

# Japan, Mongolia and the Potential of Ecotourism

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## Introduction

Ecotourism is the fruit of the age concerned with managing the environmental fallout from economic development. In one sense, ecotourism is an attempt to pursue the twin goals of economic growth and natural conservation by tying both goals together. As part of the service sector, tourism is by no means peripheral to the world economy. According to the International Ecotourism Society (TIES), the travel and tourism sector involves over 230 million jobs and 10% of global gross domestic product (GDP). In 2006, travel and tourism (which amounts to consumption, investment, government expenditure and exports) would amount to 6.5 trillion US dollars. In 150 countries, tourism is in the top five export earners and in 60 countries tourism is the number one export (TIES, 2008b: 1). Furthermore, since the 1950s, the tourism industry has grown dramatically from 20 million in 1950 to over 800 million in 2005 (TIES, 2008b: 1). Tourism is also a vital source of revenue for developing countries. According to the World Bank, tourism is a vital export industry for 83% of developing countries, a source of financial surplus and “appears to be one of the few economic sectors able to guide a number of developing countries to higher levels of prosperity and for some to leave behind their least-developed country status” (World Bank Group, cited in TIES, 2008b: 1).

The strength of the tourism sector suggests great economic potential for Northeast Asian economies. This paper considers ecotourism in the context of Mongolia and Japan. This paper outlines a brief discussion of ecotourism in the context of Mongolia and Japan. The focus will be Mongolia and the question of how Mongolia can use ecotourism in a world of globalization. Both countries are Northeast Asian and both share much in terms of culture and heritage. They are also quite different, economically and socially. Mongolia has a small population with 2.6 million (2005) but Japan 127 million. The focus of the paper will be the consideration of five dimensions of ecotourism.

The first examines the coexistence between ecology and tourism. What are the boundaries of exploitation and enjoyment of the natural environment? In addition, is a universal definition possible or desirable? The second section concerns the fragile position of ecotourism both institutionally and practically in terms of national policies. Where does ecotourism belong? The third section examines the relative position of ecotourism as a priority in developed and developing countries. How can developing countries pursue ecotourism in a sustainable manner, not just environmentally, but institutionally? How

can ecotourism stimulate the economy of a developing country without being diluted by the common weaknesses of a developing country? The fourth section examines the relationship between ecotourism and law. The fourth dimension is that of law. What are the essential prerequisites for ecotourism law and how can they be adapted to developing countries? The final section examines the role of learning and the sharing of experiences in ecotourism. What are the starting points for closer cooperation between developed and developing countries to promote ecotourism? The paper finishes with some concluding thoughts.

Before examining the first dimension, some definitions are required. Ecotourism is part of what The International Ecotourism Society labels experimental tourism which includes sectors that are expected to expand in the future such as “ecotourism, nature, heritage, culture and soft adventure tourism, as well as sub-sectors such as rural and community tourism” (TIES, 2008b: 2). According to the World-Watch Institute there are at least eight different forms of tourism: adventure tourism, ecotourism, geo-tourism, Mass Tourism, Nature-based tourism, Pro-poor tourism, Responsible tourism and sustainable tourism (TIES, 2008b: 3).

In terms of a definition, The World Conservation Union says that ecotourism “is environmentally responsible travel and visitation to relatively undisturbed natural areas, in order to enjoy and appreciate nature (and any accompanying cultural features- both past and present) that promotes conservation, has low negative visitor impact and provides for beneficially active socio-economic involvement of local populations” (quoted in Epler Wood, 2002: 9). According to the TIES, ecotourism is “responsible travel to natural areas and which conserves the environment and sustains the well-being of local people” (TIES, 2007: 2; Epler Wood, 2002: 14). Ecotourism, according to Epler Wood is part of the broader field of sustainable tourism, but is also an environmentally friendly version of nature tourism and includes rural and cultural tourism. More specifically, in the various fields of tourism (cultural, rural, nature, sun-and-beach, business, fitness, wellness and health), ecotourism, like adventure tourism stems from nature tourism, while the “prime motivation is the observation and appreciation of natural features and related cultural assets” (Epler Wood, 2002: 11). According to Epler Wood, “Ecotourism is a growing niche market within the larger travel industry, with the potential of being an important sustainable development tool...it frequently operates quite differently than other segments of the tourism industry, because ecotourism is defined by its sustainable development results: conserving natural areas, educating visitors about sustainability, and benefiting local people” (Epler Wood, 2002: 7).

According to The International Ecotourism Society, Ecotourism is “responsible travel to natural areas that conserves the environment and improves the well-being of local people” (TIES, 2008b). It states further that:

“Ecotourism is about connecting conservation, communities, and sustainable travel. This means that those who implement and participate in responsible tourism activities should follow ecotourism principles: minimize impact; build environmental and cultural awareness and respect; provide positive experiences for both visitors and hosts; provide

direct financial benefits for conservation; provide financial benefits and empowerment for local people; raise sensitivity to host countries' political, environmental, and social climate" (TIES, 2008b).

### **The Coexistence of Ecology and Economy**

The starting point for a study of ecotourism must of course be conceptual. What are the roots and history of ecotourism? In a way, ecotourism is simply a product of the times and fruit of anxiety concerning destruction of the environment. It stops short of preserving the environment and admits the possibility, indeed, the necessity of reaping financial rewards from sensitive and protected areas. The concept presupposes the coexistence between ecology and economy, more cynically it is making money from environmental conservation. It is also a coexistence principle – enjoying nature while protecting nature.

Is this coexistence dynamic and varied or rooted in firmly agreed principles, even law? Is a universal definition applicable or even desirable? Not surprisingly, ecotourism made its way from its non-governmental status during the 1990s and even before to the highpoint of legitimacy: the UN decision to have 2002 as the UN International Year of Ecotourism under the banner of the UN Environment Program (UNEP). The 2002 World Ecotourism Summit in Quebec agreed to the Quebec Declaration on Ecotourism which firmly anchored the concept to some concrete and global principles.

According to the Quebec Declaration, "Ecotourism embraces the principles of sustainable tourism, concerning the economic, social and environmental impacts of tourism" but has special features which make it different from the sustainable tourism concept (Quebec Declaration, 2002: 1-2). Ecotourism "Contributes actively to the conservation of natural and cultural heritage; Includes local and indigenous communities in its planning, development and operation, and contributing to their well-being; Interprets the natural and cultural heritage of the destination to visitors; Lends itself better to independent travelers, as well as to organized tours for small size groups" (Quebec Declaration, 2002: 1-2).

Ecotourism in developing countries also occurs in areas where the local peoples suffer from the effects poverty, poor infrastructure and services Ecotourism is recognized as having a catalytic or flow on effect for other types of tourism: "ecotourism has provided a leadership role in introducing sustainability practices to the tourism sector...ecotourism should continue to make the overall tourism industry more sustainable, by increasing economic and social benefits for host communities, actively contributing to the conservation of natural resources and the cultural integrity of host communities, and by increasing awareness of all travelers towards the conservation of natural and cultural heritage" (Quebec Declaration, 2002: 2-3).

The Quebec Declaration readily acknowledges that tourism is often badly planned and often environmentally destructive, but at the same time it could stimulate small and medium sized enterprises being a source of potential income to local communities. It is important, the Declaration argues, for local communities and indigenous people to participate and regulate ecotourism in their area (Quebec Declaration, 2002: 3).

The Quebec Declaration places great emphasis on directing national, regional and local governments to put in place programs, initiatives, mechanisms and support for ecotourism (Quebec Declaration, 2002: 3-5). It assumes in the first place, a certain degree of administrative and bureaucratic competence, and the promotion of ‘internationally approved’ but locally sensitive certification schemes is complex and problematic. Indeed, the chief limitation of the Quebec Declaration is that many of the ecotourism goals reach beyond tourism itself into areas such as national park management, rural policies, transportation policy and infrastructure, national budgetary policy and human resource policy.

For developed countries such as Japan and bodies such as the TIES, the Quebec Declaration mandates a variety of policies. First, (paragraph 38) participate in the development, planning and implementation of “guidelines and evaluation frameworks for ecotourism and its relationships with biodiversity conservation, socio-economic development, respect of human rights, poverty alleviation, nature conservation and other objectives of sustainable development and to intensify the transfer of such know-how to all countries”. Second, engage in capacity building for the conceptualization and implementation of ecotourism (Paragraph 39). Third, create and accede to standards and financial mechanisms for certification systems and promote them internationally (Paragraph 40). Fourth, at all levels, especially internationally, processes to allow for sharing of experiences (Paragraph 41). Fifth, identify factors important in underpinning ecotourism “to transfer such experiences and best practices to other nations” (Paragraph 42). Sixth, financially support micro, small and medium-sized ecotourism firms which ‘are the core of this industry’ (Paragraph 43). Seventh, assist in human resource development (Paragraph 44), and finally, promote indigenous and local community participation in ecotourism (Paragraph 45).

Ecotourism is also a suitable concept in terms of the emerging idea of ‘inclusive development’ in UNCTAD. According to UNCTAD, the recent global economic growth has offered the world community with the possibility of pursuing “a more inclusive, pro-poor process of globalization” (UNCTAD, 2007: 1). The objective should be to maintain growth and extend its fruits to more developing countries as well as the “need to ensure that the process of globalization becomes more inclusive, so that it benefits countries and sectors of the population that have been left out” (UNCTAD, 2007: 1). UNCTAD notes that “one of the disconcerting consequences of the new wave of globalization is therefore the rise of inequality, both within and between countries, be they developed or developing...In concrete terms, promoting inclusive development requires the reduction of poverty, unemployment; bringing lagging countries in global knowledge systems and global value-chains; and ensuring that marginalized communities have access to housing, health, education and other social services” (UNCTAD, 2007: 3-4).

For ecotourism, UNCTAD has some specific reference. The document notes “In many developed countries, regulatory policy now focuses on protection of the environment, public health and safety, and often includes higher standards for the domestic market than existing international standards. These regulations may help promote higher prices for exporters from developing countries, but they also open avenues for protectionist abuse

and also entail greater compliance costs than would otherwise be the case” (UNCTAD, 2007: 5). Furthermore, the report recognizes the growing importance of global warming as a stimulant to rethinking economic development such as “whether the traditional trajectory from agriculture through manufacturing to the service economy needs to be followed slavishly, or whether they can leapfrog to a cleaner and greener diversified economy” (UNCTAD, 2007: 7).

A further element in the appreciation of the conceptualization of ecotourism is the Oslo Statement on Ecotourism, sponsored by the International Ecotourism Society in August 2007. TIES points out one of the most serious problems in ecotourism today.

“The term ecotourism is more widely recognized and used, but it is also abused, as it is not sufficiently anchored to the definition. The ecotourism community, therefore, continues to face significant challenges in awareness building and education and actively working against greenwashing within the tourism industry” (TIES, 2007: 3).

Other problems exist. For example, while many “governments have developed ecotourism strategies, but not all have been well integrated into mainstream tourism and environmental policies, or supported by action”. Furthermore, while “Increasing numbers of projects around the world have striven to establish ecotourism enterprises as a means of enhancing sustainable livelihoods and contributing to conservation, yet many remain economically fragile and lack adequate access to markets” (TIES, 2007: 3). The Oslo Declaration recommended ecotourism as a contributor to local sustainable development, a “key economic force for the conservation of tangible and intangible natural and cultural heritage” and argued for more training, education and marketing to enable ecotourism to overcome the problems (TIES, 2007).

### **Fragility and Boundaries of Ecological Tourism**

Conceptualization of ecotourism is only the first dimension, but it is related to the second, which is grounding the concept in institutional realities. Herein is a challenge. The concept itself is fragile, but ecotourism is an institutional cross-cutting issue, not firmly within any particular institution, not the World Trade Organization (WTO) or the UN World Tourism Organization (UNWTO). It is vital that care be taken to prevent the abuse of the concept in practice, but greater care perhaps is needed in defining the nature of ecotourism ‘best practice’ and its institutional ‘home’.

The growth of tourism on one hand “has captured the attention of most countries. However, the global growth of tourism poses a significant threat to cultural and biological diversity” (Epler Wood, 2002: 7). What is the role for local people and companies for example? The World Summit on Sustainable Development for example emphasized not only cooperation and the use of technical assistance but importantly the need to “Promote the diversification of economic activities, including through the facilitation of access to markets and commercial information, and participation of emerging local enterprises,

especially small and medium-sized enterprises” (UNWTO, 2006a: 2). On the other hand, what is the role of foreign investment and foreign tourist operators in terms of hotel management and tourism business?

It might be that ecotourism will be influenced by another debate in the United Nations which is fair trade in tourism or equitable tourism. As the UNWTO notes “Unlike other aspects of forms of tourism that are also the object of debate and international promotion, and which are characterized by a given emphasis (such as alternative tourism, solidarity tourism, ecotourism, sustainable tourism or social tourism), the present analysis of fair trade in tourism or equitable tourism concentrates basically on the commercial part of tourism activity as a framework and channel of economic returns of the factors of production in the entire tourism production value chain” (UNWTO, 2006a: 4).

According to UNWTO, part of its recent mandate is to pursue “sustainable use of financial, human, cultural, and natural resources for tourism investments, and; rules of fair competition and prevention of anticompetitive practices” (UNWTO, 2006a: 2). Linking this equitable tourism with ‘fairness’ and ‘social justice’ is argued to be connected with the Global Code of Ethics for Tourism as well as the 2002 World Summit on Sustainable Development (UNWTO, 2006a: 2-3).

The concept of fair trade in tourism has its limitations of course. The environment in general is very like the concept of non-trade concerns or multifunctional economic activity so popular in recent discussions on agricultural reform in the WTO. One of the key concepts in this discussion is not related to trade externalities, but to the simple recognition that agriculture as a form of activity is not only economic but social and often ‘cultural’. This dynamic of course could be applied to all industries as the location of industries and the type of industry often greatly informs the character of community, traditions, local identity, language as well as the natural environment.

Another overarching concept advocated by the UNWTO is that of tourism quality. In 2003, the WTO Quality Support Committee agreed that quality of tourism was “the result of a process which implies the satisfaction of all the legitimate product and service needs, requirements and expectations of the consumer, at an acceptable price, in conformity with mutually accepted contractual conditions and the underlying quality determinants such as safety and security, hygiene, accessibility, transparency, authenticity and harmony of the tourism activity concerned with its human and natural environment” (UNWTO, 2008). The term harmony is to mean sustainability. According to the WTO Guide for Local Authorities on Developing Sustainable Tourism, “Maintaining the sustainability of tourism requires managing environmental and socio-economic impacts, establishing environmental indicators and maintaining the quality of the tourism products and tourist markets” (UNWTO, 2008). Like the concepts of fair trade tourism, this definition of tourism places ecology as a peripheral concern instead of being central. That competing concepts such as fair trade in tourism are gaining coinage in the UN as well as the marginalization of ‘environmental’ aspects of tourism seems to be occurring, suggests that the boundaries and fragility of ecotourism remains as an arena for conflict.

### **Economic Growth and Ecological Tourism**

The third dimension of ecological tourism is the relationship between economic growth and ecotourism. Should ecotourism be a priority for developing countries? What are the relationships between ecotourism and other development issues such as infrastructure and transportation? In the first instance, the success of ecotourism depends on the overall economic performance of the economy and broader cross-cutting policies. More importantly, how can ecotourism become a strategic priority for Mongolia, not just to preserve and participate but to promote the Mongolian economy, not just for tourism but as domestic stimulant for the rest of the economy?

The relationship between ecotourism and economy is intimate. As Epler Wood noted, “With a history deeply rooted in the conservation movement, ecotourism has provided a highly strategic source of revenue to natural areas that need protection” (Epler Wood, 2002: 11). In recent years moreover, the UNWTO has increasingly appreciated the connections between tourism and liberalization. Most notably, this is reflected in increasing participation in WTO Ministerial meetings and joint activities, stemming from the 1994 establishment of the GATS or General Agreement of Trade in Services (UNWTO, 2003: 2). For example the Osaka Millennium Declaration of the UNWTO stated “the liberalization of the conditions governing trade in services is compatible with sustainable tourism development and the protection of social and cultural values and identities” (UNWTO, 2003: 2).

The UNWTO however is keen to stress the need to balance the concerns for liberalization with care that environmental damage and exploitation do not occur. According to the UNWTO Secretary General “everyone stands to benefit from a development in tourism exports” in developing countries. Tourists from developed countries benefit, as do tourism related enterprises (e.g. transportation or foreign investment), while developing countries benefit from the increased income that could reduce their debt and development costs (UNWTO, 2003: 2). It is the management of this balance as well as appreciating the complexity of the dimensions involved which is one of the serious challenges in ensuring the extraction of a surplus from the conservation of the environment.

In 2006, the UNWTO report “Mega-Trends of Tourism in Asia Pacific” made several pertinent points in connection with Ecotourism. First, the aging population suggests that “the promotion and preservation of culture is likely to be one of the main tourism development focuses of the tourism destinations” (UNWTO, 2006b: 3). This is because “one of the favorite attractions for older people is visiting cultural and heritage sites” (UNWTO, 2006b: 20). Second, the growth in the Chinese economy has also driven the growth in Chinese tourists. In 2005, China had 40 million traveling outside the country and by 2020 is predicted to reach 100 million (UNWTO, 2006b: 12). Third, the competition in tourist destinations in Asia is compelling economies to forge cooperative links such as the promotion of several economies instead of one and ‘coordinated marketing drives’ (UNWTO, 2006b: 17). Fourth, countries need to seriously address the problem of the damage done to the environment due to economic development. The report notes:



“One country that needs to pay special attention to this issue is China, where economic development has and continues to put a heavy burden on its ecological environment. It is expected as Chinese people gradually re-appreciate the importance of environmental protection, the environmental protection movement will gain momentum” (UNWTO, 2006b: 19).

Finally, the report notices the growing attraction towards the “possible establishment of an international reference of quality management and environmental management for the tourism industry, that is, the industry will become more regulated in terms of socio-environmental requirements” (UNWTO, 2006b: 20).

Ecotourism could stimulate environmental consciousness by demonstrating materially the benefits of preserving and not obliterating ecosystems. Ecotourism may also encourage economic revitalization in poorer areas. As the TIES noted “Ecotourism, often occurring in regional, rural and remote areas where alternative sources of livelihood are scarce and levels of poverty are frequently high, can provide a much needed addition to local income from an activity that values and supports conservation in both developed and emerging economies” (TIES, 2007: 3). Ecotourism could also encourage *environmental partnerships* in the most accurate sense, not those of the public-private kind or even the donor-recipient kind, but of partnerships between communities and the ecologies in which they live. As TIES argues “Ecotourism depends on fine landscapes, abundant wildlife and richly diverse culture. Therefore, ecotourism development and the revenues it can bring should be seen as a strong ally and tool for the respect and conservation of natural and cultural heritage” (TIES, 2007: 4).

The potential for these environmental partnerships are greatest in those countries that are still on the path to economic development and have not had to deal with the ravages of mass industrial pollution. Mongolia for example is one such country, despite its history as a centrally planned economy. The case of Mongolia is an excellent case study of the opportunities for and appreciation of the role of ecotourism in a developing country. It also provides insights into how developed countries such as Japan, can assist Mongolia in utilizing its environmental resources in a sustainable fashion.

According to the Asian Development Bank, the reasons for the success of Mongolia cannot be attributed to any one event or process. The ADB argues (2004) :

“In light of Mongolia’s many challenges and constraints, it is remarkable that over the past decade so much progress has been made in transforming a state-run command economy into a vibrant, growing market economy dominated by the private sector. The progress is due to the steady and consistent efforts by successive governments to build the legal superstructure for a market economy, strong support from a very committed donor community, fundamental public intolerance of the kind of massive, high-level corruption that has plagued formerly Soviet transition economies and resulted in the creation of dictatorships supported by crony capitalism; recent accelerated growth of China and the



world economy, tends that have boosted demand and prices for Mongolia's primary exports; and increasing sophistication, confidence, and capacity among Mongolia's new entrepreneurs" (ADB, 2004: vii).

Mongolia has many positive aspects since turning from the centrally planned economy model such as economic growth, agricultural reform and services growth (WTO, 2005c, World Bank, 2008). From 1991 until the present, the private sector in Mongolia grew from 0% to 75-80% and 90% of firms are private, the product of extensive privatization (ADB, 2004: v).

At the same time however, there remain many obstacles in the path of economic development. According to the Mongolian Government, "Mongolia's economic growth had been extremely volatile due to the confluence of several factors including price fluctuations of key export commodities, and external shocks such as repeated winter disasters. Economic growth had also relied heavily on the exploitation of natural endowments and the use of land and agricultural resources" (WTO, 2005b). Importantly, the geographical position of Mongolia - a landlocked country- poses unique logistics, transportation and infrastructure needs (UNCTAD, 2007b, World Bank, 2008, WTO, 2005b). Transparency of trade and investment rules as well as predictability is another concern (WTO, 2005c). According to the International Labor Organization, Mongolia "remains vulnerable to external factors such as international commodity prices, the need to import retail goods and the continuity of foreign investment and donor aid" (ILO, 200?: 12, World Bank, 2008; WTO, 2005c). Other issues such as the role of mining in the economy (World Bank, 2007: 2), business culture and the informal sector (ILO, 200?: 13), changes to government policy, business costs, tax, and regulatory rules (ILO, 200?: 14) are prominent in international agency reports. The most serious complaint is that while the "basic laws and institutions necessary in a market economy have been created", and commercial law has been based on foreign models, the implementation and interpretation of laws has led to "excessive discretion" and consequently corruption and bribery (ADB, 2004: v).

According to the Mongolian Government however, tourism is a "priority sector for development" already reflecting 10% of the GDP in 2003 (WTO, 2005a: 18) compared with trade (29%), agriculture (20%), transport and communications (15%), mining (9.5%), and manufacturing (6%), (WTO, 2005b). The ADB also notes that "Strictly protected areas and national parks are a focus of ecotourism, considered by many to represent a potential source of funding for these areas' sustainable management, despite Mongolia's relatively unfavorable location and short tourist season" (ADB, 2005: 23).

There remain doubts from international agencies as to the capacity of the state to deliver on tourism. In terms of tourism services, it is notable that Mongolia has not made any commitments in the context of the GATS (WTO, 1997, WTO, 2005a) and the Government is resistant to further services liberalization without reciprocal commitments from developed economies (WTO, 2005a: 20). The Mongolian Government further admits "the level of quality, standards and technical regulation is relatively different and the capacity is lacking" (WTO, 2005a: 20). The ADB is particularly scathing in its reflection regarding the government's attempts to promote tourism: the promotion of Mongolia

remains inadequate, travel to Mongolia is expensive, and internal air travel is considered unsafe. The Mongolian Tourist Board “has not been viewed as effective either in promoting Mongolia as an international tourist destination or in ensuring high standards for the industry” (ADB 2004: 46). The ADB concludes that “Unlikely ever to be a mass market, except possibly for neighboring countries, adventure and ecological tourism nevertheless offers real opportunities”. To capitalize on this, there needs to be: better tourist infrastructure, accommodation, transportation services, better product and service standards and overseas promotion (ADB, 2004: 46). It is noteworthy that despite the problems of tourism in Mongolia, 205,000 visitors arrived in 2003, with 144,000 from China and Russia (ADB, 2005: 23). This merely highlights the potential.

The problems of tourism are more cogently rooted in the failure of Mongolia to make the transition from a centrally planned economy to a developed market-based economy. Mongolia’s transition has not been a transition from a centrally-planned society to a prosperous society, but to a poor developing country. There remains “severe” poverty in Mongolia with 36% in 2002, 43% in rural and 30% in urban areas. In addition, “land and/or pasture degradation, air pollution, low energy efficiency, deforestation, and decreasing biodiversity are pressing environmental issues” (ADB, 2006: 10-11). In addition, some recent events have not aided the overall economic situation. For example, the political turmoil in April 2006 centering on the role of mining in Mongolia; the view that the country is not gaining enough revenue from mining operations; the feeling of inequity prompting widespread social security payments to children; and the belief that foreign borrowing could improve economic growth through investment in infrastructure, industry and mining (ADB, 2006: 1). According to the Asian Development Bank, certain realities have not changed for Mongolia. Despite immediate growth in export revenues and price changes, “Mongolia’s undiversified economy remains vulnerable to changes in the prices of a few commodities and to the weather” (ADB, 2006: 1; 2004: vii).

The nature of the challenges facing Mongolia does not diminish the commitment of many in the government and civil society for an ecologically sound and prosperous society. It does however pose formidable obstacles for the formulation and implementation of best practice ecotourism. Given the overall economic problems in Mongolia, is the concept of ecotourism embodied in the Quebec Declaration feasible? At the very least, there is a vital need to address broader economic concerns in the Mongolian economy such as public sector management and tackling corruption. Admittedly, corruption in particular and governance in general is currently being addressed by Mongolia itself, such as the Anti-Corruption Agency and revised Procurement Law (World Bank, 2007: 12), with assistance from international agencies such as the Asian Development Bank (ADB, 2006: 3). Without adequate governance, monitoring and transparency, it is unlikely that local communities would be able to maximize the potential from ecotourism. The absence of Mongolia from regional groups and arrangements such as APEC does not help the situation and places great emphasis on the need for regional and bilateral structures and frameworks for Mongolian participation such as Economic Partnership Agreements. Finally, any program for ecotourism in Mongolia must go hand in hand with the improvement of Mongolian standards infrastructure and technical expertise.

### **Legalism and Ecological Tourism**

One guide for Mongolia is the use of laws to underpin ecotourism. This however, raises some serious questions because which rules are relevant? There seem to be several models available. First, ecotourism must be firmly rooted in national legislation, including regulatory management and oversight. The national rules would need to involve environmental commitments, exclusions, prohibitions and protections, but at the same time scope for compliance with international rules on market access, services liberalization, and foreign investment opportunities. Second, the national rules on ecotourism can be strengthened by international alignment, cooperation or harmonization with other countries from similar backgrounds and situations. One such 'house' for these laws could be the context of an Economic Partnership Agreement negotiations or FTA negotiations. The FTA model, taken in its simplest form involves agreement on trade in goods and trade in services, possibly in the form of two separate agreements, following the WTO model: GATT and GATS. In the case of inclusion of a developing country, the rules of special and differential treatment and rules for flexibility should be taken into account. In addition, the necessary flexibilities and pragmatism available for developed countries should also be taken into account.

The third model could be the housing of future cooperation in a more specialized set of laws: the GATS process in the context of the continual negotiations in the liberalization of trade in services. The features of this process are important. Despite the setbacks in current negotiations the possible utilization of multilateral disciplines should not be underestimated. The advantage of housing service commitments in the GATS above and beyond bilateral or unilateral commitments is the overall legitimacy of the WTO system of rules, the provision of the dispute settlement procedures, the application of unconditional MFN and national treatment principles and the flexibilities inherent in the GATT/WTO system, especially for developing and least developed economies.

The fourth model available for the entrenching of ecotourism law would be part of a regional cooperative framework. In the Japan-Mongolia context, the position of both countries as members of Northeast Asia is vitally relevant and ecotourism could exist as a stand-alone cooperative program or as part of a broader comprehensive work agenda. The fifth model would require national laws and policies to be aligned with any existing global rules or if they have not been formulated, the possibility of Mongolian contribution to those ongoing debates.

It is the fifth model which offers the most interesting developments and possible problems. As ecotourism is only in its infancy, the development of industry-wide standards is also underdeveloped. The nature of the industry itself is diversity and many of these companies and firms need to "apply a unique set of standards to their business approaches – standards that have only evolved in the last 10 years. The fact that no international regulatory body exists, and that standards in the field of ecotourism are quite difficult to measure, has allowed businesses and governments to promote ecotourism without any oversight....This problem of greenwashing has undermined the legitimacy of the term ecotourism" (Epler Wood, 2002: 12). The TIES has been at the forefront of developing

industry-wide standards in ecotourism, but these efforts are in their infancy (Epler Wood, 2002: 13). While some developed countries have advanced proposals and standards for ecotourism, so such efforts represent sincere efforts to promote the environment or do they fall under the banner of what UNCTAD calls the new protectionism by insisting on standards which are too high. This means that despite their position as a developing country, Mongolia might be able to make a valuable contribution to the evolution of global rules in the area of ecotourism.

### **Mutual Understanding and Respect: the sharing of experiences**

The final dimension of ecotourism relates to the nature of discussions between developed and developing countries, the availability of know-how and its limits. It is important to recognize that Japan has also evolved considerably towards a sustainable society and away from its prior industrial and environmental policies that had such negative consequences for the environment. The emergence of this environmental consciousness has been neither straightforward nor uncontested. It is also incomplete, as the Japanese Government continually formulates additional rules and policies for the management of biodiversity, the minimization of greenhouse gas emissions and other policies designed to improve the quality of life of urban and rural communities. A few aspects of the current regime are worth mentioning in this context. The most recent policy change is with regard to ecotourism itself. The Ecotourism Promotion Bill, which was adopted by the Cabinet in June 2006 and effective in April 2008, includes the experiencing of life with local communities alongside the natural environment in Japan's definition. The Bill allows for local communities to devise ecotourism plans which will be certified by the government (Nagata, 2008).

The Basic Environmental Plan is in its third revision (Ministry of the Environment of Japan, 2006), the original Basic Environment Plan coming into force in 1994. Aspects of the Third Environment Plan include reducing greenhouse gas emissions, promotion of recycling, greening of urban and city environments, clean water policies, review of chemical usage and promotion of biodiversity. Other objectives include the promotion of environmentally friendly infrastructure and technologies as well as the pursuit of further global rules on the environment (Ministry of the Environment of Japan, 2006).

In 2003, the "Declaration of Commitments to Development of an Eco-Oriented Nation" was prepared by the Industrial Structure Council of the Ministry of Economy, Trade and Industry. It is a catalogue of existing measures and policies under way in the business communities responding to the growing concerns about the natural environment. As the Declaration notes, the growing awareness of environmental concerns have bridged three periods, the first in the 1960s and 1970s regarding industrial pollution, the second in the 1980s and first half of the 1990s regarding global warming, the ozone layer, chemicals and waste, issues that damaged the entire world. The third stage, since the late 1990s has been "an increasing awareness of the fundamental problems of economic systems based on mass production, mass consumption and mass disposal" (METI, 2003: 5).

Policies in the environment have also evolved pragmatically in response to the new

issues and situations. The Clean Air Law (1968) and the Clean Water Law (1970) and the Basic Environment Law (1993), the Action Program to Arrest Global Warming (1990), the Law for the Promotion of Utilization of Recycled Resources (1991), the Energy Saving and Recycling Support Law (1993), and the Green Purchasing Law (2000) all reflected these changes in society (METI, 2003: 5-6). Business in Japan has also changed with the times, from negative reactions towards anti-pollution policies by the government to voluntarily adopting environmental policies and targets so much so that “with the practice of environmental management becoming the norm rather than the exception in the late 1990s, companies without strong environmental strategies found it increasingly difficult to compete” (METI, 2003: 6). According to the report, environmental business in Japan involves 1.36 million jobs, expected to rise to 1.7 million by 2010 (METI, 2003: 6). Despite all the variety of measures and initiatives in place by Japanese companies, “a considerable number of issues remain” suggesting large degrees of incompleteness and complexity to environmental problems in Japan (METI, 2003: 30).

In 2002, Japan adopted the New Biodiversity Strategy prompted by Japan “making a transition from growth to stability” (Ministry of the Environment of Japan, 2002: 1). Japan, the Plan argues faces three crises in biodiversity: destructive human impact generally, changing rural lifestyle patterns that have affected rural countryside, and introduction of alien species. The Plan advocates a variety of concepts and goals for biodiversity. In this context, a few are relevant. Importantly, the Plan ties biodiversity’s preservation not only in the strict environmental sense of preserving humanity, but as a source for the future security and efficiency of society and a source for culture and heritage (Ministry of the Environment of Japan, 2002: 4). In this context, conservation, species protection and rejuvenation stand alongside sustainable use of the environment. It plans to “utilize the national land area and natural resources in a sustainable manner that will not result in a loss of biodiversity so they can meet the needs of future generations” (Ministry of the Environment of Japan, 2002: 4). Practically, this involves closer coordination between national and local governments with local governments and groups creating their own biodiversity plans and implementing them in their local contexts (Ministry of the Environment of Japan, 2002: 6).

In June 2007, the Cabinet decided to adopt the document “Becoming a Leading Environmental Nation in the 21<sup>st</sup> Century: Japan’s Strategy for a Sustainable Society” (Japan, 2007). The three chief objectives of this document are to promote the reduction of greenhouse gas emissions, recycling and preservation of biodiversity (Japan, 2007: 4). It is an interesting document as it readily admits the limits of current policy and previous attempts of environmental protection. The report argues “Various countries and regions in the world, including Japan, have actively carried out a wide range of measures to work towards the realization of a sustainable society. However, despite all these measures, environmental problems are still advancing on a global scale, making it difficult to say that the measures undertaken so far have delivered adequate results” (Japan, 2007: 6). It argues further that “Although countries and regions around the world are pursuing policies and measures to achieve a sustainable society, every country and region in the world is still in a trial-and-error stage” (Japan, 2007: 6).

In this context, the basic thrust of the report is for Japan to lead by example, in order to present a “working model of a sustainable society”. This “Japanese Model” will be an example to the rest of the world (Japan, 2007: 6). The first objective is to “pursue environmental protection and economic development simultaneously” with efforts to adopt new technology for energy efficiency, renewable energy and nuclear energy (Japan, 2007: 8). The second objective is to focus attention in the Asian region using environmental technologies and practices and experiences to reduce pollution and greenhouse gas emissions (Japan, 2007: 9).

Developed countries, despite significant tracks of land allocated as national parks and wilderness reserves, as well as well-defined and funded environmental groups and lobbies and national ecological consciousness, struggle with many of the practicalities of implementing ideals and principles concretely and meaningfully. Many of the most famous natural sights in Japan such as Matsushima or the Fuji area has not been spared their own diminishment for the sake of economic progress or poor local management. Importantly, even countries like Japan have struggled to define and redefine the boundaries between preservation and exploitation in recent decades and so, all countries, regardless of the level of economic development, have a lot to learn. Any approach for ecotourism – even between developed and developing country – needs to recognize a dose of humility and two possibilities. First, that even developed countries can learn valuable and important lessons from poor developing countries; and second, that even the most carefully designed environmental or ecologically sound policies are informed by current expectations and beliefs about the natural environment which in light of further research or subsequent generations, be subject to revision or change.

### **The Potential of Ecotourism**

This paper addressed five dimensions of ecotourism in northeast Asia with reference to Mongolia and Japan and raised some important questions. The first dimension was the coexistence between ecology and tourism. The conceptualization of ecological tourism or ecotourism embodies the key dilemma of the present age: what are the boundaries of exploitation and enjoyment of the natural environment? Furthermore, given the variety of ecological environments, historical and cultural evolution, is a universal definition possible or desirable? The second dimension concerned the fragile position of ecotourism in the interface between and margins of global institutions (e.g. WTO, UNWTO). At the margins and not entirely under any particular institution ecotourism is both part of services trade and an extension of environmental protection. The fragility of ecotourism extends further in the absence of comprehensive global best practice, the attendant abuse and misuse of the term and the complexities of economic development.

The third dimension was the relative position of ecotourism as a priority in developed and developing countries. How can developing countries pursue ecotourism in a sustainable manner, not just environmentally, but institutionally? Can poor developing countries meaningfully participate in definitions of ecotourism at the standard of developed countries? Ecotourism also cuts across many domestic policies such as



infrastructure, governance, transportation and accountability. How can ecotourism become a strategic priority not just to preserve and participate but to promote the economy, not just for tourism but as domestic stimulant for the rest of the economy?

The fourth dimension was that of law. Ecotourism has many layers of legality, such as domestic laws and multilateral disciplines such as in the GATS and UNWTO. Ecotourism cannot be a form of laissez faire but must eventually conform to and exist within legislative and legal boundaries. What are the essential prerequisites for ecotourism law and how can they be adapted to developing countries? The final dimension was that of the global learning process. It is true that even for developed countries, learning and understanding about ecological issues is relatively new and even the most advanced nations grapple with inconsistencies, challenges and the sense of incompleteness. In sharing experiences and 'know-how', the process cannot be only one way, it must be mutual. That being said, there are many models available for developed countries to promote ecotourism in developing countries such as Economic Partnership Agreements. A more modest beginning is the recognition of a mutual learning process, mutual respect and understanding in the context of comprehensive study of the prospects for ecotourism with business, academic and government.

Amidst the anxieties and frustrations associated with the rise of environmental consciousness and the threats of global warming, pollution and devastation of natural areas is the accompanying realization that there can be sustainable, coexistence between humanity and their ecological environments. The temptation is therefore to treat ecotourism as simply just a trade liberalization issue or a foreign investment issue or a vehicle for economic growth, but by doing so would diminish the significance of the ecologies for this and subsequent generations. The boundary between preservation of the natural environment and its overuse and abuse is a fine line. A further two temptations exist for governments. The first is that only developed countries have all the 'answers' and the second is that ecotourism is set in stone. Neither is correct. Societies as diverse and yet similar as Japan and Mongolia can both learn from each other as much as they can teach one another. More importantly, given the evolution of international rules, and awareness of the nature of ecotourism and its applications, there is a great richness in the possible applications and policy tools available to business and governments in promoting ecotourism.

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## 「日本とモンゴルそしてエコツーリズムの可能性」

エコツーリズムは、自然環境の未来を懸念する社会から生まれてきた。モンゴルと日本に目を向けると、そのエコツーリズムには、次の5つの重要なポイントがあると考えられる。

- 1) 生態系とツーリズムの共存。開発の境界線と自然環境の共有、そのバランスがどこにあるのか？
- 2) 国際機関におけるエコツーリズムの位置。エコツーリズムは、世界貿易機構 (WTO) あるいは世界観光機関 (WTO) に属するのか？それともその両方に属するのか？
- 3) 開発途上国が先進国と同じ基準でエコツーリズムを実現できるその可能な範囲は？サービス部門として、安全衛生の一定基準を遵守しなければならないこと。また、エコツーリズムもインフラやガバナンスなど経済のさまざまな部門に依存している点を忘れてはならない。エコツーリズムがいかに国内経済を活性化できるのか？
- 4) 法律。エコツーリズムに関する世界的な規則は、絶対不可欠なベストプラクティスなのか？また果たして可能なものなのか？
- 5) 各国の学習プロセス。経験と専門知識の共有において、そのプロセスは相互的なものでなければならない。日本そしてモンゴルも、依然として自然環境を学んでいる段階であり、両国がまずこの点を認識することこそが、将来の協力関係を築いていく上で重要な一歩となる。

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