

ANEC Response to COM(2010) 352/final 'Europe, the world's No 1 tourist destination - a new political framework for tourism in Europe'

Considered the new competences conferred by the Lisbon Treaty to the European Union in the Tourism sector, ANEC had expectations that the European Commission would aim at improving EU tourism services through ambitious actions with added value¹. However, we are disappointed that the Commission Communication on the future of EU tourism policy *COM (2010) 352/final* while setting out extensive objectives, plans vague actions in the areas which are of major concern for consumers: safety, information provision and accessibility.

Attention to the three main consumer requirements

Safety is the most important consumer requirement in services. In the Commission Communication safety is only mentioned as an area where collaboration with stakeholders will continue, but no specific actions are planned according to the document.

ANEC wishes to take the occasion to reiterate its call for the development of a **European horizontal legislative framework covering the safety of all services to consumers**, including tourism services.

We would like to see information provision to consumers be given more attention, taking into account the requirements set in Article 22 of the Services Directive, which **require end-users to be provided with access to comprehensive, comparable and user-friendly information** (also in rules on marketing and advertising for e.g.). In particular accessibility principles need to be taken into account in order to ensure that all consumers are able to access the service.

ANEC is concerned that the **manifold labels proposed in the Communication would be very confusing for consumers**. Also, it is not clear how these labels would be awarded to businesses.

Finally, we welcome that the paper acknowledges the need to take into account special needs of our aging population and of persons with disabilities when travelling. Nevertheless, the Communication again does not outline specific actions to improve accessibility of services. **Tourism services need to be accessible for everyone all year long** and accessibility will not be tackled only by extending the tourism season. Training of personnel plays here again a very important role.

¹ Please refer also to [Preliminary ANEC position paper on Consumer Requirements in Tourism Services \(ANEC-SERV-2010-G-010\)](#) and ANEC contribution to Consultation in view of a Commission Communication on the new framework for the Tourism policy in the EU (ANEC-ML-2010-0056)

ANEC comments to specific Actions Planned in the Communication

- *Actions Planned (3) and (4) of COM(2010) 352/final*

The communication COM(2010) 352/final announces an 'ICT and tourism' platform will be launched by the European Commission, as well as the communication on electronic commerce. ANEC strongly suggests that in both initiatives high attention is given to accessible formats.

Trainings on IT skills should be also expected to cover conformity with compliance with the international accessibility guidelines (WCAG 2.0) and information provided over the internet should be required to be accessible to persons using assistive technology.

- *Action Planned (5) of COM(2010) 352/final*

When referring to the need for improving staff professional skills in order to develop innovation and competitiveness of the sector, the Commission announces it will promote opportunities offered by various EU programmes.

ANEC deems it essential to ensure that the trainings in the programmes mentioned cover and are aimed at improved safety, information provision and customer care aspects.

Moreover, as improving staff professional skills is important but not sufficient to ensure a high level of safety, besides calling on the European Commission to introduce a European legislative framework for the safety of services as it already exists for products, ANEC also believe it important that minimum information provision requirements are set up for (tourism) service providers in legislation (e.g. requirements for information to be provided in a language that is understood by consumers).

- *Actions Planned (6) of COM(2010) 352/final*

The necessity to meet the needs of the elderly and of persons with disabilities is only mentioned among the actions planned when addressing the idea of encouraging the extension of tourist season. We draw the attention to the EU ratification of the UN Convention on the Rights of Persons with Disabilities (UNCRPD)² and therefore the EU's new obligation to recognise that disabled people have a right to equal access to participation in cultural life, recreation, leisure and sport **on an equal basis with others** (article 30 UNCRPD).

Persons with special needs do not only take part in the tourism demand in the low seasons but all year long, like any other consumer groups and are still encountering many obstacles when trying to enjoy their right to tourism services. ANEC strongly questions how the extension of the tourist season for the elderly and disabled people could be enough in order to improve their

² The Convention on the Rights of Persons with Disabilities and its Optional Protocol was adopted on 13 December 2006 and entered into force in May 2008

access to tourism services. ANEC also queries the European Commission on how it will ensure this measure does not appear as a discriminatory measure for these particular consumer groups and would welcome other initiatives in order for the tourism industry to better meet this demand. Accessibility of tourism services depends on accessibility of venues and means of transport and therefore it should be seen as a continuum in the EC policy approach.

- *Actions planned (8), (9), (10) of COM(2010) 352/final*

ANEC appreciates the European Commission's will to encourage cooperation among Member States and relevant stakeholders to take steps to consolidate statistics and analysis about the Tourism sector. The lack of reliable comparable statistics (e.g. in accidents related to tourism services, e.g. fires in hotels, adventure tourism activities) is a matter of importance for consumer protection.

Actions (8), (9), (10) however are not ambitious enough as they apparently only foresee monitoring activities. In order for the data collected when measuring consumer satisfaction to be used effectively, ANEC considers a mandatory complaints handling system should be set up. Only so could the data be used to improve the (tourism) services provided.

- *Actions planned (11), (12), (13), (15) of COM(2010) 352/final*

ANEC is concerned that the **manifold labels proposed in the Communication would be very confusing for consumers**. Also, it is not clear how these labels would be awarded to businesses.

ANEC considers that any regulatory and standardisation actions in the field of tourism services - as in all consumer relevant sectors for products and services - should consider principles of sustainability. Regarding the idea of proposing a 'charter for sustainable and responsible tourism', ANEC draws the attention to the obstacles encountered recently by the hotel industry in the development and adoption of a Charter on Hotel Fire Safety in Europe, which resulted in the dismissal of the Charter itself from the project ³.

Conclusion

In conclusion, notwithstanding the limits imposed by the current crisis affecting all economies, ANEC deems the actions planned in this area need to be more ambitious and the content of the EU programmes mentioned in the Commission Communication should have as main goal that of meeting the three essential requirements for consumers: safety, information provision and accessibility.

We emphasize that the EU tourism economic activity would benefit from a European horizontal legislative framework covering the safety of all services, while ensuring tourism services meet consumer expectations, so reducing complaints.

END.

³ ANEC press release (ANEC-PR-2010-PRL-002)