

Live from Brussels

Newsletter

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Main EU developments over the last 3 months of interest to the hospitality sector

HOTREC represents the hotel, restaurant and café industry at European level, bringing together 43 national associations representing the interest of this industry in 26 different European countries. The sector counts 1,7 million businesses, with almost 92% of them being micro enterprises employing less than 10 people. The micro and small enterprises (having less than 50 employees) represent more than 99,5% of businesses and make up 62% of value added. Last but not least, this industry provides some 9,5 million jobs in the EU alone.

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HEALTH

• **European Alcohol and Health Forum: upcoming plenary meeting**

The European Alcohol and Health Forum (EAHF) will held its 10th plenary meeting on 26 April 2012.

The Alcohol Forum, launched by the European Commission DG SANCO in 2007, is an essential element of the Commission strategy to support Member States in reducing alcohol-related harm. The EAHF counts with the participation of several European stakeholders representing consumers, alcohol producers, retailers, hospitality, medical professions, health campaigners, NGO's, advertisers, all willing to accomplish their self-binding objectives – the so-called “commitments”, which aim to reduce alcohol-related harm.

The agenda of the 10th plenary meeting will focus on the following main points:

- Presentations on the topic: “**Responsible marketing**”, which will include, among other issues, an overview, presented by DG SANCO, on social responsibility in alcohol marketing and presentations done by several stakeholders on: “Ways forward on responsible marketing: examples of innovative approaches”.
- State of play of the **external evaluation of the EU strategy** to support Member States in reducing alcohol related harm.

As mentioned in previous editions, the evaluation of the EU Alcohol Strategy and the EAHF have been launched. The evaluation aims to measure if the EAHF's activities brought any added value to the fulfillment of the goal of the EU Alcohol Strategy and if the latter is useful to the European Union or not. This evaluation is being carried-out by an external contractor and all members were invited to give their input and comment on the outcome of EAFH's work. This process is being supported by an Advisory Group representing EAHF's members. The Advisory Group represents the diversity of the members of the Forum and counts with the presence of consumers, producers, retailers, NGO's and marketing companies. The first meeting of the Advisory Group is scheduled to take place on 25 April 2012.

- State of play of commitments.

The next EAHF plenary meeting is scheduled to take place on 22 November 2012. An open Alcohol and Health Forum will follow in the next day (23 November 2012), which can be attended by the general public.

HOTREC, which shares the concerns of public authorities with regard to alcohol-related harm, joined the Forum in 2008. HOTREC committed itself to raise awareness among its member associations on the activities of the Forum and to encourage them to be actively involved, with a special focus on responsible drinking and the enforcement of age limits when serving and selling alcohol.

So far, the British Beer and Pub Association, the Finnish Hospitality Association and the Swedish Hotel and Restaurant Association are the members of HOTREC who joined the Forum. But HOTREC is encouraging other members to formally join soon. Further details on the commitments by HOTREC and its members can be found on the [HOTREC website](#).

It is to be noted that HOTREC is following closely the evaluation process of the EU alcohol strategy and the evaluation of the Forum. Moreover, the British Beer and Pub Association is also part of the evaluation advisory group, which ensures the representation of the hospitality sector in the evaluation process.

CONSUMER AFFAIRS

• **Fire safety: the 1986 Recommendation to be revised on the basis of the HOTREC MBS methodology!**

On 2 April 2012, the European Commission officially announced the upcoming revision of the 1986 Recommendation on fire safety in hotels based on the [HOTREC MBS methodology](#). The revision process will be launched with the organization of a workshop on 11 June 2012, to which interested stakeholders are invited.

In the background note accompanying the invitation, the Commission explains that “the aim of this initiative is to update the technical requirements for hotel fire safety as laid down in the existing Recommendation, in order to take into account aspects that are currently missing or need improving”. It further adds that “The MBS Methodology offers tools to considerably improve fire safety levels of hotels across Europe in an effective and economically viable way”. The Commission also considers that “Updating and improving the Technical Annex of the Council Recommendation on Fire Safety on Existing hotels based on the MBS Methodology will not add up to existing requirements”, but rather “offers to hotel managers a clear overview” in terms of safety.

The aim of the workshop will be to offer the possibility for stakeholders to discuss on the MBS methodology, so as to obtain a consensual version of the MBS methodology which can easily be integrated into the 1986 Council Recommendation as a technical annex. HOTREC has been invited to participate to this workshop.

The European hospitality industry welcomes the initiative of the European Commission, which is an important recognition of the work done by the hotel industry in identifying concrete and effective solutions on the matter. The MBS methodology is the result of a long and difficult process which included, in an open and transparent dialogue, representatives of the European Commission, European Parliament, Tour Operators & Travel Agents, the insurance industry, consumers, other interested parties and the European hospitality industry. This fruitful dialogue enabled to enrich the methodology with stakeholders’ own experiences on fire safety.

This state-of-the-art instrument is a practical and flexible tool which summarises hotel fire safety into a set of hands-on advices, which any hotelier can easily understand and follow. It is already being implemented and promoted to hoteliers in 15 European countries. HOTREC therefore welcomes the revision of the 1986 Recommendation based on the MBS methodology, as this tool will concretely help European hoteliers in achieving an even higher level of fire safety, while abiding by national and local rules.

• Package Travel and tourist protection: on the agenda of UNWTO and the EU

Following the decision from the UNWTO to carry-out a study on the insufficiencies of existing rules at global level concerning the rights and obligations of tourists/consumers and of travel organisers, a specific UNWTO working group was created and met in the second half of 2011 and in February 2012 with the view to discuss the possible form and content of an international convention on the protection of tourists/consumers.

UNWTO’s work in this working group is focusing on three aspects:

- Providing assistance to, and ensuring the repatriation of, consumers, particularly in cases of force majeure (i.e. obligations and rights in case of non-proper performance of contracts, insolvency issues and guarantee scheme, issues of dynamic packages);
- Supplying accurate and timely information to tourists (i.e. pre-contractual information, information requirements for last-minute bookings, etc.) including in terms of the handling of bankruptcy situations of travel organisers; and
- Accommodation-related issues (i.e. information to be provided by accommodation providers to consumers, liability of accommodation providers for non-performance or deficient performance of a contract).

The scope of this initiative is very similar to the existing EU Package Travel Directive ([90/314/EEC](#)), which is currently being reviewed. As the European Commission is expected to release its proposal for a new Directive in the last quarter of 2012, it has decided to take an active part in UNWTO’s working group, so as to ensure that any resulting international convention on the protection of tourists/consumers would be fully compatible with EU’s current and future legislation on the matter.

The next UNWTO working group meeting is scheduled for 7-8 June 2012 and shall focus on accommodation related issues.

European and international rules regulating package travel contracts and tourism services are of high importance to the European hospitality industry, as they directly affect the way business is practiced. HOTREC, which has been invited to attend the next UNWTO working group meeting, will therefore carefully monitor these developments at UNWTO level and investigate the scope and objectives of this international project.

In general, HOTREC considers that direct individual bookings of accommodation services and package travel contracts should clearly be differentiated, as these are two distinct legal and contractual situations. Therefore, any discussion at international level relating to tourist/consumer protection should retain that

distinction. Moreover, HOTREC considers that, as Europe is already substantially covered by such legislation, any possible international instrument dealing with the protection of tourists/consumers should be based on existing EU legislation applicable to European businesses.

TOURISM

• TOURISMLink is organizing focus groups!

On 17 January 2012, the European Commission officially launched the demonstration project TOURISMLink (previously called P.ICT.URISM) for the creation of an ICT platform for tourism in Europe. HOTREC, along with the other consortium partners, is carrying out this project during the next 30 months.

TOURISMLink is a European demonstration action that aims at improving the competitiveness of the tourism sector by allowing the flow of information amongst different tourism business in order to facilitate their interaction, in a B2B environment, through the use of ICT. The project is especially addressed to SMEs.

To achieve its objectives, TOURISMLink is currently under the procedure of involving different stakeholders, namely technology providers and tourism companies operating in Europe, in order to combine the tourism sector's requirements and the expertise of the technology partners. The appointed experts / stakeholders will participate in the so called "focus groups" that will follow-up closely the project and provide guidance to the team that is running it.

Two focus groups have been set up:

- A group of hoteliers, restaurateurs, travel agents and tour operators that will, amongst other, identify their needs in terms of ICT and interoperability. They should also underline which are the current bottlenecks of the online market and how this could be shaped to serve/improve their commercial purposes;
- A group of technical experts in ICT (technology provider companies) that will, amongst other, discuss the current standards and identify interoperability challenges and barriers as well as provide with guidance to the consortium partners.

The experts will be consulted in all the phases of the project via email. However, at least three meetings will be organised during the course of the project with all experts participating in the focus groups.

HOTREC is very much looking forward to work in this project closely together with its member associations, in order to provide the sector with a framework online architecture of businesses processes and data exchange models that facilitates the interaction/connection amongst tourism businesses and, therefore, enhances their business opportunities and thus their competitiveness.

• Promoting Tourism during the Low season

In June 2011, the European Commission together with governments, tourism industry representatives and airline operators, signed a [Memorandum of Understanding](#) with the main objective of encouraging travel between the EU and Southern American countries during their respective low seasons.

As a consequence, at least 25.000 tourists coming from the pilot countries (Argentina, Brazil and Chile) will be expected in the EU between October 2012 and March 2013. In the same way, at least 25.000 European tourists would be attended in South America, between May and October 2013.

With the objective of structuring the implementation of the project several meetings were organised by the European Commission, counting with the participation of both the private and public sectors.

For the moment the Member States that signed the Memorandum of Understanding are the following: Italy, Spain, France, Poland, Lithuania, Greece, Romania and the Slovak Republic. In addition, the countries who are currently discussing their participation in the project are the following: Hungary, Cyprus, Malta, Finland, Ireland and Portugal. Nevertheless, all other Member States are welcome to join the initiative.

In a meeting held on 15 March 2012, the Commission encouraged all stakeholders, including hotels, to prepare their promotional offers by the end of April, so that the product could be presented in the next

meeting taking place in Brussels, 2nd May 2012. The communication campaign of the project will be financed and promoted by the Commission.

Furthermore, a meeting in São Paulo (Brazil) and Buenos Aires (Argentina) will take place in July, so that the final product can be promoted amongst interested Southern American stakeholders.

More details about the project can be found in the following [website](#).

HOTREC cooperation in the aforementioned project passes through informing its member associations of the Commission initiative and the results of the preparatory meetings and timeline. HOTREC will continue participating in future meetings and will report back to its member associations on the evolution. Moreover, HOTREC will assist those member associations or hotel companies who wish to participate in this initiative with any further help.

Nevertheless, it has been noticed that the project lacks a solid organization structure and a concrete orientation plan regarding the way stakeholders should communicate their promotional offers and develop the project in general terms. This situation appears to be an obstacle for the good prosecution of the project by the hotel industry.

STANDARDS

• EP Committee adopted draft report on proposed Regulation

On 21 March 2012, the European Parliament's Internal Market and Consumer Affairs (IMCO) Committee voted on the EP draft report on the [proposal for a regulation on European Standardisation](#).

The draft report includes numerous amendments to the Commission proposal. The IMCO Committee proposes a better involvement of stakeholders in the standardisation process, compared to the Commission proposal. According to the EP draft report, all relevant stakeholders shall be encouraged and their representation shall be facilitated throughout the standardisation process, e.g. with regard to the adoption of the annual standardisation work programme, the acceptance of new work items and the technical discussion of proposals. A specific new article is proposing to establish a notification system for interested European Business Federations in order to ensure proper consultation and market relevance prior to adopting the annual work programme and adopting standardisation requests.

With regard to SMEs, the draft report proposes specific measures to facilitate the participation of SMEs in the standardisation process also at national level, and proposes access of micro and small enterprises to standards at special rates.

The draft report of the European Parliament is planned to be finally adopted in the plenary in the first week of July, possibly after reaching a first reading agreement with the Council on the issue. The Regulation, if adopted by both Council and the European Parliament, shall be applicable from 1 January 2013.

HOTREC welcomes the effort to make European standardisation procedures more transparent and inclusive with regard to participation in the processes.

In general, the need for standardisation of services, especially hospitality/tourism services, is not as obvious as it is for industrial goods. Hospitality services are generally tailored to the customer, which is contrary to the spirit of standardisation. Heterogeneity is the main competitive feature of tourism, as diversity reflects different cultures, approaches as well as geographical situations. Most tourists do not expect or wish to find standardised conditions everywhere.

Therefore, HOTREC is cautious about standardisation and believes that standards have to be market driven, supported by the relevant industry, based on consensus and voluntary.

ACCESSIBILITY

• **Accessibility issues climbing up the agenda**

On 9 February 2012, a public hearing on “Tourism for all, a challenge to win! - Accessibility of destinations, accommodation and information within the new Tourism Strategy of the EU” was held in the European Parliament, organised by the European People’s Party.

Commission Vice-President Antonio Tajani emphasised that going on holidays is “a right for all”. He mentioned that 33% of the citizens encounter mobility problems, including also babies and elderly people. He stressed the following problems occurring in the field of tourism with regard to accessibility:

- Minimum accessibility standards are not respected (e.g. accessibility of buildings);
- There is no information on accessibility, e.g. on the existence of ramps, their width, or few number of restaurants with a menu in Braille writing;
- Only 12% of hotels have rooms accessible for all;
- The figure for accessible restaurants is even lower.

In the hearing it was said that the Commission will carry out studies to gather information about the state of play both at the demand and supply sides of tourism with regard to accessibility and might propose standards as well.

More generally on accessibility, the Commission launched a public consultation, DG Justice in particular, in view of a soon to be issued European Accessibility Act, to which HOTREC responded. Indeed, in order to comply with the UN Convention on the rights of persons with disabilities, the Commission intends to put forward a Directive in autumn 2012 inter alia to promote the harmonisation of accessibility standards in general.

HOTREC follows the discussions in relation to accessibility very carefully. People with special needs are important to the hospitality industry. However, in discussions with regard to general requirements and possible standards, the micro and small enterprise dominance of the sector must be taken into account. In order to allow to best serving people with special needs without jeopardising the existence of hospitality establishments, financial and technical support is one of the keys to the success to comply with the needs of disabled.

COPYRIGHT

• **Major copyright users’ organisations agree on the reform of collective rights management in Europe**

The European Commission is currently drafting a proposal for a Directive on collective rights management that should include issues of governance, accountability and transparency of collecting societies. While this proposal is expected to be released at the end of May or beginning of June 2012, several major copyright users’ organizations (including HOTREC) have agreed in March on detailed principles that should be incorporated either in the Commission proposal or in the subsequent discussions in the Council and the European Parliament.

These detailed proposals cover the following fields:

- Governance of collective rights management organisations, including their efficiency, contractual duties, transparency, accountability, authorization and control regime; and
- Establishment of independent dispute resolution mechanisms, including proposals on the competence and functioning of such mechanisms.

These common and detailed proposals are supported by 10 European Associations that represent most users of copyrighted works: the Association of European Radios (AER), BEUC (the European Consumer Organisation), Cable Europe, Digital Europe, the European Broadcasters Union (EBU), the European Competitive Telecommunications Association (ECTA), European Telecommunications Network Operators' Association (ETNO), GSMA Europe (the European association representing mobile phone operators), HOTREC and the Performing Arts Employers Association League Europe (Pearle*).

These detailed principles are available on the [HOTREC website](#).

As an important user of copyrighted materials in its establishments, the European hospitality industry is genuinely interested in the upcoming Commission proposal on collective rights management in Europe. HOTREC therefore actively contributed to the drafting of these proposals with other organisations representing both commercial copyright users and consumers. HOTREC fully supports these proposals and considers that they constitute a fair basis that should be incorporated in the Commission proposal and in the discussions at the European Parliament and Council. Should these proposals be implemented, HOTREC believes that collective rights management in Europe would be substantially improved, to the benefit of both right-holders and users.

SOCIAL AFFAIRS

• Posting of workers: new Directive issued

On 21 March 2012, the Commission adopted a [proposal](#) for a Directive on the enforcement of the posting of workers legislation (96/71/EC). The Directive clarifies how EU rules on posting of workers should be better applied in practice. In particular, the proposal for a Directive sets more ambitious standards for the information of workers and companies about their rights and obligations; establishes rules for cooperation between national authorities in charge of posting; and deals with the handling of complaints.

It also clarifies the notion of posting, in order to avoid the multiplication of "letter-box" companies that use posting as a way to circumvent employment rules and defines the supervisory scope and responsibilities of relevant national authorities.

The proposed Directive improves the enforcement of workers' rights, including the introduction of joint and several liabilities for the construction sector, the wages of posted workers, as well as the handling of complaints.

According to Commission data, the number of posted workers in the EU is estimated to be around 1 million. Up to 25% of these posted workers belong to the construction sector. Other sectors mentioned to use posted workers are: financial and business activities, transport and communication, services and agriculture.

The countries that send more posted workers abroad are Poland, Germany, France, Luxembourg and Portugal. The most important receiving Member States are Germany, France, Belgium, the Netherlands, Spain and Italy.

The proposed enforcement Directive is to be dealt with by the European Parliament under the ordinary legislative procedure. Ms Danuta Jazłowiecka (EPP, Poland) has been appointed Rapporteur for this dossier in the Employment and Social Affairs Committee (leading Committee).

The tourism/hospitality sector is not mentioned specifically in the draft proposal. HOTREC has always been of the opinion that the number of posted workers in the hospitality/tourism sector is practically non-existing.

• New set of measures to re-launch employment in Europe

On 18 April 2012, the European Commission adopted a Framework Communication and 9 working documents laying down a new set of measures to re-launch employment in Europe.

The draft Communication that puts forward a reinforced medium-term strategy to mobilise all players with the aim of creating more and new jobs, is structured into the following objectives:

- Creating favourable conditions for job creation;
- Restoring the dynamics of labour markets; and
- Enhancing EU governance.

To encourage labour demand, the Commission suggest that governments support self-employment, the social economy, social entrepreneurship and business start-ups. The draft Communication also proposes to target employment subsidies on new hiring, to transform informal/undeclared work into regular employment and to reduce tax wedge on labour for the most disadvantaged groups.

The Commission encourages Member States to establish wages that ensure competitiveness and provide income security.

To create favourable conditions for job creation, the Commission suggests exploiting the job creation potential of key sectors like the “green economy”; the health and social care and the new technologies. The Commission draft text also mentions the importance of mobilising European funds like the European Social Fund, the European Regional Development Fund, etc.

To deal with the constant rise of unemployed persons, the Commission calls for labour market reforms to be based on “flexicurity”. It suggests that Member States secure labour market transitions through the use of flexibility (e.g. temporary partial unemployment measures); and also urges governments to secure decent and sustainable wages floors and avoid low wages traps.

Lastly, the Commission suggests that EU governance should be strengthened, including multilateral surveillance involvement of the social partners and the reinforcement of the link between employment policies and relevant financial instruments.

The full package of documents and recommended measures can be found at the following [link](#).

HOTREC welcomes these new set of measures and hopes that they will help to re-launch employment and boost the economy in Europe.

• **Updated information on various social affairs issues**

Working time – Negotiations continue

On 8 March 2012, Businesseurope and ETUC held another meeting to discuss the possible revision of the working time Directive. Two separate group sessions and a plenary meeting were held on this same date. The plenary meeting focused on the discussion of the following points:

- Organisation of a seminar: Businesseurope suggested organising a practical seminar dealing with the implementation problems of the working time Directive and as a way forward to advance in the negotiations. The seminar will only be opened to the members of the negotiation team, plus a number of companies, Commission experts and possibly two academics.
- Approach to be taken when negotiating (next steps): Businesseurope would like to proceed on a more global approach, while ETUC prefers to discuss one issue/topic at a time. It was agreed that at the next meeting two “drafting groups” (one for Businesseurope and another for ETUC) will be appointed.

These “drafting groups” will have to come up with their proposals particularly on the issues of on-call time and paid annual leave.

The next meeting will be held on [20 April 2012](#).

HOTREC favors a focused review of the working time rules as expressed on its reply to the second-phase consultation of the social partners on the possible content of an EU action regarding the working time rules. This option consists of proposing new solutions focused on the questions of “on call time” and “compensatory rest”.

Discrimination outside the workplace – still in the Council

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

During the Polish Presidency of the EU (July-December 2011), significant progress was made, in particular, in the attempt to clarify the provisions concerning age as a discrimination factor: “*In certain cases, differential treatment is justified. For example, age limits are needed to protect minors*”, expressed the Council representatives.

A progress report on the dossier is due to be discussed during the [Employment, Social Policy, Health and Consumer affairs Council](#) (EPSCO) on [21- 22 June 2012](#).

DIGITAL ISSUES

• ***French court banning unfair practices in digital distribution confirmed***

On 4 October 2011, The Paris Commercial Court decided banning some unfair practices of Expedia, TripAdvisor and Hotels.com. These practices included the provision of misleading information on hotel availability and prices, causing harm to the French hotel industry but also misleading the guests.

Synhorcat, one of the HOTREC member associations in France, won this case, claiming that the above sites were providing misleading and false information. As an example, Hotels.com and Expedia.fr were claiming at some hotel booking searches “*No rooms are available at the selected dates*”, but that was only true for bookings via that site, because rooms were still available via direct booking or other channels. This practice was unreasonably drifting away guests to other accommodation providers in the neighbourhood, causing economic damage to hoteliers. Misleading practices with regard to promotions announced by TripAdvisor.fr, Expedia.fr and Hotels.com are banned as well.

Expedia, TripAdvisor and Hotels.com acknowledged their unfair practices by not having objected to the Court judgement of 4 October 2011. Thus, some months later, the judgement became *res judicata*, which also included the obligation of paying a compensation for the damage caused to French hoteliers.

This judgement shall contribute that similar practices are not practiced by other companies offering hotel booking services and should help to rule out such unfair practices throughout Europe.

HOTREC welcomed this decision by the French court and hopes that its and its member associations' efforts to clean the online hotel distribution market from unfair practices will continue to bear their fruits.

HOTREC wishes to prioritise online distribution issues and plans a series of awareness raising activities addressed to the EU institutions in the next months.

ENTERPRISE POLICY

• ***Helping small enterprises to become international***

On 28 March 2012, Commission Vice President Tajani announced a package of new initiatives to help small and medium-sized enterprises (SMEs) to become international.

The measures included new European projects that will support clusters of SMEs in specific sectors.

Moreover, and taking into consideration that major emerging markets, such as China, represent significant opportunities for SMEs, the China IPR Helpdesk is assisting EU businesses to safely enter the Chinese market, be more profitable and find reliable suppliers.

In addition, the Enterprise Europe Network, which is present in more than 50 countries (including the Mediterranean region, Ukraine, Moldova and Albania), and counts with organisations such as chambers of commerce, enterprise agencies and regional development organisations, opened contact points in 2011 in Japan and doubled its presence in the Chinese market. The main aim of this network is to help local business organisations to develop their business in new markets, license new technologies or access EU finance and EU funding.

Finally, the European SME Week 2012 will take place between 15-21 October 2012. Entrepreneurs, business organisations, business support providers are welcome to organise events under the umbrella of this event Week. Registration for the event is possible through the following [link](#).

Further details on the subject can be found in the following [link](#).

QUALITY

• **Public consultation on ETQ label open**

On 13 April 2012, the European Commission opened a public consultation on the future European Tourism Quality (ETQ) label. The consultation is a follow-up step to the open conference on the issue which was held on 25 January 2012.

This consultation is seeking the views of potential respondents with regard to the problem definition in relation to quality evaluations of tourism services. Another aspect of the consultation is the directions of possible development of the ETQ initiative, including wide ranging options of Commission involvement in a future European quality system, and also type of criteria to be set up, as well as the impacts the initiative might have.

The consultation is accompanied by a Roadmap, explaining in more detail from the Commission point of view the context and the objectives of the initiative, the different policy options available and including an initial basic impact assessment. A proper assessment of impacts shall be worked out within the Commission services with regard to the different policy options, the costs and benefits of the initiative and also the possible administrative burdens of the ETQ project.

The public consultation is open until 13 July 2012. According to the ETQ conference of January, the most likely scenario would be that a draft Regulation on the ETQ label would be proposed by the Commission by the end of this year, which would have to be adopted by the European Parliament and the Council under the ordinary legislative procedure.

HOTREC will thoroughly examine this open consultation, which in its format and content is different from the discussions held so far among the relevant stakeholders. HOTREC has been stressing that the ETQ label would only be successful, if it is kept simple and smart with not too detailed and not too numerous criteria. Furthermore, the ETQ label should remain focused on quality management issues and shall not include other far reaching aspects, as the latter should be addressed in different initiatives (e.g. the existing EU Eco-label). Setting up a too sophisticated umbrella ETQ label with wide ranging criteria at European level would make it very burdensome for existing quality systems to join the initiative, and would at the end endanger the success of this European initiative due to low participation.

DATA PROTECTION

• **Release of a legislative package on data protection rules**

On 25 January 2012, the European Commission released a legislative package composed of:

- A Communication on "Safeguarding Privacy in a Connected World – A European Data Protection Framework for 21st Century" [COM\(2012\) 11 final](#);
- A proposal for a Regulation on "The protection of individuals with regard to the processing of personal data and on free movement of such data (General Protection Regulation), [COM\(2012\) 9 final](#) (replacing Directive 95/46/EC); and
- A proposal for a Directive on "The protection of individuals with regard to the processing of personal data by competent authorities for the purposes of prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and the free movement of such data", [COM \(2012\) 10 final](#) (replacing Framework Decision 2008/977/JHA).

The Commission Communication explains that technological progress and globalisation have substantially changed the way the personal data is collected, accessed, used and transferred. Moreover, Directive 95/46/EC is being implemented in a different way in the twenty seven member states, which results in divergences of law enforcement. On the other hand, a lack of confidence makes consumers hesitant to buy online and accept new services.

With these two legislative proposals, the European Commission intends to:

- implement a single general EU framework on data protection and;
- set out the rules on the protection of personal data being processed in the framework of police and judicial cooperation in criminal matters.

In addition, the Commission's objective is to improve individual's ability to control their data, simplify the rules for international transfers of data, enhance mutual trust between police and judicial authorities and reinforce the Single Market dimension of data protection.

To enhance the Single Market, the Communication foresees the following main principles:

- the application of the "one-stop-shop" system, where data controllers will only have to deal with a single Data Protection Authority (DPA), namely the DPA of the Member State where the company's headquarters is established;
- simplification of regulatory environment by cutting red tape and abolishing notification requirements;
- direct applicability of the Regulation in all Member States.

In general terms, the Commission hopes that individuals believe their data protection rights are enhanced and will make more use of the digital economy, which in consequence, will boost the single market.

Overall, it appears to be an advantage that companies need to deal with only one set of EU rules, instead of having to comply with different legislation at national level. In fact, they will only need to deal with the data protection authority where the company's main establishment is located.

Nevertheless, it seems that the new package of legislative measures brings along a strict number of rules with which companies will need to comply, which might lead to an extra economic burden. The first step will be for companies to check if their systems are applying all the data protection criteria or not. If not, they will need to change it accordingly.

Also, even though only companies employing more than 250 people will need to have a data protection officer (measure meant to protect SME's), sanctions will apply to all companies, dimly of being small or big in size.

SUSTAINABILITY

• **Energy Efficiency Directive: negotiations between the Council and the Parliament started**

As explained in previous editions, on 22 June 2011, the European Commission issued a proposal for a Directive on Energy Efficiency. The aim of the proposal is to save energy in order to reach the Europe's 20% energy efficiency target by 2020. As a result, the Commission put forward a number of measures to set up Member States efforts to use energy more efficiently at all stages of the energy chain – from transformation of energy and its distribution to its final consumption.

The proposal for a Directive was discussed at the Industry, Research and Energy (ITRE) Committee of the European Parliament within the ordinary legislative procedure. The Rapporteur for this dossier, Mr. Claude TURMES, (Greens/EFA, Luxembourg) released his draft report in October 2011. MEPs in the ITRE Committee put forward more than 1800 amendments to the report. However, after long negotiations between the political groups an 82 page compromise proposal on the draft Directive received the backing of all parties.

The ITRE Committee adopted amongst others the following provisions:

- MEPs voted to make the energy saving target of 20% by 2020 binding. However, Member States would have the flexibility to choose a number of binding measures to implement the overall target.
- EU countries would have to set out a roadmap for achieving energy savings of 80% in the building sector by 2050, with a binding deep renovation rate of 2.5% per year.
- Other measures adopted referred to requirements for energy companies to deliver 1.5% in annual energy savings, binding financial instruments and better consumer information.

The ITRE report can be found at the following [link](#).

The ITRE Committee also decided to start inter-institutional negotiations with the Council (and Commission) as soon as possible.

According to the latest information on the negotiations between the Council and the Parliament, the Member States have drastically weakened the Parliament compromise text and practically abandoned the 20% energy saving target set for 2020.

The Parliament suggestion to decrease the energy consumption of all buildings in the EU by 2050 was also rejected as too ambitious for implementation by the representatives of the Council.

The Parliament proposal on the obligation to renovate 3% of the existing building stock owned by public authorities with a total usable floor over 250m² was kept by the Council representatives. However, Member States asked for this requirement to apply only to buildings occupied and owned by the central government, which considerably reduces the number of buildings falling under this provision. This change excludes amongst others hospitals, schools and other government-owned facilities.

However, the Council is about to endorse one important amendment by the Parliament: a list of possible financial facilities to leverage the necessary investments in the energy efficiency field. The creation of a European Energy Efficiency Fund is also on the table.

The Danish President hopes to reach an informal agreement on the dossier by the month of June.

HOTREC, which welcomes all initiatives aimed at increasing energy efficiency, hopes that the final Directive does not impose additional burden to the hospitality/tourism sector and that the necessary funding to help the industry comply with the sustainability goal is granted.

STATISTICS

• **Recent statistical publications**

Eurostat released the following publication: [Summer season tourism trends in 2011](#) (Statistics in Focus, 17/2012). The study shows a positive growth rate in most of the EU countries, compared with the same period in 2010.

Also, under the initiative of the European Commission DG Enterprise and Industry, the following publication has been released: "[Attitudes of Europeans towards tourism](#)", (Eurobarometer 334). The study gives an overview of tourists' preferences and attitudes when travelling in Europe.

HOTREC GENERAL ACTIVITIES

• **Next General Assemblies**

- The 2012 Spring General Assembly will be held in Limassol, Cyprus, on 26-27 April. We look forward to seeing all HOTREC member associations there next week!
- The 2012 Autumn General Assembly will be held in Dublin, Ireland, on 25-26 October 2012.
- The 2013 Spring General Assembly will be held in Vilnius, Lithuania. The date will be confirmed at the Cyprus General Assembly.

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