



Protecting world heritage in China by enacting laws: Sustainable tourism development

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ABSTRACT

Chinese scholars have been debating how to best protect and utilize world heritage. This study discusses three key perspectives on this issue, which are “conflict-focused”, “compromise-oriented”, and “coordination-oriented”. Some typical incidents, which involve damage to heritage resources, are analyzed before a coordination model is presented that maximizes the compatibility of sustainable tourism development and world heritage protection. Finally, this study explores the possibility of constructing a legal system that engages all the stakeholders in protecting world heritage. Chinese lawmakers, for example, should seize the opportunity to create a law concerning national parks, which will modify and integrate existing laws and regulations in order to produce a comprehensive legal system that embodies the fundamental values of world heritage protection and sustainable tourism development. This system should implement the following: (1) maximize the complementary aspects of and mutual benefits derived from both tourism development and world heritage protection; (2) pay special attention to the various restraints that are inherent in the fundamental requirements for world heritage protection; (3) make world heritage protection sustainable while supporting sustainable tourism development; and (4) emphasize the public-interest nature of profits that are obtained by tourism developers while ensuring that the income from tourism is proportionately allotted to heritage protection.

1. Introduction

China is the highest-ranking country in the world when it comes to possessing the most world heritage sites (WHSSs), as the nation boasts fifty-five total, including fourteen natural and forty-one cultural, according to UNESCO's (United Nations Educational, Scientific and Cultural Organization) WHS list from May 2020. Still, China faces various challenges, such as handling conflicts that arise between WHS protection and sustainable tourism development (e. g., Yan, 2019). Specifically, sustainable tourism involves the challenge of developing quality tourism products without adversely affecting the natural and cultural environment that maintains and nurtures them (Wight, 1993). According to The World Tourism Organization (UNWTO), sustainable tourism is a form of tourism that currently meets the needs of tourists, the tourism industry, and host communities without compromising the ability of future generations to meet their needs. Sustainable tourism makes optimal use of environmental resources, which constitute a key element in tourism development, while maintaining essential ecological processes and helping to con-

serve natural heritage as well as biodiversity. Furthermore, it respects the sociocultural authenticity of host communities, conserves their constructed/living cultural heritage and traditional values, and contributes to intercultural understanding and tolerance.

Although China has a 5,000-year-long history and has inherited numerous cultural and natural heritage sites that should be treasured and enjoyed by the whole world, conflicts between the initiatives aimed toward world heritage protection and tourism development are increasing as the economy grows. Unfortunately, these conflicts always result in varying degrees of damage to heritage resources, and incidents involving such damage over the past twenty years reveal serious problems with China's world heritage protection in China's mainland. Analyzing some of these incidents and their causes may prove useful for determining strategies that will solve the challenge of developing quality tourism products while protecting the natural and cultural environment that maintains and nurtures them, which was reiterated by Wight (1993). Such strategies should aim to coordinate the complex relations between WHS protection and tourism development by constructing a legal system with distinct Chinese characteris-

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tics that facilitates WHS protection.

In China, different opinions have emerged among scholars concerning how to best protect and utilize WHSs as well as the relationship between protecting WHSs and sustainable tourism development. Three prominent perspectives of this relationship are conceptualized as follows: “conflict-focused”, “compromise-oriented”, and “coordination-oriented” perspectives. This study not only delves into these perspectives but also conducts an analysis of some incidents involving damage to heritage resources before presenting an explorative discussion of a “coordination-oriented” solution via legalization to the conflict between WHS protection and sustainable tourism development in China.

2. Conflict, compromise, and coordination

In China today, few scholars stanchly hold a “conflict-focused” perspective regarding the relation between the protection of WHSs and tourism development. As China began to open up to the outside world, especially through tourism development, Chinese scholars stressed the indisputability of world heritage protection, understanding tourism as purely economic development. They deemed the protection and utilization of WHSs as incompatible, and this overemphasis of world heritage protection and tourism development being contradictory reflected an extremely one-sided view of the relation between world heritage's protection and utilization. In recent years, however, researchers have been rethinking and critiquing the traditional “conflict-focused” conception, and they have entered a phase of discussion that is characterized by a “compromise-oriented” view instead, which recognizes the partial compatibility between protecting and utilizing WHSs. As these discussions continue, scholars are beginning to reach a consensus that entails adopting vigorous legal approaches to achieving a “coordination-oriented” solution to the conflicts that arise in China concerning WHS protection and tourism development (e.g., Dallen and Boyd, 2007; Zou, 2010).

The “coordination-oriented” perspective argues that the first step toward resolving these issues is to rationalize and theorize about the conception of development through coordination. The second step entails establishing, improving, strengthening, and reinforcing the relevant systems and laws to preserve and protect both natural and cultural WHSs. In 1972, UNESCO enacted the *Convention Concerning the Protection of the World Cultural and Natural Heritage*, and in 2003, they established the *Convention for the Safeguarding of the Intangible Cultural Heritage*. These are regarded as the most important legal documents in the history of WHS protection. China became a member of the UNESCO World Heritage Committee on December 12, 1985, and since then, the nation has proactively engaged in applying to UNESCO for admission into the list of WHSs.

3. Analyzing some typical conflicts

Numerous types of conflicts have emerged that concern the protection and utilization of world heritage in China's mainland, which have sometimes harmed the heritage sites by causing damage that is either tourist-related, management-related, and/or development-related. Incidents of such damage result from conflicts between tourism developers and administrators, different managerial departments, and other stakeholders. Certainly, the issues between WHS protection and tourism development are both complex and diverse.

Specifically, the types of damage are described as follows: Tourist-related damage refers to that which is caused by tourists' behaviors, whether conscious or unconscious. For example, in August 2017, some tourists created unattractive graffiti along the Great Wall at Badaling in Beijing, which UNESCO had listed as a WHS in 1987 (Wang, 2019). Similarly, the West Lake Cultural Tourist Area, which had been placed on UNESCO's WHS list in 2011, suffered damage resulting from uncivilized behavior of some tourists. On the morning of

August 4, 2014, the locals discovered that twelve of the West Lake tourist attractions in Hangzhou had been “scarred” in the previous night by red graffiti paint (Xie et al., 2014). Management-related damage, on the other hand, refers to damage that results from improper managerial behaviors. This mismanagement may lead to serious consequences, such as the destruction of Mount Wudang's Yuzhen Palace in Hubei, a province in the center of China. In January 2003, a private school of martial arts improperly used electricity causing a fire which burned down the Yuzhen Palace mainly because the fire-fighting equipment of Mount Wudang Fire Brigade was far from adequate. Also, permitting the school to be set up in the WHS of Mount Wudang had in the first place been an act of mismanagement on the part of the administrators concerned. Finally, development-related damage is that which is instigated by developers' inappropriate development choices, such as constructing cableways in the natural WHS of Mount Taishan in East China's Shandong Province (see Table 1). Numerous incidents of damage (as illustrated in Table 1) are analyzed below, and all of them resulted from mismanagement and inappropriate development.

Some researchers (e.g., Zhang, 2008; Wang and Li, 2012) assert that these incidents that cause damage arise from conflicts between tourism development and WHS protection; however, the underlying causes can be boiled down to conflicts of interests, like those between different governmental departments (e.g., tourism administrations and WHS protection administrations as well as local governments and higher-level administrations). Further analysis reveals that conflicts of interests between different governmental departments primarily result from competitions involving the developmental goals and vested interests of different departments, which are rooted in different aspirations. While local governments strive to establish economic development as their top priority, various managerial departments aspire to perform their administrative duties (Zhang, 2008). In the following subsections, this paper argues that the main causes for these incidents of damage can be examined from social, legal, and institutional perspectives.

3.1. A social perspective

From a social perspective, there are several underlying causes behind these incidents of damage. First, heritage protection is usually placed at a disadvantage when compared to economic development. WHSs in China's mainland are subject to the administrations of local governments, which are usually strongly driven by economic benefits and eager to pursue administrative accomplishments. Hence, they almost always establish economic growth as their primary goal and are anxious to materialize short-term economic development initiatives. These short-term goals and heritage tourism development unite into a strong force opposing heritage protection, which means that this competition always positions the aim of heritage protection at a disadvantage until an incident occurs.

Second, optimizing heritage protection is also typically placed at a disadvantage when compared to maximizing tourists' satisfaction in terms of comfort. In China, domestic tourists, who usually travel in groups, are always demanding the maximum level of comfort from their tourist service providers. They tend to be insensitive to the possible negative influence of various factors that concern WHSs, such as cable cars, the construction of cableways, or other means of transportation. In fact, the majority of domestic tourists prefer to have a comfortable means of transportation installed inside WHSs. For example, in visitor surveys (for those who were traveling to Wulingyuan), 86.3% of the tourists revealed that they prefer to utilize cable cars as their means of transportation. Meanwhile, 55.3% of the tourists thought that it was better to climb mountains on foot for sightseeing. Importantly, only 42.2% of the tourists believed that the construction of cableways has a destructive effect on world heritage resources (Zhang, 2008). In many WHSs, the massive construction of cableways

Table 1

Incidents of damage at China's WHSs (revised and expanded based on Zhang's work [2008])

Time	Incidents	Background
Sept. 1998	UNESCO severely criticized Wulingyuan's WHS administration (development-related damage)	In an inspection report of Wulingyuan, Zhangjiajie in 1998, UNESCO writes, "Wulingyuan has been turned into a besieged island..." Then, in 1999, Wulingyuan started to demolish buildings that had been constructed illegally. Finally, in 2000, the Hunan Province promulgated "Regulations on Protecting the Natural WHS of Wulingyuan, Hunan" (Wu, 2002).
Aug. 2000	Another cableway was constructed at Mount Taishan (development-related damage)	Three cableways had already been constructed at Mount Tai in 1983, 1993, and 2000, respectively, which provoked heated debates. Fourteen experts in China had expressed their disapproval of these projects in a petition to the State Council, suggesting the demolition of the cableway from Zhongtian Gate to Daiding Peak.
Oct. 1999	Gigantic elevators were constructed in Zhangjiajie (development-related damage)	Beginning in October 1999, several sightseeing elevators were constructed in Wulingyuan, Zhangjiajie, which received tremendous attention and continuous criticism.
Dec. 2000	Confucian relics were damaged by incorrect cleaning procedures (management-related damage)	From December 6 to 13, 2000, the Qufu Administration of Confucian Relics incorrectly cleaned the relics, which resulted in twenty-two spots being damaged to varying degrees.
Feb. 2002	Large projects were constructed in Huangshan (development-related damage)	In February 2002, CCTV criticized the construction of a reservoir, hotels, and other large projects in the Huangshan Scenic Area, which sparked controversy nationwide.
Jan. 2003	Mount Wudang's Yuzhen Palace was destroyed by a fire (management-related damage)	On January 19, 2003, the Yuzhen Palace on Mount Wudang caught fire due to the inappropriate use of electricity by a private martial arts school. The rescue work was impossible due to inadequate fire-fighting equipment and unfavorable conditions, which meant that the Yuzhen Palace was reduced to ashes.
Apr. 2003	A reservoir dam was suspended near Dujiangyan (management-related damage)	In April 2003, the relevant governmental departments in Sichuan planned to build a dam for the Yangliuhu Reservoir near Dujiangyan's WHS. Later, a national investigation panel claimed that the project was detrimental to Dujiangyan, and it was suspended by the Dujiangyan Administration.
Mar. 2005	Leakage control was criticized at the Summer Palace (management-related damage)	From March to July 2005, a lake's poor leakage control in the Summer Palace affected the heritage's authenticity. Finally, a turn-around plan was announced due to the concerted effort of scholars, the public, the media, and the Environmental Protection Bureau of Beijing.

can be understood under the pretext of enhancing the degree of tourist satisfaction or satisfying their needs, but common sense reveals that the ultimate aim of the tourism industry is to satisfy every customer, which is mostly reasonable. When it comes to protecting world heritage, however, this objective turns out to be highly problematic. Such projects have proved to have destructive effects on the integrity of natural heritage sites.

3.2. A legal perspective

Incidents of damage may also be analyzed from a legal perspective, and several related causes have been identified in this study. Inadequacy in the legislation concerning world heritage's protection is obvious. In brief, the legal systems underpinning WHS protection in China's mainland include three layers. The first layer consists of the relevant international laws and conventions (e. g., the Convention Concerning the Protection of the World Cultural and Natural Heritage and the Convention for the Safeguarding of the Intangible Cultural Heritage), which China utilizes as a foundation for enacting laws and regulations to protect China's world heritage.

The second layer consists of laws and regulations that are produced and enacted by China's National People's Congress (e. g., "Law on the Protection of Cultural Relics"; "Regulations on the Protection of Famous Cities, Towns and Villages of Historical and Cultural Interest"; "Law on Environmental Protection and Regulations on the Administration of Tourist Attractions"). Unfortunately, these laws were not specifically created to protect WHSs. To emphasize the importance of world heritage protection, however, China issued three supplementary documents: (1) "Suggestions for Strengthening and Improving the Protection and Management of World Heritage" was jointly formulated and released in April 2002 by nine governmental organizations, including the Ministry of Culture, the State Bureau of Cultural Relics, the State Commission of Development Planning, and the Ministry of Finance. (2) In 2003, the Ministry of Culture released, "An Announcement Concerning the Need of Taking Concrete Measures to Strengthen the Protection and Management of World Heri-

tage". (3) Finally, the "Methods for the Protection and Management of World Heritage" was formulated and released by the Ministry of Culture in November 2006. While these administrative documents may function as being slightly more important than reminders to the various departments related to world heritage protection, they are, in the end, merely suggestions and methods. In other words, they are not, by definition, laws and regulations that were designed to empower the relevant authorities to take legal measures when executing world heritage protection.

In terms of the protection and management of natural WHSs, for example, Li and Wang (2020) state that the relevant laws and regulations have gradually and continually improved through trial and error and that the work of protection and management at each natural WHS is increasingly emphasized and promoted. Still, they also admit that China's laws and regulations on natural WHS protection remain incomplete, and so far, China's National People's Congress has not formulated a law protecting WHSs in a manner that is applicable to each WHS nationwide (Li and Wang, 2020).

The third layer consists of regulations that are formulated by local governments for the purpose of world heritage protection (e. g., "Regulations on the Protection of World Heritage in Sichuan Province", "Regulations on the Protection of the Great Wall", and "Regulations on the Protection of Wuyishan World Cultural and Natural Heritage in Fujian Province"). These regulations are meant to legalize the protection of world heritage in specific regions.

To reiterate, these examples illustrate obvious inadequacies in terms of legalization for world heritage protection in China. First, legalization for this purpose comes in less authoritative forms, as some are regulations by special governmental departments, while others are merely suggestions, announcements, or methods that have limited legal power and impact. Another inadequacy is that no unified legislation exists that is applicable to world heritage protection nationwide. The scope of local legislation's applicability tends to be restricted. Thus, local regulations tend to have a significant amount of redundancy, which means a waste of legislative resources.

Finally, the stipulations of the organizations that are responsible

for world heritage protection within those sub-legal documents are not only inconsistent but confusing. For example, the Bureau of Cultural Relics is responsible for the protection of cultural relics, but the Ministry of Construction is accountable for the famous historic cities, towns, and tourist attractions. Meanwhile, the Bureau of Landscape Engineering is responsible for park management. Article 8, the “Law on the Protection of Cultural Relics”, states, “the management of cultural relics is a duty of the State Bureau of Cultural Relics”. Then, Article 5 states the following: “the management of famous cities, towns and villages of historical and cultural interest is a duty of the Ministry of Construction”, which is in the “Regulations on the Protection of Famous Cities, Towns and Villages of Historical and Cultural Interest”. Finally, Article 4 clarifies, “the management of every park is a duty of the Bureau of Landscape Engineering” in the “Regulations on the Management of Parks in Beijing”. Furthermore, the local tourism bureaus, environmental protection bureaus, and people's governments are responsible for world heritage protection in general. Therefore, when examining this labyrinth of responsible administrations, one cannot help feeling confused.

3.3. An institutional perspective

In China's mechanism for world heritage protection's management, there are some institutional defects.

Scholars (e.g., Hu and Zhao, 2001; Zhang, 2008; Zou, 2010) have long criticized the mechanism for China's management of world heritage protection as highly problematic with inherent systemic deficiencies. An effective supervision over legislation's power is currently lacking, and a serious problem of overlap exists in terms of managerial authority. World heritage clearly belongs in the category of special public resources, making it the property of the nation or general public. It follows, then, that a government representing the general public's interests must exercise managerial power over world heritage protection (i.e., the capacity to grant approval or permission). Without the government's permission or approval, no organization or individual has the right to own or utilize any heritage, whether natural or cultural.

The power to grant approval is, in essence, the power to utilize resources. Since the public empowers the government to grant approval (i.e., exercising the power to utilize public resources), the phenomenon of “separation of powers” is the result, which refers to a separation between the power of ownership and that of managing public resources. This “separation” phenomenon leads to the asymmetry of information, knowledge, and problems with supervision. On one hand, the public—the owners of public resources—does not have equal access to the same information and knowledge that the government possesses about world heritage protection. On the other hand, no institutional mechanism exists by which the public can supervise the government's acts of granting approval. Importantly, the majority of conflicts associated with world heritage protection in China's mainland have been resolved through petitions by experts or mass media coverage, as these factors draw the attention of high-ranking officials in the national government, who are able to recognize the seriousness of these incidents as a result. This kind of supervision is not institutionalized, and it does not produce effects that are long-term, stable, or effective, which is contrary to what world heritage protection efforts need.

The second defect in the system that involves ensuring world heritage's protection in China is the problem of managerial powers overlapping. Numerous sub-systems of management are redundant, or overlapping, which results in split responsibilities and multiple-leadership management. This phenomenon is typical of a socialist, planned, economic system in China's mainland, which leads to over-emphasizing detailed divisions of responsibility, resulting in responsibilities being intertwined and confusing as well as suffering frequent “vacuum” periods of management. Neither of these aspects is benefi-

cial to the effective protection of world heritage (Hu and Zhao, 2011).

Many WHSs in China suffer from the lack of a unified administration and the low efficiency that results from multiple-leadership management. For example, Chinese tourist attractions typically have about a dozen administrative departments, such as offices in charge of construction, forestry, environmental protection, culture and art, cultural relics, religious affairs, land and resources, oceanic affairs, transportation, water conservancy and irrigation, tourism, science, and technology. Some heritage sites even have several different titles simultaneously. For example, the scenic area of Huangshan has seven titles: the National Key Tourist Attraction (1982), the National Forest Park (1987), the World Natural and Cultural Heritage (1990), the National AAAA Tourist Attraction (2001), the National Geology Park (2002), the World Geology Park (2004), and the National AAAAA Tourist Attraction (2006). Consequently Huangshan receives multiple-leadership management and supervision, as each department endeavors to delineate its managerial scope, according to its interests and benefits. This results in an unnecessarily complex division of resources at the WHSs, which is counterproductive to the unified, effective, and sustainable protection of WHSs concerned (Zou, 2015).

4. Strategies for coordinating interests between WHS protection and tourism development

Since WHS protection is an extremely complex, challenging task, it entails the effective coordination of interests between WHS protection efforts, tourism development, concrete measures to improve legislation, and a managerial mechanism. In the West, for example, researchers in Germany, Australia, and Britain assert that WHSs play a pivotal role in the challenging task of environmental preservation and utilization. The intensifying pressure on these sites demands that new approaches are considered to govern resources in a way that protects them and distributes their value more equitably (Job et al., 2017). In one of their studies, Job and colleagues examine strategic planning, zoning, impact monitoring, and tourism management by analyzing 229 natural WHSs globally and reveal that their overall strategic planning as well as the tourism planning need improvements, especially by creating more consistent monitoring systems (Job et al., 2017).

Arguably, the key to heritage-friendly tourism development lies in following an integrative approach when it comes to coordinating conflicts between tourism development and tasks, such as protecting nature, preserving and promoting culture, and improving living standards as well as the environment for all humankind. This new approach represents a different way of developing tourism, which entails drastically reforming the traditional models of tourism development by placing more emphasis on the following: (1) minimizing the influence of tourism on the local environment and culture, (2) protecting nature and cultural heritage, (3) improving the livelihood of the local people while providing quality services to tourists, and (4) maintaining a virtuous cycle of environmental protection in WHSs.

These themes constitute the core objectives for a new model of tourism development, and the prerequisites for materializing these objectives are as follows: (1) reasonably utilize tourism resources; (2) scientifically plan, manage, and control both the mode and scale of tourism development; and (3) ensure that heritage tourist attractions have satisfactory coordination, thereby minimizing, or even eliminating, the conflicts that occur between tourism development and environmental protection efforts. This would maintain local cultural characteristics while sustainably utilizing the tourism market (Zou, 2010).

Meanwhile, the progress that has been made over the past decade in China should be recognized in terms of conceptualizing WHS protection (Cui et al., 2013). For example, the “Regulations on the Administration of Tourist Attractions”, which was enacted in December 2006, shows considerable progress when compared to the “Contemporary Regulations on the Administration of Tourist Attractions” that was enacted in 1985. In the 1985 version, for example, there were no

explicit regulations on either overall or specific planning for tourist attractions. In terms of management, there was a stipulation of on a three-tiered system of management, i.e. classifying tourist attractions into three levels: municipal, provincial, and national. The problem was that most tourist attractions were classified into the municipal level, which led to managerial decentralization, i.e., local governments, lured by economic benefits, over-developed and over-utilized tourist attractions under their jurisdiction while neglecting their duties to protect them. The 2006 regulations, by contrast, stipulate a two-tiered system of management, i.e., the rights to manage tourist attractions at the municipal level were all taken back and elevated to provincial or national levels.

In addition, the new regulations prioritize the principle of protection rather than the traditionally emphasized priority of management. The 2006 version shows a clear discontinuation from a rigid mode of management, as it encourages efforts that involve harmonious and sustainable development while emphasizing scientific planning, unified management, rigorous protection, and sustainable utilization. All of these factors are consistent with the universal requirements for natural and cultural WHS protection.

5. Conflicts and constraints of rights from a legal perspective

From a legal perspective, conflicts between world heritage protection and tourism development are, in essence, conflicts of rights (i.e., a clashing of rights that are owned by two different entities). One of these tends to safeguard its rights at the expense of the other, which is the main conflict of rights that occurs in this context. Arguably, these conflicts result from overlapping delineations of the rights by the relevant entities, a lack of clarity in the delineation of rights, or incompatibility in terms of both parties' rights and interests. For example, in Kenya, local governments have increasingly ordered that WHSs be fenced in (Job et al., 2017); thus, locals are deprived of their rights to use their environment in order to improve their livelihoods. In densely populated areas, this type of "gated conservation" may be the only option, but it still poses major challenges by restricting local participation and affecting the livelihoods and long-term acceptance of people in the area (Habel et al., 2016).

From the perspective of legislation, conflicts of rights are usually resolved through coordination that is based on measuring the interests concerned. In other words, the legislative process weighs the rights that come into conflict, according to specific values, so as to decide which is more important or which should be given priority. The criteria by which such measurements are made are based on certain values. As an economy develops, the values of legislation gradually evolve to become increasingly favorable to public interest, which leads to the issue of restraining rights (i.e., the restriction of civil rights based on sufficient reasons) through normal legal procedures in an attempt to protect public interest.

According to this principle, the restraint of rights is clearly a way to resolve conflicts of rights, and the same principle applies to resolving the conflicts of interests between WHS protection and tourism development. World heritage is rare, unreplicable, and distinctly pertains to public interest and benefit. The principle of giving priority to public interest logically leads to the principle of positioning the concept of protection at the core of development while sustainably utilizing heritage. Whenever a conflict exists between protection and utilization, economic considerations must give way, and any effort that is likely to result in harm or damage to world heritage must be curbed.

However, it should be pointed out that conflicts of interest are inevitable in modern society, and such conflicts need balancing actions from outside agents if they are beyond spontaneous social adjustments. Legalization, an effective balancer of these conflicts, can classify and prioritize interests that contradict each other and pay particular attention to maximizing the interests of *multiple* entities when assigning rights and obligations. However, maximizing the interests of

some entities should never be achieved at the sacrifice of other entities' interests. Rather, as a prerequisite, this maximization must have minimal aspects of unfairness or injustice, thereby embodying the principle of interest balance.

6. Improving laws and regulations

In the past twenty years, China has had considerable experience practicing WHS protection, and there has been many theoretical studies concerning heritage protection (Zhang, 2008; Zou, 2015). Local legislation has been exemplary in a number of cities and provinces. Currently, China has the prerequisites to begin the process of creating specialized legislation for WHS protection. It is worthwhile to note that the "Methods for the Protection and Management of World Heritage" and the "Regulations on the Protection of World Heritage in Sichuan Province" (which was enacted by the Sichuan People's Congress in 2002) both emphasize the interface and consistency between domestic legislation and international conventions, the fundamental principles of WHS protection, the institutionalization of management, the establishment of special funds, the improvement of systems for supervision and assessment, the clear and strict division of responsibility, etc. They can be regarded as exemplary in local or departmental legislation, as they embody advanced ideas about lawmaking and clearly present stated rules that can be abided by with a high level of practicality. In short, they can serve as helpful examples for lawmaking that concerns world heritage protection by China's national legislators.

Since China already has this relatively sound foundation as a prerequisite, Chinese lawmakers should pay special attention to the following aspects: First, conflicts between world heritage protection and tourism development should be resolved by applying the interest-balancing principle in legislation. Specifically, national lawmakers should draw upon theories concerning conflicts and restrictions of rights to strike a balance in conflicts of interests that emerge between efforts to protect heritage and develop tourism. They should also restrict any effort that is likely to be detrimental to WHSs and ensure that any exploitation of resources for tourism development be strictly confined within the restraints of relevant laws and regulations. Any program involving the exploitation of world heritage must be closely scrutinized by scholars and scientists. Their assessments, judgments, and suggestions should be taken seriously when deciding what should be executed (or not) in a given situation. In summary, the principle of protection-oriented, sustainable development must be insisted upon.

Second, greater effort should be made toward internationalizing technical standards. Domestic legalization should strive for the internationalization of technical standards for heritage's protection, utilization, and management. For example, buildings for vacationers and profit-making purposes should not be constructed within tourist attractions. In fact, any infrastructure in tourist attractions should be constructed in a manner that keeps the surrounding nature intact, including the original landscape, lakes, rivers, streams, springs, waterfalls, vegetation, and wildlife. Also, the administrators of tourist attractions and their local governments are not entitled to make decisions that concern the construction of cable cars and cableways without prior authorization.

Third, the practicality of laws and regulations should be enhanced, as the vitality of law lies in its enforcement. The degree of enforcement is a crucial indicator of legal vitality and strength. Therefore, it is suggested that domestic legislation concerning WHS protection should strive to enhance the degree of law enforcement by stipulating concrete punishments that correspond and are proportionate to various violations of relevant laws and regulations. In short, lawmakers should develop laws that are both feasible and practicable.

7. Improving and rationalizing heritage protection's management system

Improving and rationalizing the management system for heritage protection entails integrating the functions and duties of existing administrative departments and offices, thereby solving the problem of overlapping that arises from multiple-leadership management. In February 2008, China's central government passed, "Suggestions for Deepening Reforms to Administration and Management Systems", which clearly stipulates the guidelines for the systemic management reforms that must be carried out by state bureaus and ministries. Items, events, and affairs that are closely interrelated (in terms of subject matter) should be placed under the leadership of a single ministry or bureau, so the overlap of governmental functions and multiple-leadership management is kept to a minimum, administration efficiency is enhanced, and administrative costs are reduced. The core of this reform consists of multiple tasks: transforming governmental functions, breaking down barriers based on departmental interests, and enhancing the quality of services provided by governmental departments.

Some argue that reforming managerial systems for WHS protection should also follow the principles and objectives of reforms at the state-ministerial level. It follows that a unified institution of management should be established that would be in charge of the overall planning and coordination of heritage protection efforts. This approach has been proven to be effective in some provinces in China, such as the Sichuan Province, which has set up a unified institution for the management of WHSs. This new administration model requires an integrative approach to reform the existing managerial departments. Specifically, in a heritage site, resources from a single category must fall under the management of only one department, while other managerial departments should follow the standards for heritage management by cooperating with the department that is directly in charge. This way the following can be avoided: multiple-leadership management, inconsistency, or confusion in regard to goal management; and the failure to utilize and sustain the value of world heritage resources.

In September 2018, China's Standing Committee of the National People's Congress decided to include a law on national parks in its legislation plan. China's national forestry and grassland administration has already started researching and drafting the law on national parks (Zhu, 2020), which will play a crucial role in terms of improving and optimizing our legal system for WHS protection. It will consist of specific regulations on the management of natural and cultural WHSs, national nature reserves, national scenic spots, national geological parks, national forest parks, and ocean parks. In China, the modification and integration of existing laws and regulations are necessary to produce a comprehensive, efficient legal and monitoring system that embodies the fundamental values of world heritage protection and sustainable tourism development.

8. Conclusion

To ensure sustainable world heritage protection, tourism authorities at various governmental levels in China should not only focus on meeting the needs of Chinese people in terms of their leisure and sightseeing; instead, they should aim toward making tourism develop-

ment and world heritage protection complementary and mutually beneficial. Specifically, a "coordination-oriented" model of tourism should be constructed and adopted, as it maximizes the compatibility of tourism development and world heritage protection. Meanwhile, special attention should be paid to the various restraints that are inherent in the fundamental requirements for world heritage protection. This "coordination-oriented" model differs from those that prioritize economic growth, and its ultimate objective is to make world heritage a resource that can be utilized across generations. China must urgently construct a legal system that engages all stakeholders in protecting world heritage. This system should emphasize the public-interest nature of profit that is obtained by tourism developers. Furthermore, it should ensure that the income from tourism funds the efforts preserving, restoring, renovating, and protecting the relevant heritage sites as well as safeguarding the local residents' right to subsistence and even improving their living standards. Chinese lawmakers should seize the opportunity to produce a law concerning national parks that will modify and integrate existing laws and regulations in order to generate a comprehensive legal system that embodies the fundamental values of WHS protection and sustainable tourism development.

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