

ISMGE 2020**II International Scientific and Practical Conference "Individual and Society in the
Modern Geopolitical Environment"****ECOTOURISM AS A FORM OF ENVIRONMENTAL
PROTECTION AND RATIONAL RECREATIONAL NATURE
MANAGEMENT**

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Abstract

The article analyzes the term eco-tourism. The main focus is on the legal consolidation of this term in Russian law. The authors noted the inconsistency of the normative definitions of ecotourism used. The analysis made it possible for the authors to conclude that there is no federal law in the Russian Federation that would enshrine the definition of ecological tourism. The definition of ecological tourism must necessarily indicate that it is not only a type of tourism but also a form of environmental protection and rational recreational nature management. The article focuses on the unreasonable classification of types of tourism into regulated tourism and non-regulated tourism. The authors emphasize that even without certain legal norms, tourism can be self-regulated. They draw attention to the fact that only after 2018 there is a weak tendency to use the term ecological tourism in Russian legislation, instead of the terms sustainable tourism, cognitive tourism, etc. Full protection of nature is possible only if any tourism activity is ecologically oriented. Ecotourism has emerged as an alternative to mass tourism and should remain a responsible form of travel. States, society, citizens should direct their actions to promote favourable tourism, which, of course, includes ecotourism. Based on the concept of a moral person, at a high level of environmental citizenship and environmental awareness, with fair legal regulation and self-regulation, ecotourism will contribute to the conservation of nature.

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1. Introduction

The lifestyle of a modern person requires constant mobility and social activity which determines and develops the need to restore mental and physical condition. One of the ways to satisfy these needs is an active vacation through travel. A person involuntarily thinks about where to go to relax to spend a vacation with benefit and pleasure.

2. Problem Statement

Today, along with the usual beach tours and the study of various historical sights, ecological tourism is becoming increasingly popular. Many experienced travellers consider this a way of active and informative relaxation as a worthy alternative to the usual tourist trips. Modern states give high on the issues of legal regulation of ecotourism both at the international and domestic levels. First, it is because ecological tourism is not only a type of tourism but also a form of environmental protection and rational recreational nature management.

3. Research Questions

Today, there are many gaps in the regulation of this institution. The relevance is the issues of normative fixing of the term ecological tourism, promotion of ecotourism, the extension of its principles and goals to other types of tourism.

4. Purpose of the Study

We analyzed the existing regulatory definitions of the concept of ecotourism and focused on the following. It is necessary to respect the prevailing tendency to replace the term cognitive tourism with a more comprehensive and clear term ecological tourism in the regulatory legal requirements.

5. Research Methods

The International Ecotourism Society (TIES), professionally involved in the problems of ecotourism, has defined the term ecological tourism as a responsible journey to natural areas, regions aimed at achieving two goals: preserving the environment and supporting the well-being of residents. The preservation of the environment is the most important component of this definition and the goal of ecological tourism. We believe that any type of tourism should be consistent with this goal.

The concept of the federal target program Development of domestic and inbound tourism in the Russian Federation (2019–2025) approved by the Order of the Government of the Russian Federation dated May 5, 2018, No. 872-r, defined ecological tourism as a journey. This act significantly narrowed the goals of ecotourism and limited them only to observation and familiarization with nature. The principles of this journey are the rational use of natural resources and environmental protection (Shamne & Shishkina, 2017). The stated regulatory definition states that the feature of ecological tourism is the rational use of natural resources, and its goal is environmental protection.

GOST R 56642-2015 Tourism services. Ecological tourism. General requirements. Entered into force on July 01, 2016; The Strategy for the Development of Tourism in the Russian Federation for the Period until 2035 approved by the Order of the Government of the Russian Federation of September 20, 2019, N 2129-r, defined ecological tourism only as an activity for organizing travel which includes all forms of nature tourism. The definition establishes the main motivation of tourists as observation and familiarization of nature with striving to preserve it. We find this definition to be one of the most unsuccessful. Firstly, ecotourism boils down not to the journey itself but only to activities for its organization. Travel activities do not include the ecological travel of a particular tourist. Secondly, the used phrase “striving for the conservation of nature” is quite abstract and does not mean that ecological tourism is a form of environmental protection and rational recreational nature management.

Draft Federal Law On Amending Certain Legislative Acts of the Russian Federation to Organize Activities for Ecological Tourism in Specially Protected Natural Areas, prepared by the Ministry of Natural Resources of Russia, project ID 02/04 / 05-19 / 00091793, as of 05/31/2019: Ecotourism is tourism for educational, recreational, recreational purposes within the boundaries of specially protected natural areas with observation and familiarization with nature as the main motivation of tourists striving for its conservation and minimizing the impact on it. The proposed concept is also far from perfect, although unlike the previous one, ecological tourism is reasonably determined not through activities exclusively related to the organization of tourism, but through tourism itself. There was also a necessary indication of the recreational purpose of ecotourism. It seems unnecessary to state that ecological tourism is limited to the territory of specially protected natural areas.

In the Law of Volgograd Region of November 23, 2007, N 1561-OD On Amendments to the Law of the Volgograd Region of December 27, 1999, N 358-OD On Tourism in the Volgograd Region (expired) defined ecological tourism as travel focused on in-depth familiarization with natural values located in the Volgograd region. The presented definition does not disclose the content of ecotourism.

Thus, to date, at the federal level in the Russian Federation, there is no definition of ecological tourism established by law. There are separate attempts to resolve this gap at the level of legal regulation by subordinate legal acts. It is necessary to study the theoretical research of the scientific community to formulate this definition.

6. Findings

Ecotourism is a form of tourism aimed to promote the conservation of natural and cultural resources and, simultaneously, the economic development of local communities (Masberg & Morales, 1999). Ecotourism focused on protecting natural territories (Conway & Cawley, 2016).

The definition proposed by Vytrobets (2017) justifiably indicates that ecological tourism focused on protecting the environment, at preserving and restoring it: Ecological tourism, ecotourism, environmental tourism is a type of tourism; organized and coordinated with environmental authorities activities to preserve and restore the natural environment during travel and preparatory period by acquiring, developing, applying environmental knowledge, technologies, culture, as well as knowledge in other areas directly related to environmental protection in specially designated places and on routes in accordance with project documentation, legislation and international law, is not related to the receipt of

income, if such activity is not the main occupation. This definition narrows the scope of the regulatory framework aimed at regulating ecotourism to legislation and international law. The author does not consider that not only laws and international treaties are sources of law. We consider it necessary to indicate activities carried out in accordance with regulatory legal requirements.

Describing ecotourism researchers note that this type of tourism is primarily based on a specific interest in the natural history of the region (Fennell, 2009), can stimulate the nature preservation and cause positive economic changes (Stronza & Gordillo, 2008).

We believe that the definition of ecotourism must necessarily indicate that it is not only a type of tourism but also a form of environmental protection and rational recreational nature management, activities aimed at familiarizing tourists with natural attractions, as a rule, in the boundaries of specially protected natural areas with the conservation, preservation and restoration of the natural environment as the main motivation of tourists.

Subparagraph g of Article 13 of the Federal Law of March 14, 1995, N 33-FZ On Specially Protected Natural Areas provides for the allocation of the so-called regulated tourism and recreation. It is currently proposed to replace this wording with the term ecotourism. Based on this legal norm, we can talk about the classification of tourism as regulated by law and, therefore, not regulated by law. We believe, in the modern world, all types of tourism to one degree or another are regulated by legal norms. Unregulated tourism is more characteristic of historical retrospective for societies with low legal culture. Even without certain legal norms, tourism can self-regulate.

Self-regulation of tourism by various public tourism organizations concerning their members is becoming an important regulator of tourism activity (Davydova et al., 2019). Self-regulators of tourism are also the morality, level of culture and citizenship of the tourist.

Legal acts of the Russian Federation, along with the term environmental tourism, widely use the term cognitive tourism.

The Federal Law of the Russian Federation On Specially Protected Natural Areas No. 33 - FZ dated March 14, 1995, does not mention the term ecological tourism replacing it with the broader term cognitive tourism. For example, Art. 7 of the Federal Law of the Russian Federation On Specially Protected Natural Areas No. 33 - FZ of March 14, 1995, establishes that state reserves should implement such a task as environmental education and the development of educational tourism. Order of the Ministry of Natural Resources of the Russian Federation of 04.10.2011 N 806 On approval of the Regulation on the Russian Arctic National Park in Section 10.3 establishes that the tourism area is intended to organize environmental education and familiarize visitors with the attractions of the national park. *Order of the Ministry of Natural Resources of Russia dated 06/13/2017 N 293 On approval of the Regulation on the Bolshekhkhtsirsky State Nature Reserve* indicates sites allocated for environmental education and the development of educational tourism. Similarly, other normative acts use the term cognitive act, for example, Order of the Ministry of Natural Resources of Russia dated 12/09/2014 N 546 On approval of the Procedure for determining the fee charged for individuals visiting the territories of state nature reserves for educational tourism; Order of the FASO of Russia dated 11/07/2016 N 51n On approval of the Procedure for determining the fee charged for individuals visiting the territories of state

nature reserves under the jurisdiction of the Federal Agency for Scientific Organizations for educational tourism.

So, according to the Concept of developing a system of specially protected natural territories of federal significance for the period until 2020 approved by order of the Government of the Russian Federation dated December 22, 2011, No. 2322-r, cognitive tourism is defined as a broader term. Cognitive tourism is called one of the special types of ecological tourism. The main purpose of educational tourism is to familiarize with natural and cultural attractions (Suzdalova et al., 2017).

Strategy for the Development of Tourism in the Russian Federation for the Period Until 2020, approved by the Order of the Government of the Russian Federation dated May 31, 2014, No. 941-r, indicated the synonymy of cognitive and ecological tourism. The Strategy established: To develop cognitive (ecological) tourism.

After the Messages of the President of the Russian Federation to the Federal Assembly dated March 01, 2018, and February 20, 2019, the normative use of the term ecological tourism is gaining momentum and begins to replace the term cognitive tourism in legal acts.

In the Message from the President of the Russian Federation to the Federal Assembly dated March 01, 2018, V.V. Putin noted that the accessibility of nature reserves and national parks for ecological tourism is important for educating citizens about a careful, responsible attitude to nature. In the Message from the President of the Russian Federation to the Federal Assembly dated February 20, 2019, President of the Russian Federation emphasized that it is necessary to legislatively fix that only ecological tourism is possible in nature reserves.

The list of instructions on the implementation of the President's Message to the Federal Assembly, approved by the President of the Russian Federation on February 27, 2019, N Pr-294 indicates the need to establish criteria for ecological tourism in specially protected natural areas and strengthen the legal regime of state nature reserves.

Chapter 4.9 of *the Passport of the Ecology National Project, approved by the Presidium of the Presidential Council for Strategic Development and National Projects, Minutes of December 24, 2018, N 16* uses the term ecological tourism providing for the development of such a federal project as the Conservation of biological diversity and the development of ecological tourism.

The draft Federal Law On Amending Certain Legislative Acts of the Russian Federation to Organize Activities for Ecological Tourism in Protected Areas, prepared by the Ministry of Natural Resources of Russia, project ID 02/04/05-19/00091793 proposes to supplement article 9 of the Federal Law dated November 24, 1996, N 132-FZ On the basics of tourism in the Russian Federation with a new second paragraph of the following content: When forming a tourist product for ecological tourism in specially protected natural areas, the tour operator considers the features stipulated by the legislation on specially protected natural areas; introduce the following changes into the Federal Law of March 14, 1995, N 33- FZ "On specially protected natural territories": a) to replace cognitive tourism with the words ecological tourism in the text of the law.

The Explanatory Note to the draft Federal Law On Amending Certain Legislative Acts of the Russian Federation to Organize Activities for the Implementation of Ecotourism in Specially Protected Natural Areas, prepared by the Ministry of Natural Resources of Russia, project ID 02/04/05-

19/00091793, states that the development goal of ecological tourism in specially protected natural areas in the Russian Federation is to form an understanding among wide layers of Russian society of the modern role of specially protected natural areas in the conservation of biological and landscape diversity as the basis of the biosphere and their place in the socio-economic development of the regions. In the modern world, the development of ecological tourism is inextricably linked with specially protected natural areas: national parks, nature parks created to preserve biological and landscape diversity.

Despite the tendency to use the term ecological tourism in Russian legislation after 2018, section 5 of *Order of the Ministry of Natural Resources of Russia dated February 19, 2019, N 106 On Approving the Regulation on the State Nature Reserve Magadansky* again uses the outdated term cognitive tourism.

It is necessary to respect the prevailing tendency to replace the term cognitive tourism with a more comprehensive and clear term ecological tourism in the regulatory legal requirements.

7. Conclusion

Legal regulation will allow to a greater extent achieving the goals set by the state and society in the unification of the norms of existing regulatory legal acts.

The terminology that characterizes ecological tourism, cognitive tourism, sustainable tourism, etc, needs to be streamlined. The idea of replacing the term cognitive tourism with the term ecological tourism finds reasonable support for Russian legislation.

All tourism can be considered as ecotourism (Orams, 1995). We believe that the verb can in this characteristic should be replaced by the verb should. It will be possible to talk about the full protection of nature only if any tourism activity is ecologically oriented. Ecotourism has emerged as an alternative paradigm for mass tourism, while it must remain a responsible form of travel. As more and more tourists accept the principles of ecotourism, the organizers of tourist tours will actively take care of nature conservation, recognizing its value (Weaver, 2001).

Ecotourism can become a political tool for biodiversity conservation (Das & Chatterjee, 2015). States, society, citizens should direct their actions to promote favourable tourism, which, of course, includes ecotourism (Davis et al., 2017; Politsinskaya et al., 2019; Zolotovskiy et al., 2020). Based on the concept of a moral person, at a high level of environmental citizenship and environmental awareness, with fair legal regulation and self-regulation, ecotourism will contribute to the conservation of nature. Not excess profits but the need to preserve nature should take first place in promoting ecotourism.

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