

TOURISM

Thanks to the Treaty of Lisbon, tourism now has its own legal basis, even though the Treaty does not change the nature of the Union's powers in this area. During its 6th term, Parliament paid particular attention to the future of European tourism, and called on the Commission to take action on carefully selected current issues that would promote European tourism.

LEGAL BASIS

The Maastricht Treaty and the Amsterdam Treaty both included tourism among the EU's objectives (Article 3(u) of the Treaty), but did not provide for any specific instruments for its implementation. No legal basis existed, therefore, for the EU's tourism policy until the Treaty of Lisbon entered into force, when the situation changed with the introduction in the Treaty of Lisbon (TFEU, Part Three, Title XXII) of Article 195 establishing a legal basis specifically for tourism. Nevertheless, tourism is an area in which the Union only has competence to support the actions of the Member States (Article 6(d)), which – while it promotes the competitiveness of the Union's enterprises – excludes any harmonisation at EU level in regard to tourism. Furthermore, the new Article 195(2) provides for the ordinary legislative procedure (formerly the codecision procedure) to be used in the adoption of specific measures on tourism by Parliament and the Council, with the latter acting by a qualified majority in accordance with Article 16(3) of the EU Treaty.

Because of its multifarious nature, provisions on the free movement of people, goods and services, on small and medium-sized enterprises (SMEs), consumer protection, the environment and climate change, as well as on transport and regional or even space policies, are all relevant to tourism. Measures taken in these policy areas can have direct or indirect repercussions for tourism within the Union.

OBJECTIVES

The EU's tourism industry in its strictest sense (traditional providers of holidays and tourism services) is made up of around 2 million companies, primarily small and medium-sized enterprises (SMEs). It contributes 5% to GDP and accounts for 5.2% of the total labour force (which equates to around 9.7 million jobs). When its close links with other economic sectors are taken into account, this figure becomes even higher (more than 10% of GDP and nearly 12% of total employment). Statistics on international tourist arrivals (from countries both outside and within the Union) show the EU to be the most important tourist destination on the global market (42 % of international arrivals — source: Tourism 2020 Vision, Tourism Highlights, 2008 Edition). Because of its economic weight, the tourism sector is an integral part of the EU's economy and measures are needed to help organise and develop it. Tourism policy is also a means for the EU of pursuing general goals in the fields of employment and growth. Tourism's environmental dimension will also gain in significance over time, and is already present in the context of sustainable, responsible and ethical tourism.

ACHIEVEMENTS

A. General policy

The first Council Resolution on tourism, dated 10 April 1984, acknowledged the importance of tourism in European integration and invited the Commission to make proposals. The subsequent decision of 22 December 1986 established an advisory committee on tourism.

Tourism generates considerable demand for transport services. The creation of an efficient passenger transport system with high-quality, safe and sustainable transport services is thus a prerequisite for the economic and sustainable development of tourism. Consequently, many decisions made on EU transport policy affect tourists and tourism companies, whether directly or indirectly (see Chapter 4.5: Transport Policy).

Since 1997, the EU has become increasingly aware of tourism's contribution to employment in Europe. On 28 April 1999 the Commission presented a Communication on 'Enhancing tourism's potential for employment' [COM(1999)0205], based on an Expert Group's report on the growth and employment potential in the tourism sector. In its conclusions drawn up in 1999, the Council identified four different areas for action: exchange and dissemination of information, improving both training and qualifications in the tourism sectors as well as the quality of tourism products and services, environmental protection, and promoting sustainable development. At the end of 2001, the Commission published a Communication on 'Working together for the future of European tourism' [COM(2001)0665], which proposed the creation of an operational framework, based on the method of open coordination between all the stakeholders concerned. The Council Resolution of 21 May 2002 stressed the economic importance of tourism, and the need to increase its recognition at European level and to integrate it into other EU policies.

On this basis the Commission subsequently implemented a plethora of measures and actions to improve the sustainability and competitiveness of the tourism sector through better information, training, quality and use of new technologies. The following are just some of the results of this strategy:

- Tourism Satellite Accounts (TSA) per Member State, aiming at presentation of the first European satellite account;
- the launch of an Internet portal to promote Europe as a tourist destination ('Visiteurope.com');
- the annual European Tourism Forum, held since 2002 and attended by representatives from the tourism industry, EU institutions and EU Member State governments. The 8th Forum, held in Brussels on the occasion of the European Day of Tourism on 8 October 2009, focused on the relationship between sustainable development and tourism leading, despite the economic downturn, to a sustainable and prosperous future.

In November 2003 the Commission adopted a Communication on 'Basic orientations for the sustainability of European tourism' [COM(2003)0716]. The aim of this Communication was to define and implement a European Agenda 21 for tourism, as a result of which a 'tourism sustainability group' was set up in 2005. This group of experts produced a report in February 2007 identifying guidelines on sustainable practices for enterprises and tourists.

On 17 March 2006, the Commission published a Communication on 'A renewed EU Tourism Policy: Towards a stronger partnership for European Tourism' [COM(2006)0134]. This described the challenges faced by the industry at the time and called for the launch of a new European Tourism Policy.

On 19 October 2007, the Commission adopted a Communication drawing on the report by the sustainability expert group and entitled 'Agenda for a sustainable and competitive European tourism' [COM (2007) 621 final], in which it set out the measures needed to promote the sustainability of tourism in the context of the renewed Lisbon strategy. The Communication acts as the framework for implementing EU policies on support and action in tourism and in all the other areas that have an impact on tourism's sustainability, taking a gradual approach enabling tourism practitioners to benefit from added value at European level. The Commission committed itself, among other things, to optimising the use of the financial instruments available for the period 2007-2013 and to presenting an evaluation report of the

progress made in 2011 (on sustainable tourism, see: Briefing Note 047/2009: EU activities in the field of sustainable tourism).

B. Special measures

1. For tourists – travellers and/or holidaymakers

These include measures to make border-crossing easier and protect both health and safety and the material interests of tourists. These include the Council Recommendation of 22 December 1986 on fire safety in hotels (on which the Commission presented an application report in 2001 [see COM(2001)0348]) and Directives 90/314/EEC on package tours and 94/47/EEC on timeshare properties. Important rules were adopted in the transport sector to protect the rights of air, rail and road passengers (see 4.6.6 and 4.6.3). Directive 2006/7/EC of 15 February 2006 on the quality of bathing water, which gradually replaced Directive 76/160/EEC, is equally relevant to tourism policy.

2. For target groups or priority subjects

At Parliament's request, the Commission launched several initiatives in the form of three preparatory actions on targeted topical issues for European tourism (see below the European Parliament resolution of 29 November 2007):

- EDEN, which focuses on promoting European Destinations of Excellence in tourism. The aim is to promote destinations that are still little known and have committed themselves to a strategy of sustainable and quality development. Through national competitions in all the Member States and candidate countries, one 'destination of excellence' illustrating the theme for that year is selected for each country taking part. The first competition was launched in 2007 and the winners received their prizes at the European Tourism Forum. The initiative will come to an end in 2011.
- CALYPSO, which focuses on social tourism for four target groups: senior citizens, young people, families with specific needs and people with reduced mobility. The aim is to enable as many people as possible to go on holiday and thus increase their mobility, while at the same time helping to even out seasonal imbalances. This action will come to an end in 2012.
- Sustainable tourism, including 'the Green Belt' (6 800 km of paths following a route along the Barents Sea and down to the Black Sea), the aim of which is to promote the transformation of the former Iron Curtain military line, a symbol of the split between East and West, into a cross-border network of walking and cycle paths. This action will also come to an end in 2012.

3. For the tourist industry and the regions

At national level, the regions are the bodies that are strategically the most important in planning and developing tourism in a sustainable way while also promoting the competitiveness of European destinations. The Commission also supports the creation of networks between the main European tourist regions in order to encourage exchanges of experience and the emergence of joint research activities applied to sustainable tourism. As regards the contribution made by tourism to regional development and employment in the regions concerned, the Union has several funds that can be drawn on to fund tourism or the preservation of cultural heritage: the ERDF for sustainable projects linked to tourism, the Interreg programme, the Cohesion Fund for environmental and transport infrastructure, the ESF for employment created by tourism, the Leonardo da Vinci programme for mobility in the sector via professional training, the EAFRD for diversification of the rural economy

through tourism, the EFF for fisheries restructuring following eco-tourism initiatives, the Competitiveness and Innovation Framework Programme (CIP) for SMEs that are active in tourism, and the 7th Framework Programme for Research (FP7).

Great store was also placed on the creation of a Community statistical information system in the field of tourism. In this respect, the European Parliament invited the Commission to propose amending Directive 95/57/EC of 23 November 1995 on the collection of statistical information in the field of tourism, in order to include a framework for tourism satellite accounting.

The campaign against sex tourism involving children was the subject of a November 1996 Commission Communication [COM(96)0547], which created a general framework for Community measures in this regard. These measures were reported in the Communication from the Commission of 26 May 1999 on the implementation of measures to combat child sex tourism.

On the basis of public consultations undertaken in 2009, the Commission decided to prepare a Communication on a new legal framework for the EU's tourism policy, also with a view to the new financial perspectives to be adopted in 2010 by the European Parliament and the Council, after prior consultation with the European Economic and Social Committee and the Committee of the Regions. The new framework will have the following objectives: promoting the competitiveness of the tourism industry, strengthening the development of sustainable tourism in Europe and promoting Europe as a destination in the main non-EU countries.

ROLE OF THE EUROPEAN PARLIAMENT

The European Parliament has made vital contributions to the development of a new tourism policy. First of all, in December 1996, it gave its support to the first multiannual 'Philoxenia' programme (1997-2000), which was not adopted due to a lack of unanimity in the Council. In March 1998, it also hailed the advantages of the single currency for tourists in the euro area. It has subsequently given momentum to numerous tangible measures.

- The European Parliament called for action against travel agencies, airlines and hotel chains which benefit from sex tourism (resolution of 6 November 1997 on the Commission communication on combating child sex tourism). In its resolution of 30 March 2000 on the same topic, Parliament called on Member States to introduce universally-binding extraterritorial laws, making it possible to investigate, prosecute and punish people who whilst abroad committed crimes involving the sexual exploitation of children. Finally, in its resolution of 16 January 2008, 'Towards an EU Strategy on the rights of the child', it once again stressed the need to consider sex tourism as a crime in all the Member States and to adopt extraterritorial laws banning it completely.
- Moreover Parliament proposed that Community policies on promoting employment in the tourism industry should be coordinated with national employment policies, and that quality and safety standards within the European tourism industry should be raised (resolution on tourism and employment of 18 February 2000). It then declared itself in favour of a European Tourism Forum being organised to relaunch a sector in crisis (resolution of 14 May 2002 on working together for sustainable development and job creation).
- In its resolution on the future of European tourism of 14 May 2002, Parliament once again spoke of the need for the Commission to adopt an integrated approach to all policy measures affecting tourism. On this point, it called for all the Commission Directorates-General concerned (transport, regional policy, employment, environment, social policy, consumer protection, education and culture, etc.) to eliminate the fragmented nature of the measures in the field and achieve a better mesh between Community programmes targeting the sustainable development of this sector.

- In its resolution on tourism and development of 8 September 2005 (prepared by the Committee on Development), Parliament stressed the need to reinvest the profits generated by tourism back into local development to improve the standard of living of local people, their health and their infrastructure and to use sustainable tourism as a tool for eliminating poverty. It called for all European investment in the tourism industry of developing countries to be subject to the same regulations as those applicable to the granting of Community funding within the European Union, so as to make sure there is no backing for investments which are clearly damaging to the environment, human rights, the core labour standards of the International Labour Organization, the way of life of local people or the historical and cultural heritage of the recipient country. Furthermore, Parliament proposed the introduction of a certified European Fair Trade Tourism label to encourage ethical standards in tourism. It also highlighted some of the pernicious effects of tourism, such as paedophile tourism and tourism-related ‘dumping’ in the housing sector, and called on the Member States and the Commission to remedy them.
- Likewise, on 8 September 2005 the European Parliament adopted a resolution on ‘New prospects and new challenges for sustainable European tourism’ (prepared by the Committee on Transport and Tourism). This contained 70 paragraphs in which the European Parliament set out its position and requirements regarding the various aspects of an EU tourism policy. These included: a) competitiveness and quality of services, (b) security and safety in tourism, (c) new initiatives on sustainable tourism, (d) awareness and promotion of European tourism, (e) the link between tourism and transport, (f) structural interventions co-financed by the Community, (g) coordination of EU legislation and tourism being taken into account in the new Treaty that was going through the ratification process at that time (the Constitutional Treaty);
- In its resolution of 29 November 2007 on ‘A renewed EU tourism policy: Towards a stronger partnership for European Tourism’ the European Parliament addressed, amongst other matters, the effect the visa policy has on tourism. It highlighted the fact that visa application procedures needed to be simplified on a reciprocal basis and the need to reduce the costs of tourist visas for entry into an EU Member State. It called on the Member States that are party to the Schengen Agreement to establish common consular desks for the grant of visas to non-EU applicants, to ensure that these desks have the same working methods and apply the same visa criteria and to improve the reception given to visa applicants. Furthermore, it advocated greater harmonisation of labels and quality standards for tourist accommodation in Europe as well as the development of quality management schemes. In addition, in order to improve consumer protection, it called for measures to be introduced on Internet bookings, via Directive 90/314/EEC, for information on passenger rights to be improved, and for protection to be extended to passengers abandoned by charter operators, introducing an EU-wide black list for this purpose. It welcomed the fact that European tourist destinations were finally being promoted, and suggested the creation of a European Heritage label and the establishment of a cross-border cycle route along the former Iron Curtain.
- In its resolution of 16 December 2008 on the regional development aspects of the impact of tourism on coastal regions (prepared by the Committee on Regional Development), Parliament pointed out that the EU’s 89 000 km of coastline is divided into six coastal macrozones and suggested a series of diversification measures to enable year-round tourism, while still protecting the coastal heritage in order to tackle climate change, among other things. It also proposed a European coastal tourism day, suggesting as a possible date 20 May, which is European Maritime Day.