1990: national plan for environment (consolidation phase)
  - o 2007: “Grenelle” of the environment (systemic policies and opening phase)
- The internationalisation of environmental policies mainly through European influence since the 1970s. Some reports show that 70% of French legislation in the environmental domain take on the European policies (OCDE, 2005). Since Rio conference in 1992, the environmental policies show more signs of internationalisation beyond Europe.





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