

# A legal framework for sustainable tourism development in areas affected by natural and manmade disasters in South Africa

Prof. C.M. van der Bank\*  
Faculty of Human Sciences  
Vaal University of Technology, South Africa  
Tel: 016 950 9240  
E-mail: [riana@vut.ac.za](mailto:riana@vut.ac.za)

and

Marjoné van der Bank  
Vaal University of Technology, South Africa

Corresponding author\*

## Abstract

Experience has shown that sustainable development requires a commitment to sound economic policies and management, an effective integration of environmental concerns into decision-making in the light of country-specific conditions, and requires full participation of all parties concerned. Developing nations will arguably continue to regard sustainable development in terms of qualitative change in economic conditions. The model of sustainable development continues to have strong relevance in international debate the principles of sustainable tourism development may seem good because they require hard political choices and logical decisions based on cumbersome social, economic and environmental trade-offs. A very prominent role in protecting the environment is for example carved out for local government. There is a significant focus in South Africa on the notion of developmental local government since 1996. There is also the fundamental challenge of climate change due to global warming and the drive for a much more sustainable approach to our development; indeed the regional level may be a particularly appropriate level for the territorial integration of natural and socio-economic systems.

**Keywords:** Culture, environment, Human rights, sustainable and tourism.

## Introduction

Sustainable development remains extensively controversial. Different countries link sustainable development to different ideas of social development that range from no change to adopting change by abandoning the western model of prosperity. Globally, sustainable development is recognised as a potential pathway for building resilient cities, reducing poverty and safeguarding the natural environment. With its aim to achieve a symbiotic relationship between the economy, society and the environment, the concept of sustainable development has increasingly focused on fostering adaptive capabilities and creating opportunities to maintain or achieve desirable social, economic and ecological systems for both present and future generations (Cobbinah et al, 2011). The model of sustainable development continues to have strong relevance in international debate. However with the current natural disasters like drought and in some areas floods, one begs to ask how does a destination emerge from such tourism troubles, taking into consideration sustainable development policies?

## **Tourism and the threat of terrorism and man-made disasters such as travel requirements**

Louis D'Amore is Founder and President of the International Institute for Peace through Tourism (IIPT). He has been instrumental in promoting the travel and tourism industry as the world's first "Global Peace Industry" since the founding of IIPT in 1986. According to D'Amore (1992) international terrorism and natural disasters have a more profound impact on travel than any other factor since the energy crisis of the 1970s. There have been several other attacks, mainly concentrated across the Middle East and Northern Africa. While these devastating attacks are first and foremost a humanitarian issue, they undoubtedly have business consequences, ranging from physical damage to property to potential long term alterations in consumer behaviour. This being said, what impact does terrorism, and more specifically the recent surge in global terrorism, have on the global travel and tourism industry? (Beck, 2015).

Traditionally the impact of terrorists' acts tended to be huge and would then diminish. However, more recently, terrorism is having a more lasting impact on the tourism industry and much wider geographic influence. The cumulative effects of terrorists' incidents and natural disasters with steady media attention resulted in massive realignments of travel flows. No sector of the tourism industry remains unaffected. Tourist boards, airlines, hotels and travel and tourism agents are forced to respond to the situation by lowering the rates for the hotels or airfare. In February protesters forced business to their knees and closed the doors of businesses in a town Sabie in Mpumalanga. Tourism, which is a big source of income for this town, has also been severely hampered as a result of protest. (De Villiers, 2015).

There have been cases of terrorist groups deliberately targeting tourism as a means of weakening host governments for example, such as in Tunisia and Egypt during the Arab Spring. The devastating impact that terrorism has on tourism and the economies of developing countries becomes strikingly obvious when figures are analysed. Terrorism always aims to inspire the kind of fear that will get people to change their behaviour (Parkinson and Heyden, 2015). The fear of a repeat attack is normally one of the reasons why tourists do not visit the holiday destination again. Over the past 15 years, tourism has been on the rise. There has been a five-fold increase in terror related deaths since 2000 (Misrahi, 2015). From 9/11 to the Madrid bombings, from Tunisia to Kenya, from Beirut to Baghdad to Paris, it is clear from these attacks that they are very diverse in terms of location as well as the impact and the perpetrators. Terrorism causes chaos and leads to panic and fear in the local populations where acts are perpetrated as well as in neighbouring states. Indeed, safety is a prerequisite for the success of the tourism industry, and the mere threat of events can cause tourists to rethink their decision to visit a destination. After a decade with only sporadic major terror attacks, the last year has seen a steady drumbeat across Europe, the Middle East and Africa. It is not just on political targets such as the satirical magazine 'Charlie Hebdo' in Paris, but also on beach resorts such as in Tunisia, museums in Libya, and, perhaps notably, passenger airlines such as the recent bombing of a Russian airliner *en route* from Sharm el Sheikh in Egypt to Russia (Morris, 2015). All governments are aware of the risks of global terrorism. The challenge is therefore how to communicate this message to potential visitors.

## **What is sustainable development?**

The principle of sustainable development was first coined in the Report of the World Commission on Environment and Development: Our Common future (WCED), widely known as the Brundtland Report, (1987). 'Sustainable development' is defined in the Brundtland Report as: "Development that meets the needs of the present without compromising the ability of future generations to meet their own needs" (WCED, 1987).

Another definition that can be given to sustainable development is to perform activities that safely can be performed indefinitely (Fitzmaurice, Ong, and Merkouris, 2010). This supposes

that the activities will be performed in the environment, and that it will be possible to continue to perform these activities in the environment indefinitely. Sustainable development should in other words be understood in two contexts, the first having to do with people's needs and the second dealing with the technology and social organisation which will ensure the environment's ability to meet the needs of present and future generations (Bouillon, 2003). The findings of the Brundtland Report include the recommendation that the environment should be re-examined in the context of developmental issues. There is increasing evidence of the validity of sustainable development and its applicability to tourism which has been extensively explored (Sharpley, 2000).

In the broader context the Brundtland Report (1987) suggests that the impact of development on the natural environment should be established and that a limit should be put on further development in order to ensure that the environment is able to sustain the survival of future generations (WCED, 1987). Human economic, social and environmental systems are inextricably linked, and their development should be controlled and monitored simultaneously (Kidd, 2008). These systems are referred to as the three pillars of sustainable development (Kidd, 2008). Various authors (Wall, 1997; Mowforth and Munt, 1998) emphasises that the principles and objectives of sustainable development can be easily transposed onto most tourism development contexts. Just like sustainable tourism development, the concept of sustainable development suffers from a variety of definitional problems. Different researchers and practitioners from different sectors use the term in different contexts.

Sustainable development has a strong focus on responsible use for resources and so has the notion of 'green building' and 'green design'. The relevance of 'green building' with its focus on the limitation of resource use and environmental harm comes to the fore also in Kotzé's (2006) view of sustainability as being 'the ability to maintain a desired condition over time without eroding natural, social and financial resource bases, through a process of continual improvement in the form of sustainability'. Sustainability also relates to the integration of various considerations, including: the environment, the economy, social factors, environmental governance and management efforts, and public and industry involvement. Sustainable results may be achieved through the application and implementation of various principles of sustainability and continual monitoring and post-decision follow-up of the results of these efforts. Kotzé's (2006) description of sustainability includes the notion, as do 'green building' and 'green design', that the natural environment must be maintained in a certain desired condition.

Sustainable development has a strong focus on responsible use for resources. Experience has shown that sustainable development requires a commitment to sound economic policies and management, an effective integration of environmental concerns into decision-making in the light of country-specific conditions, and requires full participation of all parties concerned. Prevailing systems for decision-making in many countries tend to separate economic, social and environmental factors at the policy, planning and management levels. This influences the actions of all groups in society, including governments, industry and individuals, and has important implications for the efficiency and sustainability development. Ensuring the integration of economic, social and environmental considerations in decision-making at all three levels and is therefore crucial. Sustainability demands that a balance be struck between social and economic development and the environment (Bouillon, 2003). Therefore sustainable tourism advocates for a holistic approach as development can only be sustained if it is considered within the three fundamental principles of economic, environmental and social growth (Lane, 1994). Sustainable tourism development guidelines and management practices are applicable to all forms of tourism in all types of destinations, including mass tourism and the various niche tourism segments.

Various nations drew up sustainable development strategies after the 1992 United Nations conference in Rio de Janeiro at national level that included tourism, or specific tourism sector national plans. There is today a wide variety of relevant initiatives at all levels to address the development of information to encourage sustainable development. The wide range of existing initiatives and contributions of stakeholders has the potential to be used in a more systematic and targeted way as a reference for promoting sustainable tourism.

Sustainable tourism establishes a suitable balance between the environment, economic and socio-cultural aspects of tourism development and plays an important role in conserving biodiversity. It attempts to minimize its impact on the environment and local culture so that it will be available for future generations, while contributing to generate income, employment, and the conservation of local ecosystems (Beech and Chadwick, 2015). Sustainable tourism refers to an industry that is committed to make an impact on the environment and the local culture, while helping to generate future employment for the local people. It is a level of tourism that can be maintained over the long term and results in a net benefit for the social, economic, natural and cultural environments of the area in which it takes place.

Sustainable tourism should also maintain a high level of tourist satisfaction and ensure a meaningful experience for the tourists, raising their awareness about sustainability issues and promoting sustainable tourism practices amongst them.

### **Three Step Approach for Destination Re-Development after a Disaster**

Sustainability within tourism is not only a response to the demand factors of the industry. It is an indispensable condition to be able to compete successfully and, even more important, to be able to survive in the long term (Coccosis and Nijkamp, 1995). Wall (1997) argues that the term sustainable tourism lacks an appreciation of the complexity of the situation as it emphasises a unilateral, rather than multi sector, approach to sustainable development. It has been argued that the subject of "sustainable tourism" has developed in isolation from the development of sustainable development, which has resulted in an overly simplistic and inflexible way of addressing the issues (Hunter, 1997).

Tourism has always been regarded as the impetus that brings in new business opportunities and economic development for a region. As an industry, there are several factors that have an impact on tourism both positively and negatively. One such aspect is the natural disasters and climate changes that occur in a place unexpectedly. The impact of natural disasters has been more profound during the last few years and this can be attributed to the changing weather patterns around the world as well as the increased number of tourist spots. Today, more and more natural reserves and areas that were once inhabitable are being made accessible to attract tourists. While this gives a boost to the local tourism, it also increases the impact of natural disasters. In fact, natural disasters cause many tourist destinations to lose their beauty, culture and economy for a temporary or extended period of time. The scale of the damage depends to a large extent on the fury of the natural disaster (Wall, 1997).

There are three steps for destinations like South Africa to emerge from their troubled state to sustainable development, namely: full multidisciplinary analysis, critical analysis of indicators, and a re-development stage.

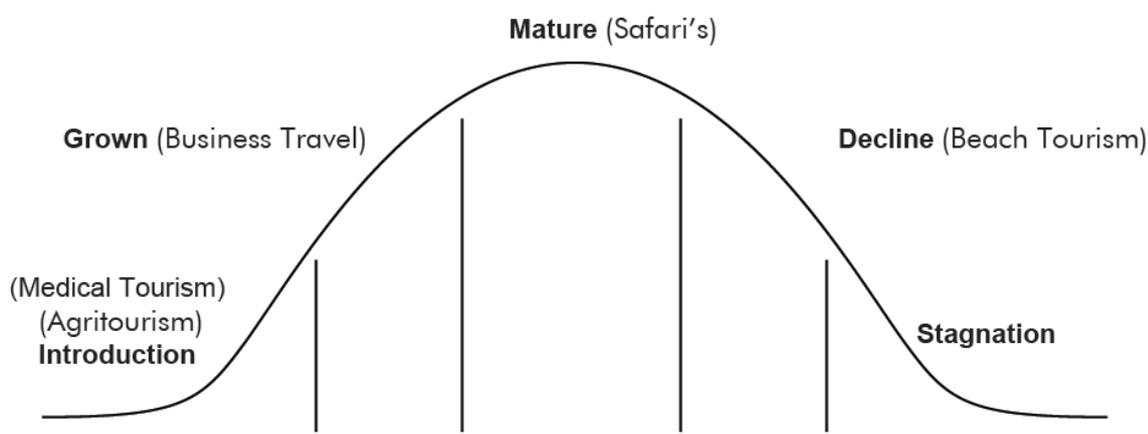
### **Full Multidisciplinary analysis of the Life Cycle Analysis (LCA)**

Butler's tourism product life cycle (1980) has been applied as an analytical framework that should be used to place the current tourism products in South Africa. Butler's model has been widely disused as a model for tourism development (1980). The model has been analysed and

tested by several authors (Benedetto, 1993). Several developments stages are identified in the model as indicated in figure 1. The model can therefore be indicative of the development of a tourism destination of product. The advantage of using the model in this analysis is to present a challenge for the Government of South Africa for responsible development. Arguably different products are at different stages and depending on the strategies the government decides to adopt, it is possible to incorporate sustainable development policies at each stage.

When mature destinations are in the decline stage, they can opt out for one or more of three different options. Option one would see the destination rejuvenate itself; option 2 would see the destinations opt out to die out completely and option 3 would see them do nothing. In the case of natural disasters or terrorism destinations may be taken back to the introductory stage. This is the point at which destinations that wish to re-develop can take advantage and incorporate sustainable development policies in their practices.

Figure 1: Life cycle of the South African Tourism products (Butler, 1998).



### Critical assessment of tourism development indicators

A critical assessment of indicators is essential. It is important for destinations to analyse both sustainable and unsustainable development aspects of the specific tourism products. Indicators should be able to reflect corrective measures that may be applied at the various stages of the product life cycle. For example indicators for products at introductory stage for example agri-tourism will be different from indicators used for matured products like safari's and declining beach tourism. Medical tourism's indicators will also be different from safari tourism. Hospitals and clinics in South Africa are vying to attract more international medical tourism patients from around the world. With many private, world-class medical institutions, highly skilled doctors, serene vacation settings and somewhat close proximity to Western Europe; Europeans have been traveling to South Africa for health tourism procedures for some time now. Although the cost of medical treatment is not as price competitive as many of the other popular medical travel destinations, the quality of treatment is world-class and available tourist's attractions are astounding traveller support ([www.medretreat.com/destinations/south\\_africa.html](http://www.medretreat.com/destinations/south_africa.html))

Indicators may assist to establish a coherent information system from which decisions may be made that could promote sustainable development. The choice of indicators is a critical

determinant of the behaviours of the market. Destinations cannot work towards sustainable development if they do not know accurate, clear and timely indicators for sustainable development.

Pigram (1990) argues that the tourism industry adopt a safe minimum standard approach to development which minimises the risk that irreversible changes will foreclose development opportunities for future generations. How can one foresee the final impact of the many incremental changes made to the environment through tourism development over a long period of time?

In some touristic destinations the environment is very changed by the influence of touristic activities. The high anthropo-pressure of environment leaves a lot of negative consequences on nature. Negative effects are existing also because there is need to well provide adequate comfort for tourists in touristic destinations (Ljesevic et al, 2003).

The tourism industry is increasingly becoming more competitive. There are risks associated with uncompetitive behaviours. The tourism product is complex and involves services from a wide range of economic factors for example transport, accommodation, catering, retail and government services. Increased networking and collaboration in the local tourism industry and system is required.

Safety and security remains a concern in South Africa. Media coverage of crimes against foreign visitors in South Africa has an adverse effect on visitor perception and can lead to a decrease in the number of foreign visitors, even in the case of isolated incidents. Such negative perceptions have the potential to hamper the development of tourism enterprises, large or small. Assorted efforts need to be made towards ensuring that safety and security measures are implemented on a continual basis (Tourism Development Framework, 2013).

### **Re-development stage**

Using the identified issues and indicators and taking into consideration sustainable development principles, destinations may then draw up re-development strategies. Examples of the actions that may be taken can include rebuilding hotels using local materials and structures that will fit into the environment, and re-launching a destination or specific product as a preferred sustainable development destination or product. Furthermore they may improve governance to enhance environmentally sustainable management of renewable resources.

In South Africa, the focal point of legal regulation of environmental protection still remains distinctly in the public regulatory approach. The mere possibility of applying rights-based approaches has been brought about by the incorporation of environmental rights in the Constitution in 1994. However, their enforcement is weak due to legislative and judicial limitations. The first stems from the fact that the Constitution leaves the right to a favourable environment to be implemented by further legislation. The second is caused by the existing judicial interpretation of the right to the environment and a narrow interpretation of standing to claim this right. Environmental management must put people and their needs first, and must serve their interests fairly. Development must be socially, environmentally and economically sustainable. Environmental decision-making must involve public participation, particularly by vulnerable and disadvantaged groups. The polluter must pay for the costs of remedying pollution, environmental degradation and adverse health impacts.

### **Regional Planning, resilience and managing regional complexity**

In many countries worldwide, such as for example China, Spain and Portugal the value of a regional scale in the planning hierarchy is being increasingly recognised. The fundamental

challenge of climate change and the drive for a much more sustainable approach to our development: indeed the regional level may be a particular appropriate level for the territorial integration of natural and socio-economic systems. Major projects, now a familiar element of modern life, increasingly affect regions and are often the building blocks of regional strategies. The latter usually identify infrastructure requirements: on the economic level such as roads, energy utilities and hotels and on social level as hospitals and schools. Societal trends and the associated major projects can pose major challenges for regional planning, and in particular in the case of tourism developments in pristine and fragile remote environments.

Concerns about climate change, energy consumption patterns and the increasing incidence of threats to the natural resource base have since continued to grow internationally, as is the desire to address these concerns. A number of international and national instruments were therefore developed to address such issues, including the WSSD, the United Nations Framework Convention on Climate Change (Kidd, 2008) and the National Climate Change Response White Paper, 2011. All of these instruments convey one central message: the time has arrived to reassess the way in which human beings interact with and use natural resources such as water, air, soil and biodiversity National Climate Change Response White Paper, 2011.

The South African government does not stand oblivious to these international developments. A very prominent role in protecting the environment (Section 1 of the National Environmental Management Act 107 of 1998) is for example carved out for local government. There is significant focus in South Africa on the notion of "developmental local government" since 1996. Section 4(2)(d), (i) and (j) of the Local Government: Municipal Systems Act 32 of 2000 (hereafter the Systems Act) states that municipalities are to strive to ensure that municipal services are provided in a financially and environmentally sustainable manner. The notion of sustainable services must in this context be interpreted to involve the integration of social, economic and environmental factors in local decision-making, for example (Bekink, 2008).

The South African government comprises of national, provincial and local spheres. Each of these three spheres has its own constitutional powers, duties and responsibilities that must be exercised in accordance with the Constitution (South African Constitution 108 of 1996). The areas of competence of municipalities are listed in Schedules 4(B) and 5(B) of the Constitution. The Constitution further provides in sections 24 and 152(1) that local government is co-responsible with other government spheres (which are distinctive, interdependent and interrelated) for fulfilling the duties of local government as entrenched in inter alia section 156 of the Constitution (South African Constitution, 108 of 1996). A common constitutional objective and duty of the three spheres is environmental protection and the securing of an environment that is not detrimental to the health or well-being of people, both the present and the future generations. This objective and duty is most prominently entrenched in section 24, the environmental right.

Contemporary regional planning tends to be influenced by shifting attitudes to politics and legitimation, raising crucial issues of consultation, participation and the interactions with a wide array of stakeholders (Glasson and Marshall, 2007). Co-ordination of stakeholders is a major challenge, both vertically, especially to adjacent levels of government, and horizontally, for example between regional planning bodies and devolved levels of Government, key pressure groups (example from industry and environment) and sectorial agencies.

Institutions are broadly interpreted to include both public and private organisations. First, institutions are important caches of knowledge that contribute to the adaptive capacity and robustness of regions. The extent to which institutions understand the dynamics of a system and are involved in monitoring and planning, will have important implications for a region's resilience (Perrings, 2006). Secondly, creating strong relationships between institutions can increase resilience through building the trust, social networks and leadership that are necessary to respond together and effectively to address disturbances. Third, institutions can facilitate

experimentation in order to develop creative and improved method to manage ecosystems. The issue is how to equip and work with the relevant groups to make informed decisions about regional socio-economic and environmental resilience within a regional planning framework.

Initial engagement with stakeholders and then to analyse how the use of modelling could to advance regional planning through building regional resilience will help to strike a balance in sustainable tourism. The stages below address the process of modelling development:

### Stages in the Tourism project

**Table 1.** (Source: Glasson, 2007).

Stage	Description
1	Stakeholder assessment
2	Stakeholder modelling workshops
3	Formal and informal meetings and communications with stakeholders
4	Data collection and dissemination
5	Model development
6	Learning about the tourism system through model use
7	Model use and integration with regional planning

### 8. A legal approach to tourism: Striking the sustainability balance in South Africa

The country faces various challenges related to meeting the needs of people and the social transformation objectives set in the Constitution of the Republic of South Africa, 1996 (the Constitution) coupled with managing the demands of the natural resources base. Kidd states that it is critical in South Africa today with its emphasis on economic growth and development that such growth and development be sustainable. By combining concerns with the environment with concerns relating to social upliftment and economic progress, the concept of sustainable development will be difficult to sideline (Kidd, 2008). Tourism consists of a leisurely journey that meets the needs of present tourists and host regions while protecting and enhancing opportunity for the future. The last decades have witnessed a large number of studies that have been produced on the specific topic of tourism activities with emphasis on the internal movements of tourism. The objective of sustainable tourism is to retain the economic and social advantages of tourism development while reducing or mitigating any desirable impacts on the natural, historic or social environment. This is achieved by balancing the needs of tourists with those of the destination.

A balance must be struck between securing economic growth and stability, providing for the socio-economic needs and social welfare of all people in South Africa, and protecting vulnerable ecosystems and natural resources, whilst also respecting the cultural values and practices of a diverse array of communities. When weighing the sustainability factors (social, economic, cultural and environmental) a fair balance must be struck, (in true environmental justice jargon), between the current generation and the generations of people still to be born. This complicates the balancing act since it is not only the present that must be taken into account but also whatever lies in the blurry future.

South Africa is in a position of having an enforceable substantive right in the Constitution. "Sustainable development" has been explicitly included in section 24 environmental right, but sustainability as a notion is referred to, more than once (Constitution, 1996).

The environmental issue undoubtedly adds a new dimension to the problem of human rights. In the first place, it shows once again that all human rights are closely interlinked, and secondly, that the problem of human rights is inseparable from practically all other processes in human society, and especially from economic development and the progress of science and technology. The main conclusion is the model of sustainable development which has its roots primarily in environmental issues.

Initial engagement with stakeholders and then to analyse how the use of modelling could to advance regional planning through building regional resilience will help to strike a balance in sustainable tourism.

Human rights and environmental laws have traditionally been envisaged as two distinct, independent spheres of rights. Towards the last quarter of the 20<sup>th</sup> century however, the perception arose that the cause of protection of the environment could be promoted by setting it in the framework of human rights, which by then have been firmly established as a matter of international law and practice. There are many complex issues that arise when these two disciplines interact, it is to be expected that there are different views on how to approach the environment and human rights (Sabharwal, 2005). There are three approaches prevailing with regard to the relationship between human rights and environmental protection:

- The first approach is one where environmental protection is described as a possible means of fulfilling human rights standards. Here, the end is fulfilling human rights, and the route is through environmental law.
- The second approach states that the legal protection of human rights is an effective means to achieving the ends of conservation and environmental protection. This highlights the presently existing human rights as a route to environmental protection. The focus is on the existing human right.
- The third approach is to deny the existence of any formal connection between the two at all. According to this approach there is no requirement for an environmental human right.

There can be a conflict between the established human rights and the protection of the environment. Whether international human rights law can contribute to environmental protection is an issue that remains to be conclusively resolved, but scholars have discussed the relationship between human rights and environmental protection at length. By adopting a human rights based approach, the environmental model would improve its effectiveness by enhancing the ability to manage risks and improve environmental and developmental outcomes. An environmental right can easily be incorporated in the core of human rights protection whose ultimate purpose is the blooming of personality of all human beings. Both environment and human rights law have some common points and both disciplines have deep social roots and both have become internationalized.

The notion of adopting a human rights approach to environmental protection is advantageous in that it reinforces the concept of mutual goals and the serious ramifications each may have on one another. Framing the relationship in terms of an irreconcilable tension between developmental prerogatives and environmental prerogatives stalls progress for environment protection both at international level (by pitching developed countries versus the developing countries in international environmental negotiations), and at national level (by making environment protection subservient to developmental priorities).

It is therefore imperative that developmental concerns and environmental concerns are not seen as conflicting, but that all actors realise the need to integrate them in order to make sustainable development a reality. We need to give more flesh to the concept by having more explicit legal provisions, institutions and practice which refer to it directly and in a binding manner, as this can help us in achieving sustainable development in all its dimensions.

## Conclusion

There is and will continue to be a lack of clarity or consensus on the definition of sustainable tourism development, as it may mean different things to different stakeholders. Those who are tourism-centric focus on sustaining tourism as an economic activity and some may consider it as a sector that could contribute to the wider sustainable development policies. The long term future of tourism in South Africa is linked to developing tourism in a way that respects and protect natural, cultural and built heritages and lifestyles, and leads to improve livelihoods. The development of new products must be based market demand and the unique characteristics of the country. Private and public investment in tourism facilities and infrastructure, is the backbone of tourism development.

Life on earth is remarkably complex and diverse, but also fragile and facing enormous pressures. The many linkages between protection of human rights and protection of the environment have long been recognized. The 1972 United Nations Conference on the Human Environment declared that "man's environment, the natural and the man-made, are essential to his well-being and to the enjoyment of basic human rights – even the right to life itself."

The International Human Rights Watch (HRW) has criticised the failure of governments, international agencies and non-governmental organisations to view environmental issues through the prism of human rights and address them together in legislation. These organisations, which are responsible for the protection of the environment and the establishment of human rights, have to work together to ensure that those who damage the environment and trample on human rights are held accountable.

However what remains to be emphasized is that whilst a disaster may cause to harm tourism they equally present opportunities that destinations can use pursue through sustainable forms of development. The progress that is evident in sustainable development has been more theoretical. The time is now ready for the sector to move from theory into practical application and to establish whether or not sustainable development can be achieved. While these disasters may be disastrous they may equally be a blessing in disguise that will allow the sector to re-align its policies to ensure sustainable development policies are implemented, monitored and analysed for long-term responsible development.

The National Environmental Management Act 107 of 1998 is important legislation, providing remedies for preventing or redressing acts that undermine the constitutional right to an environment that is not harmful to people's health and well-being. It also promotes access to information and public participation in developments that affect the environment. In this process of evolution, environmental law has unleashed a number of novel principles such as: the participatory principle, the polluter pays principle, the precautionary principle, the inter-generational and intra-generational principles, the prevention principle, the sustainable development principle and so on.

For the tourism sector to succeed and contribute to the livelihoods it must be supported by appropriate strategies for the training and skills-building by Government and the private sector and economic empowerment of individuals and small businesses. There is a strong biodiversity, rich culture and various nature reserves in South Africa. Existing infrastructure which is in place includes road access and reasonably good water supply, existing tourism facilities and in some cases blue flag status for some beaches are initiatives that improve tourism sustainability. The issues around crime, safety and security need to be addressed to provide the country to adequately become sustainably developed from a tourism perspective.

## References

- Beck, T. (2015). Terrorism effect on the global Travel and Tourism Industry global EDGE **Business Beat**. Access 8 March 2016, 1400 hours.
- Beech, J. & Chadwick, S. Defining Sustainable Tourism. World Tourism Organisation <http://sdt.unwto.org/content/about-us-5> access on 9 March 2016, 10:00 hours.
- Benedetto, C.A. & Bojanic, D.C. (1993). Tourism Area of Life Cycle Extensions. **Annals of Tourism**, 20, 557-570.
- Bekink, B. (2008). **Principles of South African Local Government Law**. Lexis Nexis. Durban.
- Bouillon, S. (2003). Geïntegreerde Volhoubare Grondontwikkeling in Suid-Afrika met Spesifieke verwysing na Gauteng (LLD Thesis North-West University).
- Butler, R.W. (1998) Sustainable tourism: Looking backwards in order to progress? In C.M. Hall and A.A. Lew (eds) **Sustainable Tourism: A Geographical Perspective**, Harlow: Addison-Wesley Longman, 25-34.
- Cobbinah, P.C., Erdiaw-Kwasie, M.O. & Amoatang, P. (2015). Africa's urbanisation Implication for Sustainable Development, Available online 25 April 2015 <http://dx.doi.org/10.1016/j.cities.2015.03013>
- Coccosis, H. & Nijkamp, P. (1995). **Sustainable Tourist Development**. Ashgate, Aldershot, Hampshire.
- Constitution of South Africa** 108 of 1996.
- D'Amore, L..J. (1992). "Promoting Sustainable Tourism; the Canadian Approach" **Tourism Management** 13(3): 28-262.
- De Villiers, S. (8 September 2015). **Lowvelder Update**: Sabie under lockdown after protests invade.
- Fitzmaurice, M., Ong, D.M. & Merkouris, P. (2010). **Research Handbook on International Environmental Law**. Edward Elgar Publishing Limited UK.
- Glasson, J. & Marshall, T. (2007). **Regional Planning**, London Routledge.
- Hunter, C. (1997). "Sustainable Tourism as an Adaptive Paradigm" **Annals of Tourism Research** 24(4): 850-867.
- Kidd, M. (2008). Environmental Law. Juta, Cape Town.
- Kotzé, L.J. (2006). A Legal Framework for Integrated Environmental Governance in South Africa and the North-West Province. LLD Thesis North-West University.
- Lane, B. (1994). "Sustainable Rural Tourism Strategies: A Tool for Development and Conservation" **Journal of Sustainable Tourism** 2 (1&2): 102-111.
- Ljesevic, M.A. & Ikonovic, V. (2003). Indicators of sustainable tourism. **Food and Agriculture Organization of the United Nations** [accessed on 7 March 2016].
- Local Government: Municipal Systems Act 32 of 2000.

Misrahi, T. (16 November 2015). Community Lead, Travel & Tourism Industries, World Economic Forum How tourism hotspots can bounce back after terrorist attacks. Published Monday 16 November 2015.

Morris, D.Z. (November 2015). In a world used to terror, travel industry still faces risks after Paris attacks. **CEO DAILY** access on 29 February 2016

National Climate Change Response White Paper, (2011). GN 757 in GG 34695 of 19 October 2011.

National Environmental Management Act 107 of 1998.

Mowforth, M. & Munt, I. (1998). "Tourism and Sustainability" **New Tourism in the Making**. Routledge, London.

Parkinson, J. & Heyden, T. (2015). **BBC News Magazine**, How terrorist attacks affect tourism, 29 June 2015

Perrings, C. (2006). "Resilience and Sustainable development", **Environment and Development Economics** Vol 11: 417-427.

Pigram, J.J.(1990). Sustainable tourism: Policy considerations. **Journal of Tourism Studies** 1 (2): 2-9.

Sharpley, R. (2000). "Tourism and Sustainable Development: Exploring the Theoretical Divide" **Journal of Sustainable Development** 8(1): 1-19.

Sabharwal, Y.K. **Human rights and the Environment**. (2005). Retrieved from <http://supremecourtindia.nic.in/speechhs/speeches-2005/humanrights.doc>.

**Tourism Development Framework: 2013-2017: (October 2013)**.  
[https://www.capetown.gov.za/en/tourism/Documents/Policies%20and%20Publications/Tourism\\_Development\\_Framework.pdf](https://www.capetown.gov.za/en/tourism/Documents/Policies%20and%20Publications/Tourism_Development_Framework.pdf). Access on 9 March 2016.

Wall, G. (1997). "Sustainable Tourism-Unsustainable Development". In S. Wahab and JJ Pigram (Eds.), **Tourism, Development and growth: The challenges of sustainability**. London: Routledge: 33-49.

World Commission on Environment and Development: Our Common Future (1987).  
[www.medretreat.com/destinations/south\\_africa.html](http://www.medretreat.com/destinations/south_africa.html).