

**Study on the impact of EU policies  
and the measures undertaken  
in their framework on tourism**

**Specific Contract No:  
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**Final Report  
Volume 1: Measures**

prepared for  
DG Enterprise and Industry

***RPA***

**September 2012**



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***Study on the Impact of EU Policies and the Measures  
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**Final Report - September 2012  
Volume 1: Measures**

prepared for

DG Enterprise & Industry

by

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## **EXECUTIVE SUMMARY**

### **Introduction**

In the twenty first century, European tourism has already faced a number of challenges, including the economic crisis, demographic change, globalisation and even natural phenomena such as the eruption of the Eyjafjöll volcano in 2010. However, despite all of these challenges, the European Union has remained the world's Number 1 tourist destination and the first results available for 2012 indicate that international tourism has continued to grow<sup>1</sup>.

European tourism represents the third largest economic sector in the EU and, although there are continuing concerns over the effects of the Eurozone crisis, the sector is forecast to increase its influence and contribution to the overall employment rate in the EU, as well as to economic development and social cohesion. This highlights the importance of understanding developments within the sector and how the sector is impacted by different policy areas, in order to develop a methodology for the better mainstreaming of tourism across different policies in the future.

The ratification and implementation of the Treaty of Lisbon has brought about an increased role for the European Commission within the area of tourism. The Treaty foresees a new competence for the EU to support, complement and coordinate Member States' actions in the field of tourism. This allows scope for a more coherent approach between all European institutions and Member States.

This study examines the impact of different EU policies, and their legislative and non-legislative initiatives, on tourism and its competitiveness. The study has consisted of a literature review and consultation with key industry stakeholders, relevant Member State authorities and Commission services. The consultation process ran from November 2011 to January 2012. The project also includes a separate guide to EU financial instruments, for stakeholders within the sector to identify and access funding.

### **Main Findings**

The consultation for this study has indicated a number of challenges for the industry, including:

- different degrees of implementation of business regulation, taxation, social security among Member States and sub-sectors;
- different impacts of legislation across sub-sectors and depending on the size of companies, with particular emphasis on micro-enterprises;

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<sup>1</sup> May 2012 update of the UNWTO World Tourism Barometer, <http://www2.unwto.org/en/press-release/2012-05-10/international-tourism-strong-start-2012>

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- the seasonality of tourism activity;
- uneven regional development; and
- an insufficiently skilled workforce.

The review and consultation have indicated a general agreement that tourists, as consumers, have benefitted from greater protection since 1980. This has stemmed not only from tourism specific legislation, such as the Timeshare Directive, but also from a number of initiatives under other policy areas, such as enforcement activities on airlines' sales and regulations on passenger travel rights. New legislative instruments have also been adopted, such as the Consumer Rights Directive, and/or are currently under preparation, such as the revised Package Travel Directive. In addition, the Commission continues to work on a number of other instruments, such as roaming charges for mobile phones and compensation payments in the event of denied boarding, cancellation and long delay of flights, etc. These last initiatives are likely to contribute positively to the protection of tourists and, although they may impose costs on the tourism industry in the short term, they will contribute to a more level playing field among industry sectors in the longer term.

Significant progress has also been realised in the area of visa policy, especially with Regulation (EC) No 810/2009 establishing a Community Code on Visas (applicable from 2011). This is expected to address one other challenge identified in the earlier consultation conducted in 2009, related to the ease of travel for tourists from third countries.

Examples given in the consultation on differences in implementation include Directive 77/388/EEC, the Value Added Tax (VAT) Directive, and the Directive 2006/123/EC, the Services Directive. In 2011, the European Commission launched an open consultation on the future of the VAT system. Also in 2011, a "performance check" of the Single Market for services was initiated by the Commission for the tourism sector. Addressing the differences in implementation therefore continues to be a major work area for the Commission.

With regard to tourism seasonality, the Commission has deployed several actions, in particular via the CALYPSO project, which aims at facilitating transnational low season exchanges in Europe for certain target groups (such as seniors, young people, families with economic difficulties and persons with reduced mobility).

Some of the European funding programmes, discussed in Volume 2 of this report, are aimed at reducing uneven regional development. The European Commission has also developed a number of strategies for different macro-regions to this end, some of which include specific reference to developing tourism, such as the Baltic Region and the Danube Region Strategies. There is also help being offered to the development of regional airports.

## **Recommendations**

The literature review and the consultation have indicated that there is still potential to mainstream tourism under other policy areas to maximise the synergies. The Commission Communication: *Europe, the world's No 1 tourist destination – a new political framework for tourism in Europe*, adopted in June 2010, identified four 'priority areas' for the tourism sector. The fourth priority area concerned the maximisation of the potential of EU policies and financial instruments for developing tourism, which underpins the rationale behind this study. Hence, our recommendations for the mainstreaming of tourism under other policy areas, according to the remaining three axes of the 2010 Communication, can be summarised as follows:

### ***1. Stimulate competitiveness in the tourism sector:***

- investigate and encourage new types of tourism, for instance investigate the barriers to the development of rural tourism and engage in a dialogue with relevant policy stakeholders to address these barriers;
- continue work to ensure that the rights of tourists as consumers are protected;
- continue work in the area of antitrust and mergers to encourage competition among tourism sector companies; and
- monitor the transposition into national law and implementation of different tourism-related EU Directives and their impacts on companies, including micro-enterprises, and tourists.

### ***2. Promote the development of sustainable, responsible and high quality tourism:***

- continue the dialogue with the aviation industry to minimise environmental impacts and meet international commitments;
- raise awareness among tourists and the industry stakeholders about environmental performance; and
- encourage regional development in line with environmental principles.

### ***3. Consolidate the image and profile of Europe as a collection of sustainable and high-quality destinations:***

- increase efficiency, and investigate the possibility of incorporating facilitating measures or new technologies for visa applications;
- promote strategic planning of cultural or sporting events to include tourism strategies; and
- explore channels to raise awareness about the different quality and environment labels available for tourism facilities and strengthen the image and promotion of Europe as a collection of diverse destinations whilst working on a coherent transport network across Europe.

The policy areas investigated under this study will continue to be relevant to the development and growth of the industry and continuing the dialogue among the different relevant policy makers and sub-sectors is crucial to achieve the priorities of the 2010 Communication. The main challenges remain to recognise the potential synergies between the various policies and tourism, including their impact both on tourists and the tourism industry. In this way, the contribution of other policies to the achievement of the objectives set out in the Commission Communication can be maximised, helping to harness the potential of the tourism sector to assist in meeting the overall sustainable development goals of the EU.



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**ANNEX 1: LISTS OF MEASURES BY POLICY AREA**

**ANNEX 2: SUMMARIES OF MEASURES BY POLICY AREA**

***GLOSSARY***

ABTO	Association of Belgian Tour Operators
AEA	Association of European Airlines
BHA	British Hospitality Association
BRIC	Brazil, Russia, India and China
ECTAA	European Travel Agents' and Tour Operators' Association
EFCO&HPA	European Federation of Campingsite Organisations and Holiday Park Associations
ETC	European Travel Commission
ETOA	European Tour Operators Association
ETS	Emission Trading Scheme
GDP	Gross Domestic Product
HOTREC	Association representing Hotels, Restaurants and Cafés in Europe
HPA	Holiday Park Associations
IAAPA	International Association of Amusement Parks and Attractions
IMF	International Monetary Fund
IRU	International Road Transport Union
NACE	Classification of Economic Activities in the European Community
NITB	Northern Ireland Tourist Board
SME	Small and medium-sized enterprises
UNWTO	UN World Tourism Organisation

## 1. INTRODUCTION

### 1.1 Background

A decade into the twenty first century, European tourism has already faced a number of challenges, including the economic crisis, demographic change, globalisation and even natural phenomena such as the eruption of the Eyjafjöll volcano in 2010. However, despite the stalled economic recovery, the European Union Member States (EU-27) have remained the world's Number 1 tourist destination. Compared to the previous year, 2011 saw an additional 20 million international arrivals in Europe (nearly 50% of the additional 41 million worldwide) and tourist arrivals to the EU-27 have exceeded 380 million (UNWTO, 2012; European Travel Commission, 2012). The first results of 2012 indicate that international tourism continued to show sustained growth<sup>2</sup> although there are continuing concerns over the effects of the Eurozone crisis<sup>3</sup>.

European tourism represents the third largest economic sector in the EU after the trade and distribution sector and the construction sector. The importance of tourism was highlighted by the Commission in its 2010 communication<sup>4</sup> as follows:

*With some 1.8 million businesses, primarily SMEs, employing approximately 5.2% of the total workforce (approximately 9.7 million jobs, with a significant proportion of young people), the European tourism industry generates over 5% of EU GDP, a figure that is steadily rising.*

There are many diverse businesses operating within the tourism sector covering travel organisers, visitors' attractions, restaurants, and tourism related means of transport. The majority of the companies in the sector are micro-, small- and medium-sized enterprises, but there are also large multinational organisations. Indirectly, tourism generates more than 10% of Europe's gross domestic product (GDP) and provides about 12% of the labour force.

The ratification and implementation of the Treaty of Lisbon has brought about an increased role for the European Commission within the area of tourism. The Treaty foresees a new competence set for the EU to support, complement and coordinate Member States' actions in the field of tourism. This allows scope for a more coherent approach between all European institutions and Member States.

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<sup>2</sup> May 2012 update of the UNWTO World Tourism Barometer, <http://www2.unwto.org/en/press-release/2012-05-10/international-tourism-strong-start-2012>

<sup>3</sup> European Travel Commission (2012a): **European Tourism 2011 – Trends & Prospects: Quarterly Report – Q1/2012**, dated April 2012 and available at: <http://www.etc-corporate.org/market-intelligence/reports-and-studies.html>

<sup>4</sup> European Commission (2010) **Europe, the world's No 1 tourist destination – a new political framework for tourism in Europe**, European Commission (COM (2010)352) final dated of 30.06.2010 – hereafter referred to as the *2010 Communication*.

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## 1.2 Objectives of the Study

Tourism, as an economic sector, is forecast to increase its influence and contribution to the overall employment rate in the EU, as well as to economic development and social cohesion, hence the importance of understanding developments within the sector and how the sector is impacted by different policy areas.

The overall aim of this study is to examine the impact of different EU policies, and their legislative and non-legislative initiatives and proposals, on tourism and its competitiveness. It should also provide a practical map and guide to EU financial instruments for use by public and private stakeholders in the tourism sector in identifying and accessing funding. **This guide is presented in Volume 2 of this Report.**

More specifically, the study's objective is to thoroughly examine the past, current and planned future policy actions and initiatives of EU policies affecting tourism and to develop a methodology for the better mainstreaming of tourism in the future. This will enable the sector to enjoy the positive impact of developments in other EU policy fields and will assist policy makers in recognising and making better use of the benefits of possible synergies between Community instruments.

## 1.3 Approach to the Study

The study has consisted of a review of the European Commission's actions in the field of tourism as well as a review of related policy instruments with an impact on tourism activities, based on published documents.

Key industry stakeholders<sup>5</sup>, relevant Member State authorities (Tourism Advisory Group Members – TAC) and Commission services were consulted by e-mail and telephone from November 2011 to January 2012. This consultation helped to identify the synergies and highlight the main legislative and non-legislative instruments affecting tourism within each policy area. The consultation also helped to distinguish and to refine the list of relevant instruments with a more direct impact on tourism.

### **Box 1.1: Stakeholder Consultation**

E-mail questionnaires were distributed to responsible Commission services, EU-27 Member States' and candidate countries' authorities and to over 20 industry stakeholder organisations. This resulted in a combination of written responses, telephone interviews and meetings.

In relation to the industry stakeholders, we are grateful to the following organisations which provided detailed responses:

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<sup>5</sup> In total 23 stakeholders were approached. The response rate was medium (43% - 10 respondents) which included one face-to-face meeting in Brussels, five telephone conversations and four written statements received.

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**Box 1.1: Stakeholder Consultation**

- European Cruise Council (ECC)
- European Technology & Travel Services Association (ETTSA)
- European Federation of Farm and Village Tourism (EUROGITES)
- European Federation of Campingsite Organisations and Holiday Park Associations (EFCO&HPA)
- International Association of Amusement Parks and Attractions (IAAPA)
- International Civil Aviation Organisation (ICAO)
- European Cyclist Federation (ECF)
- European Consumer Voice in Standardisation (ANEC)
- International Road Transport Union (IRU)
- Hotels, Restaurants & Cafés in Europe (HOTREC)

A number of questions were formulated for main tourism stakeholders and agreed with the Commission. These included:

- *What are the most important problems for the tourism industry in your country? Could any of these be addressed by action at the EU level in the short or medium term? If so, how?*
- *Can you give any examples of EU policies that have impacted (positively or negatively) the tourism industry within your country?*
- *Do current regulations pose any barriers to your operations? If so, what changes could be made to overcome these barriers?*

## **1.4 Structure of Report**

The remainder of this report has been organised as follows:

- **Section 2** provides an overview of the European tourism industry and the challenges faced by the industry as indicated by an earlier consultation conducted in 2009. It provides the context for the subsequent analysis;
- **Section 3** provides a summary of actions by the Commission in the specific area of tourism in response to the challenges identified in the 2009 consultation;
- **Section 4** provides an analysis of the relevant measures identified for each policy area and assesses their impact on the challenges identified in Section 2 as well as on tourism objectives; and
- **Section 5** summarises the findings and outlines policy recommendations including a methodology for the mainstreaming of tourism in future work programmes.

A comprehensive list of the measures in other policy areas which have been considered is presented in **Annex 1**, with the associated summary tables provided in **Annex 2**.



## **2. EUROPEAN TOURISM**

### **2.1 Overview of European Tourism Demand**

Council Decision of 17 December 1990 defines tourism as “activities of persons travelling to and staying in places outside their usual environment for not more than one consecutive year for leisure, business and other purposes”<sup>6</sup>.

Tourism is a demand-led activity and is influenced by many external factors which affect consumer behaviour, such as disposable income, availability of time, technology, demographics, etc. According to the latest Eurobarometer survey (March 2012<sup>7</sup>), the main reason for not taking a holiday in 2011 was financial. However, the proportion of EU citizens who went away in 2011 remained relatively unchanged when compared to the previous year (with 72% of Europeans travelling in 2011), but was higher than reported for 2009 (with 55% of Europeans travelling in 2009). According to the Eurobarometer survey:

- the majority of respondents who went on holiday in 2011 stayed in their own country (56% of respondents);
- more than four out of 10 (44%) said that they went to another EU country. For these respondents, the most visited countries were Spain (17%), Italy (17%), France (16%), Germany (13%) and the UK (10%);
- just under a quarter (22%) of respondents said they holidayed in another country outside the EU; and
- nearly three quarters (73%) of people in the EU are still planning to go on holiday in 2012. Of these, 33% have changed their plans due to the economic situation. As a result, they have reduced their expenditure, holiday length and/or changed destination.

### **2.2 Overview of European Tourism Industry**

According to estimates from the European Commission, tourism accounts for more than 5% of the EU-27’s GDP<sup>8</sup>. Total employment within the EU-27’s tourism industry is estimated to be between 12 million and 14 million people (according to

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<sup>6</sup> The main purpose of the visit should be other than the exercise of an activity remunerated from within the place visited.

<sup>7</sup> European Commission (2012) **Flash Eurobarometer 334; Attitudes of Europeans Towards Tourism**, March 2012, available at: [http://ec.europa.eu/public\\_opinion/flash/fl\\_334\\_en.pdf](http://ec.europa.eu/public_opinion/flash/fl_334_en.pdf)

<sup>8</sup> European Commission (2010) **Europe, the world’s No 1 tourist destination – a new political framework for tourism in Europe**, European Commission (COM (2010)352) final dated of 30.06.2010 – hereafter referred to as the *2010 Communication*

preliminary estimates from tourism satellite accounts<sup>9</sup>). The tourist accommodation sector alone employs 2.3 million people in the EU-27.

The tourism sector is very heterogeneous. Some activities cater specifically for tourists and heavily depend on tourism, e.g. tourist accommodation, travel agencies, and long-distance passenger transport. Other activities, such as restaurants and bars, car rental services, entertainment and attraction services, often rely on tourism as a source of income, but the level of dependency varies, according, for instance, to location. More than 90% of all tourism companies are micro or small enterprises, with fewer than 50 employees.

The tourism sector as a whole appears to have fared reasonably well despite the economic down-turn. For instance, despite accommodation being the hardest hit tourism sub-sector in the period 2008-2009, collective tourist accommodation (such as campsites and holiday dwelling) saw a rise in numbers in 2009 compared to 2004. According to recent data, numbers of hotels and similar accommodation in the EU-27 have also increased since 2005 (Eurostat, 2012)<sup>10</sup>.

In 2006, there were approximately 78 200 enterprises delivering travel agency services in EU-27 (Eurostat, 2009<sup>11</sup>). In 2009, this number was estimated at around 77 500 by ECTAA (the European Travel Agents' and Tour Operators' Association)<sup>12</sup>, a reduction of 700 (less than 1%). However, the travel agency sector's turnover grew by around 3.6% from 2004 to 2009 (Eurostat, 2011 *ibid*). This confirms the positive outlook for the industry, which is matched by the findings of the recent Eurobarometer survey confirming that nearly three quarters (73%) of people in the EU are still planning to go on holiday in 2012.

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<sup>9</sup> A Tourism Satellite Account (TSA) is a statistical framework in the field of tourism (developed by United Nations Statistics Division (UNSD), the Statistical Office of the European Communities (EUROSTAT), the Organisation for Economic Co-operation and Development (OECD) and the World Tourism Organization (UNWTO)) which is used by some Member States as described in: [http://ec.europa.eu/enterprise/sectors/tourism/cooperation/tourism-satellite-account/index\\_en.htm](http://ec.europa.eu/enterprise/sectors/tourism/cooperation/tourism-satellite-account/index_en.htm)

<sup>10</sup> Eurostat (2012): *Occupancy of tourist accommodation surpasses the pre-crisis level*, *Statistics in focus Industry, trade and services*, available at: [http://epp.eurostat.ec.europa.eu/cache/ITY\\_OFFPUB/KS-SF-12-008/EN/KS-SF-12-008-EN.PDF](http://epp.eurostat.ec.europa.eu/cache/ITY_OFFPUB/KS-SF-12-008/EN/KS-SF-12-008-EN.PDF)

<sup>11</sup> Eurostat (2009): *Facts and Figures European Business*, *Statistical Books* available at: [http://epp.eurostat.ec.europa.eu/cache/ITY\\_OFFPUB/KS-BW-09-001/EN/KS-BW-09-001-EN.PDF](http://epp.eurostat.ec.europa.eu/cache/ITY_OFFPUB/KS-BW-09-001/EN/KS-BW-09-001-EN.PDF)

<sup>12</sup> ECTAA (2009): *Table of Statistics 2009*, available at: <http://www.ectaa.org/Portals/0/MOM11-002-448.pdf>



### **3. CHALLENGES AND ACTIONS IN THE AREA OF TOURISM**

#### **3.1 Challenges**

##### **3.1.1 Introduction**

A study conducted in 2009 for the Commission consulted on the key challenges and barriers to the competitiveness of the tourism sector (Ecorys, 2009<sup>13</sup>). It focused on the sub-sectors of Accommodation and Tour Operators and Travel Agents (TO&TAs). The general view from stakeholders was that a reduction of bureaucratic procedures and the simplification of European legislation could improve the sector's competitiveness. It was also suggested that implementation of certain EU legislative measures had led to major differences amongst Member States, resulting in a competitive disadvantage for certain countries' tourism industry (ibid.)

Some of the challenges identified in the 2009 consultation report are described below. These challenges are presented in order to assess the extent to which they have been addressed by the actions of the Commission, as described in Section 4, and in order to develop policy recommendations where such challenges have not yet been addressed.

##### **3.1.2 Burden on Businesses from Increased EU/National Regulation or Outdated EU Legislation**

Although stakeholders recognised that the European Commission had done considerable work in different fields such as consumer protection and sustainability in relation to tourism, a number of stakeholders commented that certain legislation needed to be updated to reflect the current structure of the industry and, thus, ensure a level playing field for business. One example of this is the Package Travel Directive where the obligation of compulsory refund and repatriation by the organiser of the package in the event of an insolvency of any of the providers<sup>14</sup> is currently not applicable to scheduled airlines, which provide 'click-through' services allowing the consumer to build their own package. This issue is being addressed in the current revision of the Directive.

Airline company representatives generally considered the airline sub-sector to be heavily regulated, potentially affecting its competitiveness. Stakeholders noted that the Emission Trading Scheme (ETS), applicable from 2012, will result in additional costs for European airlines compared to non-EU airlines, with larger impacts for the low-cost carriers segment (ECTAA, in Ecorys 2009).

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<sup>13</sup> Ecorys (2009): **Study on the Competitiveness of the EU tourism industry**, report for DG Enterprise & Industry, dated September 2009.

<sup>14</sup> This financial security is provided by a bond, insurance or trust fund, normally established through national trade associations. In the UK there is an additional requirement to have an Air Tour Operator's License (ATOL) which counts towards the financial security obligation.

Accommodation industry stakeholders suggested that the tourism sector requires flexible working time arrangements (HOTREC, in Ecorys 2009). Directive 2003/88/EC concerning certain aspects of the organization of working time (Working Time Directive) stipulates that workers must not work more than an average of 48 hours a week (calculated over any four-month period). Although the Directive allows for broad derogations, stakeholders considered that it caused problems when it came to activities of a seasonal tourism company (IAPPA, in Ecorys 2009). It was noted that many companies carry out the core of their activities over a full season (e.g. four summer months or four winter months) and, as such, limits on working hours could compromise the existence of the business. The Working Time Directive is currently under revision.

In contrast to the general industry view, the International Association of Amusement Parks and Attractions (IAAPA) considered there to be a role for harmonisation and standardisation of safety legislation for amusement rides, which was still largely dealt with at a national level, resulting in differences amongst Member States.

Airline stakeholders also supported the creation of a Single European Sky for air traffic management. This was initiated by the Communication from the Commission in December 1999 and made operational through two Single European Sky packages to create a legislative framework for European aviation. The US-EU Open Skies Agreement was also seen as a positive initiative, opening up more markets for EU airline companies, but also increasing competition from non-EU airline companies.

### **3.1.3 Impacts on Competitiveness from Differences in Implementation of Relevant EU Legislation**

Businesses also noted that differences in implementation of EU legislation among the Member States have resulted in competition discrepancies within the EU.

An example given of differences in implementation was taxation. In the context of the VAT Directive, for instance, each Member State can decide the level of taxation autonomously (within the limits set by the EU). The Tour Operators Margin Scheme (TOMS)<sup>15</sup> aimed to simplify tax payments for tour operators who bought goods and services from many businesses in other countries allowing them to pay VAT on the margin between the total cost of the components (tax inclusive) and the price charged to the consumer. This tax is paid in the country where the tour operator is based. However, general rules established by TOMS have been interpreted differently in different Member States, leading to very different VAT rates being applied to tourism products across EU. For example, in Belgium, VAT is applicable on travelling both within the EU and out of the EU. In the Netherlands or Denmark no VAT is applicable on travel. In France, travelling within the EU is taxed at 20.6% and at 0% towards non-EU destinations. This leads to a competitive disadvantage for tour operators in some Member States (Ecorys, 2009). The consultation also highlighted that any EU-based operator competing internationally was at a disadvantage

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<sup>15</sup> Introduced in 1977 as article 26 of the 6th VAT Directive.

compared to tour operators based in non-EU countries, as consumers could buy a product, possibly offered at a lower price, from an operator based elsewhere, who is not subject to tax on their margins.

The VAT rate system was revised in 2009 (Directive 2009/47/EC as regards reduced rates of VAT) to give the option to all Member States to apply reduced VAT rates to labour intensive services, including tourism related services such as tourism accommodation, restaurant and catering services, admissions to cultural and sport events and facilities, and transport of passengers and their luggage.

Another example of variability in implementation was the Services Directive where, according to one consultee, licences to operate were required for travel agents in 15 Member States, but not in the other 12. This could lead to additional costs for travel agents in some Member States, putting them at a competitive disadvantage with travel agents in Member States where licences to operate are not required.

### **3.1.4 Impacts on Competitiveness from Differences in Quality Labelling and Standards**

The 2009 study also recognised that the wide range of tourism-related quality labels across the EU was making comparability across borders very difficult for customers (Ecorys, 2009). This remained a problem, despite attempts to make accommodation quality evaluation clearer (e.g. the 2007 European Hospitality Quality Scheme – EHQS initiated by HOTREC<sup>16</sup>). In addition, the lack of a European independent controlling body to check whether companies that carry a label fulfil all requirements was seen as an obstacle to the credibility of the schemes.

Concerning standards, stakeholders noted that it is very difficult to find common national regulatory frameworks across the EU-27 which makes proposals for European standards impractical. Moreover, standards are very costly to introduce, especially for SMEs. It was the industry's opinion that initiatives on standards should be led by the industry itself and not by standardisation bodies, as is the case at the moment (Ecorys, 2009).

### **3.1.5 Travel-related Obstacles for non-EU Inbound Tourists**

Although there is a variety of costs associated with tourism, including airport and city/regional taxes, the main barriers for international tourism arrivals identified in the 2009 report were:

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<sup>16</sup> The EHQS initiated and managed by HOTREC (Hotels, Restaurants and Cafes in Europe) set out a system for the evaluation of the quality schemes and minimum criteria at different levels for any national or regional scheme to be accredited under the EHQS. To date, four national schemes have been accredited in Switzerland, Hungary, Germany and Sweden, covering 4700 establishments. This approach is noted to be in line with the Services Directive. More information available at: <http://www.hotrec.eu/policy-issues/quality.aspx>

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- the lengthy procedures to obtain visas in various third countries, especially emerging ones showing high growth rates and increased potential as tourist generating markets, such as Russia, India and China; and
- the high costs of a Schengen visa for third country visitors.

The creation of the Schengen area was considered a very important development for tourism within the EU. The Schengen Area comprises the territories of twenty-six European countries<sup>17</sup> that have implemented the Schengen Agreement signed in the town of Schengen, Luxembourg, in 1985<sup>18</sup>. The Schengen Area operates very much like a single state for international travel with border controls for those travelling in and out of the area, but with no internal border controls. Despite its benefits for EU tourists, however, it seems that higher costs associated with a Schengen visa (a flat rate of €60), compared to costs of previous single-country visas (which varied between Member states), could act as an obstacle for in-bound tourists wishing to visit only one EU country. However, the benefits associated with a Schengen visa outweigh this obstacle, as it reduces the administrative burden and costs for those tourists wishing to visit more than one EU country. Furthermore, it could encourage travel between different EU Member States for the same reason.

## **3.2 Actions by the Commission**

### **3.2.1 The 2010 Tourism Communication - Objectives**

In response to the importance of the tourism industry to the European economy, and taking into account the pressures facing the industry from the economic crisis and challenges outlined above, a high-level meeting of ministers and industry stakeholders was held in Madrid in April 2010. This led to the adoption of the Commission Communication: **Europe, the world's No 1 tourist destination – a new political framework for tourism in Europe** of June 2010 (the *2010 Communication*)<sup>19</sup>.

The *2010 Communication* proposed a consolidated political framework for the EU tourism policy and outlined a set of actions to be implemented jointly by the Commission, Member States (and their regions) as well as by the industry stakeholders. All of these actions should contribute to tackling relevant challenges in the sector. These actions complement (or support) those which the Member States are taking, to ensure that tourism remains a competitive, modern, sustainable and responsible industry.

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<sup>17</sup> EU-27 without UK, Ireland, Bulgaria, Romania and Cyprus but including Iceland, Liechtenstein, Norway and Switzerland.

<sup>18</sup> The Schengen Agreement on the gradual abolition of checks at common borders was initially signed in 1985 by five Member States: Belgium, France, Germany, Luxemburg and the Netherlands. Over the years the Schengen area has gradually expanded to include 26 Member States at the moment.

<sup>19</sup> [http://ec.europa.eu/enterprise/sectors/tourism/files/communications/communication2010\\_en.pdf](http://ec.europa.eu/enterprise/sectors/tourism/files/communications/communication2010_en.pdf)

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The Communication identified four ‘priority areas’ under which, for the purpose of the present report, a number of specific sub-objectives have been identified for each priority area, as follows:

**1) *Stimulate competitiveness in the European tourism sector***

- promote diversification of the supply of tourist services
- develop innovation and facilitate ICT uptake in the tourism industry
- improve professional skills
- encourage an extension of the tourist season
- consolidate the socioeconomic knowledge base for tourism

**2) *Promote the development of sustainable, responsible and high-quality tourism***

- encourage the responsible use of natural resources
- take account of the environmental impact of activities (production of waste, pressure on water, land and biodiversity, etc.)
- monitor sustainable management at destination level
- facilitate the protection of the heritage and preservation of the natural and cultural integrity of destinations
- streamline quality and quality evaluation in the tourism sector
- raise awareness of responsibility and sustainability in the sector

**3) *Consolidate the image and profile of Europe as a collection of sustainable and high-quality destinations***

- raise the profile of Europe as a world tourism destination and promote the image of Europe as a collection of diverse tourism destinations
- facilitate joint promotion of Europe's transnational tourism products in world markets

**4) *Maximise the potential of EU policies and financial instruments for developing tourism***

- ensure better integration of tourism into other EU policies
- ensure that the proper application of legislation in force releases the sector's full competitive potential.

### **3.2.2 The 2010 Tourism Communication - Progress by Priority Area**

The Commission provides regular updates on the progress of implementing the actions<sup>20</sup> identified in the **2010 Communication**. Although the details of all the measures being taken are not reproduced here, some illustrative examples are briefly outlined below against each of the priority areas (as presented in the Commission's latest update of May 2012).

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<sup>20</sup>

These updates are available at:

[http://ec.europa.eu/enterprise/newsroom/ef/itemdetail.cfm?item\\_id=5719&lang=en](http://ec.europa.eu/enterprise/newsroom/ef/itemdetail.cfm?item_id=5719&lang=en)

***Stimulate competitiveness in the European tourism sector***

In order to diversify tourism services, positive steps are being taken to support the development of transnational thematic tourism products and services (e.g. cycle tourism and other forms of tourism, such as heritage based tourism).

Various steps are being taken to support the Calypso initiative<sup>21</sup> which is intended to provide tourism opportunities for disadvantaged groups ('social tourism') outside of peak holiday periods, thus also supporting the extension of the tourist season.

Actions have also been undertaken in order to develop innovation and facilitate ICT uptake in the tourism sector. These include a platform (ICT and Tourism) to facilitate the adaptation of the tourism sector and its business to market development in new information technologies<sup>22</sup>.

***Promote the development of sustainable, responsible and high-quality tourism***

One of the key actions in the **2010 Communication** which addresses this priority area is the proposal to develop a European Charter for Sustainable and Responsible Tourism. A first draft had been developed and was the subject of a stakeholder consultation in the first quarter of 2012<sup>23</sup>.

Furthermore, the Commission is working towards a "European Tourism Label for Quality Systems". This will take the form of a voluntary "umbrella" label which assesses and recognises tourism quality systems. Preparatory work on the label, in close cooperation with the public and private stakeholders and including a targeted consultation on the operation of this scheme was undertaken between October 2010 and January 2012. An open conference was held in January 2012, with the majority of stakeholders being in favour of full European coordination. The Commission has suggested that this initiative could be adopted in the form of a regulation. The potential impacts of the initiative are currently being assessed (EC, 2012)<sup>24</sup>. The proposal is set for adoption by the Commission by the end of 2012. After its adoption, the initiative will be scrutinised by the European Parliament and the Council in ordinary legislative procedure during the course of 2013.

***Consolidate the image and profile of Europe as a collection of sustainable and high-quality destinations***

One of the key aims is to attract tourists from emerging economies (including the BRIC countries) to visit Europe. Steps have already been taken, in close cooperation

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<sup>21</sup> [http://ec.europa.eu/enterprise/sectors/tourism/calypso/index\\_en.htm](http://ec.europa.eu/enterprise/sectors/tourism/calypso/index_en.htm)

<sup>22</sup> [http://ec.europa.eu/enterprise/sectors/tourism/ict/index\\_en.htm](http://ec.europa.eu/enterprise/sectors/tourism/ict/index_en.htm)

<sup>23</sup> *Consultation of stakeholders on the "European Charter for Sustainable and Responsible Tourism"*  
[http://ec.europa.eu/enterprise/newsroom/cf/itemdetail.cfm?item\\_id=5758&lang=en&tpa\\_id=136](http://ec.europa.eu/enterprise/newsroom/cf/itemdetail.cfm?item_id=5758&lang=en&tpa_id=136)

<sup>24</sup> EC (2012): **Overview of the debate of the Conference on the European Tourism Quality Label – Brussels, 25 January 2012**, dated 23 February 2012.

with the Member States' National Tourism Offices and with the European Travel Commission (ETC), towards creating a common image for Europe as a set of high-quality and sustainable destinations.

In line with this new policy framework, the European Commission and the European Travel Commission (ETC) signed a Joint Declaration in October 2011, which sets out the basis for strengthening the image and promotion of 'Destination Europe' in the future (ETC, 2011).

***Maximise the potential of EU policies and financial instruments for developing tourism***

In relation to this priority area, the first step is to explore how tourism is accounted for in EU policies and how the tourism industry may access and benefit from EU funding programmes. This is the principal reason for this study.

**The next section presents an overview of legislative and non-legislative instruments within various EU policy areas with a potential impact on tourism.**

**In addition, the accompanying Volume 2 provides a map of EU financial instruments which could potentially be used directly or indirectly for tourism related activities.**





## **4. COMMISSION ACTIONS IN OTHER POLICY AREAS HAVING AN IMPACT ON TOURISM**

### **4.1 Overview**

A number of EU policies have been screened in order to identify the synergies with tourism policy. This will allow policy makers to capitalise on these synergies for better mainstreaming of tourism into their future work programme. Policies which are relevant to or have an impact on tourism fall into the following categories:

- Agriculture and rural development;
- Climate change;
- Competition;
- Education and culture;
- Employment, social affairs and inclusion;
- Energy;
- Enlargement;
- Environment;
- Health and consumer protection;
- Home affairs;
- Communications Networks, Content and Technology;
- Internal market and services;
- Justice;
- Maritime affairs and fisheries;
- Mobility and transport;
- Regional policy;
- Research and innovation;
- Taxation;
- Trade; and
- Development and cooperation.

Sub-sections 4.2 to 4.17 describe the main actions by the Commission in the different policy areas and how these have had, or will have, an impact on tourism. The sub-sections describe the synergies between different EU policies and tourism, according to their **relevance** for the mainstreaming of actions in the future.

An extensive list of measures under the different EU policies which are considered as relevant or having an impact on tourism is presented in Annex 1. These were consulted on with the relevant Commission services and the list was redefined according to their suggestions and comments.

Details on the most representative measures retained in Annex 1 are provided in Annex 2. Those measures which are considered most relevant for the tourism

industry are highlighted in bold in Annex 1 and are briefly referred to in the subsections below.

## **4.2 Agriculture and Rural Development**

The Directorate-General for Agriculture and Rural Development is responsible for the implementation of agriculture and rural development policy, and it deals with all aspects of the Common Agricultural Policy (CAP).

The EC agricultural and rural development policy's main link to tourism is the promotion of an integrated view of rural tourism where resources, products, services and the local community are interconnected. The 2007-2013 rural programme includes a specific mention of rural tourism and the strategic guidelines for rural development for the programming period 2007-2013 (Decision 2006/144/EC) refer to the opportunities offered by rural areas in relation to tourism. The strategic guidelines encourage Member States to focus their support on the diversification of rural areas into tourism activities, the development of a skilled workforce, as well as the adoption of new technologies. With regard to the latter, ICT can increase visitor numbers, length of stays and provide links to smaller facilities encouraging agri-tourism. ICT can be used for booking systems, promotion, marketing, service design and recreational activities.

Integrated rural tourism<sup>25</sup> can bring considerable benefits to rural communities, avoiding the damage associated with mass tourism (Oliver and Jenkins 2003, Saxena et al 2006; in ESPON & UHI Millennium Institute, 2011<sup>26</sup>). In addition, it offers the potential to increase the competitiveness of the tourism sector in general through the diversification of tourism activities. In most cases, however, tourism as a form of farm diversification is still a small side-line in income terms. Tourism is particularly underdeveloped in the rural areas of Eastern Europe, where the main activity remains agricultural production (Ecorys, 2010). Although the level of rural tourism seems to be steadily increasing<sup>27</sup>, it is reasonable to assume that access to natural environmental resources would be a key precondition to the success of rural tourism (ESPO & UHI Millennium Institute, 2011). This highlights the interdependence between tourism (including rural tourism) and the environment and, therefore, the need to duly reflect such linkage in policy-making.

The literature on the barriers to developing rural tourism in the EU is sparse. It appears likely that access to rural areas for tourists is a problem, due to the lack of a

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<sup>25</sup> Defined as 'tourism that is mainly sustained by social networks that explicitly link local actors for the purpose of jointly promoting and maintaining the economic, social, cultural, natural, and human resources of the localities in which they occur'

<sup>26</sup> ESPON & UHI Millennium Institute (2011); **EDORA European Development Opportunities for Rural Areas**, Applied Research 2013/1/2, Final Report

<sup>27</sup> Ecorys (2010): **Study on Employment, Growth and Innovation in Rural Areas (SEGIRA)**, report for DG Agriculture, dated December 2010

well-developed transport infrastructure, more limited provision of tourism services and/or lack of ease in booking. A study on rural tourism is currently being conducted by the Commission, which may shed further light on relevant barriers and opportunities. It is important that the barriers to developing rural tourism are investigated and addressed, but also, in line with the priorities of the 2010 Communication, that the integrity and sustainability of potential tourist sites in the medium to longer term is maintained. This process is likely to encompass different policy areas, such as the development of transport infrastructure, environmental policies, access to new technologies, access to finance, etc.

### **4.3 Climate Change**

The Directorate-General for Climate Action, created in 2010, is responsible for various aspects of climate change, with an emphasis on achieving emission targets and implementing the emissions trading scheme<sup>28</sup>. This work was previously undertaken by DG Environment.

The linkages between tourism and climate change are clear when considering the impact of travelling on climate and, vice versa, the impact of climate-related legislation and taxes on the tourism industry. Aviation transport alone is estimated to account for 4.9% of the global total climate change impact. Aviation is the fastest growing source of transport greenhouse gas emissions and the most climate-intensive form of transport, with emissions more than doubling in the last twenty years (AEF et al, 2012<sup>29</sup>).

In an attempt to curb the impacts, the EU has included aviation, both domestic and international, in the emissions trading scheme (EU-ETS) set up by Directive 2008/101/EC from January 2012. However, the aviation industry and a number of non-EU states have been highly critical of Europe's approach. Although the Impact Assessment to the Directive concluded that aviation's inclusion in the EU-ETS would have only a marginal effect on profitability, stakeholders considered that it may potentially have a significant impact on tourism, affecting the competitiveness of the European tourism sector. Airlines are expected to pass on the costs of participating in the scheme to their customers which could imply that, by 2020, the price of airline tickets for a return journey could increase by between €4.60 and €39.60, depending on journey length<sup>30</sup>. According to the Impact Assessment, however, passing the costs on to consumers would have a small effect on forecast demand (EC, 2006). The emissions limit - *the cap* - took effect on January 1, 2012. The effects of the

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<sup>28</sup> [http://ec.europa.eu/dgs/clima/mission/index\\_en.htm](http://ec.europa.eu/dgs/clima/mission/index_en.htm)

<sup>29</sup> AEF et al (2012): A new Flightplan, Getting global aviation climate measures off the Ground, Background report to the Conference held in Brussels, 7 February 2012, available at: <http://www.transportenvironment.org/sites/default/files/media/Aviation%20Conference%20Background%20Report.pdf>

<sup>30</sup> <http://atwonline.com/international-aviation-regulation/news/europe-approves-imposition-ets-beginning-2012-0708>

Regulations on the tourism sector are therefore still unclear. However, the Commission is continuing to work with other countries through the International Civil Aviation Organisation (ICAO) to limit greenhouse gas emissions from international aviation. The environmental benefits associated with such a reduction in emissions could offset the adverse impacts on the aviation industry (resulting from its inclusion in the ETS) and could even enable it to benefit from the sale of permits.

In December 2010, the EU voted in favour of the 2010 Cancún Agreements to develop mitigation and adaptation strategies for long-term impacts of climate change. The Agreement is a set of decisions which were adopted at the end of the UN Climate Conference in Mexico (December 2010), building a comprehensive and legally binding framework for climate action for the period after 2012. Although the Cancún Agreements do not refer to tourism specifically, the decisions to mitigate the impacts of climate change could affect tourism. In this regard, the Council of the European Union has acknowledged the need to devote adequate investment to the tourism sector in order to mitigate the negative impacts of climate change<sup>31</sup>. The impact of the Agreements on sustainable tourism will depend upon the actions of individual governments.

#### **4.4 Competition**

The Directorate-General for Competition is responsible for establishing and implementing a coherent competition policy for the European Union. Its remit includes work on antitrust, mergers, cartels and state aid across all sectors, including the tourism sector<sup>32</sup>.

Ensuring fair competition in the tourism sector creates advantages for tourists, as they are likely to benefit from innovation, variety and competitive prices. Regulation (EC) No 1/2003 of 16 December 2002 on the implementation of the rules on competition laid down in Articles 81 and 82 of the Treaty falls under the field of antitrust and was applied to air travel from 1 May 2004. The Regulation prohibits:

- agreements between two or more firms which could restrict competition, for example in the case of a cartel which may involve price-fixing or market sharing; and
- abuse of position by firms dominating the market, for example through predatory pricing which aims at eliminating competitors.

In 2009, the Regulation was invoked in relation to a complaint by Virgin Atlantic. The company alleged the existence of a revenue-sharing joint venture between British Airways (BA), American Airlines (AA) and Iberia (IB) in relation to transport

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<sup>31</sup> Council of the EU (2011): Presidency Conclusions on the discussions at the Informal Meeting of Environment Ministers Sopot, 11-12 July 2011, available at: <http://register.consilium.europa.eu/pdf/en/11/st14/st14623.en11.pdf>

<sup>32</sup> [http://ec.europa.eu/competition/index\\_en.html](http://ec.europa.eu/competition/index_en.html)

services on transatlantic routes. The complaint suggested that BA, AA and IB had agreed to implement a Joint Business Agreement which involved managing schedules, capacity, price fixing and revenue sharing. In response, the Commission adopted legally binding commitments with BA, AA and IB in 2010, in which the companies offered steps to increase competition. These included enabling competing airlines to start operating (or increase their services) on the affected route by lowering barriers to entry and increasing landing and take-off slots available at London Heathrow Airport. The commitments are binding upon the parties for a period of ten years.

Regulation (EC) No 139/2004 of 20 January 2004 on the control of concentrations between undertakings (the EC Merger Regulation) is also of relevance to tourism. This Regulation gives the Commission powers to declare whether a concentration of companies is compatible or incompatible with the internal market rules. The Regulation is applicable to a range of commercial activities and has been invoked in a number of cases in the tourism sector. One of these cases is the Axa, Permira, Opodo and Go Voyages merger, which was declared compatible with the internal market rules in 2011. Another example was the proposed acquisition of Worldspan, the US electronic travel distribution services provider, by Travelport. This acquisition was cleared by the Commission in 2007. However, in 2011, the Commission prohibited the proposed merger between Aegean Airlines and Olympic Air, on the basis that it would have resulted in a quasi-monopoly on the Greek air transport market.

The Commission issued a communication in 2005 to support the development of airports and the start-up of airline routes from regional airports. The 2005 “Community guidelines on financing of airports and start-up aid to airlines departing from regional airports” set up a system of grant aid to small regional airports, which find it more difficult to attract new routes and connections. The Commission ran a consultation process in 2011 to assess the implementation of the guidelines and to receive proposals from public authorities to revise them. The consultation responses have shown some concern about the impacts of the guidelines on the competitiveness of the airline sector, as well as the regulatory uncertainty caused by the guidelines<sup>33</sup>. As a result of the consultation, changes may be undertaken if considered necessary by the Commission. A possible revision of the Guidelines could offer an opportunity to take into consideration some of the priorities of the 2010 Communication by giving, for example, more priority to the environmental impacts arising from the development of regional airports or directing investment to regions that could provide greater diversity for Europe as a tourist destination.

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<sup>33</sup> Consultation on review of the Community guidelines on financing of airports and start-up aid to airlines departing from regional airports, see DG COMP’s website: [http://ec.europa.eu/competition/consultations/2011\\_aviation\\_guidelines/index\\_en.html](http://ec.europa.eu/competition/consultations/2011_aviation_guidelines/index_en.html)

## 4.5 Education and Culture

The Directorate-General for Education and Culture has as a main responsibility to encourage and facilitate lifelong learning and enrichment of European citizens. Its remit also includes work on languages, sports and culture<sup>34</sup>.

Cultural tourism is one of the largest and fastest-growing global tourism markets (OECD, 2009). Culture and the creative industries are increasingly being used to promote destinations and enhance their competitiveness and attractiveness.

The main example of how culture-related initiatives have impacted tourism in Europe is the Capital of Culture initiative (ECOC), established by Decision No 1622/2006/EC. This measure was specifically identified by some Member States in our consultation as a measure which has positively impacted upon the tourism sector, through increased visits to the nominated cities. Evidence on the impacts suggests that, historically, the selected cities have benefited from a 5 to 10% (or sometimes more) increase in visitor numbers, depending on the city (Palmer & RAE Associates, 2004). Although the long-term success of the scheme in terms of increasing visitors' numbers has been questioned, some cities have managed to maintain the positive impacts, due perhaps to the image change that has resulted. For smaller cities, it may also be the case that the ECOC helps to put them 'on the map' (Palmer & RAE Associates, 2004).

Although cultural and sporting events could assist the development of tourism in Europe, they have seldom been used to benefit regional tourism development (AMNYOS Consultants, 2007). In 2007, a Guide for maximising the durable impacts of cultural and sporting events on tourist destinations and the tourist industry was published by the Commission<sup>35</sup> (AMNYOS Consultants, 2007). The Guide sets out a range of actions that can be taken by tourism SMEs and their organisations, local authorities and organisers of cultural and sporting events, as well as local residents, to maximise the long-term tourism benefits of cultural and sporting events.

In 2011, Decision No 1194/2011/EU established a European Heritage Label (EHL) in order to increase the role of heritage in the economic and sustainable development of the regions, with specific reference to cultural tourism. Candidates for the label are required to submit a plan which commits them to undertake promotion of sites as tourist destinations and to ensure that the management plan is as environmentally friendly as possible, in order to limit any potential negative impacts. The Label is thus a prime example of how the Commission is encompassing different priorities, such as, heritage conservation and sustainable tourism and raising the profile of some European destinations. The impact assessment to the Decision concluded that the

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<sup>34</sup> [http://ec.europa.eu/dgs/education\\_culture/index\\_en.htm](http://ec.europa.eu/dgs/education_culture/index_en.htm)

<sup>35</sup> *Cultural and Sporting Events: An opportunity for Developing Tourist Destinations and the Tourist Industry, A Guide for maximising the durable impacts of cultural and sporting events on tourist destination and the tourist industry*, available at:  
[http://ec.europa.eu/enterprise/sectors/tourism/files/studies/mcs\\_events/mcs\\_events\\_handbook\\_en.pdf](http://ec.europa.eu/enterprise/sectors/tourism/files/studies/mcs_events/mcs_events_handbook_en.pdf)

Label is more likely to impact on the quality of the visitors experience rather than on the number of visitors. However, these numbers may increase over time once the Label acquires credibility and prestige. It is anticipated that the first sites will receive an EHL in 2013. Hence, it is not yet possible to assess the scale of the impacts from the EHL on the tourism industry, but raising awareness about the Label through existing portals, such as *visiteurope*, could help to increase the number of visitors to nominated sites.

#### **4.6 Employment, Social Affairs and Inclusion**

The remit of Directorate-General for Employment, Social Affairs and Inclusion (DG EMPL) includes the free movement of workers within the EU and their social protection<sup>36</sup>.

Employment in the tourism sector is characterised by seasonality and a high level of fixed-term contracts. In 2010, the total proportion of employees in the tourism sector on fixed-term contracts was 22%. This is considerably higher than the 13.9% average for the economy as a whole. However, this percentage varies according to the Member State (e.g. eight Member States registered more than 20% - Poland, Greece, Spain, Italy, the Netherlands, Portugal and Sweden – while others registered less than 5% - Romania, Lithuania and Estonia). In relation to fixed-term contract employees, the Directive 99/70/EC concerning the framework agreement on fixed-term work protects against the abuse of successive fixed-term contracts. It required Member States to introduce measures which deal with the reasons for contract renewal, maximum total duration of contract, as well as the number of renewals. The Member States were required to take account of the needs of specific sectors and categories of workers. However, there is currently a lack of evidence on the overall impacts of Directive 99/70/EC on recruitment strategies in the tourism sector.

‘Posted workers’ is another characteristic of employment in some sub-sectors of the tourism industry. A worker is ‘a posted worker’ when he or she is employed in one EU Member State but sent by his or her employer, on a temporary basis, to carry out work in another Member State. In the tourism sector, posted workers may include employees in hotels operating transnationally or transport sector employees. The Directive 96/71/EC concerning the posting of workers in the framework of the provision of services is intended to ensure that the (minimum) working conditions of ‘posted workers’ are protected throughout the European Union. The Directive sets out a core of mandatory rules regarding the terms and conditions of employment to be applied to an employee posted to work in another Member State (e.g. maximum work periods, minimum rest periods, minimum paid annual leave, minimum rates of pay, etc.).

A recent study on the implementation of the Directive identified problems due to differences in the definition of ‘posting’; this is defined as the ‘temporary’ sending of

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<sup>36</sup> More information can be found at <http://ec.europa.eu/social/home.jsp?langId=en>

an employee by an employer to ‘temporarily’ provide a service in a Member State other than the one in which that employee normally works, but no legal source states expressly the definition of the terms ‘temporary’ or ‘temporarily’ (Ismeri, 2012<sup>37</sup>). The study also identified problems with enforcement of the Directive, associated with the short duration of posting, the problems of transnational enforcement of sanctions and language barriers. Another study by van Hoek & Houwerzijl (2011) noted that transport, hotels, restaurants and catering have been among the sectors which tend to display lower levels of protection of foreign workers. The Commission is currently working on a proposal for improving the enforcement of the Directive, which could offer an opportunity to address the improvement of working conditions in the tourism sector.

Regulation 883/2004, as amended by Regulation 988/2009, and Regulation 987/2009, as amended by Commission Regulation (EU) No 1244/2010 are intended to protect social security rights (with particular regard to accrued entitlements) for workers moving within Europe. Although not specifically targeted at the tourism industry, these regulations affect many workers within the industry who move from country to country ensuring the principles of non-discrimination against national workers and exportability of benefits from one country to another. These Regulations are aimed at facilitating the movement of the workforce across Europe (as they apply to EU 27 plus Iceland, Liechtenstein, Norway and Switzerland).

Decision No 189 of 18 June 2003 introduced a European Health Insurance Card (EHIC) which has clearly benefited tourists when travelling cross-border. It provides citizens with healthcare free of charge at the point of delivery<sup>38</sup> if they become sick or injured while temporarily visiting one of the 31 participating countries. Furthermore, it serves as a means of reassurance with regards to available healthcare for people with health concerns. According to DG EMPL, in 2009, 180 million people held an EHIC. There is some evidence to suggest that popular tourist areas (such as Veneto in Italy) have had to provide additional medical resources to meet the demand from EHIC holders<sup>39</sup>. However, the number of cardholders varies significantly between countries. The card is most widely used in Liechtenstein, Switzerland and Austria where 99%, 96% and 96% of the population, respectively, have an EHIC. These high circulation rates can be explained by the fact that the receipt of the EHIC is automatically linked to these countries' national health care cards issuance. This does not apply elsewhere in the EU. Non-cardholders who travel abroad risk facing difficulties in meeting the costs of any healthcare they may need while away, as in most cases, they will be asked to pay upfront. The continued rise in the number of cards in circulation and their increased usage indicate that people are becoming more

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<sup>37</sup> Ismeri (2012): Preparatory study for an Impact Assessment concerning the possible revision of the legislative framework on the posting of workers in the context of the provision of services, Final Report, available at: <http://ec.europa.eu/social/main.jsp?catId=471>

<sup>38</sup> The cost of such healthcare are in the end covered through the national insurance system

<sup>39</sup> H. Legido-Quigley et al (2008): **Assuring the Quality of Health Care in the European Union**, publication from The European Observatory on Health Systems and Policies, available from: <http://www.euro.who.int/en/who-we-are/partners/observatory/publications/studies>



and more familiar with the advantages of the card. Should tourists' confidence in health systems when travelling abroad increase, this will also benefit the tourism industry in general.

## 4.7 Environment

The aim of the Directorate-General for the Environment is to protect, preserve and improve the environment for present and future generations<sup>40</sup>.

The environment is an important factor influencing tourism demand. In fact, according to a Eurobarometer survey (2010)<sup>41</sup>, the largest proportion (32%) of EU citizens mentioned the state of the environment as a key consideration when deciding on a holiday destination. The environment can have a positive or negative influence on tourism, but equally, tourism can have a positive or negative impact on the environment. Measures can, thus, be categorised under one of the following:

- firstly, measures which help improve the quality of tourism activities through the protection of the environment and have the potential to increase visitor numbers to particular sites; and
- secondly, measures which help minimise the adverse impact of tourism on the environment.

The Bathing Water Directive (Directive 2006/7/EC<sup>42</sup>) falls under the first group of measures, ensuring the protection of EU beaches by setting mandatory standards for water quality. One of the main elements of the Directive is the use of logos informing bathers of water quality and any bathing prohibition. Over 92.1% of bathing waters met the minimum water quality standards in 2011. However, the European Environment Agency (EEA) has indicated that further work is needed to continually improve bathing water resources in Europe (EEA, 2011<sup>43</sup>).

The EU Biodiversity Strategy (Communication COM (2011) 244<sup>44</sup>) also highlights the importance of protecting the natural environment for tourism (along with others). The Communication puts emphasis on the preservation of the natural integrity of the destination, thereby indirectly contributing to the development of sustainable and responsible tourism.

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<sup>40</sup> [http://ec.europa.eu/dgs/environment/index\\_en.htm](http://ec.europa.eu/dgs/environment/index_en.htm)

<sup>41</sup> [http://ec.europa.eu/public\\_opinion/flash/fl\\_291\\_en.pdf](http://ec.europa.eu/public_opinion/flash/fl_291_en.pdf)

<sup>42</sup> **Directive 2006/7/EC concerning the management of bathing water quality and repealing Directive 76/160/EEC.**

<sup>43</sup> EEA (2012): **European bathing water quality in 2011**, available at: <http://www.eea.europa.eu/publications/european-bathing-water-quality-in-2011>

<sup>44</sup> Communication from the Commission (COM (2011) 244): **Our life insurance, our natural capital: an EU biodiversity strategy to 2020.**

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The EU Business and Biodiversity Platform (B@B) is a European Commission initiative where businesses can come together to share their experiences and best practices. It includes the tourism sector, providing best practices, guidance principles and initiatives on the links between biodiversity and tourism in order to increase awareness of responsible tourism and the provision of eco-friendly services for European tourists. However, as this was set up quite recently, the scale of its impact is yet to be determined.

A final group of measures aimed at minimising the impacts of tourism activities concern eco-labelling. In particular:

- Commission Decision 2009/578/EC establishing the ecological criteria for the award of the Community eco-label for tourist accommodation service;
- Commission Decision 2009/564/EC establishing the ecological criteria for the award of the Community eco-label for campsite services; and
- Regulation of the Parliament and of the Council 66/2010 on the EU Ecolabel.

In order to be awarded an eco-label, the above decisions set mandatory and voluntary criteria to limit the main environmental impacts from the three phases of the life cycle of a tourist service (purchasing, provision of the service and waste). Eco-labels are practical measures which are intended to lead to environmental awareness and protection. Tourist service providers awarded an eco-label can make use of their environmental credentials to differentiate their products from competitors. The number of eco-labels awarded remains relatively low, however. In 2009, there were 354 certified tourist accommodation services and 56 certified camp site services in the EU, across 20 EU Member States. Of these, 51% of tourist accommodation providers are located in Italy, 15% in France, and 6% in Ireland. Of the certified campsites, 30% are in Italy, 25% in Germany, 16% in Austria and 11% in Denmark (ISPRA, 2009<sup>45</sup>). Therefore, only a very small proportion of the market is certified by the EU eco-label and the majority of the impact is restricted to a few Member States. Some Member States have aimed to encourage greater take-up by launching media campaigns to raise awareness of the EU Eco-label; for example, a social media-based campaign was launched in Belgium in September 2011. If this type of awareness raising proves to have a positive impact on the number of eco-labels awarded in Belgium, it might be useful for the European Commission to consider whether it could introduce a similar campaign at EU level.

The relationship between the environment and tourism is a complex one, as tourism activities depend on the quality and preservation of the environment while, at the same time, potentially having a detrimental impact on the environment. This relationship is increasingly being recognised and has resulted in the development of a number of measures to minimise the impacts of different tourism-related activities on the environment. As well as eco-labelling for tourist accommodation and campsites,

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<sup>45</sup> ISPRA (2009): **Tourist Accommodation and Camp Site Services EU Eco-Label Award Scheme**, Final Activity Report dated October 2009, available at: [http://ec.europa.eu/environment/ecolabel/ecolabelled\\_products/categories/pdf/FinalReportTAS.pdf](http://ec.europa.eu/environment/ecolabel/ecolabelled_products/categories/pdf/FinalReportTAS.pdf)

described above, these include initiatives such as the EU Business and Biodiversity Platform and the future European Charter for Sustainable and Responsible Tourism.

## **4.8 Health and Consumer Protection**

The objective of the Directorate-General for Health and Consumer Protection (DG SANCO) is to protect the health and rights of European consumers<sup>46</sup>.

Consumer protection is a policy area which is of particular significance with respect to tourist rights. As highlighted earlier, the 2009 Ecorys Study showed that stakeholders in the tourism industry in general considered that the Commission had made significant efforts to protect tourists as consumers.

The prime example where this policy area has been applied to tourism activities is Regulation (EC) No 2006/2004 on Consumer Protection Cooperation. This regulation established a cooperation network for enforcement authorities from all EU Member States, giving the enforcement authorities various powers in cross-border matters. The network began its operation at the end of 2006 and has tackled breaches of consumer law in a variety of areas, including tourism activities, such as package holidays and timeshare. For instance, it interacted in cases when certain timeshare companies used aggressive sales techniques.

The Regulation has allowed the use of sweeps. An EU Sweep is an enforcement action, a check carried out simultaneously in different Member States to investigate breaches of consumer protection law. In September 2007, the first EU sweep was undertaken to investigate airlines' practices. Participating national authorities screened hundreds of airline ticket-selling websites to identify those which appeared to be in breach of the law, with a focus on clarity of pricing, availability of offers and clarity of contract terms. More than 50% of websites checked showed irregularities. The sweep was followed by an enforcement phase, when companies were contacted and advised to correct their sites or clarify their position. The final result of the 2007 enforcement action is that 94% of the sites originally checked are now compliant, removing unfair competition among air travel businesses.

Regulation No 2006/2004 has also indirectly strengthened the cooperation between different Directorates-General working on the legislative framework on the protection of tourists as consumers, especially with regard to the Directive 2005/29/EC on Unfair Commercial Practices, the Directive 90/314/EEC on Package Travel, and the Regulation No 261/2004 on Air Passenger Rights. These pieces of legislation are discussed in further detail in Section 4.12 and 4.14.

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[http://ec.europa.eu/dgs/health\\_consumer/index\\_en.htm](http://ec.europa.eu/dgs/health_consumer/index_en.htm)

## **4.9 Home Affairs**

In addition to work related to security and prevention of crime, Directorate-General for Home Affairs (DG HOME) is responsible for the management of external borders, including visa policy<sup>47</sup>. It is this latter aspect that makes the work by DG HOME significant to the tourism industry.

At international level, the UNWTO is encouraging governments to consider further travel facilitation, such as simplifying visa requirements or using ICT to simplify the visa application processes.

Travel in Europe has been facilitated through the Schengen Agreement. The 1985 Agreement removed internal border controls for those travelling within the Schengen Area, comprising twenty-six European countries, although it has kept the external border controls. This was recognised as an important step towards development of domestic tourism between Member States.

Council Regulation (EC) No 539/2001 determining the non-EU countries whose nationals must be in possession of visas when crossing the external borders of the Member States already represents an important step towards facilitating travel by setting simplified visa requirements for entry into the EU of nationals from third countries (listed in Annex 1 of the Regulation) and a common procedure for visa applications. Under this Regulation, nationals of non-EU Member Countries listed in Annex I must be in possession of a visa when crossing the external borders of the Member States. The Regulation follows on from the Schengen acquis, but Member States are free to apply exemptions to the list in Annex I, provided that they communicate the measures to the Commission and these are published in the Official Journal of the European Union.

In 2004, a Memorandum of Understanding<sup>48</sup> was signed between the EC and Chinese government, whereby short term visas could be facilitated for groups of Chinese citizens who wish to travel to Europe. The Memorandum of Understanding grants the European Union the status of an approved destination (ADS) for Chinese tourists, which allows Chinese nationals to travel to the EU in a leisure group tour format. It supersedes any previous Memoranda on ADS status between China and individual Member States. The Memorandum provides a specific application process whereby Chinese Travel Agencies receive accreditation from consular offices of Member States in China, which can then be used by tourists using their services.

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<sup>47</sup> <http://ec.europa.eu/dgs/home-affairs/about.htm>

<sup>48</sup> Memorandum of Understanding between the European Community and the National Tourism Administration of the People's Republic of China on visa and related issues concerning tourist groups from the People's Republic of China, available at:  
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2004:083:0014:0021:EN:PDF>

The Regulation (EC) No 810/2009 establishing a Community Code on Visas (Visa Code) sets out the conditions and procedures for issuing visas for short stays and transit through the EU Member States. Applicable from April 2011, it applies to nationals of third countries who must be in possession of a visa when crossing the external border of the Union, as listed in Regulation (EC) No 539/2001. The Visa Code enhances the harmonisation of procedures, provides equal treatment for visa applicants and introduces a legal framework for facilitation of visa application systems. Two years after all the provisions of the Visa Code have become applicable, the Commission shall produce an evaluation of its application. This overall evaluation will include an examination of the results achieved and of the implementation of the provisions of the Visa Code. Such assessment might lead to a Commission proposal amending the Visa Code.

The consultation carried out in 2009 by Ecorys highlighted visa policy, as well as the management of EU internal borders, as a challenge for the interests of the tourism industry. The impact of visa policies on tourism can be significant, especially as the convenience of travel is shown to be an influential aspect of tourism and this is affected by visa restrictions and ease of application. A study by the European Tour Operators Association (ETOA) in 2006 estimated that the complex process of visa application was deterring about 162,300 Chinese visitors per year from coming to Europe. ETOA pointed out that the financial loss in 2009, as a result of poor visa processing for the Chinese market, could be over £45 million. However, this study was carried out before the adoption of Regulation (EC) No 810/2009 establishing a Community Code on Visas, which came into force in 2011. This Code may address some of the problems identified by ETOA; this will become more evident after the evaluation of the Code, due in 2013, is carried out.

Work in the area of visa policy will continue to be important for the interests of the tourism industry and the tourists themselves. Continuing evaluation of the system is needed in order to ensure that the simplification procedures are functioning correctly and not hindering the development of the sector. The possibilities of using new technologies, as recommended by the UNWTO<sup>49</sup>, could also be explored whilst continuing to protect security within the EU.

#### **4.10 Communications, Networks, Content and Technology**

The work of the Directorate-General for Communications Networks, Content and Technology (DG CONNECT) is to support the development and use of ICT in order to create jobs and generate economic growth<sup>50</sup>. The importance of ICT for the development of tourism is recognised in the 2010 Communication, where one of the objectives to promote competitiveness of the industry is to "...facilitate uptake of ICT in the tourism industry".

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<sup>49</sup> UNWTO (2012): International tourism to reach one billion in 2012, UNWTO World Tourism Barometer, Vol 10 dated January 2012 available at: <http://mkt.unwto.org/en/barometer>

<sup>50</sup> [http://ec.europa.eu/dgs/connect/mission/index\\_en.htm](http://ec.europa.eu/dgs/connect/mission/index_en.htm)

The Regulation No 717/2007<sup>51</sup> on roaming has increased the protection of, amongst others, tourists as consumers when using their mobile phones outside their country of residence, by setting price-caps ('Eurotariffs') for wholesale and retail voice and SMS roaming charges. The Regulation was meant to reduce the cost of using mobile phones outside the user's home country. This Regulation has enabled consumers (including tourists) to enjoy significant benefits when using mobile phones abroad, in terms of both reduced prices and improved transparency across EU-27 (and EEA) countries.

A survey conducted in 2011 concluded that 48% of European mobile phone users have travelled at least once between 2006 and 2011 meaning that they have potentially needed roaming services. The majority (54%) of European mobile users agreed that the cost of roaming services has decreased over the last four years, between 2007 and 2011. However, over one in five respondents still claim that this is not the case. The survey concluded that nearly three-quarters of Europeans continue to limit their use of voice call services while abroad because they are concerned about the costs, thus changing their user behaviour while travelling within Europe (Eurostat, 2011<sup>52</sup>).

Work continues at EU level to reduce roaming charges by stimulating competition and to allow alternative operators to gain access to the roaming market<sup>53</sup>, while under the revised roaming rules, prices will be further cut in instalments and price caps for data services applies from 1 July 2012.

#### **4.11 Internal Market and Services**

The Directorate-General for Internal Market and Services (DG MARKT) coordinates the Commission's policy on the European Single Market and seeks to remove unjustified obstacles to trade, in particular, in the field of services and financial markets<sup>54</sup>.

The main piece of legislation affecting tourism within this policy area is the Services Directive (2006/123/EC). The Directive aims to encourage the growth of service markets, by removing legal and administrative barriers to trade. Many tourism activities such as tour guides, leisure services, sports centres and amusement parks fall under its scope. According to the Directive, each Member State must:

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<sup>51</sup> Regulation (EC) No 717/2007 of the European Parliament and of the Council of 27 June 2007 on roaming on public mobile communications networks within the Community (as amended by subsequent legislation)

<sup>52</sup> Eurostat (2011): *Special Eurobarometer 356, Roaming in 2010 report, Fieldwork: September 2010*, Publication: February 2011, available at:  
[http://ec.europa.eu/public\\_opinion/archives/ebs/ebs\\_356\\_en.pdf](http://ec.europa.eu/public_opinion/archives/ebs/ebs_356_en.pdf)

<sup>53</sup> <http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/11/502>

<sup>54</sup> [http://ec.europa.eu/dgs/internal\\_market/index\\_en.htm](http://ec.europa.eu/dgs/internal_market/index_en.htm)

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- remove burdensome legal and administrative barriers that hinder businesses from setting up or offering their services at home or in another EU country;
- set up ‘Points of Single Contact’ through which businesses can obtain information and complete the necessary administrative procedures; and
- cooperate with administrations in other EU countries to avoid duplication of controls and significantly reduce the administrative burden on business.

The Directive foresaw a three-year implementation period, which ended on 28 December 2009. The Commission has prepared several reports and carried out mutual evaluation exercises to assess the state of the implementation in the Member States. The latest implementation report, dated 2010, concluded that the large majority of Member States had dedicated considerable efforts to deliver the benefits of the Services Directive to businesses and consumers on the ground. Overall, the results of implementation were considered to be very significant in terms of the abolition of unjustified barriers and the modernisation of the regulatory framework applicable to services. The Directive has led to the setting-up of the Points of Single Contact (PSCs), which are e-government portals for businesses and are now operational in most Member States. It has also brought about the creation of a comprehensive network of administrative cooperation to facilitate the free movement of services, which now links up over 7000 authorities across the EU<sup>55</sup>.

The specific impacts of the Directive on the tourism sector are unclear, however (although they are expected to be positive, given the cross-border nature of the tourism industry). In 2011, a “performance check” of the Single Market for services was initiated by the Commission for the tourism sector, amongst other sectors. This exercise was aimed at determining whether the implementation and application of different pieces of EU legislation<sup>56</sup> is satisfactory or whether greater clarity or new measures are needed to make the Single Market for services work better.

The results of the performance check were published in a Staff Working Document (SWD (2012) 147 final on 8 June 2012<sup>57</sup>). The document concludes that, although adoption of the Directive and its implementation by Member States has eliminated a

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<sup>55</sup> According to the Internal Market statistics the number of authorities registered in IMI at the end of April is 6928. See report on the following link: [http://ec.europa.eu/internal\\_market/imi-net/docs/statistics\\_2012\\_en.pdf](http://ec.europa.eu/internal_market/imi-net/docs/statistics_2012_en.pdf)

<sup>56</sup> The scenario on the tourism sector sent to Member States on 5 August 2011 involved the combined application of various Directives: Directive 2005/36/EC on the mutual recognition of professional qualifications (hereafter "Professional Qualifications Directive"), Directive 90/314/EEC on package travel, package holidays and package tours ("Package Travel Directive"), Directive 93/13/EEC of 5 April 1993 on unfair terms in consumer contracts ("Unfair Contract Terms Directive"), Directive 2000/31/EC on E-commerce ("E- Commerce Directive"), Directive 2006/123/EC on services in the internal market ("Services Directive") and of the rules of the Treaty on the Functioning of the European Union ("TFUE").

<sup>57</sup> More information can be found at: [http://ec.europa.eu/internal\\_market/services/docs/services-dir/implementation/report/SWD\\_2012\\_148\\_en.pdf](http://ec.europa.eu/internal_market/services/docs/services-dir/implementation/report/SWD_2012_148_en.pdf)

significant number of barriers to the provision of services in the internal market, there are continuing challenges in achieving the objectives of the Directive, including ensuring that the rules are fully implemented at Member State level. It also identified a particular challenge in relation to the tourism sector, relating to the application of rules to travel agents, tour operators and tourist guides. For example, tourist guides are often subject to the rules applicable to establishment in the countries where they wish to offer cross-border services rather than those of their home country. Travel agents and tour operators face different consumer protection rules across Member States. This lack of harmonisation in implementation of EU consumer legislation by Member States is a significant barrier for the cross-border provision of travel agency services.

## **4.12 Justice**

The Directorate-General for Justice (DG JUST) is responsible for a number of Directives which are directly linked with tourism. They include the Package Travel Directive (Directive 90/314/EEC); the Timeshare Directive (Directive 2008/122/EC); the Directive concerning unfair business-to-consumer commercial practices (Directive 2005/29/EC); and the Consumer Rights Directive (Directive 2011/83/EU).

Directive 90/314/EEC on package travel, package holidays and package tours, commonly referred to as the Package Travel Directive (PTD), introduced the harmonisation of the laws, regulations and administrative provisions of the Member States concerning package travel, package holidays and package tours sold or offered for sale within the European Union<sup>58</sup>. The Directive regulates the liability of package organisers and retailers, who must accept responsibility for the performance of the services offered, with some exceptions, for example in the cases of *force majeure*. At the time of the adoption of the Directive, holiday-makers generally bought package holidays put together by travel agents. However, the evolution in the travel sector and the development of the internet has made it possible for consumers to make reservations themselves, using the websites of airlines, hotels, rail, cruise, bus, etc., in order to create their own package or so-called dynamic package. The regulation of these dynamic packages was seen as an issue in a number of Member States, as it is often unclear which travel arrangements are covered by the Directive. This has led the Commission to undertake a revision of the Directive, which is still on-going. Consultation in 2009 indicated that most stakeholders were in favour of extending the scope of the Directive to dynamic packages. The revision of the Directive is expected to be finalised in 2012.

The Timeshare Directive (Directive 2008/122/EC on the protection of consumers in respect of certain aspects of timeshare, long-term holiday products, re-sale and exchange contracts) came into force in February 2009. It includes a number of new products and services that were not regulated under the old Directive (94/47/EC),

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<sup>58</sup> However, full harmonisation has yet to be achieved due to the manner in which the directive was transposed into national law in different Member States.



such as holiday discount clubs, timeshare in canal boats, cruise-ships and caravans or timeshare contracts for less than three years. The key points of the new Directive include full harmonisation<sup>59</sup>, cooling-off periods of 14 days and detailed rules on pre-contractual information and payment rules. EU countries had two years from the date the Directive came into force to transpose it into national law. However, several Member States have delayed implementation (and, hence, full harmonisation). In terms of effects on the tourism sector, it is expected that the new Directive will increase the level of protection of tourists enjoying these products and services (due to the introduction of a cooling-off period and the rules on pre-contractual information) as well as set a level playing field for companies, estimated at around 1,500 in the EU, due to full harmonisation.

Other measures falling under the remit of DG JUST that are relevant for the tourism sector include Directive 2005/29/EC concerning unfair business-to-consumer commercial practices in the internal market. The Directive outlines "sharp practices" which are prohibited throughout the EU, such as misleading and aggressive marketing, and includes a Black List of practices that are to be prohibited in all Member States. Although it is not specifically addressed to tourism, several provisions of the Directive may apply to tourism-related activities, such as:

- buy one, get one free offers, e.g. hotel offers three nights for the price of two at weekends;
- time-limited offers, e.g. airline advertises discounted sale of tickets available until a specified date;
- bundling of product offering, e.g. breakfast at a B&B is bundled into the price; no option to pay for bed only or money off for not eating breakfast;
- room locations, e.g. customer books a hotel room but on arrival a room is automatically allocated that does not meet the description offered when it was purchased; and
- aggressive practices (such as the example given in Box 4.1).

<b>Box 4.1: Scratch card</b>
Scratch card scams target tourists. Tourists are given a scratch card which says they have won a prize. They must go with the trader to collect the prize. They are driven to a remote building and have no means to get back to the town where they were staying. They are subjected to a lengthy presentation about a holiday club and pressured to pay a deposit, after which they are driven back to their apartment. Under the Unfair Commercial Practices Directive, this practice would be considered aggressive, and therefore unfair, even if no money was parted with.
Source: CEC (2006) European Commission (2006): <i>The Unfair Commercial Practices Directive: New laws to stop unfair behaviour towards consumers</i> , available at: <a href="http://ec.europa.eu/consumers/cons_int/safe_shop/fair_bus_pract/ucp_en.pdf">http://ec.europa.eu/consumers/cons_int/safe_shop/fair_bus_pract/ucp_en.pdf</a>

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<sup>59</sup> The Directive notes that full harmonisation is needed for certain aspects of the marketing, sale and resale of timeshares and long-term holiday products as well as the exchange of rights deriving from timeshare contracts.

In addition, the Consumer Rights Directive (2011/83/EU)<sup>60</sup> approximates certain aspects of the laws, regulations and administrative provisions of Member States concerning contracts between consumers and traders. The changes specifically affecting tourists as consumers in the new Directive are:

- eliminating hidden charges and costs on the Internet;
- increased price transparency;
- banning pre-ticked boxes on websites;
- 14 days to change your mind on a purchase;
- better refund rights;
- introduction of an EU-wide model withdrawal form; and
- eliminating surcharges for the use of credit cards and hotlines.

The Directive does not apply to contracts which fall within the scope of the package travel directive (PTD) or the Timeshare Directive, or contracts for passenger transport services (with the exception of some articles of the directive, such as the provisions protecting consumers against excessive fees for the use of means of payment or against hidden cost). Car rental consumers should benefit from the protection afforded by this Directive, with the exception of the right of withdrawal. The Directive came into force on 13 December 2011 and Member States must implement the Directive into national law by 13 December 2013.

All of the Directives mentioned above under the remit of DG JUST are expected to increase the protection of tourists as consumers, which could indirectly benefit the tourism industry as the sector is demand-led. On the other hand, there will be increased regulatory requirements on businesses and these may result in increased administrative costs, especially in the short term, in developing knowledge of the new requirements and adjusting administrative systems to comply with them. However, administrative costs are likely to decrease over time, as businesses become familiar with the new legislation requirements and have appropriate systems in place.

#### **4.13 Maritime Affairs and Fisheries**

The Directorate-General Maritime Affairs and Fisheries (DG MARE)<sup>61</sup> is responsible for the implementation of the Common Fisheries Policy and the Integrated Maritime Policy, including areas such as conservation, control, market measures, structural actions and international relations.

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<sup>60</sup> The Directive replaces four directives under the Consumer Acquis (Sales of Consumer Goods and Guarantees, Unfair Contract Terms, Distance Selling and Doorstep Selling).

<sup>61</sup> [http://ec.europa.eu/dgs/maritimeaffairs\\_fisheries/index\\_en.htm](http://ec.europa.eu/dgs/maritimeaffairs_fisheries/index_en.htm)

Coastal and maritime tourism are important sub-sectors within the tourism industry. According to Eurostat (2011)<sup>62</sup>, there is a concentration of tourism in coastal regions. Recent figures indicate that 5.5 million Europeans went on a cruise in 2011, an increase of 9.3% from the previous year. Furthermore, the cruise industry generated €35.2bn in goods and services in Europe and employed over 307,000 people both directly and indirectly (an increase of 55% compared to 2005<sup>63</sup>). As such, the work of DG MARE is of importance to tourism. Similarly to the environmental policies discussed in Section 4.7, this is a two-way relationship. On the one hand, tourism can impact the marine and coastal environment. On the other hand, policies made with the aim of protecting the marine and coastal environment can benefit the tourism industry by ensuring that such environments remain attractive to tourists, or can restrict tourist access to certain areas in order to prevent damage to the environment.

The Communication ‘An integrated Maritime Policy for the European Union’ (COM (2007) 575 final) focused on promoting awareness and protection of the local environment, as well as enhancing local infrastructure for coastal communities. The Action Plan accompanying the Communication (SEC (2007) 1278) emphasised the importance of promoting the development of quality coastal tourism and sustainable tourism.

The Communication was the preamble to the adoption of Directive 2008/56/EC, establishing a Framework for Community Action in the Field of Marine Environmental Policy (Marine Strategy Framework Directive or MSFD). The Directive establishes a common framework and objectives for the protection and conservation of the marine environment. Member States have to evaluate requirements in the marine areas for which they are responsible and draw up and implement management plans, in order to protect and restore marine ecosystems and ensure the ecological sustainability of economic activities linked to the marine environment, including tourism activities. The MSFD is in the early stages of implementation, so the scale of its impacts on the tourism sector is not yet clear. However, given the importance of marine locations to tourism, the impact could be significant. It could include, for example, the prohibition of certain tourist activities in sensitive areas or better management of tourist activities to prevent damage to the marine environment. On the other hand, better protection of the marine environment could also enhance the potential for tourism in marine and coastal areas, including improved opportunities for eco-tourism in line with the 2010 priority of sustainable, responsible and high quality tourism.

#### **4.14 Mobility and Transport**

Mobility and transport is one the most significant policy areas to the tourism industry. The work of Directorate-General Mobility and Transport (DG MOVE) includes a

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<sup>62</sup> [http://epp.eurostat.ec.europa.eu/statistics\\_explained/index.php/Tourism\\_statistics\\_at\\_regional\\_level](http://epp.eurostat.ec.europa.eu/statistics_explained/index.php/Tourism_statistics_at_regional_level)

<sup>63</sup> European Cruise Council (2011): The Cruise Industry, A Leader in Europe’s Economic Recovery, available at <http://www.ashcroftandassociates.com/images/EIR-2011.pdf>

number of regulations aimed at providing protection for air, rail and road travel passengers<sup>64</sup>. These regulations include:

- Regulation (EC) No 261/2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights;
- Regulation (EC) No 1107/2006 concerning the rights of disabled persons and persons with reduced mobility when travelling by air;
- Regulation (EC) No 1371/2007 on rail passengers' rights and obligations;
- Regulation (EU) No 1177/2010 concerning the rights of passengers when travelling by sea and inland waterway; and
- Regulation (EU) No 181/2011 concerning the rights of passengers in bus and coach transport.

The Regulations provide passengers with guarantees of compensation in the event of a range of situations, such as loss or damage of registered luggage, delays or cancellations and problems related to the right to dignified travel for disabled persons and persons with reduced mobility. However, it is important to underline that additional rights for passengers derive from the Charter of Fundamental Rights, the EU consumer rules, the Package Travel Directive 90/314/EEC, national contract law provisions and/or international conventions as transposed into EU law.

Despite the above Regulations offering consumer protection, the European Consumer Centres' Network (ECC-Net) identified that, in 2010, approximately 33% of all recorded complaints by tourists were in the area of transport and, of these, 57% concerned air passenger rights. Work by the Commission continues in this regard and Regulation 261/2004 will be revised in the course of 2012 in order to address a number of issues, such as:

- in many Member States, enforcement is not effective enough to provide carriers with an economic incentive to comply with the Regulation;
- in several Member States, there is no mechanism available by which individual passengers can readily obtain redress from carriers;
- the definition of extraordinary circumstances for which exemptions from compensation payments by carriers apply is unclear;
- in some areas the rights granted by the Regulation are either unclear (e.g. rights relating to long delays and cancellation) or do not address all the problems that passengers may face (e.g. missed connections due to delays).

With regard to Regulation 1107/2006, an evaluation conducted in 2010 showed that there continues to be a significant variation in the quality of services provided by airports and in the policies of airlines on carriage of persons with reduced mobility. The Regulation allows carriers to refuse carriage or require a passenger to be accompanied on the basis of safety requirements. However, these requirements are

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<sup>64</sup> [http://ec.europa.eu/transport/index\\_en.htm](http://ec.europa.eu/transport/index_en.htm)

not specified in the Regulation and, therefore, there are significant differences in their interpretation. This is an area that may require further work in order to improve the quality of the services provided to passengers with reduced mobility.

In 2011, a Proposal for a Regulation on Union guidelines for the development of the trans-European transport network [COM (2011) 650] was also tabled. The proposal is aimed at setting up a linked network of railways, inland waterways, roads, maritime and air transport infrastructure facilitating transport across Europe. Although the impact assessment accompanying the proposal notes the positive impact on employment and other multiplier effects on the economy (through construction), it does not specifically estimate the impacts on tourism. However, the impacts are likely to be significant in terms of improving the quality of travelling. It could benefit the tourism sector as a whole, as it is expected that the network will connect all main airports and seaports to other modes of transport, especially (High-Speed) railways and inland waterway systems, by 2050, thus reducing the fragmentation of travelling modes when conducting tourism activities. Moreover, there is potential for additional benefits in terms of reduced environmental impacts from tourism activities, stemming from a less fragmented transport network and reduced congestion.

#### **4.15 Regional Policy**

The mission of Directorate-General for Regional Policy (DG REGIO) is to strengthen economic, social and territorial cohesion by reducing disparities between the levels of development of regions and countries of the European Union. In relation to tourism, the regional policy could capitalise on the benefits from tourism for specific regions, in order to minimise the differences between national and regional economies. The main regional policy aspects of relevance for tourism, besides the EU Structural Funds (which are discussed in Volume 2 of this report), are the strategies for different macro-regions, some of which include specific reference to developing tourism, such as the Baltic Region and Danube Region Strategies, etc.

The Commission Communication “European Union Strategy for the Baltic Sea Region” [COM (2009) 248 final] included tourism as a priority area in maintaining and reinforcing the attractiveness of the Baltic Sea Region (BSR). The BSR Strategy proposes and encourages the implementation of environmentally-friendly tourism actions amongst Baltic Sea countries, including Russia. The Strategy is accompanied by an Action Plan which includes a list of different projects. Box 4.2 presents examples of the projects included in this Action Plan. As can be seen from the list, some of these projects could be of added-value and contribute to the priorities set out in the 2010 Communication with regard to sustainable tourism and the diversification of tourism activities.

**Box 4.2: Strategy for the Baltic Sea Region - Examples of Flagship Projects**

*Attract tourists to rural areas, especially the coastal ones*

**Lead:** Regional Council of Southwest Finland (in cooperation with Turku Touring)

**Deadline for progress review:** 31 May 2012

This project focuses on the promotion of joint sustainable rural and coastal tourism packages (e.g. farm, food tourism, hiking, winter sports, and nature-based tourism). It foresees the creation of a tourism network made up of actors from the tourism sector, the local area, the public sector and within the field of research and education. This network would share and disseminate best practices and know-how with regard to products, services and their accessibility.

*Facilitate environmentally sustainable cruise vessels in the Baltic Sea*

**Lead:** AIDA Cruises (Germany)

**Deadline for progress review:** 31 December 2012

This project is developing pilot actions in order to elaborate guidelines for the application of sustainability criteria for the product format "land excursions". After the implementation and the evaluation of the pilot actions, it is intended to offer a standardised process for this product in order to promote the dissemination of the results within the cruise ship sector.

*Promote the cultural and natural heritage*

**Lead:** Office of the Marshal of the Pomorskie Voivodeship (Poland)

**Deadline for progress review:** 31 December 2012

The project foresees mapping the main areas of interest in order to preserve and revitalise elements of cultural and natural heritage. Major directions in the further development of attractive and characteristic tourist offers in the Baltic Sea Region will be identified.

*Develop strategies for sustainable tourism*

**Lead:** University of Greifswald (Germany)

**Deadline for finalisation:** 30 June 2013

Strategies for sustainable tourism will be developed using available sources of information such as the YEPAT database or the Nordic Culture Point. In addition, within the project AGORA 2.0, partners from the Baltic Sea Region (including Belarus) will start implementing pilot projects to improve the accessibility to the natural, cultural and historical heritage for tourism and to detect features of a common identity of the Baltic Sea Region.

*Source: Commission Staff Working Document (2010): Action Plan Accompanying the concerning the European Union Strategy for the Baltic Sea Region, SEC(2009) 712/2 January 2012 version available at [http://ec.europa.eu/regional\\_policy/sources/docoffic/official/communic/baltic/action2012\\_en.doc](http://ec.europa.eu/regional_policy/sources/docoffic/official/communic/baltic/action2012_en.doc)*

The European Union Strategy for the Danube Region [COM (2010) 715 final] was launched in 2010 and includes tourism as a priority area. An overview of the tourism-related actions foreseen in the Strategy is provided in Table 4.1. The actions include some initiatives discussed in earlier sections, such as the use of Eco-labels, and the development of a brand for the Danube Region. The Strategy also highlights the synergies between tourism and other policy areas, such as transport and education and culture. The 1st Annual Forum of the EU Strategy for the Danube Region is planned

to take place in November 2012<sup>65</sup>. In terms of potential impacts on tourism, the strategy is expected to be beneficial for the region, depending also on the results of the projects that are and will be implemented and the degree of cooperation between the concerned countries in the region.

<b>Table 4.1: Strategy for Danube Region in the Area of Tourism</b>	
<b>Action</b>	<b>Proposed projects under the Strategy</b>
To develop the Danube region as a European brand	To develop a Quality label for Danube Tourism - in order to support the competitiveness and sustainability of Danube tourism (destinations, accommodations, tour operators, services like cruises, excursions, etc.) criteria for high quality tourism should be defined. For destinations the new Sustainable Tourism Criteria of DG ENTR could be used. Accommodations could use the EU eco-label ('flower'). Special communication instruments, e.g. a web-based booking platform, image campaigns, etc. should especially highlight quality tourism products
To establish the Danube Region as important European tourist destination	Create transnational tourist packages e.g. for combined rail-cycle-boat trips along the Danube Improve sustainable mobility through traffic and interconnectivity of train, bus and shipping in the Danube countries
To promote short-stay weekend tourism and recreation, as well as longer stays	No specific examples given
To further develop the navigation and port system for Danube river cruise ships and private yachts	This action should be cross-linked with actions under the pillar connectivity. It should also include better berthing facilities, better onshore welcome and recreational facilities. Environmentally friendly waste management systems are needed. The integration of the Danube and the Black Sea into a "synergised" cruise ship destination would also establish a link to the EU Black Sea Synergy
To further develop and intensify tourism activity	Establish travel chains along the Danube with attractive stations and tourist itinerary offers for several days (by train, car, ship, bike and hike)
To further enhance interconnection and cooperation in education, scientific and research activities for tourism	Modernisation of the curricula of occupational and university education for professions in tourism Development of cooperation in the exchange of lecturers, students, pupils and staff in the programs for the education and training in tourism Creating, organising and implementing the programme of lifelong learning for jobs in tourism and tourist industry
To improve planning and infrastructure for tourism	To realise the Danube walking path, proposed by the Danube Tourism Commission To improve cruise tourism on the Danube

<sup>65</sup>

[http://ec.europa.eu/regional\\_policy/newsroom/detail.cfm?LAN=EN&id=173&lang=en](http://ec.europa.eu/regional_policy/newsroom/detail.cfm?LAN=EN&id=173&lang=en)

<b>Table 4.1: Strategy for Danube Region in the Area of Tourism</b>	
<b>Action</b>	<b>Proposed projects under the Strategy</b>
To support the improvement of quality of tourism products	To improve the supply chain by the development of regional sustainable tourism strategies and the definition of quality criteria, and by the development of eco-labels and certification schemes. This can also include development of tourism associations and campaigns
To promote sustainable tourism	To support green ways and cycle tourism
To promote wellness tourism in the Region	To support health and wellness facilities, including spas, improvement and marketing
To collect existing data on cultural activities and establishing a comprehensive data base giving an overview of cultural activities in the Danube Region	No specific examples given
To promote cultural exchange and exchange in the arts	To implement the Cultural route Danube To implement the Cultural Danube Card - to build on the existing material and expand it where appropriate and necessary (ARGE Donauländer)
<i>Source: Commission Staff Working Document(2010): <b>Action Plan - Accompanying document to the European Union Strategy for the Danube Region</b>, SEC(2010) 1489 available at <a href="http://www.interacteu.net/downloads/3138/Action_Plan_for_the_EU_Strategy_for_the_Danube_Region.pdf">http://www.interacteu.net/downloads/3138/Action_Plan_for_the_EU_Strategy_for_the_Danube_Region.pdf</a></i>	

## 4.16 Taxation

The Directorate-General for Taxation and the Customs Union (DG TAXUD) is responsible for developing and managing the Customs Union, as well as developing and implementing tax policy across the EU for the benefit of citizens, businesses and the Member States<sup>66</sup>. Its policies have a direct impact on the tourism sector.

As mentioned in Section 3 on challenges and actions in the area of tourism, differences in taxation systems across the Member States were highlighted as an issue by the 2009 consultation. Directive 77/388/EEC<sup>67</sup> sets a common system of Value Added Tax across Member States on the supply of both services and goods within a country and their importation, with Article 26 setting a special scheme for travel agents. This Article establishes that all transactions performed by the travel agent with respect to a journey shall be taxable in the Member State in which the travel agent has established his or her business (or has a fixed establishment from which the travel agent has provided the services). The amount taxable is the travel agent's margin (the difference between the total amount to be paid by the traveller, exclusive of value added tax, and the actual cost to the travel agent of supplies and services provided for the direct benefit of the traveller). This simplification procedure, called

<sup>66</sup> [http://ec.europa.eu/taxation\\_customs/index\\_en.htm](http://ec.europa.eu/taxation_customs/index_en.htm)

<sup>67</sup> Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonization of the laws of the Member States relating to turnover taxes — Common system of value added tax: uniform basis of assessment, OJ L 145, 13.6.1977



the Tour Operators' Margin Scheme (TOMS), was questioned in 2002, but a proposal to overhaul the scheme was unsuccessful in finding a compromise agreement between the Member States in the Council. As a result, the scheme was maintained in Council Directive 2006/112/EC, which repealed Directive 77/338.

In 2006, the Commission analysed the application of TOMS across the EU and found 13 Member States to be implementing it incorrectly. Since then, several Member States have changed their legislation to conform to the EU provisions. However, Czech Republic, Finland, France, Greece, Italy, Poland, Portugal and Spain did not take the necessary measures to amend their rules, which were still incorrectly transposed into their national legislation. With a view to ensuring uniformity of VAT rules, the Commission referred the eight Member States to the Court of Justice. Further to this, in June 2011, the Commission also decided to refer The Netherlands to the EU's Court of Justice for failing to properly implement EU VAT rules for travel agents.

Although TOMS aims to simplify VAT procedures and reduce administrative burden, many stakeholders see it as being unnecessarily complicated and, therefore, it is often misunderstood and disliked. The legislation, which was introduced at a time when the main travel option was through a fixed price brochure or travel agent, is perceived as out-dated<sup>68</sup>. It appears that the industry would welcome a revision of the TOMS scheme, taking into account more recent market developments. In this regard, in 2011, the European Commission launched an open consultation on the future of the VAT system and a Communication on this was issued in December 2011<sup>69</sup>.

On 5 May 2009, the Council adopted Directive 2009/47/EC allowing - on a permanent basis - the optional use of reduced rates of value-added tax (VAT) for certain labour-intensive local services, including restaurant services, for which there is no risk of unfair competition amongst service providers in different Member States.

#### **4.17 Eurostat**

Eurostat is the statistical office of the European Union (Eurostat). Its task is to provide the European Union with statistics at European level that enable comparisons between countries and regions<sup>70</sup> and to provide the evidence to support policies in different policy areas, including tourism.

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<sup>68</sup> ETOA (2011): **Taxation**, ETOA documents available at <http://www.etoa.org/policyareas/taxation>

<sup>69</sup> Commission Communication (2011): **On the future of VAT - Towards a simpler, more robust and efficient VAT system tailored to the single market**, COM (2011) 851 final available at [http://ec.europa.eu/taxation\\_customs/resources/documents/taxation/vat/key\\_documents/communication\\_s/com\\_2011\\_851\\_en.pdf](http://ec.europa.eu/taxation_customs/resources/documents/taxation/vat/key_documents/communication_s/com_2011_851_en.pdf)

<sup>70</sup> [http://epp.eurostat.ec.europa.eu/portal/page/portal/about\\_eurostat/introduction](http://epp.eurostat.ec.europa.eu/portal/page/portal/about_eurostat/introduction)

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Regulation 692/2011<sup>71</sup> aims to produce a system of harmonised statistics on tourism for the EU Member States. The Regulation is intrinsically linked to the tourism sector since it provides for the production of statistics that can inform policy-making and business decisions. In comparison to the repealed Council Directive 95/57/EC, the Regulation provides for a number of changes on the type of data collected on tourism:

- from 2012 onwards, accommodation statistics will include bedroom occupancy rates;
- rapid key indicators for monthly data will be available eight weeks after the end of the reference period (the period to which data refer);
- direct references to the NACE Rev. 2 classification<sup>72</sup> will guarantee better consistency with business statistics;
- household surveys will bring more information on tourism demand as well as on reasons for not participating in tourism activities; and
- from 2014 onwards, data on same-day visits will gradually be introduced.

According to the Regulation, destinations will be obliged to declare the numbers of establishments which have rooms for people with reduced mobility and/or wheelchair users. This will help to assess the quality and provision of accessible tourism throughout Europe and develop policies accordingly.

Finally, the Regulation foresees pilot studies on Tourism Satellite Accounts (TSA) and on the effects of tourism on the environment. A Tourism Satellite Account (TSA) is a statistical accounting framework in the field of tourism and measures the goods and services according to international standards, allowing for a comparisons from country to country in a consistent manner. A complete TSA contains detailed production accounts for the tourism industry and its linkages to other industries, employment, capital formation and additional non-monetary information on tourism.

Reliable statistics are a necessary precondition for effective policy making and this Regulation can therefore be useful for effective policy making at the EU level in the area of tourism. Moreover, such statistics may also be of benefit to the industry and other bodies with an interest in following the trends within the sector, in order to assist with planning for the future.

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<sup>71</sup> Regulation (EU) No 692/2011 concerning European statistics on tourism and repealing Council Directive 95/57/EC

<sup>72</sup> NACE Rev. 2 classification is the common statistical classification of economic activities within the Union, as established by Regulation (EC) No 1893/2006 of the European Parliament and of the Council

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## **5. CONCLUSIONS**

### **5.1 Evaluation of Policy Measures**

European tourism has managed to survive the recent economic crisis, and other recent unexpected events, rather well. The interruption of air traffic during April and May 2010 due to the presence of volcanic ash clouds had a major effect on travel in Europe, causing the disruption of some 100,000 flights and 10 million passenger journeys. However, during 2011<sup>73</sup>, both the hotel and airline industries experienced a strong rebound from the ash cloud shutdowns and the total number of nights spent at hotels and similar establishments in 2011 was well above the level of 2007, the year before the economic crisis began to affect the tourism sector.

The 2009 Ecorys Study indicated a general agreement that tourists, as consumers, have benefitted from greater protection over the last decade or two. This has included a number of legislative initiatives and measures under the remit of other policy areas, such as sweeps on airlines, the European Health Insurance Card and regulation on passenger travel rights, etc. However, according to the 2009 Ecorys Study, the increased protection of consumers was claimed to have been obtained at a cost to the tourism industry. This is because, although some measures create rights and provide protection to tourist/travellers/consumers, they also create additional costs and burdens for the industry. On the other hand, other legislative instruments have been adopted that could benefit the industry and reduce administrative burden, such as Directive 2009/47/EC allowing the use of reduced VAT rates in restaurant services and (Article 26 of) Directive 77/388/EEC setting up a simplified procedure for tour operators (Tour Operators' Margin Scheme or TOMS).

Moreover, changes to the way that tourism activities are booked and the rapid increase of low-cost air carriers has made some of the earlier legislation less effective. Although the Package Travel Directive has had a significant impact on the tourism industry, the time has come for a revision in order to maintain the level of consumer protection and to ensure a level playing field amongst service providers within the tourism industry. Similarly, the Timeshare Directive has been revised to include activities previously not included within its scope. New legislative instruments have also been adopted, such as the Consumer Rights Directive. In addition, the Commission continues to work on a number of other instruments aimed at increasing tourists' protection, such as roaming charges for mobile phones and compensation payments in the event of denied boarding, cancellation and long delay of flights, etc. These initiatives are likely to have impacts on the tourism sector in the future.

The literature review and a number of case law examples, described in Section 4.4, indicate that other EU initiatives have protected the interests of industry and ensured fair competition, for example, through legislation or other types of initiatives in the areas of antitrust and mergers or state aid for the development of air travel in regional

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<sup>73</sup> Based on statistics gathered by the European Travel Commission (2012).

airports (2005 Community guidelines on financing of airports and start-up aid to airlines departing from regional airports<sup>74</sup>).

The 2010 Communication on Tourism highlighted as a priority the development of sustainable, responsible and high quality tourism. Measures concerned with the protection of the marine and natural environment, such as the Bathing Water Directive and the Marine Strategy Directive can have a positive impact especially with regard to the quality of the tourism experience and tourist products provided in coastal and maritime areas. The relationship between the environment and tourism is a complex one, as tourism activities depend on the quality and preservation of the environment, while, at the same time, potentially having a detrimental impact on the environment. This relationship is increasingly being recognised and has resulted in the development of a number of measures to minimise the impacts of different tourism-related activities on the environment. Examples of these include eco-labelling for tourist accommodation and campsites, although these appear to have had a limited uptake so far. Further to this, other new initiatives, such as the EU Business and Biodiversity Platform, the future European Charter for Sustainable and Responsible Tourism and the future European Tourism Label for Quality Systems could contribute to ensuring a sustainable, responsible and quality tourism in the EU. The inclusion of air travel in the EU Emissions Trading Scheme from January 2012 could also contribute to the development of sustainable travel and tourism, provided that it does not impose excessive burdens on the industry and its competitiveness, especially with regard to other third country markets which are not covered by similar regulations.

Our consultation indicated that a number of challenges remain for the industry. The summary of responses is given in Tables 5.1, 5.2 and 5.3 (presented at the end of the Section) but the challenges can be summarised as follows:

- different degrees of implementation of business regulation, taxation, social security among Member States and sub-sectors (such as different VAT rates in different countries, national variations in the implementation of Directive 2006/123/EC on services in the internal market and Directive 96/71/EC concerning the posting of workers);
- different impacts of legislation across sub-sectors and according to the size of companies, with particular emphasis on those that are burdensome for micro-enterprises;
- the seasonality of tourism activity;
- uneven regional development; and
- insufficiently skilled workforce.

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<sup>74</sup> However, the Commission is envisaging the possible revision of these guidelines. Consultation on review of the Community guidelines on financing of airports and start-up aid to airlines departing from regional airports, see DG COMP's website:  
[http://ec.europa.eu/competition/consultations/2011\\_aviation\\_guidelines/index\\_en.html](http://ec.europa.eu/competition/consultations/2011_aviation_guidelines/index_en.html)

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Other key challenges identified in the 2009 Ecorys Study, as described in Section 3, appear to have become less significant, perhaps due to policy actions undertaken in the meantime, as described above. For instance, significant work has been undertaken in the area of visa policy, especially with the Regulation (EC) No 810/2009 establishing a Community Code on Visas, which is applicable from 2011.

Addressing the differences in implementation continues to be a major work area for the Commission, as indicated by the “performance check” of the Single Market for services and the implementation of VAT rules across the Member States. It may be useful to give particular consideration during such checks to the impacts on micro-enterprises.

With regard to tourism seasonality, the Commission has deployed several actions, in particular via the project CALYPSO, which aims at facilitating transnational low season exchanges in Europe for certain target groups, such as seniors, youth, families with economic difficulties and persons with reduced mobility.

To address the issue of uneven regional development, the possibility to finance regional airports and the development of a Trans-European Transport Network can offer an opportunity to minimise regional differences in tourism development. The opportunities to develop rural, cultural and heritage tourism could also contribute in this regard.

The insufficiency of a skilled workforce in the tourism sector may be linked to the seasonality of work. Although employment policies are seen as an additional burden for employers, it is important to raise awareness of the potential benefits. For instance, the posting of workers can be used as a means to stimulate competitiveness and to overcome shortage of skills in some specific sub-sectors of the tourism industry.

## **5.2 Policy Recommendations**

Based on the above findings, and taking into account the actions planned for the future in the context of the different policy areas that might have an influence on tourism (as listed in Annex 1), our recommendations for the mainstreaming of tourism under other policy areas, according to the different axes of the 2010 Communication, are as follows:

### ***1. Stimulate competitiveness in the tourism sector:***

- Investigate the barriers to the development of rural tourism and engage in a dialogue with relevant policy stakeholders to address these barriers. Such dialogue is more likely to include other policy areas such as the communications networks, content and technology, transport and environment, in order to ensure that environmental principles are observed and that the full potential to develop rural tourism capitalises on the advantages of the new communication technologies and booking trends. Any strategy to address the

barriers is likely to be based on a bottom-up approach where local and regional stakeholders' proposals are fitted to broader policy objectives;

- Facilitate access to finance by micro-enterprises within the tourism sector and consider the impacts of legislation in the conduct of their operations (namely employment law, obligations under the Package Travel Directive and/or application of environmental standards);
- Continue to work with DG SANCO to ensure that the rights of tourists as consumers are protected, e.g. roaming charges, air travel rights including tourists with reduced mobility, etc. and raise awareness about the rights of tourists as consumers, as this will increase their confidence and potentially stimulate the tourism market;
- Liaise with DG COMP to facilitate barrier-free competition among tourism stakeholders in the area of antitrust and mergers;
- Continue work with DG MARKT to incorporate the findings of the performance check of the Services Directive for the tourism industry into future strategies;
- Cooperate with DG JUST to monitor the implementation of the Timeshare Directive in the different Member States and its impacts on companies and tourists;
- Work with DG TAXUD and tourism stakeholders to reduce differences in the application of TOMS;
- Work with DG EMPL to investigate the impacts of Directive 99/70 on fixed-term contracts on recruitment strategies in the tourism sector and undertake further measures, if considered necessary, in order to help with the development of a skilled workforce; and
- Cooperate with DG EMPL on investigation of enforcement options in order to improve posted workers' conditions in the tourism sector and to highlight potential benefits to industry stakeholders.

**2. *Promote the development of sustainable, responsible and high quality tourism:***

- Monitor the impacts on demand and supply from inclusion of aviation into the EU Emissions Trading Scheme and continue working with DG CLIMA and continue the dialogue with the civil aviation industry to curb emissions;
- Continue to work with Member States towards the commitments of the Cancún Agreement, with particular regard to tourism impacts, and develop knowledge exchange;
- Work with DG ENV to raise awareness among tourists and the industry stakeholders of EU eco-labels in the tourism sector;
- Measure progress under the Business and Biodiversity Platform for the tourism sector and explore the possibilities of combining it with additional aspects of environmental sustainability, e.g. reduction in emissions, management plans under the Marine Strategy Framework Directive, etc.;

- Continue work on the development of a European Tourism Label for Quality Systems, engaging in a dialogue with industry and other relevant stakeholders to increase buy-in;
- Investigate the actions needed to improve the quality of the services provided to tourists with reduced mobility (e.g. provision of guidelines if signed by industry or mandatory requirements). The new regulation on harmonised statistics on accessible tourism is likely to be invaluable to inform these actions; and
- Continue work with DG MOVE in assessing the impacts on tourism volume and quality of the new Trans-European Transport Network.

**3. Consolidate the image and profile of Europe as a collection of sustainable and high-quality destinations:**

- Continue cooperation with DG HOME to evaluate and revisit the system of visa application under the EU Visa Code, in order to increase efficiency, and investigate the possibility of incorporating facilitating measures or new technologies for visa applications;
- Liaise with DG COMP for the Revision of the Guidelines on financing of regional airports, with a view to increasing the offer of tourist destinations within Europe, but also in line with sustainability principles and with special regard to environmental impacts;
- Work with DG EAC to promote strategic planning of cultural or sporting events with tourism strategies and raise awareness about the 2007 Guidelines on maximising the durable impacts of cultural and sporting events;
- Explore channels to raise awareness of European Heritage Label and monitor the impact on tourism visits numbers and the quality of tourists' experience; and
- Continue work with DG REGIO to develop macro-regional strategies which pay attention, amongst others, to tourism, in line with priorities of the 2010 Communication and in view of the new proposal for a Trans-European Transport Network.

<b>Table 5.1: What are the most important problems for the tourism industry in your country? Could any of these be addressed by action at the EU level in the short or medium term? If so, how?</b>	
<b>MS</b>	<b>Answer</b>
<b>AT</b>	<p><i>Mostly SME - the most important problems are to find qualified staff and to tackle the major challenges in terms of structural change, competition and qualification [...]</i></p> <p><i>At EU level it would be helpful to support the knowledge transfer for SMEs in the tourism industry, to support training not only for the staff but also for entrepreneurs and to stimulate the mobility of employees within the tourism sector.</i></p>
<b>HR</b>	<p><i>The most important problems for the tourism industry in Croatia are related to the development component that has impact on competitiveness issues:</i></p> <ul style="list-style-type: none"> <li>• <i>The extreme seasonality (over 80% of visitors during summer months);</i></li> <li>• <i>Uneven regional development in tourism</i></li> </ul>
<b>CY</b>	<p><i>Regarding the supply side, Cyprus has an old and out-dated tourist product, which together with the high operational costs, especially staff costs, formulates a weak but at the same time expensive tourist offer.</i></p> <p><i>The reliance on tourism inflows from European countries [...] make the implications of any EU policies even more important [...]. These impacts, which in most of the cases have a negative nature, are more profound [...] its competitors are destinations which have a different and more flexible legal framework on the issues of incentives to the tourist and related (e.g. aviation) industries.</i></p>
<b>CZ</b>	<p><i>insufficient organization and coordination which results in implementation of some contradicting measures; other problems include its seasonality, uneven quality of suitable basic and complementary infrastructure in various regions and low quality of services in the tourism industry.</i></p>
<b>FI</b>	<ul style="list-style-type: none"> <li>• <i>Accessibility is a major problem, which can be improved with EU policies and programmes</i></li> <li>• <i>A large share of micro-sized companies is also a problem. Networking in between them is challenging. Networking can be promoted through programmes.</i></li> <li>• <i>A lack of e-business skills and low visibility of tourism services in e-distribution channels</i></li> <li>• <i>In rural tourism, the national and regional traditions play an important role in tourism experience. In some cases legislation or permits are preventing the use of traditions in tourism products.</i></li> <li>• <i>It is difficult to find external public funding for marketing and for development of distribution channels [...]</i></li> <li>• <i>More concrete actions are needed instead of increasing amount of coordination and administration.</i></li> <li>• <i>Industry driven approach when designing new programmes, projects and policies.</i></li> </ul>
<b>IT</b>	<p><i>The main problems are related to the State-Regions relations and to the need for building an effective governance system, to the evaluation and consolidation of statistical information, to the need for more efficient policies at national and regional level.</i></p> <p><i>EU intervention could be particularly useful for:</i></p> <ul style="list-style-type: none"> <li>• <i>The improvement of the tourism supply, also with reference to the standardization and certification of the quality of the services;</i></li> <li>• <i>Supporting strategic long term investments;</i></li> </ul>



**Table 5.1: What are the most important problems for the tourism industry in your country? Could any of these be addressed by action at the EU level in the short or medium term? If so, how?**

<b>MS</b>	<b>Answer</b>
	<ul style="list-style-type: none"> <li>• <i>Intensifying efforts to promote Europe as a single touristic destination among the emerging markets;</i></li> <li>• <i>The enhancement of the statistical data.</i></li> </ul>
<b>LT</b>	<p><i>Challenges in the tourism sector of Lithuania include:</i></p> <ul style="list-style-type: none"> <li>• <i>Extending the tourism season by diversifying tourism products [...]</i></li> <li>• <i>Making stay of foreign tourists longer; and</i></li> <li>• <i>Being competitive in promoting the Baltic Sea Region and providing high quality tourism services.</i></li> </ul> <p><i>Given the above, Lithuania welcomes the initiative of the EC to implement projects aimed to prolong the tourism season. The rural tourism sector faces changes in taxation of the rural tourism activity. The lack of adequate understanding of the level of rural tourism in the EU results in considerable diversification of tax duties in the sector.</i></p>
<b>MT</b>	<p><i>Malta's main challenge remains a specific geographical situation which is in large only accessible by air. At the EU level, the issue of accessibility could be addressed by:</i></p> <ul style="list-style-type: none"> <li>• <i>Recognising the unique geographical positions of Malta;</i></li> <li>• <i>Adopting policies which support and facilitate accessibility, and support air transport and do not hinder the operations;</i></li> <li>• <i>Attracting more tourists form BRIC countries by facilitating, for example common visa issuance;</i></li> </ul> <p><i>Seasonality is another problem for the tourism industry in Malta. Identifying possible markets for the non-summer period could assist in addressing this problem. In addition, the consolidation of marketing initiatives to promote the distinctive elements of each Member State and the promotion of Europe as a destination should help to further highlight the perception of Europe as the world's no 1 tourist destination and to attract tourists from other worldwide destinations to the different Member States throughout the year. The creation and promotion of an EU cultural calendar could further assist in addressing this problem.</i></p> <p><i>Given the small size of operators in the tourism industry the investment in research, ICT, training and innovation cannot always be possible. The EU can introduce networking initiatives, handholding exercises, business support measures and awarding mechanisms to support the growth of innovative practices in tourism, Corporate Social Responsibility initiatives and emerging environmental technologies that are introduced in the sector.</i></p>
<b>NL</b>	<p><i>[...]tourism policy is primarily a national responsibility. The Netherlands feels that on the European level, we should focus on improving the framework conditions for all industries. For example improving the functioning of the internal market, lowering the administrative burdens and improving access to capital.</i></p>
<b>PL</b>	<p><i>Lack of sufficient financial resources needed for development of the industry and insufficient access to the existing resources</i></p>
<b>RO</b>	<p><i>[...] main fields where tourism needs to be improved are: environmental protection, conservation of historical sites, tourism and general infrastructure, human resources, tourism policies and organization.</i></p> <p><i>The European policies could contribute to ensuring the protection and sustainable use of natural and cultural assets. The importance of tourism for the local development should be</i></p>

<b>Table 5.1: What are the most important problems for the tourism industry in your country? Could any of these be addressed by action at the EU level in the short or medium term? If so, how?</b>	
<b>MS</b>	<b>Answer</b>
	<p><i>recognized at European level by the corresponding regulations that impose the valorisation of the local heritage through tourism activities in a sustainable manner.</i></p> <p><i>In the field of cultural tourism [...] developing the European Cultural Routes. The local heritage of European importance in each Member State should be included in the European Routes, with the organizational and technical support of the European institutions established for this purpose and of the national administrations.</i></p>
<b>SK</b>	<ul style="list-style-type: none"> <li>• <i>Missing professional coordination of tourism at local and regional levels. DMO concept is in the process of implementation</i></li> <li>• <i>Non-systematic approach towards sustainability of traditional products and creation of new production at competitive levels</i></li> <li>• <i>Weak support of domestic tourism, inadequate measures compared to neighbouring countries</i></li> <li>• <i>Severe undercapitalization of the whole industry, non-systematic allocation of EU funds</i></li> <li>• <i>Important infrastructure still incomplete and under construction however improving (highways, airports, etc.)</i></li> <li>• <i>Missing professionalism and professional staff at local and regional levels, not very attractive industry for young professionals due to low salaries</i></li> <li>• <i>Unsatisfactory country recognition even within EU, still weak “branding” of the country.</i></li> </ul>
<b>ES</b>	<p><i>Problems/ issues include:</i></p> <ul style="list-style-type: none"> <li>• <i>The legislative powers in tourism are vested mainly in the Autonomous Regions. However, difficulties occur due to the horizontal nature of the sector, this affects related regulations such as consumers, transport, public health, home policy and environment;</i></li> <li>• <i>The revaluation of mature Spanish tourism destinations;</i></li> <li>• <i>The re-positioning of the Spanish Tourism sector as an attractive sector for the professional development of human resources;</i></li> <li>• <i>Improve competitiveness through the quality of destinations (and/or improve the experience factor quality);</i></li> <li>• <i>Improve competitiveness of SMEs; and</i></li> <li>• <i>Create an integral tourism information service, customer relationship management, and improve use of new technologies</i></li> </ul> <p><i>Possible Solutions mentioned include:</i></p> <ul style="list-style-type: none"> <li>• <i>Design a “Roadmap” to advise and observe all the mature destinations, and to execute requalification plans;</i></li> <li>• <i>Support the EU measure on working together with an ESO (European Standardisation Organisation). A Tourism Skills Competence Framework could be developed with a view to identifying which skills are currently required by the tourism sector;</i></li> <li>• <i>Financial support to manage and organise a standardised system of indicators with regard selection criteria and organise training courses and practises;</i></li> <li>• <i>Strategy of integral communication between European tourism projects;</i></li> <li>• <i>Cooperation campaign with Regions and private sector to position a Tourism Quality Label in the national and international market;</i></li> </ul>

**Table 5.1: What are the most important problems for the tourism industry in your country? Could any of these be addressed by action at the EU level in the short or medium term? If so, how?**

MS	Answer
	<ul style="list-style-type: none"> <li>• Consolidate the international recognition of the European tourism quality system; and</li> <li>• support the redaction of tourism SMEs in the new proposal for regulation of the new Programme for the Competitiveness of Enterprises and Small and Medium-sized Enterprises (COSME) which aims to run from 2014 to 2020 funding competitiveness projects in SMEs in the European tourism sector.</li> </ul>
<b>EU Other industry stakeholders</b>	
<b><u>Current challenges</u></b>	
<ul style="list-style-type: none"> <li>• Difficulties for micro-enterprises and SMEs to access finance;</li> <li>• Lack of (support to visibility of) internationally recognized brands or labels that could generate trust in consumers regarding equipment, service, and sustainability / authenticity;</li> <li>• Very different national rules for business regulation, taxation, social security – this generates totally unfair level playing fields between neighbour countries for the same services;</li> <li>• Lack of a European horizontal legislative framework covering the safety of all services to consumers and different priorities to the different sub-sectors (road transport, air transport, rail transport);</li> <li>• Raised VAT rates on ticket prices and on services making Europe an expensive destination;</li> <li>• Lack of professional skills;</li> <li>• Level of competitiveness vary according to sector within the tourism industry (e.g. air transport is highly competitive, rail transport is not as much)</li> <li>• The problem of the financial and economic crisis that has reduced the number of travellers in Europe;</li> <li>• The competition of third markets (Africa, South America and Middle East);</li> <li>• One of the biggest problems faced by the European tourism industry in all countries is the seasonality factor;</li> <li>• The vast majority of tourism businesses are SMEs and the industry is heavily burden by unnecessary regulation.</li> </ul>	
<b><u>Options</u></b>	
<ul style="list-style-type: none"> <li>• SBA (Small Business Act) should be enhanced with specific considerations and facilities for micro-enterprises</li> <li>• Specific support to transnational structures (professional, promotional, brands and labels, etc.) – this would enormously help to generate more international visits. At the moment, there is not a single direct funding line available for such structures.</li> <li>• Review framework of definitions regarding “SME” (Recommendation 2003/361), including specific content related with the micro-services and enterprises down to the one-person service.</li> <li>• Best practice dissemination of sustainable and participative destination management at local and sub-regional (NUTS4 and 5) level. Excellent examples exist, for example, in Austria.</li> <li>• Training – specific attention and preference lines in the EU programs for Lifelong Learning, ESF programs, etc. for tourism.</li> <li>• Our greatest concern is parks, such as food - mostly take-away. We would like the EU to support reduced value added rates for the tourism sector now and in the future.</li> </ul>	

**Table 5.1: What are the most important problems for the tourism industry in your country? Could any of these be addressed by action at the EU level in the short or medium term? If so, how?**

MS	Answer
	<ul style="list-style-type: none"> <li><i>An additional comment is a lot of local government and councils seem adept at tapping into certain EU subsidies/grants, it would be good if the EU could highlight their criteria in as much as these grants are [available]</i></li> </ul>

**Table 5.2: Can you give any examples of EU policies that have impacted (positively or negatively) the tourism industry within your country?**

MS	Answer
AT	<ul style="list-style-type: none"> <li><i>Legislative policies: tax regulations (esp. VAT), travel package directive, time-sharing directive/distance selling, SME related policies (access to finance / Basel III regulatory framework; competition regulations) employment policy, consumer policy, environment policy;</i></li> <li><i>All of them do have positive aspects and effects (however mostly for consumers), but also negative ones (tight settings and framework for entrepreneurial actions affecting competitiveness and productivity);</i></li> </ul>
HR	<i>Cross-border cooperation between EU Member States which helped to improve infrastructure, to integrate the existing natural, cultural and technical heritage offer, to establish cross-border area identity, which in turn have all influenced the extension of tourist season</i>
CY	<p><i>[...] the Cypriot tourist industry is directly affected and in a negative way in many cases, by [...] policies on CO2 emissions, air transport and aviation, connectivity, taxation, state aid, visas etc.</i></p> <p><i>EU policies should be supportive [...] and if possible make exemptions, partial or full, or special provisions, so as to mitigate the negative impacts on tourism flows and revenues and enhance their positive effects.</i></p>
CZ	<i>No specific examples given</i>
FI	<ul style="list-style-type: none"> <li><i>EU policies have no (or only very seldom) an impact on a national level.</i></li> </ul> <p><i>In 2011 Turku (Finland) hosted the ECOC event. The impact in Turku has been positive. Total number of visits was about 2 million. Number of overnight hotel visits increased by 7</i></p>
IT	<p><i>EU initiatives of particular interest:</i></p> <ul style="list-style-type: none"> <li><i>European cultural routes;</i></li> <li><i>certification (ecolabel); and</i></li> <li><i>Harmonization of the statistics, etc.</i></li> </ul> <p><i>Other EU policy areas of particular relevance: travels, holidays and package tours, timeshare (shared ownership and use of property), protection of air and rail passengers, free movement of services "Bolkestein Directive", etc.</i></p>
LT	<i>The development of tourism infrastructure, diversification of tourism services and improving of the quality of tourism services has been positively impacted by the support from the EU structural funds. In 2012, more than EUR 186.7 million of the EU structural support funds has been earmarked for the tourism projects.</i>
MT	<i>Some of the EU policies which have impacted the operating framework of tourism in Malta include:</i>

**Table 5.2: Can you give any examples of EU policies that have impacted (positively or negatively) the tourism industry within your country?**

	<ul style="list-style-type: none"> <li>• <i>Internal Market and Services (for example, Services Directive, Mutual Recognition of Professions Directive);</i></li> <li>• <i>Regional Policy;</i></li> <li>• <i>The Package Travel Directive (Directive 90/314/EEC)</i></li> <li>• <i>The Timeshare Directive (Directive 94/47/EC)</i></li> <li>• <i>The Emissions Trading Scheme for the Aviation Sector;</i></li> <li>• <i>EU policies regulating maritime affairs ;</i></li> <li>• <i>EU Visa policy ;</i></li> <li>• <i>Rural development policy;</i></li> <li>• <i>EU policies relating to health, consumer protection, security and safety;</i></li> <li>• <b><i>Free movement of persons.</i></b></li> </ul>
<b>NL</b>	<i>No specific examples</i>
<b>PL</b>	<i>EU policies of particular relevance include: transport policy, environmental protection policy, regional and rural development policy</i>
<b>RO</b>	<ul style="list-style-type: none"> <li>• <i>Directive 2006/123/EC of the European Parliament and of the Council of Europe dated on 12 December, 2006 regarding the services within the internal market;</i></li> <li>• <i>Directive 90/314/European Commission regarding the tourist, travel and tours packages;</i></li> <li>• <i>Directive 93/13/EC regarding the abusive clauses in the agreements concluded with the consumers;</i></li> <li>• <i>Directive 36/2005/EC regarding the recognizing of the professional qualification</i></li> </ul> <p><i>The provisions of the Directive are accelerating the procedure of recognizing the diplomas and the qualification of the tourism tour-guide</i></p>
<b>SK</b>	<ul style="list-style-type: none"> <li>• <i>Internal market and services (Services Directive)</i></li> <li>• <i>Justice and Fundamental Citizen Rights (Package Travel Directive)</i></li> <li>• <i>Mobility and Transport</i></li> <li>• <i>Environment</i></li> <li>• <i>Trade</i></li> <li>• <i>Health and Consumer Protection</i></li> <li>• <i>Culture (European Capitals of Culture) – Košice (the second largest city in Slovakia) will be European Capital of Culture in 2013, in this regard we expect a positive impact of this event on tourism in Slovakia.</i></li> </ul>
<b>ES</b>	<ul style="list-style-type: none"> <li>• <i>European Directive 2006/123/CE</i></li> <li>• <i>European Sustainability Tourism Chart certification</i></li> </ul>

**Table 5.2: Can you give any examples of EU policies that have impacted (positively or negatively) the tourism industry within your country?**

**EU level – Other stakeholders**

- *Rural Development within the CAP*
- *Environment policies generated specific support to sustainable small-scale local initiatives that would not have had a chance to kick-off without this*
- *The CEN standards for Amusement Parks, waterparks, and playgrounds have supported the industry's interest in maintaining a high level of safety for visitors and employees in the parks. However these standards need updating regularly and need to be promoted more to the industry through the national standards bodies.*
- *Directive on Services (2006/123/EC)*
- *The Regulations on Passenger Rights - Regulation 261/2004 significant development however some provisions unclear – beyond operators control for example*
- *Directive on Cross-border Healthcare have benefitted consumers.*
- *122 emergency number;*
- *Cheaper banking for businesses across the borders – for example it is not more expensive for a holiday park to charge a foreign card rather in comparison to a domestic card;*
- *Schengen area; and*
- *Right for paid leave for EU citizens- they chose Europe as a holiday destination.*
- *Open skies huge positive impact, easier to operate - stimulate competitiveness, drives prices down but this depends on the price volatility – in this respect there should be an EU guidance, no harmonisation but guidance)*

**Table 5.3: Do current regulations pose any barriers to your operations? If so, what changes could be made to overcome these barriers?**

*Legislation is usually adequate for the small and medium company, but not for the micro level.*

*Specific legislation that were mentioned:*

- *Definition of “business” – many activities are only part-time and/or only generate complementary income for the owner, but are considered as full business from the first EUR. Good examples to address this exist in France, Austria, Germany. Solution: modify [Directive] 2003/361/EC*
- *Food security; especially sale of home- or self-made food products to clients (incl. home-made meals): The problem seems to come from an ever-stricter interpretation of EU regulations at national, regional, and local level, instead of making use of the built-in flexibility options. Solution: training / best practice for authorities and administration.*
- *Environment rules can result in prohibitive barriers for micro-initiatives. Solution: establish threshold levels (capacity, turnover...) up to which certain requirements do not apply, or are solved through simplified processes.*
- *The Package Travel Directive (90/314/EEC) establishes responsibilities that are too difficult / risky for tour operators or agencies in the case of problems with packaging in the case of micro-services. Solution: modification of this directive.*

**Table 5.3: Do current regulations pose any barriers to your operations? If so, what changes could be made to overcome these barriers?**

*Consumers expect a common, minimum level of safety whether the service is provided in their home countries or abroad. Unfortunately, this is not always the case in Europe (for example, hotel fire safety regulations differ from country to country, and even locally).*

*Although the rights of people with disabilities in the transport sector are already – if only partly - addressed in recent EU legislation, the EU has yet to offer adequate and equal rights to people with disabilities in the area of tourism services. The accessibility of tourism and transport services is a continuum: a seamless interoperability of all elements of the service is expected (e.g. a taxi driver providing accessible transport services should be aware of the accessible entrances to a railway station, and so on).*

- *Working Time Directive: two main issues: maximum working week and active/inactive time on call; the second issue poses particular problems, for example for holiday park managers, if they live within the park, their sleeping time can be counted as subject to inactive time at work, therefore, subject to minimum pay – threat for the industry as it increases the costs of running business*
- *Unnecessary red tape; and*
- *Impact assessments prepared for the EU- tourism not considered to a large extent*

*Open skies - stimulate competitiveness, drives prices down but this depends on the price volatility – in this respect there should be an EU guidance, no harmonisation, but guidance*

- *Problems with the visas for ship crews, the industry has experienced some problems with the application of Schengen code, currently under the revision, the Commission is cooperating with the industry;*
- *IMA- International Maritime Affairs- the Commission should take into account developments of IMA, otherwise the European law not compatible with the IMA policies and this creates problems (no specific example given);*
- *EU enforcement role: Relations between the cruise industry and owners of the ports (usually state owned), EU should step into action, some guidelines or regulation needed;*
- *Port Facilities Directive and Fuel Directive enforced differently across the EU Member States;*
- *PTD - barrier to the industry, there should be common bonding system – if guarantee taken in one MS no need to take it in other Member States*

*In general, quite happy with the regulation and also with the results of the sweeps. Particularly two pieces of legislation are relevant:*

- *Transparency of air-fares;*
- *Computerised registration system*

*One of the consulted umbrella organisations sent a collection of mixed views, with half of the members saying that the regulations posed barriers and the other half stating that they did not.*





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*Annex 1:*

*List of Measures  
by Policy Area*

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## **1.1 Agriculture and Rural Development**

### **1.1.1 Legislative Instruments**

1. **Council Decision 2006/144/EC on Community strategic guidelines for rural development (programming period 2007 to 2013).**

### **1.1.2 Non-legislative Initiatives**

1. Commission Communication - Employment in rural areas: closing the jobs gap [COM (2006) 857].
2. Commission Communication - Better access for rural areas to modern ICT [COM (2009) 103 final].
3. Commission Communication - The CAP towards 2020: Meeting the food, natural resources and territorial challenges of the future [COM (2010) 672 final].

## **1.2 Climate Change**

### **1.2.1 Legislative Instruments**

1. Directive 2008/101/EC amending Directive 2003/87/EC so as to include aviation activities in the scheme for greenhouse gas emission allowance trading within the Community.

### **1.2.2 Non-Legislative Initiatives**

1. The Cancún Agreement, represents an important step on the road to building a comprehensive and legally binding framework for climate action for the period after 2012.

## **1.3 Competition**

### **1.3.1 Legislative Instruments**

1. Regulation (EC) No 800/2008 declaring certain categories of aid compatible with the common market in application of Articles 87 and 88 of the Treaty (General block exemption Regulation).
2. **Regulation (EC) No 1/2003 on the implementation of the rules on competition laid down in Articles 81 and 82 of the Treaty.**
3. **Regulation (EC) No 139/2004 on the control of concentrations between undertakings (the EC Merger Regulation).**

### **1.3.2 Non-legislative Initiatives**

1. **Commission Communication - Community guidelines on financing of airports and start-up aid to airlines departing from regional airports [2005/C 312/01].**
2. Guidelines on National Regional Aid for 2007-2013 [2006/C 54/08]

## **1.4 Culture and Education**

### **1.4.1 Legislative Instruments**

1. **Decision No 1194/2011/EU establishing a European Union action for the European Heritage Label.**
2. **Decision No 1622/2006/EC establishing a Community action for the European Capitals of Culture event for the years 2007 to 2019.**

### **1.4.2 Non-legislative Initiatives**

1. Commission Communication – New skills for new jobs: anticipating and matching labour market and skills needs [COM (2008) 868 final].
2. Commission Communication - European agenda for culture in a globalizing world [COM (2007) 242 final].
3. Conclusions on Work Plan for Culture 2011-14 [2010/C 325/01].
4. Commission Communication – Multilingualism: an asset for Europe and a shared commitment [COM (2008) 566 final].
5. Green Paper - Unlocking the potential of cultural and creative industries [COM (2010) 183].
6. [European Heritage Days](#) - launched by the Council of Europe in 1991.



## **1.5 Employment, Social Affairs and Inclusion**

### **1.5.1 Legislative Instruments**

1. Council Directive 2000/79/EC concerning the European agreement on the organisation of working time of mobile workers in civil aviation.
2. Directive 2008/94/EC on the protection of employees in the event of the insolvency of their employer.
3. Council Directive 97/81/EC concerning the framework agreement on part-time working concluded by UNICE, CEEP and the ETUC.
4. **Council Directive 99/70/EC concerning the framework agreement on fixed-term work concluded by ETUC, UNICE and CEEP.**
5. **Decision No 189 aimed at introducing a European health insurance card to access health care during a temporary stay in a Member State other than the competent State or the State of residence [2003/751/EC].**
6. **Directive 96/71/EC concerning the posting of workers in the framework of the provision of services.**
7. **Regulation (EC) No 883/2004, as amended by Regulation 988/2009, and Regulation 987/2009, as amended by Commission Regulation (EU) No 1244/2010 on the coordination of social security systems.**
8. Commission Decision on the establishment of sectoral dialogue committees promoting the dialogue between the social partners at European level [98/500/EC].

### **1.5.2 Non-legislative Initiatives**

1. Commission Decision on the Council Regulation (EEC) No 1612/68 on freedom of movement for workers within the Community as regards, in particular, a network entitled Eures (European Employment Services) (93/569/EEC).
2. Commission Communication - Agenda for New Skills and Jobs: A European contribution towards full employment [COM (2010) 682].

## **1.6 Energy**

### **1.6.1 Legislative Instruments**

1. Directive 2010/31/EU on the energy performance of buildings.

## **1.6.2 Non-legislative Initiatives**

1. Commission Communication - Energy Efficiency Plan 2011 [COM (2011) 109 final].

## **1.7 Enlargement<sup>1</sup>**

### **1.7.1 Legislative Instruments**

1. Council Decision on the principles, priorities and conditions contained in the Accession Partnership with Croatia and repealing Decision 2006/145/EC [2008/119/EC].
2. Council Decision on the principles, priorities and conditions contained in the Accession Partnership with the Republic of Turkey and repealing Decision 2006/35/EC [2008/157/EC].
3. Decision No 1/2010 of the EU-Montenegro Stabilisation and Association Council adopting its rules of procedure [2010/390/EU].
4. Council and Commission Decision concerning the conclusion of the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part [2004/239/EC].

### **1.7.2 Non-legislative Initiatives**

1. Commission Communication - Enlargement Strategy and Main Challenges 2011-2012 [COM (2011) 666].

## **1.8 External Relations**

### **1.8.1 Legislative Instruments**

1. Agreement on the European Economic Area [OJ No L 1, 3.1.1994].

### **1.8.2 Non-legislative Initiatives**

None identified.

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<sup>1</sup> Only measures relating to possible future enlargements are listed. Measures relating to recent (2004 and 2007) enlargements have not been taken into account.

## **1.9 Environment**

### **1.9.1 Legislative Instruments**

1. **Regulation (EC) No 66/2010 on the EU Ecolabel**
2. **Commission Decision establishing the ecological criteria for the award of the Community eco-label for tourist accommodation service [2009/578/EC]; and Commission Decision establishing the ecological criteria for the award of the Community eco-label for campsite services [2009/564/EC].**
3. Council Decision on the conclusion, on behalf of the European Community, of the Protocol on Soil Protection, the Protocol on Energy and the Protocol on Tourism to the Alpine Convention [2006/516/EC].
4. **Directive 2006/7/EC concerning the management of bathing water quality and repealing Directive 76/160/EEC (concerning the quality of bathing water).**
5. Directive 2000/60/EC establishing a framework for Community action in the field of water policy (*Water Framework Directive*).
6. Directive 98/83/EC on the quality of water intended for human consumption.
7. Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment (and its subsequent amendments in 1997, 2003, and 2009).
8. Directive 91/271/EEC concerning urban waste-water treatment.
9. Regulation (EC) No 1221/2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS), repealing Regulation (EC) No 761/2001 and Commission Decisions 2001/681/EC and 2006/193/EC.

### **1.9.2 Non-Legislative Initiatives**

1. **Commission Communication - Our life insurance, our natural capital: an EU biodiversity strategy to 2020 [COM (2011) 244].**
2. European Commission, Sustainable Tourism and Natura 2000 – Guidelines, initiatives and good practice in Europe.
3. **European Union Business@Biodiversity Platform - Tourism Sector and Biodiversity Conservation Guidance Document.**
4. [OURCOAST](#) Initiative.
5. Recommendation (2002/413/EC) concerning the implementation of Integrated Coastal Zone Management in Europe.

6. Council Decision concluding the Convention for the Protection of the Mediterranean Sea against Pollution and the Protocol for the prevention of the pollution of the Mediterranean Sea by dumping from ships and aircraft [77/585/EEC] (*Barcelona Convention*).

## **1.10 Health and Consumer Protection**

### **1.10.1 Legislative Instruments**

1. Regulation (EC) No 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.
2. Directive 2011/24/EC on the application of patients' rights in cross-border healthcare.
3. Council Recommendation 86/666/EEC on fire safety in existing hotels.
4. Directive 2009/22/EC on injunctions for the protection of consumers' interests.
5. **Regulation (EC) No 2006/2004 on cooperation between national authorities responsible for the enforcement of consumer protection laws (the Regulation on consumer protection cooperation).**

### **1.10.2 Non-legislative Initiatives**

1. **Sweep on Airlines (2007).**
2. **Sweep on Mobile Phone Content (2008).**
3. **Sweep on Online Tickets Sales (2010).**
4. Website – [\*Dolceta\*](#).
5. Website - [\*Is it fair?\*](#)
6. European Consumer Centres Network (ECC-Net).

## **1.11 Home Affairs**

### **1.11.1 Legislative Instruments**

1. **Council Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement.**
2. Regulation (EC) No 562/2006 establishing a Community Code on the Rules Governing the Movement of Persons across Borders (Schengen Borders Code).
3. **Regulation (EC) No 810/2009 establishing a Community Code on Visas (Visa Code).**
4. Commission Decision No C (2010) 1620 establishing the Handbook for the processing of visa applications and the modification of issued visas.

*The various visa facilitation agreements listed below as numbers 5 to 13 are described in a combined summary in Annex 2.*

5. Agreement between the European Community and the Republic of Albania on the facilitation of the issuance of visas.
6. Agreement between the European Community and Bosnia and Herzegovina on the facilitation of the issuance of visas.
7. Agreement between the European Community and the Former Yugoslav Republic of Macedonia on the facilitation of the issuance of visas.
8. Agreement between the European Union and Georgia on the facilitation of the issuance of visas.
9. Agreement between the European Community and the Republic of Moldova on the facilitation of the issuance of visas.
10. Agreement between the European Community and the Republic of Montenegro on the facilitation of the issuance of visas.
11. Agreement between the European Community and the Republic of Serbia on the facilitation of the issuance of visas.
12. Agreement between the European Community and the Russian Federation on the facilitation of the issuance of visas.
13. Agreement between the European Community and Ukraine on the facilitation of the issuance of visas.

### **1.11.2 Non Legislative Initiatives**

- 1. Commission Recommendation 2004/645/EC on the implementation by the consular offices of the Member States of the Memorandum of Understanding between the European Community and the National Tourism Administration of the People's Republic of China on visa and related issues concerning tourist groups from the People's Republic of China.**
2. Commission Communication – Preparing the next steps in border management in the European Union [COM (2008) 69 final].
3. Commission Communication - Smart borders: options and the way ahead [COM (2011) 680 final].

## **1.12 Communications Networks, Content and Technology**

### **1.12.1 Legislative Instruments**

- 1. Regulation (EC) No 717/2007 on roaming on public mobile telephone networks within the Community (as amended by Regulation (EC) No 544/2009).**

### **1.12.2 Non-legislative Initiatives**

1. Commission Communication - Bridging the Broadband Gap [COM (2006) 129 final].

## **1.13 Internal Market and Services**

### **1.13.1 Legislative Instruments**

1. Council Decision 2010/48/EC concerning the conclusion, by the European Community, of the United Nations Convention on the Rights of Persons with Disabilities.
2. Council Directive 84/641/EEC amending, particularly as regards tourist assistance, the First Directive (73/239/EEC) on the coordination of laws, regulations and administrative provisions relating to the taking-up and pursuit of the business of direct insurance other than life assurance.
3. Directive 2005/36/EC on the recognition of professional qualifications (as amended by subsequent legislation)
4. **Directive 2006/123/EC on services in the internal market.**
5. Directive 2000/31/EC on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market.

### **1.13.2 Non-legislative Initiatives**

1. Commission Communication - Towards a Single Market Act, For a highly competitive social market economy, 50 proposals for improving our work, business and exchanges with one another [COM (2010) 608].
2. The Internal Market Problem Solving Network ([SOLVIT](#)): Handles problems with a cross-border element which are due to bad application of EU law.
3. Commission Communication - Towards a better functioning Single Market for services: building on the results of the mutual evaluation process of the Service Directive [COM (2011) 20 final].

## **1.14 Justice and Fundamental Citizen Rights**

### **1.14.1 Legislative Instruments**

1. **Directive 90/314/EEC on package travel, package holidays and package tours.**
2. **Directive 2008/122/EC on the protection of consumers in respect of certain aspects of timeshare, long-term holiday products, resale and exchange contracts.**
3. Decision on the establishment of an emergency travel document [96/409/CFSP].
4. Regulation (EC) No 861/2007 establishing a European small claims procedure.
5. Directive 2006/114/EC concerning misleading and comparative advertising.
6. **Directive 2005/29/EC concerning unfair business-to-consumer commercial practices in the internal market (*Unfair Commercial Practices Directive*).**
7. Directive 98/6/EC on consumer protection in the indication of the prices of products offered to consumers.
8. Directive 2011/83/EU on consumer rights.
9. Directive 2004/38/EC on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States.
10. Proposal for a Council Directive on consular protection for citizens of the Union abroad [COM(2011) 881 final]

### **1.14.2 Non-legislative Initiatives**

1. Commission Communication – European Disability Strategy 2010-2020: A Renewed Commitment to a Barrier-Free Europe [COM (2010) 636 final].

## **1.15 Maritime Affairs and Fisheries**

### **1.15.1 Legislative Instruments - Maritime Affairs & Fisheries**

1. **Directive 2008/56/EC establishing a Framework for Community Action in the field of Marine Environmental Policy** (*Marine Strategy Framework Directive*).

### **1.15.2 Non-Legislative Initiatives - Maritime Affairs**

1. **Commission Communication – Conclusions from the Consultation on a European Marine Policy** [COM (2007) 574].
2. **Commission Communication - Towards an Integrated Maritime Policy for better governance in the Mediterranean** [COM(2009) 466]
3. **Commission Communication - Developing the international dimension of the Integrated Maritime Policy of the European Union** [COM(2009) 536 Final]
4. **Commission Staff Working Document - Maritime Clusters** [SEC (2007) 1406].
5. **Commission Communication - Maritime Spatial Planning in the EU – Achievements and Future Development** [COM (2010) 771].
6. **The European Union and the Arctic Region** [COM (2008)763].
7. **Forthcoming Commission Communication - the Challenges and Opportunities Concerning Maritime and Coastal Tourism in the EU – subject to an ongoing [public consultation](#). Note as no information is available on the communication, this measure is not considered further.**

## **1.16 Mobility and Transport**

### **1.16.1 Legislative Instruments**

1. **Regulation (EC) No 261/2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights.**
2. **Regulation (EC) No 1107/2006 concerning the rights of disabled persons and persons with reduced mobility when travelling by air.**
3. **Regulation (EC) No 1371/2007 on rail passengers' rights and obligations.**
4. **Regulation (EU) No 1177/2010 concerning the rights of passengers when travelling by sea and inland waterway.**
5. **Regulation (EU) No 181/2011 concerning the rights of passengers in bus and coach transport.**



6. Regulation (EC) No 1008/2008 on common rules for the operation of air services in the Community.
  7. Directive 2009/12/EC on airport charges.
  8. Regulation (EC) No 2111/2005 on the establishment of a Community list of air carriers subject to an operating ban within the Community and on informing air transport passengers of the identity of the operating air carrier.
  9. **Decision 2007/339/EC on the signature and provisional application of the Air Transport Agreement between the European Community and its Member States, on the one hand, and the United States of America, on the other hand.**
  10. The Single European Sky was created by regulation which is composed of:
    - Regulation (EC) No 549/2004 laying down the framework for the creation of the single European sky (the framework Regulation);
    - Regulation (EC) No 550/2004 on the provision of air navigation services in the single European sky (the service provision Regulation);
    - Regulation (EC) No 551/2004 on the organisation and use of the airspace in the single European sky (the airspace Regulation);
    - Regulation (EC) No 552/2004 on the interoperability of the European Air Traffic Management network (the interoperability Regulation); and
    - Regulation (EC) No 1070/2009 amending Regulations (EC) No 549/2004, (EC) No 550/2004, (EC) No 551/2004 and (EC) No 552/2004 in order to improve the performance and sustainability of the European aviation system
- For the purpose of this study the above regulations will be assessed closely together as it is believed that this package has had an impact upon air services in the EU.*
11. Regulation (EC) No 80/2009 on a Code of Conduct for Computerised Reservation Systems and repealing Council Regulation (EEC) No 2299/89.
  12. Regulation (EC) No 1073/2009 on common rules for access to the international market for coach and bus services and amending Regulation (EC) No 561/2006.
  13. Regulation (EC) No 1356/96 on common rules applicable to the transport of goods or passengers by inland waterway between Member States with a view to establishing freedom to provide such transport services.
  14. Regulation (EEC) No 4055/86 applying the principle of freedom to provide services to maritime transport between Member States and between Member States and third countries.

15. Regulation (EC) No 889/2002 amending Council Regulation (EC) No 2027/97 on Air Carrier Liability in the event of accidents.

16. **Proposal for a Regulation on Union guidelines for the development of the trans-European transport network [COM (2011) 650/2].**

### **1.16.2 Non-legislative Initiatives**

1. Commission Communication - An action plan for airport capacity, efficiency and safety in Europe [COM (2006) 819].
2. Commission Communication - A sustainable future for transport: Towards an integrated, technology-led and user friendly system [COM (2009) 279].
3. Commission Communication - Action Plan on Urban Mobility [COM (2009) 490].
4. [Passenger Rights Campaign](#).

## **1.17 Regional Policy**

### **1.17.1 Legislative Instruments**

None identified

### **1.17.2 Non-legislative Initiatives**

1. **Commission Communication - European Union Strategy for Danube Region [COM(2010) 715 final]**
2. **Commission Communication - concerning the European Union Strategy for the Baltic Sea Region [COM (2009) 248 final].**

## **1.18 Research and Innovation**

### **1.18.1 Legislative Instruments**

None identified.

### **1.18.2 Non-legislative Initiatives**

1. Commission Communication - Internet of Things: an action plan for Europe [COM (2009) 278 final].

## **1.19 Taxation**

### **1.19.1 Legislative Instruments**

1. **Council Directive 2006/112/EC on the common system of value added tax<sup>2</sup>.**

### **1.19.2 Non-legislative Initiatives**

1. eLearning course that has been developed by the European Commission under the [Fiscalis 2013 Programme](#).
2. Green Paper on the future of VAT– Towards a simpler, more robust and efficient VAT system [COM (2010) 695 final].

## **1.20 Trade**

### **1.20.1 Legislative Instruments**

1. Council Decision 94/800/EC concerning the conclusion on behalf of the European Community, as regards matters within its competence, of the agreements reached in the Uruguay Round multilateral negotiations (1986-1994).
2. [Doha Development Round](#).

### **1.20.2 Non-legislative Initiatives**

None identified.

## **1.21 Development and Cooperation**

### **1.21.1 Legislative Instruments**

None identified.

### **1.21.2 Non-legislative Initiatives**

1. Commission Communication - A European Community strategy to support the development of sustainable tourism in the developing countries [COM (1998) 563 final/2].

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<sup>2</sup> As implemented by: Council Implementing Regulation (EU) No 282/2011 laying down implementing measures for Directive 2006/112/EC on the common system of value added tax.

## **1.22 Eurostat**

### **1.22.1 Legislative instruments**

- 1. Regulation (EU) No 692/2011 concerning European statistics on tourism and repealing Council Directive 95/57/EC.**

### **1.22.2 Non-legislative Initiatives**

None identified.

*Annex 2:*

*Summaries of Measures  
by Policy Area*

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## 2.1 Agriculture and Rural Development

### 2.1.1 Legislative Instruments

*Council Decision 2006/144/EC on Community strategic guidelines for rural development*

<b>Table 2.1: Summary Description – Council Decision 2006/144/EC on Community strategic guidelines for rural development (programming period 2007 to 2013)</b>	
<b>Policy Area</b>	Agriculture and Rural Development
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Decision
<b>Objective</b>	<p>These guidelines set the Community priorities for rural development for the period 2007-2013. They contain some explicit reference to rural tourism, which include:</p> <ol style="list-style-type: none"> <li>1. Improving the competitiveness of the agricultural and forestry sectors;</li> <li>2. Improving the environment and the countryside: diversification, for example into tourism, may lead to the growth of jobs as well as to the recognition of rural areas</li> <li>3. Improving the quality of life in rural areas and encouraging diversification of the rural economy: <ul style="list-style-type: none"> <li>• tourism was named one of the growing sectors which provides an opportunity for diversification outside agriculture and the development of micro-businesses in the broader rural economy;</li> <li>• provision of training for young people in the skills needed for diversification, for example into tourism;</li> <li>• encouragement of the development of tourism, especially agri-tourism</li> </ul> </li> <li>4. Building local capacity for employment and diversification – this provides support to community-led local development</li> </ol>
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope</b>	<p>Rural tourism is referred to explicitly, hence the Decision may impact upon:</p> <ul style="list-style-type: none"> <li>• Tourists</li> <li>• Accommodation providers</li> <li>• Transport providers</li> <li>• Restaurants/Cafes</li> </ul>
<b>State of implementation</b>	In force since 2006
<b>Type of impact(s)</b>	<p>Direct impact on tourism, as rural tourism is included within the key priorities for rural development for 2007-2013. This Decision provides the overarching priorities for Member States, which then are transformed into National Rural Development Programmes. These in turn provide opportunities for projects in the field of tourism. For example, by promoting the skills needed for diversification into areas such as the tourism industry (examples of projects are included in the accompanying Volume 2 to this report – Guide to EU Funding Programmes for Tourism Stakeholders).</p>

<b>Table 2.1: Summary Description – Council Decision 2006/144/EC on Community strategic guidelines for rural development (programming period 2007 to 2013)</b>	
<b>Link to objectives<sup>1</sup> of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for the Community Strategic Guidelines for Rural Development are: <i>Maximise the potential of EU policies and financial instruments for developing tourism, Stimulate competitiveness in the European tourism sector and Promoting the development of sustainable, responsible and high-quality tourism.</i>
<b>Scale of impact</b>	This Decision provided a framework for 2007-2013 rural development strategies and programmes developed at Member State level, so the impacts will depend on the Member States' implementation and priorities.
<p><i>Source:</i>            EC(2006): <i>Community strategic guidelines for rural development (programming period 2007 to 2013)</i>, available at:  <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:055:0020:0029:EN:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:055:0020:0029:EN:PDF</a></p>	

## 2.1.2 Non-legislative Initiatives

### *Commission Communication - Employment in rural areas: closing the jobs gap [COM (2006) 857]*

<b>Table 2.2: Summary Description – Commission Communication - Employment in rural areas: closing the jobs gap [COM (2006) 857]</b>	
<b>Policy Area</b>	Agriculture and Rural Development
<b>Instrument/initiative</b>	Non-legislative initiative
<b>Type of instrument/ initiative</b>	Communication
<b>Objective</b>	This Communication aims to assess employment prospects in rural areas, examine the impact of the Common Agricultural Policy (CAP) and rural development policies on jobs, as well as propose future policy actions
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope</b>	While broader in scope, this Communication explicitly refers to tourism (and agri-tourism) as a means of diversification from agriculture, hence the Communication may impact upon: <ul style="list-style-type: none"> <li>• Accommodation providers</li> <li>• Transport providers</li> <li>• Restaurants/Cafes</li> </ul>
<b>State of implementation</b>	Not applicable
<b>Type of impact</b>	The Communication notes that multi-sectoral and area-based approaches, based on partnerships (going beyond agriculture, the agri-food industry and farm tourism), should be encouraged through the development of new skills, entrepreneurship and the capacity to deliver new types of services, so there may be impacts on tourism supply. The development of rural tourism represents an important opportunity for people living in rural areas.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this Communication is: <i>Stimulate competitiveness in the</i>

<sup>1</sup> This refers to the Commission's objectives as set out in the 2010 Communication - Europe, the world's No 1 tourist destination – a new political framework for tourism in Europe [COM (2010) 352 final]



<b>Table 2.2: Summary Description – Commission Communication - Employment in rural areas: closing the jobs gap [COM (2006) 857]</b>	
	<i>European tourism sector</i>
<b>Scale of impact</b>	The scale of impact could be significant. The future of rural areas, especially the most remote ones, is dependent on a common, EU response to the current problems, including lack of skills and human capital and limited participation of young people and women in the rural economy. The enlargement of the EU could increase the number of areas facing such problems. Rural areas offer opportunities with relation to e.g. their potential for growth in new sectors and the provision of tourism services. The agricultural sectors should benefit from the opportunities offered by new approaches, technologies and innovation. This will require the development of new skills, entrepreneurship and the capacity to adapt to delivering new types of service and could help to overcome problems associated with rural tourism mentioned above.
<p><i>Sources:</i>            EC (2006): <b>Employment in rural areas: closing the jobs gap</b>, COM(2006) 857 final, available at: <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2006:0857:FIN:EN:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2006:0857:FIN:EN:PDF</a>            More information available at: <a href="http://europa.eu/legislation_summaries/employment_and_social_policy/job_creation_measures/c0002_1_en.htm">http://europa.eu/legislation_summaries/employment_and_social_policy/job_creation_measures/c0002_1_en.htm</a></p>	

**Commission Communication - Better access for rural areas to modern ICT [COM (2009) 103]**

<b>Table 2.3: Summary Description – Commission Communication - Better access for rural areas to modern ICT [COM (2009) 103]</b>	
<b>Policy Area</b>	Agriculture and Rural Development
<b>Instrument/initiative</b>	Non-legislative initiative
<b>Type of instrument/initiative</b>	Communication
<b>Objective</b>	This Communication aims to benefit rural areas by improving access to Information and Communication Technologies (ICTs)
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope</b>	<p>The Communication focuses on the access to ICTs in rural areas. ICTs are mentioned in 21 Regional Development Programmes in 15 Member States and specific activities include increased access to the internet, promotion of e-business and bookings, creation of websites, tourist web-portals and on-line information centres linked to rural tourism. These activities may benefit:</p> <ul style="list-style-type: none"> <li>• Tourists</li> <li>• Accommodation providers</li> <li>• Transport providers</li> <li>• Restaurants/Cafes</li> <li>• Travel agents/Tour operators</li> </ul>
<b>State of implementation</b>	Not applicable

<b>Table 2.3: Summary Description – Commission Communication - Better access for rural areas to modern ICT [COM (2009) 103]</b>	
<b>Type of impact</b>	The impacts of the Communication will stem from better access to information and the provision of services (on-line booking systems) which may increase the number of tourists, as well as helping to create growth and employment possibilities in rural areas.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this Communication is: <i>Stimulate competitiveness in the European tourism sector.</i>
<b>Scale of impact</b>	The impacts of the Communication could be significant. The efficient use of ICT and better internet access could promote entrepreneurship and economic progress in rural areas, thus contributing to the competitiveness of businesses, including agri-tourism businesses, the quality of life and diversification of the rural economy.
<p><i>Source:</i>            EC (2009): <i>Better access for rural areas to modern ICT, COM (2009) 103 final, available at:</i>  <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2009:0103:FIN:EN:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2009:0103:FIN:EN:PDF</a></p>	

***Commission Communication - The CAP towards 2020: Meeting the food, natural resources and territorial challenges of the future [COM (2010) 672 final].***

<b>Table 2.4: Summary Description – Commission Communication - The CAP towards 2020: Meeting the food, natural resources and territorial challenges of the future [COM (2010) 672 final]</b>	
<b>Policy Area</b>	Agriculture and Rural Development
<b>Instrument/initiative</b>	Non-legislative initiative
<b>Type of instrument/initiative</b>	Communication
<b>Objective</b>	This Communication introduces policy options for the Common Agriculture Policy (CAP) and includes tourism as one of the policy options for diversification from traditional agricultural activities.
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope</b>	The communication is aimed at rural areas and could impact: <ul style="list-style-type: none"> <li>• Tourists</li> <li>• Accommodation providers</li> <li>• Restaurants/Cafes</li> </ul>
<b>State of implementation</b>	Not applicable (the Communication on “The CAP towards 2020” outlined options for the future CAP. Following this, the Commission presented a set of legal proposals to address the challenges outlined by the Communication. These are expected to be approved by the end of 2013, with a view to having the CAP reform in place from 1st January 2014.)
<b>Type of impact</b>	The Communication acknowledges a number of issues relating to the lack of territorial and social cohesion in rural areas. The Communication suggested that tourism may be one means to alleviate these issues.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this Communication is: <i>Stimulate competitiveness in the European tourism sector</i>
<b>Scale of impact</b>	In order to have a significant impact on the problems identified, the diversification of agricultural activities towards tourism activities will need to be supported by the promotion of ICT, the improvement of transport infrastructure and increased opportunities to enhance skills.

**Table 2.4: Summary Description – Commission Communication - The CAP towards 2020: Meeting the food, natural resources and territorial challenges of the future [COM (2010) 672 final]**

*Sources:*

*EC(2010): The CAP towards 2020: Meeting the food, natural resources and territorial challenges of the future, COM (2010) 672 final, available at:*

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52010DC0672:EN:NOT>

*More information available at:*

[http://europa.eu/legislation\\_summaries/agriculture/general\\_framework/ag0010\\_en.htm](http://europa.eu/legislation_summaries/agriculture/general_framework/ag0010_en.htm)

## 2.2 Climate Change

### 2.2.1 Legislative Instruments

*Directive 2008/101/EC amending Directive 2003/87/EC so as to include aviation activities in the scheme for greenhouse gas emission allowance trading within the Community*

<b>Table 2.5: Summary Description – Directive 2008/101/EC amending Directive 2003/87/EC so as to include aviation activities in the scheme for greenhouse gas emission allowance trading within the Community</b>	
<b>Policy Area</b>	Climate Change
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Directive
<b>Objective</b>	To reduce the climate change impact attributable to aviation by including emissions from aviation activities in the EU Emissions Trading Scheme (ETS). The aim of the EU ETS is to help Member States achieve their commitments to limit greenhouse gas emissions in a cost-effective way
<b>Geographical scope</b>	All EU Member States plus EEA Members: Iceland, Liechtenstein and Norway
<b>Sectoral scope</b>	The Directive applies to aviation activities with some exceptions. Essentially, all flights arriving at and departing from EU airports are included in the scheme from 2012. Aircraft operators are responsible for complying with the obligations imposed by this Directive and as such this Directive impacts upon: transport providers
<b>State of implementation</b>	Active – Regulations for reporting CO <sub>2</sub> emissions from aviation under the EU - ETS came into effect January 1, 2010. The emissions limit - the cap - took effect on January 1, 2012.
<b>Type of impact</b>	Directive 2008/101/EC is aimed at aircraft operators and the conduct of their operations. As a result there may be an impact on air travellers. There will be environmental benefits from the reduction of CO <sub>2</sub> emissions.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for the Directive is: <i>Promote the development of sustainable, responsible and high-quality tourism.</i>
<b>Scale of impact</b>	Although it has been argued that the costs to the aircraft operators will be passed on to customers (by 2020, airline ticket prices would increase by between €4.60 and €39.60, depending on the journey length), this is expected to have only a marginal effect on forecast demand and airlines' profitability. For tourism specifically, the greatest impacts can be expected in regions where the tourism sector depend largely or entirely on inbound air travel. For most Member States, the additional cost to tourists are expected to be less than 2% of average holiday expenditure, and in all Member States it would be almost comparable to yearly fluctuations due to trends in tourist flows. Since all airlines would be treated equally, competition between airlines is unlikely to be significantly affected.
<i>Source:</i> EC (2006): <i>Summary of the Impact Assessment: Inclusion of Aviation in the EU Greenhouse Gas Emissions Trading Scheme (EU ETS)</i> , SEC (2006) 1685, available at: <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=SEC:2006:1685:FIN:EN:HTML">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=SEC:2006:1685:FIN:EN:HTML</a>	

2.2.2 Non-Legislative Initiatives

*Cancun Agreement under the UN Framework Convention on Climate Change (UNFCCC)*

<b>Table 2.6: Summary Description – Cancun Agreement</b>	
<b>Policy Area</b>	Climate Change
<b>Instrument/initiative</b>	Non-legislative instrument
<b>Type of instrument/initiative</b>	Agreement under the UN Framework Convention on Climate Change (UNFCCC)
<b>Objective</b>	<p>The main aims of the agreement are to:</p> <ul style="list-style-type: none"> <li>• establish clear objectives for reducing human-generated greenhouse gas emissions over time to keep the global average temperature rise below two degrees;</li> <li>• encourage the participation of all countries to reduce these emissions in accordance with their different responsibilities and capabilities;</li> <li>• ensure the international transparency of the actions which are taken by countries, and ensure that global progress towards the long-term goal is reviewed in a timely manner;</li> <li>• mobilize the development and transfer of clean technology to boost efforts to address climate change, getting it to the right place at the right time and for the best effect;</li> <li>• mobilize and provide scaled-up funds in the short- and long-term to enable developing countries to take greater and effective action;</li> <li>• assist the particularly vulnerable people in the world to adapt to the inevitable impacts of climate change;</li> <li>• protect the world’s forests; a major repository of carbon;</li> <li>• build up global capacity, especially in developing countries, to meet the overall challenge; and</li> <li>• establish effective institutions and systems which will ensure these objectives are implemented successfully.</li> </ul>
<b>Geographical scope</b>	International
<b>Sectoral scope</b>	Could include all sectors
<b>State of implementation</b>	Active since 2010
<b>Type of impact</b>	Although the focus is not on tourism itself, there may be impacts through the tourism supply chain. The impacts may arise through measures adopted to meet the aims of the agreement, for example measures to reduce energy consumption in buildings (including tourist accommodation) and greater energy efficiency in transport. Measures to protect the world’s forests could have a positive impact on tourism, as forest areas are attractive to tourists. Addressing the impacts of climate change, such as sea level rises, can also protect tourist destinations from adverse changes in the future.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant is: <i>Promote the development of sustainable, responsible and high-quality tourism.</i>
<b>Scale of impact</b>	Mitigation and adaptation was initiated by governments as of 2011. Impacts could be significant; however, due to the recent adaptation of this Agreement, it is too early to determine the real scale of impacts.
<p>Source:            More information available at : <a href="http://cancun.unfccc.int/">http://cancun.unfccc.int/</a></p>	

## 2.3 Competition

### 2.3.1 Legislative Instruments

***Regulation (EC) No 800/2008 declaring certain categories of aid compatible with the common market in application of Articles 87 and 88 of the Treaty (General block exemption Regulation)***

<b>Table 2.7: Summary Description – Regulation (EC) No 800/2008 declaring certain categories of aid compatible with the common market in application of Articles 87 and 88 of the Treaty (General block exemption Regulation)</b>	
<b>Policy Area</b>	Competition
<b>Instrument/initiative</b>	Legislative Instrument
<b>Type of instrument/initiative</b>	Regulation
<b>Objective</b>	The objective of this Regulation is to establish rules in relation to the exemption from the notification requirement for state aid
<b>Geographical scope</b>	All EU Member States and the EEA Members: Iceland, Liechtenstein and Norway
<b>Sectoral scope</b>	This Regulation is applicable to a number of sectors. State aid for tourism is dealt with explicitly and tourism activities are exempted from the notification requirement under this Regulation, thus covering: <ul style="list-style-type: none"> <li>• Accommodation providers</li> <li>• Restaurants/Cafes</li> <li>• Attractions</li> </ul>
<b>State of implementation</b>	Active – in force since 2008 and will be active until the end of 2013
<b>Type of impact</b>	This Regulation gives automatic approval for 26 types of state aid measures, thus giving Member States the opportunity to support regional development by means of providing aid to tourism activities.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for the Regulation is: <i>Stimulate competitiveness in the European tourism sector.</i>
<b>Scale of impact</b>	This Regulation may impact tourism to differing degrees, depending on the Member States' priorities and policies. The Regulation facilitates the efficient transfer of aid to areas which affect tourism, such as training, female entrepreneurs, SMEs, etc.
<p><i>Sources:</i>  Wishlade F (2008): <i>Measure for measure: recent developments in EU competition and regional aid control</i>, available at:  <a href="http://www.eprc.strath.ac.uk/eorpa/Documents/EoRPA_08_Papers/EoRPA_08-3.pdf">http://www.eprc.strath.ac.uk/eorpa/Documents/EoRPA_08_Papers/EoRPA_08-3.pdf</a>  More information available at:  <a href="http://europa.eu/legislation_summaries/competition/state_aid/cc0001_en.htm">http://europa.eu/legislation_summaries/competition/state_aid/cc0001_en.htm</a>;</p>	

**Regulation (EC) No 1/2003 on the implementation of the rules on competition laid down in Articles 81 and 82 of the Treaty**

<b>Table 2.8: Summary Description – Regulation (EC) No 1/2003 on the implementation of the rules on competition laid down in Articles 81 and 82 of the Treaty</b>	
<b>Policy Area</b>	Competition
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Regulation
<b>Objective</b>	The objective of this Regulation is to implement Articles 101 and 102 of the Treaty on the Functioning of the European Union (TFEU). It lays down rules implementing the provisions of the TFEU relating to agreements, decisions by associations of undertakings and concerted practices which may restrict competition (Article 101 TFEU) and abuses of a dominant position (Article 102 TFEU).
<b>Geographical scope</b>	All EU Member States plus the EEA Members: Iceland, Liechtenstein and Norway
<b>Sectoral scope</b>	This Regulation is applicable to all commercial activities and as such also to tourism. However, tourism is not referred to explicitly. Since the adoption of Council Regulation (EC) No 411/2004, Regulation 1/2003 also applies to air transport. Thus, stakeholders affected include: <ul style="list-style-type: none"> <li>• Accommodation providers</li> <li>• Transport providers</li> <li>• Restaurants/Cafes</li> <li>• Attractions</li> </ul>
<b>State of implementation</b>	Active – in force since 2003
<b>Type of impact</b>	This Regulation sets out the competencies of the European Commission which include issuing decisions, findings, terminating an infringement, ordering interim measures, making commitments binding and finding that Articles 101 and 102 TFEU are inapplicable. This Regulation affects the general business conditions for the tourism sector, as it prohibits activities restricting competition and abusive powers of firms dominating the internal market.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this Regulation is: <i>Stimulate competitiveness in the European tourism sector.</i>
<b>Scale of impact</b>	The impacts of this Regulation have already been noticeable and relevant cases are listed on the DG Competition webpage. They include a 2009 transport-related case of Virgin Atlantic vs. British Airways/American Airlines/Iberia*, which resulted in a larger number of competing airlines being allowed to operate and increase their services from London Heathrow Airport.
<p><i>Note:</i>  *More information about this specific case can be found at:  <a href="http://ec.europa.eu/competition/elojade/isef/case_details.cfm?proc_code=1_39596">http://ec.europa.eu/competition/elojade/isef/case_details.cfm?proc_code=1_39596</a></p> <p><i>Sources:</i>  EC(2004): <b>Regulation (EC) No 411/2004 in connection with air transport between the Community and third countries</b>, available at: <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2004:068:0001:0002:EN:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2004:068:0001:0002:EN:PDF</a>  More information available at:  <a href="http://europa.eu/legislation_summaries/competition/firms/l26092_en.htm">http://europa.eu/legislation_summaries/competition/firms/l26092_en.htm</a>;</p>	

**Regulation (EC) No 139/2004 on the control of concentrations between undertakings (the EC Merger Regulation)**

<b>Table 2.9: Summary Description – Regulation (EC) No 139/2004 on the control of concentrations between undertakings</b>	
<b>Policy Area</b>	Competition
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Regulation
<b>Objective</b>	The Regulation provides a framework for the control of “concentrations” with “a Community dimension”.
<b>Geographical scope</b>	All EU Member States plus the EEA Members: Iceland, Liechtenstein and Norway
<b>Sectoral scope</b>	Tourism is not referred to explicitly. This Regulation is applicable to a range of commercial activities, and thus also to tourism; therefore tourism stakeholders affected by these guidelines may include any economic operators, including: <ul style="list-style-type: none"> <li>• Accommodation providers</li> <li>• Transport providers</li> <li>• Restaurants/Cafes</li> </ul>
<b>State of implementation</b>	Active – in force since 2004
<b>Type of impact</b>	The provisions of this Regulation apply to a range of commercial activities which fall within the tourism sector. It may therefore impact the tourism sector, as it reduces the possibility of monopolies within the sector that can substantially change the market structure. This impacts both the tourism industry itself and EU tourists, as it helps to ensure fair competition in the sector.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this Regulation is: <i>Stimulate competitiveness in the European tourism sector.</i>
<b>Scale of impact</b>	Tourism-related merger cases are listed on the EC Internet site. A 2011 tourism-related case was Case No. COMP/M.6163 – Axa/Permira/Opodo/Go Voyages/EDreams* which was declared compatible with the internal market rules in 2011. Another example was the proposed acquisition of Worldspan, the US electronic travel distribution services provider, by Travelport. This acquisition was cleared by the Commission in 2007. However, in 2011 the Commission prohibited the proposed merger between Aegean Airlines and Olympic Air, on the basis that it would have resulted in a quasi-monopoly in the Greek air transport market.
<p><i>Note:</i>  More information about this specific case can be found at:  <a href="http://ec.europa.eu/competition/mergers/cases/decisions/m6163_20110530_20310_1852583_EN.pdf">http://ec.europa.eu/competition/mergers/cases/decisions/m6163_20110530_20310_1852583_EN.pdf</a>  Sources:  EC (2004): <i>Regulation (EC) No 139/2004 on the control of concentrations between undertakings</i>, available at: <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32004R0139:EN:NOT;">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32004R0139:EN:NOT;</a>  More information available at:  <a href="http://europa.eu/legislation_summaries/competition/firms/l26096_en.htm">http://europa.eu/legislation_summaries/competition/firms/l26096_en.htm;</a></p>	



2.3.2 Non-legislative Initiatives

**Commission Communication - Community guidelines on financing of airports and start-up aid to airlines departing from regional airports [2005/C 312/01]**

<b>Table 2.10: Summary Description – Commission Communication - Community guidelines on financing of airports and start-up aid to airlines departing from regional airports [2005/C 312/01]</b>	
<b>Policy Area</b>	Competition
<b>Instrument/initiative</b>	Non-legislative initiative
<b>Type of instrument/initiative</b>	Guidelines
<b>Objective</b>	The objective of these Guidelines is to specify to what extent and how public financing of airports and State aid for starting up air routes will be assessed by the Commission, in the light of Community rules and procedures on State aid.
<b>Geographical scope</b>	All EU Member States plus the EEA Members: Iceland, Liechtenstein and Norway.
<b>Sectoral scope</b>	These Guidelines apply to air transport, which is one of the sectors in the tourism supply chain. More specifically, they apply to using public funds to finance regional airports and new routes (or new schedules). As such, these guidelines impact upon: transport providers.
<b>State of implementation</b>	Active – since 2005 Between April and July 2011, the European Commission ran a public consultation on the application of the Community guidelines. This should provide the Commission with comments and proposals from stakeholders and the guidelines may be revised in the future if necessary.
<b>Type of impact</b>	The guidelines encourage the development of regional airports. They encourage the spread of air traffic across a larger number of hubs and provide incentives for the economic development of the regions concerned. However, it remains unclear as to whether the implementation of the guidelines is indeed providing overall benefits to the tourism industry sector (see below).
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this Commission Communication is: <i>Stimulate competitiveness in the European tourism sector.</i>
<b>Scale of impact</b>	Impacts could be significant; there is, however, limited information either on the number of instances where aid has been used for financing regional airports or on the total value of such aid.
<p>Source:            More information available at:  <a href="http://europa.eu/legislation_summaries/competition/state_aid/cc0001_en.htm">http://europa.eu/legislation_summaries/competition/state_aid/cc0001_en.htm</a></p>	

**Guidelines on National Regional Aid for 2007-2013 [2006/C 54/08]**

<b>Table 2.11: Summary Description – Guidelines on National Regional Aid for 2007-2013</b>	
<b>Policy Area</b>	Competition
<b>Instrument/initiative</b>	Non-legislative instrument
<b>Type of instrument/initiative</b>	Guidelines
<b>Objective</b>	The Guidelines set out the rules for allowing state aid which promotes the development of poorer regions. It covers aid such as direct investment grants and tax reductions for companies. The Guidelines specify rules for the selection of regions which are eligible for regional aid, and define the maximum permitted levels of this aid.
<b>Geographical scope</b>	Specific regions (can change over time).
<b>Sectoral scope</b>	Regional aid can be granted to any sector of the economy, with the exception of the fisheries sector and the coal industry, which are subject to special rules laid down by specific legal instruments. Certain exemptions or specific rules may also apply to the following sectors with relevance to tourism: the agricultural sector and transport. Therefore, these guidelines are considered to affect some tourism stakeholders including: <ul style="list-style-type: none"> <li>• Accommodation providers (agri-tourism)</li> <li>• Transport providers</li> </ul>
<b>State of implementation</b>	Active, but will expire on 31 December 2013. Due to be revised in 2012/2013. Impact Assessment work on the revision of the guidelines is underway*
<b>Type of impact</b>	Regional investment aid is awarded for investment projects, which could include tourism-related projects, and may benefit tourism stakeholders by stimulating the regional economy.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for Guidelines on National Regional Aid are: <i>Stimulate competitiveness in the European tourism sector</i> and <i>Maximise the potential of EU policies and financial instruments for developing tourism</i> .
<b>Scale of impact</b>	The impact on tourism in the regions is likely to be significant. Examples include regions in Slovakia** and the Irish ‘Tourism Capital Investment Programme’***, which has designated €137 million for tourism product development.
<p><i>Sources:</i></p> <p>*EC(2010): Roadmap – Review of Guidelines on National Regional Aid  <a href="http://ec.europa.eu/governance/impact/planned_ia/docs/2012_comp_003_national_regional_en.pdf">http://ec.europa.eu/governance/impact/planned_ia/docs/2012_comp_003_national_regional_en.pdf</a></p> <p>** Slovak Investment and Trade Development Agency (nd): <b>Regional Aid – Investment Incentives</b>, available at: <a href="http://www.sario.sk">www.sario.sk</a></p> <p>***Failte Ireland (nd): <b>Tourism Capital Investment Programme</b>, available at: <a href="http://www.failteireland.ie">www.failteireland.ie</a></p>	

## 2.4 Culture and Education

### 2.4.1 Legislative Instruments

#### *Decision No 1194/2011/EU establishing a European Union action for the European Heritage Label*

<b>Table 2.12: Summary Description – Decision No 1194/2011/EU establishing a European Union action for the European Heritage Label</b>	
<b>Policy Area</b>	Culture and Education
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Decision
<b>Objective</b>	The objectives of the label are to enhance the value and the profile of sites which have played a key role in the history and the building of the European Union, and to increase European citizens' understanding of the building of Europe. Candidates for the label are required to submit a plan which commits them, among other elements, to undertake promotion of sites as tourist destinations and to ensure the management plan is as environmentally friendly as possible, in order to limit potentially negative impacts on tourism.
<b>Geographical scope</b>	All EU 27 Member States (and in the future it may include third countries participating in the Culture Programme)
<b>Sectoral scope</b>	The scope of the impacts upon tourism stakeholders includes: <ul style="list-style-type: none"> <li>• Tourists</li> <li>• Attractions</li> <li>• Accommodation providers</li> <li>• Transport providers</li> </ul>
<b>State of implementation</b>	The Commission proposal was adopted in March 2010. The first sites to receive the label should be announced in 2013.
<b>Type of impact</b>	The European Heritage Label may potentially boost cultural tourism (via increased visitor numbers) and employment.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this Decision is: <i>Consolidate the image and profile of Europe as a collection of sustainable and high-quality tourist destinations</i> , since the plan must include environmental considerations
<b>Scale of impact</b>	The scale of impacts is expected to be variable: a large diversity of sites may be awarded the label, some with a potential for mass tourism appeal, others with less, some of which already attract numerous visitors, and others which are fairly unknown. Generally, though, impacts are expected to be positive to varying degrees.
<p>Sources:</p> <p>DG Culture (2011): <i>Agreement reached on a new European Heritage Label</i>, available at: <a href="http://ec.europa.eu/culture/news/new-european-heritage-label_en.htm">http://ec.europa.eu/culture/news/new-european-heritage-label_en.htm</a></p> <p>EC (2010): <i>Proposal for a Decision establishing a European Union action for the European Heritage Label</i>, COM (2010) 76 final, available at: <a href="http://ec.europa.eu/governance/impact/ia_carried_out/docs/ia_2010/com_2010_0076_en.pdf">http://ec.europa.eu/governance/impact/ia_carried_out/docs/ia_2010/com_2010_0076_en.pdf</a></p> <p>EC (2010): <i>Commission Staff Working Document – Impact Assessment, Accompanying document to the Proposal for a Decision establishing a European Union action for the European Heritage Label</i>, SEC(2010) 197, available at: <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=SEC:2010:0197:FIN:EN:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=SEC:2010:0197:FIN:EN:PDF</a></p> <p>EP (2011): <i>Heritage Label to promote common European identity</i>, available at: <a href="http://www.europarl.europa.eu/en/pressroom/content/20111003IPR28104/html/Heritage-Label-to-">http://www.europarl.europa.eu/en/pressroom/content/20111003IPR28104/html/Heritage-Label-to-</a></p>	

**Table 2.12: Summary Description – Decision No 1194/2011/EU establishing a European Union action for the European Heritage Label**

[promote-common-European-identity](#)  
*Europe In the UK (2011): Agreement reached on European Heritage Label, available from <http://www.europe.org.uk/news/view/-/id/2972/ssid/3/>*

**Decision No 1622/2006/EC establishing a Community action for the European Capitals of Culture event for the years 2007 to 2019**

**Table 2.13: Summary Description – Decision No 1622/2006/EC establishing a Community action for the European Capitals of Culture event for the years 2007 to 2019**

<b>Policy Area</b>	Culture and Education
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Decision
<b>Objective</b>	The objective of this Decision is to set out (and improve) the procedure for designating the European Capitals of Culture (ECOC)
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope</b>	This initiative raises the profile of some selected cities/destinations and, as such, it is relevant to tourism, potentially impacting the following stakeholders: <ul style="list-style-type: none"> <li>• Accommodation providers</li> <li>• Restaurants/Cafes</li> <li>• Attractions</li> </ul>
<b>State of implementation</b>	The European Capitals of Culture Initiative has been in place since 1985 but Decision No 1622/2006/EC will apply to cities which will bear the title from 2013.
<b>Type of impact</b>	Many of the cities designated as European Capitals of Culture had the promotion of European tourism as one of their objectives. For example, in Weimar, hotel owners worked together in order to form a marketing company, which aimed to market the city abroad as a cultural destination. In Reykjavik, the ECOC led to the creation of a new body responsible for tourism, city marketing and events. Other cities such as Bologna, Salamanca and Santiago have experienced a growth in tourism as a long-term legacy of ECOC.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this Decision is: <i>Consolidate the image and profile of Europe as a collection of sustainable and high-quality tourist destinations</i>
<b>Scale of impact</b>	According to a report on European Capitals/Cities of Culture which was prepared for the Commission ( <i>by Palmer and RAE Associates, see reference below</i> ), the European Capitals of Culture initiative appears to have had a measurable impact on visitor numbers and expenditure in host cities. The majority of visitors to ECOC appeared to be local residents, followed by domestic tourists and foreign visitors.

*Sources:*

*DG Culture Internet Site (2011): **European Capitals of Culture**, available at [http://ec.europa.eu/culture/our-programmes-and-actions/doc413\\_en.htm](http://ec.europa.eu/culture/our-programmes-and-actions/doc413_en.htm)*

*EC (2006): **Decision No 1622/2006/EC establishing a Community action for the European Capital of Culture event for the years 2007 to 2019**, available at: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:304:0001:0006:EN:PDF>*

*Palmer & RAE Associates (2004): **European Capitals/Cities of Culture**, available at [http://ec.europa.eu/culture/pdf/doc654\\_en.pdf](http://ec.europa.eu/culture/pdf/doc654_en.pdf)*

*More information available at: [http://europa.eu/legislation\\_summaries/culture/129014\\_en.htm](http://europa.eu/legislation_summaries/culture/129014_en.htm)*

2.4.2 Non-legislative Initiatives

**Commission Communication – New skills for new jobs: anticipating and matching labour market and skills needs [COM (2008) 868]**

<b>Table 2.14: Summary Description – Commission Communication – New skills for new jobs: anticipating and matching labour market and skills needs [COM (2008) 868]</b>	
<b>Policy Area</b>	Culture and Education
<b>Instrument/initiative</b>	Non-legislative initiative
<b>Type of instrument/ initiative</b>	Communication
<b>Objective</b>	This initiative is aimed at improving workers' qualifications in accordance with the needs of European employers. It is based on a prospective analysis of labour market trends up to 2020.
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope</b>	Covers a wide range of sectors but contains specific references to hotels and catering; and as such may impact upon tourism stakeholders including: <ul style="list-style-type: none"> <li>• Accommodation providers</li> <li>• Restaurants/Cafes</li> </ul>
<b>State of implementation</b>	Not applicable
<b>Type of impact</b>	The main (indirect) impact would be improved skills for the EU workforce in response to industry's anticipated shortages (on aspects such as customer handling/service, knowledge of foreign languages, and communication and marketing skills).
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this Communication is: <i>Stimulate competitiveness in the European tourism sector</i> through the development of a skilled workforce.
<b>Scale of impact</b>	This Communication is based on an analysis of future labour market trends, which identified hotels and catering as one of the sectors with the best prospects for job creation up to 2015. By improving workers' qualifications to participate in the industry, it could help to enhance the availability of skilled staff for the sector and thus contribute to maximising the sector's potential growth.
<p><i>Sources:</i>  EC (2008): <i>New skills for New Jobs: Anticipating and matching labour market and skills needs</i>, COM (2010) 682/3, available at: <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2010:0682:FIN:EN:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2010:0682:FIN:EN:PDF</a>  EC (2008): <i>Commission Staff Working Document Accompanying the Commission Communication – New skills for New Jobs: Anticipating and matching labour market and skills needs</i>, available at: <a href="http://ec.europa.eu/education/lifelong-learning-policy/doc/sec3058_en.pdf">http://ec.europa.eu/education/lifelong-learning-policy/doc/sec3058_en.pdf</a>  More information available at: <a href="http://europa.eu/legislation_summaries/employment_and_social_policy/community_employment_policies/em0012_en.htm">http://europa.eu/legislation_summaries/employment_and_social_policy/community_employment_policies/em0012_en.htm</a></p>	

***Commission Communication - European agenda for culture in a globalizing world [COM (2007) 242 final]***

<b>Table 2.15: Summary Description – Commission Communication - European agenda for culture in a globalizing world [COM (2007) 242 final]</b>	
<b>Policy Area</b>	Culture and Education
<b>Instrument/initiative</b>	Non- legislative initiative
<b>Type of instrument/ initiative</b>	Communication
<b>Objective</b>	The European agenda for culture has three priorities: <ul style="list-style-type: none"> <li>• Cultural diversity and intercultural dialogue</li> <li>• Stimulating creativity within the framework of the Lisbon Strategy for growth and jobs</li> <li>• Culture as a vital element in international relations</li> </ul>
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope</b>	This Communication primarily relates to culture but makes reference to the need for a partnership between the culture and tourism sectors, especially with regard to the development and attractiveness of regions and cities. As such, it may impact upon all tourism stakeholders including: <ul style="list-style-type: none"> <li>• Tourists</li> <li>• Accommodation providers</li> <li>• Restaurants/Cafes</li> <li>• Attractions</li> </ul>
<b>State of implementation</b>	Not applicable
<b>Type of impact</b>	Creative partnerships between the cultural sector and other sectors (ICT, research, tourism, social partners, etc.) could help to reinforce the social and economic impact of investments in culture and creativity, in particular with regard to the promotion of growth and jobs and the development and attractiveness of regions and cities.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this Communication are: <i>Stimulate competitiveness in the European tourism sector</i> and <i>Consolidate the image and profile of Europe as a collection of high-quality tourist destinations</i>
<b>Scale of impact</b>	Cooperation between the Member States, encouraged by the Commission, could help in developing a network of cultural sites for tourists.
<i>Source:</i> EC (2007): <i>European agenda for culture in a globalizing world</i> , COM (2007) 242 final, available at: <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2007:0242:FIN:EN:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2007:0242:FIN:EN:PDF</a>	

***Commission Communication – Multilingualism: an asset for Europe and a shared commitment [COM (2008) 566 final]***

<b>Table 2.16: Summary Description – Commission Communication – Multilingualism: an asset for Europe and a shared commitment [COM (2008) 566 final]</b>	
<b>Policy Area</b>	Culture and Education
<b>Instrument/initiative</b>	Non-legislative initiative
<b>Type of instrument/ initiative</b>	Communication

**Table 2.16: Summary Description – Commission Communication – Multilingualism: an asset for Europe and a shared commitment [COM (2008) 566 final]**

<b>Objective</b>	This Communication presents the steps that should be taken to ensure that multilingualism is mainstreamed into all necessary policy strands for the purpose of social cohesion and prosperity. The objective of the Communication of “mother tongue plus two languages” constitutes the basis of these actions
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope</b>	While broader in scope, this Communication contains references to tourism as a good practice example, where in some local communities information is given in various languages, to make life easier for both businesses and tourists.
<b>State of implementation</b>	Not applicable
<b>Type of impact</b>	It is intended that this will benefit, for example, tourists and foreign workers with limited proficiency in the national language by making available basic information in different languages. It is also intended that the Commission will disseminate examples of good practice in this area.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this Communication is: <i>Stimulate competitiveness in the European tourism sector.</i>
<b>Scale of impact</b>	The Commission will make use of relevant EU programmes and initiatives, for example by running awareness-raising campaigns on the benefits of linguistic diversity and language learning for intercultural dialogue. The benefits could be significant for tourism in the longer term.

*Sources:*

*EC (2008): Multilingualism: an asset for Europe and a shared commitment, COM (2008) 566 final, available at: [http://ec.europa.eu/languages/pdf/comm2008\\_en.pdf](http://ec.europa.eu/languages/pdf/comm2008_en.pdf)*

*More information available at:*

*[http://europa.eu/legislation\\_summaries/education\\_training\\_youth/lifelong\\_learning/ef0003\\_en.htm](http://europa.eu/legislation_summaries/education_training_youth/lifelong_learning/ef0003_en.htm)*

***Green Paper - Unlocking the potential of cultural and creative industries [COM (2010) 183]***

**Table 2.17: Summary Description – Green Paper - Unlocking the potential of cultural and creative industries [COM (2010) 183]**

<b>Policy Area</b>	Culture and Education
<b>Instrument/initiative</b>	Non-legislative initiative
<b>Type of instrument/initiative</b>	Green Paper
<b>Objective</b>	The aim of the Green Paper was to launch a public consultation on the requirements of a creative environment in which cultural and creative industries (CCIs) may unlock their potential and thus better contribute to Europe’s competitiveness.
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope</b>	While broader in scope, this Green Paper highlights the contribution of cultural infrastructure and services to support sustainable tourism affecting economic operators including: <ul style="list-style-type: none"> <li>• Accommodation providers</li> <li>• Transport providers</li> <li>• Attractions</li> </ul>
<b>State of implementation</b>	Not applicable

<b>Table 2.17: Summary Description – Green Paper - Unlocking the potential of cultural and creative industries [COM (2010) 183]</b>	
<b>Type of impact</b>	No direct impacts on tourism expected, as the paper states that tourism is not explicitly covered by the concept of CCIs used in the Green Paper, but the tourism industry could benefit indirectly.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for the Green Paper is: <i>Stimulate competitiveness in the European tourism sector.</i>
<b>Scale of impact</b>	Only moderate impacts expected
<p><i>Source:</i>  <i>EC (2010): Green Paper - Unlocking the potential of cultural and creative industries, COM (2010) 183, available at:</i>  <a href="http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52010DC0183:EN:NOT">http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52010DC0183:EN:NOT</a></p>	

### ***European Heritage Days***

<b>Table 2.18: Summary Description – European Heritage Days</b>	
<b>Policy Area</b>	Culture and Education
<b>Instrument/initiative</b>	Non-legislative initiative
<b>Type of instrument/initiative</b>	Voluntary activity
<b>Objective</b>	The European Heritage Days (EHD) are founded on the principle of making European cultural heritage more accessible to the general public, by raising awareness and appreciation.
<b>Geographical scope</b>	All 50 states party to the European Cultural Convention
<b>Sectoral scope</b>	Heritage sector (including buildings, monuments and sites)
<b>State of implementation</b>	Active; this initiative was launched by the Council of Europe in 1991 and has been a joint initiative with the European Commission since 1999.
<b>Type of impact</b>	This initiative directly impacts tourism, by potentially increasing the number of visitors to heritage sites and leading to greater awareness of Europe's cultural heritage.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this initiative are: <i>Promote the development of sustainable, responsible and high-quality tourism and Consolidate the image and profile of Europe as a collection of sustainable and high quality tourist destinations.</i>
<b>Scale of impact</b>	Significant impacts. More than 300,000 monuments are open on EHD with over 20 million visitors. Two studies (in 2004 and 2006) were undertaken to assess the impacts of EHD. Both studies found that EHD were successful in achieving high numbers of visitors and therefore increasing the accessibility of heritage sites to the public. However, the European dimension was generally found to be lacking. In 2006, 28 of the 39 countries surveyed did not mention activities in other countries at all. Although there have been many EHD over the last 25 years, cross-border activities are still few and far between.
<p><i>Sources:</i>  <i>European Heritage Days: 25 Years: Open Doors – Open Minds, available at:</i>  <a href="http://www.coe.int/t/dg4/cultureheritage/heritage/EHD/publications/ID9378Brochure25%20ans.JEP_en.pdf">http://www.coe.int/t/dg4/cultureheritage/heritage/EHD/publications/ID9378Brochure25%20ans.JEP_en.pdf</a>  <i>More information can be found at:</i>  <a href="http://www.coe.int/t/dg4/cultureheritage/heritage/EHD/default_en.asp">http://www.coe.int/t/dg4/cultureheritage/heritage/EHD/default_en.asp</a></p>	



## 2.5 Employment, Social Affairs and Inclusion

### 2.5.1 Legislative Instruments

*Directive 2000/79/EC concerning the European agreement on the organisation of working time of mobile workers in civil aviation*

<b>Table 2.19: Summary Description – Council Directive 2000/79/EC concerning the European agreement on the organisation of working time of mobile workers in civil aviation concluded by the Association of European Airlines (AEA), the European Transport Workers' Federation (ETF), the European Cockpit Association (ECA), the European Regions Airline Association (ERA) and the International Air Carrier Association (IACA)</b>	
<b>Policy Area</b>	Employment, Social Affairs and Inclusion
<b>Instrument/initiative</b>	Legislative Instrument
<b>Type of instrument/ initiative</b>	Directive
<b>Objective</b>	Aimed at protecting workers' health and safety in the civil aviation sector.
<b>Geographical scope</b>	All EU Member States plus the EEA Members: Iceland, Liechtenstein, Norway
<b>Sectoral scope</b>	Air transport providers
<b>State of implementation</b>	Active
<b>Type of impact</b>	Although this Directive does not impact tourism itself, it has a major influence upon air transport. It has created a new set of obligations that transport providers needed to comply with, such as four weeks' paid annual leave and specific health and safety measures.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for the Directive is: <i>Promote the development of sustainable, responsible and high-quality tourism.</i>
<b>Scale of impact</b>	The Agreement, and the Directive itself, brought about increased protection for the health and safety of employees in the civil sector, which could help in the consolidation of a skilled workforce and its stability.
<p><i>Sources:</i>                      Peeters P et al (2005): <i>European Tourism Transport and Environment</i>, Association for European Transport, available at: <a href="http://www.oecd.org/dataoecd/37/53/34027288.pdf">http://www.oecd.org/dataoecd/37/53/34027288.pdf</a>                      More information available at:  <a href="http://europa.eu/legislation_summaries/employment_and_social_policy/employment_rights_and_work_organisation/c11326_en.htm">http://europa.eu/legislation_summaries/employment_and_social_policy/employment_rights_and_work_organisation/c11326_en.htm</a></p>	

**Directive 2008/94/EC on the protection of employees in the event of the insolvency of their employer**

<b>Table 2.20: Summary Description – Directive 2008/94/EC on the protection of employees in the event of the insolvency of their employer</b>	
<b>Policy Area</b>	Employment, Social Affairs and Inclusion
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/ initiative</b>	Directive
<b>Objective</b>	This Directive applies to employees' claims arising from contracts of employment or employment relationships against employers who are in a state of insolvency.
<b>Geographical scope</b>	All EU Member States plus EEA members: Iceland, Liechtenstein, Norway
<b>Sectoral scope</b>	This Directive guarantees payment of employees' remuneration if their employer is in a state of insolvency. It requires Member States of the European Union to establish guarantee institutions and lays down procedures which apply when cross-border employers become insolvent. New obligations emerging from this Directive are applicable for transport providers.
<b>State of implementation</b>	Active - in force since 2008
<b>Type of impact</b>	Although this Directive does not impact on tourism directly, it enhances employees' financial protection within the tourism industry, which is often impacted by insolvencies.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this Directive is: <i>Promote the development of sustainable, responsible and high-quality tourism.</i>
<b>Scale of impact</b>	Between 2008 and 2011, 3.4 million workers benefitted from the intervention of the guarantee institutions. Whilst there is no specific information on the number of tourism employees affected by such interventions, liberalisation of the air transport sector has resulted in a number of bankruptcies (79 since January 2000, a lower figure than the previous decade). Employees of such bankrupt companies may have been assisted by the Directive; however, the real scale of impacts on the tourism industry is yet to be determined.
<p><i>Sources:</i>  <i>Risk &amp; Policy Analysts Ltd (2010): Impact Assessment on the Review of the Package Travel Directive, Annex 4 - Case Study 2: Insolvency Protection For Standalone Airline Tickets, prepared for European Commission Directorate General Justice, (unpublished)</i>            More information available at:  <a href="http://europa.eu/legislation_summaries/employment_and_social_policy/employment_rights_and_work_organisation/c10810_en.htm">http://europa.eu/legislation_summaries/employment_and_social_policy/employment_rights_and_work_organisation/c10810_en.htm</a></p>	

***Directive 97/81/EC concerning the framework agreement on part-time working concluded by UNICE, CEEP and the ETUC***

<b>Table 2.21: Summary Description – Directive 97/81/EC concerning the framework agreement on part-time working concluded by UNICE, CEEP and the ETUC</b>	
<b>Policy Area</b>	Employment, Social Affairs and Inclusion
<b>Instrument/ initiative</b>	Legislative instrument
<b>Type of instrument/ initiative</b>	Directive
<b>Objective</b>	The purpose of this Directive was to implement the framework agreement on part-time work concluded by the general cross-industry organisations; UNICE, CEEP and ETUC. This Directive ensures that workers affected by new forms of flexible working receive comparable treatment to full-time staff on open-ended contracts. The Directive was introduced in order to eliminate obstacles to part-time working, and to recommend employers to adopt certain measures so as to take account of employees' preferences as regards to flexible working arrangements.
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope</b>	This Directive concerns workers (and, as such, employers) operating on the basis of flexible agreements - part-time contracts. Thus the provisions concern all economic operators, including stakeholders within tourism industry: <ul style="list-style-type: none"> <li>• Accommodation providers</li> <li>• Transport providers</li> <li>• Restaurant/ Cafes</li> <li>• Attractions</li> </ul>
<b>State of implementation</b>	Active - in force since 1997
<b>Type of impact</b>	While no data are available on the specific impacts of this Directive on the tourism industry, part-time work agreements are characteristic of many tourism supply chain sectors (for example, HORECA sector) due to the seasonal character of business. By working towards improved conditions for flexible arrangements, taking into account needs of workers as well as employers, it could have a positive impact on the sector.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for the Directive is: <i>Promote the development of sustainable, responsible and high-quality tourism.</i>
<b>Scale of impact</b>	This Directive works towards greater social security among workers, including those in the tourism sector. Member States and/or social partners can maintain or introduce more favourable provisions than set out in the agreement, which could help in addressing one of the challenges faced by the industry, shortage of skills.
<p><i>Source:</i>  <i>More information at:</i>  <a href="http://europa.eu/legislation_summaries/employment_and_social_policy/employment_rights_and_work_organisation/c10416_en.htm">http://europa.eu/legislation_summaries/employment_and_social_policy/employment_rights_and_work_organisation/c10416_en.htm</a></p>	

**Directive 99/70/EC concerning the framework agreement on fixed-term work concluded by ETUC, UNICE and CEEP**

<b>Table 2.22: Summary Description – Directive 99/70/EC concerning the framework agreement on fixed-term work concluded by ETUC, UNICE and CEEP</b>	
<b>Policy Area</b>	Employment, Social Affairs and Inclusion
<b>Instrument/initiative</b>	Legislative Instrument
<b>Type of instrument/ initiative</b>	Directive
<b>Objective</b>	<p>The Directive was introduced in order to prevent abuse arising from the use of successive fixed-term employment contracts or relationships. The Directive also aimed to ensure the use of fixed-term employment contracts on a basis acceptable to employers as well as workers. The Member States, after consultation with the social partners, should have introduced one or more of the following measures (taking account of the needs of specific sectors and categories of workers):</p> <ul style="list-style-type: none"> <li>• objective reasons justifying the renewal of such contracts or relationships;</li> <li>• the maximum total duration of successive fixed-term employment contracts and relationships; and</li> <li>• the number of renewals</li> </ul>
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope</b>	<p>This Directive illustrates the efforts made to establish a general framework to ensure equal treatment of fixed-term workers by protecting them against discrimination in all sectors of economic activity, including tourism; hence it impacts upon:</p> <ul style="list-style-type: none"> <li>• Accommodation providers</li> <li>• Transport providers</li> <li>• Restaurants/Cafes</li> <li>• Attractions</li> </ul>
<b>State of implementation</b>	Active - in force since 1999 (transposition deadline 2001)
<b>Type of impact</b>	This Directive established minimum requirements relating to fixed-term work in order to ensure equal treatment of workers and to prevent abuse arising from the use of successive employment contracts or relationships of this type. The agreement only covers working conditions for fixed-term employees but it impacts upon the general business conditions for all sectors of economic activity, including tourism industry.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for the Directive is: <i>Promote the development of sustainable, responsible and high-quality tourism</i>
<b>Scale of impact</b>	Tourism and its sub-sectors are characterised by seasonal work, usually on fixed term contracts. Therefore, the provisions introduced by this Directive enhance the social security of fixed-term workers within the tourism industry but could increase costs to businesses.
<p><i>Source:</i>  <i>More information available at:</i>  <a href="http://europa.eu/legislation_summaries/employment_and_social_policy/employment_rights_and_work_organisation/c10822_en.htm">http://europa.eu/legislation_summaries/employment_and_social_policy/employment_rights_and_work_organisation/c10822_en.htm</a></p>	

***Decision No 189 aimed at introducing a European health insurance card to access health care during a temporary stay in a Member State other than the competent State or the State of residence [2003/751/EC]***

<b>Table 2.23: Summary Description – Decision No 189 aimed at introducing a European health insurance card to access health care during a temporary stay in a Member State other than the competent State or the State of residence [2003/751/EC]</b>	
<b>Policy Area</b>	Employment, Social Affairs and Inclusion
<b>Instrument/initiative</b>	Legislative Instrument
<b>Type of instrument/ initiative</b>	Decision
<b>Objective</b>	The Decision was introduced in order to ensure the reimbursement of health care costs incurred during a temporary stay in a Member State other than the competent State or the State of residence
<b>Geographical scope</b>	All EU Member States, EEA members: Iceland, Liechtenstein, Norway plus Switzerland
<b>Sectoral scope</b>	When temporarily in another Member State, a person is entitled to necessary care during their stay. To prove his/her entitlement the patient should submit an E111 form in the host state. The European Health Insurance Card (EHIC) is most relevant to tourists.
<b>State of implementation</b>	Active and in force since 2003
<b>Type of impact</b>	The European Health Card is intended to provide citizens with healthcare free of charge (at the point of delivery) to persons moving cross-border. The costs are in the end covered through the national insurance system. However, the EHIC enhances health security for tourists travelling abroad.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for the Decision is: <i>Maximise the potential of EU policies and financial instruments for developing tourism</i>
<b>Scale of impact</b>	The Decision introduced a new tool for people who occasionally or temporarily travel abroad, making health care in the visited country accessible. This could increase the tourist's confidence.
<p><i>Source:</i>  <i>More information available at:</i>  <a href="http://europa.eu/legislation_summaries/employment_and_social_policy/social_protection/c10123_en.htm">http://europa.eu/legislation_summaries/employment_and_social_policy/social_protection/c10123_en.htm</a></p>	

**Directive 96/71/EC concerning the posting of workers in the framework of the provision of services**

<b>Table 2.24: Summary Description – Directive 96/71/EC concerning the posting of workers in the framework of the provision of services</b>	
<b>Policy Area</b>	Employment, Social Affairs and Inclusion
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Directive
<b>Objective</b>	The Directive was introduced in order to guarantee that the rights and working conditions of a posted worker are protected throughout the European Union, and to avoid "social dumping", where foreign service providers can compete unfairly with local service providers because the labour standards of foreign service providers, and thus their costs, are lower.
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope</b>	While tourism is not mentioned explicitly, it can be assumed that this Directive may apply to workers in the tourism sector, such as tour operator representatives at the holiday destination.
<b>State of implementation</b>	The transposition deadline was 1999
<b>Type of impact</b>	This Directive provides the legal framework for posting of workers to other EU Member States, hence it has impacted the general business conditions for the tourism industry
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this Directive is: <i>Stimulate competitiveness in the European tourism sector</i>
<b>Scale of impact</b>	The two evaluation studies on this Directive focus on selected sectors, including hotels, restaurants, catering and transport, suggesting that these sectors have a high proportion of posted workers. One of the two studies (van Hoek & Houwerzijl 2011) notes that transport, hotels, restaurants and catering are among the sectors which “ <i>seem to have experienced problems with regard to the protection of foreign workers [...] to the extent that they featured in prominent cases in the public press.</i> ” The potential impact of this Directive could be thus significant for tourism employees but could increase costs to certain businesses.
<p><i>Sources:</i>            EC (1996): <i>Directive 96/71/EC concerning the posting of workers in the framework of the provision of services</i>, available at: <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31996L0071:EN:HTML">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31996L0071:EN:HTML</a>;            IDEA Consult &amp; Ecorys (2011): <i>Study on the economic and social effects associated with the phenomenon of posting of workers in the EU</i>, available at <a href="http://ec.europa.eu/social/BlobServlet?docId=6678&amp;langId=en">http://ec.europa.eu/social/BlobServlet?docId=6678&amp;langId=en</a> (accessed 1 November 2011);            van Hoek &amp; Houwerzijl (2011): <i>Comparative study on the legal aspects of the posting of workers in the framework of the provision of services in the European Union</i>, available at: <a href="http://ec.europa.eu/social/BlobServlet?docId=6677&amp;langId=en">http://ec.europa.eu/social/BlobServlet?docId=6677&amp;langId=en</a>(accessed 1 November 2011)            Posted workers, EC website available at: <a href="http://ec.europa.eu/social/main.jsp?catId=471&amp;langId=en">http://ec.europa.eu/social/main.jsp?catId=471&amp;langId=en</a>;            More information available at: <a href="http://europa.eu/legislation_summaries/employment_and_social_policy/employment_rights_and_work_organisation/c10508_en.htm">http://europa.eu/legislation_summaries/employment_and_social_policy/employment_rights_and_work_organisation/c10508_en.htm</a>;</p>	

***Regulation (EC) No 883/2004, as amended by Regulation 988/2009, and Regulation 987/2009, as amended by Commission Regulation (EU) No 1244/2010 on the coordination of social security systems***

<b>Table 2.25: Summary Description – Regulation (EC) No 883/2004, as amended by Regulation 988/2009, and Regulation 987/2009, as amended by Commission Regulation (EU) No 1244/2010 on the coordination of social security systems</b>	
<b>Policy Area</b>	Employment, Social Affairs and Inclusion
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Regulations
<b>Objective</b>	The initiative was introduced in order to promote labour mobility within the European Union. The EU provides common rules to protect social security rights when moving within Europe.
<b>Geographical scope</b>	All EU Member States, the EEA countries Iceland, Liechtenstein, Norway and Switzerland
<b>Sectoral scope</b>	All sectors involved but no specific reference to the tourism industry
<b>State of implementation</b>	Active
<b>Type of impact</b>	No direct impact on tourism is expected, however, potentially increased labour mobility could have an affect on the ease of service provision within the tourism industry
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this Regulation is: <i>Maximise the potential of EU policies and financial instruments for developing tourism</i>
<b>Scale of impact*</b>	The scale of impact on the tourism industry could be significant, as labour mobility is important to the sector. An evaluation of the existing legislation is currently being carried out, which may provide more information on the scale of its impact.
<p><i>Note:</i></p> <p>* <i>EC(2011): Roadmap – First Revision of Regulation (EC) No 883/2004 and Regulation (EC) No 987/2009 on the coordination of social security systems, available at:</i>  <a href="http://ec.europa.eu/governance/impact/planned_ia/docs/2013_empl_003_coordination_social_security_systems_en.pdf">http://ec.europa.eu/governance/impact/planned_ia/docs/2013_empl_003_coordination_social_security_systems_en.pdf</a></p> <p><i>Source:</i></p> <p><i>EU Social Security Coordination, EC website available at:</i>  <a href="http://ec.europa.eu/social/main.jsp?langId=en&amp;catId=850">http://ec.europa.eu/social/main.jsp?langId=en&amp;catId=850</a></p>	

***Commission Decision on the establishment of sectoral dialogue committees promoting the dialogue between the social partners at European level [98/500/EC]***

<b>Table 2.26: Summary Description – Commission Decision on the establishment of sectoral dialogue committees promoting the dialogue between the social partners at European level [98/500/EC]</b>	
<b>Policy Area</b>	Employment, Social Affairs and Inclusion
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Decision
<b>Objective</b>	To promote the dialogue between the representatives of the European trade unions and employers' organisations and reach to autonomous agreements and/or binding legislation.
<b>Geographical scope</b>	All EU Member States plus EEA members: Iceland, Liechtenstein, Norway
<b>Sectoral scope</b>	<p>Civil aviation, hotels and restaurants and live performance are specifically considered. However, other sectors are also included, for example railways and temporary agency staff. Each sector has published a number of social dialogue texts, including:</p> <p><b>Civil Aviation:</b></p> <ul style="list-style-type: none"> <li>• Joint Position on the Social Security Regime applicable to Air Crews (08/06/2011)</li> <li>• ATM Social Partners Position on the Implementing Rules of the Performance Scheme (18/03/2010)</li> <li>• Joint Statement on Workplace Health Promotion for Air Crew (17/10/2008)</li> </ul> <p><b>Hotels and Restaurants:</b></p> <ul style="list-style-type: none"> <li>• Joint EFFAT-HOTREC Statement on Undeclared Work in the European Hotel and Restaurant Sector (03/12/2010)</li> <li>• EFFAT-HOTREC joint statement on the continuation of their work on the “European Qualification and Skills’ Passport” (02/12/2008)</li> <li>• An Initiative for Improving Corporate Social Responsibility (CSR) in the Hospitality Sector (21/03/2005)</li> </ul> <p><b>Live Performance:</b></p> <ul style="list-style-type: none"> <li>• Mobility information services for artists and culture professionals. A joint statement on behalf of the European social partners of the “Live performance” sector (28/04/2011)</li> <li>• The contribution of culture in combating poverty and social exclusion. A joint statement on behalf of the European sectoral social partners “Live performance” in the framework of the European Year for Combating Poverty and Social Exclusion 2010 (10/12/2010).</li> </ul>
<b>State of implementation</b>	Active
<b>Type of impact</b>	The improved working conditions have influenced the general business conditions also within the tourism industry.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this initiative is: <i>Maximise the potential of EU policies and financial instruments for developing tourism.</i>
<b>Scale of impact</b>	The impacts of this Decision on tourism could be significant, but depends on the willingness of the partners to collaborate.
<p><i>Source:</i> Sectoral Social Dialogue, EC website available at: <a href="http://ec.europa.eu/social/main.jsp?catId=480&amp;langId=en">http://ec.europa.eu/social/main.jsp?catId=480&amp;langId=en</a></p>	



## 2.5.2 Non-legislative Initiatives

***Commission Decision on the Council Regulation (EEC) No 1612/68 on freedom of movement for workers within the Community as regards, in particular, a network entitled EURES (European Employment Services) (93/569/EEC)***

<b>Table 2.27: Summary Description – Commission Decision on the Council Regulation (EEC) No 1612/68 on freedom of movement for workers within the Community as regards, in particular, a network entitled EURES (European Employment Services) (93/569/EEC)</b>	
<b>Policy Area</b>	Employment, Social Affairs and Inclusion
<b>Instrument/initiative</b>	Non-legislative initiative
<b>Type of instrument/initiative</b>	Cooperation network
<b>Objective</b>	<p>EURES – European Employment Services – is a cooperation network designed to facilitate the free movement of workers within the European Economic Area. The purpose of EURES is to provide information, advice and recruitment/placement services for the benefit of workers and employers as well as any citizen wishing to benefit from the principle of the free movement of persons. The main objectives of EURES are:</p> <ul style="list-style-type: none"> <li>• to inform, guide and provide advice to potentially mobile workers on job opportunities, as well as living and working conditions in the European Economic Area;</li> <li>• to assist employers wishing to recruit workers from other countries; and</li> <li>• to provide advice and guidance to workers and employers in cross-border regions.</li> </ul>
<b>Geographical scope</b>	All EU Members plus EEA Members: Iceland, Liechtenstein, Norway and Switzerland
<b>Sectoral scope</b>	All sectors
<b>State of implementation</b>	Active since 1993
<b>Type of impact</b>	No direct impact on tourism is expected; however, the increased mobility of workers could influence the ease of provision of services within the tourism industry.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this initiative is: <i>Maximise the potential of EU policies and financial instruments for developing tourism.</i>
<b>Scale of impact*</b>	Significant. The EURES website attracts more than 3 million visitors each month and is supported by a network of 850 advisers, as well as an extended network of EURES assistants. The review of EURES in 2010 concluded that there was a real need to introduce a monitoring and evaluation framework linked to a coherent set of indicators to measure performance, outputs, outcomes and impact. Concerning impact, a clear agreed approach to how EURES links to the wider employment policy agenda is necessary. The Commission’s work to create a specific section for the hospitality sector is ongoing. The aim is to have one pan-European on-line platform for the hospitality sector that will allow employers from all over Europe to assess the skills and experiences of job seekers in order to facilitate a better match of supply and demand on the labour market for the hospitality sector and thus enhance mobility of workers. Similar initiatives for other tourism subsectors are to follow.

**Table 2.27: Summary Description – Commission Decision on the Council Regulation (EEC) No 1612/68 on freedom of movement for workers within the Community as regards, in particular, a network entitled EURES (European Employment Services) (93/569/EEC)**

Source:

\* GHK Consulting Ltd (2010): *Ex-post evaluation of the EURES programme covering the period 2006-2008, Final Report to the European Commission, January 2010, available at: [http://ec.europa.eu/transparency/regdoc/rep/eims/EMPL/136267/EURES\\_final\\_report.pdf](http://ec.europa.eu/transparency/regdoc/rep/eims/EMPL/136267/EURES_final_report.pdf)*

**Commission Communication - Agenda for New Skills and Jobs: A European contribution towards full employment [COM (2010) 682]**

**Table 2.28: Summary Description – Commission Communication - Agenda for New Skills and Jobs: A European contribution towards full employment [COM (2010) 682]**

<b>Policy Area</b>	Employment, Social Affairs and Inclusion
<b>Instrument/initiative</b>	Non-legislative
<b>Type of instrument/initiative</b>	Communication
<b>Objective</b>	This initiative aims to help the EU reach its employment target for 2020: 75% of the working-age population (20-64 years) in work. It is part of the EU's overall strategy – Europe 2020. The Agenda also contributes to achieving the EU's targets to get the early school-leaving rate below 10% and more young people into higher education or equivalent vocational education (at least 40%), as well as to have at least 20 million fewer people in or at risk of poverty and social exclusion by 2020
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope</b>	All sectors, with no specific reference to tourism industry
<b>State of implementation</b>	A range of actions will be put into place in the coming years – the 'Agenda' is valid until 2014
<b>Type of impact</b>	No direct impact on tourism industry is expected; however, the envisaged reform of labour markets, improved job quality and working conditions will have an effect on the general business conditions within the tourism industry.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this initiative is: <i>Maximise the potential of EU policies and financial instruments for developing tourism.</i>
<b>Scale of impact</b>	Could have a significant impact and assist the tourism industry to address the shortage of skills.

Source:

*Agenda for new skills and jobs, EC website available at: <http://ec.europa.eu/social/main.jsp?langId=en&catId=958>*

## 2.6 Energy

### 2.6.1 Legislative Instruments

#### *Directive 2010/31/EU on the energy performance of buildings*

<b>Table 2.29: Summary Description – Directive 2010/31/EU on the energy performance of buildings</b>	
<b>Policy Area</b>	Energy
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Directive
<b>Objective</b>	The objective of this Directive is to reduce the energy consumption of new buildings with the result that almost all new buildings will be nearly zero-energy consumption buildings
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope</b>	This Directive is applicable to a number of sectors but refers explicitly to hotels and restaurants
<b>State of implementation</b>	Active since 2010, but implementation depends on actions taken by Member States
<b>Type of impact</b>	This Directive will impact the construction of all buildings, including those intended for the tourism sector. It may increase the capital costs and maintenance costs of buildings but may also have a positive impact by reducing energy costs and improving the quality of buildings in the tourism supply chain.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this Directive is: <i>Promote the development of sustainable, responsible and high quality tourism</i>
<b>Scale of impact</b>	This Directive is likely to have only a limited impact on the tourism industry as a whole; however, it could be more significant for accommodation providers.
<p><i>Sources:</i>            EC (2010): <i>Directive 2010/31/EU on the energy performance of buildings</i>, available at: <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:153:0013:0035:EN:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:153:0013:0035:EN:PDF</a>;            Energy efficiency, EC website available at: <a href="http://ec.europa.eu/energy/efficiency/buildings/buildings_en.htm">http://ec.europa.eu/energy/efficiency/buildings/buildings_en.htm</a></p>	

## 2.6.2 Non-legislative Initiatives

### *Commission Communication – Energy Efficiency Plan 2011 [COM (2011) 109 final]*

<b>Table 2.30: Summary Description – Commission Communication – Energy Efficiency Plan 2011 [COM (2011) 109 final]</b>	
<b>Policy Area</b>	Energy
<b>Instrument/initiative</b>	Non-legislative document
<b>Type of instrument/initiative</b>	Communication
<b>Objective</b>	The objective of this Communication is to assess the state of delivery of the target for 20% energy reduction by 2020.
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope</b>	This Communication considers energy savings across all sectors but devotes substantial attention to transport, which is one of the major sectors in the tourism supply chain, and to buildings, which suggests that it is likely to impact on the tourism sector.
<b>State of implementation</b>	Active – published in 2011
<b>Type of impact</b>	This Communication will require energy savings to be implemented in the tourism sector (for example in accommodation).
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this Communication is: <i>Promote the development of sustainable, responsible and high quality tourism.</i>
<b>Scale of impact</b>	Measures arising from the approach outlined in this Communication are likely to have a relatively limited impact on the tourism sector as a whole, but may have a greater impact on some parts of the supply chain. The Communication outlines buildings and transport as primary areas of potential improvement.
<i>Source:</i> EC (2011): <i>Energy Efficiency Plan 2011, COM (2011) 109 final</i> , available at: <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0109:FIN:EN:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0109:FIN:EN:PDF</a>	

## 2.7 Enlargement<sup>2</sup>

### 2.7.1 Legislative Instruments

***Council Decision on the principles, priorities and conditions contained in the Accession Partnership with Croatia and repealing Decision 2006/145/EC [2008/119/EC]***

<b>Table 2.31: Summary Description – Council Decision on the principles, priorities and conditions contained in the Accession Partnership with Croatia and repealing Decision 2006/145/EC [2008/119/EC]</b>	
<b>Policy Area</b>	Enlargement
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Decision
<b>Objective</b>	The purpose of the Accession Partnership is to assist the Croatian authorities in their efforts to meet the accession criteria, especially the political criteria. It covers in detail the principles and priorities for the country's accession preparations, with particular reference to implementation of the acquis, and provides a reference framework for programming pre-accession assistance from Community funds.
<b>Geographical scope</b>	Croatia
<b>Sectoral scope</b>	All sectors, with no specific reference to tourism
<b>State of implementation</b>	Active (EU Accession Treaty signed December 2011)
<b>Type of impact</b>	The Accession Partnership with Croatia focuses mainly on the general political and economic criteria that need to be met by Croatia in order to accede to the EU. This will change the general business conditions for all sector of economic activity, including tourism.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this initiative is: <i>Maximise the potential of EU policies and financial instruments for developing tourism.</i>
<b>Scale of impact</b>	Croatia has benefited from financial assistance in preparing for accession, from the Pre-accession Financial Instrument (IPA). The assistance planned for Croatia under the IPA for the period 2007–2011 was around €749.8 million; Croatia is an important tourism destination so the impact of this Decision could be significant.
<i>Source:</i> SETimes.com (2011): <i>Croatia's EU accession and the economy</i> , 05/08/2011, available at: <a href="http://setimes.com/cocoon/setimes/xhtml/en_GB/features/setimes/features/2011/08/05/feature-05">http://setimes.com/cocoon/setimes/xhtml/en_GB/features/setimes/features/2011/08/05/feature-05</a>	

<sup>2</sup> Only measures relating to possible future enlargements are listed. Measures relating to 2004 and 2007 enlargements have not been taken into account.

***Council Decision on the principles, priorities and conditions contained in the Accession Partnership with the Republic of Turkey and repealing Decision 2006/35/EC [2008/157/EC]***

<b>Table 2.32: Summary Description - Council Decision on the principles, priorities and conditions contained in the Accession Partnership with the Republic of Turkey and repealing Decision 2006/35/EC [2008/157/EC]</b>	
<b>Policy Area</b>	Enlargement
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Decision
<b>Objective</b>	The purpose of the Accession Partnership is to assist the Turkish authorities in their efforts to meet the accession criteria. The Partnership places particular emphasis on political criteria. It covers in detail the principles and priorities for Turkey's accession preparations, with particular reference to implementation of the acquis, and provides a reference framework for directing pre-accession assistance.
<b>Geographical scope</b>	Turkey
<b>Sectoral scope</b>	All sectors with no specific reference to tourism
<b>State of implementation</b>	The Accession Partnership with Turkey was established in 2001 and has been revised three times (in 2003, 2006 and 2008).
<b>Type of impact</b>	The Decision has changed the general conditions for business in all sectors of economic activity, including tourism industry.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this initiative is: <i>Maximise the potential of EU policies and financial instruments for developing tourism.</i>
<b>Scale of impact</b>	The amount of assistance allocated to Turkey under the IPA was approximately €3 billion from 2007 to 2011. Turkey is a major service provider in the tourism sector. Turkey's accession could contribute to increased competition in this sector at the EU level and especially in the Mediterranean.
<i>Source:</i> EC (2004): <i>Issues Arising from Turkey's Membership Perspective</i> , SEC(2004) 1202, available at: <a href="http://ec.europa.eu/enlargement/archives/pdf/key_documents/2004/issues_paper_en.pdf">http://ec.europa.eu/enlargement/archives/pdf/key_documents/2004/issues_paper_en.pdf</a>	

***Decision No 1/2010 of the EU-Montenegro Stabilisation and Association Council adopting its rules of procedure [2010/390/EU]***

<b>Table 2.33: Summary Description – Decision No 1/2010 of the EU-Montenegro Stabilisation and Association Council adopting its rules of procedure [2010/390/EU]</b>	
<b>Policy Area</b>	Enlargement
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Decision
<b>Objective</b>	The Stabilisation and Association Agreement forms the basis for accession to the European Union
<b>Geographical scope</b>	Republic of Montenegro
<b>Sectoral scope</b>	All sectors, with specific reference to tourism, which could involve stakeholders such as: <ul style="list-style-type: none"> <li>• Accommodation providers</li> <li>• Transport providers</li> <li>• Restaurants/Cafes</li> </ul>

**Table 2.33: Summary Description – Decision No 1/2010 of the EU-Montenegro Stabilisation and Association Council adopting its rules of procedure [2010/390/EU]**

<b>State of implementation</b>	Active
<b>Type of impact</b>	Cooperation between the EU and Montenegro in the field of tourism is mainly aimed at strengthening the flow of information on tourism (through international networks, databanks, etc.); encouraging the development of infrastructure conducive to investment in the tourism sector and participation of Montenegro in important European tourism organisations. It will also explore possibilities for joint activities and cooperation between various tourism stakeholders.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this initiative is: <i>Maximise the potential of EU policies and financial instruments for developing tourism.</i>
<b>Scale of impact</b>	As the Agreement was only adopted in 2010, it is not yet possible to assess the impacts of this Decision on the tourism industry; however, they could be significant in developing the tourism sector within Montenegro and could contribute to increased competition in the sector in the Mediterranean.
<p><i>Source:</i>                  DG ELARG, Montenegro-EU relations, more information available at  <a href="http://ec.europa.eu/enlargement/potential-candidates/montenegro/relation/index_en.htm">http://ec.europa.eu/enlargement/potential-candidates/montenegro/relation/index_en.htm</a></p>	

***Council and Commission Decision concerning the conclusion of the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part [2004/239/EC]***

**Table 2.34: Summary Description – Council and Commission Decision of 23 February 2004 concerning the conclusion of the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part [2004/239/EC]**

<b>Policy Area</b>	Enlargement
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Decision
<b>Objective</b>	The Stabilisation and Association Agreement forms the basis for accession to the European Union
<b>Geographical scope</b>	Macedonia
<b>Sectoral scope</b>	All sectors, with specific reference to tourism industry, which could involve stakeholders such as <ul style="list-style-type: none"> <li>• Accommodation providers</li> <li>• Transport providers</li> <li>• Restaurants/Cafes</li> </ul>
<b>State of implementation</b>	Active
<b>Type of impact</b>	Cooperation between the EU and the former Yugoslav Republic of Macedonia Parties in the field of tourism will be aimed at facilitating and encouraging tourism and the tourist trade through know-how transfer, participation of the former Yugoslav Republic of Macedonia in important European tourism organisations and studying the opportunities for joint operations, notably in regional tourism projects.

<b>Table 2.34: Summary Description – Council and Commission Decision of 23 February 2004 concerning the conclusion of the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part [2004/239/EC]</b>	
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this initiative is: <i>Maximise the potential of EU policies and financial instruments for developing tourism</i>
<b>Scale of impact</b>	The impact of this Agreement could be significant in developing the tourism sector within Macedonia, and could contribute to increased competition in the sector in the Mediterranean.
<p><i>Source:</i>            DG ELARG, <i>EU - the former Yugoslav Republic of Macedonia relations</i>, more information available at: <a href="http://ec.europa.eu/enlargement/candidate-countries/the_former_yugoslav_republic_of_macedonia/relation/index_en.htm">http://ec.europa.eu/enlargement/candidate-countries/the_former_yugoslav_republic_of_macedonia/relation/index_en.htm</a></p>	

## 2.7.2 Non-legislative Initiatives

### *Commission Communication - Enlargement Strategy and Main Challenges 2011-2012 [COM (2011) 666]*

<b>Table 2.35: Summary Description - Commission Communication - Enlargement Strategy and Main Challenges 2011-2012 [COM (2011) 666]</b>	
<b>Policy Area</b>	Enlargement
<b>Instrument/initiative</b>	Non-legislative initiative
<b>Type of instrument/initiative</b>	Communication
<b>Objective</b>	This Communication makes a number of recommendations for candidate countries and potential candidate countries for the coming years
<b>Geographical scope</b>	Candidate countries and potential candidate countries
<b>Sectoral scope</b>	This Communication deals with the enlargement agenda as a whole, rather than with tourism specifically.
<b>State of implementation</b>	Not applicable
<b>Type of impact</b>	This Communication assesses the current state of the European Union's enlargement agenda, comprising the Western Balkans, Turkey, and Iceland. No direct impact on tourism is expected in the short term, but the strategies could benefit the tourism industry in the candidate and potential candidate countries in the longer term.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this Communication is: <i>Maximise the potential of EU policies and financial instruments for developing tourism</i> .
<b>Scale of impact</b>	Impacts could be significant in the longer term.
<p><i>Source:</i>            EC(2011): <i>Enlargement Strategy and Main Challenges 2011-2012</i>, COM (2011) 666, available at: <a href="http://www.delhrv.ec.europa.eu/files/file/articles-strategy_paper_2011_en-1318421289.pdf">http://www.delhrv.ec.europa.eu/files/file/articles-strategy_paper_2011_en-1318421289.pdf</a></p>	



## 2.8 External Relations

### 2.8.1 Legislative Instruments

*Agreement on the European Economic Area [OJ No L 1, 3.1.1994]*

<b>Table 2.36: : Summary Description – Agreement on the European Economic Area [OJ No L 1, 3.1.1994]</b>	
<b>Policy Area</b>	Enlargement
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Agreement
<b>Objective</b>	The aim of this Agreement of association is to promote a continuous and balanced strengthening of trade and economic relations between the Contracting Parties with equal conditions of competition, and the respect of the same rules, with a view to creating a homogeneous European Economic Area (EEA).
<b>Geographical scope</b>	All EU Member States plus the EEA countries: Iceland, Liechtenstein and Norway
<b>Sectoral scope</b>	All sectors of economic activity including tourism
<b>State of implementation</b>	Active since 1994 and recently updated (15 November 2011)
<b>Type of impact</b>	This agreement has facilitated the free movement of goods, persons, services and capital by setting up a system where competition is not distorted
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this initiative is: <i>Maximise the potential of EU policies and financial instruments for developing tourism.</i>
<b>Scale of impact</b>	Significant impacts. It allows for the free movement of goods, services, persons and capital, all important aspects of the tourism industry. It means that Directives relevant to the tourism sector apply not only to EU Member States but also to EEA countries, potentially increasing the domestic European tourism market.
<p><i>Source:</i>            More information available at: <a href="http://eeas.europa.eu/eea/">http://eeas.europa.eu/eea/</a> and <a href="http://www.efta.int/eea/eea-agreement.aspx">http://www.efta.int/eea/eea-agreement.aspx</a></p>	

## 2.9 Environment

### 2.9.1 Legislative Instruments

#### *Regulation (EC) No 66/2010 on the EU Ecolabel*

<b>Table 2.37: : Summary Description – Regulation (EC) No 66/2010 on the EU Ecolabel</b>	
<b>Policy Area</b>	Environment
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Regulation establishing a voluntary measure
<b>Objective</b>	The Ecolabel is a voluntary environmental labelling system. It enables consumers to recognise high quality eco-friendly products.
<b>Geographical scope</b>	All EU Member States plus the EEA countries: Iceland, Liechtenstein and Norway
<b>Sectoral scope</b>	The eco-label can be granted to accommodation providers
<b>State of implementation</b>	Active
<b>Type of impact</b>	The main impact of the eco-labels is the differentiation of tourism services compliant with environmental and sustainability principles, but the take-up of such services strongly depends on the demand by tourists as educated consumers.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this Regulation is: <i>Promote the development of sustainable, responsible and high-quality tourism.</i>
<b>Scale of impact</b>	The Regulation has the potential for a significant positive impact on the quality of tourism supply. Up until 2012, more than 300 accommodation providers have been awarded an eco-label (although these are not evenly spread across the regions – see Table 2.39).
<p><i>Source:</i>                      EC (2010): <i>Regulation No 66/2010 on the EU Ecolabel</i>, available at:  <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:027:0001:0019:EN:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:027:0001:0019:EN:PDF</a></p>	

**Commission Decision establishing the ecological criteria for the award of the Community eco-label for tourist accommodation service [2009/578/EC] and Commission Decision establishing the ecological criteria for the award of the Community eco-label for campsite service [2009/564/EC]**

<b>Table 2.38: Summary Description – Commission Decision establishing the ecological criteria for the award of the Community eco-label for tourist accommodation service [2009/578/EC]; and Commission Decision establishing the ecological criteria for the award of the Community eco-label for campsite service [2009/564/EC]</b>	
<b>Policy Area</b>	Environment
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Commission Decision
<b>Objective</b>	The Community eco-label is Europe's official environmental label. It aims to help consumers to easily identify products which are less damaging to the environment than alternative products over their whole life cycle. The Commission Decision on the eco-label for tourist accommodation was adopted on 9 July 2009, repealing Decision 2003/287/EC which established a European eco-label for hotels, guesthouses, youth hostels and similar services. In 2009 the scheme was extended to cover camping sites.
<b>Geographical scope</b>	All EU-27 Member States plus the EEA countries: Iceland, Liechtenstein and Norway
<b>Sectoral scope</b>	Accommodation providers (any accommodation service or campsite service in Europe can apply for the eco-label)
<b>State of implementation</b>	Active
<b>Type of impact</b>	The main impact will be in raising awareness amongst tourists of environmentally-friendly accommodation or campsite services, allowing them to differentiate between service providers according to their environmental credentials. It may also increase the incentive for tourists to become more environmentally friendly.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this instrument is: <i>Promote the development of sustainable, responsible and high-quality tourism.</i>
<b>Scale of impact</b>	The measure has had a positive impact on the environmental impacts from the supply of accommodation and campsite services, but only a small percentage of the market is certified and the majority of the impact is restricted to a few Member States. In 2009 there were 354 certified tourist accommodation services and 56 certified camp site services in the EU, in 20 EU Member States. Of these, 51% of tourist accommodation providers are located in Italy, 15% in France, 7% in Switzerland and 6% in Ireland. In relation to the certified campsites, 30% are in Italy, 25% in Germany, 16% in Austria and 11% in Denmark. Some Member States have aimed to encourage greater take-up by launching media campaigns to raise awareness of the eco-label; for example a social media-based campaign was launched in Belgium in September 2011.
<p><i>Sources:</i>  The EU Ecolabel, EC website available at: <a href="http://ec.europa.eu/environment/ecolabel/">http://ec.europa.eu/environment/ecolabel/</a>  ISPRA (2009): <i>Tourist Accommodation &amp; Camp Site services EU Eco-label Award Scheme, Final Activity Report to Criteria Revision</i>, available at:  <a href="http://ec.europa.eu/environment/ecolabel/ecolabelled_products/categories/pdf/FinalReportTAS.pdf">http://ec.europa.eu/environment/ecolabel/ecolabelled_products/categories/pdf/FinalReportTAS.pdf</a>  The Flower - a Guide for Applicants (2003) available at:  <a href="http://ec.europa.eu/environment/ecolabel/ecolabelled_products/categories/pdf/appguide_0803.pdf">http://ec.europa.eu/environment/ecolabel/ecolabelled_products/categories/pdf/appguide_0803.pdf</a></p>	

***Council Decision on the conclusion, on behalf of the European Community, of the Protocol on Soil Protection, the Protocol on Energy and the Protocol on Tourism to the Alpine Convention [2006/516/EC]***

<b>Table 2.39: Summary Description – Council Decision 2006/516/EC on the Conclusion, on behalf of the European Community, of the Protocol on Soil Protection, the Protocol on Energy and the Protocol on Tourism to the Alpine Convention [2006/516/EC]</b>	
<b>Policy Area</b>	Environment
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Council Decision
<b>Objective</b>	<p>The aim of the Alpine Convention is the long-term protection of the natural ecosystem of the Alps and sustainable development in the area, as well as the protection of residents' economic interests. The guiding principles of the Convention are prevention, polluter-pays and trans-border cooperation.</p> <p>The Protocols are an important step in the implementation of the Alpine Convention. The overall goal of the Protocol on Tourism is to promote sustainable tourism, specifically by ensuring it is developed and managed taking into consideration its impacts on the environment. The Protocol provides specific measures and recommendations that can be used as instruments for reinforcing the environmental side of innovation and research, monitoring and training, management tools and strategies, planning and authorisation procedures linked to tourism and in particular to its qualitative development.</p>
<b>Geographical scope</b>	The Alpine Region/Alpine Arc. The Parties to the Convention are Austria, France, Germany, Italy, Liechtenstein, Monaco, Slovenia, Switzerland and the European Community
<b>Sectoral scope</b>	<p>The Protocol on Tourism is likely to affect all actors in the tourism supply chain:</p> <ul style="list-style-type: none"> <li>• Accommodation providers</li> <li>• Transport providers</li> <li>• Restaurants/Cafes</li> <li>• Attractions</li> </ul>
<b>State of implementation</b>	Adopted in 1998, entered into force on June 2006
<b>Type of impact</b>	This Council Decision impacts directly on the tourism industry as a whole. For example, the sustainability of tourism may be increased through improved management of tourism infrastructure developments (ski lifts and ski slopes), accommodation, and balanced development of economically weak areas and in the control tourist flows. This in turn helps to avoid damage to the Alpine environment arising from tourism and to ensure that tourism in the Alps remains sustainable.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this instrument is: <i>Promote the development of sustainable, responsible and high-quality tourism.</i>
<b>Scale of impact</b>	The impacts could be significant, as the Protocol affects all sub-sectors of the tourism industry and a variety of tourist destinations in the Alpine Region.
<p><i>Sources:</i>            EC (2006): <i>Protocol on Energy and the Protocol on Tourism to the Alpine Convention</i>, available at: <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:201:0031:0033:EN:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:201:0031:0033:EN:PDF</a>            More information available at: <a href="http://www.alpconv.org/index_en">http://www.alpconv.org/index_en</a></p>	

**Directive 2006/7/EC concerning the management of bathing water quality and repealing Directive 76/160/EEC (concerning the quality of bathing water)**

<b>Table 2.40: Summary Description – Directive 2006/7/EC concerning the management of bathing water quality and repealing Directive 76/160/EEC (concerning the quality of bathing water)</b>	
<b>Policy Area</b>	Environment
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Directive
<b>Objective</b>	The attainment, on the basis of common standards, of good bathing water quality and a high level of protection throughout the Community.
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope</b>	Responsibility for compliance with the Directive falls to competent authorities (CAs). CAs may restrict the activities of sectors using the water bodies, in any form, in order to maintain bathing water quality and public health standards. Therefore industry, agriculture, tourism and water service providers, amongst others, may all be affected
<b>State of implementation</b>	Active (came into effect March 2006, transposed March 2008. The 2006 Bathing Water Directive will fully repeal the 1976 Bathing Water Directive by 2014).
<b>Type of impact</b>	The Directive enhances tourism by ensuring that tourists have access to bathing water of adequate quality. To allow Europeans to make an informed choice on which beach to choose, a yearly report is published on the quality of coastal and freshwater bathing areas as reported by Member States for the beaches located within their territory. The European Environment Agency (EEA) is also making available on its website maps and tables with detailed information on specific bathing areas which can be helpful for tourists deciding on a tourism destination and also for tourist business for example, in deciding on business expansion.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this Directive is: to <i>Promote the development of sustainable, responsible and high-quality tourism</i> and to <i>Consolidate the image and profile of Europe as a collection of sustainable and high-quality destinations</i> .
<b>Scale of impact</b>	The impact on the quality of bathing waters has been positive, with more than nine out of ten bathing waters meeting the minimum water quality standards in 2010. Only 1.2 % of coastal bathing waters and 2.8 % of inland bathing waters were found to be non-compliant, although bathing water quality has deteriorated in the last year. The Directive will ensure that further work is undertaken to continually improve bathing water resources in Europe for the benefit of users, including tourists and the tourism industry.
<p>Source:            EEA (2011): <i>European Bathing Water Quality in 2010</i>, available at:  <a href="http://www.eea.europa.eu/themes/water/status-and-monitoring/state-of-bathing-water-1/bathing-water-data-viewer">http://www.eea.europa.eu/themes/water/status-and-monitoring/state-of-bathing-water-1/bathing-water-data-viewer</a></p>	

**Directive 2000/60/EC establishing a framework for Community action in the field of water policy (Water Framework Directive)**

<b>Table 2.41: Summary Description – Directive 2000/60/EC establishing a framework for Community action in the field of water policy (Water Framework Directive)</b>	
<b>Policy Area</b>	Environment
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Directive
<b>Objective</b>	This Framework Directive has a number of objectives, including preventing and reducing pollution, promoting sustainable water usage, environmental protection, improving aquatic ecosystems and mitigating the effects of floods and droughts. Its ultimate objective is to achieve “good ecological and chemical status” for all Community waters by 2015
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope</b>	Competent authorities in Member States may restrict the activities of some sectors to protect the quality of water bodies (inland and coastal). This is most likely to include agriculture and water services, although it could also include tourism services which depend on high levels of water consumption.
<b>State of implementation</b>	Active
<b>Type of impact</b>	The Directive aims to improve quality of water and the sustainable use of water, which may benefit tourism resorts in coastal or inland water body locations
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this Directive is: to <i>Promote the development of sustainable, responsible and high-quality tourism.</i>
<b>Scale of impact</b>	Increasing tourism puts greater demand on water supplies. UNEP (2011) reports that “total yearly water consumption by tourism in Europe is estimated at 843 million cubic metres. Each tourist consumes 300 litres of freshwater per day on average, whereas “luxury” tourists can consume up to 880 litres. By comparison, average per capita residential consumption in Europe is estimated at 241 litres per day.” The Water Framework Directive will ensure that water is protected, by promoting sustainable water usage; this could affect some tourism areas more than others, but the scale of impact on the tourism sector is unlikely to be significant overall.
<i>Source:</i> UNEP (2011): <b>Green Economy Report: Tourism – Investing in energy and resource efficiency</b> , available at: <a href="http://www.unep.org/greeneconomy/Portals/88/documents/ger/GER_11_Tourism.pdf">http://www.unep.org/greeneconomy/Portals/88/documents/ger/GER_11_Tourism.pdf</a>	

**Directive 98/83/EC on the quality of water intended for human consumption**

<b>Table 2.42: Summary Description – Directive 98/83/EC on the quality of water intended for human consumption</b>	
<b>Policy Area</b>	Environment
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Directive
<b>Objective</b>	<p>The objective of the Drinking Water Directive is to protect the health of consumers in the European Union and to make sure that drinking water offered by the water treatment sector is wholesome and clean.</p> <p>The Drinking Water Directive:</p> <ul style="list-style-type: none"> <li>• sets quality standards for drinking water quality at the tap (microbiological, chemical and organoleptic parameters) and the general obligation that drinking water must be wholesome and clean; and</li> <li>• obliges Member States to regularly monitor drinking water quality and to provide to consumers adequate and up-to-date information on their drinking water quality.</li> </ul>
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope</b>	Water treatment sector
<b>State of implementation</b>	Active
<b>Type of impact</b>	The Directive will affect the quality of the water consumed by tourists but it is unlikely to impact the tourism sector directly
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this Directive is: to <i>Maximise the potential of EU policies for developing tourism</i> .
<b>Scale of impact*</b>	Some impacts on tourists, but unlikely to be significant for the sector as a whole.
<p>Source:            European Commission (2007): <i>The Quality of Drinking Water in the European Union 2002-2004, Synthesis Report on the Quality of Drinking Water in the Member States of the European Union in the Period 2002-2004</i>, available at:  <a href="http://circa.europa.eu/Public/irc/env/drinking_water_rev/library?l=/drinking_synthesis/report_2002-2004pdf/EN_1.0_&amp;a=d">http://circa.europa.eu/Public/irc/env/drinking_water_rev/library?l=/drinking_synthesis/report_2002-2004pdf/EN_1.0_&amp;a=d</a></p>	

**Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment (and its subsequent amendments in 1997, 2003, and 2009)**

<b>Table 2.43: Summary Description – Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment (and its subsequent amendments in 1997, 2003, and 2009)</b>	
<b>Policy Area</b>	Environment
<b>Instrument/initiative</b>	Legislative
<b>Type of instrument/initiative</b>	Directive

<b>Table 2.43: Summary Description – Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment (and its subsequent amendments in 1997, 2003, and 2009)</b>	
<b>Objective</b>	The Directive aims to protect the environment and the quality of life, while ensuring approximation of national laws with regard to the assessment of the environmental effects of public and private projects. Several, tourism and leisure projects are included within the scope of the Directive, specifically: <ul style="list-style-type: none"> <li>(a) Ski-runs, ski-lifts and cable-cars and associated developments;</li> <li>(b) Marinas;</li> <li>(c) Holiday villages and hotel complexes outside urban areas and associated developments;</li> <li>(d) Permanent camp sites and caravan sites; and</li> <li>(e) theme parks</li> </ul>
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope</b>	Based on the types of projects requiring an environmental impact assessment, the sectors affected include: <ul style="list-style-type: none"> <li>• Accommodation providers</li> <li>• Transport providers</li> <li>• Attractions</li> <li>• Tourists</li> </ul>
<b>State of implementation</b>	Active (in force since 1985)
<b>Type of impact</b>	The environmental impacts of tourist developments are better accounted for in decision-making processes, therefore resulting in less damage to the environment.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this initiative is: <i>Promote the development of sustainable, responsible and high-quality tourism.</i>
<b>Scale of impact</b>	A report from the Commission confirms that all Member States have integrated environmental assessments into national regulatory frameworks and, in many cases, the EIA has been implemented beyond the minimum requirements. As a result, environmental considerations are taken into account in the decision-making process in all Member States, including that for tourism projects.
<i>Source:</i> CEC (2009): <i>Report on the application and effectiveness of the EIA Directive (Directive 85/337/EEC, as amended by Directive 97/11/EC and 2003/35/EC), COM(2009) 378 final, available at: <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2009:0378:FIN:EN:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2009:0378:FIN:EN:PDF</a></i>	

***Directive 91/271/EEC concerning urban waste-water treatment***

<b>Table 2.44: Summary Description – Directive 91/271/EEC of 21 May 1991 concerning urban waste-water treatment</b>	
<b>Policy Area</b>	Environment
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Directive
<b>Objective</b>	The objective is to protect the environment from the adverse effects of urban waste water discharges and discharges from certain industrial sectors
<b>Geographical scope</b>	All EU Member States



<b>Table 2.44: Summary Description – Directive 91/271/EEC of 21 May 1991 concerning urban waste-water treatment</b>	
<b>Sectoral scope</b>	Although the Directive includes all sectors, it specifically mentions milk-processing; manufacture of fruit and vegetable products; manufacture and bottling of soft drinks; potato-processing; meat industry; breweries; production on alcohol and alcoholic beverages; manufacture of animal feed from plant products; manufacture of gelatine and of glue from hides, skin and bones; malt-houses; and fish-processing industry
<b>State of implementation</b>	Active
<b>Type of impact</b>	Waste water discharges can lead to over-fertilisation and speed up biodiversity loss; they can affect drinking water supplies and thereby have important links to public health concerns. Avoiding these impacts may have positive consequences for economic sectors such as tourism.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this initiative is: <i>Promote the development of sustainable, responsible and high-quality tourism</i>
<b>Scale of impact</b>	The European Commission (2009) notes that considerable progress has been achieved in implementing the Directive, resulting in notable improvements in water quality and particularly the quality of EU beaches, thus indirectly benefiting the tourism sector
<p><i>Source:</i>            European Commission (2009): <i>5<sup>th</sup> Commission Summary on the Implementation of the Urban Waste Water Treatment Directive</i>, SEC (2009) 1114 final, available at:  <a href="http://ec.europa.eu/environment/water/water-urbanwaste/implementation/pdf/implementation_report_summary.pdf">http://ec.europa.eu/environment/water/water-urbanwaste/implementation/pdf/implementation_report_summary.pdf</a></p>	

***Regulation (EC) No 1221/2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS), repealing Regulation (EC) No 761/2001 and Commission Decisions 2001/681/EC and 2006/193/EC***

<b>Table 2.45: Summary Description - Regulation (EC) No 1221/2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS), repealing Regulation (EC) No 761/2001 and Commission Decisions 2001/681/EC and 2006/193/EC</b>	
<b>Policy Area</b>	Environment
<b>Instrument/initiative</b>	Legislation
<b>Type of instrument/initiative</b>	Regulation allowing for voluntary participation
<b>Objective</b>	EMAS is a voluntary tool available for any kind of organisation aiming to improve its environmental and financial performance particularly with regard to energy efficiency; material efficiency; water; waste; biodiversity; and emissions. EMAS certification allows the communication of the organisation's environmental achievements to stakeholders and society in general
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope</b>	All sectors, including: <ul style="list-style-type: none"> <li>• Accommodation providers</li> <li>• Transport providers</li> <li>• Restaurants/Cafes</li> <li>• Attractions</li> </ul>
<b>State of implementation</b>	Active (since 1993)

<b>Table 2.45: Summary Description - Regulation (EC) No 1221/2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS), repealing Regulation (EC) No 761/2001 and Commission Decisions 2001/681/EC and 2006/193/EC</b>	
<b>Type of impact</b>	EMAS can lead to improvements in the quality of the services from an environmental perspective by taking into account the impacts of activities and monitoring sustainability at individual business or destination level
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this initiative is: <i>Promote the development of sustainable, responsible and high-quality tourism.</i>
<b>Scale of impact</b>	Significant positive impacts. In 2005, 200 hotels and restaurants were registered with EMAS, making it the leading service sector for EMAS. Many of the tourism projects funded by the LIFE programme are EMAS related, for example of 105 funded projects in 2004, there were 19 relating to environmental management systems in general. An “EMAS Sectoral Reference Document for Tourism in Europe” is being developed to address ‘accommodation and food service activities’ and ‘travel agency, tour operator reservation services and related activities’
<p><i>Source:</i>  <i>European Commission (2011): Reference Document on Best Environmental Management Practice in the Tourism Sector, Draft October 2011, available at:</i>  <a href="http://susproc.jrc.ec.europa.eu/activities/emas/documents/TOURISM_BP_REF_DOC_2011.pdf">http://susproc.jrc.ec.europa.eu/activities/emas/documents/TOURISM_BP_REF_DOC_2011.pdf</a></p>	

***Council Decision concluding the Convention for the Protection of the Mediterranean Sea against Pollution and the Protocol for the prevention of the pollution of the Mediterranean Sea by dumping from ships and aircraft [77/585/EEC] (the Barcelona Convention), as amended by Council Decision 81/420/EEC, Council Decision 83/101/EEC, Council Decision 84/132/EEC, Council Decision 2004/575/EC, Council Decision 2010/631/EU***

<b>Table 2.46: Summary Description – Council Decision concluding the Convention for the Protection of the Mediterranean Sea against Pollution and the Protocol for the prevention of the pollution of the Mediterranean Sea by dumping from ships and aircraft [77/585/EEC] (Barcelona Convention) as amended by Council Decision 81/420/EEC, Council Decision 83/101/EEC, Council Decision 84/132/EEC, Council Decision 2004/575/EC, Council Decision 2010/631/EU</b>	
<b>Policy Area</b>	Environment
<b>Instrument/initiative</b>	Decision
<b>Type of instrument/initiative</b>	The Decision enabled the EU (in the case of the Decision of 2010, and the Community, in the case of the previous Decisions) to accede to the Convention for the protection of the Mediterranean Sea against Pollution (Barcelona Convention) and the Protocol for the prevention of pollution of the Mediterranean Sea by dumping from ships and aircraft
<b>Objective</b>	The Protocols drawn up under the Barcelona Convention, which the decision makes applicable to the EU, aim to protect and improve the marine and coastal environment in the Mediterranean, whilst promoting regional and national plans contributing to sustainable development.
<b>Geographical scope</b>	All EU Member States (the Barcelona Convention itself also applies to Mediterranean States outside the EU)
<b>Sectoral scope</b>	The decision to accede to the Convention affects stakeholders involved in tourism development, and those responsible for transport, in the Mediterranean, namely: <ul style="list-style-type: none"> <li>• Accommodation providers</li> <li>• Transport providers</li> <li>• Attractions</li> </ul>

**Table 2.46: Summary Description – Council Decision concluding the Convention for the Protection of the Mediterranean Sea against Pollution and the Protocol for the prevention of the pollution of the Mediterranean Sea by dumping from ships and aircraft [77/585/EEC] (Barcelona Convention) as amended by Council Decision 81/420/EEC, Council Decision 83/101/EEC, Council Decision 84/132/EEC, Council Decision 2004/575/EC, Council Decision 2010/631/EU**

<b>State of implementation</b>	Active (since 1976)
<b>Type of impact</b>	The decision to accede to the Convention impacted the way in which tourism activities are conducted in the Mediterranean, with a positive impact on tourists.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this initiative is: <i>Promote the development of sustainable, responsible and high-quality tourism.</i>
<b>Scale of impact</b>	The Mediterranean has 30% of the world's tourism. The seasonal and spatial concentrations of tourism activity amplifies their impacts on the environment, generating pressures on water resources and the natural environment (coastal construction) and increases waste production. The Convention has the potential to minimise the negative impacts of tourism activities.

Source:

UNEP (2009): *State of the Environment and Development in the Mediterranean - 2009*, UNEP, available at: [http://www.planbleu.org/publications/SoED2009\\_EN.pdf](http://www.planbleu.org/publications/SoED2009_EN.pdf)

## 2.9.2 Non-Legislative Initiatives

### *Commission Communication - Our life insurance, our natural capital: an EU biodiversity strategy to 2020 [COM (2011) 244]*

**Table 2.47: Summary Description – Commission Communication - Our life insurance, our natural capital: an EU biodiversity strategy to 2020 [COM (2011) 244]**

<b>Policy Area</b>	Environment
<b>Instrument/initiative</b>	Non-legislative initiative
<b>Type of instrument/initiative</b>	Commission Communication
<b>Objective</b>	This strategy is aimed at reversing biodiversity loss and speeding up the EU's transition towards a resource efficient and green economy. A number of key partnerships will be expanded and promoted to support this strategy, including the EU Business and Biodiversity Platform, which currently brings together businesses from six different sectors (agriculture, extractive industries, finance, food supply, forestry and tourism) to share their experiences and best practices.
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope</b>	All sectors, including: <ul style="list-style-type: none"> <li>• Accommodation providers</li> <li>• Transport providers</li> <li>• Restaurants/Cafes</li> <li>• Attractions</li> </ul>
<b>State of implementation</b>	Active

<b>Table 2.47: Summary Description – Commission Communication - Our life insurance, our natural capital: an EU biodiversity strategy to 2020 [COM (2011) 244]</b>	
<b>Type of impact</b>	Positive impacts relevant to tourism may include: <ul style="list-style-type: none"> <li>• reduction in biodiversity loss, which could avoid adverse effects on tourism which relies on the natural environment as an attraction and could enhance the potential for eco-tourism;</li> <li>• maintenance/improvement of protected areas/species, which could enhance the potential for tourism focused on wildlife and the natural environment; and</li> <li>• encouragement of best practice in the tourism sector through the Business and Biodiversity Platform (see Table 2.49)</li> </ul>
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this instrument is: <i>Promote the development of sustainable, responsible and high-quality tourism</i>
<b>Scale of impact</b>	The achievement of targets could have a significant impact. The Commission will further develop the Platform and encourage greater cooperation between businesses in Europe, including SMEs, and links to national and global initiatives.
<p><i>Source:</i>  <i>EC (2011): Our life insurance, our natural capital: an EU biodiversity strategy to 2020, [COM (2011) 244], available at:</i>  <a href="http://ec.europa.eu/environment/nature/biodiversity/comm2006/pdf/2020/1_EN_ACT_part1_v7%5B1%5D.pdf">http://ec.europa.eu/environment/nature/biodiversity/comm2006/pdf/2020/1_EN_ACT_part1_v7%5B1%5D.pdf</a></p>	

***European Commission, Sustainable Tourism and Natura 2000 – Guidelines, initiatives and good practice in Europe***

<b>Table 2.48: Summary Description – European Commission, Sustainable Tourism and Natura 2000 – Guidelines, initiatives and good practice in Europe</b>	
<b>Policy Area</b>	Environment
<b>Instrument/initiative</b>	Non-legislative initiative
<b>Type of instrument/initiative</b>	Guidance
<b>Objective</b>	This document aims to reinforce previous initiatives and to focus on the Natura 2000 network. It aims to introduce the concept of sustainable tourism in the network, to encourage managers and stakeholders to follow and adopt certain guidelines and to promote existing initiatives and good practice from all over Europe. The guidelines are intended for all stakeholders concerned with the development of sustainable tourism within Natura 2000 sites and, by extension, in protected areas in general. These include managers of Natura 2000 sites or protected areas, suppliers of local tourism services, tour operators and local authorities.
<b>Geographical scope</b>	All Natura 2000 designated sites in Europe
<b>Sectoral scope</b>	These guidelines are aimed at all stakeholders concerned with the development of sustainable tourism within a Natura 2000 site and, by extension, in protected areas in general, including: <ul style="list-style-type: none"> <li>• Accommodation providers</li> <li>• Transport providers</li> <li>• Restaurants/Cafes</li> <li>• Attractions</li> </ul>
<b>State of implementation</b>	Available since 2000
<b>Type of impact</b>	The Guidelines will lead to improvements in the management and use of protected sites, with a specific focus on tourism

<b>Table 2.48: Summary Description – European Commission, Sustainable Tourism and Natura 2000 – Guidelines, initiatives and good practice in Europe</b>	
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this instrument is: <i>Promote the development of sustainable, responsible and high-quality tourism.</i>
<b>Scale of impact</b>	The influence of Natura 2000 protection on tourism, and vice versa, could be considerable. The area of Natura 2000 sites is increasing, both through enlargement of the European Union and through increased designations. The number of sites in the Network has also grown by over a 1,000 in the last year, attaining close to 26,000 sites in all.
<p><i>Source:</i>  <i>Sites of Community Importance (Habitats Directive) and Natura 2000 sites, more information available at:</i>  <a href="http://ec.europa.eu/environment/nature/natura2000/barometer/docs/sci.pdf">http://ec.europa.eu/environment/nature/natura2000/barometer/docs/sci.pdf</a></p>	

***European Union Business@Biodiversity Platform – Tourism Sector and Biodiversity Conservation Guidance Document***

<b>Table 2.49: Summary Description – European Union Business@Biodiversity Platform – Tourism Sector and Biodiversity Conservation Guidance Document</b>	
<b>Policy Area</b>	Environment
<b>Instrument/initiative</b>	Non-legislative initiative
<b>Type of instrument/initiative</b>	Guidance
<b>Objective</b>	The EU Business and Biodiversity Platform (B@B) platform is a technical support service that will assist companies to access the opportunities linked to the integration of biodiversity conservation into tourism activities. The Platform allows businesses to come together to share their experiences and best practices, learn from each other and voice their needs and concerns to the European Commission.
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope</b>	The guidance was developed for the tourism sector specifically, thus including: <ul style="list-style-type: none"> <li>• Accommodation providers</li> <li>• Transport providers</li> <li>• Restaurants/Cafes</li> <li>• Attractions</li> </ul>
<b>State of implementation</b>	Available since 2010
<b>Type of impact</b>	The Guidance could result in increased awareness of responsible tourism, increase the provision of eco-friendly services for European tourists and help to avoid negative impacts on biodiversity from tourism, as it provides best practices, guidance principles and initiatives on the links between biodiversity and tourism.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this instrument is: <i>Promote the development of sustainable, responsible and high-quality tourism.</i>
<b>Scale of impact</b>	The scale of impacts could be significant, as the guidance has been developed with tourism in mind. However, the actual impact will depend on the level of take up by the industry.
<p><i>Source:</i>  <i>Business@Biodiversity Platform, EC website available at:</i>  <a href="http://ec.europa.eu/environment/biodiversity/business/sectors/tourism/introduction_en.html">http://ec.europa.eu/environment/biodiversity/business/sectors/tourism/introduction_en.html</a></p>	

**OURCOAST**

<b>Table 2.50: Summary Description – OURCOAST</b>	
<b>Policy Area</b>	Environment
<b>Instrument/initiative</b>	Non-legislative initiative
<b>Type of instrument/initiative</b>	Initiative for information dissemination
<b>Objective</b>	OURCOAST was a three-year project commissioned by the Directorate General (DG) for the Environment of the European Commission to support and ensure the exchange of experiences and best practices in coastal planning and management. The main final product of OURCOAST was the ICZM Database – a comprehensive compilation of hundreds of case study summaries that reflect successful examples of ICZM tools applied throughout Europe. It incorporated the development and validation of guidance for authorities for future integrated coastal and marine planning and for the design of policies and tools.
<b>Geographical scope</b>	All EU Member States with a coastline
<b>Sectoral scope</b>	This initiative could affect stakeholders with an involvement in tourism development, namely: <ul style="list-style-type: none"> <li>• Accommodation providers</li> <li>• Transport providers</li> <li>• Attractions</li> </ul>
<b>State of implementation</b>	Started in 2009. Although, the final outcomes of the OURCOAST initiative have now been published (2012), the Commission is currently assessing different policy options.
<b>Type of impact</b>	OURCOAST can assist the tourism sector to avoid adverse impacts from poor coastal management and help to promote responsible tourism while simultaneously providing better services for tourists, thus impacting the tourism supply chain.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this instrument is: <i>Promote the development of sustainable, responsible and high-quality tourism.</i>
<b>Scale of impact</b>	According to the European Commission (2012), short-term financial benefits from economic activities in the coastal zone, in particular those from tourist/ recreational activities, are potentially high. Several OURCOAST case studies were focused on tourism, including the diversification of coastal activities into eco-tourism.
<i>Source:</i> OURCOAST, EC website available at: <a href="http://ec.europa.eu/ourcoast/index.cfm?menuID=3">http://ec.europa.eu/ourcoast/index.cfm?menuID=3</a>	

**Recommendation (2002/413/EC) concerning the implementation of Integrated Coastal Zone Management in Europe**

<b>Table 2.51: Summary Description – Recommendation (2002/413/EC) concerning the implementation of Integrated Coastal Zone Management (ICZM) in Europe</b>	
<b>Policy Area</b>	Environment
<b>Instrument/initiative</b>	Non-legislative initiative
<b>Type of instrument/initiative</b>	Recommendation
<b>Objective</b>	The objective of the Recommendation is to maintain the integrity of the coastal zone as an important resource while considering local traditional activities and customs that do not present a threat to sensitive natural areas and to the maintenance status of the wild species of the coastal fauna and flora. The Recommendation includes a reference to tourism
<b>Geographical scope</b>	EU Member States with a coastline
<b>Sectoral scope</b>	This initiative could affect stakeholders with an impact on tourism development, namely: <ul style="list-style-type: none"> <li>• Accommodation providers</li> <li>• Transport providers</li> <li>• Attractions</li> </ul>
<b>State of implementation</b>	Entered into force 30/05/2002. The EU ICZM Recommendation invited coastal Member States to report to the Commission on the progress made in implementing the Recommendation and, in particular, in relation to the development of a national strategy to promote ICZM
<b>Type of impact</b>	The recommendation could impact the way in which tourism activities are conducted in line with sustainability principles, and could widen the supply of services to include cultural and nature based activities
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this instrument is: <i>Promote the development of sustainable, responsible and high-quality tourism</i>
<b>Scale of impact</b>	Whilst the ambition of the Recommendation is significant for tourism in coastal areas, the actual impact is not clear. The dramatic increase in tourism in Europe in recent years has put enormous pressure on coastal zones in terms of resource consumption, waste generation, and land use. Although some improvements have been made, more needs to be done to reduce these pressures. The on-going revision of ICZM and accompanied Impact Assessment are likely to address this issue.
<p><i>Sources:</i>  European Commission (2011), <b>Support for an impact assessment for a follow-up to the EU ICZM Recommendation</b>, DG Environment, Final Report available at:  <a href="http://ec.europa.eu/environment/iczm/pdf/ICZM%20IA%20study_Final_report.pdf">http://ec.europa.eu/environment/iczm/pdf/ICZM%20IA%20study_Final_report.pdf</a>  Coastal Zone Policy, EC website available at <a href="http://ec.europa.eu/environment/iczm/home.htm">http://ec.europa.eu/environment/iczm/home.htm</a></p>	

## 2.10 Health and Consumer Protection

### 2.10.1 Legislative Instruments

*Regulation (EC) No 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*

<b>Table 2.52: Summary Description – Regulation (EC) No 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</b>	
<b>Policy Area</b>	Health and Consumer Protection
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Regulation
<b>Objective</b>	The Regulation established general principles and the objectives to be pursued by means of food law. A European Food Safety Authority ("the Authority") was set up which provides scientific advice and scientific and technical support in all areas impacting on food safety. It constitutes an independent source of information on all matters in this field and ensures that the general public is kept informed.
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope</b>	It could affect the food industry, including: <ul style="list-style-type: none"> <li>• Accommodation providers;</li> <li>• Restaurants/Cafes</li> </ul>
<b>State of implementation</b>	Active - in force since 2002
<b>Type of impact</b>	According to the Regulation, operators (for example restaurants) must apply food safety legislation at all stages of the food chain, from the production, processing, transport and distribution stages through to the supply of food, which can create additional costs for service providers.  This Regulation affects the HORECA sector, both in terms of obligations on enterprises to ensure the safety of food provided to tourists and by ensuring a consistent level of food safety across the EU, which gives confidence to tourists.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for the Regulation is: <i>Promote the development of sustainable, responsible and high-quality tourism.</i>
<b>Scale of impact</b>	This Regulation is significant for the HORECA sector. Food safety regulations affect all food retailers including B&Bs, hotels, restaurants and attractions with food outlets. The Regulation should improve the quality of food-related services provided for tourists.
<i>Source:</i> <i>More information available at:</i> <a href="http://europa.eu/legislation_summaries/consumers/consumer_information/f80501_en.htm">http://europa.eu/legislation_summaries/consumers/consumer_information/f80501_en.htm</a>	



**Directive 2011/24/EC on the application of patients’ rights in cross-border healthcare**

<b>Table 2.53: Summary Description – Directive 2011/24/EC on the application of patients’ rights in cross-border healthcare</b>	
<b>Policy Area</b>	Health and Consumer Protection
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Directive
<b>Objective</b>	<p>This Directive provides rules for cross-border health care. This Directive makes provision for the introduction of a general framework to:</p> <ul style="list-style-type: none"> <li>• clarify patients’ rights with regard to accessing cross-border healthcare provision;</li> <li>• guarantee the safety, quality and efficiency of care that patients will receive in another EU Member State; and</li> <li>• promote cooperation between Member States on healthcare matters</li> </ul>
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope</b>	This Directive will directly affect tourists. It could also affect accommodation and transport providers indirectly
<b>State of implementation</b>	Active - entered into force in 2011, although the transposition deadline is 25/10/2013.
<b>Type of impact</b>	This Directive impacts directly upon tourists travelling abroad. In the case of an accident or a health care issue, it enables tourists to access health care more easily. This includes persons travelling abroad to receive treatments (medical tourism). It could have indirect benefits for accommodation and transport providers as it increases the confidence of tourists travelling abroad. There may also be scope for the provision of additional accommodation and transport services for medical tourists.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this Directive is: <i>Maximise the potential of EU policies for developing tourism</i>
<b>Scale of impact</b>	The Directive only entered into force in 2011, but it could help to protect tourists when travelling abroad.
<p>Source:            More information available at:  <a href="http://europa.eu/legislation_summaries/public_health/european_health_strategy/sp0002_en.htm">http://europa.eu/legislation_summaries/public_health/european_health_strategy/sp0002_en.htm</a></p>	

**Council Recommendation 86/666/EEC on fire safety in existing hotels**

<b>Table 2.54: Summary Description – Council Recommendation 86/666/EEC on fire safety in existing hotels</b>	
<b>Policy Area</b>	Health and Consumer Protection
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Council Recommendation
<b>Objective</b>	<p>This Recommendation aimed to introduce provisions, if there are no existing laws, to ensure that fire precautions in existing hotels are met. Member States are recommended to take action to ensure that hotels are subject to provisions based on the principles set out in this Recommendation. For example:</p> <ul style="list-style-type: none"> <li>• safe escape routes should be available, unobstructed and clearly marked;</li> <li>• buildings should be stable for at least as long as necessary to allow safe evacuation of occupants;</li> <li>• warning systems should be installed and in full working order; and</li> <li>• staff should be given suitable instructions and training</li> </ul>
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope</b>	Accommodation providers
<b>State of implementation</b>	Active - in force since 1986. This Recommendation is currently under revision by the Commission.
<b>Type of impact</b>	The Recommendation impacts upon fire safety in hotels (accommodation providers), part of the tourism supply chain. The impact will be increased safety for tourists (and employees)
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this Recommendation is: <i>Promote the development of responsible tourism</i>
<b>Scale of impact</b>	The Recommendation could potentially have a significant impact on the tourism sector, in terms both of increased costs for hotels to meet the requirements and enhanced safety for tourists. However, a report* on the application of the Recommendation concluded that, although the recommendation had helped to improve safety levels, "uncertainties remain as to the current application in practice of the provisions designed to ensure that the Recommendation's objectives are met"
<p><i>Note:</i>  * EC (2001), <b>Report from the Commission on application of the Council Recommendation of 22 December 1986 on fire safety in existing hotels</b>, COM (2001) 348 final, available at: <a href="http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2001:0348:FIN:EN:PDF">http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2001:0348:FIN:EN:PDF</a>  Source:  More information available at: <a href="http://europa.eu/legislation_summaries/consumers/consumer_safety/l21183_en.htm">http://europa.eu/legislation_summaries/consumers/consumer_safety/l21183_en.htm</a></p>	

***Directive 2009/22/EC on injunctions for the protection of consumers' interests (codified version of Directive 98/27/EC)***

<b>Table 2.55: Summary Description – Directive 2009/22/EC on injunctions for the protection of consumers' interests</b>	
<b>Policy Area</b>	Health and Consumer Protection
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Directive
<b>Objective</b>	The purpose of this Directive is to ensure the defence of the collective interests of consumers in the internal market by providing means to bring action to ensure the cessation of infringements of consumer rights. It ensures that collective actions to protect consumers can be brought in the Member State where the business is located and therefore where the solution is most likely to be effective
<b>Geographical scope</b>	All EU Member States plus the EEA Members: Iceland, Liechtenstein, Norway
<b>Sectoral scope</b>	An Annex to the Injunctions Directive refers to a number of Directives, including the Package Travel Directive; the Council Directive on Unfair Terms in Consumer Contracts and the Timeshare Directive, among others. Thus it affects: <ul style="list-style-type: none"> <li>• Accommodation providers</li> <li>• Travel agents/Tour operators</li> <li>• Transport providers</li> </ul>
<b>State of implementation</b>	Active - in force since 1998, when the Injunctions Directive was introduced for the first time; it was later codified in the 2009 Directive.
<b>Type of impact</b>	The Directive increases the protection of tourists as consumers by protecting collective consumer interests. It can be applied in cases where a trader is breaching provisions of the directives listed in its Annex, some of which are directly related to tourism (such as the Package Travel Directive and the Timeshare Directive, see the Annex for more examples). It focuses on collective consumer rights and is not aimed at enabling individual consumers to obtain compensation for damages due to such action by businesses.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant is: <i>Maximise the potential of EU policies for developing tourism</i>
<b>Scale of impact</b>	Since some of the directives included in the scope of the Injunctions Directive, such as the Package Travel Directive, Timeshare Directive are directly relevant to the tourism industry, the Directive could help to improve the quality of the services provided to tourists. However, the scale of possible impacts is difficult to estimate as there is no central database for the number of cases brought under the provision of this Directive.
<p><i>Source:</i>  More information available at:  <a href="http://europa.eu/legislation_summaries/consumers/protection_of_consumers/co0007_en.htm">http://europa.eu/legislation_summaries/consumers/protection_of_consumers/co0007_en.htm</a></p>	

**Regulation (EC) No 2006/2004 on cooperation between national authorities responsible for the enforcement of consumer protection laws (the Regulation on consumer protection cooperation)**

<b>Table 2.56: Summary Description – Regulation (EC) No 2006/2004 on cooperation between national authorities responsible for the enforcement of consumer protection laws (the Regulation on consumer protection cooperation)</b>	
<b>Policy Area</b>	Health and Consumer Protection
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Regulation
<b>Objective</b>	The Regulation sets up an EU-wide network of national enforcement authorities with similar investigation and enforcement powers. Under the system, each of these authorities are able to call on other members of the network for assistance in investigating possible breaches of consumer laws and in taking action against rogue traders. The network tackles breaches of consumer law in a variety of areas such as misleading advertising, package holidays, timeshares and distance selling.
<b>Geographical scope</b>	All EU Member States and the EEA Members: Iceland, Liechtenstein, Norway
<b>Sectoral scope</b>	All sectors: <ul style="list-style-type: none"> <li>• Accommodation providers</li> <li>• Restaurants/Cafes</li> <li>• Travel agents/Tour operators</li> <li>• Attractions</li> <li>• Transport providers</li> </ul>
<b>State of implementation</b>	Active since 2006
<b>Type of impact</b>	By reducing dishonest practices by traders targeting consumers, the Regulation should have a positive impact on tourism demand and supply. The Regulation has allowed the use of sweeps targeted at tourism services, see Tables 2.57 – 2.59 below.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this initiative is: <i>Maximise the potential of EU policies for developing tourism.</i>
<b>Scale of impact</b>	The first assessment report on the Regulation (CEC, 2009) suggested that the Network has produced tangible results for tourists, by improving the quality of tourism services. Of 719 mutual assistance requests in 2007-2008, 97 related to recreation and culture, 35 to restaurants and hotels, and 224 to transport.
<p><i>Source:</i>  <b>EC (2009): Report on cooperation between national authorities responsible for the enforcement of consumer protection laws (the Regulation on consumer protection cooperation), COM(2009) 336 final, available at: <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2009:0336:FIN:EN:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2009:0336:FIN:EN:PDF</a></b></p>	

## 2.10.2 Non-legislative Initiatives

### *Sweep on Airlines (2007)*

<b>Table 2.57: Summary Description – Sweep on Airlines (2007)</b>	
<b>Policy Area</b>	Health and Consumer Protection
<b>Instrument/initiative</b>	Non-legislative initiative
<b>Type of instrument/initiative</b>	Enforcement action. An "EU sweep" is an action co-ordinated by the European Commission, and carried out simultaneously by the national consumer enforcement authorities in the Member States, Norway and Iceland. In a given week each year, consumer authorities check hundreds of activities in a particular sector in order to see where consumer rights are being compromised or denied. When they find that an activity does not comply with EU consumer law, they then contact the operator and ask for corrective action. Those who fail to correct illegal practices can face fines or be ordered to close their activity.
<b>Objective</b>	The aim of the 'sweep' was to promote enforcement and boost consumer rights. The investigation exercise focused on identifying the presence of three key practices: clear pricing, availability of the offer and fair contract terms.
<b>Geographical scope</b>	This first sweep, on Airlines, included 15 EU Member States, plus Norway
<b>Sectoral scope</b>	Transport providers
<b>State of implementation</b>	Completed in 2007
<b>Type of impact</b>	The first Sweep focused on websites selling airline tickets, to identify those which appeared to be in breach of the law. As tourist activities are a common reason for air travel, the Sweep had the potential to improve the quality of the services offered to tourists. The Sweep's key findings were that many sites presented multiple problems, particularly misleading pricing and non-availability of advertised offers.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for the Airline Sweep is: <i>Promote the development of sustainable, responsible and high-quality tourism</i>
<b>Scale of impact</b>	There are significant positive impacts reported from sweeps. The mid-term report showed that, of the 137 websites investigated representing about 80 companies, 115 were corrected. Most companies agreed to change their website rapidly, when informed about the misleading parts they contained. This resulted in improved services for tourists, as well as other passengers, using the sites
<i>Source:</i> More information available at: <a href="http://ec.europa.eu/consumers/enforcement/sweep/index_en.htm">http://ec.europa.eu/consumers/enforcement/sweep/index_en.htm</a>	

### *Sweep on Mobile Phone Content (2008)*

<b>Table 2.58: Summary Description – Sweep on Mobile Phone Content (2008)</b>	
<b>Policy Area</b>	Health and Consumer Protection
<b>Instrument/initiative</b>	Non-legislative initiative
<b>Type of instrument/initiative</b>	Enforcement action
<b>Objective</b>	The investigation exercise focused on miss-selling of ringtones, wallpapers and other mobile phone services.
<b>Geographical scope</b>	All EU Member States, plus Norway and Iceland

<b>Table 2.58: Summary Description – Sweep on Mobile Phone Content (2008)</b>	
<b>Sectoral scope</b>	Telecommunication sector
<b>State of implementation</b>	Completed in 2008
<b>Type of impact</b>	The sweep has reduced problems associated with unclear pricing of services offered by e-operators. There were three main problems identified: unclear pricing, failure to complete trader information and misleading advertising.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for the Mobile Phone Content Sweep is: <i>Maximise the potential of EU policies and financial instruments for developing tourism.</i>
<b>Scale of impact</b>	Significant positive impacts as a result of a number of corrective actions, which has benefited tourists when travelling abroad and using their mobile phones. The Commission announced that 70% of the 301 cases of mis-selling mobile phone services, investigated were resolved, which included 52% of websites being corrected and 17% of websites being closed.
<p><i>Source:</i>  <i>More information available at:</i>  <a href="http://ec.europa.eu/consumers/enforcement/sweep/mobile_phone/index_en.htm">http://ec.europa.eu/consumers/enforcement/sweep/mobile_phone/index_en.htm</a></p>	

*Sweep on Online Tickets Sales (2010)*

<b>Table 2.59: Summary Description – Sweep on Online Tickets Sales (2010)</b>	
<b>Policy Area</b>	Health and Consumer Protection
<b>Instrument/initiative</b>	Non-legislative initiative
<b>Type of instrument/initiative</b>	Enforcement action
<b>Objective</b>	<p>The enforcement activity concentrated on websites selling tickets for cultural and sporting events in order to identify breaches of EU Consumer law. The main problems found were:</p> <ul style="list-style-type: none"> <li>• missing, incomplete or misleading information about the price e.g. hidden taxes, handling charges, delivery charges;</li> <li>• unfair terms and conditions e.g. ticket delivery was not guaranteed on time, or the terms to get a refund, if the event was cancelled, were unfair; and</li> <li>• missing, incomplete or misleading information about the trader e.g. the trader falsely claiming to be an authorised representative or where the trader's details such as name, address and e-mail were missing.</li> </ul>
<b>Geographical scope</b>	All EU Member States, plus Norway and Iceland
<b>Sectoral scope</b>	Sellers of tickets for attractions and events
<b>State of implementation</b>	Completed in 2010
<b>Type of impact</b>	The Ticket Sales Sweep helped to improve the information available to customers prior to purchasing tickets and also the terms and conditions of the sale on websites screened during this sweep. This improved the quality of services provided to European consumers, including tourists.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for the Online Ticket Sales Sweep is: <i>Maximise the potential of EU policies instruments for developing tourism</i>

<b>Table 2.59: Summary Description – Sweep on Online Tickets Sales (2010)</b>	
<b>Scale of impact</b>	Significant positive impacts. In September 2011, the Commission announced that <i>88% of the websites checked for breach of EU consumer rules are now in line compared to only 40% in 2010</i> . This has resulted in better quality ticket sale services for consumers buying tickets for different types of activities, including tourists.
<p><i>Source:</i>            More information available at:  <a href="http://ec.europa.eu/consumers/enforcement/sweep/online_ticket_sales/index_en.htm">http://ec.europa.eu/consumers/enforcement/sweep/online_ticket_sales/index_en.htm</a></p>	

**Website – Dolceta**

<b>Table 2.60: Summary Description – Dolceta</b>	
<b>Policy Area</b>	Health and Consumer Protection
<b>Instrument/initiative</b>	Non-legislative initiative
<b>Type of instrument/initiative</b>	Website: <b>Dolceta</b> ( <a href="http://www.dolceta.eu/">http://www.dolceta.eu/</a> )
<b>Objective</b>	Dolceta is an education tool aimed at providing a platform for consumers to learn about EU consumer law. It is an ongoing online project involving the 27 EU countries, financed by the European Commission. Dolceta offers online modules which focus on different consumer topics including: consumer rights; services (energy, transport, communication etc.); product safety; sustainable consumption; and financial services. The website is intended to provide useful information to consumers regarding consumer law and health and safety (including elements that affect the tourism industry such as transport services and cross-border consumer rights).
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope</b>	This instrument is focused on educating consumers, but could impact indirectly on the service providers (e.g. accommodation and transport providers, tour operators, restaurants/cafes).
<b>State of implementation</b>	Active (website launched in 2003)
<b>Type of impact</b>	The main impact is increased consumer education, which may put pressure on tourism businesses that are not complying with EU consumer law. This may help to reduce unfair competition for companies that act in accordance with the legislation in force.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for Dolceta is: <i>maximise the potential of EU policies for developing tourism</i> .
<b>Scale of impact</b>	No detailed evaluation has been made by the European Commission of the specific impacts of Dolceta on the tourism sector. However, the recent mid-term evaluation of consumer policy initiatives suggested that there has been limited progress on consumer education (including Dolceta) due, for example, to the lack of a clear target audience, problems with dissemination, cultural differences between Member States and variations in knowledge about rights at national level. A further evaluation of the Dolceta website is planned in the future.
<p><i>Sources:</i>            RPA/NERA (2011): <b>Consumer Policy - Ex-Post And Mid-Term Evaluations</b>, available at:  <a href="http://ec.europa.eu/consumers/strategy/index_en.htm">http://ec.europa.eu/consumers/strategy/index_en.htm</a>            More information available at: <a href="http://www.dolceta.eu/united-kingdom/index.php">http://www.dolceta.eu/united-kingdom/index.php</a></p>	

**Website - Is it fair?**

<b>Table 2.61: Summary description - Website - Is it fair?</b>	
<b>Policy Area</b>	Health and Consumer Protection
<b>Instrument/initiative</b>	Non-legislative initiative
<b>Type of instrument/initiative</b>	Website: <i>Is it fair?</i> ( <a href="http://www.isitfair.eu/">http://www.isitfair.eu/</a> )
<b>Objective</b>	To advise consumers on whether a particular commercial practice is unfair. The website provides examples of infringements that are no longer acceptable under Unfair Commercial Practices Directive.
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope</b>	This initiative is focused on educating consumers, but could impact indirectly on the service providers (e.g. accommodation and transport providers) linked to the promotion, sale or supply of a product. The “black list” of banned commercial practices includes, among others, false limited offers and deceptive advertising.
<b>State of implementation</b>	Active – website launched 2007
<b>Type of impact</b>	The main impact is increased consumer education which may put pressure on tourism businesses not complying with EU consumer law.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this Directive is: <i>Stimulate competitiveness in the European tourism sector.</i>
<b>Scale of impact</b>	The impacts could be significant, but the recent mid-term evaluation of consumer policy initiatives suggested that the website should be further promoted and more widely distributed, as EU citizens do not appear to be aware of this tool.
<i>Source:</i> RPA/NERA (2011): <i>Consumer Policy - Ex-Post And Mid-Term Evaluations</i> , available at: <a href="http://ec.europa.eu/consumers/strategy/index_en.htm">http://ec.europa.eu/consumers/strategy/index_en.htm</a>	

**European Consumer Centres Network (ECC-Net)**

<b>Table 2.62: Summary Description – European Consumer Centres Network (ECC-Net)</b>	
<b>Policy Area</b>	Health and Consumer Protection
<b>Instrument/initiative</b>	Non-legislative
<b>Type of instrument/initiative</b>	Information network
<b>Objective</b>	The European Consumer Centres Network (ECC-Net) pursues the following objectives with regard to consumers: <ul style="list-style-type: none"> <li>• to provide information so as to enable consumers to purchase goods and services in the internal market with full knowledge of their rights and duties;</li> <li>• to respond to direct requests for information from consumers or other parties;</li> <li>• in the event of a complaint, to help and support consumers in their contacts with the business operator; and</li> <li>• where necessary, to help consumers in the event of a dispute.</li> </ul>
<b>Geographical scope</b>	All EU Member States and Iceland and Norway



<b>Table 2.62: Summary Description – European Consumer Centres Network (ECC-Net)</b>	
<b>Sectoral scope</b>	All sectors, but tourism and leisure account for over two-thirds of complaints received (see Scale of Impact) and are the subject of the majority of ECC reports.
<b>State of implementation</b>	Active
<b>Type of impact</b>	ECC-NET provides information and assistance on cross-border issues, which is available to all consumers who have a disagreement with a trader located in another Member State. These services may be of particular relevance for tourists travelling abroad.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this initiative is: <i>Maximise the potential of EU policies for developing tourism.</i>
<b>Scale of impact</b>	<p>In 2010, EEC-Net handled over 71,000 consumer cases. Of these:</p> <ul style="list-style-type: none"> <li>• 33.2% related to transport issues;</li> <li>• 23.7% related to recreation and culture; and</li> <li>• 11.5% were associated with restaurants, hotels and accommodation services.</li> </ul> <p>It has published several reports relevant to the tourism industry, including:</p> <ul style="list-style-type: none"> <li>• ECC-Net Air Passenger Rights Report, October 2011;</li> <li>• Ski Resorts in Europe 2010/2011; and</li> <li>• Comparison of Minimum Criteria for 3-Star Hotels in the EU, 2010</li> </ul> <p>This reflects the significant positive impacts from the network on protecting consumer rights.</p>
<p><i>Source:</i>            More information available at: <a href="http://ec.europa.eu/consumers/redress_cons/webcenters_en.htm">http://ec.europa.eu/consumers/redress_cons/webcenters_en.htm</a></p>	

## 2.11 Home Affairs

### 2.11.1 Legislative Instruments

***Council Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement***

<b>Table 2.63: Summary Description - Council Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement*</b>	
<b>Policy Area</b>	Home affairs
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Council Regulation
<b>Objective</b>	To determine the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempted from that requirement. The Regulation sets out a list of 101 countries whose nationals must be in possession of a visa when crossing the external borders of the Member States. Member States are free to decide whether or not to require visas from nationals of Non-EU Member Countries who are not on the common list or from stateless persons or recognised refugees.
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope</b>	It applies to nationals of third countries that must be in possession of a visa when crossing the external border of the Union.
<b>State of implementation</b>	Active – in force since 2001
<b>Type of impact</b>	The Regulation is expected to increase clarity about the visa requirements for nationals of third countries wishing to stay in the territory of the EU (potentially tourists). This can impact upon decisions made by potential third country tourists, for example, on the choice of holiday destination.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for the Directive is: <i>Maximise the potential of EU policies for developing tourism.</i>
<b>Scale of impact</b>	The impact on tourism could be important, through influencing potential third country tourists' choice of destination.
<p><i>Note:</i>                      * The Regulation was subsequently amended by Regulation (EC) No 2414/2001; Regulation (EC) No 453/2003; Regulation (EC) No 851/2005; Decision (EC) no 2006/684; Regulation (EC) No 1932/2007</p> <p><i>Sources:</i>                      More information available at: <a href="http://europa.eu/legislation_summaries/other/l14007b_en.htm">http://europa.eu/legislation_summaries/other/l14007b_en.htm</a></p>	

**Regulation (EC) No 562/2006 establishing a Community Code on the Rules Governing the Movement of Persons across Borders (Schengen Borders Code)**

<b>Table 2.64: Summary Description - Regulation (EC) No 562/2006 establishing a Community Code on the Rules Governing the Movement of Persons across Borders (Schengen Borders Code)*</b>	
<b>Policy Area</b>	Home affairs
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Regulation
<b>Objective</b>	To establish a 'common corpus' of legislation (including Schengen Borders Code), via consolidation and development of the <i>acquis</i> , which is one of the fundamental components of the common policy on the management of the external borders.
<b>Geographical scope</b>	All EU Member States, excluding the UK and Ireland, plus the EEA countries - Iceland, Liechtenstein, Norway - and Switzerland. Bulgaria, Romania and Cyprus will apply the Code once they become part of the Schengen area.
<b>Sectoral scope</b>	The Regulation has a direct impact on tourists and could also impact the industry indirectly. Non-EU country nationals are subject to thorough checks when crossing external EU borders, including the verification of documents granting entry to the EU. However, any person may cross the internal borders at any crossing-point without checks being carried out.
<b>State of implementation</b>	Active - in force since 2006
<b>Type of impact</b>	Impacts on tourism demand may arise as the Schengen Borders Code eliminated discrepancies and differences between Member States in border checks across territories of the EU. This can be considered as an important achievement in easing travel for potential third country tourists.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for the Regulation is: <i>Maximise the potential of EU policies for developing tourism</i>
<b>Scale of impact</b>	The scale of impacts could be significant in facilitating potential third country tourists' travel across internal borders within the EU.
<p><i>Note:</i>            *Currently under amendment process: Proposal 2011/0051 for a Regulation amending Regulation 562/2006 available at:  <a href="http://ec.europa.eu/home-affairs/news/intro/docs/SBC%20amendment%20EN.pdf">http://ec.europa.eu/home-affairs/news/intro/docs/SBC%20amendment%20EN.pdf</a>            Source:            Schengen Borders Code, EC website available at:  <a href="http://ec.europa.eu/home-affairs/doc_centre/borders/borders_schengen_en.htm">http://ec.europa.eu/home-affairs/doc_centre/borders/borders_schengen_en.htm</a></p>	

**Regulation (EC) No 810/2009 establishing a Community Code on Visas (Visa Code)**

<b>Table 2.65: Summary Description - Regulation (EC) No 810/2009 establishing a Community Code on Visas (Visa Code)</b>	
<b>Policy Area</b>	Home affairs
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Regulation
<b>Objective</b>	The aim of this regulation is to establish the conditions and procedures for issuing visas for short stays (a maximum of three months during any six-month period) and transit through the EU Member States. It applies to nationals of third countries that must be in possession of a visa when crossing the external border of the Union. A visa application may be submitted by the applicant at the earliest three months before the intended visit.
<b>Geographical scope</b>	All EU Member States, excluding UK and Ireland, plus the EEA countries-Iceland, Liechtenstein, Norway - and Switzerland. Bulgaria, Romania and Cyprus will apply the Visa Code once they become part of the Schengen area without internal border.
<b>Sectoral scope</b>	It applies to nationals of third countries that must be in possession of a visa when crossing the external border of the Union.
<b>State of implementation</b>	Active - in force since 2009. Two years after entry into force, the Commission is required to carry out an assessment of the implementation of the Visa Code, which will determine whether further steps from the Commission might be necessary.
<b>Type of impact</b>	The Visa Code enhances the harmonisation of, and facilitates procedures and conditions for, issuing visas for short stays in and transit through the territories of Member States. This is expected to increase legal security and transparency, which could facilitate entry for potential third country tourists into the EU. It could thus benefit the tourism industry, in addition to third-country tourists themselves.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this Regulation is: <i>Maximise the potential of EU policies instruments for developing tourism.</i>
<b>Scale of impact</b>	The impacts of the Visa Code could be significant. An efficient visa system may influence and increase the number of third country tourists who chose Europe as a destination, thus benefitting the tourism industry in Europe.
<p><i>Notes:</i>            *Ecorys et al (2009): <b>Study on the competitiveness of the EU tourism industry</b>, for Directorate-General Enterprise &amp; Industry, September 2009 available at:  <a href="http://ec.europa.eu/enterprise/newsroom/cf/_getdocument.cfm?doc_id=5258">http://ec.europa.eu/enterprise/newsroom/cf/_getdocument.cfm?doc_id=5258</a>  <i>Source:</i>            Visa Code, EC website available at:  <a href="http://ec.europa.eu/home-affairs/policies/borders/borders_visa_en.htm">http://ec.europa.eu/home-affairs/policies/borders/borders_visa_en.htm</a></p>	

**Commission Decision No C (2010) 1620 establishing the Handbook for the processing of visa applications and the modification of issued visas**

<b>Table 2.66: Summary Description - Commission Decision No C (2010) 1620 establishing the Handbook for the Processing of Visa Applications and the Modification of Issued Visas*</b>	
<b>Policy Area</b>	Home affairs
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Commission Decision
<b>Objective</b>	The objective of this Handbook, for the practical application of the Visa Code, is to lay down operational instructions (guidelines, best practices and recommendations) for the performance of tasks of Member States' consular staff and staff of other authorities responsible for examining and taking decisions on visa applications, as well as tasks of staff of the authorities responsible for modifying issued visas.
<b>Geographical scope</b>	All EU Member States, excluding UK and Ireland, plus the EEA countries - Iceland, Liechtenstein, Norway - and Switzerland.
<b>Sectoral scope</b>	It applies to nationals of third countries that must be in possession of a visa when crossing the external border of the Union
<b>State of implementation</b>	Active - in force since 2010
<b>Type of impact</b>	This Decision facilitates travel into the EU and thus could benefit the tourism industry, in addition to the benefits to tourists themselves
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for the Decision is: <i>Maximise the potential of EU policies for developing tourism</i>
<b>Scale of impact</b>	This could have a significant positive impact on the handling procedures of visa applications across the EU. However, the extent of the impact will be dependent on the willingness of the consular staff and authorities issuing visas to follow its recommendations.
<p><i>Note:</i></p> <p><i>*This is assessed in line with Commission Implementing Decision of 4.8.2011 amending Commission Decision No C (2010) 1620 establishing the Handbook for the processing of visa applications and the modification of issued visas.</i></p> <p><i>Source:</i></p> <p><i>European Commission (2010): Commission Decision Establishing the Handbook for the Processing of Visa Applications and the Modification of Issued Visas, COM (2010) 1620 final, available at <a href="http://ec.europa.eu/home-affairs/policies/borders/docs/c_2010_1620_en.pdf">http://ec.europa.eu/home-affairs/policies/borders/docs/c_2010_1620_en.pdf</a></i></p>	

**Visa Facilitation Agreements<sup>3</sup>**

<b>Table 2.67: Summary Description – Visa Facilitation Agreements</b>	
<b>Policy Area</b>	Home Affairs
<b>Instrument/initiative</b>	Legislative
<b>Type of instrument/initiative</b>	Agreement
<b>Objective</b>	The purpose of these Agreements is to facilitate the issuance of visas for an intended stay of no more than 90 days per period of 180 days to the citizens of the countries with which the Agreements have been signed.
<b>Geographical scope</b>	Albania; Bosnia and Herzegovina; Macedonia; Georgia; Moldova; Montenegro; Serbia; Russian Federation; Ukraine
<b>Sectoral scope</b>	It applies to nationals of the countries listed under the geographic scope (above).
<b>State of implementation</b>	Active
<b>Type of impact</b>	Allows easier travel into the EU and often offers visa at a reduced price, or provides a total exemption from a visa fee, for certain categories of applicants, for example students, or participants in scientific, cultural, artistic and sporting events. Thus it could benefit tourists directly and the tourism industry indirectly.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this initiative is: <i>Maximise the potential of EU policies for developing tourism</i>
<b>Scale of impact</b>	May impact moderately on tourism demand
<i>Source:</i> <i>Schengen, Borders and Visas, EC website available at :</i> <a href="http://ec.europa.eu/home-affairs/policies/borders/borders_visa_en.htm">http://ec.europa.eu/home-affairs/policies/borders/borders_visa_en.htm</a>	

**2.11.2 Non Legislative Initiatives**

***Commission Recommendation 2004/645/EC on the implementation by the consular offices of the Member States of the Memorandum of Understanding between the European Community and the National Tourism Administration of the People’s Republic of China on visa and related issues concerning tourist groups from the People’s Republic of China***

<b>Table 2.68: Summary Description - Commission Recommendation 2004/645/EC on the implementation by the consular offices of the Member States of the Memorandum of Understanding between the European Community and the National Tourism Administration of the People’s Republic of China (PRC) on visa and related issues concerning tourist groups from the People’s Republic of China</b>	
<b>Policy Area</b>	Home affairs
<b>Instrument/initiative</b>	Legislative instrument

<sup>3</sup> A Visa Facilitation Agreement is a form of a legal act potentially impacting upon tourism. We have prepared a consolidated summary for this type of agreement covering the nine separate agreements between the European Union and other non-EU countries, which include: Albania, Bosnia and Herzegovina, Former Republic of Macedonia, Georgia, Moldova, Montenegro, Serbia, the Russian Federation and Ukraine.

**Table 2.68: Summary Description - Commission Recommendation 2004/645/EC on the implementation by the consular offices of the Member States of the Memorandum of Understanding between the European Community and the National Tourism Administration of the People's Republic of China (PRC) on visa and related issues concerning tourist groups from the People's Republic of China**

<b>Type of instrument/ initiative</b>	Commission Recommendation
<b>Objective</b>	To provide a specific application process, derogating from the common rules on visas, to facilitate issuing of short term visas to groups of Chinese citizens who wish to travel to the territory of the Community. The Memorandum of Understanding (MoU) provides the possibility for a unique visa application process whereby: <ul style="list-style-type: none"> <li>• consular offices of Member States in the PRC should issue an accreditation certificate for each designated travel agency;</li> <li>• accreditation certificates issued by a Member State should be recognised by the other Member States; and</li> <li>• the Commission, on the basis of the information submitted by the PRC and after verification by the Member States, shall establish a common list of couriers (e.g. travel agencies) which is circulated to all EU Member States.</li> </ul>
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope</b>	It applies to nationals of China
<b>State of implementation</b>	Active - in force since 2004
<b>Type of impact</b>	It may impact the volume of tourism by Chinese citizens and thus have an indirect impact on the tourism industry.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this Recommendation is: <i>Maximise the potential of EU policies instruments for developing tourism</i>
<b>Scale of impact</b>	As China is a growing economy, with potential for increased demand for outbound tourism into EU Member States, the impacts could be important.
<i>Source:</i> EC (2004): <i>the Memorandum of Understanding between the European Community and the National Tourism Administration of the People's Republic of China</i> , available at: <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2004:083:0014:0021:EN:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2004:083:0014:0021:EN:PDF</a>	

***Commission Communication – Preparing the next steps in border management in the European Union [COM (2008) 69 final]***

**Table 2.69: Summary Description - Commission Communication – Preparing the next steps in border management in the European Union [COM (2008) 69 final]**

<b>Policy Area</b>	Home affairs
<b>Instrument/initiative</b>	Non-legislative initiative
<b>Type of instrument/ initiative</b>	Commission Communication
<b>Objective</b>	To address difficulties in the context of integrated border management and the problems encountered, such as: the data in travel documents, lack of border checks for those nationals who do not require visa to enter EU, lack of control of dates of movement for non-EU Member Country nationals. Low-risk travellers from Non-EU Member Countries ("bona fide travellers") could be granted "Registered Traveller" status which would allow them to benefit from a simple and automated border check upon arrival in the Member State of destination (the status would be obtained through pre-screening procedures at a consulate or visa application centre).

<b>Table 2.69: Summary Description - Commission Communication – Preparing the next steps in border management in the European Union [COM (2008) 69 final]</b>	
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope</b>	It applies to nationals of third countries who are considered ‘low risk’ travellers.
<b>State of implementation</b>	Active - published in 2008
<b>Type of impact</b>	It may impact on tourism demand from ‘low risk’ travellers from third Countries.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for the Communication is: <i>Maximise the potential of EU policies and financial instruments for developing tourism.</i>
<b>Scale of impact</b>	Could have a positive impact on tourism demand.
<p><i>Source:</i>  <i>Schengen, Borders and Visas, EC website available at :</i>  <a href="http://ec.europa.eu/home-affairs/policies/borders/borders_visa_en.htm">http://ec.europa.eu/home-affairs/policies/borders/borders_visa_en.htm</a></p>	

***Commission Communication - Smart borders - options and the way ahead [COM (2011) 680 final]***

<b>Table 2.70: Summary Description - Commission Communication - Smart borders - options and the way ahead [COM (2011) 680 final]</b>	
<b>Policy Area</b>	Home affairs
<b>Instrument/initiative</b>	Non-legislative initiative
<b>Type of instrument/initiative</b>	Commission Communication
<b>Objective</b>	The dual objectives of the Communication are to enhance the security of external border controls and to facilitate travel from third countries. The initiative would have two components: an entry/exit system (EES) and a registered traveller programme (RTP), replacing the current system of stamping passports with an electronic registry of visitors and possibly an Automated Border Control System.
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope</b>	All travellers crossing EU external borders
<b>State of implementation</b>	Active - published in 2008
<b>Type of impact</b>	It could have a positive impact on tourists, facilitating travelling and affecting tourism demand from third countries.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for the Communication is: <i>Maximise the potential of EU policies for developing tourism.</i>
<b>Scale of impact</b>	The implementation of Smart Borders could have a positive impact on tourism demand if it results in increased numbers of travellers from third countries. However, this Communication only partly outlines the concept of smart borders and it envisages continued work by the Commission on this concept.
<p><i>Source:</i>  <i>EC (2011): Smart borders - options and the way ahead, COM (2011) 680 final, available at:</i>  <a href="http://ec.europa.eu/home-affairs/news/intro/docs/20111025/20111025-680%20en.pdf">http://ec.europa.eu/home-affairs/news/intro/docs/20111025/20111025-680%20en.pdf</a></p>	



## 2.12 Communications Networks, Content and Technology (formerly Information Society and Media)

### 2.12.1 Legislative Instruments

#### ***Regulation (EC) No 531/2012 on roaming on public mobile communications networks within the Union (consolidated version)***

<b>Table 2.71: Summary Description – Regulation (EC) No 531/2012 on roaming on public mobile communications networks within the Union (consolidated version)</b>	
<b>Policy Area</b>	Communications Networks, Content and Technology
<b>Instrument/initiative</b>	Legislative Instrument
<b>Type of instrument/initiative</b>	Regulation
<b>Objective</b>	The objective of this Regulation was to reduce the cost of using mobile phones when abroad, by regulating the cost to consumers of roaming on public mobile telephone networks within the Community. The Roaming Regulation regulates wholesale and retail voice and SMS roaming charges by setting price caps ('Eurotariffs').
<b>Geographical scope</b>	All EU Member States and the EEA Members: Iceland, Liechtenstein and Norway
<b>Sectoral scope</b>	Telecommunication sector
<b>State of implementation</b>	In force since 2007 and initially due to expire on 30 June 2012. Prior to its expiry, the Commission carried out a review to evaluate whether the objectives of the Regulation had been achieved. A Proposal for a new regulation was tabled by the Commission in July 2011, with the Regulation applicable from July 2012.
<b>Type of impact</b>	The regulation controls the costs of telecommunication services for those who use them while abroad, including tourists.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for the Regulation is: <i>Promote the development of sustainable, responsible and high quality tourism.</i>
<b>Scale of impact</b>	This Regulation affects a large number of holidaymakers travelling abroad. An evaluation report by the EC dated July 2011 noted that the measures introduced by the Roaming Regulation have enabled consumers (including tourists) to enjoy significant benefits, in terms of both reduced prices and improved transparency across countries over the past years.
<p><i>Sources:</i>            EC (2011): <i>Report on roaming on public mobile communications networks within the Community, as amended by Regulation (EC) No 544/2009, SEC(2011) 870,871, available at:</i>  <a href="http://ec.europa.eu/information_society/activities/roaming/docs/roaming_report_11.pdf">http://ec.europa.eu/information_society/activities/roaming/docs/roaming_report_11.pdf</a>;            More information available at:  <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:172:0010:0035:EN:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:172:0010:0035:EN:PDF</a>;  <a href="http://europa.eu/legislation_summaries/information_society/radiofrequencies/l24276_en.htm">http://europa.eu/legislation_summaries/information_society/radiofrequencies/l24276_en.htm</a>;            BEREC (2010): <i>International Mobile Roaming Regulation Report, available at:</i>  <a href="http://erg.eu.int/doc/berec/bor_10_58.pdf">http://erg.eu.int/doc/berec/bor_10_58.pdf</a></p>	

**2.12.2 Non-legislative Initiatives**

***Commission Communication - Bridging the Broadband Gap [COM (2006) 129 final]***

<b>Table 2.72: Summary Description – Commission Communication - Bridging the Broadband Gap</b>	
<b>Policy Area</b>	Communications Networks, Content and Technology
<b>Instrument/initiative</b>	Non-legislative initiative
<b>Type of instrument/initiative</b>	Commission Communication
<b>Objective</b>	The objective is to address the broadband access in the less developed areas of the Union. This applies to less-developed areas more generally and it is therefore broader in scope than tourism. However, it refers to tourism explicitly and notes that ICTs can create opportunities for tourism in rural areas.
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope</b>	Telecommunication sector
<b>State of implementation</b>	Not applicable
<b>Type of impact</b>	It could impact both supply and demand of tourism activities. Broadband access can encourage business diversification by making rural areas more practicable for businesses and improving marketing opportunities for products and services such as tourism and rural amenities. Village ICT initiatives built around broadband hubs can provide a cost-effective approach to the provision of services to businesses and local communities.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for the Directive is: <i>Stimulate competitiveness in the European tourism sector.</i>
<b>Scale of impact</b>	The Commission Communication outlined a strategy and goals to be achieved in the area of broadband access. The Commission announced that it will analyse all aspects of the "broadband divide" in the annual progress reports and will monitor broadband developments in the new Member States as the impacts could be significant. Six out of ten Europeans regularly use the internet, including for booking holidays. For the EU Member States to take full advantage of the potential benefits of the digital economy (including the benefits for the tourism sector), they need to reinforce their approaches towards digital services and provide faster broadband.
<p><i>Sources:</i>            EC (2010): <i>Europe's Digital Competitiveness Report</i>, available at:  <a href="http://ec.europa.eu/information_society/digital-agenda/documents/edcr.pdf">http://ec.europa.eu/information_society/digital-agenda/documents/edcr.pdf</a>            EC (2010): <i>Bridging the Broadband Gap</i>, COM (2006) 129 final, available at:  <a href="http://eur-lex.europa.eu/LexUriServ/site/en/com/2006/com2006_0129en01.pdf">http://eur-lex.europa.eu/LexUriServ/site/en/com/2006/com2006_0129en01.pdf</a></p>	

## 2.13 Internal Market and Services

### 2.13.1 Legislative Instruments

*Council Directive 84/641/EEC amending, particularly as regards Tourist Assistance, the First Directive (73/239/EEC) on the coordination of laws, regulations and administrative provisions relating to the taking-up and pursuit of the business of direct insurance other than life assurance*

<b>Table 2.73: Summary Description – Council Directive 84/641/EEC amending, particularly as regards Tourist Assistance, the First Directive (73/239/EEC) on the coordination of laws, regulations and administrative provisions relating to the taking-up and pursuit of the business of direct insurance other than life assurance</b>	
<b>Policy Area</b>	Internal Market and Services
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Directive
<b>Objective</b>	The aim of this Directive is to enable the provision of insurance assistance to persons who get into difficulties while travelling, while away from home or while away from their permanent residence.
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope</b>	This Directive allowed the provision of insurance assistance for persons travelling abroad, in case of any difficulties encountered by them. As a result of this provision <i>tourist (or travel) insurance</i> was developed.
<b>State of implementation</b>	Adopted in 1984 with a transposition deadline in 1987
<b>Type of impact</b>	Directive 84/641/EEC enables the provision of assistance to travellers in the form of insurance, and could thus increase tourists' confidence in travelling
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this Directive is: <i>maximise the potential of EU policies for developing tourism</i>
<b>Scale of impact</b>	By allowing insurers to introduce a new type of insurance, travel insurance, the Directive has had a significant impact upon the tourist industry, through expanding the portfolio of services available to tourists and increasing the confidence of tourists travelling abroad.
<p><i>Source:</i>            EC (1984): <i>Council Directive 84/641/EEC amending, particularly as regards Tourist Assistance, available at:</i>  <a href="http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31984L0641:EN:HTML">http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31984L0641:EN:HTML</a></p>	

**Directive 2005/36/EC on the recognition of professional qualifications (as amended by subsequent legislation)**

<b>Table 2.74: Summary Description – Directive 2005/36/EC on the Recognition of Professional Qualifications (as amended by subsequent legislation)</b>	
<b>Policy Area</b>	Internal Market and Services
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Directive
<b>Objective</b>	The objective of this Directive is to establish rules according to which a host Member State, which makes access to or pursuit of a regulated profession in its territory contingent upon possession of specific professional qualifications, shall recognise professional qualifications obtained in other Member States.
<b>Geographical scope</b>	All EU Member States plus the EEA Members: Iceland, Liechtenstein and Norway
<b>Sectoral scope</b>	While broader in scope, this Directive explicitly refers to restaurants and hotels, personnel, community and recreation services and transport.
<b>State of implementation</b>	In force since 2005, transposition deadline was 2007. In 2011 the Commission conducted a major evaluation of the Directive and, on 19 December 2011, the Commission adopted a legislative proposal for modernising Directive 2005/36/EC on the recognition of professional qualifications.
<b>Type of impact</b>	This Directive could affect the quality of the services provided by the tourism sector as it sets the framework for recognition of professional qualifications in a number of sectors, including in restaurants and hotels and recreational services, etc. It also contributes to the movement of qualified staff between Member States, which could assist the availability of qualified staff to the tourism sector.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this Directive is: <i>Stimulate competitiveness in the European tourism sector.</i>
<b>Scale of impact</b>	This Directive could have a significant impact on the tourism sector, in the sense that it makes it easier for workers in this sector to work abroad and allows them to use their professional skills, in principle, without need for further recognition steps. As of 2010, however, the Directive had not been transposed by all EU Member States.  A recent proposal from the Commission on the Professional Qualifications Directive will further simplify and modify rules for the mobility of professionals in the EU. This includes a European professional card, which will offer to interested professionals the possibility to benefit from easier and quicker recognition of their qualifications. It should also facilitate temporary mobility. Other key elements of the proposals include: better access to information on the recognition of professional qualifications, updated minimum training requirements for some groups of professionals, the introduction of common training frameworks and common training tests as well as a mutual evaluation exercise on regulated professions.
<i>Sources:</i> <i>More information available at:</i> <a href="http://europa.eu/legislation_summaries/internal_market/living_and_working_in_the_internal_market/c11065_en.htm">http://europa.eu/legislation_summaries/internal_market/living_and_working_in_the_internal_market/c11065_en.htm</a> ; and <a href="http://ec.europa.eu/internal_market/qualifications/policy_developments/legislation_en.htm">http://ec.europa.eu/internal_market/qualifications/policy_developments/legislation_en.htm</a>	

**Directive 2006/123/EC on services in the internal market**

<b>Table 2.75: Summary Description – Directive 2006/123/EC on services in the internal market</b>	
<b>Policy Area</b>	Internal Market and Services
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Directive
<b>Objective</b>	The objective of this Directive is to remove legal and administrative barriers to trade in the services sector. More specifically, it aims to facilitate freedom of establishment for providers in other Member States and the freedom of provision of services between Member States.
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope</b>	While broader in scope, this Directive explicitly refers to “services in the field of tourism” and refers to the following tourism-related sectors: tourism services (e.g. travel agents), leisure services (e.g. sports centres and amusement parks), accommodation and food services (hotels, restaurants and caterers) and rentals and leasing services (including car rental). This Directive also points to the need for a better understanding of the meaning of quality labels in tourism, particularly in the hotel business.
<b>State of implementation</b>	In force since 2006. The transposition deadline expired in 2009. In June 2012 the Commission published the result of the performance checks on the internal market for services (covering construction, business services and tourism). This was carried out to assess the implementation of the Services Directive and other services-related legislation work in practice.
<b>Type of impact</b>	The Directive should result in improvements to cross-border provision of services, transparency, consumer rights, consumer choice and the quality of services thus impacting on the tourism supply chain. The Services Directive will ensure that both service providers and their recipients benefit from the freedom to provide services across borders.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this Directive is: <i>Stimulate competitiveness in the European tourism sector.</i>
<b>Scale of impact</b>	Given the cross-border nature of the tourism industry, the Services Directive could potentially impact the sector significantly. All Member States were required to make changes in existing laws, regulations and administrative provisions to ensure their conformity with the obligations in the Directive. The 2011 performance check noted, however, that there were still challenges with regard to the provision of cross-border services, including those specifically related to tourism. For example, tourist guides are often subject to the rules applicable to establishment in the countries where they wish to offer cross-border services. Travel agents and tour operators suffer from different levels of consumer protection rules across Member States. This is mainly due to the lack of maximum harmonisation in implementation of EU consumer legislation by Member States (e.g. the Package Travel Directive and Unfair Contract Terms Directive), which is a significant barrier for the cross-border provision of travel agency services.
<p><i>Sources:</i>            EC (2012): <b>Commission Staff Working Document on the result of the performance checks of the internal market for services (construction, business services and tourism)</b>, SWD (2012) 147 final, available at:  <a href="http://ec.europa.eu/internal_market/services/docs/servicesdir/implementation/report/SWD_2012_147_en.pdf">http://ec.europa.eu/internal_market/services/docs/servicesdir/implementation/report/SWD_2012_147_en.pdf</a>            EC (2006): <b>Directive 2006/123/EC on services in the internal market</b>, available at:  <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:376:0036:0068:en:PDF;">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:376:0036:0068:en:PDF;</a>            More information available at:</p>	

**Table 2.75: Summary Description – Directive 2006/123/EC on services in the internal market**

[http://europa.eu/legislation\\_summaries/employment\\_and\\_social\\_policy/job\\_creation\\_measures/l33237\\_en.htm](http://europa.eu/legislation_summaries/employment_and_social_policy/job_creation_measures/l33237_en.htm);

Directive on services in the Internal Market, EC website available at:

[http://ec.europa.eu/internal\\_market/services/services-dir/index\\_en.htm](http://ec.europa.eu/internal_market/services/services-dir/index_en.htm)

**Directive 2000/31/EC on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market**

**Table 2.76: Summary Description – Directive 2000/31/EC on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market**

<b>Policy Area</b>	Internal Market and Services
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Directive
<b>Objective</b>	The Directive harmonises the regulation of electronic commerce and covers all information society services. The Directive broadly follows a “country of origin” approach, where an online service provider is subject to the law that applies in the country where they are based, rather than where their customers are. This is the internal market clause, which means that information society services are, in principle, subject to the law of the Member State in which the service provider is established. In turn, the Member State in which the information society service is received cannot restrict incoming services.
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope</b>	This Regulation is not directed specifically at the tourism sector but a large number of tourism-related transactions take place electronically and therefore this Directive could cover tourism sub-sectors such as accommodation and transport providers, and travel agents/tour operators.
<b>State of implementation</b>	In force since 2000
<b>Type of impact</b>	This Directive could affect the quality of electronic commerce services provided by the tourism sector and also increase the protection of tourists when booking services outside their country of origin.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this Directive is: <i>Stimulate competitiveness in the European tourism sector</i>
<b>Scale of impact</b>	The frequently cross-border nature of tourism, and the fact that tourist services (such as travel and accommodation) are often bought online, means that this Directive is highly relevant to the tourism sector and the impacts could be significant.
<i>Sources:</i>	
<i>More information available at:</i>	
<a href="http://europa.eu/legislation_summaries/information_society/other_policies/l24204_en.htm">http://europa.eu/legislation_summaries/information_society/other_policies/l24204_en.htm</a> ;	

### 2.13.2 Non-legislative Initiatives

***Commission Communication - Towards a Single Market Act, for a highly competitive social market economy, 50 proposals for improving our work, business and exchanges with one another [COM (2010) 608]***

<b>Table 2.77: Summary Description – Commission Communication - Towards a Single Market Act, for a highly competitive social market economy, 50 proposals for improving our work, business and exchanges with one another [COM (2010) 608]</b>	
<b>Policy Area</b>	Internal Market and Services
<b>Instrument/initiative</b>	Non-legislative initiative
<b>Type of instrument/initiative</b>	Commission Communication
<b>Objective</b>	This Communication sets out 50 proposals on how to enhance the single market. This includes Proposal No 43, which notes that in 2012 the Commission will adopt a proposal amending the regulation on the rights of air passengers, and – should the legislative proposal on the road transport sector (buses and coaches) be adopted – a Communication on the rights of passengers using all means of transport
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope</b>	This Communication addresses the full range of sectors within the Single Market. With a direct reference to tourism, the Communication announced the intention of the Commission to consider issuing a Communication on the rights of passengers using all means of transport. This was published in December 2011 - <i>A European vision for Passengers: Communication on Passenger Rights in all transport modes [COM (2011) 898 final]</i> which envisaged further steps to be taken in the area of air passenger rights.
<b>State of implementation</b>	Not applicable
<b>Type of impact</b>	This Communication sets out various measures proposed by the Commission in order to ‘re-launch’ the internal market. These measures concern businesses, citizens and the governance aspects of the single market. Measures with a potential impact on the tourism industry include, for example, sustainable growth, electronic commerce, SMEs, access to employment and lifelong learning, or dispute resolution.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this Communication is: <i>Stimulate competitiveness in the European tourism sector.</i>
<b>Scale of impact</b>	The impacts of the proposal could be significant for all sectors concerned.
<i>Source:</i> <i>EC (2010): Towards a Single Market Act, for a highly competitive social market economy, 50 proposals for improving our work, business and exchanges with one another, COM (2010) 608, available at: <a href="http://ec.europa.eu/internal_market/smact/docs/single-market-act_en.pdf">http://ec.europa.eu/internal_market/smact/docs/single-market-act_en.pdf</a></i>	

***The Internal Market Problem Solving Network (SOLVIT)***

<b>Table 2.78: Summary Description – The Internal Market Problem Solving Network (SOLVIT)</b>	
<b>Policy Area</b>	Internal Market and Services
<b>Instrument/initiative</b>	Non-legislative initiative
<b>Type of instrument/initiative</b>	The Internal Market Problem Solving Network (SOLVIT)
<b>Objective</b>	SOLVIT has as a mission to help solving problems caused by the misapplication of EU law by public authorities without legal proceedings. SOLVIT Centres help with handling complaints from both citizens and businesses.
<b>Geographical scope</b>	All EU Member States and EEA countries
<b>Sectoral scope</b>	SOLVIT handles problems with a cross-border aspect which are due to incorrect application of EU law across all sectors; however, cases relating to the tourist sector are also dealt with and it could thus affect accommodation and transport providers, travel agents and tour operators.
<b>State of implementation</b>	Active
<b>Type of impact</b>	This network contributes to ensuring that EU law is correctly applied and adhered to, thus improving the quality of the services, protecting consumers and businesses.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this instrument is: <i>Maximise the potential of EU policies and financial instruments for developing tourism.</i>
<b>Scale of impact</b>	The impacts of SOLVIT on tourism are expected to be positive for both businesses and consumers. An exhaustive list of cases relevant to the tourism sector is not available. However, SOLVIT's annual reports provide some indication that tourism related cases are dealt with. One example of a tourism-related case (taken from the 2010 reports) is: <i>Rafting companies from Hungary and Slovakia complained that cheaper, year-long access (€420) to a particular river in Slovenia was reserved for Slovenian companies. Foreign companies not only had to pay more (€56 a day) but had the daily inconvenience of buying tickets. Thanks to SOLVIT, the discriminatory rules were changed and foreign companies can now ply their trade on Slovenia's rivers on the same basis as local companies</i>
<p><i>Sources:</i>  SOLVIT, EC website available at: <a href="http://ec.europa.eu/solvit/site/index_en.htm">http://ec.europa.eu/solvit/site/index_en.htm</a>;  SOLVIT 2010 Report: <a href="http://ec.europa.eu/solvit/site/docs/solvit_2010_report_en.pdf">http://ec.europa.eu/solvit/site/docs/solvit_2010_report_en.pdf</a>  SOLVIT 2009 Report: <a href="http://ec.europa.eu/solvit/site/docs/solvit_2009_report_en.pdf">http://ec.europa.eu/solvit/site/docs/solvit_2009_report_en.pdf</a></p>	



***Commission Communication - Towards a better functioning Single Market for services: building on the results of the mutual evaluation process of the Service Directive [COM (2011) 20 final]***

<b>Table 2.79: Summary Description – Commission Communication - Towards a better functioning Single Market for services: building on the results of the mutual evaluation process of the Service Directive [COM (2011) 20 final]</b>	
<b>Policy Area</b>	Internal Market and Services
<b>Instrument/initiative</b>	Non-legislative
<b>Type of instrument/initiative</b>	Communication
<b>Objective</b>	<p>The Europe 2020 strategy highlighted that “an open single market for services must be created on the basis of the Services Directive”. The Communication identifies a new phase in the building up of a Single Market for services where the benefits of the Services Directive are consolidated and complemented by a set of further actions. The Communication provides for:</p> <ul style="list-style-type: none"> <li>• a “performance check” for services to provide an assessment of how different pieces of EU legislation are applied and how they work on the ground; and</li> <li>• targeted actions aimed at tackling regulatory barriers.</li> </ul>
<b>Geographical scope</b>	All EU Member States and EEA countries
<b>Sectoral scope</b>	<p>Services sectors, including tourism:</p> <ul style="list-style-type: none"> <li>• Accommodation providers</li> <li>• Transport providers</li> <li>• Cafes/Restaurants</li> </ul>
<b>State of implementation</b>	Active
<b>Type of impact</b>	The communication could have a positive impact on the quality and provision of tourism services.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this initiative is: <i>Maximise the potential of EU policies and financial instruments for developing tourism</i>
<b>Scale of impact</b>	No information is available on the impacts of the Communication, but it could improve the functioning of the single market for services in tourism.
<p><i>Source:</i>  <b><i>EC (2011): Towards a better functioning Single Market for services – building on the results of the mutual evaluation process of the Services Directive, COM(2011) 20 final, available at:</i></b>  <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0020:FIN:EN:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri= COM:2011:0020:FIN:EN:PDF</a></p>	

## 2.14 Justice and Fundamental Citizen Rights

### 2.14.1 Legislative Instruments

#### *Directive 90/314/EEC on package travel, package holidays and package tours*

<b>Table 2.80: Summary Description - Directive 90/314/EEC on package travel, package holidays and package tours</b>	
<b>Policy Area</b>	Justice
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Directive
<b>Objective</b>	Aimed at protecting consumers in the area of package travel by, <i>inter alia</i> , laying down rules concerning the liability of package tour organisers and retailers and information which is to be provided to consumers.
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope*</b>	Covers business to consumer transactions involving a “package” defined as: a pre-arranged combination of not fewer than two of the following when sold or offered for sale at an inclusive price and when the service covers a period of more than twenty-four hours or includes overnight accommodation. The sectors affected are: <ul style="list-style-type: none"> <li>• Transport</li> <li>• Accommodation</li> <li>• Travel agents/Tour operators</li> </ul>
<b>State of implementation</b>	Active – in force since 1993; under revision, adoption of revised Directive foreseen for early 2013
<b>Type of impact</b>	The Directive has harmonised the laws, regulations and administrative provisions of the Members States concerning package travel, package holidays and package tours sold or offered for sale within the Community.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for the Directive is: <i>Stimulate competitiveness in the European tourism sector</i>
<b>Scale of impact</b>	The Package Travel Directive clarified tourists’ rights in areas such as protection in insolvency, provision of information, etc. However, it has also resulted in a marginal increase in costs to package holiday providers, (which may be passed on to consumers*). As a result of the changes in the type of products being demanded, amendments are needed to maintain the level of protection to tourists. The new Directive is expected early 2013.
<p><i>Note:</i>            *RPA (2010), <i>Impact Assessment on the Review of the Package Travel Directive</i>, Directorate General Justice, Final Report, unpublished            Sources:            Package Travel Directive, EC website available at:  <a href="http://ec.europa.eu/consumers/cons_int/safe_shop/pack_trav/index_en.htm">http://ec.europa.eu/consumers/cons_int/safe_shop/pack_trav/index_en.htm</a>            London Economics (2009): <i>Consumer Detriment Survey of Dynamic Packages</i>, a report to The European Commission – DG Health and Consumer available at:  <a href="http://ec.europa.eu/consumers/rights/docs/study_consumer_detriment_dyna_packages_en.pdf">http://ec.europa.eu/consumers/rights/docs/study_consumer_detriment_dyna_packages_en.pdf</a></p>	

***Directive 2008/122/EC on the protection of consumers in respect of certain aspects of timeshare, long-term holiday product, resale and exchange contracts***

<b>Table 2.81: Summary Description- Directive 2008/122/EC on the protection of consumers in respect of certain aspects of timeshare, long-term holiday product, resale and exchange contracts</b>	
<b>Policy Area</b>	Justice and Fundamental Citizen Rights
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Directive
<b>Objective</b>	To contribute to the proper functioning of the internal market by harmonising certain aspects of the marketing, sale and resale of timeshares and long-term holiday products as well as exchange contracts, to increase the level of consumer protection in the market of long-term holiday products
<b>Geographical scope</b>	All EU Member States and the EEA Members: Iceland, Liechtenstein and Norway
<b>Sectoral scope</b>	Covers business to consumer transactions involving timeshares and long-term holiday products. The tourism stakeholders affected include: <ul style="list-style-type: none"> <li>• Accommodation providers</li> <li>• Travel agents/Tour operators</li> <li>• Tourists</li> </ul>
<b>State of implementation</b>	Active - came into force in 2009
<b>Type of impact</b>	The Timeshare Directive harmonised the provisions in the market of timeshare, long-term holiday products, resale and exchange contracts and therefore contributed to the protection of consumer rights specifically in relation to timeshare, long-term holiday product, resale and exchange contracts. The Directive imposed costs on certain actors within the tourist industry that had benefited by taking advantage of the previous lack of regulation of certain products.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for the Directive is: <i>Stimulate competitiveness in the European tourism sector</i>
<b>Scale of impact</b>	The Directive provides particular benefits to tourists, for instance the right to withdraw from contracts and information provisions. Prior to adoption of the Directive, the consultation carried out by the Commission confirmed that there were serious consumer problems related to holiday discount clubs and resale, and to a lesser extent related to timeshare and exchange, which were mostly addressed by the provisions introduced by the Directive. Therefore, the new Directive may benefit tourists bringing more clarity into the internal market. Reputable tourist industry actors are also likely to benefit from the increased confidence of consumers in buying timeshare-like products, knowing that they are subject to regulation. The Directive may increase the regulatory burden on businesses.  The revised Timeshare Directive came into force on 23 February 2009. EU Member States had two years from that date to transpose it into national law. However, the Commission has indicated that several Member States are late with the transposition.
<p><i>Source:</i>  <b>EC (2007): Commission Staff Working Document, Accompanying document to the Proposal for a Directive on the protection of consumers in respect of certain aspects of timeshare, long-term holiday products, resale and exchange, Impact Assessment, COM(2007) 303 final, available at : <a href="http://ec.europa.eu/consumers/cons_int/safe_shop/timeshare/ia_timeshare2007.pdf">http://ec.europa.eu/consumers/cons_int/safe_shop/timeshare/ia_timeshare2007.pdf</a></b></p>	

*Decision of the Representatives of the Governments of the Member States on the establishment of an Emergency Travel Document [96/409/CFSP]*

<b>Table 2.82: Summary Description - Decision of the Representatives of the Governments of the Member States on the establishment of an Emergency Travel Document [96/409/CFSP]</b>	
<b>Policy Area</b>	Justice and Fundamental Citizen Rights
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Decision
<b>Objective</b>	<p>To provide help to the citizens of the EU by establishing a common emergency travel document (ETD). An emergency travel document may be issued for a single journey to the applicant's Member State of origin, country of permanent residence or, exceptionally, another destination. ETD may be issued when certain conditions are met:</p> <ul style="list-style-type: none"> <li>• the applicant must be a national of one of the Member States whose passport was lost, stolen, destroyed or is temporarily unavailable;</li> <li>• the applicant is in a territory of a country where the person's Member State of origin has no accessible diplomatic or consular representation with the capacity to issue a travel document; and</li> <li>• the applicant must submit a clearance from his own Member State's authorities.</li> </ul>
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope</b>	All travellers. This decision has established a standard model for an emergency travel document to be issued by EU countries for the nationals of other EU Member States in case of absence of diplomatic representation of the latter.
<b>State of implementation</b>	Active - in force since 1996
<b>Type of impact</b>	ETD has contributed to the protection of European citizens travelling abroad and enabled them to benefit from European integration in the case of loss of documents abroad.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for the Decision is: <i>Maximise the potential of EU policies and financial instruments for developing tourism.</i>
<b>Scale of impact</b>	It is unlikely that this Decision alone may have increased travel volumes but it could impact positively on the confidence of travellers.
<p>Source: More information available at: <a href="http://europa.eu/legislation_summaries/justice_freedom_security/citizenship_of_the_union/114010b_en.htm">http://europa.eu/legislation_summaries/justice_freedom_security/citizenship_of_the_union/114010b_en.htm</a></p>	

**Regulation (EC) No 861/2007 establishing a European small claims procedure**

<b>Table 2.83: Summary Description - Regulation (EC) No 861/2007 establishing a European small claims procedure</b>	
<b>Policy Area</b>	Justice and Fundamental Citizen Rights
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Regulation
<b>Objective</b>	This Regulation is intended to improve access to justice by simplifying cross-border small claims litigation in civil and commercial matters and reducing costs. "Small claims" are cases concerning sums under € 2, 000, excluding interest, expenses and disbursements (at the time when the claim form is received by the competent court). Judgments delivered under this procedure are recognised and enforceable in the other Member States without the need for a declaration of enforceability. The procedure is optional, offered as an alternative to the possibilities existing under the national laws of the Member States.
<b>Geographical scope</b>	All EU Member States except Denmark
<b>Sectoral scope</b>	All sectors where there are commercial transactions of less than € 2, 000. Thus it could include: <ul style="list-style-type: none"> <li>• Accommodation providers</li> <li>• Transport providers</li> <li>• Cafes/restaurants;</li> <li>• Attractions</li> <li>• Travel agents/Tour operators</li> </ul>
<b>State of implementation</b>	Active - in force since 1 January 2009 in all EU Member States except Denmark
<b>Type of impact</b>	Establishment of the small claims procedure has contributed to access to justice in case of cross-border disputes of a small value. It enhances consumer protection abroad while travelling. Moreover, a judgment given in a Member State in the European Small Claims Procedure will be recognised and enforced in another Member with no further legal action needed.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for the Regulation are: <i>Stimulate competitiveness in the European tourism sector;</i> and <i>Maximise the potential of EU policies and financial instruments for developing tourism.</i>
<b>Scale of impact</b>	The impacts of the Regulation on tourism demand are expected to be moderate, although there appeared to be a significant increase in the proportion of consumers who made purchases when travelling abroad (from 18% in 2006 to 26% in 2010) which may reflect an increase in confidence.
<p><i>Sources:</i></p> <p><i>Flash Eurobarometer (2011): Consumer attitudes towards cross-border trade and consumer protection, Analytical report, March 2011 available at:</i>  <a href="http://ec.europa.eu/consumers/strategy/docs/consumer_eurobarometer_2011_en.pdf">http://ec.europa.eu/consumers/strategy/docs/consumer_eurobarometer_2011_en.pdf</a></p> <p><i>More information available at:</i>  <a href="http://europa.eu/legislation_summaries/consumers/protection_of_consumers/l16028_en.htm">http://europa.eu/legislation_summaries/consumers/protection_of_consumers/l16028_en.htm</a></p>	

***Directive 2006/114/EC concerning misleading and comparative advertising***

<b>Table 2.84: Summary Description - Directive 2006/114/EC concerning misleading and comparative advertising</b>	
<b>Policy Area</b>	Justice and Fundamental Citizen Rights control
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Directive
<b>Objective</b>	Its aim is to provide minimum levels of protection against misleading advertising in the interests of consumers, competitors and the general public. In addition, it also lays down the conditions under which comparative advertising is permitted.
<b>Geographical scope</b>	All EU Member States and EEA countries
<b>Sectoral scope</b>	All sectors, including: <ul style="list-style-type: none"> <li>• Accommodation providers</li> <li>• Transport providers</li> <li>• Cafes/restaurant</li> <li>• Attractions</li> <li>• Travel agents/Tour operators</li> </ul>
<b>State of implementation</b>	Active - in force since 2007
<b>Type of impact</b>	Increased protection of tourists, with implication for the supply of services
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for the Directive are: <i>Stimulate competitiveness in the European tourism sector</i> ; and <i>Maximise the potential of EU policies for developing tourism</i>
<b>Scale of impact</b>	This Directive addresses problems with misleading, comparative and aggressive advertising, which can occur in the tourism sector. Although there is a potential for the Directive to have a significant impact on the quality of business to consumer transactions, no evidence is available yet on the actual impact to date. A report on the application of the Directive is due to be delivered by the Commission to the European Parliament and the Council by the end of 2012.
<p><i>Sources:</i>  Bowden D.(2008): <i>Travel Businesses and EU Unfair Trading Rules</i>, available at: <a href="http://www.insights.org.uk/articleitem.aspx?title=Travel%20Businesses%20and%20EU%20Unfair%20Trading%20Rules">http://www.insights.org.uk/articleitem.aspx?title=Travel%20Businesses%20and%20EU%20Unfair%20Trading%20Rules</a>  More information available at: <a href="http://europa.eu/legislation_summaries/consumers/consumer_information/132010_en.htm">http://europa.eu/legislation_summaries/consumers/consumer_information/132010_en.htm</a></p>	

***Directive 2005/29/EC concerning unfair business-to-consumer commercial practices in the internal market***

<b>Table 2.85: Summary Description - Directive 2005/29/EC concerning unfair business-to-consumer commercial practices in the internal market (<i>Unfair Commercial Practices Directive – UCP Directive</i>)</b>	
<b>Policy Area</b>	Justice and Fundamental Citizen Rights
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Directive

**Table 2.85: Summary Description - Directive 2005/29/EC concerning unfair business-to-consumer commercial practices in the internal market (*Unfair Commercial Practices Directive – UCP Directive*)**

<b>Objective</b>	The Directive aims to clarify consumers' rights and to simplify cross-border trade. Common rules and principles will give consumers the same protection against unfair practices and rogue traders whether they are buying from a local shop or purchasing from a website based abroad. The Directive brings harmonisation and mutual recognition between states, and integrates provisions on misleading advertising, on distance contracts and on the distance marketing of financial services. The Unfair Commercial Practices Directive is also included in the scope of the Injunctions Directive (please see Table 2.56) as well as Consumer Protection Cooperation (please see Table 2.57). The UCP Directive establishes a list of practices that are prohibited in all 27 EU Member States (the Black List).
<b>Geographical scope</b>	All EU Member States and the EEA Members: Iceland, Liechtenstein and Norway
<b>Sectoral scope</b>	All sectors including: <ul style="list-style-type: none"> <li>• Accommodation providers</li> <li>• Transport providers</li> <li>• Cafes/ restaurant</li> <li>• Attractions</li> <li>• Travel agents/Tour operators</li> </ul>
<b>State of implementation</b>	Active - in force since 2005
<b>Type of impact</b>	The Directive increases consumer protection. Tourism-related examples of where the provisions of the Directive may apply are as follows: <ul style="list-style-type: none"> <li>• time-limited offers e.g. airline advertises discounted sale of tickets available until a specified date;</li> <li>• bundling of product offering e.g. breakfast at a B&amp;B is bundled into the price; no option to pay for bed only or money off for not eating breakfast;</li> <li>• room locations e.g. customer books a hotel room with a view, on arrival a room is automatically allocated, the room does not have a sea view or has a view of building works;</li> <li>• compulsory service charges; it is considered aggressive commercial practice when restaurants automatically add a service charge to the price.</li> </ul>
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this Directive are: <i>Stimulate competitiveness in the European tourism sector</i> ; and <i>Maximise the potential of EU policies and financial instruments for developing tourism</i>
<b>Scale of impact</b>	The Directive was intended to address unfair commercial practices in all sectors of economic activity, including the tourism sector. A recent report suggests that, since the introduction of this Directive, the level of consumer protection has increased, including in the tourism sector.

*Note:*

RPA/NERA (2011): *Consumer Policy - Ex-Post And Mid-Term Evaluations*, available from [http://ec.europa.eu/consumers/strategy/index\\_en.htm](http://ec.europa.eu/consumers/strategy/index_en.htm)

*Sources:*

*Unfair Commercial Practises, EC website available at:*

<https://webgate.ec.europa.eu/ucp/public/index.cfm?event=public.home.show>

*Bowden D.(2008): Travel Businesses and EU Unfair Trading Rules, available at:*

<http://www.insights.org.uk/articleitem.aspx?title=Travel%20Businesses%20and%20EU%20Unfair%20Trading%20Rules>

*More information available at:*

[http://europa.eu/legislation\\_summaries/consumers/consumer\\_information/l32011\\_en.htm](http://europa.eu/legislation_summaries/consumers/consumer_information/l32011_en.htm)

**Directive 98/6/EC on consumer protection in the indication of the prices of products offered to consumers**

<b>Table 2.86: Summary Description - Directive 98/6/EC on consumer protection in the indication of the prices of products offered to consumers</b>	
<b>Policy Area</b>	Justice and Fundamental Citizen Rights
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Directive
<b>Objective</b>	The main purpose of the Directive is to ensure that the selling price and the price per unit of measurement (unit price) are indicated for all products offered by traders to consumers, in order to improve consumer information and to facilitate comparison of prices. The selling price must be unambiguous, easily identifiable and clearly legible.
<b>Geographical scope</b>	All EU Member States and the EEA Members: Iceland, Liechtenstein and Norway
<b>Sectoral scope</b>	The Directive is not specific to the tourism sector but could affect the tourism sector where it applies to products supplied in the course of the provision of a service (Member States may decide not to apply the Directive in this case)
<b>State of implementation</b>	Active - in force since 1998
<b>Type of impact</b>	This Directive obliges the traders (in the tourism sector as well as others) to provide sufficient information to enable tourists to make an informed choice. This in turn increases consumer confidence (including that of tourists) as well as encouraging fair competition within the sector.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for the Directive is: <i>Maximise the potential of EU policies and financial instruments for developing tourism.</i>
<b>Scale of impact</b>	A Report* prepared by the Commission ( <i>Communication from the Commission on Consumer Protection in the Indication of Prices Of Products Offered to Consumers, COM (2006) 325 final – see below</i> ) shows wide agreement that the Directive has contributed to increased protection of consumers' economic interests, although the precise extent of its impact remains unclear.
<p><i>Note:</i>  * <i>EC(2006): Consumer Protection in the Indication of Prices Of Products Offered to Consumers, COM(2006) 325 final, available at: <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2006:0325:FIN:EN:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2006:0325:FIN:EN:PDF</a></i></p> <p><i>Source:</i>  More information available at:  <a href="http://europa.eu/legislation_summaries/consumers/product_labelling_and_packaging/l32032_en.htm">http://europa.eu/legislation_summaries/consumers/product_labelling_and_packaging/l32032_en.htm</a></p>	



**Directive 2011/83/EU on consumer rights**

<b>Table 2.87: Summary Description - Directive 2011/83/EU on consumer rights</b>	
<b>Policy Area</b>	Justice and Fundamental Citizen Rights
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Consumer Rights Directive
<b>Objective</b>	<p>The purpose of this Directive is to achieve a high level of consumer protection by approximating certain aspects of the laws, regulations and administrative provisions of the Member States concerning contracts between consumers and traders. The directive resulted from the Review of the Consumer Acquis. It replaces four existing Directives:</p> <ul style="list-style-type: none"> <li>• Directive 1999/44/EC on certain aspects of the sale of consumer goods and associated guarantees;</li> <li>• Council Directive 93/13/EEC on unfair terms in consumer contracts;</li> <li>• Directive 97/7/EC on the protection of consumers in respect of distance contracts; and</li> <li>• Council Directive 85/577/EEC to protect the consumer in respect of contracts negotiated away from business premises.</li> </ul>
<b>Geographical scope</b>	All EU Member States and the EEA Members: Iceland, Liechtenstein and Norway
<b>Sectoral scope</b>	<p>All sectors including:</p> <ul style="list-style-type: none"> <li>• Accommodation providers</li> <li>• Transport providers</li> <li>• Cafes/restaurant</li> <li>• Attractions</li> </ul>
<b>State of implementation</b>	Adopted in October 2011; due for transposition by 13 December 2013
<b>Type of impact</b>	The Consumer Rights Directive aims to simplify and update the applicable rules under the four directives, removing inconsistencies and closing unwanted gaps. This should increase consumer protection, including that in tourism related sectors. This Directive should remove significant barriers to the internal retail market, making it easier for service providers (including those in tourism) to expand their cross-border portfolio, as they no longer need to comply with different national provisions. This should lead to lower costs and may encourage them to expand the portfolio of services they offer to consumers across the EU (including tourists).
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for the Directive is: <i>Stimulate competitiveness in the European tourism sector</i>
<b>Scale of impact</b>	As the Directive has not yet been transposed, the scale of its impact cannot yet be determined. However, the Impact Assessment prepared by the Commission indicates that this Directive will primarily benefit the quality of business to consumer transactions and will remove substantial differences between Member States. This may have an impact upon service providers (including those in the tourism sector), encouraging them to expand into other Member States, thus bringing services to a wider group of consumers (including tourists). Harmonised consumer rights will also increase consumer confidence, especially in cross-border shopping (for example, while travelling abroad).
<p><i>Sources:</i>            EC (2011): <i>Directive on Consumer Rights</i>, available at:  <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:304:0064:0088:EN:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:304:0064:0088:EN:PDF</a>            EC (2008): <i>Commission Staff Working Document accompanying the proposal for a directive on consumer rights Impact Assessment Report</i> available at:  <a href="http://ec.europa.eu/consumers/rights/docs/impact_assessment_report_en.pdf">http://ec.europa.eu/consumers/rights/docs/impact_assessment_report_en.pdf</a></p>	

***Directive 2004/38/EC on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States***

<b>Table 2.88: Summary Description – Directive 2004/38/EC on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States</b>	
<b>Policy Area</b>	Justice and Fundamental Citizen Rights
<b>Instrument/initiative</b>	Legislation
<b>Type of instrument/initiative</b>	Directive
<b>Objective</b>	<p>The Directive merges into a single instrument all the legislation on the right of entry and residence for Union citizens, consisting of two regulations and nine directives. This simplification aims to make it easier for not only the general public, but also public authorities, to exercise their rights. The Directive also sets out to reduce to the minimum the formalities which Union citizens and their families must complete in order to exercise their right of residence. The Directive regulates:</p> <ul style="list-style-type: none"> <li>• the conditions in which Union citizens and their families exercise their right to move and reside freely within the Member States;</li> <li>• the right of permanent residence; and</li> <li>• restrictions on the aforementioned rights on grounds of public policy, public security or public health</li> </ul>
<b>Geographical scope</b>	All EU Member States and EEA countries
<b>Sectoral scope</b>	<p>All sectors, namely:</p> <ul style="list-style-type: none"> <li>• Accommodation providers</li> <li>• Transport providers</li> <li>• Cafes/restaurant</li> <li>• Attractions</li> </ul>
<b>State of implementation</b>	Active
<b>Type of impact</b>	The Directive could impact the mobility of the workforce, increasing the availability of staff across all sectors, including tourism. This could increase labour market competition and may increase the mobility of a cheaper workforce, undermining the local labour market. It could improve the mobility of seasonal workers for the tourism sector, however.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this initiative is: <i>Maximise the potential of EU policies and financial instruments for developing tourism</i>
<b>Scale of impact*</b>	In 2008, the Commission reported that the overall transposition of the Directive was “rather disappointing”. As such, further guidance was issued in 2009 to improve the implementation of the Directive. The Directive has the potential to relieve the shortages of a skilled workforce to meet the needs of the industry.
<p><i>Source:</i>  <b>EC (2009): Guidance for better transposition and application of Directive 2004/38/EC on the right of citizens of the Union and their family member to move and reside freely within the territory of the Member States, COM(2009) 313 final, available at: <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2009:0313:FIN:EN:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2009:0313:FIN:EN:PDF</a></b></p>	

***Proposal for a Council Directive on consular protection for citizens of the Union abroad [COM (2011) 881 final]***

<b>Table 2.89: Summary Description - Proposal for a Council Directive on consular protection for citizens of the Union abroad [COM(2011) 881 final]</b>	
<b>Policy Area</b>	Justice and Fundamental Citizen Rights
<b>Instrument/initiative</b>	Legislation
<b>Type of instrument/initiative</b>	Proposal for a Council Directive
<b>Objective</b>	The overall aim is to offer effective consular protection in third countries to European citizens
<b>Geographical scope</b>	International
<b>Sectoral scope</b>	EU tourists travelling overseas.
<b>State of implementation</b>	Active - published in 2011 following publication of an earlier Commission Communication - <i>Consular protection for EU citizens in third countries: State of play and way forward [COM (2011) 149 final]</i> but still needs to be adopted in consultation procedure.
<b>Type of impact</b>	The proposed Directive will offer protection to EU citizens travelling overseas. According to Eurostat statistics, the number of trips EU citizens take to third countries has increased from over 80 million trips in 2005 to over 90 million trips in 2008 and travel activity was expected to further increase. Only in the United States, China and Russia are all Member States represented. Recent major crises affected a considerable number of EU citizens in third countries (for instance in Libya, Egypt and Bahrain after the democratic uprisings in spring 2011; Japan after the earthquake in March 2011; Haiti after the earthquake in January 2010; Iceland's volcanic ash cloud in spring 2010) and showed the need for consular protection regardless of an EU citizen's nationality. More than 100, 000 EU citizens were present in these third countries when the crises occurred. In these circumstances it appears particularly relevant to further reinforce the effectiveness of the right of EU citizens to be assisted in third countries for their different needs (e.g. practical support, health or transport).
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for the Communication is: <i>maximise the potential of EU policies for developing tourism</i>
<b>Scale of impact</b>	Impacts could be significant. A number of actions are foreseen to enhance the effectiveness of consular protection, including raising awareness among EU citizens about the right to turn to embassies/consulates of Member States other than their own, how to reach these facilities and what kind of help can be offered.
<p><i>Sources:</i>            EC (2011): <i>Consular protection for EU citizens in third countries: State of play and way forward</i>, COM (2011) 149 final, available at: <a href="http://ec.europa.eu/justice/policies/citizenship/diplomatic/docs/communication_consular_protection.pdf">http://ec.europa.eu/justice/policies/citizenship/diplomatic/docs/communication_consular_protection.pdf</a>            EC (2011): <i>Proposal for a Council Directive on consular protection for citizens of the Union abroad</i>, COM(2011) 881 final, available at: <a href="http://ec.europa.eu/justice/citizen/files/consular-protection_en.pdf">http://ec.europa.eu/justice/citizen/files/consular-protection_en.pdf</a></p>	

***Council Decision 2010/48/EC concerning the conclusion, by the European Community, of the United Nations Convention on the Rights of Persons with Disabilities***

<b>Table 2.90: Summary Description – Council Decision 2010/48/EC concerning the conclusion, by the European Community, of the United Nations Convention on the Rights of Persons with Disabilities</b>	
<b>Policy Area</b>	Internal Market and Services
<b>Instrument/initiative</b>	Legislative Instrument
<b>Type of instrument/initiative</b>	Council Decision
<b>Objective</b>	The Decision approves the Convention on the Rights of Persons with Disabilities. The Convention’s aim is to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities.
<b>Geographical scope</b>	International (153 signatories to the Convention). As of 1 February 2011, 17 EU countries have ratified the Convention.
<b>Sectoral scope</b>	Although the Decision covers all sectors of the economy; it mentions participation in cultural life, recreation, leisure and sport specifically. It therefore affects stakeholders within the tourism industry, including: <ul style="list-style-type: none"> <li>• Accommodation providers</li> <li>• Transport providers</li> <li>• Restaurant/ Cafes</li> <li>• Attractions</li> </ul>
<b>State of implementation</b>	Active. The Convention on the Rights of Persons with Disabilities and its Optional Protocol was adopted on 13 December 2006 in New York, and was opened for signature on 30 March 2007.
<b>Type of impact</b>	By helping to make tourism services and infrastructure accessible, the Decision may encourage people with disabilities to participate as tourists.
<b>Link to objectives of the 2010 Communication</b>	The main objective relates to the integration of tourism into other EU policies. This could help in <i>maximising the potential of EU policies for developing tourism</i>
<b>Scale of impact</b>	The scale of impact is unknown as there is no aggregated and comprehensive European database on accessible tourism for people with disabilities. However, some Member States have already engaged in the provision of accessible tourism for all and some tourism facilities are committed to provide information on accessibility.
<i>Source:</i> EC (2010): <i>Decision 2010/48/EC concerning the conclusion, by the European Community, of the United Nations Convention on the Rights of Persons with Disabilities</i> , available at: <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:023:0035:0061:EN:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:023:0035:0061:EN:PDF</a>	

## 2.14.2 Non-legislative Initiatives

### *Commission Communication - European Disability Strategy 2010-2020: A Renewed Commitment to a Barrier-Free Europe [COM (2010) 636 final]*

<b>Table 2.91: Summary Description - Commission Communication - European Disability Strategy 2010-2020: A Renewed Commitment to a Barrier-Free Europe [COM (2010) 636 final]</b>	
<b>Policy Area</b>	Justice and Fundamental Citizen Rights
<b>Instrument/initiative</b>	Non-legislative initiative
<b>Type of instrument/initiative</b>	Communication
<b>Objective</b>	The overall aim of the Strategy is to empower people with disabilities and to provide a framework for action at European level, as well as to complement Member State action, in order to address the situation of men, women and children with disabilities.
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope</b>	All sectors, namely: <ul style="list-style-type: none"> <li>• Tourists</li> <li>• Accommodation providers</li> <li>• Transport providers</li> <li>• Cafes/restaurant</li> <li>• Attractions</li> </ul>
<b>State of implementation</b>	Active - published in 2010
<b>Type of impact</b>	The Communication process will empower people with disabilities, so that they can participate fully in society on an equal basis with others, which also applies to tourism services and products.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for the Communication is: <i>Stimulate competitiveness in the European tourism sector.</i>
<b>Scale of impact</b>	Impacts could be significant, facilitating tourism activities for people with disabilities. This could result in an increased demand for tourism services from people with disabilities, providing increased demand for accommodation, transport, etc.
<i>Source:</i> EC (2010): <i>European Disability Strategy 2010-2020: A Renewed Commitment to a Barrier-Free Europe</i> , COM(2010) 636 final, available at: <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2010:0636:FIN:EN:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2010:0636:FIN:EN:PDF</a>	

## 2.15 Maritime Affairs and Fisheries

### 2.15.1 Legislative Instruments

*Directive 2008/56/EC establishing a Framework for Community Action in the field of Marine Environmental Policy (Marine Strategy Framework Directive)*

<b>Table 2.92: Summary Description – Directive 2008/56/EC establishing a Framework for Community Action in the field of Marine Environmental Policy (Marine Strategy Framework Directive)</b>	
<b>Policy Area</b>	Maritime Affairs and Fisheries
<b>Instrument/initiative</b>	Legislation
<b>Type of instrument/initiative</b>	Directive
<b>Objective</b>	This Directive establishes a common framework and objectives for the protection and conservation of the marine environment. In order to achieve these common objectives, Member States will have to evaluate requirements in the marine areas for which they are responsible. They will then have to draw up and implement coherent management plans in each region, and monitor their application. These plans aim to protect and restore Europe's marine ecosystems and to ensure good environmental status (GES) and ecological sustainability of activities linked to the marine environment.
<b>Geographical scope</b>	All EU Member States with marine waters and EEA Members: Iceland, Liechtenstein and Norway
<b>Sectoral scope</b>	All sectors operating in the marine environment including: <ul style="list-style-type: none"> <li>• Transport providers (cruises)</li> <li>• Accommodation providers</li> <li>• Cafes/Restaurants</li> </ul>
<b>State of implementation</b>	Active
<b>Type of impact</b>	Measures to maintain or achieve good environmental status (GES) must give due consideration to their economic and social consequences, including those on the tourism sector. Improved marine environmental status could result in increased numbers of tourists for recreational purposes (such as diving, boating etc). The impacts could include changes to the provision of services. Member States must first assess the ecological status of their waters and the impact of human activities and then define the objectives and indicators to achieve good ecological status and draw up a programme of specific measures to achieve these objectives. Due consideration must be then given to the economic and social consequences of these measures. Member States must also establish coordinated monitoring programmes in order to evaluate on a regular basis the status of the waters for which they are responsible and progress with regard to the objectives they have set.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this initiative is: <i>Promote the development of sustainable, responsible and high-quality tourism</i>
<b>Scale of impact</b>	As the Marine Strategy Framework Directive is in the early stages of implementation, the scale of its impacts is not yet clear. However, given the importance of marine locations to tourism, the impact on tourism could be significant. It could include, for example, the prohibition of certain tourist activities in sensitive areas or better management of tourist activities to prevent damage to the marine environment. However, better protection of the marine environment could also enhance the potential for tourism in marine and coastal areas, including improved opportunities for eco-tourism.

**Table 2.92: Summary Description – Directive 2008/56/EC establishing a Framework for Community Action in the field of Marine Environmental Policy (Marine Strategy Framework Directive)**

Source:  
 Marine Strategy Directive, EC website available at:  
[http://ec.europa.eu/environment/water/marine/directive\\_en.htm](http://ec.europa.eu/environment/water/marine/directive_en.htm)

## 2.15.2 Non-Legislative Initiatives

### *Commission Communication - Conclusions from the Consultation on a European Marine Policy [COM (2007) 574]*

**Table 2.93: Summary Description – Commission Communication - Conclusions from the Consultation on a European Marine Policy [COM (2007) 574]**

<b>Policy Area</b>	Maritime Affairs and Fisheries
<b>Instrument/initiative</b>	Non-legislative initiative
<b>Type of instrument/initiative</b>	Communication
<b>Objective</b>	The aim of the communication is to provide input to the development of EU Maritime Policy; it summarises the results of a consultation on the Policy which was launched on 7 June 2006. The Communication draws out some of the key points from the consultation and provides details about where further information can be found.
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope</b>	The Communication refers to the consultation on European Maritime Policy and is broken down by themes, including added value in relation to an integrated Maritime Policy, subsidiarity, global issues and responsibilities, sustainable use of resources, maritime management tools, and participation and involvement. Tourism is referred to in terms of maritime tourism and its contribution to the economic wellbeing of coastal regions.
<b>State of implementation</b>	Active
<b>Type of impact</b>	<p>The Communication could have an impact on the supply of services. The Integrated Maritime Policy (IMP) states, inter alia: “<i>The sea is determinant for coastal and maritime tourism, which has been a major catalyst for economic development in coastal areas of Europe. The Commission will work more actively with stakeholders in developing a sustainable tourism policy that takes coastal and maritime tourism into account (...). The Commission will also promote, within the forthcoming tourism initiative, coastal and maritime tourism</i>”.</p> <p>Tourism features in several sections in the Communication, thus indicating that it is a significant part of the integrated Maritime Policy and will be directly impacted. Firstly, it is noted that responses to the consultation were received from cities and coastal regions with an interest in tourism. It is subsequently suggested that there is scope for linking economic sectors which are dependent on day-to-day marine contact (e.g. fishing) with other sectors such as tourism. Indeed, the Communication reports that for EU maritime industries like tourism to be successful, innovation is important. Current regulations, such as those covering traditional ships, may be negatively affecting tourism. In addition, the Communication says that future prosperity and sustainability of tourism will be dependent on the presence of unspoilt coastlines and healthy marine ecosystems.</p>

<b>Table 2.93: Summary Description – Commission Communication - Conclusions from the Consultation on a European Marine Policy [COM (2007) 574]</b>	
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this initiative is: <i>Promote the development of sustainable, responsible and high-quality tourism</i>
<b>Scale of impact</b>	The policy is likely to affect all aspects of the tourism sector, given the importance of marine and coastal locations for tourism. The extent of these impacts will be dependent on the extent of policy integration likely to occur. Although some respondents to the consultation highlighted the economic advantages of integration, others raised concerns that the EU should not re-regulate, over-regulate, or over-centralise. Many responses called for the development of tools to assess the cross-sectoral and environmental impacts of economic activities to allow more sustainable organisation and planning of activities. Such tools could well significantly affect the tourism sector, particularly in coastal areas where it is the main economic activity.
<p><i>Source:</i>            EC (2007): <i>Conclusions from the Consultation on a European Marine Policy, COM (2007) 574</i>, available at:  <a href="http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52007DC0575:EN:HTML">http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52007DC0575:EN:HTML</a></p>	

***Commission Communication - Towards an Integrated Maritime Policy for better governance in the Mediterranean [COM (2009) 466]***

<b>Table 2.94: Summary Description – Commission Communication - Towards an Integrated Maritime Policy for better governance in the Mediterranean [COM (2009) 466]</b>	
<b>Policy Area</b>	Maritime Affairs and Fisheries
<b>Instrument/initiative</b>	Non-legislative instrument
<b>Type of instrument/initiative</b>	Communication
<b>Objective</b>	The aim of the Communication is to highlight tools and mechanisms which should be used to achieve an integrated approach to governing maritime activities in the Mediterranean. The intention is to complement actions which are already promoted by the EU, and to balance economic development with environmental protection. In addition, the Communication asks for stronger cooperation with non-EU Mediterranean partners at the appropriate levels.
<b>Geographical scope</b>	Countries bordering the Mediterranean
<b>Sectoral scope</b>	Tourism is referred to as a pressure, in particular cruise tourism.
<b>State of implementation</b>	Active
<b>Type of impact</b>	Although the Communication does not deal directly with tourism, it responds to the pressures created by tourism in the Mediterranean and may, therefore, indirectly impact the sector by affecting the quality and volume of supply.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this Communication is: <i>Promote the development of sustainable, responsible and high-quality tourism</i> .
<b>Scale of impact</b>	Indirect impacts are likely to be felt by the tourism sector at the regional level, but these are expected to be positive in the longer term, with increased quality of services in line with sustainability principles.



**Table 2.94: Summary Description – Commission Communication - Towards an Integrated Maritime Policy for better governance in the Mediterranean [COM (2009) 466]**

*Source:*  
 EC (2009): *Towards an Integrated Maritime Policy for better governance in the Mediterranean*, COM (2009) 466, available at:  
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2009:0466:FIN:EN:HTML>

***Commission Communication - Developing the international dimension of the Integrated Maritime Policy of the European Union [COM (2009) 536 Final]***

**Table 2.95: Summary Description - Commission Communication – Developing the international dimension of the Integrated Maritime Policy of the European Union [COM(2009) 536 Final]**

<b>Policy Area</b>	Maritime Affairs and Fisheries
<b>Instrument/initiative</b>	Non-legislative initiative
<b>Type of instrument/initiative</b>	Communication
<b>Objective</b>	The aim of the Communication is to identify how the Integrated Maritime Policy could be extended into the international arena, through the creation of an EU framework for a global integrated approach to maritime affairs. The Communication lists a range of actions which the EU should take, including the promotion of membership of UNCLOS, ensuring coherence between activities of various organisations (in particular in fisheries, environment and transport) and developing strategies for all relevant shared sea basins. Tourism is referred to in terms of growth in the sector in the Atlantic economies and the need to address the challenge of protecting natural areas on which tourism is dependent.
<b>Geographical scope</b>	International
<b>Sectoral scope</b>	It could cover all tourism sectors, namely: <ul style="list-style-type: none"> <li>• Accommodation providers</li> <li>• Transport providers</li> <li>• Cafes/restaurant</li> <li>• Attraction</li> </ul>
<b>State of implementation</b>	Active
<b>Type of impact</b>	There could be impacts for tourism. For example, protection of marine biodiversity could have implications where there are high numbers of tourists in a small area. Pursuing actions to ensure the freedom, safety and security of navigation, including protection against piracy, could enhance the movement of tourists, and cruise tourism. In addition, the desire to develop strategies for all relevant shared sea basins could also impact tourism in particular areas, especially where tourism is seen as one of the key challenges (e.g. in the Mediterranean).
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this Communication/initiative is: <i>Promote the development of sustainable, responsible and high-quality tourism</i>
<b>Scale of impact</b>	Indirect impacts are most likely to be felt in the EU and in areas immediately bordering the EU, e.g. non EU countries bordering the Mediterranean Sea, but the scale of impact is not certain.

*Source:*  
 EC (2009): *Developing the international dimension of the Integrated Maritime Policy of the European Union*, COM (2009) 536 Final, available at:  
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2009:0536:FIN:EN:HTML>

**Commission Staff Working Document - Maritime Clusters [SEC (2007)1406]**

<b>Table 2.96: Summary Description – Commission Staff Working Document - Maritime Clusters [SEC(2007)1406]</b>	
<b>Policy Area</b>	Maritime Affairs and Fisheries
<b>Instrument/initiative</b>	Non-legislative initiative
<b>Type of instrument/initiative</b>	Commission Staff Working Paper
<b>Objective</b>	The aim of the Working Paper is to provide an overview of the situation with regard to maritime clusters in the EU. The ultimate objectives of this Working Paper are to make links between Maritime and Cluster Policies and to identify some of the drivers and characteristics of successful European Maritime Clusters.
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope</b>	Focuses on European Maritime Clusters and their links with other policies. It could include all sub-sectors within tourism, namely: <ul style="list-style-type: none"> <li>• Accommodation providers</li> <li>• Transport providers</li> <li>• Cafes/Restaurant</li> <li>• Attractions</li> </ul>
<b>State of implementation</b>	Active - issued in 2007
<b>Type of impact</b>	Clustering is relevant for maritime industries and could impact the supply of services. The working paper estimates that in 2004, the value of European marine tourism was € 71, 812 or 42.7% of the world value. It notes that the tourism sector has grown considerably in recent years. In particular, the cruise industry has expanded significantly, with nearly three million Europeans taking cruise holidays in 2004. Of these, two million sailed in European waters. Maritime clusters have been supported by EU Cohesion Policy (2000-2006). For example, the Interreg IIC programme project “InterMareC - Using maritime clusters to stimulate growth in coastal regions” - aimed to initiate, develop and establish an interregional maritime cluster, to open up prospects for growth in the maritime sector and boost the regional economy and jobs market. Tourism as a coastal activity is therefore likely to have been affected by the project. Indeed, as part of the collaboration, coastal tourism was developed in Brittany, Schleswig-Holstein and Pomerania.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this initiative is: <i>Promote the development of sustainable, responsible and high-quality tourism</i>
<b>Scale of impact</b>	The positive impact on the tourism industry from linking maritime and cluster policies could be significant.
<p><i>Source:</i>  This document was not accessible through EUR-lex or any other EU related Internet site. However, at time of writing, it was available through the University of Mannheim (see <a href="http://www.uni-mannheim.de/edz/pdf/sek/2007/sek-2007-1406-en.pdf">www.uni-mannheim.de/edz/pdf/sek/2007/sek-2007-1406-en.pdf</a>)</p>	

**Commission Communication - Maritime Spatial Planning in the EU – Achievements and Future Development [COM (2010) 771]**

<b>Table 2.97: Summary Description – Commission Communication - Maritime Spatial Planning in the EU – Achievements and Future Development [COM (2010) 771]</b>	
<b>Policy Area</b>	Maritime Affairs and Fisheries
<b>Instrument/initiative</b>	Non-legislative initiative
<b>Type of instrument/initiative</b>	Communication
<b>Objective</b>	The Communication follows up on the commitment given in the “Roadmap for Maritime Spatial Planning (MSP): Achieving Common Principles in the EU”. It also reports on workshops held in 2009 and proposes further steps and actions. The Communication outlines the current context of Maritime Spatial Planning (MSP) in the EU.
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope</b>	All sectors undertaking activities in the maritime area, including tourism, namely: <ul style="list-style-type: none"> <li>• Accommodation providers</li> <li>• Transport providers</li> <li>• Cafes/restaurant</li> <li>• Attractions</li> </ul>
<b>State of implementation</b>	Active (pilot projects are underway)
<b>Type of impact</b>	Workshops held in 2009 concluded that MSP was an integrated and balanced tool which could provide long term stability and predictability, as well as help with managing competition for space in intensively used areas. It was noted that this is vital for all economic sectors, including tourism and maritime transport. Thus, tourism is an important aspect of MSP, and likely to be impacted by policies and actions relating to MSP.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this initiative is: <i>Promote the development of sustainable, responsible and high-quality tourism</i>
<b>Scale of impact</b>	The implementation of MSP is at a very early stage, but in the long run, the impacts on tourism are likely to be large, due to the involvement of many Member States.
<p><i>Sources:</i>  EC (2010): <i>Maritime Spatial Planning in the EU – Achievements and Future Development, COM (2010) 771</i>, available at:  <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52010DC0771:EN:HTML">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52010DC0771:EN:HTML</a>  Marine Spatial Planning Internet, EC website at:  <a href="http://ec.europa.eu/maritimeaffairs/policy/maritime_spatial_planning/index_en.htm">http://ec.europa.eu/maritimeaffairs/policy/maritime_spatial_planning/index_en.htm</a> )</p>	

***Commission Communication - The European Union and the Arctic Region  
[COM (2008)763]***

<b>Table 2.98: Summary Description – Commission Communication - The European Union and the Arctic Region [COM (2008) 763]</b>	
<b>Policy Area</b>	Maritime Affairs and Fisheries
<b>Instrument/initiative</b>	Non-legislative initiative
<b>Type of instrument/initiative</b>	Communication
<b>Objective</b>	<p>The Communication aims to set out EU interests in the Arctic region, and to propose actions for EU Member States and institutions in relation to three main policy objectives:</p> <ul style="list-style-type: none"> <li>• protecting and preserving the Arctic along with its population;</li> <li>• promoting sustainable use of resources; and</li> <li>• contributing to enhanced Arctic multilateral governance</li> </ul> <p>Tourism is referred to in a specific section under the sustainable use of resources. It is noted that tourism in the Arctic is rapidly developing (in particular through cruise ships). However, several accidents have illustrated the risks of this growth. The Communication sets out the policy objectives for tourism as: “the EU should continue to support sustainable Arctic tourism, welcoming the efforts made to minimise its environmental footprint. Protection of the environment and benefits to local coastal communities should be primary considerations”.</p> <p>Proposals for action include:</p> <ul style="list-style-type: none"> <li>• support increasing the safety of cruise ships, better guiding and restriction of access to highly vulnerable areas; and</li> <li>• encourage environmentally friendly tourism which involves local communities</li> </ul>
<b>Geographical scope</b>	The Communication focuses on the Arctic Region, but also incorporates the EU, since it notes that activities in EU Member States leave an environmental footprint in the Arctic.
<b>Sectoral scope</b>	It could affect a range of tourism sectors, including: <ul style="list-style-type: none"> <li>• Accommodation providers</li> <li>• Transport providers</li> <li>• Cafes/restaurant</li> <li>• Attractions</li> </ul>
<b>State of implementation</b>	Active (see Sea basin strategy: Arctic Ocean, available at <a href="http://ec.europa.eu/maritimeaffairs/policy/sea_basins/arctic_ocean/index_en.htm">http://ec.europa.eu/maritimeaffairs/policy/sea_basins/arctic_ocean/index_en.htm</a> ).
<b>Type of impact</b>	There may be direct impacts on tourism in the Arctic as a consequence of the proposed actions in this Communication.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this Communication/initiative is: <i>Promote the development of sustainable, responsible and high-quality tourism</i>
<b>Scale of impact</b>	Although no information on scale of impact is provided, some direct impact is expected, since tourism is specifically mentioned by the Communication, which sets out a policy objective along with proposals for action.
<p><i>Sources:</i>  <i>Sea basin Strategy: Arctic Ocean, EC website available at:</i>  <a href="http://ec.europa.eu/maritimeaffairs/policy/sea_basins/arctic_ocean/index_en.htm">http://ec.europa.eu/maritimeaffairs/policy/sea_basins/arctic_ocean/index_en.htm</a>  <i>EC (2008): The European Union and the Arctic Region, COM (2008)763, available at:</i>  <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2008:0763:FIN:EN:HTML">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2008:0763:FIN:EN:HTML</a></p>	

## 2.16 Mobility and Transport

### 2.16.1 Legislative Instruments

***Regulation (EC) No 261/2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights***

<b>Table 2.99: Summary Description – Regulation (EC) No 261/2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights</b>	
<b>Policy Area</b>	Mobility and Transport
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Regulation
<b>Objective</b>	<p>To ensure a high level of consumer protection for passengers. This Regulation establishes the rights of air passengers in the following cases:</p> <ul style="list-style-type: none"> <li>• if they are denied boarding against their will;</li> <li>• if their flight is cancelled; or</li> <li>• if their flight is delayed.</li> </ul> <p>This Regulation applies to:</p> <ul style="list-style-type: none"> <li>• passengers departing from an airport located in the territory of a Member State to which the EC Treaty applies; and</li> <li>• passengers departing from an airport located in a third country to an airport situated in the territory of a Member State to which the EC Treaty applies.</li> </ul>
<b>Geographical scope</b>	All EU Member states and the EEA countries; Iceland, Norway and Liechtenstein.
<b>Sectoral scope</b>	Transport providers (air travel).
<b>State of implementation</b>	Active – in force since 2004; a revision of the Regulation is planned in 2012.
<b>Type of impact</b>	<p>The Regulation has a direct impact on tourism, as it provides airline passengers, including tourists, with greater protection of their rights and is therefore likely to increase their confidence in booking flights. This could impact the number of people using air travel as their mode of transport for tourism.</p> <p>For transport providers, the Regulation may create an additional administrative and financial burden. Competition in the internal air transport market may also be distorted if air carriers do not all face the same burden, due to divergent interpretations of the rules or divergent enforcement across Member States.</p>
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this Regulation is: <i>Maximise the potential of EU policies and financial instruments for developing tourism.</i>
<b>Scale of impact</b>	<p>This Regulation has a considerable impact in terms of tourism. According to Eurostat (2011)* nearly 800 million passengers were carried by air in 2010 in the EU-27. Each year there are a significant number of complaints regarding air travel. The European Consumer Centres' Network (ECC-Net) identified that in 2010 approximately 33% of all recorded complaints were in the area of transport and of these 57% concerned air passenger rights** (this was partly due to the volcanic ash crisis and December snow storms).</p> <p>With growth in traffic, the number of routes and airlines, this Regulation has the potential for increased impact on tourism. However, a public</p>

**Table 2.99: Summary Description – Regulation (EC) No 261/2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights**

	consultation undertaken between December 2011 and March 2012 identified areas which require improvement. For instance, there is legal uncertainty about exceptional circumstances where the disruption is not the responsibility of the air carrier.
<p>Sources:</p> <p>*EuroStat (2011): <i>Passenger transport statistics</i>, available at: <a href="http://epp.eurostat.ec.europa.eu/statistics_explained/index.php/Passenger_transport_statistics">http://epp.eurostat.ec.europa.eu/statistics_explained/index.php/Passenger_transport_statistics</a></p> <p>** ECC-Net (2011): <i>Air Passenger Rights Report 2011- in the aftermath of the Volcanic Ash Crisis, October 2011</i> available at <a href="http://www.consumereurope.dk/indholdFE/Publikationer/~media/ForbrugerEuropa/Publikationer/Rapporter/ECCNet%20Air%20Passenger%20Rights%20Report%202011.pdf">http://www.consumereurope.dk/indholdFE/Publikationer/~media/ForbrugerEuropa/Publikationer/Rapporter/ECCNet%20Air%20Passenger%20Rights%20Report%202011.pdf</a></p> <p>Sources:</p> <p>More information available at: <a href="http://europa.eu/legislation_summaries/consumers/protection_of_consumers/l24173_en.htm">http://europa.eu/legislation_summaries/consumers/protection_of_consumers/l24173_en.htm</a></p> <p>DG MOVE, <i>Public consultation on the possible revision of Regulation (EC) No 261/2004 on air passenger rights</i>, more information available at: <a href="http://ec.europa.eu/transport/passengers/consultations/2012-03-11-apr_en.htm">http://ec.europa.eu/transport/passengers/consultations/2012-03-11-apr_en.htm</a></p>	

***Regulation (EC) No 1107/2006 concerning the rights of disabled persons and persons with reduced mobility when travelling by air***

**Table 2.100: Summary Description – Regulation (EC) No 1107/2006 concerning the rights of disabled persons and persons with reduced mobility when travelling by air**

<b>Policy Area</b>	Mobility and Transport
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Regulation
<b>Objective</b>	This regulation is part of a general plan to reinforce passenger rights on all forms of transport. Persons placed at a disadvantage by reduced mobility, whether caused by disability, age or other factors, should have opportunities for air travel comparable to those of other citizens.
<b>Geographical scope</b>	All EU Member States and EEA countries; Iceland, Norway and Liechtenstein.
<b>Sectoral scope</b>	Transport providers (air travel)
<b>State of implementation</b>	Active – entered into force in 2006
<b>Type of impact</b>	This Regulation has a direct impact on tourism as it facilitates ease of travel for people with disabilities. The Regulation gives persons with disabilities increased confidence and ease when travelling. It may increase the number of trips (including trips for tourism) made by persons with disabilities. However, the Regulation may generate logistical and financial burdens for air transport providers and airport personnel.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for the Regulation is: <i>Promote the development of sustainable, responsible and high-quality tourism</i> ; and <i>Maximise the potential of EU policies and financial instruments for developing tourism</i>

**Table 2.100: Summary Description – Regulation (EC) No 1107/2006 concerning the rights of disabled persons and persons with reduced mobility when travelling by air**

<b>Scale of impact*</b>	<p>The impact of the Regulation could be significant. People who are either disabled or older, or both, will comprise around 35% of the future population of Europe. Expectations among this group for both tourist and business-related travel are increasing. It therefore represents a large potential market for the tourism industry. This Regulation could lead to increased confidence for disabled travellers, which would increase the number of disabled persons travelling abroad for tourist purposes and, in turn, would be beneficial for the industry.</p> <p>However, a Commission report on the Regulation notes that there are still problems to be addressed; e.g. the Regulation is not enforced in the same manner across all EU Member States and it is not clear as regards to the definition of persons with reduced mobility etc. (European Commission, 2011). These problems will need to be addressed to realise the full potential of the Regulation.</p>
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*Note:*  
*\*Department for Transport (2008): Access to Air Travel for Disabled Persons and Persons with Reduced Mobility – Code of Practice, July 2008 available at:*  
<http://www.ukaccs.info/accesstoairtravelfordisabled.pdf>

*Sources:*  
*EC (2011): Report on the functioning of the Regulation concerning rights of disabled persons and persons with reduced mobility when travelling by air, available at:*  
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0166:FIN:EN:PDF>

*More information can be found at*  
[http://europa.eu/legislation\\_summaries/transport/mobility\\_and\\_passenger\\_rights/l24132\\_en.htm](http://europa.eu/legislation_summaries/transport/mobility_and_passenger_rights/l24132_en.htm)

***Regulation (EC) No 1371/2007 on rail passengers’ rights and obligations***

**Table 2.101: Summary Description – Regulation (EC) No 1371/2007 on rail passengers’ rights and obligations**

<b>Policy Area</b>	Mobility and Transport
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Regulation
<b>Objective</b>	This Regulation aims at establishing rights and obligations for rail service users in order to improve the efficiency and appeal of rail transport for passengers. The Regulation establishes rules in various areas of rail travel, such as making bookings, tickets, luggage, insurance, delays, persons with reduced mobility, service quality standards, etc.
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope</b>	Transport providers (rail travel)
<b>State of implementation</b>	Active – in force since 2009 (but Member States have the option to grant an exemption from this Regulation for a maximum period of five years, which may be renewed twice).
<b>Type of impact</b>	<p>The Regulation directly impacts tourism, as it helps to strengthen passengers’ rights and promotes rail travel, which may include tourism. Improved quality and effectiveness of rail passenger services can increase the share of rail transport relative to other modes of transport.</p> <p>However, implementation of the regulation may also be an additional financial, administrative and logistical burden for the rail services.</p>

<b>Table 2.101: Summary Description – Regulation (EC) No 1371/2007 on rail passengers’ rights and obligations</b>	
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this Regulation is: <i>Promote the development of sustainable, responsible and high-quality tourism</i> ; and <i>Maximise the potential of EU policies and financial instruments for developing tourism</i>
<b>Scale of impact</b>	While there is little data available, it is assumed that a significant proportion of train journeys (in particular long distance ones) are made for tourism purposes. According to Eurostat (2011), 20 388 million passenger-kilometres were travelled on international rail journeys in EU-27. This Regulation could therefore have an impact on the quality of the transport experience for tourists. It can trigger an improvement in transport services and increase confidence with consumers.
<p>Sources:</p> <p>EuroStat (2011): <i>Passenger transport statistics</i>, available at: <a href="http://epp.eurostat.ec.europa.eu/statistics_explained/index.php/Passenger_transport_statistics">http://epp.eurostat.ec.europa.eu/statistics_explained/index.php/Passenger_transport_statistics</a></p> <p>More information available at: <a href="http://europa.eu/legislation_summaries/transport/rail_transport/l24003_en.htm">http://europa.eu/legislation_summaries/transport/rail_transport/l24003_en.htm</a></p>	

***Regulation (EU) No 1177/2010 concerning the rights of passengers when travelling by sea and inland waterway***

<b>Table 2.102: Summary Description – Regulation (EU) No 1177/2010 concerning the rights of passengers when travelling by sea and inland waterway</b>	
<b>Policy Area</b>	Mobility and Transport
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Regulation
<b>Objective</b>	To ensure a high level of protection of, and assistance, to maritime and inland waterway passengers. The Regulation covers areas such as cancellation, delay, provision of information, handling of complaints and persons with disabilities, etc.
<b>Geographical scope</b>	All EU Member States and the EEA countries; Iceland, Norway and Liechtenstein
<b>Sectoral scope</b>	Transport providers (sea travel)
<b>State of implementation</b>	This regulation is applicable from 18 December 2012
<b>Type of impact</b>	<p>This Regulation directly impacts tourism, as it sets down rules which protect passengers, which may include tourists. Better protection can increase passenger confidence in travelling by sea and inland waterways and thus increase passenger numbers. This can have a positive effect on the tourist industry.</p> <p>The Regulation may pose an additional burden for transport providers, as they may have to pay out compensation, reimbursements, or provide re-routing and overnight stays. However, the Regulation can also have a positive impact on the number of people using this type of transport for tourism.</p>
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this Regulation is: <i>Promote the development of sustainable, responsible and high-quality tourism</i> ; and <i>Maximise the potential of EU policies and financial instruments for developing tourism</i> .



**Table 2.102: Summary Description – Regulation (EU) No 1177/2010 concerning the rights of passengers when travelling by sea and inland waterway**

<b>Scale of impact</b>	<p>The Regulation can increase passengers' confidence in sea and inland waterway transport services.</p> <p>While few data are available, it is assumed that a significant proportion of sea and inland waterway journeys are made for tourism purposes and thus the Regulation (once in force) will have an impact on the quality of transport services by sea and inland waterway available to holiday makers.</p> <p>The Regulation includes cruise ships, which are an increasingly popular form of tourism. The EU cruise market has rapidly increased; total passenger numbers nearly trebled between 1999 and 2009. This indicates that the impact of the Regulation could be significant.</p>
<p><i>Sources:</i>                  European Cruise Council (2010): <b>European Cruise Council 2010/2011 report</b>, Ashcroft &amp; Associates, available at: <a href="http://www.ashcroftandassociates.com/images/ECC-LR.pdf">http://www.ashcroftandassociates.com/images/ECC-LR.pdf</a>                  More information available at:  <a href="http://europa.eu/legislation_summaries/transport/mobility_and_passenger_rights/tr0049_en.htm">http://europa.eu/legislation_summaries/transport/mobility_and_passenger_rights/tr0049_en.htm</a></p>	

***Regulation (EU) No 181/2011 concerning the rights of passengers in bus and coach transport***

**Table 2.103: Summary Description – Regulation (EU) No 181/2011 concerning the rights of passengers in bus and coach transport**

<b>Policy Area</b>	Mobility and Transport
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Regulation
<b>Objective</b>	This Regulation establishes rules for the rights of passengers when travelling by bus and coach transport. It aims at ensuring an equivalent level of protection of, and assistance to, passengers in bus and coach transport throughout the Member States where the scheduled distance of the service is 250 km or more (though some provisions apply to all services).
<b>Geographical scope</b>	All EU Member States and EEA countries; Iceland, Norway and Liechtenstein.
<b>Sectoral scope</b>	Transport providers (bus and coach)
<b>State of implementation</b>	The Regulation was adopted in 2011, and will enter into force from 1 March 2013.
<b>Type of impact</b>	<p>The Regulation may directly impact tourism, as it covers coach and bus travel, which may include travel for tourism. It covers aspects such as cancellation, delay, provision of information, protection in case of road accident, assistance for people with reduced mobility, etc.</p> <p>This Regulation may therefore increase consumer confidence in long distance coach and bus transport, potentially increasing passenger numbers. However, implementing the Regulation may also create an additional financial burden for transport providers as they have increased duties.</p>
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for the Regulation is: <i>Promote the development of sustainable, responsible and high-quality tourism</i>

**Table 2.103: Summary Description – Regulation (EU) No 181/2011 concerning the rights of passengers in bus and coach transport**

<b>Scale of impact</b>	According to the European Commission (2008) the holidays and tours sector accounts for about 18.3% of the EU27 bus and coach industry's revenue. Therefore, while the Regulation is not yet in force, it is likely to have an impact on the quality of bus and coach transport available to holiday makers. It could also increase confidence amongst passengers, leading to increased passenger numbers.
<p><i>Note:</i>  <i>*EC (2008): Commission Staff Working Document - Accompanying document to the Proposal for a Regulation on the rights of passengers in bus and coach transport - Impact Assessment, SEC(2008) 2953, available at: <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=SEC:2008:2953:FIN:EN:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=SEC:2008:2953:FIN:EN:PDF</a></i>  <i>Source:</i>  <i>More information available at:</i>  <a href="http://europa.eu/legislation_summaries/transport/mobility_and_passenger_rights/tr0050_en.htm">http://europa.eu/legislation_summaries/transport/mobility_and_passenger_rights/tr0050_en.htm</a></p>	

***Regulation (EC) No 1008/2008 establishing common rules for the operation of air services in the Community***

**Table 2.104: Summary Description – Regulation (EC) No 1008/2008 establishing common rules for the operation of air services in the Community**

<b>Policy Area</b>	Mobility and Transport
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Regulation
<b>Objective</b>	This Regulation aims at a more homogeneous application of Community legislation with regard to the internal aviation market. It regulates the licensing of Community air carriers, the law applicable to them and the pricing of air services.
<b>Geographical scope</b>	All EU Member States and EEA countries; Iceland, Norway and Liechtenstein.
<b>Sectoral scope</b>	Transport providers (air travel)
<b>State of implementation</b>	Active – came into effect 01/11/2008
<b>Type of impact</b>	This Regulation has a direct impact on tourism, as tourism constitutes a significant share of air services which this regulation covers. It guarantees a competitive air transport market, quality services and more transparent fares. Tourists will be positively impacted by this Regulation and it may thus increase the number of passengers. This Regulation will benefit air transport providers by removing any remaining unfair competition from the internal aviation market, as access to the market is restricted to licensed air carriers. However, it may also increase the administrative burden on air carriers. For example, the air carriers operating within the Community must hold an Air Operator Certificate (AOC) and this will require compliance with insurance and ownership requirements and the provision of financial guarantees.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for the Regulation is: <i>Maximise the potential of EU policies and financial instruments for developing tourism</i>
<b>Scale of impact</b>	According to Eurostat (2011)* nearly 800 million passengers were carried by air in 2010 in the EU-27. With growth in traffic, the number of routes and airlines, this Regulation has the potential for increased impact on tourism.

**Table 2.104: Summary Description – Regulation (EC) No 1008/2008 establishing common rules for the operation of air services in the Community**

<p><i>Note:</i>  <i>*EuroStat (2011): Passenger transport statistics, available at:</i>  <a href="http://epp.eurostat.ec.europa.eu/statistics_explained/index.php/Passenger_transport_statistics">http://epp.eurostat.ec.europa.eu/statistics_explained/index.php/Passenger_transport_statistics</a>  <i>Source:</i>  <i>More information available at:</i>  <a href="http://europa.eu/legislation_summaries/transport/air_transport/tr0008_en.htm">http://europa.eu/legislation_summaries/transport/air_transport/tr0008_en.htm</a></p>
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**Directive 2009/12/EC on airport charges**

**Table 2.105: Summary Description – Directive 2009/12/EC on airport charges**

<b>Policy Area</b>	Mobility and Transport
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Directive
<b>Objective</b>	<p>This Directive sets common principles for the levying of airport charges at Community airports. The Directive applies to all EU airports handling more than five million passengers per year and to the largest airport in each Member State.</p> <p>The main objectives are:</p> <ul style="list-style-type: none"> <li>• greater transparency on the costs which charges are to cover;</li> <li>• non-discrimination;</li> <li>• systems of consultation on charges between airports and airlines; and</li> <li>• the creation of an independent supervisory authority which will help settle disputes over charges between airports and airlines.</li> </ul>
<b>Geographical scope</b>	All EU Member States and the EEA countries; Iceland, Norway and Liechtenstein.
<b>Sectoral scope</b>	Transport providers (air travel)
<b>State of implementation</b>	Active – transposed since 15/03/2011
<b>Type of impact</b>	This Directive has a direct impact on tourism, as the tourists make up a considerable share of airport and airline users. For example, greater transparency on costs and charges may affect airlines’ choice of destinations (including those aimed primarily at the tourist sector). The Directive also creates a level playing field for airlines in terms of charges and services that could also be communicated to the consumers, thereby increasing their confidence.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for the Directive is: <i>Maximise the potential of EU policies and financial instruments for developing tourism.</i>
<b>Scale of impact</b>	According to Eurostat (2011), nearly 800 million passengers were carried by air in 2010 in the EU-27. With growth in traffic, the number of routes and airlines, this Directive may potentially have a significant impact on the tourist industry.

<p><i>Sources:</i>  <i>Airport charges, EC website available at:</i>  <a href="http://ec.europa.eu/transport/air/airports/airport_charges_en.htm">http://ec.europa.eu/transport/air/airports/airport_charges_en.htm</a>  <i>EuroStat (2011): Passenger transport statistics, available at:</i>  <a href="http://epp.eurostat.ec.europa.eu/statistics_explained/index.php/Passenger_transport_statistics">http://epp.eurostat.ec.europa.eu/statistics_explained/index.php/Passenger_transport_statistics</a></p>
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***Regulation (EC) No 2111/2005 on the establishment of a Community list of air carriers subject to an operating ban within the Community and on informing air transport passengers of the identity of the operating air carrier***

<b>Table 2.106: Summary Description – Regulation (EC) No 2111/2005 on the establishment of a Community List of Air Carriers Subject to an Operating Ban within the Community and on Informing Air Transport Passengers of the Identity of the Operating Air Carrier</b>	
<b>Policy Area</b>	Mobility and Transport
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Regulation
<b>Objective</b>	The objective is to make air travel safer. The Regulation establishes a Community list of air carriers subject to an operating ban within the Community. It also requires that passengers be informed of the identity of the air carrier operating their flight. This list will be updated at regular intervals (normally, every three months).
<b>Geographical scope</b>	All EU Member States and EEA countries; Iceland, Norway and Liechtenstein.
<b>Sectoral scope</b>	Transport providers (passenger and cargo air transport, not only for tourism purposes)
<b>State of implementation</b>	In force since 2006
<b>Type of impact</b>	Considering the proportion of air travel passengers who are travelling for tourism reasons, this Regulation has a considerable impact on the tourism sector. The Regulation is expected to lead to improvements in the safety of air travel, which could increase tourist confidence in air travel.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this Regulation is: <i>Promote the development of sustainable, responsible and high-quality tourism.</i>
<b>Scale of impact</b>	While not easily quantifiable, improvements in the safety of air travel are expected to increase the use of air travel by tourists. Therefore it is assumed that this Regulation has had an impact upon the number of tourists, and thus significant impacts on the sector.
<p><i>Sources:</i>  <i>EC (2005): Regulation (EC) No 2111/2005 on the establishment of a Community list of air carriers subject to an operating ban within the Community and on informing air transport passengers of the identity of the operating air carrier, available at:</i>  <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2005:344:0015:0022:EN:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2005:344:0015:0022:EN:PDF</a>;  <i>Air Safety, EC website available at:</i> <a href="http://ec.europa.eu/transport/air-ban/furtherinfo_en.htm">http://ec.europa.eu/transport/air-ban/furtherinfo_en.htm</a>;</p>	

***Decision 2007/339/EC on the signature and provisional application of the Air Transport Agreement between the European Community and its Member States, on the one hand, and the United States of America, on the other hand***

<b>Table 2.107: Summary Description – Decision 2007/339/EC of the Council and the Representatives of the Governments of the Member States of the European Union, meeting within the Council of 25 April 2007 on the signature and provisional application of the Air Transport Agreement between the European Community and its Member States, on the one hand, and the United States of America, on the other hand</b>	
<b>Policy Area</b>	Mobility and Transport
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	International agreement
<b>Objective</b>	The objective of this agreement is to liberalise the air transport market between the EU and the USA. For example, it establishes the opportunity for any EU air carrier to fly between any point in the EU to any point in the US, without any restrictions on pricing or capacity.
<b>Geographical scope</b>	All EU Member States and the United States
<b>Sectoral scope</b>	Transport providers (air travel)
<b>State of implementation</b>	The original document was signed on 30 April 2007; the Decision was applied from 30 March 2008. Phase 2 was signed on 24 June 2010.
<b>Type of impact</b>	The Decision has liberalised the air transport market, giving tourists (and other passengers) increased travel options. For example, it has reduced restrictions (e.g. in the past flights between London Heathrow airport and the US were limited to specific carriers) and it has enabled EU airlines to operate flights between the US and other non-EU countries. Liberalisation of the sector has provided benefits for consumers, airlines, workers and communities on both sides of the Atlantic. The Agreement removes all limits on routes, prices, and the number of weekly flights between the EU and the US. Moreover, all EU airlines are now granted with the right to operate direct flights to the US from any European country (not just from their home country as was previously the case). This is also applicable to US airlines. This has generated new jobs in the area of air transport, which is linked to tourism.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this Decision is: <i>Stimulate competitiveness in the European tourism sector</i> . This relates to abolishing market barriers which can be seen as creating inefficiencies in the tourism sector
<b>Scale of impact</b>	This agreement has had a significant impact on the scale of air travel between the US and the EU, with additional flights to new destinations being established. The total number of flights between the EU and the US in April - June 2008 was 8% higher than in 2007. In London Heathrow alone, flights to the US increased by 18 flights daily, an increase of more than 20%.
<p><i>Sources:</i></p> <p><i>EC Press releases available at:</i>  <a href="http://europa.eu/rapid/pressReleasesAction.do?reference=MEMO/08/185&amp;type=HTML">http://europa.eu/rapid/pressReleasesAction.do?reference=MEMO/08/185&amp;type=HTML</a>  <a href="http://europa.eu/rapid/pressReleasesAction.do?reference=MEMO/10/74&amp;type=HTML">http://europa.eu/rapid/pressReleasesAction.do?reference=MEMO/10/74&amp;type=HTML</a></p> <p><i>Air: International aviation: United States, EC website available at:</i>  <a href="http://ec.europa.eu/transport/air/international_aviation/country_index/united_states_en.htm">http://ec.europa.eu/transport/air/international_aviation/country_index/united_states_en.htm</a></p> <p><i>BBC (2010): Second open skies deal signed, available online at:</i>  <a href="http://www.bbc.co.uk/news/10400176">http://www.bbc.co.uk/news/10400176</a></p>	

**Single European Sky [Regulations (EC) No: 549/2004; 550/2004; 551/2004; 552/2004 and 1070/2009]**

<b>Table 2.108: Summary Description – Single European Sky [Regulations (EC) Nos: 549/2004; 550/2004; 551/2004; 552/2004 and 1070/2009]</b>	
<b>Policy Area</b>	Mobility and Transport
<b>Instrument/initiative</b>	<p>The Single European Sky was created by a set of regulations which is composed of:</p> <ul style="list-style-type: none"> <li>• Regulation (EC) No 549/2004 laying down the framework for the creation of the single European sky (the framework Regulation);</li> <li>• Regulation (EC) No 550/2004 of the European Parliament and of the Council of 10 March 2004 on the provision of air navigation services in the single European sky (the service provision Regulation);</li> <li>• Regulation (EC) No 551/2004 of the European Parliament and of the Council of 10 March 2004 on the organisation and use of the airspace in the single European sky (the airspace Regulation);</li> <li>• Regulation (EC) No 552/2004 of the European Parliament and of the Council of 10 March 2004 on the interoperability of the European Air Traffic Management network (the interoperability Regulation); and</li> <li>• Regulation (EC) No 1070/2009 of the European Parliament and of the Council of 21 October 2009 amending Regulations (EC) No 549/2004, (EC) No 550/2004, (EC) No 551/2004 and (EC) No 552/2004 in order to improve the performance and sustainability of the European aviation system</li> </ul>
<b>Type of instrument/initiative</b>	Regulations
<b>Objective</b>	The Single European Sky (SES) initiative aims to meet future capacity and safety needs, reduce costs, reduce delays and reduce the impact of air traffic on the environment. It organises airspace and air navigation at a European rather than at a local level.
<b>Geographical scope</b>	All EU Member States and the EEA countries; Iceland, Norway and Liechtenstein.
<b>Sectoral scope</b>	Transport providers (air travel)
<b>State of implementation</b>	Active - The SES initiative was launched in 2000, with legislation (SES I) adopted in 2004. A second package of legislation (SES II) was proposed in June 2008 and adopted in November 2009 with the objective of accelerating the establishment of a single SES from 2012 onwards.
<b>Type of impact</b>	The SES impacts tourism in that it deals with air travel which is a significant element of the tourism supply chain. Increased capacity and safety coupled with reduced prices and delays is expected to increase air travel, benefiting tourists. According to DG MOVE, delays cost airlines between €1.3 and €1.9 billion a year. Therefore, reduced delays would be financially beneficial for airlines.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for these Regulations is: <i>Maximise the potential of EU policies and financial instruments for developing tourism</i>
<b>Scale of impact</b>	The impacts are regarded as significant. Since the adoption of SES I in 2004, significant progress has been made by the Member States and stakeholders to improve aviation traffic. Nevertheless, more is required to achieve full and timely compliance with SES legislation. For example, sixty recommendations were given by Eurocontrol (in the 2010 report on SES legislation implementation) relating to concrete actions that Member States should take to improve their level of compliance. The level of progress achieved in some areas has been insufficient and various implementation dates may be at risk. The Commission therefore wrote to each Member

**Table 2.108: Summary Description – Single European Sky [Regulations (EC) Nos: 549/2004; 550/2004; 551/2004; 552/2004 and 1070/2009]**

	State in October 2011 to spell out the particular problems in each case and to insist on full compliance with EU law, keeping in mind that the implementation of the SES first package is a prerequisite for the successful implementation of the SES second package.
<p><i>Sources:</i>                  EC (2008): <i>Single European Sky II: towards more sustainable and better performing aviation</i>, COM(2008) 389 final (SES II), available at: <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2008:0389:FIN:EN:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2008:0389:FIN:EN:PDF</a>                  EC (2011): <i>Report on the implementation of the Single Sky Legislation: time to deliver</i>, COM(2011) 731 Final, available at: <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0731:FIN:EN:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0731:FIN:EN:PDF</a></p>	

***Regulation (EC) No 80/2009 on a Code of Conduct for Computerised Reservation Systems and repealing Council Regulation (EEC) No 2299/89***

**Table 2.109: Summary Description – Regulation (EC) No 80/2009 on a Code of Conduct for Computerised Reservation Systems and repealing Council Regulation (EEC) No 2299/89**

<b>Policy Area</b>	Mobility and Transport
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Regulation
<b>Objective</b>	The Regulation aims to establish a harmonised code of conduct regarding the use of computerised reservation systems (CRS), in order to ensure fair competition and to protect consumers' rights.
<b>Geographical scope</b>	This Regulation applies to EU Member States plus the EEA countries; Iceland, Norway and Liechtenstein.
<b>Sectoral scope</b>	Transport providers Travel agents/tour operators
<b>State of implementation</b>	Active – in force since 2009
<b>Type of impact</b>	This Regulation affects airlines and train operators, which are part of the tourism supply chain, as well as travel agents that use CRS.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this Regulation is: <i>Promote the development of sustainable, responsible and high quality tourism</i>
<b>Scale of impact</b>	This Regulation has had significant impacts on travel agents who sell tickets using CRS, as well as on airlines and train operators. The fast development of independent booking channels may reduce the need for these rules in the future, thereby reducing their impact. By 29 March 2013, the Commission will draw up a report on the application of this Regulation, which will assess the need to maintain, amend or repeal this Regulation. To this end, the Commission launched a Fitness Check of the Regulation in January 2011 to determine whether it fulfils its objectives, whether enforcement needs to be improved or if the existing legislation needs to be amended. The results will be published in 2012.
<p><i>Sources:</i>                  ECIAA website available at: <a href="http://www.ectaa.org/Home/Areas/Transport/tabid/60/Default.aspx#684">http://www.ectaa.org/Home/Areas/Transport/tabid/60/Default.aspx#684</a>                  EC Press Release, available at: <a href="http://europa.eu/rapid/pressReleasesAction.do?reference=MEMO/07/463">http://europa.eu/rapid/pressReleasesAction.do?reference=MEMO/07/463</a>                  More information available at: <a href="http://europa.eu/legislation_summaries/transport/air_transport/tr0025_en.htm">http://europa.eu/legislation_summaries/transport/air_transport/tr0025_en.htm</a></p>	

**Regulation (EC) No 1073/2009 on common rules for access to the international market for coach and bus services and amending Regulation (EC) No 561/2006**

<b>Table 2.110: Summary Description – Regulation (EC) No 1073/2009 on Common Rules for Access to the International Market for Coach and Bus Services and amending Regulation (EC) No 561/2006</b>	
<b>Policy Area</b>	Mobility and Transport
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Regulation
<b>Objective</b>	To ensure a coherent framework for the international carriage of passengers by coach and bus throughout the Community and to set the rules for access to the international market for coach and bus services.
<b>Geographical scope</b>	All EU Member States plus the EEA countries; Iceland, Norway and Liechtenstein.
<b>Sectoral scope</b>	Transport providers (coach and bus)
<b>State of implementation</b>	Adopted in 2009 and applied from December 2011
<b>Type of impact</b>	The Regulation impacts the bus and coach market, part of the tourism supply chain. A Community licence is now required for each vehicle used in the international carriage of passengers by coach and bus. This licence is issued by the competent authority of the Member State where the company is established.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this Regulation is: <i>Stimulate competitiveness in the European tourism sector</i>
<b>Scale of impact</b>	International coach services, particularly charter services which are infrequent or irregular, are widely used for tourism. The Regulation contributes to increased competition in the international bus and coach market, part of the supply chain of the tourism sector, and thus supports the movement of tourists across national borders.
<p><i>Sources:</i>            EC (2009): <i>Regulation (EC) No 1073/2009 on common rules for access to the international market for coach and bus services</i>, available at:  <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:300:0088:0105:EN:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:300:0088:0105:EN:PDF</a></p>	



***Regulation (EC) No 1356/96 on common rules applicable to the transport of goods or passengers by inland waterway between Member States with a view to establishing freedom to provide such transport services***

<b>Table 2.111: Summary Description – Regulation (EC) No 1356/96 on common rules applicable to the transport of goods or passengers by inland waterway between Member States with a view to establishing freedom to provide such transport services</b>	
<b>Policy Area</b>	Mobility and Transport
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Regulation
<b>Objective</b>	The Regulation aims to ensure freedom to provide services in the inland waterway transport sector and to establish common rules applicable to the transport of goods or passengers by inland waterway between Member States.
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope</b>	Transport providers
<b>State of implementation</b>	In force since 1996
<b>Type of impact</b>	Tourists make up a significant share of the passengers on vessels on inland waterways. The Regulation supports the movement of tourists across national borders. It also increases competition within this market, part of the supply chain of the tourist industry. It enables any operator, without discrimination on grounds of nationality or place of establishment, to transport goods or passengers by inland waterway between Member States or transit through them, provided certain rules set out in the Regulation are satisfied.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this Regulation is: <i>Stimulate competitiveness in the European tourism sector</i>
<b>Scale of impact</b>	According to a eureauweb-eTEN project (2006 - 2007)* there has been an increasing demand for boat hire operators, boat hirers, information providers and commercial businesses all over Europe. The European Cruise Council has confirmed that the number of Europeans choosing a cruise holiday continues to grow. In 2011, the number of holidaymakers taking cruises reached 6 million for the first time, which demonstrates an increase of 9% in comparison to numbers from 2010. This Regulation may, therefore would have a growing impact on this aspect of the tourist industry
<p><i>Note:</i>  <i>Eureauweb-eTEN (2006-2007): European Waterways Tourism Development Service, available at: <a href="http://www.eureauweb.com">http://www.eureauweb.com</a></i></p> <p><i>Sources:</i>  <i>EC (1996): Regulation (EC) No 1356/96 on common rules applicable to the transport of goods or passengers by inland waterway between Member States with a view to establishing freedom to provide such transport services, available at: <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31996R1356:EN:HTML">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31996R1356:EN:HTML</a></i></p> <p><i>European Cruise Council (2012): Cruising in Europe continues to grow steadily, available at <a href="http://www.europeancruiseCouncil.com/content/Cruising%20in%20Europe%20continues%20to%20grow%20steadily_%20ECC%20News%20Release.pdf">http://www.europeancruiseCouncil.com/content/Cruising%20in%20Europe%20continues%20to%20grow%20steadily_%20ECC%20News%20Release.pdf</a></i></p>	

***Regulation (EEC) No 4055/86 applying the principle of freedom to provide services to maritime transport between Member States and between Member States and third countries***

<b>Table 2.112: Summary Description – Regulation (EEC) No 4055/86 applying the Principle of Freedom to Provide Services to Maritime Transport Between Member States and Between Member States and Third Countries</b>	
<b>Policy Area</b>	Mobility and Transport
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Regulation
<b>Objective</b>	This Regulation applies the principle of freedom to provide services in the maritime transport sector, setting out the conditions under which ship-owners are free to provide maritime transport services between EU countries and between EU and non-EU countries. Its aim was to gradually abolish existing restrictions on maritime transport services and prevent the introduction of any new ones with harmful effects on Community trade as a whole. For example, when the regulation entered into force, it resulted in the removal of national restrictions reserving the transport of some goods to vessels carrying the national flag.
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope</b>	Transport providers
<b>State of implementation</b>	In force since 1987 (as amended by Council Regulation (EEC) No 3573/90)
<b>Type of impact</b>	Although the Regulation is aimed at maritime transport in general, it covers passenger services such as ferries. Tourists are one of the main types of user of these services. The Regulation, therefore supports the movement of tourists across national borders.  This Regulation contributes to increased competition in the maritime transport market which impacts tourism as it is part of the supply chain of the tourism sector.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this Regulation is: <i>Stimulate competitiveness in the European tourism sector</i>
<b>Scale of impact</b>	No data are available to quantify the scale of impact that this Regulation has had on tourism. However, the Regulation has increased competition in maritime transport, therefore tourists who use maritime transport services are likely to have benefited. Moreover, this Regulation supports the movement of tourists across national borders.
<i>Sources:</i> <i>More information available at:</i> <a href="http://europa.eu/legislation_summaries/transport/waterborne_transport/tr0030_en.htm">http://europa.eu/legislation_summaries/transport/waterborne_transport/tr0030_en.htm</a> ;	

**Regulation (EC) No 889/2002 amending Council Regulation (EC) No 2027/97 on Air Carrier Liability in the event of accidents**

<b>Table 2.113: Summary Description – Regulation (EC) No 889/2002 amending Council Regulation (EC) No 2027/97 on Air Carrier Liability in the event of accidents</b>	
<b>Policy Area</b>	Mobility and Transport
<b>Instrument/initiative</b>	Legislation
<b>Type of instrument/initiative</b>	Regulation
<b>Objective</b>	This Regulation brings the Community arrangements fully into line with the international rules (Montreal Convention) and reinforces the protection of passengers and their dependants. It creates a uniform system of liability for international air transport and harmonised liability limits and legal defences in respect of European carriers, irrespective of the route (internal, intra-Community, international) on which an accident may occur.
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope</b>	Transport providers (air transport)
<b>State of implementation</b>	Active. A public consultation that was undertaken for the revision of Regulation (EC) No 261/2004 on air passenger rights (Table 2.100) included an investigation of measures in order to amend Regulation (EC) 889/2002.
<b>Type of impact</b>	<p>This Regulation impacts the tourist industry, as tourists make up a significant share of air travel passengers. The Regulation harmonises liability with respect to compensation in the event of death or injury, advance payments, passenger delays and destroyed, lost or damaged baggage.</p> <p>The Regulation aims to protect passengers, which would imply a positive impact on tourists. However, air carriers may view it as an additional burden.</p>
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this initiative is: <i>Maximise the potential of EU policies and financial instruments for developing tourism.</i>
<b>Scale of impact</b>	The Regulation has an impact on the tourism sector because air travel is an important part of the tourism supply chain; improved protection of air travellers results in improved protection for tourists travelling by air. ECC-Net noted in its <i>Annual Report 2011</i> that in 2010, approximately 33% of all recorded complaints were in the area of transport, with 18% of all cases relating to air transport. The Commission notes that passengers' rights in cases of traffic disruption or damage/loss to their baggage appear to be insufficiently protected, despite Regulations 261/2004 and 889/2002. Until 2009, national enforcement bodies received between 33,000 and 40,000 complaints yearly from dissatisfied passengers.
<p><i>Sources:</i></p> <p><i>Passenger rights: Public consultation, EC website available at:</i>  <a href="http://ec.europa.eu/transport/passengers/consultations/2012-03-11-apr_en.htm">http://ec.europa.eu/transport/passengers/consultations/2012-03-11-apr_en.htm</a></p> <p><i>EU Business (2012): Air Transport in the European Union, available at:</i>  <a href="http://www.eubusiness.com/topics/airlines/">http://www.eubusiness.com/topics/airlines/</a></p> <p><i>ECC-NET (2011): ECC-Net Air Passenger Rights Report 201, - in the aftermath of the 'Volcanic Ash Crisis', available at:</i>  <a href="http://ec.europa.eu/consumers/ecc/docs/ecc_net_air_passenger_report_2011.pdf">http://ec.europa.eu/consumers/ecc/docs/ecc_net_air_passenger_report_2011.pdf</a></p> <p><i>More information available at</i>  <a href="http://europa.eu/legislation_summaries/consumers/protection_of_consumers/l24169_en.htm">http://europa.eu/legislation_summaries/consumers/protection_of_consumers/l24169_en.htm</a></p>	

***Proposal for a Regulation on Union guidelines for the development of the trans-European transport network [COM (2011) 650]***

<b>Table 2.114: Summary Description – Proposal for a Regulation on Union guidelines for the development of the trans-European transport network [COM(2011) 650]</b>	
<b>Policy Area</b>	Mobility and Transport
<b>Instrument/initiative</b>	Legislative
<b>Type of instrument/initiative</b>	Proposal for a Regulation
<b>Objective</b>	To establish a complete and integrated trans-European transport network, covering all Member States and regions, and providing the basis for the balanced development of all transport modes in order to facilitate their respective advantages, thereby ensuring the smooth functioning of the internal market, strengthening economic and social cohesion and maximising the value added for Europe.
<b>Geographical scope</b>	All EU Member States and EEA countries; Iceland, Norway and Liechtenstein.
<b>Sectoral scope</b>	Transport providers
<b>State of implementation</b>	The proposed Regulation will repeal and replace Decision 661/2010/EU of the European Parliament and of the Council of 7 July 2010 on Union guidelines for the development of the trans-European transport network.
<b>Type of impact</b>	<p>Tourists make up a significant share of the users of transport facilities and hence the proposed Regulation would impact tourists. Transport networks are part of the supply chain of the tourist industry and efficient, fully-functioning transport networks are conducive to tourism.</p> <p>The proposed Regulation would facilitate the free movement of goods and passengers within and between the Member States and their neighbouring countries. It would balance the disparity in quality and availability of infrastructure between and within the Member States (bottlenecks). It would also see the development, maintenance and upgrading of transport infrastructure, including passenger stations, ports and airports which will connect transport modes in order to allow multi-modal transport.</p>
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this initiative is: <i>Maximise the potential of EU policies and financial instruments for developing tourism</i>
<b>Scale of impact</b>	When adopted, the impacts of this regulation on tourism are expected to be significant.
<p><i>Source:</i>            EC (2011): <i>Proposal for a Regulation on Union guidelines for the development of the trans-European transport network</i>, COM (2011) 650, available at:  <a href="http://ec.europa.eu/transport/infrastructure/connecting/doc/revision/legislative-act-ten-t-revision.pdf">http://ec.europa.eu/transport/infrastructure/connecting/doc/revision/legislative-act-ten-t-revision.pdf</a></p>	

**2.16.2 Non-legislative Initiatives**

***Commission Communication - An action plan for airport capacity, efficiency and safety in Europe [COM (2006) 819]***

<b>Table 2.115: Summary Description - Commission Communication - An action plan for airport capacity, efficiency and safety in Europe [COM (2006) 819]</b>	
<b>Policy Area</b>	Mobility and Transport
<b>Instrument/initiative</b>	Non-legislative initiative
<b>Type of instrument/initiative</b>	Communication
<b>Objective</b>	The Commission proposes improvement of airport capacity, efficiency and safety in Europe. This Communication announced a set of measures which will be aimed at achieving this aim.
<b>Geographical scope</b>	All EU Member States plus the EEA countries; Iceland, Norway and Liechtenstein
<b>Sectoral scope</b>	Transport providers
<b>State of implementation</b>	Active – published on 24 January 2007
<b>Type of impact</b>	<p>According to the European Commission (2007), if no action is taken, a continued increase in air traffic at its current rate will leave Europe faced with a shortfall of infrastructure. The action plan should help to avoid this situation by ensuring adequate capacity is available and improving the efficiency and safety of air travel.</p> <p>The Commission proposed to Revise Regulation 95/93 on common rules for slot allocation at EU airports, repeal Directive 96/67/EC and replace it by a Regulation on ground handling services at EU airports, repeal Directive 2002/30/EC and replace it by a Regulation on noise-related operating restrictions at EU airports within a Balanced Approach. The impact of the proposed measures is likely to be of a direct nature, on both the tourism industry and tourists.</p>
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this initiative are: <i>Stimulate competitiveness in the European tourism sector</i> and <i>Promote the development of sustainable, responsible and high-quality tourism</i>
<b>Scale of impact</b>	The impact of the actions proposed could be significant if they result in increased capacity at airports. This could benefit both tourism demand and supply.
<p><i>Sources:</i>  <i>EU Airport Policy, EC website available at:</i>  <a href="http://ec.europa.eu/transport/air/airports/observatory_en.htm">http://ec.europa.eu/transport/air/airports/observatory_en.htm</a>  <i>EC (2007): An action plan for airport capacity , efficiency and safety in Europe, COM(2006) 819 final, available at:</i>  <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2006:0819:FIN:EN:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2006:0819:FIN:EN:PDF</a></p>	

**Commission Communication – A sustainable future for transport: Towards an integrated, technology-led and user friendly system [COM (2009) 279]**

<b>Table 2.116: Summary Description – Commission Communication – A sustainable future for transport: Towards an integrated, technology-led and user friendly system [COM (2009) 279]</b>	
<b>Policy Area</b>	Mobility and Transport
<b>Instrument/initiative</b>	Non-legislative initiative
<b>Type of instrument/initiative</b>	Communication
<b>Objective</b>	To establish a sustainable transport system that meets society's economic, social and environmental needs and is conducive to an inclusive society and a fully integrated and competitive Europe.
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope</b>	Tourists Transport providers Travel agents/Tour operators
<b>State of implementation</b>	Active – adopted on 17 June 2009
<b>Type of impact</b>	The Communication would influence, among others: <ul style="list-style-type: none"> <li>• the overall quality of transport for all passengers, including tourists; this would include aspects of personal security, reduction of accidents and health hazards, protection of passengers' rights and accessibility of remote regions;</li> <li>• the integration of the transport network. Better integration could be advantageous to the tourist industry;</li> <li>• increased technological innovation to address transport challenges;</li> <li>• changes in employment, which may include those employed within the tourism industry; and</li> <li>• increased costs to reflect externalities which may negatively impact the tourism industry</li> </ul>
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this Communication is: <i>Promote the development of sustainable, responsible and high-quality tourism</i>
<b>Scale of impact</b>	Transportation is a major contributor to the tourism supply chain. This Communication supports the movement of citizens, including tourists, across national borders as well as within Member States. The Communication could have a significant impact on the quality of transport available to holiday makers. It also impacts the routes and modes of transport available to tourists, enabling greater access to remote areas. However, there is a risk that could result in increased costs, which may deter some tourists if passed on to them. The Commission invited all interested parties to take part in the public consultation on the future of transport policy.
<p><i>Source:</i>  <i>Future of Transport, EC website available at:</i>  <a href="http://ec.europa.eu/transport/strategies/2009_future_of_transport_en.htm">http://ec.europa.eu/transport/strategies/2009_future_of_transport_en.htm</a></p>	

**Commission Communication - Action Plan on Urban Mobility [COM (2009) 490]**

<b>Table 2.117: Summary Description - Commission Communication - Action Plan on Urban Mobility [COM (2009) 490]</b>	
<b>Policy Area</b>	Mobility and Transport
<b>Instrument/initiative</b>	Non-legislative initiative
<b>Type of instrument/initiative</b>	Commission Communication
<b>Objective</b>	To encourage and help local, regional and national authorities in achieving their goals for sustainable urban mobility.
<b>Geographical scope</b>	Urban areas in all EU Member States
<b>Sectoral scope</b>	Tourists Transport providers
<b>State of implementation</b>	Active – published on 23 September 2009
<b>Type of impact</b>	This Communication would influence, among others: <ul style="list-style-type: none"> <li>• the availability of, and improvement of information which would make travel easier;</li> <li>• passenger rights, including taking into account the rights of persons with disabilities;</li> <li>• the integration of planning which can provide a good response to the many mobility challenges that cities are faced with; and</li> <li>• the environmental impact of transport (many citizens, and tourists alike, would like transport to become greener).</li> </ul>
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this Communication is: <i>Promote the development of sustainable, responsible and high-quality tourism</i>
<b>Scale of impact</b>	City breaks are an important part of the tourist industry. Efficient and easy to use transport networks in destination cities can have an important impact on the tourist experience. According to European Cities Marketing, European city tourism has been a fast growing market, partly due to the number of low-cost airlines opening new routes across Europe. It can, therefore, be assumed that, although this Communication will primarily benefit residents, it will also have an impact on those tourists who take city break holidays.
<p><i>Sources:</i>  EC (2009): <i>Action Plan on Urban Mobility, COM (2009) 490</i>, available at:  <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2009:0490:FIN:EN:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2009:0490:FIN:EN:PDF</a>  European Cities Marketing, <i>Pres Release</i> available at:  <a href="http://www.europeancitiesmarketing.com/detail.asp?storyID=271&amp;id=27&amp;cat=8">http://www.europeancitiesmarketing.com/detail.asp?storyID=271&amp;id=27&amp;cat=8</a></p>	

***Passenger Rights Campaign***

<b>Table 2.118: Summary Description – Passenger Rights Campaign</b>	
<b>Policy Area</b>	Mobility and Transport
<b>Instrument/initiative</b>	Non-legislative
<b>Type of instrument/initiative</b>	Information Campaign
<b>Objective</b>	The EU Passenger Rights Campaign aims to make all air and rail passengers aware of their rights under European legislation and the means of action to ensure these rights are respected.
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope</b>	Transport providers
<b>State of implementation</b>	Two year campaign, 2010-2012
<b>Type of impact</b>	Consumers, including tourists, will be better informed of their rights and, as such, may travel with increased confidence in the service provider. Service providers may find that they are under increased obligation to respect consumer rights. They may also be impacted by an increased financial and administrative burden as a consequence of this campaign.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this initiative is: <i>Maximise the potential of EU policies and financial instruments for developing tourism</i>
<b>Scale of impact</b>	The Campaign could have a significant impact on passengers' (including tourists') confidence when travelling.
<i>Source:</i> <i>European Commission, Your Passenger Rights at hand-Campaign, more information available at:</i> <a href="http://ec.europa.eu/transport/passenger-rights/en/32-campaign.html">http://ec.europa.eu/transport/passenger-rights/en/32-campaign.html</a>	



## 2.17 Regional Policy

### 2.17.1 Non-legislative Initiatives

#### *Commission Communication - European Union Strategy for Danube Region [COM (2010) 715 final]*

<b>Policy Area</b>	Regional Policy
<b>Instrument/initiative</b>	Non-legislative initiative
<b>Type of instrument/initiative</b>	Communication
<b>Objective</b>	<p>The general objective of this Communication is to develop a European approach for the Danube Region in line with the work carried by international actors such as the Danube Commission and the International Commission for the Protection of the Danube River. The Communication was followed by an Action Plan. Both documents focus on broad themes:</p> <ol style="list-style-type: none"> <li>1) Connecting the Danube Region (transport, energy, culture and tourism)</li> <li>2) Protecting the environment in the Danube Region (water, risks, soils, biodiversity)</li> <li>3) Building prosperity in the Danube Region (education and skills, research and innovation, enterprises, employment market, marginalised communities)</li> <li>4) Strengthening the Danube Region (institutional capacity and cooperation, security)</li> </ol>
<b>Geographical scope</b>	Primarily, but not exclusively: Germany (Baden-Württemberg and Bavaria), Austria, the Slovak Republic, the Czech Republic, Hungary, Slovenia, Romania and Bulgaria within the EU, and Croatia, Serbia, Bosnia and Herzegovina, Montenegro, the Republic of Moldova and Ukraine (the regions along the Danube) outside the EU
<b>Sectoral scope</b>	<p>The Communication has the potential to affect various sub-sectors of tourism, including:</p> <ul style="list-style-type: none"> <li>• Accommodation providers</li> <li>• Transport providers</li> <li>• Restaurants/Cafes</li> <li>• Attractions</li> </ul>
<b>State of implementation</b>	Active: the Danube Region Strategy was launched in 2010.
<b>Type of impact</b>	Development of tourism is mentioned in the Communication. The Danube Region, with its cultural, ethnic and natural diversity, attracts tourists from all over the world. Improved modern infrastructure, better marketing and other developments could further enhance this sector.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this Communication is: <i>Promote the development of sustainable, responsible and high quality tourism;</i> and <i>Maximise the potential of EU policies and financial instruments for developing tourism.</i>
<b>Scale of impact</b>	The scale of impact on the tourism industry relies on the success of the Danube Region Strategy. The Region has several assets that may attract tourists, such as natural heritage sites, diverse cultures, traditions and communities. The Danube Delta offers sporting and other recreational possibilities. A common and sustainable approach to improving and publicising/marketing/raising awareness of these opportunities should make the Danube Region a recognised worldwide tourism region.

**Table 2.119: Summary Description - Commission Communication - European Union Strategy for Danube Region**

<p><i>Source:</i>  <i>EU Strategy for Danube Region, EC website available at:</i>  <a href="http://ec.europa.eu/regional_policy/cooperate/danube/index_en.cfm">http://ec.europa.eu/regional_policy/cooperate/danube/index_en.cfm</a></p>
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***Commission Communication - concerning the European Union Strategy for the Baltic Sea Region [COM (2009) 248 final]***

**Table 2.120: Summary Description - Commission Communication - concerning the European Union Strategy for the Baltic Sea Region**

<b>Policy Area</b>	Regional Policy
<b>Instrument/initiative</b>	Non-legislative initiative
<b>Type of instrument/initiative</b>	Communication
<b>Objective</b>	<p>The strategy aims at coordinating action by Member States, regions, the EU, pan-Baltic organisations, financing institutions and non-governmental bodies to promote a more balanced development of the Region. It aims to make the Baltic Region more environmentally sustainable; more prosperous; more accessible and attractive; and more safe and secure. The strategy is based on four cornerstones:</p> <ol style="list-style-type: none"> <li>1) Environmental sustainability (e.g. reducing pollution in the sea);</li> <li>2) Prosperity (e.g. promoting innovation in small and medium enterprises);</li> <li>3) Accessibility and attractiveness(e.g. better transport links); and</li> <li>4) Safety and security (e.g. improving accident response)</li> </ol>
<b>Geographical scope</b>	<p>The Baltic Region: Denmark, Estonia, Finland, Germany, Latvia, Lithuania, Poland and Sweden.</p> <p><i>The Northern Dimension</i> provides a common framework for the promotion of dialogue and concrete cooperation in Northern Europe between the European Union, Iceland, Norway and Russia. Close cooperation with Belarus is also foreseen.</p> <p>The extent of involvement of particular countries depends on the topic; for example on economic issues it would involve all the countries in the region, on water quality issues it would involve the whole catchment area, etc</p>
<b>Sectoral scope</b>	<p>The Communication has the potential to affect various sub-sectors of tourism, including:</p> <ul style="list-style-type: none"> <li>• Tourists</li> <li>• Accommodation providers</li> <li>• Transport providers</li> <li>• Restaurants/Cafes</li> <li>• Attractions</li> </ul>
<b>State of implementation</b>	Active - the Strategy was launched in 2009. The first review and update of the action plan was due to take place during the Polish presidency in 2011.
<b>Type of impact</b>	<p>One of the 15 priority areas outlined in the Strategy has a significant impact on tourism. It is ‘to maintain and reinforce attractiveness of the Baltic Sea Region in particular through education and youth, tourism, culture and health’. Flagship projects based around this priority aim, for example:</p> <ul style="list-style-type: none"> <li>• to attract tourists to rural areas, especially coastal ones;</li> <li>• to facilitate environmentally sustainable cruise vessels in the Baltic Sea;</li> <li>• to promote the cultural and natural heritage; and</li> <li>• to develop strategies for sustainable tourism</li> </ul>

**Table 2.120: Summary Description - Commission Communication - concerning the European Union Strategy for the Baltic Sea Region**

	<p>There are other areas where the Strategy may also impact tourism. For example, it aims to tackle issues concerning transport, which is an important part of the tourism supply chain. Improved internal and external transport links may positively impact tourism. It aims to promote innovation in small and medium enterprises, which may impact tourism to a certain extent as many tourist enterprises fall within this category. It also aims to improve environmental sustainability. Reduction in pollution, etc. may increase the attractiveness of the region and, as such, benefit tourism.</p>
<b>Link to objectives of the 2010 Communication</b>	<p>Of the four priority areas for EU tourism , the most relevant for this Communication is: <i>Promote the development of sustainable, responsible and high quality tourism;</i> and <i>Maximise the potential of EU policies and financial instruments for developing tourism</i></p>
<b>Scale of impact</b>	<p>The scale of impact on the tourism industry relies on the overall success of the Baltic Sea Region Strategy. However, it appears that the Strategy may have a significant impact on tourism in the eight Member States surrounding the Baltic Sea.</p>

Source:

*EU Strategy for Baltic Sea Region, EC website available at:*

[http://ec.europa.eu/regional\\_policy/cooperate/baltic/index\\_en.cfm](http://ec.europa.eu/regional_policy/cooperate/baltic/index_en.cfm)

## 2.18 Research and Innovation

### 2.18.1 Non-legislative Initiatives

***Commission Communication - Internet of Things: an action plan for Europe [COM (2009) 278 final]***

<b>Table 2.121: Summary Description – Commission Communication - Internet of Things: an action plan for Europe [COM (2009) 278 final]</b>	
<b>Policy Area</b>	Research and Innovation
<b>Instrument/initiative</b>	Non-legislative initiative
<b>Type of instrument/initiative</b>	Communication
<b>Objective</b>	The objective of this Communication is to address the key international issues that are important in providing the foundations and co-operation necessary for realising the Internet of Things (IoT) as a global initiative. It sets out the EU's approach to the development and progression from a network of interconnected computers to a network of interconnected objects, from books to cars, from electrical appliances to food, and thus the creation of an IoT.
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope</b>	This Communication recognises the importance of IoT for (among other sectors) tourism. Therefore the sectoral scope may include: <ul style="list-style-type: none"> <li>• Accommodation providers</li> <li>• Transport providers</li> <li>• Restaurants/Cafes</li> <li>• Attractions</li> </ul>
<b>State of implementation</b>	Active
<b>Type of impact</b>	The Communication deals with the EU's approach to the IoT in all sectors. However, the Communication explicitly refers to tourism. It states that promoting the development of IoT reinforces the European ICT sector and should contribute to the growth of other sectors, such as those that include proximity services (tourism, personal healthcare, etc.).
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this Communication is: <i>Stimulate competitiveness in the European tourism sector.</i>
<b>Scale of impact</b>	IoT is not yet a tangible reality, but it is rather a prospective vision of a number of technologies that, if combined together, could (in the coming five to fifteen years) drastically modify the way European societies function. These changes would also impact on tourism.
<i>Source:</i> EC (2009): <i>Internet of Things: an action plan for Europe</i> , COM (2009) 278 final, available at: <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2009:0278:FIN:EN:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2009:0278:FIN:EN:PDF</a>	

## 2.19 Taxation

### 2.19.1 Legislative Instruments

***Directive 2006/112/EC on the common system of value added tax\****

<b>Table 2.122: Summary Description – Directive 2006/112/EC on the common system of value added tax*</b>	
<b>Policy Area</b>	Taxation
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Directive
<b>Objective</b>	To establish the tax arrangements applicable to transactions facilitating intra-Community trade, when the transaction is carried out for a customer who is identified for VAT purposes in a Member State other than that in which the transaction is physically carried out.
<b>Geographical scope</b>	All EU Member States, with the exception of: <ul style="list-style-type: none"> <li>• the Island of Heligoland, the territory of Büsingen, Ceuta, Melilla, Livigno, Campione d'Italia and the Italian waters of Lake Lugano (territories which do not form part of the EU customs territory); and</li> <li>• Mount Athos, the Canary Islands, the French overseas departments, the Åland Islands and the Channel Islands (territories which form part of the EU customs territory).</li> </ul> <p>In accordance with the Treaty, VAT does not apply in Gibraltar or the part of Cyprus which is not under the effective control of the government of the Republic of Cyprus. These regions are treated as third territories.</p>
<b>Sectoral scope</b>	Transactions carried out for consideration on the territory of an EU country by a taxable person acting in that capacity are subject to VAT. Imports by any person are also subject to VAT. Articles 306-310 of the Directive are of primary importance for tourism (particularly tour operators and travel agents). These articles refer to the Tour Operators' Margin Scheme (TOMS). Therefore the sectoral scope may include: <ul style="list-style-type: none"> <li>• Tourists</li> <li>• Accommodation providers</li> <li>• Transport providers</li> <li>• Restaurants/Cafes</li> <li>• Attractions</li> </ul>
<b>State of implementation</b>	Active – entered into force 1 January 2007 <p>In 2012, the Commission tabled a Proposal for a Council Directive amending Directive 2006/112/EC on the common system of value added tax, as regards the treatment of vouchers.</p>
<b>Type of impact</b>	The main impact of the Directive for tourism arises from the TOMS. This is a tax simplification measure. TOMS enables businesses to account for VAT on travel supplies, without having to register in each Member State where the services and goods are enjoyed. This reduces costs and also the administrative burden on tourism firms.
<b>Link to objectives of the 2010 Communication</b>	Of four priority areas for EU tourism, the most relevant for this Directive is: <i>Stimulate competitiveness in the European tourism sector</i> ; and <i>Maximise the potential of EU policies and financial instruments for developing tourism</i> .

**Table 2.122: Summary Description – Directive 2006/112/EC on the common system of value added tax\***

<b>Scale of impact</b>	<p>This Directive is significant for all goods and services subject to VAT that are sold within the territories of the EU, either in the country of residence or in a country of origin for example in a tourist destination. It also provides a list of goods and services to which the reduced rates of VAT can be applied. These include for example, transport of passengers and their accompanying luggage as well as hotel accommodation and similar establishments (including camping and caravan sites).</p> <p>TOMS has contributed to the smooth running of cross-border businesses in the tourism sector. However, given its nature as a tax simplification measure, it is difficult to establish the real scale of impacts on the tourism industry as a whole.</p>
<p><i>Note:</i>  <i>*Council Implementing Regulation (EU) No 282/2011 laying down implementing measures for Directive 2006/112/EC on the common system of value added tax.</i>  <i>Source:</i>  <i>More information available at: <a href="http://europa.eu/legislation_summaries/taxation/l31057_en.htm">http://europa.eu/legislation_summaries/taxation/l31057_en.htm</a></i></p>	

## 2.19.2 Non-legislative Initiatives

### *eLearning course*

**Table 2.123: Summary Description – eLearning Course on Directive 2006/112/EC on the Common System of Value Added Tax**

<b>Policy Area</b>	Taxation
<b>Instrument/initiative</b>	Non-legislative initiative
<b>Type of instrument/initiative</b>	eLearning course (developed by the European Commission under the Fiscalis 2013 Programme)
<b>Objective</b>	To help tax officials in EU countries, and others with a particular interest in value added tax (VAT), to gain a good basic knowledge of the VAT Directive.
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope</b>	<p>This course aims at presenting the fundamental elements of the VAT Directive. Therefore, the sectoral scope may include:</p> <ul style="list-style-type: none"> <li>• Accommodation providers</li> <li>• Transport providers</li> <li>• Restaurants/Cafes</li> <li>• Attractions</li> </ul>
<b>State of implementation</b>	Active
<b>Type of impact</b>	The eLearning course is intended to provide training to anyone wishing to learn more about the VAT Directive, including those who participate in the tourism trade from a provider or a buyer point of view.
<b>Link to objectives of the 2010 Communication</b>	Of four priority areas for EU tourism, the most relevant for this Directive is: <i>Maximise the potential of EU policies and financial instruments for developing tourism</i>
<b>Scale of impact</b>	As the eLearning course is freely available to download for anyone, no records are kept of its use and therefore the actual impacts are unknown. It is likely that some people and businesses in the tourism industry have benefited from the course.

**Table 2.123: Summary Description – eLearning Course on Directive 2006/112/EC on the Common System of Value Added Tax**

<p>Sources:</p> <p>eLearning course available to download from  <a href="http://ec.europa.eu/taxation_customs/common/elearning/vat/index_en.htm">http://ec.europa.eu/taxation_customs/common/elearning/vat/index_en.htm</a></p> <p>Fiscalis 2013 Programme, available at:  <a href="http://ec.europa.eu/taxation_customs/taxation/tax_cooperation/fiscalis_programme/fiscalis2013">http://ec.europa.eu/taxation_customs/taxation/tax_cooperation/fiscalis_programme/fiscalis2013</a></p>
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***Green paper on the future of VAT– Towards a simpler, more robust and efficient VAT system [COM (2010) 695 final]***

**Table 2.124: Summary Description – Green Paper on the Future of VAT– towards a simpler, more robust and efficient VAT system [COM (2010) 695 final]**

<b>Policy Area</b>	Taxation
<b>Instrument/initiative</b>	Non-legislative initiative
<b>Type of instrument/ initiative</b>	Green paper
<b>Objective</b>	To consult on how the EU’s Value Added Tax (VAT) system can be strengthened and improved, to the benefit of citizens, businesses and EU Member States. To use the information from stakeholders to decide the best approach in creating a more stable, robust and effective VAT system for the future.
<b>Geographical scope</b>	All EU Member States
<b>Sectoral scope</b>	The Green Paper covers different aspect of the VAT system and, therefore, impacts many different types of business, which may include businesses in the tourism sector. Therefore, the sectoral scope may include: <ul style="list-style-type: none"> <li>• Tourists</li> <li>• Accommodation providers</li> <li>• Transport providers</li> <li>• Restaurants/Cafes</li> <li>• Attractions</li> </ul>
<b>State of implementation</b>	Active - published in 2010
<b>Type of impact</b>	The Green Paper launched a public discussion about the EU VAT system. Therefore, the potential changes which will give rise to impacts are yet to be determined. However, as with other industries, it is expected that any changes would have an impact on the tourism industry.
<b>Link to objectives of the 2010 Communication</b>	Of four priority areas for EU tourism, the most relevant for this initiative is: <i>Maximise the potential of EU policies and financial instruments for developing tourism</i>
<b>Scale of impact</b>	The scale of impact on the tourism industry is yet to be determined, as it will depend on the nature of any changes made to the VAT system. The Green Paper was followed by the publication of a <i>Commission Communication - On the future of VAT, Towards a simpler, more robust and efficient VAT system tailored to the single market[COM(2011) 851]</i> . This Communication noted that stakeholders generally agreed that the fragmentation of the common EU VAT system into 27 national VAT systems is the main barrier to efficient and effective intra-EU trade. In this Communication, the Commission identified the main challenges in the short and medium term and proposed some new concepts e.g. the one-stop-shop to achieve a simpler VAT system in the internal market. The Council and the European Parliament were invited to explore new concepts.

**Table 2.124: Summary Description – Green Paper on the Future of VAT– towards a simpler, more robust and efficient VAT system [COM (2010) 695 final]**

Sources:

*Green Paper on the future of VAT, EC website available at:*

[http://ec.europa.eu/taxation\\_customs/common/consultations/tax/2010\\_11\\_future\\_vat\\_en.htm](http://ec.europa.eu/taxation_customs/common/consultations/tax/2010_11_future_vat_en.htm)

*EC (2011): On the future of VAT, Towards a simpler, more robust and efficient VAT system tailored to the single market, COM(2011) 851 final, available at:*

[http://ec.europa.eu/taxation\\_customs/resources/documents/taxation/vat/key\\_documents/communications/com\\_2011\\_851\\_en.pdf](http://ec.europa.eu/taxation_customs/resources/documents/taxation/vat/key_documents/communications/com_2011_851_en.pdf)



## 2.20 Trade

### 2.20.1 Legislative Instruments

***Council Decision 94/800/EC concerning the conclusion on behalf of the European Community, as regards matters within its competence, of the agreements reached in the Uruguay Round multilateral negotiations (1986-1994)***

<b>Table 2.125: Summary Description – Council Decision 94/800/EC concerning the conclusion on behalf of the European Community, as regards matters within its competence, of the agreements reached in the Uruguay Round multilateral negotiations (1986-1994)</b>	
<b>Policy Area</b>	Trade
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Decision
<b>Objective</b>	One of the outcomes of the Uruguay Round was the establishment of the General Agreement on Trade in Services (GATS). GATS is parallel to General Agreement on Tariffs and Trade (GATT) but applies to the services sector. The main objectives of GATS are expansion of services trade, progressive liberalization through successive rounds of negotiations, transparency of rules and regulations and an increasing participation of developing countries.
<b>Geographical scope</b>	GATS applies in 20 EU Member States: Bulgaria, Czech Republic, Denmark, Estonia, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Malta, the Netherlands, Poland, Portugal, Romania, Slovenia, the Slovak Republic, Spain and the United Kingdom
<b>Sectoral scope</b>	Applies to tourism and travel services (with the exception of certain aspects of air transport). Therefore, the sectoral scope may include: <ul style="list-style-type: none"> <li>• Accommodation providers</li> <li>• Transport providers</li> <li>• Restaurants/Cafes</li> <li>• Attractions</li> </ul>
<b>State of implementation</b>	Active - entered into force in 1995
<b>Type of impact</b>	GATS applies to tourism and travel services. Trade liberalisation through this Council Decision could, therefore, benefit the tourism sector through improved efficiency. Provisions on trade in services, including the Most Favoured Nation Treatment principle, a framework for making commitments on market access and commitment to transparency may also benefit the tourism industry.
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant is: <i>Stimulate competitiveness in the European tourism sector.</i>
<b>Scale of impact</b>	The tourism sector has the greatest number of GATS commitments from any service sector and, globally, GATS appears to be relatively important for the tourism sector, though barriers to trade still remain.

**Table 2.125: Summary Description – Council Decision 94/800/EC concerning the conclusion on behalf of the European Community, as regards matters within its competence, of the agreements reached in the Uruguay Round multilateral negotiations (1986-1994)**

<p><i>Sources:</i></p> <p><i>Hamilton Coke P: Tourism Services and the GATS - a case for development, OAS/CTO Workshop On Tourism Services, OAS Trade Unit, undated</i></p> <p><a href="http://www.onecaribbean.org/content/files/TOURISMSERVICESANDTHEGATSPresentationatTradeNegotiationWorkshopOct32003.pdf">http://www.onecaribbean.org/content/files/TOURISMSERVICESANDTHEGATSPresentationatTradeNegotiationWorkshopOct32003.pdf</a></p> <p><i>Honeck D: Tourism and the General Agreement on Trade in Services (GATS), WTO/OMC, Trading Services Division, undated, available at: <a href="http://www.ileap-jeicp.org/downloads/kampala_08/VI(e)_tourism/HONECK_tourism.pdf">http://www.ileap-jeicp.org/downloads/kampala_08/VI(e)_tourism/HONECK_tourism.pdf</a></i></p>
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### ***Doha Development Round***

<b>Table 2.126: Doha Development Round</b>	
<b>Policy Area</b>	<b>Trade</b>
<b>Instrument/initiative</b>	Legislative instrument
<b>Type of instrument/initiative</b>	Multilateral Trade Negotiations
<b>Objective</b>	The objective of the Doha round of negotiations is to lower trade barriers.
<b>Geographical scope</b>	All EU Member States (and non-EU states)
<b>Sectoral scope</b>	Tourism is one of the sectors that have been debated. Therefore, the sectoral scope may include: <ul style="list-style-type: none"> <li>• Accommodation providers</li> <li>• Transport providers</li> <li>• Restaurants/Cafes</li> <li>• Attractions</li> </ul>
<b>State of implementation</b>	Ongoing – started in 2001
<b>Type of impact</b>	<p>There has been a proposal for a specific GATS Annex on Tourism, with the main focus being on clarification issues and on prevention of anti-competitive practices.</p> <p>There have been at least another 11 proposals, including one put forward by the EU, with the main focus of these proposals being on the existing classification of tourism, progressive liberalisation, and other sectors impacting on tourism. Potential issues relating to tourism in services negotiations include:</p> <ul style="list-style-type: none"> <li>• linkages between GATS tourism commitments and poverty alleviation</li> <li>• impact of GATS commitments on promoting sustainable tourism developments</li> <li>• movement of natural persons, including the recognition of tourism professional qualifications</li> <li>• linkages with air transport</li> <li>• technical standards in tourism and travel warnings</li> <li>• possibility of scheduling additional commitments.</li> </ul>
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant are <i>Stimulate competitiveness in the European tourism sector and Promote the development of sustainable, responsible and high-quality tourism</i>
<b>Scale of impact</b>	Negotiations have not been concluded; the scale of impacts for tourism will depend upon the nature of the agreement which is eventually reached.

**Table 2.126: Doha Development Round**

*Sources:*

*The Doha Round, WTO website available at: [http://www.wto.org/english/tratop\\_e/dda\\_e/dda\\_e.htm](http://www.wto.org/english/tratop_e/dda_e/dda_e.htm)*

*Honeck D: **Tourism and the General Agreement on Trade in Services (GATS)**, WTO/OMC*

*Trading Services Division, undated, available at:*

*[http://www.ileap-jeicp.org/downloads/kampala\\_08/VI\(e\)\\_tourism/HONECK\\_tourism.pdf](http://www.ileap-jeicp.org/downloads/kampala_08/VI(e)_tourism/HONECK_tourism.pdf)*

## 2.21 Development and Cooperation

### 2.21.1 Non-legislative Initiatives

*Commission Communication - A European Community strategy to support the development of sustainable tourism in the developing countries [COM (1998) 563]*

<b>Table 2.127: Summary Description – Commission Communication - A European Community strategy to support the development of sustainable tourism in the developing countries [COM (1998) 563]</b>	
<b>Policy Area</b>	Development Cooperation
<b>Instrument/initiative</b>	Non-legislative initiative
<b>Type of instrument/initiative</b>	Communication
<b>Objective</b>	To establish a strategic framework for European Community activities in the tourism sector in developing countries, to allow tourism to develop sustainably.
<b>Geographical scope</b>	Developing countries
<b>Sectoral scope</b>	This Communication is aimed at tourism specifically. Therefore, the sectoral scope may include: <ul style="list-style-type: none"> <li>• Accommodation providers</li> <li>• Transport providers</li> <li>• Restaurants/Cafes</li> <li>• Attractions</li> </ul>
<b>State of implementation</b>	Active
<b>Type of impact</b>	The main impacts of the Communication were in the areas of: <ul style="list-style-type: none"> <li>• sustainable development of tourism;</li> <li>• the planning, managing and monitoring by public authorities of policy in this area; and</li> <li>• consolidation of the role of industry in tourism in today's open and competitive market economy.</li> </ul> <p>The Communication promoted positive impacts in relation to the environmental and social aspects of tourism in developing countries. However, direct impacts are more related to other legislation or specific actions.</p>
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this Communication is: <i>Promote the development of sustainable, responsible and high-quality tourism</i>
<b>Scale of impact</b>	There is limited specific information on the scale of impact. However, tourism has become a very important and dynamic sector in developing countries. Its growth affects, not only activities directly linked to tourism (mainly in the private sector), but also other sectors such as transport. It allows skilled and unskilled jobs to be created – including those often marginalised in the labour market. Therefore, positive impacts have occurred in the tourism sector in these countries.
<i>Source:</i>	
<i>More information available at:</i>	
<a href="http://europa.eu/legislation_summaries/development/sectoral_development_policies/r12519_en.htm">http://europa.eu/legislation_summaries/development/sectoral_development_policies/r12519_en.htm</a>	

## 2.22 Eurostat

### 2.22.1 Legislative Instruments

**Regulation (EU) No 692/2011 concerning European statistics on tourism and repealing Council Directive 95/57/EC**

<b>Table 2.128: Summary Description – Regulation (EU) No 692/2011 concerning European Statistics on Tourism and Repealing Council Directive 95/57/EC</b>	
<b>Policy Area</b>	Research and Innovation
<b>Instrument/initiative</b>	Legislative Instrument
<b>Type of instrument/initiative</b>	Regulation
<b>Objective</b>	The objective of this Regulation is to establish a common framework for the systematic development, production and dissemination of European statistics on tourism.
<b>Geographical scope</b>	All EU Member States and EEA countries; Iceland, Norway and Liechtenstein.
<b>Sectoral scope</b>	This Regulation is specifically aimed at the tourism sector. Therefore the sectoral scope may include: <ul style="list-style-type: none"> <li>• Accommodation providers</li> <li>• Transport providers</li> <li>• Restaurants/Cafes</li> <li>• Attractions</li> </ul>
<b>State of implementation</b>	This Regulation entered into force in August 2011. An evaluation report is to be elaborated in 2016 and every five years thereafter
<b>Type of impact</b>	This Regulation is specifically aimed at the tourism sector and, as such, impacts are expected. Member States are required to collect, compile, process and transmit harmonised statistics on tourism supply and demand. This will establish a common framework for the systematic development, production and dissemination of European statistics on tourism and deliver better harmonised and faster information. It will therefore support better decision making in the tourist industry. There are two programmes for pilot studies: <ul style="list-style-type: none"> <li>• one programme is for pilot studies to be carried out by Member States on a voluntary basis, in order to prepare the development, production and dissemination of harmonised tables for tourism satellite accounts and to assess the benefits in relation to the cost of the compilation; and</li> <li>• the other programme is for pilot studies to be carried out by Member States on a voluntary basis, in order to develop a system for the compilation of data showing the effects of tourism on the environment.</li> </ul> <p>These two pilot programmes were introduced in order to prepare the development, production and dissemination of harmonised tables for tourism satellite accounts. Moreover, the Commission also intends to gather statistics to determine the effects of tourism on the environment.</p>
<b>Link to objectives of the 2010 Communication</b>	Of the four priority areas for EU tourism, the most relevant for this instrument is: <i>Stimulate competitiveness in the European tourism sector</i> although, clearly, the statistics may be used for other areas.

**Table 2.128: Summary Description – Regulation (EU) No 692/2011 concerning European Statistics on Tourism and Repealing Council Directive 95/57/EC**

<b>Scale of impact</b>	The scale of impact may be significant due to the size of the tourist industry in Europe. Tourism is an important driver of economic, social and cultural development. It is responsible for the employment of approximately 5.2% of the total European workforce. In addition, the European tourism industry generates over 5% of EU GDP, a figure which is steadily rising. Reliable statistics are a necessary precondition for effective policy making. This Regulation could therefore have a significant impact in assisting effective policy making at the EU level in relation to the tourism sector, with benefits for all aspects of the sector.
<i>Source:</i> <i>EC(2011): Regulation (EU) No 692/2011 concerning European statistics on tourism, available at:</i> <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:192:0017:0032:EN:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:192:0017:0032:EN:PDF</a>	