

ECOTOURISM,
POLICY AND PRACTICE:
Including a Case Study from the Maya Forest

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I. Introduction

A. Overview of the Tourism Industry

Tourism, the single largest industry in the world, accounts for one third of all international trade, and many view tourism as a vehicle for economic development.¹ The World Tourism Organization reports that 625 million international travelers spent US\$444.7 billion in travel related costs excluding airfare in 1998.² Furthermore, the Ecotourism Society projects that over the next two decades arrivals will increase by 4.3% and receipts will climb by 6.7% annually.³ Late twentieth century phenomena like an increase in wealth, an increase in the number of retired persons with income to travel, transportation improvements, and technology improvements all contributed to the growth in the tourism industry.⁴ Within the rapidly expanding tourism industry, the fastest growing sector is ecotourism.⁵ Ecotourism is growing between 2.5 and 7 times faster than the rest of the tourism sector.⁶ According to the WTO, in 1998, international travelers spent US \$48 billion on nature tourism representing approximately ten percent of all international travel expenditures.⁷ Furthermore, in the US alone, 4-6 million Americans travel overseas for nature related tourism annually.⁸

¹ See World Tourism Organization Report. 1999.

² See id.

³ See The Ecotourism Society, <http://www.ecotourism.org/textfiles/stats.txt>.

⁴ See Fred Bosselman, Craig A. Peterson and Claire McCarthy, Managing Tourism Growth: Issues and Applications, at 7 (1999).

⁵ See id.

⁶ See <http://www.ecotourism.org/textfiles/stats.txt>

⁷ See World Tourism Organization Report.

⁸ See D.E. Hawkins and M.M. Khan, Ecotourism opportunities for developing countries, in Global Tourism, 191-204 (1998).

According to the Ecotourism Society, 30% of all tourists today are “ecotourists,” which suggests that this sector of the industry generates approximately US \$145 billion.⁹

Trends analyzed from World Tourism Report, 1999

Although alternative definitions for ecotourism abound, most experts agree that ecotourism must meet the following general criteria:

- Promote biodiversity conservation
- Contribute to local sustainable development goals

⁹ See <http://www.ecotourism.org/textfiles/stats.txt>

- Bring profits to the participants ¹⁰

¹⁰ See Ron Mader, Latin America's new ecotourism: What is it?, Planeta.com bridging borders across the americas. <http://www.planeta.com/mader/planeta/0199/0199latam.html>.

Costa Rica has been widely recognized as a model for enabling an ecotourism policy environment because of its infrastructure development, public and private participation and open market economy. Costa Rica's government passed a tourism incentive law providing developers of hotels, car rental agencies, and tour operators a 12-year moratorium on taxes in return for investment in the country's tourism industry. More recently, the country's tourism ministry established the first government sanctioned tourism certification standards.¹¹ In addition, other countries like Brazil (Amazon, Pantanal), Argentina (Patagonia), Belize and Indonesia (Bali) have provided capital incentives to those investors who preserve ecologically sensitive land and coastal resources.

Although the financial requirements for ecotourism projects are similar to those of other commercial projects, the potential yields of ecotourism may not equal the highest premiums that investors reap from other tourism investment opportunities. Nevertheless, ecotourism projects can contribute to conservation objectives and human resource development in host countries.¹² With the exception of micro-enterprises on one hand and a few very large projects on the other, "green" ventures in Latin America require debt-equity participation of between US\$100,000 to US\$5 million.¹³ The key to successful investment lies in selecting projects with the help of local non-government organizations (NGOs) and communities, seeking public / private joint ventures, and obtaining grants and low interest loans from financial institutions.

According to research, western tourists are now seeking alternatives to traditional tourism¹⁴. Instead of taking traditional mass tourism oriented vacations, many tourists are now seeking new, less visited destinations.¹⁵ As a result of the growing concern with environmental and cultural issues, tourists are now "demanding vacations in pristine environments with uncorrupted local culture."¹⁶

These factors contribute to an increased demand for development, creating an environment of investment in the infrastructure projects necessary to sustain tourism.

¹¹ See Christie Pashby, 'Sustainability' Can Work, Costa Rica Shows World, *The Tico Times*, January 28, 2000, at 6.

¹² See J.E.N. Sweeting et. al. The Green Host Effect: an integrated approach to sustainable tourism and resort development, Conservation International Policy Papers, 103 (1999).

¹³ See id.

¹⁴ See I Munt and E. Higinio, Sustainable Tourism, "Belize: Ecotourism Gone Awry," at 98 (1997)

¹⁵ See id.

¹⁶ Id.

A variety of factors contribute to the growth of ecotourism. For example, some East Asian and Latin American governments have adopted policies to induce capital investment in ecotourism. In addition, NGO's, industry associations, and policy makers are developing guidelines and certification standards to ensure uniform development of the industry. Ecotourism experts suggest that a system of voluntary certification will help consumers to choose legitimate ecotourism enterprises. However, such a system will work only if business leaders insist on high certification standards.

B. The Road Traveled

This study focuses on the development of ecotourism policy and its application to the tri-national region of Southern Mexico, Guatemala and Belize, often called the Maya Forest. Although there are many different areas that relate to ecotourism, this study addresses four topics of relevant interest.

The first section explores various definitions of ecotourism and related terms describing non-traditional tourism. This study hopes to identify the different aspects of non-traditional tourism, and differentiate ecotourism from those definitions. In addition, the study suggests seven characteristics of ecotourism to consider when adopting a definition for this type of tourism.

The second section presents an overview of currently existing ecotourism certification systems, especially those in Central America and the Maya forest region specifically. This section describes and analyzes these systems in the context of emerging development in the area of green certification or "ecolabeling."

Third, the study explores past, current and proposed initiatives and governmental policies in the Maya Forest countries. In particular we examine whether governments are providing useful and effective policies on ecotourism.

Finally, we review government policy that encourages the conservation of private lands, an especially powerful ecotourism incentive. In addition, the study provides a description of private land conservation options.

II. The Definitional Dilemma

Although its economic, social and conservation contribution to “sustainable development” are highly touted, tourism industry professionals are unable to ascertain ecotourism’s actual contribution to the tourism industry.¹⁷ Part of this difficulty stems from the confusing array of definitions offered by ecotourism policy specialists. Adding to this dilemma, the market equates ecotourism with other related terms such as sustainable tourism, nature tourism, wildlife tourism, and adventure tourism.¹⁸

Specialists in the field generally define nature tourism as travel to unspoiled areas to experience and enjoy nature.¹⁹ Unlike adventure tourism, nature tourism “usually involves moderate and safe forms of exercise such as hiking, biking, sailing, and camping.”²⁰

Adventure tourism, however, requires physical skill, endurance, risk taking, and generally involves activities such as rope climbing, deep-sea diving, bicycling or kayaking.²¹ Wildlife tourists, however, travel in order to observe birds, fish, and other animals in their native habitats.²²

These types of tourism differ from ecotourism because “nature, wildlife, and adventure tourism are defined solely by the recreational activities of the tourist, [while] ecotourism is defined as well by its benefits to both conservation and people in the host country.”²³ In this respect, ecotourism goes beyond nature tourism since the ecotourism industry and eco-travelers should additionally strive to conserve and protect the areas as well as benefit the people who live on or around these lands.²⁴

Many different organizations, typically NGOs, industry trade groups and international aid agencies, support varying definitions of ecotourism. Some of the more commonly cited definitions include The Ecotourism Society’s definition of ecotourism as “responsible travel to natural areas which conserves the environment and improves the welfare of local people.”²⁵ Conservation International

¹⁷ See, Martha Honey, Ecotourism and Sustainable Development: Who Owns Paradise, at 6 (1999).

¹⁸ See id.

¹⁹ See id.

²⁰ Id.

²¹ See id.

²² See id.

²³ Id.

²⁴ See id. at 3.

²⁵ See Stephen N. Edwards, Comparative Study of Ecotourism Policy in the Americas, Appendix A (1998).

defines ecotourism as “travel to natural areas that conserves the environment and benefits local people.”²⁶ In addition, CI further classifies ecotourism as “a specialty segment of nature tourism.”²⁷

The Rainforest Action Network, however, defines ecotourism through people’s actions rather than industry action. According to the Rainforest Action Network, ecotourism is “purposeful travel to natural areas to understand the culture and natural history of the environment, taking care not to alter the integrity of the ecosystem, while producing economic opportunities that make the conservation of natural resources beneficial to local people.”²⁸

The German bi-national aid organization, Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ), acknowledges that there is no internationally recognized definition.²⁹ Nevertheless, GTZ also refers to ecotourism in terms of the traveler. GTZ defines ecotourism as a form of responsible travel in natural regions.³⁰ Such travel is not only environmentally and socially sound, but also contributes to financing nature conservation and creating income opportunities for the local community.³¹ Thus, the travel contributes to sustainable development.³² Furthermore, GTZ refers to sustainable development as “forms of development that guarantee both the preservation of natural resources and economic value creation for local communities.”³³

At the United Nations Conference on Environment and Development,³⁴ the World Tourism Organization (WTO)³⁵ adopted a definition for sustainable tourism:

Sustainable tourism meets the needs of present tourists and host regions while protecting and enhancing opportunity for the future. It is envisaged as leading to management of all resources in such a way that economic, social, and aesthetic needs can be fulfilled while maintaining cultural integrity, essential ecological processes, biological diversity, and life support systems. Sustainable tourism products

²⁶ Id.

²⁷ Id.

²⁸ Id.

²⁹ See GTZ, Tourism and Conservation of Biological Diversity pamphlet (1997).

³⁰ See id.

³¹ See id.

³² See id.

³³ GTZ, Sustainable Tourism as a Development Option: Practical Guide for Local Planners, Developers and Decision Makers at 1 (1999).

³⁴ UN Conference is also known as the Earth Summit Conference 1992.

³⁵ The World Tourism Organization is an international organization in the field of travel and tourism. It serves as a global forum for tourism policy issues. Its membership includes 138 countries and territories and more than 350 Affiliate Members representing local government, tourism associations and private sector companies, including airlines, hotel groups and tour operators. Headquartered in Madrid, “WTO is an inter-governmental body entrusted by the United Nations with the promotion and development of tourism.” See <<http://www.world-tourism.org>>.

are those which are operated in harmony with the local environment, community, and cultures, so that these become the permanent beneficiaries and not the victims of tourism development.³⁶

Industry professionals fear that without a proper definition of ecotourism, the results of “ecotravel” will mirror those of mass tourism.³⁷ Often considered a harmless, “clean” industry, some critics contend that the economic benefits of mass tourism are marginal, while its social and environmental costs are high.³⁸ Based on a review of the literature, we identified seven characteristics of ecotourism to consider when adopting a definitional standard for this sector of tourism.³⁹ First, ecotourism should involve travel to natural areas, which are often remote, and under some kind of environmental protection.⁴⁰ Second, ecotourism must minimize the impacts on the surrounding area.⁴¹ Some ways to ensure the minimization of impacts on the surrounding areas is to regulate the number of travelers that may enter the area, their behavior, and the use of renewable sources of energy.⁴² Thirdly, ecotourism builds environmental awareness by educating the tourists and the residents of nearby communities.⁴³ The fourth characteristic of ecotourism is that it provides direct financial benefits for conservation.⁴⁴ Fifth, ecotourism provides financial benefits and empowerment for residents of local communities.⁴⁵ Sixth, ecotourism must respect local culture by having a minimal effect on the natural environment and the human population.⁴⁶ Seventh, ecotourism supports human rights and democratic

³⁶ Edwards, Appendix 1.

³⁷ “Over the past four decades, mass tourism has become synonymous with the four S’s, sun, sea, sand, and sex.” See Honey at 9.

³⁸ See id.

³⁹ See id.

⁴⁰ See id. at 22.

⁴¹ See id.

⁴² See id.

⁴³ See id.

⁴⁴ See id.

⁴⁵ See id.

⁴⁶ See id.

movements in developing countries.⁴⁷ This characteristic puts the responsibility on the eco-traveler to be aware of the host country's political climate.⁴⁸

Given all the definitions that are in use, and the suggested characteristics of ecotourism, ecotourism may be best described as:

- appropriate scale: low impact, small scale travel to fragile, pristine, and usually protected areas;
- educational to travelers;
- benefitting conservation efforts;

⁴⁷ “The campaign by the African National Congress (ANC) to isolate South Africa through a boycott of investment, trade, sports, and tourism helped bring down apartheid.” See id. at 24.

⁴⁸ See id.

•and benefitting the local communities through economic development, political empowerment, and by fostering respect for different cultures and for human rights.”⁴⁹

In order to assure that ecotourism meets all these goals, many proponents suggest that a standard system of certification needs to be established.

III. Ecolabeling the Ecolodge

A. The Road to Certification

The use of certification standards for labeling various products is not a new concept. “Blue Angel,”⁵⁰ Germany’s ecolabeling program established in 1977, was the first environmental seal of approval for various categories of products.⁵¹ Since then, the use of ecolabeling has expanded throughout the world.⁵² Ecolabeling is emerging as a promotional tool for “green” services as well as its traditional use for promoting “green” products. Proponents contend that the implementation of an environmental certification system for ecolodges and other ecotourism services will facilitate the setting of standards of excellence for the industry, and the increased promotion will thereby increase marketing opportunities and help further conservation goals.⁵³

Although ecotourism certification has the potential to be an important tool for promoting environmental excellence, there are currently no consistent worldwide or regional standards.⁵⁴ Many groups offer certification programs or guidelines to follow, but these vary

⁴⁹ Id at 25.

⁵⁰ The Blue Angel program is a cooperative effort among several independent organizations, governmental bodies and the public. The entities develop a set of criteria that promote environmental soundness in various products. An applicant may pay a fee and have his product tested to determine whether it meets this criteria. If the applicant meets the criteria, it may display the seal of approval. See Roger D. Wynne, The Emperor’s New Eco-Logos?: A Critical Review of the Scientific Certification Systems Environmental Report Card and the Green Seal Certification Mark Programs, 14 Va. Env’tl. L.J. 51, 60 (1994).

⁵¹ See Elliott B. Staffin, Trade Barrier or Trade Boom?: A Critical Evaluation of Environmental Labeling and Its Role in the Greening of World Trade, 21 Colum. J. Env’tl. L. 205 (1996), citing, Eric P. Bartenhagen, The Intersection of Trade and the Environment: An Examination of the Impact of the TBT Agreement on Eco-Labeling Programs, 17 Va. Env’tl. L.J. 51, 52 (1997).

⁵² See id.

⁵³ See James Sweeting, Aaron Bruner and Amy Rosenfeld, The Green Host Effect: An Integrated Approach to Sustainable Tourism and Resort Development, Conservation International, 73 (1999).

⁵⁴ See id.

widely.⁵⁵ Because of the lack of measurable parameters and the lack of a universal certification standard, the term causes market confusion. This has led to accusations that the tourism industry exploits the term ecotourism as a marketing tool. This may result in so-called “green washing;”⁵⁶ the unverifiable claims of eco-friendliness that offer no meaningful environmental benefits.⁵⁷ Green washing in the ecotourism field may mean that green consumers may place little importance on the ecolabeling of lodges and have little faith in tourism services that promote themselves as environmentally friendly.

B. Currently Existing Certification Systems

1. Green Globe

The World Travel and tourism Council designed Green Globe 21 Certification to define a global standard for environmental performance.⁵⁸ The ecotourism community initially criticized Green Globe for providing a “green” seal of certification without the company which is seeking certification ever having to undergo any type of verification.⁵⁹ To address this concern, Green Globe established itself as an independent concern in 1999.⁶⁰

Green Globe bases its certification on a combination of Agenda 21⁶¹ issues and ISO⁶² type procedures.⁶³ It hopes to ensure global delivery of its program by collaborating with tourism agencies in Australia, the Caribbean as well as 27 other strategic Travel and Tourism partners.⁶⁴ The group is also partners with SGS⁶⁵, an independent testing, inspection and verification

⁵⁵ See *id.*

⁵⁶ See <http://www.turismo-sostenible.co.cr/EN/sobreCST/when-why.shtml>.

⁵⁷ See Wynne, 14 Va. Env'tl. L.J. 51, 54 (1994).

⁵⁸ See <http://www.greenglobe.org/-pdf file>.

⁵⁹ See Sweeting, Bruner and Rosenfeld, Conservation International, 74 (1999).

⁶⁰ See <http://www.greenglobe.org/-pdf file>.

⁶¹ The “21” in the Green Globe name refers to 1992's Rio Earth Summit's Agenda 21 for sustainable development to promote a 21st century Travel and Tourism lifestyle. See <http://www.greenglobe.org/-pdf file>.

⁶² International Organization for Standardization. “A non-governmental organization established in 1947. The mission of ISO is to promote the development of standardization and related activities in the world with a view to facilitating the international exchange of goods and services, and to developing cooperation in the spheres of intellectual, scientific, technological and economic activity.” <<http://www.iso.ch/>>.

⁶³ See <http://www.greenglobe.org/-pdf file>.

⁶⁴ See *id.*

⁶⁵ Societe General de Surveillance. SGS defines implementation procedures and undertakes overall final verification to ensure that targets have been met. Regular audits are also undertaken. See *id.* SGS has been hired to verify numerous other records around the world, including the Holocaust survivors accounts in Switzerland. SGS will therefore lend a tremendous amount of credibility to Green Globe.

organization.⁶⁶ Green Globe has sought to promote itself as unbiased and neutral in this certification process. Entry into the Green Globe certification program costs between US\$350 and US\$15,000.⁶⁷

2. Ecotel

Another certification standard, the Ecotel Certification,⁶⁸ allows lodging facilities to rate their own environmental performance.⁶⁹ Environmentally conscious travelers may base their lodging decisions on whether a lodge has demonstrated sensitivity and superiority in five areas: solid waste management, energy efficiency, water conservation, environmental legislation compliance and native land preservation, and employee environmental education and community involvement.⁷⁰ HVS Eco Services, the organizing body for this certification standard, claims to continually promote its certified member hotels in order to enhance the profile of these properties.⁷¹

3. The Audubon Cooperative Sanctuary Program

The National Audubon Society developed a certification system to motivate and educate people to protect wildlife and their habitats and to conserve natural resources.⁷² Moving beyond tourism, the Audubon Cooperative Sanctuary Program for Businesses and Corporate Properties (ACSP) encourages organizations to take a leadership role in conservation projects.⁷³ Businesses may apply for certification by achieving excellence in

⁶⁶ See Sweeting, Bruner and Rosenfeld, Conservation International, 74 (1999).

⁶⁷ See <http://www.greenglobe.org-/pdf file>.

⁶⁸ The Ecotel Certification is promoted by the The Ecotourism Society in its literature. See <http://www.ecotourism.org/textfiles/ecolcour.txt>, The Ecotourism Society's Planning Designing, and Launching an Ecolodge.

⁶⁹ See <http://www.hvs-intl.com/eco.htm>.

⁷⁰ See *id.*

⁷¹ See *id.* Interesting to note is that HVS Eco Services is run by HVS-R/E Hospitality Waste Management Systems which sells waste management programs to the hospitality industry. See <http://www.hvs-intl.com/hvs-re.htm>.

⁷² See <http://www.://www.audubonintl.org/acss/>

⁷³ See *id.*

four categories: environmental planning, wildlife and habitat management, environmental outreach, and resource conservation.⁷⁴

Membership is open to any business and the cost to join is US\$120.00 annually.⁷⁵

4. Costa Rican Certification in Sustainable Tourism Program⁷⁶

The Costa Rican Tourism Institute (ICT) recently designed a Certification in Sustainable Tourism Program (CST) to identify tourism

businesses that are complying with a sustainable model of natural, cultural and social resource tourism.⁷⁷ The voluntary system

encourages lodges and other tourism related businesses to fill out a questionnaire covering four main topics:

physical and biological environment, hotel facilities, customers, and socio-economic

environment.⁷⁸ The CST is a government run program accredited by the Costa Rican National Accreditation Commission.⁷⁹

The new certification program hopes to promote national tourism and to differentiate the Costa Rican tourism industry from its

competitors.⁸⁰ The idea is that by enhancing its own tourism market by promoting authentic natural destinations, Costa Rica will

further increase its competitiveness.⁸¹

5. Guatemala's "Green Deal"

Alianza Verde, a non-profit group committed to protecting the Peten region in Guatemala, recently created the "Green Deal"

certification program.⁸² The objective of the program is to elevate the quality of the tourism services offered in the area to achieve

sustainability and quality.⁸³ In order to achieve certification, various tourist operations including tour operators, hotels, transportation

⁷⁴ See <http://www.audubonintl.org/acss/business4.htm>

⁷⁵ See <http://www.://secure.cnchost.com/audubonintl.org/cgi-bin/ePages.storefront/379095134/>.

⁷⁶ Costa Rica's CST program was recently adopted by the World Tourism Organization's Sustainable Tourism Commission as the international standard. See Pashby, *The Tico Times* at 6.

⁷⁷ See <http://www.turismo-sostenible.co.cr/EN/home.shtml>

⁷⁸ See Guillermo Escofet, *New Hotel Rating System Gets "5 Leaves"*, *The Tico Times*, Vol. V, No. 36, September 17, 1999.

⁷⁹ See <http://www.turismo-sostenible.co.cr/EN/sobreCST/when-why.shtml>.

⁸⁰ See *id.*

⁸¹ See *id.*

⁸² See Green Deal literature, *Asociacion Alianza Verde*, 1999.

⁸³ See *id.*

companies, restaurants and guides, must reach a minimum level of quality based on standards established by Alianza Verde.⁸⁴ The

cost of evaluating the business for certification varies depending on the size and complexity of business.⁸⁵

NAME OF CERTIFICATION SYSTEM	SPONSOR	INTENDED SCOPE	PRICE	FORMAT OF PROGRAM
Green Globe	Private	International	\$350 - \$15,000	Certification
Ecotel	Private	International	No membership fee but charges for a site visit and technical support	Certification
The Audubon Cooperative Sanctuary Program	NGO/ Non-Profit	International	\$120	Certification
Costa Rican Tourism Association	Government	National	Initial categorization offered at no cost. However, there may be a charge for technical support and assistance.	Certification
Guatemala's "Green Deal"	NGO/ Non-Profit	Regional	Depends on size and complexity of business	Certification

C. Certification Concerns

Although there are several different certification systems available for those who wish to acquire a "green" label for their ecotourism business, there are many concerns associated with the certification systems presently in place. The first concern stems from the apparent self-serving nature of many of the certifying organizations. For example, the Ecotel Certification Program evaluates businesses based on certain criteria such as waste management techniques and energy efficiency. However, the sponsoring organization is HVS-R/E Hospitality Waste Management Systems whose primary source of income is implementing waste

⁸⁴ See *id.*

⁸⁵ Interview with Saul Blanco, Coordinator, Alianza Verde, in Flores, Guatemala (Nov. 11, 1999).

management programs in the hospitality industry.⁸⁶ This may lead to self-serving conclusions designed to market the company's own products, and certainly creates the appearance of a conflict of interest.

Another concern with the currently available certification programs is the method used to evaluate the businesses. Some of the programs rely on self-evaluations. In addition, few of the programs audit or check the validity of these self-evaluations.⁸⁷

Furthermore, all of the voluntary industry driven initiatives lack compliance and enforcement mechanisms.

As a result of these concerns and the proliferation of ecotourism certification processes, there is a fear that certification will not lead to any positive results; that they may instead lead to some negative public assumptions.⁸⁸ For example, there is a concern that the public may assume that because there are so many different certification programs, all methods are subjective and a lodge can easily buy its certification,⁸⁹ especially since some programs are based on paid membership. Therefore, it is imperative that if a system of certification for ecotourism is going to be successful for tourists and industry alike, there are certain goals that the industry must attain.

D. Industry

Certification

Goals

The first goal in lending credibility to the idea of "green" labeling the ecotourism industry is the establishment of a worldwide, independent certification organization. Although the organization should evaluate the industry on a global basis, there still needs to be some regional variation in evaluation methods to account for differing resources and ecosystems.⁹⁰ In addition, independent trained specialists should do the evaluations. The forestry sector has been a pioneer in this approach and may be looked to for guidance.⁹¹ The fee to gain membership in the certifying organization should be minimal or subsidized. An administrative cost of evaluation may be unavoidable if the certifying organization is a non-profit group. Nevertheless, the cost should be reasonable and not exceed the

⁸⁶ See <http://www.hvs-intl.com/hvs-re.htm>.

⁸⁷ See <<http://www.funredes.org/yacine/kalalu/KAD/certif/>>, citing Ron Mader, Latin America's New Ecotourism: What is it?, 1999.

⁸⁸ See <<http://www.://www2.planeta.com/mader/planeta/0898/0898rating.html>>, citing Anne Becher and Betrice Blake, Reflections on "Green Ratings."

⁸⁹ See *id.*

⁹⁰ Most ecotourism resources are localized, and therefore, standards need to be localized as well. See Bosselman at 15.

⁹¹ See generally <http://www.forest_trends.org>.

minimum necessary to administer the evaluation. Once there is a certification program in place that can abide by those requirements, there will be fewer concerns about the validity of the certification. Thus, the public will value the “green” label, and the industry will profit from its designation as a certified business.

IV **Creating an Enabling Environment for Ecotourism: The Maya Forest Case Study**

Estimated to be the largest block of contiguous tropical forest located north of the Amazon, the Maya Forest is a large region of predominately lowland tropical rainforest in portions of Southern Mexico, Guatemala, and Belize.⁹² The Maya Forest is home to an unusually high level of biodiversity and many endemic species.⁹³ The Maya Forest is also the ancestral homeland for the indigenous Maya.⁹⁴ The Forest is currently threatened by a variety of socioeconomic forces that could ultimately destroy it.⁹⁵ Conservation practices, implicit in ecotourism, may salvage the area.

Although many NGOs and non-profit organizations tout ecotourism as a viable development option,⁹⁶ few countries have articulated any comprehensive, national policy directives on the matter. Various countries have guidance or incentives for the tourism industry at large, but, of the 52 countries in Latin America, only four countries responded affirmatively to a survey inquiring about an ecotourism policy.⁹⁷ The four countries are Bonaire, the Cayman Islands, Curacao and Honduras.⁹⁸ The other Latin American countries, including the Maya Forest region countries, responded they did not have firm ecotourism policies.⁹⁹ However, many other countries, including those in the Maya forest, do promote themselves as ecotourism destinations and purport to have “national policies” addressing ecotourism.

II. **Governmental Ecotourism Policy Initiatives**

⁹² See Thomas T. Ankersen, Confronting the Crisis: Conservation Law and Policy in the Maya Forest, 85 (1995).

⁹³ See id.

⁹⁴ See id.

⁹⁵ See id.

⁹⁶ See Stephen N. Edwards, Comparative Study of Ecotourism Policy in the Americas, (1998).

⁹⁷ See id.

⁹⁸ See id.

⁹⁹ See id.

Tourism has an immense economic impact on the national economies of Belize, Guatemala and Mexico, the three countries comprising the Maya Forest Region.¹⁰⁰ Many conservationists, as well as the three relevant governing bodies, realize the importance of preserving the natural resources in this area and promote it as an ecotourism destination. However, the governments have yet to create firm government policies to foster ecotourism investments.

1.

Belize

¹⁰⁰ See Richard B. Primack, et al., Timber, Tourists and Temples: Conservation and Development in the Maya Forest of Belize, Guatemala and Mexico 344 (1998).

Tourism contributes substantial amounts of revenue to the Belizean economy.¹⁰¹ Belizeans perceive ecotourism as a means to bettering the economy because it increases the national income.¹⁰² Furthermore, the Belizean government's strategy is to protect and preserve the local flora and fauna in order to provide the pristine environment that ecotourists seek.¹⁰³

In the 1980's, Belize's popularity as an ecotourism destination grew. Most of the early ecotourism programs were centered in the larger cities and consisted of brief day trips to surrounding areas.¹⁰⁴ The government of Belize, reacting to the wave of new tourism and realizing the importance of the country's natural resources, created the Ministry of Tourism and the Environment.¹⁰⁵ The government, however, was slow to recognize the importance of rural, community-based ecotourism.¹⁰⁶ Some experts suggest that by starting its ecotourism development later than other areas, Belize has the added advantage of being able to evaluate other countries' programs and determine the successes and failures.¹⁰⁷

The Tourism and Environment Minister, Henry Young, spoke in 1993 of maintaining and promoting environmentally sound goals to help ecotourism.¹⁰⁸ In order to accomplish these goals, he suggested designating user fees for protected areas. In addition, he supported community participation in the management of these protected areas; particularly where community based tourism initiatives closely related the national parks and reserves. In addition, environmental protection would be the cornerstone for all tourism policies.

Several years later, in 1997, the Minister again promised support to ensure that community based tourism initiatives would proceed in an economically, socially and environmentally sustainable manner.¹⁰⁹ The Assistant Secretary of Ministry of Tourism and the

¹⁰¹ See Pat Weizsman, Assistant Secretary, Ministry of Tourism and the Environment, Ecotourism: A Case of Belize (1997).

¹⁰² See Dorothy C. Zbicz, International Cooperation for Protection of the Peten Forest: Guatemala, Mexico and Belize 20 (1995).

¹⁰³ See Ian Munt at 99.

¹⁰⁴ See Primack at 344.

¹⁰⁵ Nearly 35% of Belize's land is designated as protected areas. See id. at 332, citing Boo (1990).

¹⁰⁶ See id., citing Godfrey (1990).

¹⁰⁷ See <<http://www2.planeta.com/mader/planeta/0499/0499belize.html>>, citing Les Beletsky, Belize and Northern Guatemala: The Ecotravellers' Wildlife Guide, Academic Press, 1998.

¹⁰⁸ See Henry Young, speech on Tourism Policy Statement, October 15, 1993.

¹⁰⁹ See Pat Weizsman, paper on Ecotourism: A Case of Belize, May 12, 1997.

Environment has stated that eco-cultural tourism is “being given high priority by the Government of Belize as a preferential option for economic development . . . [The] eco-cultural tourism policy is, in its best sense, undoubtedly a commitment to the future.”¹¹⁰

Despite these continual promises, the country has not translated these goals into a formal, articulated policy.

III.

Guatemala

¹¹⁰ See id.

Like Belize, Guatemala is also a country rich in natural resources and ideally situated to develop its ecotourism markets. The Guatemalan Institute of Tourism (INGUAT) plays a large role in managing tourism in the area.¹¹¹ INGUAT manages tourism in the reserve areas, determines the granting of tourism concessions and the fee structures for the area.¹¹² One of INGUAT's main revenue sources is a straight 10% bed tax to all hotels and tourist lodging destinations in the country.¹¹³ They then use this revenue to market Guatemala's tourism industry.¹¹⁴

INGUAT also devised a plan for the development of sustainable tourism through the year 2005.¹¹⁵ The plan to promote ecotourism includes general policies on development of basic infrastructure, tourist products and facilities standards.¹¹⁶ The plan also specifically requires a consideration of carrying capacities in the expansion of ecotourist sites as well as increased preservation of natural and cultural heritage.¹¹⁷

One of the major proposed projects in the plan is the development of a national circuit for ecotourism destinations.¹¹⁸ Under this plan, tourists would be able to travel from "green" lodge to "green" lodge and organize their vacations around strictly ecotourist destinations. According to INGUAT, an ecotourist destination will be one that will protect and conserve its surrounding natural environment and will guarantee a minimum level of impact on the environment. In addition, the ecotourism destination will involve the local communities in the venture.

IV.

Mexico

¹¹¹ See Primack at 379.

¹¹² See id.

¹¹³ Interview with Juan Carlos Bonilla, in Flores, Guatemala. (Nov. 8, 1999).

¹¹⁴ See id. Although the revenue from the bed tax is put back into tourism, a percentage of the money is not ear-marked for ecotourism. Ecotourism destinations are not excluded from the distribution, but are also not singled out. See also <<http://www.://www.guatemala.travel.com.gt>>

¹¹⁵ See Juan Pablo Vidaurre, paper on Ecoturismo en Guatemala.

¹¹⁶ See Primack at 332.

¹¹⁷ See id.

¹¹⁸ See Vidaurre.

Mexico, with its diverse natural resources and scenic beauty, has the potential to be a leader in the field of ecotourism. The relatively low number of ecotourism operators in the country highlights the untapped ecotourism market in Mexico.¹¹⁹ For example, of the 113 ecotourism operators in the NAFTA countries, only 17 were in Mexico.¹²⁰ Despite its poor showing in the existing ecotourism world, Secretary of Tourism Silva-Herzog stated in 1994, that one of his basic objectives in making Mexico a worldwide tourism leader was to diversify the types of tourism made available to the traveler.¹²¹ He recognized that taking advantage of Mexico's wealth of natural resources was a big part of this diversification.

Mexico currently has a strong program to protect its natural areas. The Natural Protected Area Program (ANP), initiated by presidential decree, has designated numerous natural regions and mandated that each area have its own management plan.¹²² It has also created a national standard for general tourist guides (NOM-08-TUR-96) that required the guides to consider the environment and the natural and cultural consequences of their guided trips.¹²³

V. **Regional Efforts**

¹¹⁹ See Daniel Ruiz Sandoval, Programa de Ecoturismo en Areas Naturales Protegidas de Mexico (1997).

¹²⁰ See id.

¹²¹ See id.

¹²² See id.

¹²³ See id.

Mexico, Guatemala and Belize have all made efforts to protect their environments and to safely promote the beauty of their respective countries. In addition, the three countries have formally demonstrated their willingness to increase cooperation with each other in order to harmonize the management of the Maya Forest area.¹²⁴ The three countries, along with other Central American neighbors, have signed various initiatives and agreements.¹²⁵ For example, they signed the Central American Alliance for the Promotion of Sustainable Development (Alianza Centroamericana para el Desarrollo Sostenible) in 1992 to help change the economic and environmental sustainability in the signor's country.¹²⁶

In 1993, the Peten region countries as well as Honduras and El Salvador also signed the Copan Declaration.¹²⁷ This agreement facilitated the exploration and restoration of ancient sites and the initiation of a "Maya Pass".¹²⁸ Additionally, the agreement pledged to involve local people in the tourism ventures and the economic development of the region.¹²⁹ Furthermore, in 1996, the "Mundo Maya" organization was formed to market the region's tourism destinations.¹³⁰ The purpose of the plan was to unite the culture, ecology and local communities to create a strong tourism marketing front.¹³¹ These initiatives or projects are strong examples of the Maya Forest countries' desire to promote tourism and sustainable development.¹³²

Even with these good intentions, the governments of the Maya Forest region are limited in what they can do.¹³³ The extremely limited funding for ecotourism marketing and awareness, that could lead to an increase in ecotourism, keeps governments from truly progressing in these areas. These environmental initiatives and policies are of limited value without the proper financial backing to

¹²⁴ See Caroline Amilien and Tom Ankersen, A Comparative Analysis of Protected Areas Legislation in Belize, Guatemala and Mexico with Special Reference to the Trinational Maya Forest ii (1998).

¹²⁵ See id.

¹²⁶ See id.

¹²⁷ See Zbicz at 8.

¹²⁸ The Maya Pass is a travel package including joint visas and special airfares to the region. See id.

¹²⁹ See id.

¹³⁰ Mundo Maya is a program designed to link the Mayan sites with ecotourism, recognizing the cultural and biological richness of the region. The Program is receiving considerable recognition from the Ministries of Tourism, NGOs and private sector tour operators. See Zbicz at 8.

¹³¹ See Guillen.

¹³² Other international agreements that foster better environmental management of the Maya Forest are: The United Nations Framework Convention on biological Diversity, the World Heritage Convention, the Convention on Trade in Endangered Species, the Western Hemisphere Convention and UNESCO's Man and the Biosphere program. See Conservation International, Regional Conservation Assessment Workshop of the Maya Tropical Forest: Final Report 29 (1996).

¹³³ See id.

hire the proper number of enforcement personnel, environmental managers or park personnel.¹³⁴ As a result, many governments have turned to partnerships with private agencies or NGOs that seek the same goals.¹³⁵

Non-governmental organizations based in Mexico, Belize, Guatemala and the U.S. are actively involved in the ecotourism industry and in the conservation of the Maya Forest. They regularly support the programs by promoting tours, publishing maps and newsletters, and organizing conferences and support systems for the local ecotourism ventures. However, unless there is substantial emphasis on the sustainability of the protected areas, ecotourism will be unable to flourish.¹³⁶

As the natural areas begin disappearing, available ecotourism destination sites will inevitably become limited. In addition, competing interests, such as logging, mining, and ranching, will discourage local community interest in promoting ecotourism as a sustainable economic alternative. Therefore, the governments' inability to formulate hard policies will result in the deterioration of the natural areas that can be set aside for ecotourism.

C. Ecotourism and Land Conservation Strategies

¹³⁴. See id.

¹³⁵. See id.

¹³⁶ See Fred P. Bosselman et al., Managing Tourism Growth 10 (1999)

Since “ecotourism” differs from “nature tourism” because ecotourism requires an element of conservation and promotes social well being, governments and the private sector need to consider ways to achieve the conservation element if this two-pronged definition. In the effort to make ecotourism a successful industry, “blending conservation and development [is] increasingly important.”¹³⁷ In industrialized countries, private reserves are an increasingly important tool for protecting area systems.¹³⁸

1. Private Reserves

¹³⁷ See Ian A. Bowles et al., Encouraging Private Support for Biodiversity Conservation 4 (1996).

¹³⁸ See Bowles, I. A. et al. Encouraging Private Sector Support of Biodiversity Conservation: the use of economic incentives and tools (1996).

In private reserves, landowners make a formal commitment to manage their land as a nature conservation area.¹³⁹ Private reserves are an especially attractive conservation tool when no funds are available to purchase lands directly. Ecotourism may benefit from the creation of private reserves because reserve owners can still operate ecotourism businesses on private reserves, and may be entitled to reduced taxes.¹⁴⁰ Private reserves also provide economic incentives for protecting important ecotourism sites that otherwise are converted to other uses.

a. Benefits of Private Reserves

When property owners voluntarily sacrifice certain use rights to their land to make a private reserve, they are not giving up the right to turn a profit on their property. In fact, a survey of 32 of the approximately 100 private reserves in Latin America and Sub-Saharan Africa showed that more than half were profitable ventures.¹⁴¹ Furthermore, approximately three-quarters of respondents wrote that they earned more from their land as a private reserve than they could earn if they converted the land to another use such as logging, agriculture, or cattle ranching. Finally, according to the same survey, tourism provided for 67 percent of the revenues collected by these private reserves.¹⁴² Thus, an important economic benefit of private reserves is that owners can sell access to their land as an ecotourism attraction.

Rates of taxation are a second important benefit of private reserves. Owners of private reserves may be partially or completely exempt from property taxes. In Guatemala, according to the Law of Protected Areas (No. 4-89 and No. 110-96), 50 percent of profits earned on private reserves (including from ecotourism) were exempt from taxation.¹⁴³ However, the Act canceling tax deductions, exonerations, and exemptions rescinded this tax break in 1997.

In addition, private reserves are a means for landowners to manage the benefits of a jointly owned ecotourism operation. The Community Baboon Sanctuary in Belize is an example of an ecotourism facility composed of many small private reserves. Seventy families protect forest fragments that are the habitat for a population of endangered howler monkeys. Cooperation by the

¹³⁹ See id.

¹⁴⁰ See Langholz J., *Economics, Objectives, and Success of Private Nature Reserves in Sub-Saharan Africa and Latin America* at 271-280 (1996).

¹⁴¹ See id.

¹⁴² See id.

¹⁴³ See Chacon.

participating families guarantees the survival of the monkeys, and in turn, the monkeys are a tourist attraction and provide a small source of income for these families.¹⁴⁴ This system of private reserves is an inexpensive conservation strategy compared to the cost and complication of the Belizean government attempting to buy the habitat to protect the howler monkeys. On the other hand, the risk always remains that the private agreement, which protects the lands, will someday disintegrate and the monkey habitat will be lost.

A final important benefit of private reserves is the satisfaction that some property owners feel knowing that they have protected forestlands. Considering Langholz's¹⁴⁵ conclusion that approximately 50 percent of private reserves were not profitable, non-market benefits must be motivating the managers of some private reserves.

b. Costs of Private Reserves

¹⁴⁴ See S. E. Alexander, "The Role of Belize Residents in the Struggle to Define Ecotourism Opportunities in Monkey Sanctuaries," *Cultural Survival Quarterly*, at 21-23, v2 (1999).

¹⁴⁵ See Langholz at 271-280.

The primary cost of creating a private reserve is the opportunity cost of the next best alternative land use. This opportunity cost is equal to the difference between the present value of revenues minus the present value of costs (present value of net revenues) that a private reserve will generate over time, and the same present value of net revenues that the land would generate if the land were employed in the best alternative economic use. By definition, a private reserve has no opportunity cost if no other land use providing greater net returns over time exists. Costs of maintaining private reserves relate to the specific management requirements of the protected land. In many developing countries including Guatemala, forested lands are more vulnerable than agricultural lands to invasion by small-scale farmers. The property owner must factor into the decision to create a private reserve any increase in the risk of losing the land.¹⁴⁶

c. Tax Breaks as Incentives to Create Private Reserves

Tax breaks are an important incentive for the creation of private reserves and conservation easements in industrialized countries.¹⁴⁷ However, in Guatemala, property taxes are only 0.2 – 0.9 percent annually and frequently go uncollected.¹⁴⁸ Although the Guatemalan Peace Accords call for tax increases,¹⁴⁹ one observer has suggested that the influence of Guatemalan business organizations, has “wholly or partially thwarted four major attempts since the mid-1980s to raise the national tax coefficient.”¹⁵⁰ There is currently no tax incentive to create conservation easements or private reserves in Guatemala. Land taxes are currently so low that even if the government implemented tax breaks, they would represent weak incentives for creating private reserves.¹⁵¹

2. Conservation Easements

¹⁴⁶ See Chacon, C. M. and R. Castro, Conservacion de tierras privadas en America Central—Utilizando herramientas legales voluntarias at 144 (1998).

¹⁴⁷ See id.

¹⁴⁸ See id.

¹⁴⁹ See United Nations, “The Guatemala Peace Agreements,” (1998).

¹⁵⁰ J. Spence et al., “Promise and Reality: Implementation of the Guatemalan Peace Accords,” (1998).

¹⁵¹ See Chacon at 144.

Conservation easements are a special form of private reserve in which property owners formally give up specific use rights to their land for a set time interval or for perpetuity.¹⁵² Landowners make this sacrifice voluntarily or in exchange for some form of compensation, such as a tax break. Furthermore, conservation easements typically run with the land, which makes them perpetual in nature. Thus, land sales to subsequent owners do not affect the terms of easements.¹⁵³

The concept of easements originated in common law systems,¹⁵⁴ but has recently been adopted in Costa Rica, a civil law jurisdiction

The conservation easement “is a legal agreement a property owner makes to restrict the type and amount of development that may take place on his or her property.”¹⁵⁵ Therefore, the granting of a conservation easement is the sale of the right to engage in certain types of uses on the property.¹⁵⁶ An example of such a use would be the right to use the property for more intensive development.¹⁵⁷ As a result, conservation easements are useful in protecting a “wide variety of land, including farms, forests, historic areas, ranches, wildlife habitats, and scenic views.”¹⁵⁸

3. Other Methods

a. Tourism Mitigation Fee

Another option for the governments looking to encourage land preservation incentives is the implementation of a tourism mitigation fee. A mitigation fee is a charge to developers to offset the negative impacts that a development will have on the surrounding environment. A local agency can then use these funds for projects that improve ecotourism, or promote the values that ecotourism seeks to protect such as restoring damaged areas, funding environmental research, or buying land for conservation. Buying conservation easements would be another, less costly alternative to purchasing the outright title to a piece of property, since the price of an easement reflects the fair market value of that use, and not the value of the property as a whole.

¹⁵² See Land Trust Alliance Appraising Easements: guidelines for evaluation of historic preservation and land conservation easements (1990).

¹⁵³ See Chacon at 144.

¹⁵⁴ Easements are easier to create in common law countries, because they consider rights of property owner as a bundle of rights that are independent of each other and are separable from one another. See id at 5. In addition, the Nature Conservancy is promoting this tool throughout Latin America. See id.

¹⁵⁵ Janet Diehl et al., Conservation Easement Handbook at 5 (1988).

¹⁵⁶ See Bowles at 5.

¹⁵⁷ See id.

¹⁵⁸ Land Trust Alliance, Conservation Options. A Landowner’s Guide 10 (1996).

Nevertheless, the advantage of collecting mitigation fees from developers is that it is an upfront charge. The collecting agency charges the fee before the commencement of the development. Therefore, governments can insure the administration and collection of the fee. It is also easier for the government to collect a one-time fee rather than try to collect property taxes every year, especially in many countries where the tax collection systems are inefficiently enforced, such as Guatemala.

b. Mutual Covenants

The mutual covenant is another example of a type of land preservation method that is more limited than a conservation easement.¹⁵⁹ In the common law, a covenant is a written restriction contained in a deed, contract, or other form of agreement.¹⁶⁰ Mutual covenants must include a group of landowners that are concerned about attaining a common goal.¹⁶¹ The group's goal may be to protect an undeveloped space they all own, protect a scenic view that they all share, or even restrict the uses of the property in the collective area.¹⁶² Once the landowners ascertain this common goal, the group then exchanges mutual covenants in order to ensure the protection of these features.¹⁶³ Each of the landowner's promises are then enforceable by the other landowners and their successors in interest.¹⁶⁴

c. Conservation Agreements

Conservation agreements provide another land preservation option. A conservation agreement requires an agreement between the landowner and a government agency.¹⁶⁵ The property owner in a conservation agreement, without transferring ownership, makes a legal agreement with the government agency to manage the property in a designated way in order to accomplish a specified conservation or environmental goal.¹⁶⁶ In addition, the property owner receives payments from the government agency in exchange

¹⁵⁹ See id.

¹⁶⁰ See id. at 53.

¹⁶¹ See id. at 20.

¹⁶² See id.

¹⁶³ See id.

¹⁶⁴ See id.

¹⁶⁵ See Bowles at 8.

¹⁶⁶ See id.

for the management agreement.¹⁶⁷ The government agency generally makes the payments in periodic installments rather than lump sums in order to encourage continued compliance.¹⁶⁸

While this method may benefit landowners because they can designate length of time of the agreement and because there is a financial incentive to comply with the agreement, conservation agreements may not be the most financially beneficial method for a government to employ.¹⁶⁹ Conservation agreements are costly because they require continued supervision and government expenditures. In addition, government agencies run the risk of paying a landowner to conserve property that they did not intend to develop in the first place.¹⁷⁰

4. Land Tenure Security

Nevertheless, none of these means are viable options unless the property of interest has a title.¹⁷¹ During the last decade, several projects have been initiated in the Peten to improve land tenure security, but property rights are still quite ill defined and few landowners have legal titles.¹⁷² For this reason, private reserves, conservation easements, mutual covenants, or even conservation agreements may not provide a useful strategy to promote ecotourism in most areas of the Peten.¹⁷³

D. Collaborative Marketing Strategies

Some communities and ecotourism operators in the Maya Forest are the proud owners of eco-camps and other ecotourism facilities.¹⁷⁴ Yet, there is a persistent concern among these operators—how can ecotourists learn about the services that they are

¹⁶⁷ See id.

¹⁶⁸ See id.

¹⁶⁹ See id.

¹⁷⁰ Id.

¹⁷¹ See id.

¹⁷² See Spence.

¹⁷³ When the Guatemalan government and other organizations succeed in titling the Peten, private reserves and easements will not automatically become an appropriate conservation strategy-- land tenure security is more than just a title. In some parts of the Peten, small-scale farmers and large-scale cattle ranchers invade public and private lands regardless of whether or not land is titled. See id.

¹⁷⁴ See J. Beavers, "Ecotourism and Communities in the Maya Forest Region: A Tri-National Mobile Seminar on Community Based Ecotourism," (1995).

selling?¹⁷⁵ In most cases operators and communities develop their ecotourism programs on shoestring budgets, while in other cases, donors provide generous financing for specific activities.¹⁷⁶ In either case, extra funds are rarely, if ever, available for marketing.¹⁷⁷ In a few exceptional cases around the world private initiatives have collaborated with ecotourism projects such that the business does the marketing and the community provides other services.¹⁷⁸ However, in general “ineffective or insufficient marketing is probably the primary reason why worthy ecotourism ventures in developing countries fail to attract visitors.”¹⁷⁹ One possible solution to the publicity problem is collaborative marketing-- many small ecotourism projects advertise together in order to take advantage of their common pool resources.¹⁸⁰

1. Benefits of Collaborative Marketing

The most important benefit of collaborative marketing is that it permits even the smallest ecotourism ventures to benefit from advertising. In addition, collaborative marketing brings tourism professionals together and permits them to cooperate in other ways. For example, a group of small hotels that decides to advertise together may eventually sell their rooms as a block to a travel agent, or form a lobbying group to influence government tourism policy.¹⁸¹ Furthermore, when tourism operations market themselves together, they may decide to create their own quality control systems so that one weak operation does not tarnish the reputation of the marketing block.¹⁸² Thus, collaborative marketing can potentially lead ecotourism operations to develop standards and improve practices.

2. Costs of Collaborative Marketing

¹⁷⁵ See id.

¹⁷⁶ See J. Beavers, “Community Based Ecotourism in the Maya Forest: Six Case Studies from Communities in Mexico, Guatemala, and Belize,” (1995).

¹⁷⁷ See J. Beavers, “Ecotourism and Communities,” (1995).

¹⁷⁸ See A. Stronza, “Learning Both Ways: Lessons from a Corporate and Community Ecotourism Collaboration,” *Cultural Survival Quarterly*, v.2, (1999) at 36-39.

¹⁷⁹ See Honey at 406.

¹⁸⁰ Common pool resources are those that are shared by all, but owned by no one. See Fred P. Bosselman et al., at 14.

¹⁸¹ Telephone Interview with B. Mickler, President of the Belize ecotourism Association.

¹⁸² Telephone Interview with G. Ryan, Coordinator, Ecotourism Program at Conservation International.

Marketing is generally out of reach of small ecotourism operations because of economies of scale.¹⁸³ In other words, for very small firms, revenues are insufficient to cover marketing costs after paying the fixed costs of production. Collaborative marketing differs from normal marketing in one important way. An investment in a collaborative marketing program promotes not only the firm that makes the investment but also other competing firms that are participating. Thus, participants spend part of their marketing budget to promote competitors. Despite this disadvantage of collaborative marketing, small ecotourism businesses participate because their alternative is no marketing at all. As businesses develop greater and greater capacity to conduct their own marketing, they have fewer and fewer incentives to participate in collaborative ventures that subsidize their competitors.

3. Collaborative Marketing in the Maya Forest

a. Collaborative Marketing Has Shown Promising

Results In 1996, ProPeten/CI, Conservation International's project in Guatemala, helped emerging ecotourism operations from several Peten communities create a collaborative marketing program. Before marketing began, ProPeten/CI helped the communities create nine well-defined ecotours and to select tourism promoters from each community. This excerpt from an article written by Flynn and Bonilla (1998) explains the marketing strategy and its impressive results:

[First,] the promoters visited 40 tour agencies, operators, hotels, and other information centers...[in Flores, the municipal capital], and distributed promotional brochures and flyers. In addition, they negotiated a 10% commission with each point of sale for every tour sold.

[Second,] the communities agreed on a weekly sales system [that operates as follows]: A promoter from one of the communities travels to Flores to organize the tours each week. The promoter collects a client list and payment from each point of sale, sells directly to walk-ins at the base of operations, organizes transportation and food, and sees the tourists off on the designated departure date. Guides who are notified via radio greet the arriving tourists in each community. Twice a month, the promoter presents a slide-show and lecture [about the ecotours] to the students of a local Spanish-language school and on selected dates to tourism and archaeology students at the regional university.

The costs for the marketing strategy are shared between the two Committees and ProPeten/CI. In addition to overall technical assistance, ProPeten/CI provides support for the promoters traveling expenses. The Committees pay a stipend to support the promoter's family during the week that he is away. In addition, the Committees and ProPeten/CI split the costs incurred by the promoter during their weeklong stay. After six months, and improved sales, CI lowered its contribution by 50%. As of January beginning, ProPeten/CI ceased providing any subsidy to the plan.

¹⁸³ See Honey at 406.

The changes brought about by this local market approach have been spectacular. After only six months, the 6 tourists that visited the routes in January 1997 turned into 41 in June 1997 and 64 in July 1997. In the month of February 1997, the Committee of Cruce Dos Aguadas sold more than they had in the entire year of 1996. By the end of 1997, the Committees showed an overall increase of 600% in sales over the previous year.¹⁸⁴

Collaborative marketing strategy in the Peten has changed since the work that Flynn and Bonilla describe.¹⁸⁵ Alianza Verde and EcoMaya are two organizations specifically dedicated to marketing ecotourism in the Peten. Alianza Verde is a representative organization with several full-time employees. Members of Alianza Verde come from the tourism sector, the Guatemalan government, ecotourism committees from several communities, and from NGOs with tourism initiatives.¹⁸⁶ Alianza Verde is a non-profit organization whose objective is to maximize the ecological and socio-economic benefits of ecotourism in protected areas by promoting best practices in the regional tourism industry and through effective marketing.¹⁸⁷ In 1999, Alianza Verde received a grant from U.S. AID (PROARCA / CAPAS) to develop a green certification program in the Peten. Alianza Verde was created after a forum entitled, “Diagnostico sobre el Turismo en la Reserva de la Biosfera Maya” which was funded by ProPeten/CI.¹⁸⁸ Notably, many of the key players who helped to create Alianza Verde were employees of ProPeten/CI or other conservation and development organizations.

EcoMaya also helps to market ecotourism in the Peten, but using different strategies than those of Alianza Verde. EcoMaya is a for-profit organization with five full-time employees.¹⁸⁹ Tourism committees in eight rural communities and ProPeten/CI own the stock in EcoMaya. ProPeten/CI owns over half of the stock, and therefore has a controlling interest in EcoMaya. ProPeten/CI takes most of the financial risks with regard to EcoMaya, and therefore maintains a strong influence over EcoMaya’s business strategy.¹⁹⁰

¹⁸⁴ S. Flynn and J. C. Bonilla, “Tourism and the Future of the Maya Biosphere Reserve: Strategies for Success,” <http://www.txinfinet.com/mader/planeta/1198/1198maya.html>.

¹⁸⁵ See *id.*

¹⁸⁶ See *id.*

¹⁸⁷ See D. G. Chaves, “Iniciativas Centroamericanas de Sellos y Certificaciones en Turismo,” Mercadeo Pro Ambiental, San Jose, Costa Rica, June 17-20, 1999.

¹⁸⁸ See *id.*

¹⁸⁹ Telephone Interview with C. Demaza, Executive Director of EcoMaya.

¹⁹⁰ Telephone Interview with S. Flynn, Independent Consultant Specializing in Developing Sustainable Micro-Enterprises.

EcoMaya pays for ecotourism marketing by taking a percentage of all tours sold, just as any travel agent would.¹⁹¹ Community ecotourism operations currently sell tours through EcoMaya instead of marketing their tours as Flynn and Bonilla (1998) described. In order to attract customers and supplement their income, EcoMaya also sells bus and airplane tickets, classes at nearby Spanish language schools, tourist information, and even buys and sells dollars. The margin that EcoMaya earns from marketing the Spanish language schools provides the greatest source of revenue for EcoMaya.¹⁹² A loan from ProPeten/CI initiated EcoMaya. Although EcoMaya was intended to receive no subsidies, a micro-enterprise expert paid by ProPeten/CI is currently managing certain aspects of EcoMaya's day-to-day business operations.¹⁹³

b. Collaborative Marketing: Market Solution or Subsidy

EcoMaya appears to provide a market-based solution to one of the most serious obstacles to community ecotourism development—marketing. However, EcoMaya's interests are not identical to the interests of the communities. For example, while EcoMaya as a business may have an economic incentive to market only a few of the best ecotours, each participating community will insist that EcoMaya promote its tours. This and other similar tradeoffs will become increasingly difficult to resolve as competition increases in the ecotourism sector, and EcoMaya must struggle to stay afloat. For the time being, financial and institutional support from ProPeten/CI softens the impact of market forces on what is essentially an experiment in ecotourism marketing. Since EcoMaya is receiving support from ProPeten/CI, it is important to evaluate the opportunity costs of the capital used to create a business like EcoMaya. Could a non-government organization or the communities themselves use the same capital more efficiently in order to generate the same results? A tourism expert from The Nature Conservancy commented that he has difficulty imagining how community collaborative marketing programs will generate sufficient revenues to sustain themselves.¹⁹⁴

Alianza Verde presents a striking contrast to EcoMaya. As a non-profit organization, Alianza Verde relies on grants and contributions from its members in order to pursue its ecotourism objectives. Much of Alianza Verde's success will be determined by its capacity to mobilize Peten's emerging ecotourism businesses. These struggling businesses cannot be expected to be very generous with Alianza

¹⁹¹ See Demaza.

¹⁹² See id.

¹⁹³ See Flynn.

¹⁹⁴ Telephone Interview with A. Drumm, Ecotourism Specialist at The Nature Conservancy.

Verde. In contrast, aid agencies represent an important source of potential funding for Alianza Verde. Will Alianza Verde's priorities remain focused on the needs of the membership, or will the allure of grants shift Alianza Verde's focus to conservation and development fads? If EcoMaya and Alianza Verde are successful, they will have complementary impacts on ecotourism development. EcoMaya will promote the interests of specific community projects while Alianza Verde will promote the broader interests of Peten's entire ecotourism sector. Both organizations are young and relatively untried; a close look at accomplishments of these organizations several years down the line will reveal the ways in which citizens' groups and businesses can contribute to ecotourism development in the region.

c. Collaborative Marketing and Homogeneous Businesses

Collaborative marketing requires more than just trust and good communication among participants. A marketing specialist working at Conservation International notes that participants must accept that collaborative marketing will benefit some ecotourism operations more than others.¹⁹⁵ For example, a tiny ecotourism business with no funds for marketing will get a tremendous benefit from a little publicity. However, a larger business that might have paid for some of its own marketing, has less to gain from collaborative marketing. Will the larger business gain more from the collaboration or would it have gained more by investing in its own publicity campaign? It may be difficult to determine. Marketing cooperatives work best when the participant businesses are roughly the same size and at the same stage of business development.¹⁹⁶ In some ways the participants in EcoMaya are a good example of homogenous businesses since they are all small businesses from rural communities. Of course, homogeneity is relative; none of the ecotourism committees would be mistaken for the senior management of a five star hotel. On the other hand, each ecotourism committee has its own distinct strengths and weaknesses.¹⁹⁷ EcoMaya will be most successful if it can take into account the diverse and sometimes conflicting interests of the communities that it represents.

¹⁹⁵ See Ryan.

¹⁹⁶ See Ryan.

¹⁹⁷ See Ryan.

V. Case Study Conclusions

Government policies, NGO support, and direct incentives for private parties willing to participate will help achieve effective ecotourism programs. The market-based strategies reviewed in this article differ in their potential to promote ecotourism. All are works in progress. Insecure land tenure is currently a serious obstacle to the creation of private reserves in many areas of the Peten. Green certification may eventually benefit ecotourism by forcing a universally acceptable definition of ecotourism. This definition will then differentiate ecotourism from the rest of the tourism industry. However, an abundance of certification systems may erode consumer confidence in any single certification system. It is puzzling that certification is promoted even though no one has attempted to estimate the size of the green premium. Finally, collaborative marketing has produced tangible benefits for ecotourism operations in the Peten.

Although these market-based strategies have been evaluated separately, they are not mutually exclusive. For example, a landowner can enter into a conservation agreement with adjoining landowners and still, independently, grant a conservation easement on his own property. In addition, green certification and collaborative marketing may be especially compatible because green certification may someday be used to market ecotourism businesses.