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GENERAL ACTIVITIES

Articles of your interest

SECRETARIAT MESSAGE

HOTREC addresses its best wishes for 2015

Dear reader,

Best wishes for a healthy, happy and prosperous new year 2015.

Along with the good news ending 2014 with the establishment of the Intergroup on Tourism and starting 2015 with the German court's decision against HRS, 2015 also started with an important change for *Live from Brussels*, with the launch of a digital, interactive and revamped format, to be issued every 2 months instead of 3, and part of the smooth restructuring of HOTREC services and optimization of information flow. This new format, includes the possibility to customize the information you receive, and also print it through the "print icon" available on the upper right hand-side of this newsletter.

We hope that you will appreciate these changes and wish you once again all the best for 2015!

Christian and the Secretariat team

GENERAL POLICY ISSUES

Creation of a parliamentary intergroup on Tourism

On 11 December 2014, the Conference of Presidents of the European Parliament agreed on the final list of 28 parliamentary intergroups to be created for the 2014-2019 legislature (out of more than 70 proposals).

Among these, a new parliamentary intergroup on "*Development of European Tourism, Cultural Heritage, Ways of Saint James' and other European Cultural Routes*" will be created and chaired by MEP Ana-Claudia Tapardel (S&D, Romania), the official initiator of the intergroup, with the assistance of MEP Luis de Grandes (EPP, Spain), MEP Istvan Ujhelyi (S&D, Hungary) and MEP Maura Fernando Barandiaran (ALDE, Spain).

Overall, this new intergroup on tourism received the official support of 112 MEPs from all political groups and originating from all Member States.

HOTREC, which fully supported the initiative to create such an intergroup from the very beginning, warmly welcomes the setting-up of this intergroup and congratulates the MEPs who intensively campaigned for its creation.

As tourism is currently one of the main drivers for growth and job creation in Europe and key for the preservation of its identity, culture heritage and traditions, HOTREC considers that the creation of this intergroup is a unique opportunity to take tourism one step ahead at European level. HOTREC will therefore actively cooperate with the tourism intergroup and its members to raise the case for more tourism-friendly policies at European level.

Interview of MEP Ana-Claudia Tapardel, chair of the new intergroup on Tourism



In December 2014, the European Parliament agreed on the creation of a parliamentary intergroup on the "*Development of European Tourism, Cultural Heritage, Ways of Saint James' and other European Cultural Routes*" for the legislature 2014-2019.

HOTREC asked MEP Ana-Claudia Tapardel (Romania, S&D), the Chairperson of this new intergroup, to share her opinions about the importance of tourism for the European Parliament and about her priorities for this new intergroup.

Is the creation of an intergroup on the "Development of European Tourism, Cultural Heritage, Ways of Saint James' and other European Cultural Routes" the sign that tourism will be more prioritised by the European Parliament?

Certainly!

The newly created intergroup is the first of its kind that brings together members of different committees, national delegations and political groups to discuss issues that are relevant to European tourism development.

Receiving the support of over 200 MEPs to the creation of this intergroup sends a very strong signal. We want to do more to maintain Europe's place as the number 1 destination in the world. We want to do more to make European tourism more accessible and more sustainable. We want to create policies that will ensure the tourism industry will continue to create jobs and foster European growth.

Given the support we received to the creation of the intergroup from the European Commission, as well as the private sector, I am certain that European tourism will be a top priority topic for this legislature.

How in practice do you see the functioning of this new Intergroup, and in particular its relation with the work of the various EP Committees?

Because the intergroup is not linked to any particular committee, this initiative allows a framework for exchange of views between MEPs from various committees on horizontal issues affecting tourism. To name a few: regional development (REGI committee), the cultural aspect of tourism (CULT Committee), gastronomy (AGRI committee), access to remote regions and tourism connectivity (TRAN Committee), Visa policy (LIBE/JURI Committee), tourism tax (IMCO Committee), the promotion of Europe as a touristic destination, etc.

Although there are many issues involved, my idea was to assign active members of the intergroup with the responsibility of a theme, based on their expertise, experience and interest. As a group we would set common objectives and a work programme. While I write these words, we have yet to hold a first meeting, I can share with you that one of my objectives this year is to lobby for a European year on Tourism.

As the chair-person for this intergroup, what will be your priorities?

As I mentioned before, the European year on Tourism would be a main priority for me for the impact it can have on the tourism sector in Europe. A European year will not only provide support to the European tourism sector, but it will also allow a broader discussion with stakeholders and policy-makers on challenges and opportunities that the EU tourism sector holds.

Another priority for me is to promote the revision of the 2010 Communication on Tourism.

There have been many changes in Europe that have affected the tourism sector in the past years. These are linked with the enlargement in 2013, as well as the financial crisis which impacts tourist behaviour and markets of origin.

Therefore I plan to lobby, via the intergroup, the European Commission to present a new strategy on European Tourism to replace, or at least update the 2010 Communication.

2015 Commission work programme

On 16 December, the European Commission published its [2015 work programme](#). In its introduction, the work programme stresses that the new Juncker Commission intends to impulse important changes to the way the Commission is working.

In particular, the Commission intends "*to do different things and to do things differently*" and to make sure that the EU interferes less "*on the issues where Member States are better equipped to give the right response at national and regional level*". Therefore, the new Commission work programme intends to focus on major proposals most suitable to fulfil the ten priorities of President Juncker's Political Guidelines.

For this reason, the 2015 Commission work programme only contains some 23 proposals for new initiatives (compared to an average of 130 new initiatives in previous annual Work Programmes) and proposes to withdraw some 80 legislative proposals (compared to an average of 30 proposals in the previous annual work programmes). The Council and European Parliament will have the opportunity to provide its opinion on the list of withdrawn proposals. Moreover, the work programme proposes to evaluate in 2015 some 79 existing legislation as part of the REFIT programme and see if they are still fit for today's needs.

The full list of new initiatives foreseen in the 2015 work programme is available in its [annex 1](#). As part of these initiatives, the following will be of interest to the European hospitality industry:

- A Digital Single Market (DSM) Package (including a legislative proposal on the modernisation of copyright in the digital environment);
- An Internal Market Strategy for goods and services (including a strategy on standardisation in key industrial and services sectors where the economic potential is greatest, with a focus on SMEs);
- A Labour Mobility Package;
- A package on "Promoting integration and employability in the labour market";
- An action plan to combat tax evasion and tax fraud (including relaunching the work towards a Common Consolidated Corporate Tax Base);

- An Investment Plan for Europe (including improving access to finance for SMEs).

The full list of Commission proposals that will be withdrawn is available in [annex 2](#) of the work programme. The following proposals to be withdrawn are relevant for the European hospitality industry:

- Proposal for a Directive on circular economy and food– this proposal should be replaced by a new one in the end of 2015 (see separate article in Live from Brussels);
- Proposal for a Council recommendation on European Tourism Quality Principles Proposal for a Directive on maternity leave – to be withdrawn if no further progresses are made within 6 months (see separate article in Live from Brussels)

The full list of existing legislation that will be reviewed in 2015 as part of the REFIT programme is available in its [annex 3](#). As part of this exercise, the following will be relevant for the European hospitality industry:

- Occupational Health and Safety: evaluation of Council Directive 89/397/EC on the introduction of measures to encourage improvements of health and safety at work;
- Part-Time Work and Fixed Term Work: evaluation of Directive 97/81/EC of 15 December 1997 concerning the Framework Agreement on part-time work and of Directive 1999/70/EC concerning the framework agreement on fixed-term work;
- Food Law: evaluation of Regulation 178/2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety;
- Relevance of standardisation activities: evaluation of the EU standardisation system as laid down in as laid down in regulation 1025/2012 on European standardization;
- Time-share, long-term holiday products, resale and exchange contracts: evaluation of Directive 2008/122/EC;
- Legislative framework related to consumer rights and advertising: Fitness Check on Directive 2005/29/EC on unfair business to consumer commercial practices, on Directive 1999/44/EC on certain aspects of the sale of consumer goods and associated guarantees and on Directive 93/13/EC on unfair terms in consumer contracts;
- Codification of Visa Regulation 539/200.

HOTREC welcomes the new approach of the European Commission which might help adopting better regulatory initiatives more focused on achieving the essential goals of the EU. HOTREC is monitoring closely all proposals which may have an impact on the activities of hospitality businesses and will pursue its dialogue with EU policy makers to transmit the views of its member associations on relevant issues.

ONLINE DISTRIBUTION

German Regional High Court declares rate parity clauses of HRS as anti-competitive

On 9 January 2015, the German Higher [Regional Court Düsseldorf dismissed the appeal of the hotel booking portal HRS](#) against the decision of the German Federal Cartel Office (Bundeskartellamt) of 20 December 2013, concerning so-called MFN clauses ("most favored nation clauses").

The Bundeskartellamt had concluded that these MFN clauses violated German and European competition law. Since March 2014 HRS has not been allowed to apply such MFN – or best rate – clauses in contracts with hotels in Germany. Parallel to the HRS proceedings before the Higher Regional Court Düsseldorf the Bundeskartellamt investigates – on complaint of the German Hotel Association (IHA) – as well in terms of MFN clauses in the contracts of Booking.com and Expedia.

With the lift of rate parity clauses, hoteliers may regain their freedom to set their own prices and conditions on their different distribution channels, including their own ones. Furthermore, competition between booking portals are expected to be enhanced as well, to the benefit of consumers and hoteliers. Best price clauses are taking away the incentive from competing booking portals to demand lower commissions from suppliers in return of lower prices to the consumers on their sites.

HOTREC welcomes the decision by the Duesseldorf court. The decision marks a new era in the distribution of hotel rooms, as this is the first time a national court gave its opinion on MFN clauses. HOTREC very much hopes that this decision will mark the way forward also for other competition authorities dealing with the issue of MFN clauses and that entrepreneurial freedom of hoteliers will be restored not only in Germany but across whole Europe.

National competition authorities launch market tests on Booking.com commitments

On 15 December 2014, the [European Commission announced](#) that the national competition authorities in France, Italy and Sweden have launched a market test on identical [commitments put forward by Booking.com](#) in the three countries in order to terminate antitrust investigations into rate parity clauses.

According to these commitments proposed, Booking.com would allow hoteliers to offer a lower price to other OTAs than to itself, however would still oblige them not to offer a lower price via their own direct distribution channels (online or offline) than the price given to Booking.com (narrow MFN clause, as called by Booking.com).

Furthermore, Booking.com envisages that it may offer lower commission rates to hotels that are conditional on some

commercial factors, such as sales volumes via Booking.com, return on investment for Booking.com, customer review scores, market conditions and compliance with the MFN clauses between the hotel and Booking.com.

Interested stakeholders have the opportunity to reply to the commitments of Booking.com by 31 January 2015. The competition authorities will examine the responses and decide on how to proceed with the proposed commitments of Booking.com.

The European Commission at this stage is still only coordinating the activities of the national competition authorities, and has not started its own investigations on this case. Following the final decision to be taken in Germany, the European Commission may reflect on the way forward.

HOTREC will elaborate together with its Members responses to the French, Italian and Swedish competition authorities' requests for comments on the commitments put forward by Booking.com.

HOTREC, however is still calling for the complete ban of MFN clauses in hotel distribution contracts, which are preventing hoteliers to exercise their entrepreneurial freedom of setting their own prices according to their business needs, but which are also preventing guests to enjoy the full benefits of competition.

European Commission to propose further action in relation to Comparison Tools

On 3 December 2014, the European Commission held another Multi-Stakeholder Dialogue meeting on Comparison Tools. In this meeting the results of the study carried out by the ECME Consortium (in partnership with DELOITTE) were presented along with presentations by Comparison tool operators (including Booking.com) and the Commission outlined potential ways forward in relation to Comparison Tools.

The study developed by the ECME consortium summarises their findings following the mapping and evaluation of comparison tools as well as the results of the consumer survey and a behavioural experiment carried out. According to the study, Comparison tools are well perceived by consumers, however some shortfalls are to be noticed. The largest share of such tools operate in the travel/hotel sector (26% of 1042 comparison tools identified).

The study proposes recommendations for comparison tools, including:

- Criteria for ranking to be clearly indicated;
- Authenticity of user reviews to be ensured, as well as the right of response;
- Distinction of advertising, including paid-for rankings.

The study recommends for the European Commission and for Member States, that they should increase enforcement of relevant legislation on comparison tools, mainly focusing on the Unfair Commercial Practices Directive. A guidance should be developed, as necessary, at EU level regarding comparison tools and the development of a Code of Conduct could be envisaged as well.

As the new European Commission set the digital single market high on the agenda, even some legislation in the field can be expected, as outlined in the Commission Work Programme for 2015, announcing a Digital Single Market package. For the work on comparison tools, in the meantime the European Commission is going to prepare a document outlining the key issues based on the study presented and the discussions of the Multi-Stakeholder Dialogue. The aim is to develop a document, maybe a Code of Conduct, to be seen, illustrating the principles identified with best practices to make it practical and useful for operators.

HOTREC has been contributing actively to the work of the European Commission on this matter and is looking forward to the further cooperation. As comparison tools shall cover all kind of comparison tools in the market, including Online Travel Agents, it is important for the hospitality industry that common constructive proposals are developed which allow both consumers and businesses to benefit from clear application of existing rules and principles.

COMPETITION

Interchange Fees Regulation: agreement in trilogue to lower card fees!

On 17 December 2014, the Italian Presidency of the EU and the representatives of the European Parliament reached an agreement in trilogue on the Commission proposal for a [Regulation on Interchange Fees for payment cards](#) (MIF Regulation).



The text agreed means that interchange fees on consumer credit and debit card would be capped as follows:

- Credit card transactions would be capped at 0.3% of the transaction value;
- Cross-border debit card transactions would be capped at either 0.2% of the transaction value;
- For domestic debit card transactions, a 5 years transitional period would apply during which the cap would be fixed at 0.2% of the annual weighted average transaction value of all domestic transactions within the card scheme. After 5 years, these transactions would be capped at either 0.2% of the transaction value or a maximum fixed cap of 0.05€.
- All caps will take effect six months after the legislation enters into force.

Commercial cards and three-party schemes would however not be subject to the caps on fees. Moreover, the honour-all-card rule would be largely dismantled, meaning that retailers would be allowed to choose which cards to accept, unless they are subject to the same interchange fee, complying with the caps set under these rules.

The agreement will now be submitted to the ECON Committee of the European Parliament and to the EP plenary session for a formal approval, before the Council definitely adopt it (probably in February/March 2015).

As a major user of payment cards, the European hospitality has been complaining for years about the level of Interchange Fees for payment card schemes, and about the lack of transparency and the anti-competitive nature of some of the rules imposed by some payment card schemes to hospitality businesses.

HOTREC therefore strongly welcomes the agreement and calls on the European Parliament and Council to confirm it formally as soon as possible, in order for the new Regulation to enter into force quickly. HOTREC also calls on the Council and European Parliament to ensure that any non-regulated card transactions can be surcharged.

FOOD

Proposal on food waste withdrawn

As laid down in the 2015 [work programme](#) (list of withdrawals) the European Commission will withdraw the circular economy package and replace it by a more ambitious legislation in 2015.

The circular economy package (please see Live from Brussels N°66) is designed to increase resource efficiency and recycling. It consists of six bills on waste, packaging, landfill, end of life vehicles, batteries and accumulators, and waste electronic equipment.



As part of this circular economy package, the Commission also put forward a *"Proposal for a Directive of the European Parliament and of the Council amending Directives 2008/98/EC on waste, 94/62/EC on packaging and packaging waste, 1999/31/EC on the landfill of waste, 2000/53/EC on end-of-life vehicles, 2006/66/EC on batteries and accumulators and waste batteries and accumulators, and 2012/19/EU on waste electrical and electronic equipment"*. (COM (2014) 397 final)

Under Article 9 of this proposal (prevention of waste), the Commission was proposing that food waste in the manufacturing, retail/distribution, food service/hospitality and household sectors be reduced by at least 30% between 1 January 2017 and 31 December 2025.

However the Commission was not making the 30% target binding.

Both the Parliament and the Council will be consulted before the circular economy package and other proposals are withdrawn by the Commission. The Parliament has decided to vote on a resolution on the work programme in January.

For more information please see [link](#).

DATA PROTECTION

Excellent progress done at Council

On 4 December 2014, Justice Ministers of the EU agreed on a partial general approach which allows flexibility for Member States to distance themselves from the future Regulation when certain administrative data is concerned (health, employment) - (16140/14). For instance, Member States may be able to provide for more specific rules when processing employee's personal data.

The Council also discussed the one-stop-shop principle (15656/1/14), according to which citizens must turn to the data protection authorities of the company's state of establishment. The Italian presidency proposes that this mechanism would only be applicable in important transnational cases and would consist of cooperation and joint-decision making between the several data protection authorities concerned. This would mean that it would be the local authority the one adopting the decision in all cases where the complainant could be adversely affected by it. A majority of ministers approved the general architecture of the proposal but agreed that further discussions on this point need to be held at technical level.

As a global general approach has not been reached yet, the Council is still not ready to start trialogues with the European Parliament. Trialogues are scheduled to start in spring 2015 or at the end of the forthcoming Latvian Presidency of the Council.

HOTREC fully supports the partial general approach reached by the Council on chapter IV of the proposed Regulation, on 10 October 2014 and calls on the Council for its complete endorsement. HOTREC considers that the administrative and economic burdens foreseen in the proposal have been drastically decreased, while the rights and freedoms of the individuals have been preserved. HOTREC especially supports the following conclusions:

- *The likelihood of the risk should be determined in function of the nature, scope, context and purposes of the data processing. Risk should be evaluated by an objective assessment, based on whether data processing operations involve a high risk;*
- *Only when processing operations represent a **high risk** (particular risk of prejudice of the rights and freedoms of individuals), the following activities should be developed by the controller:*
 - *Communicate the personal data breach to the supervisory authority;*
 - *Carry out an impact assessment;*
 - *Consult the supervisory authority prior to the processing of personal data, where an impact assessment was provided.*
- *The Council partial general approach also defends **that the designation of a Data Protection Officer shall not be compulsory**, except in case this fact would be required by Union or Member State Law.*

HOTREC also strongly calls on the European Parliament to follow the Council views regarding Chapter IV of the proposed Regulation and [HOTREC's position](#) on the topic

SOCIAL AFFAIRS

Working time: Commission launches a public consultation

On 1 December 2014, the European Commission launched a public consultation on the review of the Working Time Directive. The Commission is reviewing the Working Time Directive to reflect on how to best meet the needs of workers, businesses, public services and consumers.

The Commission would like to complete its preparatory work with a thorough impact assessment of a range of possible options for the review. This public consultation aims at contributing to the current review and impact assessment.

The directive is a very important piece of legislation as it regulates the working time rules at European level and at providing minimum standards common to all Member States for protecting workers from health and safety risks associated with excessive or inappropriate working hours and with inadequate time for rest and recovery from work. Under the current Working Time Directive (2003/88/EC), each Member State must ensure that each worker is entitled to:

- A limit to weekly working time, which must not exceed 48 hours on average, including any overtime;
- A minimum daily rest period of 11 consecutive hours in every 24;
- A minimum weekly rest period of 24 uninterrupted hours for each seven-day period, which is added to the 11 hours daily rest;
- Paid annual leave of at least four weeks per year;
- Extra protection in the case of night work (e.g. average working hours should not exceed 8 hours per 24-hour period; night workers should not perform heavy or dangerous work for longer than 8 hours in any 24-hour period).

Under this Directive, Member States are allowed to opt-out from the general principle of 48 working hours per week with a maximum limit of 78 working hours. At present, 15 Member States allow total or sectoral opt-outs from the 48 hours weekly working time.

Previous attempts to revise the current Working Time Directive have failed.

In order to put forward a comprehensive HOTREC reply, the HOTREC Secretariat has requested its national associations to reply to the consultation accessible on the member site.

HOTREC will respond to this consultation which represents the first step on the revision of the working time rules. Flexibility of working time arrangements is crucial for the maintenance of the service within the hospitality industry.

Discrimination beyond the employment: a priority for the new Commission

The Commission proposal for a Council Directive ([COM\(2008\) 426 final](#)), which provides for protection against discrimination on the grounds of age, disability, sexual orientation and religion or belief beyond the workplace continues to be discussed within the Council.

The proposal establishes the prohibition of discrimination, as regards both the public and the private sector, in relation to social protection, social advantages, education and access to and supply of goods and other services, including housing.

The Directive has been on the Council's agenda since 2008. At the last EPSCO (Employment, Social Policy, Health and Consumer Affairs Council) held on 11 December 2014 the discussions of the national experts focused mainly on the scope of the directive and the concept of access. However, the following very important provisions need still to be discussed and agreed:

- Remaining issues related to the scope, the division of competences and the issue of subsidiarity;
- The disability provisions, including the accessibility and reasonable accommodation for persons with disabilities (article 4 of the proposal for a Directive);
- The implementation calendar;
- The need to ensure legal certainty in the Directive as a whole;
- The overall financial and practical impact of the proposal, including on SMEs.

The proposal for a directive needs to be adopted by unanimity in the Council. For more information please see the latest Employment, Social Policy, Health and Consumer affairs Council ([EPSCO](#)) discussions.

The Directive is seen as a priority by this new Commission.

HOTREC is of the opinion that the current proposal is formulated in a very general manner, leaving many issues (e.g. reasonable accommodation), which may endanger proper implementation. HOTREC hopes that in its discussions the representatives of the Member States will take into account the financial and administrative impact that this proposal can have on SME.s HOTREC will continue to monitor the discussions within the Council.

Maternity leave: co-legislators given 6 months to unblock negotiations

As reported in several issues of Live from Brussels the dossier on maternity leave is stuck in the Council since mid-2010.

The original Commission proposal issued in October 2008, aimed at extending the minimum duration of maternity leave to 18 weeks (from 14 weeks on the current legislation).

However, on 20 October 2010, the Plenary of the European Parliament adopted a legislative resolution introducing amongst others:

- A 20 weeks maternity leave on full paid; and
- A 2 weeks full paid paternity leave for workers whose life-partner has recently given birth.

Since then the proposal is stuck in the Council, as the Member States refuse to accept the Parliamentary legislative resolution that extends the period of maternity leave to 20 weeks on full paid and the provision to introduce a 2 weeks full paid paternity leave.

The President of the European Commission, Mr. Jean Claude Juncker, has now [proposed](#) to give the co-legislators 6 months to break the stalemate in the negotiations. If no progress is made during this period he will propose a "more modern initiative".

HOTREC supports measures on work-life balance and protection of working women who are pregnant, have recently given birth or are breastfeeding. Nevertheless, HOTREC is of the opinion that an excessive regulation in this area will add financial costs and additional burdens on SMEs. The compulsory extension of maternity leave to 20 weeks with full pay and the introduction of 2 weeks paid paternity leave would entail additional burdens in the majority of the Member States, where the situation in relation to maternity and paternity leave varies greatly.

HOTREC will continue to monitor the next steps on the maternity leave dossier.

Council agrees to turn EURES into a more accessible and user-friendly network for citizens

As explained in Live from Brussels N° 64, On 17 January 2014, the European Commission issued a proposal ([COM \(2014\) 6 final](#)) for Regulation of the European Parliament and of the Council on a "European Network of Employment Services, workers' access to mobility services and the further integration of labour markets". The proposal is currently being discussed under the ordinary legislative procedure by the Council and the European Parliament.

The intention of the Commission is to turn the EURES network into a more proactive instrument that responds to the labour market real needs, by focusing more, amongst others, on young people. It also aims at turning EURES into a more accessible and user-friendly network for EU citizens.

The proposed new rules would make [EURES](#) more efficient, recruitments more transparent and cooperation among Member States stronger, notably by allowing EURES to:

- Offer on the EURES web portal more job vacancies in the EU, including those from private employment services;
- Carry out automatic matching through job vacancies and CVs, to this end the Commission is also developing a common classification system of skills/competences qualifications and occupations (ESCO) in close collaboration with stakeholders. HOTREC is actively participating in the ESCO reference group "hospitality & tourism". This group is currently elaborating the taxonomy of skills/competences; qualifications and occupations of the tourism sector;
- Give basic information on the EU labour market and EURES to any jobseeker or employer throughout the Union;
- Offer candidates and employers mobility support services to facilitate recruitment and integrate workers in the new post abroad;
- Improve coordination and information exchange on national labour shortages and surpluses among Member States, making mobility an integral part of their employment policies.

These improvements would benefit jobseekers and businesses of all sizes, but particularly SMEs which is one of the key priorities of the new Juncker Commission.

On 11 December 2014 the European Council agreed on a [general approach](#) on the Commission proposal. The text agreed by representatives of the Member States supports the Commission proposal to open up the network to private partners, but it nonetheless clarifies that such partners are obliged to carry out a series of essential specific tasks and that Member States are free to set up an admission procedure adaptable to their national system.

The Parliament has still not delivered its position under first reading. The Council and the Parliament can now start negotiations on the dossier on the basis of the general approach agreed by the Council.

In parallel to the reform of EURES, the Commission intention is to elaborate/issue Sectoral Skills Passport in those areas of the economy that have more potential for mobility of workers. The first Sectoral Skills Passport to be launched at European level was the Hospitality Skills Passport.

All these Commission initiatives intend to fight unemployment and enhance job mobility within Europe.

HOTREC welcomes all measures aimed at facilitating the free movement of workers and at combating unemployment. HOTREC is very actively participating together with the European Commission in the elaboration and implementation of these measures. HOTREC is very well represented and very active in ESCO reference group on tourism and, in addition, has had the honour to build the first skills passport.

Since 17 June 2014, the Hospitality Skills Passport is part of the EURES network. It is the first skills passport to be launched through EURES. New Sectoral "skills passports" will be introduced step by step into the EURES portal, giving jobseekers and employers active in specific sectors the opportunity to present or search for skills in a more detailed way adapted to that sector.

HSP: Latest information!

The SSD plenary meeting was held on 5 December 2014. On the occasion of this meeting, Ms. Pascale Woodruff (EURES-DG Employment, European Commission) did an update on the latest data/information about the Hospitality Skills Passport.



Ms. Woodruff referred to the joint promotion campaign of the HSP done by EURES network, EFFAT, HOTREC, and DG Enterprise. Different promotional materials were produced for this campaign such as press releases, video on tutorial for employers and employees, narrative, description of what the HSP is, web banners to be used in social media, surveys to find out the opinion of people about this tool etc.

The channels used for promotion were the social media; websites, press releases etc.

Ms Woodruff also presented the following statistics on the HSP:

- 20 000 HSP created by job seekers;
- Of this 20 000 HSP created, only 1000 HSP were published by job seekers;
- Jobseekers from Italy and Spain the main users of the portal;
- When it comes to employers 80 passports were viewed by 24 employers.

Pascale Woodruff said that some usability improvements have to be introduced in the tool (for example, that it is not so burdensome to publish the HSP as out of 20000 HSP created only 1000 HSP were published).

She also stressed that, in fact, there should be more communication towards employers so they use more the HSP and that EURES is also considering to extend this kind of Passports to other sectors and to put more actions in place in order to continue to promote the HSP.

After the SSD plenary meeting it was agreed that EFFAT and HOTREC Secretariat will meet EURES representatives to decide on joint actions to continue promoting the Passport and to enhance its use by jobseekers and employers. The meeting was held on 17 December 2014 and several joint promotional actions were agreed. Please see link for more information.

Other issues dealt with at the SSD plenary meeting were: Shadow hospitality economy; undeclared work, sexual harassment in the horeca sector, latest developments on tourism etc.

As part of the action plan on shadow hospitality economy, Mr. Jean Marc Banquet d'Orx, Chair of the HOTREC SSD, delivered a presentation on the views of the hospitality sector on shadow hospitality economy. The presentation was followed by extensive discussions. EFFAT seems to agree on the main points put forward by HOTREC on this topic. EFFAT and HOTREC will try to gather further information/data on how this issue is affecting employment.

HOTREC will continue to work on all these issues together with its trade-union counterpart EFFAT.

CONSUMER AFFAIRS

HOTREC contributes to the Commission Green Paper on tourism accommodation safety

On 31 November, the European Commission consultation as part of its [Green paper on the Safety of Tourism Accommodation Services](#) closed officially.



The aim of this public consultation was to gather input from all relevant parties involved in the issue of tourism accommodation services and to evaluate whether the issues outlined in the paper are sufficiently and effectively addressed and whether there is evidence of new risks requiring regulatory actions.

HOTREC provided to the consultation a detailed reply on the 42 questions the Green paper contained.

As one of the main provider of tourism accommodation services, the European hospitality industry is directly concerned by this new Green Paper. As stated on numerous occasions, HOTREC considers that a one-size-fits-all approach to tourism accommodation safety is not the answer to this issue, given the diversity of the tourism accommodation businesses. In its reply to the Green paper consultation, HOTREC considered that:

- *Tourism accommodation safety legislation is highly developed in all Member States, often at national level, but also at regional and local level;*
- *Existing enforcement mechanisms are appropriate and ensure a high level of safety in the hotel market;*
- *There is no evidence of any recurrent safety shortcomings in the hotel market in Europe;*
- *National and local legislation and enforcement mechanisms are considered as the most effective because they are closer to the concrete risks and can be tailor-made to the national and local specificities, such as local building traditions, type of and environment;*
- *European standards would not bring any benefit in terms of safety and would on the contrary have a negative impact: they would fail to take into account the local factors, would make safety management more complex and would have a negative impact on innovation;*
- *The exponential development of private accommodation offered as tourist accommodation on websites such as [www.airbnb.com](#) and similars should become the focus of an increased cooperation between the various authorities (European/national/local) interested in tourism accommodation safety, as this new segment of the market is often*

Package Travel Directive: negotiations between the European Parliament and Council to start soon

Following a strong activity of the Italian Presidency of the EU, the Competitiveness Council agreed on 4 December 2014 on a general approach on the Commission [proposal for a new Directive on "package travel and assisted travel arrangements"](#). This agreement was reached despite the opposition from several Member States (Belgium, Bulgaria, Czech Republic, Estonia, Ireland, Luxemburg, Malta, the Netherlands and Slovakia) and the concerns expressed by others (Austria, Croatia, Denmark) about the burdens on SMEs, especially from the hospitality sector.

Based on this general approach, the Council also tasked the EU Presidency to initiate negotiations in trilogue with the European Parliament, with the view to reach an agreement. The negotiation team for the European Parliament will be made of the newly appointed rapporteur MEP Birgit COLLIN-LANGEN (EPP, Germany) and of the shadow-rapporteurs MEP Sergio Cofferati (S&D, Italy), MEP Louis Ide (Belgium, ECR), MEP Dita Charanzová (ALDE, Czech Republic), MEP Igor Soltes (Greens, Slovenia) and MEP Dennis de Jong (GUE, Netherlands). The negotiations will start under the Latvian Presidency of the EU in February 2015.

The text of the Council general approach is available here: [link](#)

HOTREC considers that the general approach agreed by the Council will hurt the European hospitality industry, as it fails to take into account the specific nature of services provided by hotels, raise the financial burdens on the hospitality industry and put at risks a number of promotional offers made by hotels for stand-alone services, but which can be combined in packages by consumers on the websites of Online Travel Agents.

HOTREC therefore calls on the European Parliament rapporteur and on the Latvian Presidency of the EU to take into account its concerns by:

- *Listing some ancillary services not subject to the Directive;*
- *Raising the threshold used to determine when "other tourists services" are significant enough to be subject to the Directive;*
- *Ensuring that an Assisted Travel Arrangement cannot be formed in the absence of any transfer of the consumers data between the traders;*
- *Keeping the possibility for hotels to propose non-refundable promotional offers.*

TOURISM

Latest developments

On 1 December 2014, took place the European Tourism Day. The meeting organised by the Tourism Units of Directorate General Enterprise and Industry of the European Commission aimed at discussing the key challenges for the Future of European Tourism. The four topics of panel discussions included:



- Possibility of creating a "Europe destination" brand initiative - while Member States prefer to keep their own national brands, European Associations recognised the potential added value of having a brand to promote Europe as a destination. Nevertheless, the need to prioritise certain topics was also stressed - for instance, the visa regime should be in place before studying the need to create a brand;

- How to address challenges and opportunities brought by digital tourism - due to the fast development of digital economies, adaptation to the modern times is needed. Better controls might be needed in certain sectors - example of the shadow economy. The lack of internet in certain regions and limited staff skills might be obstacles to the dissemination of digital tourism;
- Towards streamlining regulatory and administrative framework impacting EU Tourism – speakers seemed to agree that simplification of certain legislation at EU, national and local level should be implemented. In particular, SME's should not face more administrative burdens. Nevertheless, again, in areas such as shadow hospitality economy, there seems to be a need to regulate more, in order for the final consumer to be protected;
- Need for a bottom-up EU Tourism Services Quality Initiative? – whereas European associations and Member States defend a bottom-up approach regarding quality principles in the sector, organisations such as the European Disability Forum would have preferred that the Council Recommendations on European Tourism Quality Label would have been approved by the Council.

Senior travelling

Under the guidance and initiative of the Tourism Units of Directorate General Enterprise and Tourism, the European Union Low Season Tourism Initiative Board (EULSTIB) gathering representatives of the public and private sector specialised on tourism, will meet during 2015 in order to implement an Action Plan which aims at achieving the following objectives:

- Improving knowledge to boost the demand in low and medium seasons, in the EU and from third countries, sharing and analysing socio-economic data;
- Diversification of the offer;
- Promoting Europe as a single destination;
- Governance and financing.

HOTREC will be represented at the EULSTIB meetings by Doctor Akos Niklai, Vice-President of HOTREC. A Road Map pointing out clear actions and objectives is to be approved by EULSTIB in the following months. The Action Plan should be put in place in a two year period (2015-2016)

HOTREC looks forward to know what will be the Commission strategy for the next five years regarding Tourism. HOTREC will continue cooperating with all the EU institutions on the challenge of trying to overcome over-regulation (in areas such as visa policy, data protection, package travel directive, food labeling) and to help SMEs across Europe to become more competitive. Europe is the heart of World Wide Tourism and it is necessary to put tourism in the center of European economic policy. HOTREC's [Manifesto](#) highlights the association's sixteen priorities for this new legislative period.

TOURISMLink: HOTREC to continue promotion activities

At the final Conference on TOURISMLink, held on 24 June 2014, HOTREC and its consortium partners signed a Memorandum of Understanding (MOU) with the European Commission to continue marketing and further developing TOURISMLink.

As a follow-up to the MOU, HOTREC has committed itself to continue promoting TOURISMLink together with Ernst & Young.

In order to contribute to the dissemination phase of TOURISMLink, HOTREC has agreed with Ernst & Young to participate as speaker to the following meetings:

- **in Brussels on 14 January 2014**
- in Spain : to be planned end of January
- in Zagreb (with Chamber of Commerce): to be planned end of January/February
- in France (with Chamber of Commerce) : to be planned date not defined

A first meeting to communicate the results of TOURISMLink will be organised in Brussels on 14 January 2014 at **Entiteit Europa Economie** – EFR. HOTREC will present TOURISMLink initiative at the event.

As explained in several occasions, HOTREC has been directly involved in testing TOURISMLink in the three pilot destinations: Valencia, Croatia and Rimini. At these destinations HOTREC has been responsible for gathering companies (hotels, restaurants and complementary offer services) that have been trained by HOTREC and its technological partners on TOURISMLink platform and have further tested the platform during the pilot phase.

For these reasons, at the meetings agreed with Ernst & Young, HOTREC will be responsible for explaining what are the advantages of TOURISMLink for SMEs (mainly hoteliers, restaurateurs and complementary offer services), and will also be in charge of explaining what TOURISMLink is.

HOTREC will also help Ernst & Young in contacting key stakeholders (national associations representing the hospitality sector) to participate to these trainings/ communication activities.

In addition to the these promotion actions agreed with Ernst Young, HOTREC continues to promote TOURISMLink to its own national associations and other possible interested stakeholders through newsletters, general assemblies, website, HOTREC working groups etc.

HEALTH

Latest news on European Alcohol and Health Forum

On 6 November 2014, took place the 15th plenary meeting of the European Alcohol and Health Forum, at Luxembourg. The [Action Plan on Youth Drinking and Heavy Episodic Drinking](#), a non-legally binding document endorsed on 16 September 2014 by the Committee on National Alcohol Policy and Action (CNAPA), was presented at the meeting. Stakeholders of the Forum are called to present commitments in line with the proposed actions.

Specifically, the Action Plan calls on the beverage industry, including the hospitality sector and advertising industry to help in prevention activities in particular through initiatives that reduce the negative consequences of drinking and intoxication, such as management policies relating to responsible serving, training of hospitality sector staff, to preventing and managing intoxicated drinkers, and to ensuring that alcohol is not available to those under legal age of purchase. At the same time, NGO's are asked to introduce effective methods to help detect and address alcohol related problems. The European Commission will be responsible to facilitate the implementation and follow up of the Action Plan (which will include the elaboration of one or two implementation reports).

With regard to a future possible Alcohol Strategy, Forum members were informed that CNAPA will probably finalise its scoping paper to inform the Commission on their views on the future EU alcohol policy in the beginning of December 2014.

As an active member of the European Alcohol and Health Forum, HOTREC is fully committed in encouraging its members to take measures to curb alcohol-related harm in Europe. In this sense, HOTREC motivates its members to develop voluntary actions according with the Charter of the Alcohol Forum, especially focusing on:

- *Continuing enforcing age limits when serving and selling alcohol according to existing legislation;*
- *Developing information and education programmes on responsible drinking (in order to facilitate informed choices by consumers).*

As a result of its commitment, HOTREC has gathered an updated survey on the voluntary measures taken at national level on a voluntary basis, in accordance with [HOTREC guidance document](#) on responsible drinking. The main goal is to facilitate best practices sharing across Europe.

HOTREC also encourages its members to become members of the Forum.

The Finish Hospitality Association (FHA), SILB-FIPE (Associazione Italiana Imprese di Intrattenimento di Ballo e di Spettacolo), UMIH (Union des Métiers et des Industries de L'Hôtellerie) and the Swedish Hospitality Industry (VISITA) are other HOTREC members who are also members of the Forum.

On an yearly basis, each member of the Forum needs to present an annual report to the Commission explaining how the commitment is being implemented. HOTREC received a 99% score in the intermediate report corresponding to the commitment activities developed during 2013.

SUSTAINABILITY

Council reaches political agreement on the reduction of plastic bags

On 17 December 2015, the Council reached a political agreement on a draft directive that introduces measures to reduce the consumption of lightweight plastic bags.

The litter of plastic bags is accumulated in the environment in particular in water bodies and aquatic eco-systems. It has been increasingly recognised as a global environmental challenge.

The new measures approved by the Council, target plastic bags with a wall thickness below 50 microns, which represent the majority of plastic carrier bags consumed in the EU and are less frequently re-used than thicker ones.

The draft directive will require Member States to either:

1. Introduce a charge on a single-use lightweight plastic bags by the end of 2018 or;
2. To take the measures to reduce their use.

If Member States choose the second option, the annual use of these bags will need to be reduced to an average of 90 per person by the end of 2019 and to 40 bags per person by the end of 2025 (compared with an average of 176 bags per person in 2010).

In addition to the introduction of these measures, the European Commission and the Member States will put in place awareness raising campaigns explaining the adverse environmental impact of excessive use of lightweight plastic bags.

The text agreed by the Council will need to be formally adopted by the Plenary of the European parliament. The procedure should be completed in Spring 2015.

For more information please see following link.

HOTREC welcomes the introduction of measures aimed at promoting waste prevention and reduction of littering.

STATISTICS

Recent statistical publications

The UNWTO World Tourism Barometer has recently published the following article related to tourism:

- ["International tourism shows continued strength"](#) – (Barometer publication October 2014) – International tourist arrivals worldwide grew by 5% during the first eight months of 2014 according to the latest UNWTO World Tourism Barometer. Despite geopolitical challenges and a lingering economic recovery, tourism demand was strong during the northern hemisphere high season of June to August. International tourists (overnight visitors) travelling the world between January and August 2014 reached 781 million, 36 million more than in the same period of 2013. With a 5% increase, international tourism continued to grow well above the long-term trend projected by UNWTO for the period 2010-2020 (+3.8%). The peak months of June, July and August, which account for about one third of the total of the year, saw an increase of 4% compared to the same months of 2013. By region, the strongest growth was registered in the Americas (+8%), followed by Asia and the Pacific (+5%) and Europe (+4%). By subregion, North America (+9%) and South Asia (+8%) were the star performers, as well as Southern and Mediterranean Europe, Northern Europe, North-East Asia and South America (all +7%).
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GENERAL ACTIVITIES

HOTREC next General Assembly in Luxembourg

The next General Assembly will be held in Luxembourg on 23 & 24 April 2014.

Next meetings

In the next weeks HOTREC will participate and organise the following meetings:

- 14 January 2014 (Brussels) – "**Invitation to presentation of TOURISMLink initiative- Linking Tourism Professionals with the digital market**": HOTREC will be responsible for presenting TOURISMLink initiative and for explaining what are the advantages of TOURISMLink for SMEs;
 - 14 January 2014 (Brussels) – "**Food labelling- stakeholders meeting with Member States authorities**" - The event will bring together Member States and Stakeholders so as to address certain key challenges in light of the application of Regulation (EU) No 1169/2011 based on the presentation from certain Member States, the food industry, retailers and consumers;
 - 19 January 2014 (HOTREC premises, Brussels) – "**Quality Board meeting**"- HOTREC members will hold a general discussion on the HOTREC approach towards European quality initiatives. The re-accreditation of the German and Hungarian Quality scheme under the renewed EHQ scheme will also be discussed and voted about;
 - 19 January 2014 (HOTREC premises, Brussels) – "**Distribution Task Force**"- HOTREC members will hold a discussion on the way forward with regard to MFN clauses as well discuss the draft HOTREC submission to the French, Italian and Swedish authorities on the commitments proposed by Booking.com, amongst other issues.
 - 20 January 2014 (Brussels) – "**Conference on smart cooperation in coastal and maritime tourism**". This conference organised by the European Commission will analyse, amongst others, the opportunities that coastal and maritime tourism can bring to boost jobs and growth;
 - 21 January 2014 (HOTREC premises, Brussels). **NET meeting** – NET members will discuss the upcoming tourism strategy and other important topics such as visa policy and package travel directive;
 - 27 January 2014 (Budapest) – **Hotel Stars Union meeting**
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