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DOI: 10.13166/WSGE/KZ/CUUG3219

# Tourist sector: reinvent yourself or die[1]

# Sektor turystyczny: wymyśl się na nowo albo zginiesz

**Abstract:** Digital transformation is a current fact that is changing the landscape of almost all economic, social and human activities. Before the COVID-19 pandemic broke out, the digitization of public and private services was a competitive option within almost all economic sectors. However, restrictions on mobility have broken the rules of the game and commercial activities the most affected by crisis must rethink how to gain competitiveness in this scenario. The incipient regulation of Smart Tourist Destinations is a key for all tourism companies and public entities with powers to encourage tourism to boost the activity. In Spain, where the tourism sector is vital to the national economy, national and regional projects on Smart Tourist Territories take special relevance. These projects are ran through the cooperation of public and private entities, sometimes through open innovation formulas.
This paper aims to assess the need of new regulation on the cooperation formulas of the public and private sectors in this scope and to analyze the needed elements for a tourist destination to receive the qualification of Smart Tourist Destination, and how it could increase the competiveness of the sector, by accomplishing the normalized indicators.

**Keywords:** Smart Tourist Destination, open innovation, public cooperation, smart cities.

[1] This paper is carried out within the framework of the research project "Marco legal para la promoción de la innovación por parte del sector público. Bases, sistemas e instrumentos" (INNOVAP), Ref: RTI2018-099295-B-I00 (MCIU/AEI/FEDER, EU), currently active. Main researcher: José Luis Blasco Díaz.

**Streszczenie:** Transformacja cyfrowa to aktualny fakt, który zmienia krajobraz niemal wszystkich działań gospodarczych, społecznych i ludzkich. Do czasu wybuchu pandemii COVID-19, cyfryzacja usług publicznych i prywatnych była konkurencyjną opcją w prawie wszystkich sektorach gospodarki. Jednak ograniczenia mobilności naruszyły reguły gry i w przypadku najbardziej dotkniętych kryzysem działań komercyjnych należy przemyśleć, jak zyskać konkurencyjność w tym scenariuszu. Początkowa regulacja inteligentnych destynacji turystycznych jest kluczem dla wszystkich firm turystycznych i podmiotów publicznych, które mogą zachęcać turystykę do zwiększenia aktywności. W Hiszpanii, gdzie sektor turystyczny ma kluczowe znaczenie dla gospodarki narodowej, krajowe i regionalne projekty dotyczące inteligentnych terytoriów turystycznych nabierają szczególnego znaczenia. Projekty te są realizowane przy współpracy podmiotów publicznych i prywatnych, czasem w formule otwartych innowacji.

Niniejsze opracowanie ma na celu ocenę potrzeby nowych regulacji dotyczących formuł współpracy sektora publicznego i prywatnego w tym zakresie oraz analizę potrzebnych elementów, aby destynacja turystyczna uzyskała kwalifikację Inteligentnej Destynacji Turystycznej, oraz w jaki sposób mogłaby ona zwiększyć konkurencyjność sektora poprzez osiągnięcie znormalizowanych wskaźników.

**Słowa kluczowe:** Inteligentne Destynacje Turystyczne, otwarte innowacje, współpraca publiczna, inteligentne miasta.

## Intruduction

It is undoubtable that digital transformation is a current fact that is changing the landscape of almost all economic, social and human activities. Before the COVID-19 pandemic broke out, the digitization of all types of public and private services was an option aligned with the modernization of each sector and with sustainability, and it was a competitive option for almost all economic sectors. However, restrictions on mobility due to the pandemic have broken the rules of the game, and the most affected commercial activities, including Tourism, must reinvent themselves or die. Under this premise, it is a must to assess the incipient regulation of Smart Tourist Destinations as a key for all tourism companies and public entities with powers to encourage this sector.

In Spain, where the tourism is vital to the national economy, national and regional projects on Smart Tourist Territories take special relevance. These projects are ran through the cooperation of public and particular entities, sometimes through open innovation formulas. In this sense, in recent years there have been made huge effort to standardize the Smart Tourist Territories quality indicators in Spain. And it is the reason for which this country is a pioneer at an international level on the matter. These indicators are elements for that a tourist destination could receive the qualification of Smart Tourist Destination, and how it could increase the competiveness of the sector, by accomplishing the normalized indicators. Nowadays this issue is very important because they could contribute to make more dynamic the tourist sector by introducing improvements through innovation, sustainability, and safety in relation with the pandemic. Standardization through standard setting is a technique that aims to increase industrial safety and quality, eliminating technical barriers through standardization and harmonization of regulations and control instruments. Article 8.5 of the 21/1992 Spanish Act on Industry determines the legal concept of "normalization", considering that it is the "activity by which criteria are unified regarding certain matters and the use of a common language in a field of activity is made possible". Actually, from the material point of view, standardization aims to create a reference document in relation to different productive sectors that improve their performance[2], so that the quality of the products and services can be increased, as stated on articles 19 and 20 of the Industry Spanish Act. Standardization is achieved in Spain through an evaluation by independent certification entities, as it is provided on the Royal Decree 2200/1995, of December 28, which approves the Regulation of Infrastructure for Quality and Industrial Safety. The advantages offered by standardization are the enhancement of the competitiveness of some productive sectors, as well as the improvement of the quality of products and services for the benefit of consumers and users. Consequently, standardization in the field of tourism increases the quality of the service offered by operators in the sector, and also affects their recognition. Considering the importance

[2] CESEDEN. *Una ojeada sobre la normalización*. "Boletín de Información", Nº. 30, 1968, p. 2.

of the tourism sector to boost the economy, and that in Spain particularly, it is considered one of the strategic sectors[3], normalization through quality standards in this sector is a tool that improves its competitiveness, impacting positively the whole Spanish economy.

## Concept of Smart Tourist Destinations

In this context, a new formula of tourism products so-called Smart Tourist Destinations (hereinafter, STD) that has emerged, which implies the incorporation of digital services to the sustainable management of the tourist territory, and that can be defined as an innovative and accessible tourist space, consolidated on an avant-garde technological infrastructure that guarantees the sustainable development of the territory, that facilitates the interaction and integration of the visitor with the environment, and increases the quality of their experience in the destination and the quality of residents' life[4]. From this concept results that the application of artificial intelligence to tourism activity, giving rise to a product that can be framed in the STD classification allows to add the value of sustainability to the STDs, as also highlighted the Sustainable Tourism Strategy of Spain 2030 (Secretary State of Tourism of the Government of Spain, 2019)[5]. Thus, an explicit relationship between meeting the requirements of a STD and its direct or indirect contribution to achieving many of the seventeen Sustainable Development Goals (hereinafter, SDGs) targets has been highlighted. Specifically, it has been considered that the SDGs that can be achieved through the STD methodology are, among others, SDG 6 "Water and sanitation", SDG 7 "Renewable energies", SDG 11 "Sustainable cities and communities", SDG 13 "Climate change", SDG 14 "Aquatic flora

[3] Mariño-Romero J.M., Hernández-Mogollón J.M., Campón-Cerro A.M., Folgado-Fernández J.A. *Aproximación al estudio del comportamiento de la RSC en las empresas hoteleras*. "Revista Turismo & Desenvolvimiento" nº 27/28, 2017, p. 160.

[4] Estévez R. ¿En qué consiste un destino turístico inteligente?. "Ecointeligencia", 2016, https://www.ecointeligencia.com/2016/10/destino-turistico-inteligente/ [Accessed: 26.02.2020].

[5] Secretaria de Estado de Turismo, Gobierno de España. *Directrices generales de la estrategia de turismo sostenible de España 2030*, 2019, pp. 1–20, https://turismo.gob.es/es-es/estrategia-turismo-sostenible/Documents/directrices-estrategia-turismo-sostenible.pdf [Accessed: 11.03.2021].

and fauna" and SDG 15 "Terrestrial flora and fauna". These SDGs have been the axes of some models of sustainable tourism development for decades, and they continue much more enhanced in the STD formula[6].

In the scope of STD, the standardization of quality has acquired prominence from 2012 onwards[7], and aims to achieve the identification and recognition of certain aspects of this type of tourism, by identifying the representative indicators of it. These indicators may refer to the intrinsic or essential conditions of the service itself, or to other elements that give it an added value. Precisely, with regard to smart tourist destinations, the measurement and recognition of their indicators, will suppose, above all, an added value to the services offered. Given their relationship with the SDGs, the quality indicators of the STDs must recognize that they are contributing to the sustainable development of the sector, since their technology and intelligence must be put at the service of sustainability in the social, economic and environmental spheres. Regarding this last idea, it is essential to determine to what extent the quality of "intelligent" contributes to improve tourist services. This is something that can be solved by looking at the related concept of smart city, where the idea of intelligence was initially combined with the territory and the public services. In this sense, a smart city is a city that uses new technologies to make its infrastructures, as well as its public services, more interactive and efficient. Technology is used "to provide urban services more efficiently, improve the quality of life of citizens and transform the relationship between local entities, companies and citizens, facilitating a new way of living the city"[8]. The concept of smart cities was born in Europe, but it was in the North American report Mapping smart cities in the EU that five types of smart city projects were identified: 1) Smart cities for

[6] AUTELSI. *Estudio sobre turismo inteligente*, Asociación Española de Usuarios de Telecomunicaciones y de la Sociedad de la Información, Madrid, julio 2020, p.16.

[7] Calle Lamelas J.V., García Hernández M., y García Muiña F. *Las ciudades Patrimonio de la Humanidad ante el paradigma Smart*. "Actas del Seminario Internacional Destinos Turísticos Inteligentes: nuevos horizontes en la investigación y gestión del turismo", 2017, p. 22.

[8] Villarejo Galende H. *Smart cities: una apuesta de la Unión Europea para mejorar los servicios públicos urbanos*. "Revista de Estudios Europeos" n. 66, enero-junio, Instituto de Estudios Europeos, Valladolid, 2015, p. 30.

neighborhood development, 2) Living urban laboratories, 3) Intelligent traffic systems, 4) Resource management systems and 5) Participation platforms[9]. Actually, this classification is representative of which aspect of each city projects are focused on with the purpose of transforming it into a smart city, but the acceptance of various aspects of these five as representative values of smart cities can be pursuit, or even all of them. Moreover, such classification could be completed by adding at least two categories, such as the projects designed to get: 1. Completely intelligent cities, when they are projects that seek to bring together all the values required to be so, integrating them. 2. Smart cities to a qualified degree, when it is not planned to become completely a smart city, but it is intended to already acquire the conditions to cover several areas that allow them to be completely smart cities. Its characteristics can be extended to smart territories, as a concept that goes beyond the scope of the city, in the strict sense, and allows extending its features to non-urban areas. Some advocate for expanding the concept of smart territory[10], considering larger territories as potential beneficiaries, but the application could also be in a smaller scope, since what is interesting is that it is about benefiting the territory through digitization. So, it is possible to extend the characteristics and advantages of territorial intelligence to tourist activities that are not carried out in cities. Therefore, although the concept originally arose in the field of cities, territorial intelligence must be extended to all kinds of territories, since the application of artificial intelligence refers to the optimization of the efficiency of services, to the incorporation of innovative advances, and sustainability in any territorial area[11].

[9] Copaja Alegre, M. y Esponda-Alva, C. *Tecnología e innovación hacia la ciudad inteligente. Avances, perspectivas y desafíos*. "Bitácora Urbano-Territorial", Vol. 29, Nº. 2, 2019, ejemplar dedicado a: Territorio, sostenibilidad y planeación, pp. 62–63.

[10] Fernández Alcantud A., López Morales J.M., Moreno Izquierdo L., Perles Ribes J.F., Ramón Rodríguez A., y Such Devesa M.J. *Innovación y destinos inteligentes: oportunidad para el know how turístico español estrategia e internacionalización de la empresa turística*. "ICE información comercial española". Secretaría de Estado de Comercio, Ministerio de Economía, Industria y Competitividad, Enero-Febrero, nº 894, Madrid, 2017, p. 139.

[11] Lara Ortiz M.L. *La planificación de los territorios inteligentes: sostenibilidad e innovación*, in Gómez Jiménez M.L. (dir.) Inteligencia territorial y regulación económica. Thomson Reuters-Aranzadi. Pamplona, 2020, pp. 121–148.

## The indicators of the smart quality

The recognition of the characteristics of the territorial intelligence applied to tourist destinations is obtained through standardization and quality certification. The normalization of these aspects is achieved through the following norms or standards that contain quality indicators in this area directly, and which are the only ones that exist currently at an international level, being an initiative from SEGITTUR in collaboration with AENOR[12]:

- UNE 178501 on the Management System of a Smart Tourist Destination (2018), which specifies the requirements to implement, maintain and improve a management system of smart tourist destinations, in order to value governance, innovation, the use of technologies, universal accessibility, and sustainability in the destination (Standard UNE 178501, 2018).
- UNE 178502 on Smart Tourist Destination Indicators and tools (2018). This standard includes a series of indicators that must be implemented from the management of smart tourist destinations and that are aligned with the content of the previous UNE 178501 standard. It refers, above all, to the quality of the management requirements of a STD (UNE 178502, 2018).
- UNE 178503 on Semantics applied to smart destinations (2019). Its purpose is to define the uniform semantics that allow designating and identifying the relevant elements of STDs, thereby guaranteeing the interoperability of tourist platforms and other elements used by developers of tourist services (UNE 178503, 2019).
- UNE 178504 on the digital, intelligent hotel connected to smart digital tourism and smart city platforms (2019). Through this UNE standard, the requirements are determined for an accommodation to become an intelligent digital accommodation connected to a destination or smart city. Despite the denomination of the standard, it does not only apply to hotels but also to all types of accommodation such as tourist apartments, campsites, spas, etc. (UNE 178504, 2019).

[12] Femenia-Serra F. *Guía de Implantación de Destinos Turísticos Inteligentes-Comunitat Valenciana*, INVAT-TUR y Universitat d'Alacant, 2017, p. 8.

Other certification standards must be considered to assess the quality of a territory as a STD. Thus, we must include too, the UNE 178104 Standard on Integrated Smart City Management Systems, which refers to the interoperability requirements for a Smart City Platform, and defines its architecture, in addition to establishing the bases for the interoperability of the services it includes. This standard has been reflected in the international arena, being the basis for a recommendation from the International Telecommunications Union (ITU) in the area of Study Group 20. Likewise, the UNE 178108 Standard on Smart Cities must be considered, which includes the requirements of smart buildings for consideration as a node according to the UNE 178104 Standard, which introduces the concept of building as an internal object of the city and as a basic cell of the digital infrastructure.

The UNE 178201 Standard, on Smart Cities, also contains the definition, attributes and requirements, which describes a city semantics that allows a coherent definition of standardized and comparable indicators over time, between cities.

The UNE 178301 Standard, on Smart Cities and open data (Open Data), establishes the way to evaluate the disclosure of open data that contains a special indication of how data of special interest in matters of tourism, culture, leisure should be expressed. In the same way, the ISO 18513 standard on tourist services, hotels and other types of tourist accommodation should also be considered.

In this area, the UNE 66182 standard of December 2015, revised in May 2016, which contains the Guide for the comprehensive evaluation of local government and development as a smart city stands out. This guide, among many other things, contains express reference to the indicators of the promotion of a smart tourist destination as a result of the municipal organization as a smart city or smart village (UNE 66182, 2016). Consequently, it can be seen that the standardization of STDs is totally linked to smart territories, and therefore, their indicators must be analyzed jointly to consider a tourist destination as a true STD, and to rate the quality of the same as such.

## Application of the STD concept in Spain through public-private cooperation formulas

In Spain, the administrative bodies that are assuming the boost of the implementation of STD are the national, regional, and the local ones. But among all of them SEGITTUR is the main impeller in Spain, as a public enterprise for the management of innovation and tourism technologies, that depends on the Ministry of Industry, Commerce and Tourism, through the Secretary of State for Tourism. This body is empowered to promote innovation (R+D+i) in the Spanish tourism sector in two scopes: in the public sector, which extends to the generation of new models and channels for the promotion, management and creation of smart destinations, etc., and in the private sector, by supporting entrepreneurs, promoting new competitive sustainable management models, and exporting Spanish technology. The role of this body, therefore, is key for the modernization of the sector on technology-based innovations. It is precisely this body who has assumed the function of promoting the digital transformation of destinations and tourist areas in Spain within the framework of the Smart Tourist Destinations project of the Secretary of State for Tourism. Within the lines of work followed by it, the promotion of the standardization of smart tourist destinations stands out, as an instrument whose objective is to create a homogeneous framework in the STD project and that has generated some of the aforementioned UNE standards, especially the referred UNE 178501 about management system of an intelligent tourist destination, the UNE 178502 on indicators and tools of the intelligent tourist destination), UNE 178503 regarding semantics applied to intelligent destinations, and UNE 178504 on smart and connected digital hotel. In addition to standardization, the other axis on which SEGITTUR's action is focused is the creation of a STD Network (Network of Intelligent Tourist Destinations), in which there are collaborating a hundred and nineteen destinations, thirty-one public institutions and forty-eight collaborating companies (SEGITTUR, 2021)[13]. It is an example of atypical public-private collaboration for the promotion

[13] SEGITTUR. *Red DTI*, 2021, Available in https://www.segittur.es/destinos-turisticos-inteligentes/proyectos-destinos/red-dti/ [Accessed: 11.03.2021].

of an essential economic sector whose birth arises with an essential vocation of integrating the destination user into the tourist experience, as well as integrating the values inserted in the SDGs in the final result that is the tourist product. The "atypical" characteristic as a formula for public-private collaboration derives from the fact that Legislative Resolution 2006/2043, of the European Parliament on public-private collaboration and Community law on public procurement and concessions, defined the forms of public-private collaboration such as those that imply a "long-term cooperation, regulated by contract, between public authorities and the private sector in order to carry out public projects in which the required resources are managed jointly and the associated risks to the project are distributed in a convenient way based on the risk management capacity of the project partners". The STD project would lack the purpose of jointly managing the required resources and the distribution of risks, however, the element of the purpose of achieving an improvement in the sector and of establishing a modern and innovative project in the tourist sector it is present. This fact, of course, has implications for public administrations as responsible for the promotion of relevant economic activities, and for the private sector, especially in terms of tourism market operators that offer services of this type and, therefore they will become as target of that regulation and organization of the sector that may arise in this regard. Furthermore, the tourist services would receive the incentives implemented for its promotion, in addition to also having a direct interest that must be reflected through their participation. Thus, although the STD Network allows such collaboration to promote the STD project, it does not conform to the classic models of public-private collaboration, which are based on concessionary formulas or that are supported by interposed entities with private capital participation[14].

However, it is possible to identify participation in a network for the promotion of technological innovations in a sector, as highlighted in the Green Paper on public-private collaboration and Community law on public

[14] Lomas Hernández V. y Larios Risco D. *Modelos de colaboración público-privada para la construcción y gestión de infraestructuras sanitarias*. "DS: Derecho y salud", Vol. 15, Nº. 2, 2007, p. 290.

procurement and concessions (European Parliament, 2004). In this sense, some authors point out that currently there is a tendency to adopt different formulas for public-private collaboration that usually go through different phases, such as[15]: 1. Pre-partnership of collaboration: characterized by a network that is based on informal aspects such as credibility or the sense of common objectives. 2. Creation and consolidation of collaboration: characterized by the establishment of hierarchies, the different level of authority and the formalization of procedures. 3. Collaboration in the execution of the programs: characterized by introducing contract and bidding mechanisms in which there is little contact between providers. 4. Full collaboration: characterized by establishing a steering committee that involves all participants and has a staff and long-term stability. Considering these phases, it may be possible to place the STD Network in the initial phases of the collaboration process. Time will tell if the cooperation would be deepened, based on other avenues of action and cooperation between the different stakeholders in the SDT Network. In any case, the STD Network offers an infrastructure for collaboration to obtaine a result that yields an improvement in the sector and that, as in other cooperation formulas where the adoption of innovative improvements will suppose the generation of wealth and highly qualified employment, achieving the competitive improvement of the sector[16]. Public-private collaboration is one of the objectives already set by the former National and Comprehensive Tourism Plan 2012-2015[17], and which is also reflected in the Sustainable Tourism Strategy of Spain 2030 that considers the existence of highly experienced public-private ecosystems in the exercise of their responsibilities, as one of the great strengths of the

[15] Bratos Martín M. *La colaboración público-privada para la revitalización socioeconómica de las ciudades: ¿un modelo de futuro?*. "Enfoques: Revista de la Universidad Adventista del Plata", Vol. 23, Nº. 2, 2011, p. 32.

[16] Leal Villalba J.M. *Colaboración público-privada en innovación tecnológica*. "Panorama social", Nº. 21, Ejemplar dedicado a: Educación, investigación e innovación, bases de un modelo productivo de futuro), 2015, p. 63.

[17] Secretaría de Estado de Turismo. *Plan Nacional e Integral de Turismo (2012–2015)*, https://turismo.gob.es/es-es/servicios/Documents/Plan-Nacional-Integral-Turismo-2012–2015.pdf [Accessed: 20.04.2021]

sector (Secretary of State for Tourism, 2019: 8)[18]. This strategy includes an alignment of innovation in the sector with sustainability as a commitment of the 2030 Agenda, which should be one of the guiding criteria, inserted in Smart Tourist Destinations.

The activity carried out by SEGITTUR does not prevent the regional tourist authorities from participating in the project, and assuming responsibilities derived from their participation within the framework of their powers. In fact, in the STD Network, some tasks are carried out by local entities, who are entitled to take part on the project through their competences on information and promotion of the tourist activity of interest in the local scope, pursuant on article 25.2.h) of the 7/1985 Spanish Act, of April 2, Regulating the Bases of the Local Regime. Even before the initiatives directly linked to the STDs, there have been several projects that promote a territorial organization and the provision of innovative and sustainable services that are articulated through the digitization of municipal services and connectivity infrastructures, and that have encouraged the ability to reinvent and evolve the tourism sector.

We can highlight, as examples, the initiative promoted by the regional or local goverments of Castilla-León in 2007 called "Smart rural territory" to promote electronic administration and improve the effectiveness, efficiency and quality of public services through the intensive use of digital services; also the initiative of Extremadura so-called "Smart Province-Badajoz Provincial Council", whose objective is to eliminate the digital differences between urban and rural areas and allow local administrations with smaller populations to have the same tools and technological services as cities[19]. Likewise, the project of the Castellón Smartvillages Provincial Council stands out, to digitize rural areas in order to avoid their desertification and make them more efficient

[18] Secretaria de Estado de Turismo, Gobierno de España. *Directrices generales de la estrategia de turismo sostenible de España 2030*, enero de 2019, p. 8, https://turismo.gob.es/es-es/estrategia-turismo-sostenible/Documents/directrices-estrategia-turismo-sostenible.pdf [Accessed: 11.03.2021].

[19] European Network for Rural Development. *Spanish strategies for digitizing rural areas*, European Network for Rural Development, 2020, p. 1–4, https://enrd.ec.europa.eu/sites/enrd/files/enrd_publications/digital-strategies_case-study_es.pdf [Accessed: 11.03.2021].

and competitive by improving mobility, digital infrastructures, energy supply systems, and public awareness[20]. The project foresees the application of new technologies in the management of basic municipal services, such as public lighting, supply of drinking water at home and evacuation and treatment of wastewater, access to population centers, and collection and treatment of waste, to offer the service to municipalities with a population of less than 20,000 inhabitants, on the basis of the competence provided on article 36 in relation to article 26.2 of the 7/1985 Spanish Act, of April 2, Regulating the Bases of the Local Regime, according to which it will be the Provincial Council or equivalent entity that will coordinate the provision of the aforementioned services, or that will even assume the provision of some of these services directly. It should be noted that the involvement of the Provincial Councils is not the main axis of the transformation of tourist destinations into STD, given the complementary nature of the powers attributed to them. However, its involvement can be very useful and can be verified through different formulas referred in the Constitutional Court Judgement number 111/2016, of June 9, when deciding on the unconstitutionality of various precepts of the Rationalization and Sustainability of the Local Administration Act of 2013, that differentiated three modalities of intervention or municipal participation. The first type of intervention is the coordination carried out by the Provincial Council (as a regional council), which has not the purpose of "a subtraction or impairment of the powers of the entities subject to it" (the local ones), since, on the contrary, "logically presupposes the ownership of the powers in favor of the coordinated entity" (the local one) (as it was stated by the Fundamental Spanish Court Judgement number 27/1987, legal basis 2; Constitutional Court Judgement number 194/2004, of November 4, legal basis 8, and Constitutional Court Judgement number 178/2015, of September 7, legal basis 9). The second type, that it is a formula in which the municipalities must regional in the elaboration of the regional plan and in

[20] DIPCAS. *La Diputación de Castellón presenta la plataforma rural inteligente Smart Villages a los ayuntamientos,* 2020. Last access, May 10, 2021, available in: https://www.dipcas.es/va/actualidad/la-diputaci-de-castell-presenta-la-plataforma-rural-inteligente-smart-villages-a-los-ayuntamientos [Accessed: 10.03.2021].

the design of the coordination ways that will be applied to them, pursuant art. 36.2 a) of the 7/1985 Spanish Act. And finally, thirdly, through the municipal councilors who are part of the county council, the municipalities that intervene in the development of the cooperation plan, and in the application and development of the coordination powers, so that the municipalities are directly represented in the provincial governing bodies since the characteristic of the province, as a local entity, is that it is a "grouping of municipalities", as provides article 141.1 of the Spanish Constitution, and as it was stated by the Constitutional Court's Judgement number 111/2016, of June 9, in its legal rationale number 12.d).

The regional governments have not initially joined the state STD Network, although nothing prevents them from doing so. Despite this, they are participating indirectly in the project through another state initiative, such as the "Intelligent Tourist Destinations" of the Red.es of the Secretary of State for Digitalization and Artificial Intelligence. This other network aims to implement several projects in the regional scope through the co-financing of European Union funds, and seeks to promote information and communication technologies for the improvement of local tourism, through its prior territorial organization as smart territories, to improve competitiveness and to increase the sustainable development, with the purpose of improving the visitor experience and the quality of life of the resident, including among other actions the implementation of city platforms, the implementation of mobile tourism applications, the implementation of intelligent management systems for public lighting, irrigation, mobility, transport, waste and energy efficiency[21]. In general, the regional governments, through these initiatives, intend to provide their territories with digital infrastructure, to turn them into smart territories suitable for the digitization of their tourist services, in addition to being useful infrastructure for the digital transformation of other public services, many of which have an impact on tourism, once again showing the direct relationship between the concepts of smart territory

[21] RED.es. *Destinos Turísticos Inteligentes*. "Territorios inteligentes", 2021, https://www.red.es/redes/es/que-hacemos/territorios-inteligentes/destinos-tur%C3%ADsticos-inteligentes [Accessed: 18.03.2021].

and STD. An example of the relationship between tourism and territorial planning is that, as provided on article 27 of 15/2018 Act, of June 7, on tourism, leisure and hospitality of the Valencian Community, the conclusions of the planning of tourist resources can be incorporated into the general urban planning plan. In fact, the modernization of tourist services requires a prior improvement of territorial planning, so that the remodeled territory incorporates the values of environmental, social and economic sustainability included in the 2030 Agenda, through a regulation based on the principles of transparency, information, participation, responsibility, accountability and institutions' control[22]. Planning aimed at achieving smart territories requires smart regulation that incorporates the required values of sustainability and innovation, so "the challenge is not to legislate to fulfill only the environmental objective, but to fulfill other strategic objectives at the same time; legislate to achieve the objectives of smart growth (employment generator), sustainable and inclusive"[23]. As a consequence, we advocate greater communication between land use urban planning, because the quality of the result in the STD will depend on this public collaboration. In the Valencian Community, *Turisme de la Comunidad Valenciana* published the document *100 Recommendations for Tourist Destinations of the Valencian Community* that includes a recommendation for Valencian tourist destinations about "innovation and technology to compete better" as result linked to SDG 8 -decent work and economic growth- and SDG 9 -industry, innovation and infrastructure-[24], and which fundamentally focuses on the digitization of the sector both to make the management of public and private agents more efficient, and to improve the experience of users of tourist services in a modernized framework from a technological point of view. This recommendation is directly linked to the

[22] Alonso Ibáñez M.R. *Estrategias e iniciativas sobre ciudades inteligentes. Una reflexión general*, "Revista de Derecho Urbanístico y Medio Ambiente", núm. 300, Madrid, septiembre-octubre, 2015, pp. 50–51.

[23] Leturiondo Aranzamendi, A., Escala Urdapilleta, J., Olarreaga Tellechea, F., y Cañadas Mora, A. *Hacia una Administración Pública moderna. Experiencia de la Administración ambiental vasca*. "Revista de estudios de la administración local y autonómica", Ed. INAP, 2014, p.150.

[24] Turisme de la Comunitat Valenciana. *100 Recomendaciones para los Destinos Turísticos de la Comunitat Valenciana, Generalitat Valenciana*, Valencia, 2016, pp. 26–27.

Smart Destinations Network of the Valencian Community (RED DTI-CV) promoted by *Turisme Comunitat Valenciana*, through the *Valencian Institute of Tourism Technologies* (Invattur), which promotes the digital transformation of the tourism sector and coordinates the STD Network in the Valencian Community, and has developed its own Smart Tourist Destination model[25]. In this governance model is essential and which lays on four pillars: sustainability, connectivity, information and innovation system. All of them are aligned with e-Administration and sustainability in addition to other values[26]. At the moment, the DTI-CV Network has seventy-six Valencian municipalities adhered to the network[27] and a total of 12 technology companies that offer innovation projects through open innovation formulas, which implies the flow of knowledge between technology companies, institutions, and participating tourist destinations, in order to accelerate their innovations and expand markets for the external use of innovations[28], what is applicable in the field of STDs, with the invaluable public support to promote the results of the network[29].

Considering all the former ideas, the public-private collaboration used for the STD project is a new formula, in which there is a lack of the purpose of jointly managing the necessary resources and the distribution of risks of all the members. However, the element of the common purpose of achieving an improvement in the sector and of establishing a modern and innovative

[25] Turisme de la Comunitat Valenciana. Cit. *100 Recomendaciones para los Destinos Turísticos de la Comunitat Valenciana,* p. 27.

[26] INVAT·TUR. *Marco de relaciones*. "Red DTI-CV", Valencia, 2021. Available in: https://www.invattur.es/red-de-destinos-turisticos-inteligentes-comunitat-valenciana/ [Accessed: 18.03.2021].

[27] INVAT·TUR. *Modelo de referencia de Destinos Turísticos Inteligentes de la Comunitat Valenciana*. "Modelo DTI-CV", Valencia, 2021. Available in: https://www.invattur.es/destinos-turisticos-inteligentes-comunitat-valenciana/ [Accessed: 18.03.2021].

[28] Flor M.L., Blasco Díaz J.L., Lara Ortiz M.L. *Innovation policy instruments through the lens of open innovation: An analysis in the Spanish context*. "Journal of evolutionary studies in business", Vol. 5, Nº. 1, Barcelona, 2020, p. 52.

[29] De Jong, Jeroen P.J., Tarmo Kalvet, and Wilm Vanhaverbeke. *Exploring a theoretical framework to structure the public policy implications of open innovation*. "Technology Analysis & Strategic Management" 22 (8), 2010, pp. 877–896.

project in the tourism sector has implications for public administrations and for the private sector. Therefore, the STD Network allows such collaboration to promote the project, but does not suit in the classic models of public-private collaboration, which are based on concessional formulas or that are supported by intervening entities with private capital participation. Due to the fact that this kind of cooperation is a new formula and a new business method, we only can apply some existing regulation regarding the collaboration between the public and private spheres, in accordance to the Green Paper on public-private collaboration and Community law on public procurement and concessions of the European Union. But we need to complete the legal regime to this new formula, at least partially, for legal certainty reasons.

## Conclusions

The Smart Tourist Destination is a new concept and a new method too for enhancing the tourism experiences. It is built from the concept of smart cities and needs their infrastructure. The Smart Tourist Destinations supposes de public and private collaboration in this sector. And it could be a relevant tool to reactivate tourism in the current socioeconomic context. But it is a concept which requires further legal development, despite some European rules that could be applied, and it can be applied some international standards to rate de quality of the tourist service as one included in the Smart Tourist Destinations too. Searching more legal certainty would be desirable to have a complete specific regulation on STD that rules not only the internal relations of the public and private entities that collaborates, but also the legal regime of the customer of that kind of smart tourist services must be developed, mainly with the purpose of protecting the clients and warranting them that the service offered meets the requirements of the standardization rules UNE or ISO in relation with the Smart Tourist products and services.

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