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SUSTAINABLE TOURISM LAW: ENVIRONMENTAL REGULATORY MECHANISMS AND THE PROTECTION OF CONSUMER RIGHTS

Açar sözlər: *davamlı turizm hüququ, ətraf mühitin tənzimlənməsi, istehlakçı hüquqları, yaşayış hüququ, yaşıl yuma, ətraf mühitin qorunması*

Ключевые слова: *законодательство об устойчивом туризме, экологическое регулирование, права потребителей, законодательство о размещении, гринвошинг, охрана окружающей среды*

Keywords: *sustainable tourism law, environmental regulation, consumer rights, accommodation law, greenwashing, environmental protection*

1. INTRODUCTION

The rapid expansion of the tourism sector — and particularly the growth of accommodation services — has given rise to a range of pressing legal regulatory questions. Chief among these is the challenge of reconciling the protection of consumer rights with the environmental obligations incumbent upon service providers. While many jurisdictions have introduced legislative frameworks governing the ecological responsibility of tourism enterprises, the normative mechanisms through which legal awareness among consumers shapes their choices remain insufficiently developed.

A degree of regulatory architecture already exists in this domain. The EU Directive 2018/851, the United Nations 2030 Agenda for Sustainable Development, and various regional conventions establish obligations concerning environmental protection in the tourism sector. However, systematic legal scholarship addressing how these obligations operate in the context of consumer relations — particularly regarding consumer information rights, liability for misleading environmental claims, and the contractual law dimension — remains limited.

The primary aim of this article is to use empirical data to identify legal regulatory gaps and to assess, from a normative-legal perspective, the influence of accommodation providers' environmental obligations on consumer legal consciousness. The central argument advanced is that strengthening the legal framework around consumer information and ecological accountability would translate directly into more legally-aware and rights-conscious consumer behavior.

2. LEGAL FRAMEWORK: THE REGULATION OF SUSTAINABLE TOURISM

2.1. International Legal Instruments

The legal regulation of sustainable tourism is grounded in the concept of sustainable development as articulated in the 1987 Brundtland Commission Report, which defined it as development that meets present needs without compromising the ability of future generations to meet their own. This concept has since become an integral principle of international tourism law [5, p. 35-49].

The United Nations Framework Convention on Climate Change (UNFCCC) and the 2015 Paris Agreement indirectly regulate the tourism sector by imposing obligations concerning energy consumption, carbon footprint, and greenhouse gas emissions that, in practice, apply to accommodation establishments. The UNWTO Global Code of Ethics for Tourism (2001), while not legally binding, functions as a reference document relied upon by states when developing regulatory instruments.

In the academic literature, the legal dimensions of consumer behavior in sustainable tourism are closely linked to the concept of the ecological consumer, defined by Martinez and Fraj [7, p. 217-234] as an individual who demonstrates a high level of concern for nature, participates in its protection, and is willing to pay more for products that cause less environmental harm. Translating this behavioral concept into legally operative rights and obligations is a central challenge for legislators.

2.2. National Regulatory Mechanisms

At the national level, the environmental obligations of accommodation establishments are regulated through a combination of licensing requirements, mandatory environmental certification standards, and liability rules for misleading environmental advertising. Turkey's Law on the Promotion of Tourism (Law No. 2634) and the Law on Environmental Protection (Law No. 2872) provide a useful illustration of national regulatory practice. The voluntary Green Star certification scheme for accommodation providers, however, operates as a voluntary compliance mechanism rather than a mandatory legal obligation, revealing a significant gap in the normative architecture [4, p. 604-614].

Within this regulatory framework, a critical legal question concerns the adequacy of consumer information obligations. The failure to provide consumers with sufficient information about environmentally non-certified establishments constitutes a normative gap that existing consumer protection legislation has yet to fully address. As Martinez and Fraj [7, p. 217-234] demonstrated, environmentally conscious consumers are prepared to pay a premium for less harmful products, which underscores the legal importance of protecting their right to make fully informed decisions on the basis of accurate environmental disclosures.

The academic consensus further confirms that tourists increasingly seek certifications and ecolabels as proxies for the environmental conduct of accommodation providers [6, p. 901-914]. The legal framework must therefore address not only the substance of environmental standards but also the reliability and enforceability of the certification and labelling systems through which that information is communicated to consumers.

3. METHODOLOGY AND LEGAL JUSTIFICATION

The study employs a quantitative research design using a structured questionnaire instrument covering three normative dimensions: (i) general ecological sustainability awareness; (ii) sustainable tourism awareness; and (iii) purchasing behavior. Data were collected from 386 participants and subjected to confirmatory factor analysis, correlation analysis, and regression analysis using SPSS 26.0 and AMOS software.

The following hypotheses were tested:

H1: Sustainable tourism awareness positively affects consumer purchasing behavior.

H2: General sustainability awareness positively affects consumer purchasing behavior.

From a legal standpoint, the methodological significance of this research lies in its capacity to provide an empirical basis for regulatory policy-making. Quantitative data on consumer behavior can serve as evidence for the effectiveness — or inadequacy — of existing information disclosure obligations. The reliability of the measurement instruments was verified using Cronbach's alpha method, with all scales exceeding the accepted threshold of $\alpha > 0.70$.

4. FINDINGS AND LEGAL ANALYSIS

4.1. EMPİRİCAL FİNDİNGS

The results of the regression analysis confirmed both hypotheses at a statistically significant level ($p < 0.001$). Sustainable tourism awareness emerged as the strongest predictor of consumer purchasing behavior ($\beta = 0.350$), while general sustainability awareness independently contributed to increasing that awareness. Figure 1 presents the mean scores of the key survey items, illustrating the distribution of participant attitudes across the scale.

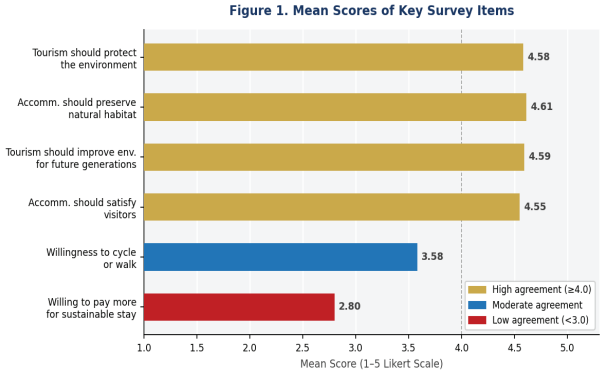


Figure 1. Source: Author's calculations based on survey data (n = 386).

As Figure 1 demonstrates, the items relating to the environmental responsibilities of tourism and accommodation providers commanded the highest levels of agreement among participants. Notably, the item measuring willingness to pay more for sustainable accommodation recorded the lowest mean score — a finding consistent with prior research [1; 2, p. 267-285]. From a legal standpoint, this pattern points to the necessity of normative mechanisms that distribute the financial burden of environmental protection without placing its full weight on the individual consumer.

4.2. Correlation Analysis

The correlation analysis revealed statistically significant positive relationships between all key constructs ($p < 0.001$). Figure 2 presents the full correlation matrix for the five principal variables examined in the study.

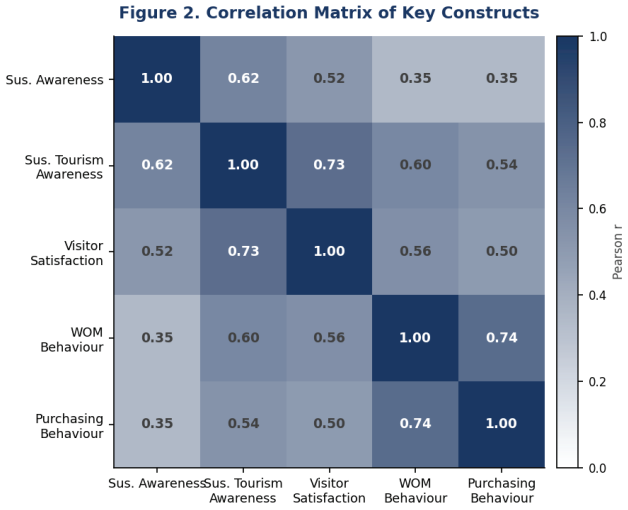


Figure 2. Source: Author's calculations based on survey data (n = 386). All correlations significant at p < 0.001, except where noted.

The matrix reveals a moderate-to-strong positive relationship between sustainable tourism awareness and visitor satisfaction ($r = 0.73$), and a moderate relationship between visitor satisfaction and word-of-mouth behavior ($r = 0.56$). From a legal regulatory perspective, these findings confirm that legal mechanisms designed to enhance transparency and accountability in the accommodation sector would produce positive

market externalities — including reputational enforcement effects — that complement formal legal sanctions.

4.3. Regression Model

The regression model tested the direct effects of both sustainability awareness constructs on consumer purchasing behavior. Figure 3 presents the path diagram summarizing the structural relationships identified in the analysis.

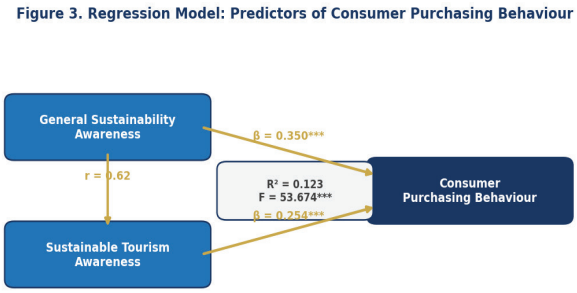


*Figure 3. Source: Author's conceptualization based on regression analysis results. *** p < 0.001.*

The model explains 12.3% of the variance in consumer purchasing behavior ($R^2 = 0.123$, $F = 53.674$, $p < 0.001$). While the explained variance appears modest, it is consistent with the complexity of behavioral decision-making in consumer law contexts, where legal, psychological, and economic factors interact. The statistically significant path coefficients confirm that both general sustainability awareness and sustainable tourism awareness independently and positively predict purchasing behavior, validating both hypotheses.

4.4. Consumer Recommendation Behavior

A particularly significant finding from a legal enforcement perspective is that the vast majority of participants reported a high likelihood of recommending sustainable accommodation establishments to others. Figure 4 illustrates the distribution of participant responses on this dimension.

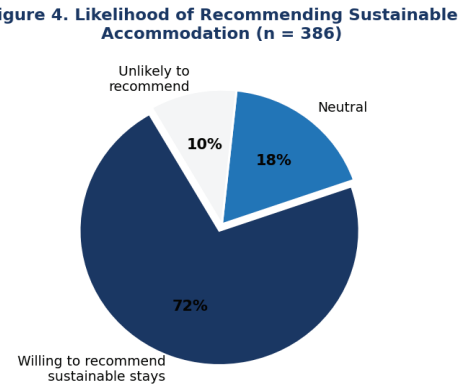


Figure 4. Source: Author's calculations based on survey data (n = 386).

As Figure 4 illustrates, approximately 72% of participants indicated a high willingness to recommend sustainable accommodation to their peers. This pattern suggests that word-of-mouth communication functions as an informal consumer rights enforcement mechanism — a form of reputational accountability that, while valuable, cannot substitute for a robust formal legal framework. Combined with the finding that 62% of guests report feeling better when staying at eco-labelled accommodation [3], the data make a compelling case for mandatory rather than voluntary ecological certification regimes.

4.5. Legal Regulatory Gaps

The findings of this study reveal several significant gaps in the existing legal regulatory framework. First, with respect to consumer information obligations, the accuracy of environmental claims made by accommodation providers is not subject to sufficiently robust independent audit mechanisms at the legislative level. This lacuna enables greenwashing practices that undermine consumer confidence and distort market competition [6, p. 901-914].

Second, the findings reported by Berk and Celep [2, p. 267-285] — namely, that consumers maintain positive environmental perceptions while simultaneously expressing dissatisfaction with associated pricing policies — must be assessed through the lens of price transparency law. The concept of misleading advertising in civil law may be extended beyond physical product characteristics to encompass the justificati-

on of price premiums claimed on environmental grounds.

Third, research indicates that a significant majority of visitors report feeling better when staying at eco-labelled accommodation [3]. This finding lends renewed urgency to the question of whether ecological certification should be transitioned from a voluntary system to a mandatory regulatory regime — a shift that would require corresponding amendments to licensing, consumer protection, and environmental liability legislation.

5. POLICY AND LEGAL RECOMMENDATIONS

The findings of this study support the following normative and legal policy recommendations:

1. Legislative reinforcement of ecological disclosure obligations. The accuracy of environmental claims made by accommodation establishments should be subject to verification by accredited independent auditing bodies. Legal liability for misleading environmental marketing (greenwashing) should be strengthened, with clear sanctions established at both the civil and administrative law levels.

2. Expansion of mandatory consumer information rights. Accommodation contracts should be required by law to include key environmental performance indicators. Consumers' right to receive complete and accurate information about the ecological credentials of service providers should be codified in consumer protection legislation.

3. Introduction of financial regulatory mechanisms. Tax incentives should be made available to establishments that meet environmental sustainability standards. The polluter pays principle should be systematically applied to the tourism sector to ensure a fair distribution of the costs of environmental protection, rather than displacing those costs onto consumers.

4. Mandatory environmental certification. Consideration should be given to transitioning from voluntary to mandatory environmental certification for accommodation establishments above a defined threshold, with a legally binding minimum standard equivalent to existing voluntary eco-label criteria.

5. Enhancement of consumer legal literacy. State-backed public awareness programmers concerning consumers' environmental rights in the tourism sector should be established on a statutory footing, with measurable targets for legal literacy improvement.

6. CONCLUSION

This article has examined the legal regulation of sustainable tourism practices through the lens of empirical consumer behavior data. The central finding is that consumer environmental legal awareness positively shapes purchasing behavior in line with sustainable tourism practices, which confirms the fundamental legal importance of consumer information obligations and the right to make fully informed decisions.

The most significant weakness in the existing legal framework is the absence of adequate mechanisms for verifying and enforcing environmental claims made by accommodation providers. The fact that a large majority of participants expressed a high readiness to recommend sustainable accommodation to others demonstrates that the market's self-regulatory mechanism retains some functionality — but this mechanism requires legal underpinning to operate reliably and equitably. In conclusion, the most urgent priorities for the development of sustainable tourism law are: strengthening liability for misleading environmental advertising; expanding ecological transparency obligations in accommodation contracts; and creating incentive-based legal mechanisms for the fair distribution of the financial burden of environmental sustainability. Future research should examine the effectiveness of specific legislative interventions in each of these areas through comparative legal analysis across jurisdictions.

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DAVAMLI TURİZM HÜQUQU: ƏTRAF MÜHİTİN TƏNZİMLƏMƏ MEXANİZMLƏRİ VƏ İSTEHLAKÇI HÜQUQLARININ MÜDAFİƏSİ

XÜLASƏ

Bu məqalədə, xüsusilə yaşayış müəssisələrinin ekoloji öhdəlikləri, istehlakçı hüquqları və dövlət tənzimləmə mexanizmləri arasındakı kəsişməyə diqqət yetirilərək, davamlı turizm təcrübələrinin hüquqi tənzimlənməsi araşdırılır. Strukturlaşdırılmış anket vasitəsilə 386 iştirakçıdan toplanan empirik məlumatlara əsaslanaraq, tədqiqat SPSS 26.0 və AMOS proqram təminatı vasitəsilə aparılan faktor təhlili, korrelyasiya təhlili və reqressiya təhlilindən istifadə edir. Nəticələr göstərir ki, istehlakçıların ekoloji hüquqi məlumatlılığı onların alış davranışlarını davamlı turizm təcrübələrinə uyğun olaraq müsbət şəkildə formalaşdırır. Hüquqi baxımdan, məqalədə yaşayış təminatçılarını tənzimləyən mövcud normativ çərçivədəki kritik boşluqlar müəyyən edilir və məcburi ekoloji açıqlama öhdəliklərinin, yanlış ətraf mühit marketinqinə (yaşıl yuma) görə məsuliyyətin və təşviq əsaslı tənzimləmə mexanizmlərinin gücləndirilməsi üçün konkret tövsiyələr irəli sürülür.

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ПРАВО УСТОЙЧИВОГО ТУРИЗМА: ЭКОЛОГИЧЕСКИЕ МЕХАНИЗМЫ РЕГУЛИРОВАНИЯ И ЗАЩИТА ПРАВ ПОТРЕБИТЕЛЕЙ

РЕЗЮМЕ

В данной статье рассматривается правовое регулирование практики устойчивого туризма с особым акцентом на взаимосвязи между экологическими обязательствами предприятий размещения, правами потребителей и государственными механизмами регулирования. На основе эмпирических данных, собранных у 386 участников с помощью структурированной анкеты, в исследовании использованы факторный анализ, корреляционный анализ и регрессионный анализ, проведенные с помощью программного обеспечения SPSS 26.0 и AMOS. Результаты показывают, что осведомленность потребителей об экологическом праве положительно влияет на их покупательское поведение в соответствии с практикой устойчивого туризма. С юридической точки зрения, в статье выявляются критические пробелы в существующей нормативной базе, регулирующей деятельность поставщиков услуг размещения, и предлагаются конкретные рекомендации по усилению обязательных обязательств по раскрытию экологической информации, ответственности за вводящий в заблуждение экологический маркетинг (гринвошинг) и механизмов регулирования, основанных на стимулировании.

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