

# MEMBERS OF HOTREC NATIONAL ASSOCIATIONS ONLY



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## GENERAL POLICY ISSUES

### Interview of Jean-Marc Banquet d'Orx, chair of the Sectoral Social Dialogue Committee of HOTREC



Jean Marc Banquet D'Orx is the Chair of the Sectoral Social Dialogue Committee of HOTREC. He leads ELYSEES HOTEL CONSULTANT, a Hotel marketing and management company, operating currently 12 hotels in Paris and in France, including 5 hotels member of BEST WESTERN. He is also the founder and chairman of the LONGITUDE HOTELS group ([www.Longitudehotels.com](http://www.Longitudehotels.com))

#### **As the chair of the Sectoral Social Dialogue Committee, could you please describe the main priorities of the Work Programme 2017-2018 which will be carried out by HOTREC and EFFAT?**

HOTREC together with EFFAT has developed a joint work for more than 25 years. For the recently approved Working Programme 2017-2018, both associations agreed to focus on skills and qualifications for youth employment and on the Collaborative Economy.

As it is known, the hospitality sector faces difficulties to attract workers and retain them. For instance, while the average job vacancy rate is of 1.7% in the EU, in the accommodation and food service sector, it reaches 3% in Belgium, 4.2% in Germany, 7.4% in Greece. Skills shortages are, therefore, a problem that needs to be overcome, through the development of trainings at large scale (e.g. ICT), the development of apprenticeship schemes and the adaptation of curricula to the needs of the employers.

Taking these points into account HOTREC and EFFAT intend, for instance, to further increase the visibility of the European Hospitality Skills Passport and to further promote it. The tool is important to facilitate the contact between employers and job seekers in the job market. Regarding Apprenticeships, it is to note that HOTREC and EFFAT have signed a joint pledge to promote the quality and attractiveness of apprenticeship schemes across Europe. In this sense, we will continue sharing best practices amongst HOTREC and EFFAT member's'. We will also elaborate criteria to strengthen the quality and attractiveness of apprenticeship schemes.

Regarding the collaborative economy, HOTREC and EFFAT developed a joint statement on the matter, asking for a level playing field and fair competition in hospitality and tourism. The objective of the Programme will be to continue implementing the joint statement, through the participation in the Workshops organised by DG Growth and dedicated to the topic. The goal is also to share information on new developments and to push for better data on the impact of the collaborative economy on employment.

HOTREC and EFFAT will also develop an OIRA tool – online interactive risk assessment tool with OSHA, which will allow companies to access their risks free of charge. This will bring progress on health and safety at the work place.

The Work Programme implies two intensive years of work. And hereby, I would like to personally thank the dedication of all SSD members: (Santa Graikste (Latvia), Dave Danckaerts (Belgium), Istvan Kovakcs (Hungary) Andrew Agius Muscat (Malta), Andrea Stoccoro (Italy), who help me reach tangible results on all these delicate and relevant matters.

#### **The Commission presented on 26 April 2017 the European Pillar of Social Rights. Directly linked to the Pillar, the Commission also presented different legislative and non-legislative initiatives that have an impact on the hospitality sector. Can you please tell us which one will have more impact on the hospitality sector and what is HOTREC's position on the matter?**

On 26 April 2017, the European Commission issued the European Pillar of Social Rights, as well as two first stage consultations - one on the possible revision of the Written Statement Directive and another one on the Access to the Social Protection. HOTREC consulted members, listed to the other employer's association positions (e.g. Business Europe, UEAPME) and prepared its replies to the European Commission.

The European Commission also issued a proposal of Directive on Work-Life Balance. HOTREC is currently focusing its lobbying activities on the topic. The proposal foresees mandatory paternity leave; possibility of carers leave; changes to the current parental leave and the obligation to provide flexible working time arrangements to employees. Taking into account that the sector is already facing skills shortage, the current proposal risks deteriorating this situation, as the sector would need to face two problems at once: skills shortage and the fact that employees could be often on leave, which could be potentially detrimental to the day-to-day operational management of small businesses. In fact, replacement arrangements, financial costs and administrative reorganisation would need to be addressed by the employers. All in all, it is HOTREC's conviction that subsidiarity should prevail on the matter and that the present proposal could not be workable by the sector, considering that 91% of its 1.8 million companies are micro-enterprises and that this would endanger its sustainability. Furthermore, flexible working time arrangements should be agreed at company level between employer and employee, on a voluntary basis (cannot be mandatory, especially considering that the sector needs people working with

physical presence on the ground (e.g. cooker, cleaning people, waiter)). All in all, HOTREC advocates instead, that non-legislative measures are largely disseminated, including building up caring services for the children and the elderly, open with flexible schedules (during the evening and the weekend); providing incentives to SMEs and micro-enterprises (such as incentives to employ men and women who are long term unemployed); further develop digitalisation of services and respect for private life.

**As the appointed representative of HOTREC at the Platform of Undeclared Work could you please tell us in which way the Platform can contribute to the dissemination of HOTREC's message with regard to the collaborative economy?**

I personally believe that the Platform of Undeclared Work is a crucial place to discuss and exchange best practices on how to tackle undeclared work. Recently, HOTREC has been contacted by the Platform to participate on a survey which will be part of a study that will examine the consequences of the collaborative economy for undeclared work. In this context, HOTREC will take the opportunity to raise awareness of the joint statement produced by HOTREC and EFFAT on the sharing economy aiming at reaching a level playing field and fair competition in hospitality and tourism. HOTREC will highlight that both associations are concerned about the emergence and rapid spread of the "sharing economy", which is developing in an uncontrolled environment and leading to the proliferation of businesses who do not follow legislation, fiscal obligations, safety and security, employee's rights and protection, consumer's rights. The danger would be that traditional jobs would be lost and that jobs that will be created by the "sharing economy" would not be stable – they would depend on opportunities and demand. Consequently, the situation would lead to an increase of precarious jobs and probably undeclared work. HOTREC will also call upon the authorities to collect more coherent data about the scope and the impact of the "sharing economy" on businesses and employment. All in all, the five pillar strategy developed by HOTREC including registration, thresholds, taxation, health, safety and security and liability will be widely disseminated. More concretely, and in order to fight undeclared work, HOTREC will claim that for the activity to be legalised, it will need to be registered. In addition, the platform where this offer will be available should, then, display the registration number. This would increase transparency, boost competitiveness and would help lower undeclared work. HOTREC will, in this sense, be an active player in the Platform of Undeclared Work and will use it to fight for a level playing field of all businesses alike.

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## Interview of the Maltese Minister of Tourism, Hon. Konrad Mizzi



Hon. Konrad Mizzi is currently serving as a Member of the Maltese Parliament and as the Minister for Tourism in Malta. He previously held various portfolios as Minister in the previous government. HOTREC interviewed Hon. Konrad Mizzi about the achievements of the past Maltese Presidency of the EU (first semester 2017) and about the priorities of the Maltese government about tourism.

### **In your opinion, what are the key achievements of the Maltese Presidency of the EU, in particular with regard to tourism?**

The Maltese Presidency organised an Informal Ministerial Conference on Blue Growth, Ocean Governance in the EU and the Mediterranean Innovation, and Nautical Tourism in Valletta Malta on 20 April 2017. The Conference invited Member States to share and discuss ideas on the various maritime issues. The European Union recognised the importance of the sector, in particular coastal tourism which is booming and cruise tourism which is growing fast. The Maltese Presidency also organised a Ministerial Conference on Tourism: "Enhancing Europe's tourism competitiveness through new products" on 25-26 May 2017. The Conference brought together different stakeholders to discuss cross-cutting policy issues which have an impact on the tourism sector. The Tourism High Level Conference discussed 6 themes contributing to the main theme, of promoting and managing year-round tourism growth through the dual principles of competitiveness and sustainability. It allowed different stakeholders ranging from policy-makers, regulatory bodies, the industry and also international organisations to discuss on how to maintain and strengthen the EU's market share and increase competitiveness in the tourism sector.

### **As the mandate of the newly elected Maltese government is starting, what are its main priorities in particular in relation to tourism and travel?**

This country is experiencing new records in every aspect. Be it hotel occupancy, more inbound tourism through air and cruise initiatives.

We have a strategy that promotes sustainable growth, to increase the amount of inbound tourism throughout the year, whilst addressing seasonality issues and new tourism niches. New and more frequent flight connections are a priority. Our aim is that every tourist is impressed with the experience here in Malta and comes back again in the future while recommending our country to other potential tourists.

Such aims are supported by attracting the best employees in the sector, by supporting the Institute for Tourism Studies, by creating digital platforms and also by supporting the social media infrastructure amongst other initiatives.

The Ministry for Tourism will also soon lead infrastructural upgrades in touristic zones, whilst working with operators to offer new attractions.

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## **Programme of the Estonian Presidency of the EU**

On 1 July 2017, Estonia took over the rotating Presidency of the EU for the next six months. Some of the most important priorities with an effect on the hospitality sector are the following:

- **Social Affairs:** The Presidency will be willing to invest in the development of skills and to move forward with the initiatives triggered by the New Skills Agenda; it will continue the discussions on Work-Life Balance; it aims at reaching successful negotiations in the posting of workers Directive;
- **Accessibility:** A speedy Agreement on the Accessibility Act is foreseen;
- **Taxation:** the Presidency intends to launch negotiations on the definitive cross-border VAT system.
- **Home Affairs:** Estonia will seek an agreement on the new European Entry/Exit system for registering border crossings by third country nationals. Another objective is to reach the final stage of the negotiations on the European Travel Information and Authorisation System (ETIAS), which is designed to register the crossing of the external border by visa-exempt third country nationals
- **Circular –economy:** the Presidency intends to make significant progresses in the negotiation on the legislation on waste
- **Digital:** the Presidency intends to reach an agreement on the geo-blocking Regulation. Moreover, the Estonian presidency of the EU will also organize a digital summit for open-minded discussions about Europe's digital future.

The full programme of the Estonian Presidency can be found here: [link](#).

## DIGITAL ISSUES

### European Parliament warns against platforms' dominant positions



On 15 June 2017, the European Parliament adopted its report on online platforms and the digital single market. Besides acknowledging that online platforms benefit to the digital economy and the society, MEPs also stress the risks and challenges platforms' activities are posing.

The report stresses the importance of fair and effective competition between platforms in order to avoid the creation of monopolies or dominant positions that distort the market through the abuse of market power. In that respect, MEPs are concerned about problematic unfair B2B practices by some platforms, related to lack of transparency regarding search results or pricing, as well as unfair terms and conditions. The Parliament thus calls on the Commission to take appropriate steps in that regard.

Regarding the information by platforms to consumers, more transparency is demanded from platforms, especially when it comes to differentiating between sponsored and any other content. Trust toward consumers can also be further enhanced by providing transparent information on the criteria used for rankings, filtering and personalised information.

The European Parliament also notes that the current EU legislative framework regarding the liability of intermediaries leaves room for misinterpretation. The report calls upon the Commission to clarify that platforms which are not playing a neutral role as defined in the E-commerce Directive cannot claim liability exemption.

#### Next steps:

Based on the mid-term review on the Digital Single Market, the European Commission will come up with further action by the end of 2017.

#### HOTREC position:

- *HOTREC welcomes this report, which echoes several of the concerns put forward by the hospitality industry to the European institutions.*
- *HOTREC, similarly to the European Parliament, is pleading for more transparency and fair conditions of platforms, both towards businesses as well as towards consumers.*

## COLLABORATIVE ECONOMY

### European Parliament calls for responsible development of the collaborative economy

On 15 June 2017, the European Parliament adopted its report on the collaborative economy. The document acknowledges that, if developed in a responsible manner, the collaborative economy creates significant opportunities for citizens and consumers. At the same time acknowledgement is also given to the possible significant impacts on long-established business models in many sectors, such as the accommodation and restaurant sector.

MEPs stress that a high level of consumer protection has to be ensured in all cases and that a clear distinction between professional service providers and private individuals has to be made among well-defined criteria. The European Parliament also believes that a level playing field among comparable categories of service providers is highly recommended.

With regard to platforms, MEPs call on the Commission to clarify the liability regime of collaborative platforms, especially in light of the E-Commerce Directive, in order to promote responsible behaviour. The report also stresses that platforms' self-regulating capacity does not replace the need for existing or other possible rules. Platforms are also to play a key role in ensuring tax compliance. The Parliament emphasises the importance of the cooperation between platforms and authorities regarding tax collection. There is also agreement in the European Parliament that similar tax obligations should be applied to businesses providing comparable services, whether in the traditional or in the collaborative economy.

#### Next steps:

The European Commission is currently holding a series of workshops to elaborate sector specific guidelines for tourist accommodation in the collaborative economy.

#### HOTREC position:

- *HOTREC welcomes the European Parliament report on the collaborative economy, and in particular the call for a clear distinction between peers and professionals (i.e. traders)*
- *The importance of a high level of consumer protection is well emphasised in the report, as well as the importance of the creation of a level playing field e.g. regarding taxation for similar activities.*

## CONSUMER AFFAIRS

### UNWTO Convention on tourists' protection at a standstill



On 14 June 2017, a new (online) meeting of the UNWTO Working group on the convention on the protection of tourists took place. The aim of the meeting was to clarify some pending issues on the Convention, in order to pave the way for the UNWTO General Assembly to mandate the secretariat to organise a Treaty Conference in 2018, as it was announced in earlier meetings and agreed beforehand by the UNWTO Executive Council.

During the meeting, the European Commission disagreed with the organisation of a Treaty Conference in 2018, as it appears that the EU is not able to comment further for the time being on some issues relating to intermediaries/platforms and the collaborative economy, and as it requested more feedback from non-EU States on their readiness to adopt annex II dealing with package travel. The UNWTO secretariat announced that it will circulate to the members of the Working group and to the State Parties to the UNWTO a questionnaire, requesting a clarification on some aspects, in order to facilitate the work of the working group. Concerning the organisation of the Treaty Conference, the secretariat explained that the UNWTO General Assembly is sovereign on the matter. In the meantime, the working group will freeze its activities.

#### Next Steps:

The UNWTO secretariat will organise between mid-July and October 2017 a consultation on the pending issues concerning the last draft text of the Convention.

#### Action:

HOTREC and its associations to participate to the consultation.

#### HOTREC position:

- *HOTREC considers that the UNWTO Convention, and in particular its annexes II (Package Travel) and III (Accommodation issues) cannot contradict existing EU legislation (which shall prevail) and should not by any mean go beyond;*
  - *The Convention should equally apply to all tourism accommodation services, whatever the type of accommodation service providers (i.e. including providers in the so-called collaborative economy);*
  - *As hotel services in Europe are already strongly regulated, the Convention should avoid adding extra legal burdens on European hoteliers, but rather ensure that a basic level-playing field applies worldwide.*
  - *Business-to-Business practices should not be regulated by the Convention.*
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## Fitness check of EU Consumer law: new consultation open

On 29 May 2017, the European Commission published its various evaluation reports on the fitness check (REFIT) of the EU consumer and marketing law acquis.

The evaluation reports include:

- An Evaluation of the Consumer Rights Directive;
- A general Study for the Fitness check of consumer and marketing law;
- A study on the costs and benefits of the minimum harmonisation under the Consumer Sales and Guarantees Directive;
- A Study on the costs and benefits of extending certain rights under the Consumer Sales and Guarantees Directive;
- A Consumer Market Study to support the Fitness Check of EU consumer and marketing law;
- A Study on the application of the Consumer Rights Directive.

All these documents are now published on DG Justice website ([link](#)).

Overall, the Commission evaluation considers that existing rules are mostly fit for current market conditions, including for online markets. However, the reports also finds that there is a need to improve awareness and enforcement of the rules. Moreover, the evaluation identified some potential areas of improvement to enhance the transparency of online platforms and to give more remedies to consumers victims of unfair commercial practices.

Based on these evaluations, the Commission is currently assessing possible amendments of EU Consumer legislation. To this end the Commission:

- Published an Inception Impact Assessment outlining the scope and options for future legislative action;
- Opened an [online public consultation](#) to gather stakeholders' views on these options.

### Next Steps:

The stakeholder consultation is open until 8 October 2017. On the basis of the result of the consultation, the Commission is expected to propose amendment to the current legislation at the end of 2017.

### Action:

HOTREC will participate to the online consultation.

### HOTREC position:

- *HOTREC welcomes the results of the fitness check, which did not identify the need for major changes in the Consumer Rights Directive;*
  - *HOTREC also strongly welcomes the findings of the evaluation report which identified a need to enhance transparency of online platforms, in particular as to the need for platform to clearly indicate to consumers who is behind an offer to provide service (i.e. trader or individual), as well as for reviews, where liability of platforms should be engaged if no mechanism to prove the validity of the review is set-up (e.g. ID-check, booking reservation, etc.).*
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## FOOD

### Acrylamide in food: Commission consults on its draft Regulation



On 9 June 2017, the European Commission opened a stakeholder consultation on its draft Regulation establishing mitigation measures and benchmark levels for the reduction of the presence of acrylamide in food. The consultation closed on 7 July 2017.

The draft Commission text proposes mandatory targeted mitigation measures for food businesses, together with benchmarks of acceptable acrylamide levels which are meant to assess the effectiveness of the mitigation measures implemented by food business operators. The text of the draft Regulation proposes a certain delineation between the various types of food businesses which defines the scope of application of the mitigation measures. These mitigation measures are largely inspired by the sectoral Codes of Practices proposed by the various stakeholders.

As far as hospitality businesses are concerned, they would have to apply specifically Part A of Annex II (largely inspired by HOTREC Code of Practice), while large restaurant chains would have to apply the additional measures of Part B of Annex II (inspired by ServingEurope's Code of Practice).

#### Next Steps:

The Commission will analyse the contributions of the consultation. Depending on the result, it will either submit a revised proposal to the Member States for adoption on 19 July, or discuss further the result of the consultation with Member States with the aim to make a new proposal for adoption in September 2017.

#### Action:

HOTREC replied to the consultation.

National associations should contact without delay their national authority on the basis of the HOTREC position.

#### HOTREC position:

- *Given the potentially carcinogenic effect of acrylamide, HOTREC took its responsibility by promoting practical mitigation measures for the restaurant sector, so as to diminish acrylamide levels in food served by restaurants, without burdening them un-necessarily.*
  - *HOTREC considers that the draft Commission text needs further improvement concerning the delineation of the sectors.*
  - *HOTREC also considers that a colour table for toasting sandwiches made of white bread is not practical and is a disproportionate burden given its limited application. Moreover, mitigation measures on blanching and the choice of potatoes should be further amended to take into account the specificities of the restaurant sector, and as it can be detrimental to small businesses while not providing a solution on the topic.*
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## Trans-fats in food: new EU legislation in the pipeline



Following the adoption in October 2016 of a European Parliament resolution calling on the European Commission to legislate on the presence of trans-fats in food, the European Commission has now launched the first steps towards the adoption of a possible legislative initiative and has now tasked a consultancy to make studies which will feed the European Commission's impact assessment.

The options currently contemplated as part of the impact assessment include:

- The establishment of a limit on industrial trans-fats in foods (through voluntary or binding measures);
- The introduction of an obligation to indicate the trans-fats content of foods in the nutrition declaration;
- The prohibition of the use of partly hydrogenated oils in foods (through voluntary or binding measures);
- A combination of the options above.

### Next Steps:

The European Commission is expected to adopt a legislative proposal on trans-fats in food in 2018.

### Action:

HOTREC was interviewed by the consultancy in charge of preparing the studies for the Commission's impact assessment.

### HOTREC position:

- *Industrial trans-fats are usually not produced by hospitality businesses, which usually prepare meals with fresh/raw products. However, natural trans-fats are naturally present in some raw ingredients (i.e. meat, dairy products) in limited quantities which are not considered harmful. HOTREC therefore considers that any new EU legislative aimed at limiting trans-fats contents should focus exclusively on industrial trans-fats.*
  - *Given that hospitality businesses do not produce themselves industrial trans-fats under normal conditions, HOTREC considers that any labelling obligation for restaurants serving non pre-packed food would be irrelevant, disproportionate and inappropriate.*
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## SOCIAL AFFAIRS

### Work-life balanced must be agreed-up at national level!



On 26 April 2017, the European Commission issued a proposal of a Directive for "Work-Life Balance" [COM\(2017\) 253 final](#). The Commission proposal aims to improve access to work-life balance arrangements and to increase the take-up of family leaves and flexible working arrangements by men.

The proposals from the Commission include:

- 10 working days of paternity leave when the child is born paid at sick leave;
- 4 months of parental leave paid at sick leave, to be taken at least until the child reaches the age of 12. The four months cannot be transferred between parents;
- Right to 5 days of carer's leave per year, per worker, paid at sick pay level, to take care of the serious ill or dependent relatives;
- Right to request flexible working arrangements for parents of children up to 12 years old with caring responsibilities.

#### Next steps:

The procedure will follow the ordinary legislative procedure and will be agreed upon by European Parliament and Council of the EU.

#### Action:

HOTREC to contact the relevant Members of the European Parliament and all Permanent Representations in Brussels.

#### HOTREC position:

- *HOTREC considers that subsidiarity should prevail and believes that the present proposal will not be workable considering that 91% of its 1.8 million companies are micro-enterprises and that this will endanger their sustainability. Furthermore, flexible working time arrangements should be agreed at company level between employer and employee, on a voluntary basis;*
  - *If the proposal would be approved by the European Parliament and the Council, SMEs and micro-enterprises would probably suffer the most, as replacement arrangements, financial costs and administrative reorganisation would need to be addressed by the employers;*
  - *Consequently, hospitality businesses might need to close down, as their profit margin would be too low to pay for the employees on leave and for the replacing worker;*
  - *Non-legislative measures, such as caring services for the children and the elderly, open with flexible schedules (during the evening and the weekend); incentives given to SMEs and Micro-enterprises (such as incentives to employ men and women who are long term unemployed); digitalisation of services and respect for private life should be largely considered.*
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## Interpretative Communication on Working Time Directive



On 26 April 2017, the European Commission issued an Interpretative Communication on the Working Time Directive (C(2017)2601) final. The non-legislative document aims at giving Member States more clarity when interpreting the Directive. The Commission based itself on existing case law and guiding principles. In addition the Commission also provides its own interpretation when no case law exists, but leaves the final competence to interpret to the EU Court of Justice.

Some of the main provisions of the Interpretative Communication include:

- Definition of "on-call time" – time spent by workers should be regarded in its entirety as working time within the meaning of the Directive, if employees are required to be present at the workplace;
- Maximum weekly working time at 48 hours;
- Obligation to grant workers with a right to carry-over untaken paid annual leave.

### HOTREC position:

- *HOTREC believes that solutions on the topic should be found through collective agreements and national legislation;*
- *Flexible working time arrangements are key for the sector to sustain;*
- *The European Court of Justice rulings go far beyond the minimum standards provided by the Directive and on topics such as on-call time and compensatory rest the rulings brought even more administrative and financial burdens to employers, which employ less than 10 employees for 91% of them;*
- *A level playing field should be established vis-à-vis the so called collaborative economy.*

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## Investing in people: Bridging the skills gap”, a part of sustainable tourism development



On 29-30 June 2017, took place a Conference on "Sustainable Tourism Development in the Danube Region: New perspectives", organised by the Ministry of trade, Tourism and Telecommunications of Serbia in collaboration with UNWTO and Deutsche Gesellschaft fuer Internationale Zusammenarbeit. The aim of the conference was to lay the policy for the development of joint sustainable tourism products and marketing platforms in the Danube region.

The conference counted with the presence of Ministers from Danube countries, as well as Mr. Taleb Rifai, Secretary-General of UNWTO. Mr. Christian de Barrin, HOTREC CEO, participated in the panel discussion targeting the topic: "Investing in people: bridging the skills gap". Mr. de Barrin underlined that the hospitality sector is a resilient sector and creator of employment; it is an entry door in the labour market as it employs unskilled and young people. Nevertheless, the sector needs skilled workers in order to remain competitive. Skills shortages in ICT, languages, relations with clients, need to be overcome.

In this sense, it is necessary to attract workers by tackling some major challenges: seasonality, part/time, temporary work; negative perception of the sector, specific working schedules of the sector, perception that the sector is not the best career choice. Solutions pass through providing massive trainings to employees (EU funding is needed); develop ICT solutions (e.g. App tour you – EU funded project that experiments new models of online training on accessible tourism and information targeted to SMEs and entrepreneurs in the field of tourism); implementing apprenticeship schemes; integrating migrants in the labour market when possible; promoting the hospitality skills passport and other similar tools (platform where employers and job seekers can meet each other) and promoting the image of the sector were some of the potential solution presented.

In order to help implement the solutions, EU funding is needed, partnerships between education providers and entrepreneurs need to be strengthened, curricula should be designed in order to meet the entrepreneur's needs.

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# TOURISM

## European Parliament backs ETIAS system!



In June 2017, MEP Kinga Gál (EPP/Hungary) published her [draft report](#) on the European Travel Information and Authorisation System (ETIAS). Overall, the rapporteur welcomes the proposal, as the system will allow to assess whether a visa-exempt third country national who intends to travel to Schengen potentially constitutes an irregular migration, security or public health risk before the person arrives to the external border at a border crossing point.

The amendments of the draft report include:

- More detailed rules to determine the Member State responsible for the assessment of ETIAS;
- Carriers transporting groups overland by coach should not fall under the carriers with obligations under the Regulation;
- Travellers should receive more information about ETIAS (e.g. they should be notified before their ETIAS expires) and be protected;
- Data security and data protection are reinforced.

On the Council side, a general approach was reached during the Justice and Home Affairs Council meeting taking place on 9 June 2017. Under the Council perspective, the authorisation for travel is valid for three years only. Furthermore, all nationals from third countries will need to hold a valid travel authorisation in cases of transit in an airport.

### Next steps:

The deadline for amendments in the European Parliament is 18 July 2017. After the vote in the Parliament, the proposal will follow trilogue discussions between the European Parliament and the Council.

### Action:

NET members (the Network for the European Private Sector in Tourism), from which HOTREC is part, was in contact with the rapporteur and the shadows to transmit their views on the file. The Maltese Presidency was also contacted.

### HOTREC position:

- *HOTREC believes that the Schengen Area is one of the biggest achievements of the EU;*
  - *But, Europe needs to maintain security, while keeping Europe open;*
  - *If a fee is to be paid by travellers exempted of a visa requirement, the fee should be kept in a minimum level (not more than 5€). The fee should only cover the maintenance expenses of the system;*
  - *The application process should be swift and user-friendly;*
  - *ETIAS should be valid for five years.*
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## Visa waiver regime for Ukrainian nationals adopted



On May 2017, the Council of the EU endorsed the visa liberalisation regime for Ukrainian nationals who have biometric passports. According to this new legislation they will be able to travel to all Schengen countries for a period of 90 days out of a total period of 180 days for tourism, business or to visit family and friends.

### HOTREC position:

- *HOTREC very much encourages the establishment of visa waiver agreements with third countries. This is the way forward in order to bring more travellers to Europe and stimulate growth and job creations.*
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## Talks continue on visa waiver with the US!



On 3 May 2017, the European Commission issued a Communication ([COM\(2017\)227 final](#)) informing about the progresses done between the EU and the US on the visa waiver topic.

So far, the US continues asking for a visa to the citizens of Bulgaria, Croatia, Cyprus, Poland and Romania. The US explained that these Member States do not yet meet all the requirements laid down in the United States legislation. The US also informed that the adoption by the Commission of a delegated act on the suspension of the visa waiver for United States citizens, would immediately result in the US adopting retaliatory measures. Therefore, the Commission, in close cooperation with the concerned Member States and the United States, will continue diplomatic discussions to agree on the way forward and endorse a future EU-US Joint Statement.

Nevertheless, on 30 May 2017 the Committee of Civil Liberties, Justice and Home Affairs (LIBE) requested an opinion of the Committee on legal affairs (JURI) to look at possible areas for action against the European Commission.

### HOTREC position:

- *HOTREC fully supports the Commission's intention of continuing diplomatic negotiations with the US representatives, so that the visa waiver becomes fully applicable;*
  - *Currently, travellers from the U.S. and Canada account for the largest percentage of all European arrivals. Arrivals from the two markets reached 30.3 million tourists;*
  - *The economic impact that closing the doors to U.S citizens would have for tourism purposes needs to be taken into account, as well as the damage of the external relations between the EU and the U.S.*
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## HOTREC participates to the High Level Conference “Enhancing Europe’s tourism competitiveness through new products



On 24-26th May 2017, the Maltese Presidency of the Council of the EU organized a High Level Tourism Conference entitled ‘Enhancing Europe’s Competitiveness through New Products’. The conference was organized around different thematic panels covering the various aspects of tourism policies at EU and Member States level. Various high-level speakers participated, including EU Commissioner Bienkowska, UNWTO Secretary General Taleb Rifai, the Maltese Minister for Tourism, or MEP Istvan Ujhelyi, Vice-Chair of the European Parliament TRAN Committee.

Mr de Barrin, CEO of HOTREC, also attended as a panelist the High Level Conference. During his intervention, he recalled the main figures showing that the collaborative economy is now a well-established phenomenon competing on unequal ground with other tourism service providers. He lauded the European Commission’s initiative to tackle the challenges the collaborative economy generates through the organization of seminars which will result in a set of guidelines for national regulators. He also stressed that the hospitality industry is advocating in favour of a 5-pillar chart to create a responsible and fair business environment in the tourism accommodation sector. These 5 pillars are

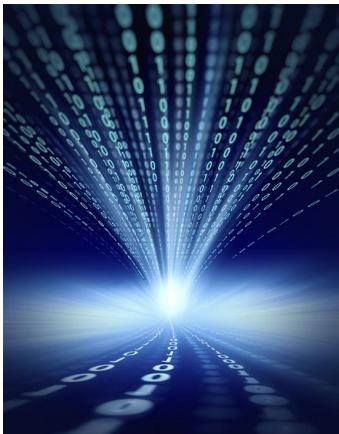
- Registration of activities
- Thresholds
- Taxation
- Health, safety and security (consumer protection, consumer rights and workers rights)
- Liability of platforms

He also stressed that this new economy still needs to be legalised and monitored through official statistics and stressed the hospitality industry’s awareness of the need to keep investing in innovation to stay competitive.

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# DATA PROTECTION

## E-Privacy Regulation - update



On 10 January 2017, the European Commission issued a proposal of Regulation concerning the respect of private life and the protection of personal data in electronic communications and repealing Directive 2002/58/EC – [COM\(2017\)10 final](#). The main elements of the Regulation include:

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- Spam and direct market communications require prior consent – users must provide consent before unsolicited commercial communications are addressed to them (sms and –mail). Companies are allowed to contact former clients without prior consent for direct marketing purposes (if done by e-mail). Regarding phone calls, Member States can choose if potential clients can be contacted without consent, if consumers have the right to reject the call;
- The confidentiality of user’s online behaviour and devices must be guaranteed – users need to agree to website cookies or other technologies to access information stored on their computers or to track their online behaviour. But no consent is needed for non-privacy intrusive cookies;
- Processing communications content on metadata is conditioned to consent.

### Next steps:

The deadline for amendments to the European Parliament report falls on 10 July 2017, while the Council will continue discussions at Working Group level. Both the European Parliament and Council must agree on the final text.

### HOTREC position:

- *HOTREC believes that the Commission proposal is balanced and proportionate;*
  - *It is of crucial importance for the hospitality sector that direct marketing done by e-mail targeting former clients is possible– this is one of the outcomes of the negotiations of the General Data Protection Regulation which should be kept in this way.*
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# ACCESSIBILITY

## APP TOUR YOU project results widely available



The Erasmus+ founded project of **APP TOUR YOU** is coming to its official end in September 2017. During the project, the pan-European partnership, including HOTREC, elaborated a valuable training material providing for an introduction especially for smaller hospitality and tourism entrepreneurs into the issue of accessible tourism. Besides general aspects of accessibility in tourism, the training programme also includes training materials on how to improve the information provision of an establishment to the benefit of all potential guests. This knowledge was transmitted to participants from over 60 countries in the framework of an interactive Massive Open Online Course (MOOC) between January and March 2017. Furthermore a **self-learning application** was developed as well, facilitating for tourism entrepreneurs to make a self-assessment of their own establishment.

The training materials of the project are available on the projects website under the MOOC section, including videos and handouts prepared by the partnership, as well as additional valuable information and documents on the matter.

A manual for the replicability of the project achievements is available as well giving insights, tips and guidelines of a re-use of the project results. There is, inter alia, the possibility for the translation of the training materials, making use of the videos, as well as the re-launch of the interactive MOOC.

The Vice-President of HOTREC, Dr. Ákos Niklai, participated to the launching ceremony on 27 June 2017 and highlighted how the AppTourU project will positively contribute to better communicate services offered to people with specific need and improve their overall guest experience.

### Next steps:

The APP TOUR YOU partnership will further promote the achievements of the project, with the hope that its results are further exploited by interested parties.

### HOTREC position:

- *HOTREC is proud, thanks to ENAT - the European Network for accessible tourism, to be part of the project, which will help hospitality businesses to better communicate their offer to people with specific needs, and therefore improve the overall guest experience.*
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# HEALTH

## Overview EU Health Programme 2014-2020



At the occasion of the Committee of National Alcohol Policy and Action, which took place in Luxembourg, on 21-22 March 2017, the European Commission revised the EU Health-Programme 2014-2020. Amongst the several actions it is to highlight:

- 2014 – monitoring of the national policies related to alcohol consumption and harm reduction;
- 2015 – gathering knowledge and exchanging best practices on measures reducing availability of alcoholic beverages;
- 2016 – reducing underage drinking and heavy episodic drinking – the activities aimed at testing methods / tools and at identifying good practices on reducing heavy episodic drinking including amongst young adults and underage drinking in different Member States;
- 2017 – The EU dimension of alcohol related harm – based on the results of the 2014-2016 joint Action to reduce Alcohol Related Harm, the initiative will scale up and reinforce the Joint Action outcomes.

It is the European Commission's objectives to strengthen the EU dimension of the efforts tackling alcohol related harm. The main aim is to increase the knowledge base and provide tools that can effectively support Member States' activities in the area.

### HOTREC position:

- *HOTREC strongly supports and encourages its members to implement measures that enforce age limits when serving and selling alcohol and develop information programmes on responsible drinking as part of its commitment to the European Alcohol and Health Forum;*

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## STATISTICS

### Recent statistics from Eurostat

Eurostat publication on [digital economy and society](#): This publication gives an insight into the profile of the digital society and business, in e-commerce, internet security and the cloud, as well as what the digital single market is about.

Eurostat [tourism statistics news release](#): The publication gives an insight into the top EU regions as tourist destinations as well as to the favourite extra-EU destinations of EU tourists. A new [data visualisation tool](#) gives further insights in travel habits of Europeans.

Eurostat news: [Europeans travel mostly by car](#): The vast majority of all tourism trips were made by car, however in the case of outbound trips travelling by plane accounts for over half of such trips.

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## GENERAL ACTIVITIES

### Next Meetings and General Assemblies

In the coming months, HOTREC will organise and/or participate to the following meetings.

- 4-5 September 2017 (Bled, Slovenia) – Bled Strategic Forum: "New realities"
- 18-19 September 2017 (London, UK) – ISO TC 290 meeting on online reviews
- 20 September 2017 (Estonia) - European Consumer and Competition Day. The main theme of the conference is the paradigm shift of consumer and competition environments, including sharing economy, digital platforms, new technologies and consumer behaviour.
- 27 September 2017 (Brussels, Belgium) - Sectorial Social Dialogue Committee
- 18-19 October 2017 (Tallinn, Estonia) – 16th European Tourism Forum
- 19-20 October 2017 (Antwerp, Belgium) – HOTREC holds its 75th General Assembly
- 20-24 November 2017 (Brussels, Belgium) – European Vocational skills week
- 29 November 2017 (Brussels, Belgium) – European Tourism Day