

ECONOMIC AND SOCIAL COMMITTEE  
OF THE EUROPEAN COMMUNITIES

# **TOURISM**

**OPINION**

**Brussels 1984**

## **TOURISM OPINION**

**- INTRODUCTORY PAGE -**

## **CORRECTION**

The European Communities' Economic and Social Committee, chaired by Mr François CEYRAC, approved this Opinion at its 211th Plenary Session of 26 and 27 October 1983.

The preliminary work was done by the Section for Protection of the Environment, Public Health and consumer Affairs, with Mr Edouard BRASSIER as Rapporteur.

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## PREFACE

The introduction of a tourism policy would act as a shot-in-the-arm to the Community. This is the message presented by the Economic and Social Committee of the European Communities in its Opinion issued on 27 October in Brussels approving the proposed Community tourism policy.

The Committee is convinced that continued expenditure on tourism would give a real boost to the economy.

The Committee goes beyond mere approval of the proposed policy, however, and puts forward a number of new ideas.

Bearing in mind that tourism is about people, the Committee proposes that a specific social tourism policy be devised to enable as many people as possible to take holidays, particularly dependent categories - the young and the aged, and the disadvantaged, the unemployed, the handicapped and immigrants.

The Committee is also concerned with both the inadequacy of insurance coverage for tourists, and at the other end of the scale with the problem of over-insurance. Specifically, it recommends that Member States should provide automatic medical coverage for insured EEC tourists, and that a system of standard minimum insurance be introduced to cover other obvious risks.

The Committee expresses particular concern about coach and bus safety, a topical issue, and asks that it be studied.

On the protection of the tourist as a consumer, the Committee recommends the setting up of simple complaints procedures at national level and their harmonization at Community level; but it also agrees that the tourist operators themselves may also need protection against cancellations, strikes, bankruptcies and bad weather. The Committee therefore proposes the harmonization of national tourism guarantee fund legislation.

The Committee also favours new standard hotel and travel contracts, and the harmonization of regulations covering travel agencies to prevent growth of bucket-shops (Fr. : agences non-professionnelles)

Other proposals include the harmonization of tourist statistics, the grading of hotels, the simplification of regional aid procedures, and the study of the effects of mass tourism on the environment.

Finally, the Committee points out that tourism is withstanding the present recession fairly well, already provides over 4 million jobs, and will be among the world's largest industries by the year 2000, and for these reasons merits particular attention.

# **A. OPINION OF THE ECONOMIC AND SOCIAL COMMITTEE ON THE INITIAL GUIDELINES FOR A COMMUNITY POLICY ON TOURISM**

## **I. INTRODUCTION**

The Committee welcomes the Communication entitled "Initial Guidelines for a Community Policy on Tourism" (COM(82) 385 final) sent to the Council on 1 July 1982. It endorses the proposal for a Community tourism policy in principle and emphasizes the importance of the economic, social and cultural consequences.

## **II. GENERAL OBSERVATIONS**

### **Definition of tourism**

The Committee considers that for the purposes of the proposed Community tourism policy, a very broad definition of tourism should be adopted. The Committee takes the view that tourism is not only an economic activity associated entirely with travel agents, transport, hotels, etc; it is also a human and cultural activity concerned with the quality of life and living standards of the population in general and particularly of the people in local communities and neighbourhoods which tourists visit. Modifications to the lifestyles of people and mutual understanding between people can therefore result from the activity known as tourism.

### **Community and national policies**

The Committee notes that the Commission's intention is not to replace national policies but to pinpoint a number of common priorities in certain spheres on which action might be proposed. However, it feels that there is no need for reticence in presenting the Council with recommendations over and above those envisaged in the Guidelines, and accordingly has introduced a number of new suggestions.

The Committee in fact considers that in view of the extensive range of activities which tourism covers, the Guidelines could give a significant political impetus to the achievement of an authentic Community internal market, and serve as a catalyst to spark off action in many fields where progress is currently blocked.

With this in view, the Committee considers that henceforth, the Member States, in the preparation and implementation of their national tourism policies, should take into consideration the need to develop a common tourism market which is as near perfect as possible.

## **International organizations**

In addition, the Committee expects that the Commission will maintain or develop a close collaboration with the various other international organizations concerned with tourism (OECD, Council of Europe, World Tourism Organization (WTO), European Travel Commission (ETC), International Bureau of Social Tourism (BITS) etc.) and utilize the considerable research work already done by them. But it hopes too that the Community, which has legislative powers, will be able to achieve progress on matters on which little harmonization has been achieved to date.

## **Economic importance**

Tourism is one of the major activities, not only in Europe but in the world today, and it is estimated that it will be one of the biggest "industries" in existence by the year 2000. It is also a sector of the economy which seems to be holding up better than some others in the present recession and therefore merits special attention. In addition it could go a long way towards developing the Community ideal and to making Europe more widely known.

### **III. SPECIFIC OBSERVATIONS**

#### **Frontier checks**

Despite the fact that the Community has now been in existence for over 25 years, frontier checks for EEC nationals between Member States still exist, and vary from state to state and according to the type of transport used.

The Committee endorses all measures which simplify frontier crossing within the Community and hopes to see their eventual total abolition; however, the Committee regrets that while some barriers to the free movement of tourists are coming down, others are going up.

#### **Travel documents**

The Committee supports the Commission proposal for a Resolution on the simplification of frontier checks, on which it has already issued a favourable Opinion. It would make the additional suggestion that a proliferation of documents to facilitate travelling should be avoided and that, with this aim in view, the technical aspects of the proposed simplification should be studied.

#### **Social security (Health)**

In the field of social security, the Committee maintains that the Member States, all of which benefit to some degree from the tourist industry, should assume the obligation to provide automatic medical coverage for EEC tourists where they are covered by a compulsory insurance scheme in their own country. In this connection the present system based on the E111 is considered unsatisfactory and should be reformed.

#### **Tourist assistance - Car insurance**

The Committee notes that under the heading of tourist (accident) assistance/car insurance, two proposals are still pending before the Council - on civil liability insurance since August 1980 and on tourist assistance since 1981 - and calls on the Council to adopt these as soon as possible.

#### **Civil Liability insurance**

The Committee requests that the actual implementation of the Recommendation of January 1981 on accelerated settlement of claims under civil liability insurance be looked into, and draws attention also to the problem of the inadvertent violation of traffic regulations by tourists in countries other than their own, and the necessity for greater harmonization of such regulations.

## **Hotel safety**

The Committee also requests the Commission to advance its proposal for a standard EEC Regulation on hotel safety, including the definition of standard framework security systems, and the possibility of making it compulsory for hoteliers to insure against bodily injury and material damage.

## **Tourist insurance in general**

On the question of tourist insurance in general, the Committee is concerned with what appears to be an increasing tendency to insure tourists several times against the same risks. It believes that the average tourist can never be expected to understand fully the various options available, and considers that the Commission should examine the possibility of introducing a system of standard minimum insurance for tourists, with a list of additional risks which could be covered by optional extra insurance. The tourist must also be given a copy of each insurance policy.

## **Travel and hotel contracts**

The Committee is aware that UNIDROIT<sup>1</sup> and the Council of Europe have been working on the preparation of a new standard travel contract and a new standard hotel contract, to replace existing conventions on these matters which are considered inadequate. The Committee requests the Commission to take whatever steps may be appropriate to ensure that new standard contracts are introduced within the Community.

## **Guarantee fund - harmonization**

In fact, the Committee recognizes that the relative division of responsibilities for default in the chain of the tourist/consumer/travel agent/tour operator, etc. is still in a state of flux and that the Commission should examine this policy and suggest remedies. The Committee proposes the general adoption and harmonization of national guarantee fund legislation.

It should, however, be noted that all these proposals would not necessarily apply to tourism originating outside the Community. This aspect of the matter will also have to be investigated by the Commission and appropriate proposals put forward.

## **Operator's interest**

The Committee considers that the interests of tourist operators such as hoteliers and travel agents must not be neglected, as they frequently have no protection against the cancellation of reservations, the bankruptcy of other intermediaries and delays caused by strikes and bad weather.

<sup>1</sup> UNIDROIT : International Institute for the Unification of Private Law, Rome.

## **Travel agents - harmonization**

The Committee is of the opinion that the Commission should seek to harmonize the conditions for the operation of travel agencies in the Member States. The Commission should note, however, that while it would not be desirable to impose excessively strict regulations on well-established and experienced agents, it would be desirable to check the growth of bucket-shop travel agents and prevent the re-emergence in the market of agents who have been responsible for bankruptcy or who have been involved in major scandals.

## **Right to work**

As far as the working conditions for those engaged in tourism are concerned, the Committee points out that confusion must be avoided between (a) the right of an independent manager to go into business and (b) the free movement of employees in this sector. The Committee urges the Commission to examine ways of eliminating anomalies, and ensuring the mutual recognition of diplomas.

## **Training of tourist executives**

On vocational training, the Committee agrees with the Guidelines' observations and recommends that greater attention be paid to the training of tourism-management executives, able to adjust to new technologies.

## **Arbitration body**

However, while formal legal protection in the tourist industry is necessary in a fall-back situation, the average citizen does not want to rush into legal action if his grievance can be otherwise redressed. The Committee therefore proposes the harmonization of simple complaints procedures in the Member States, and the superimposition of a new Community procedure if necessary. It suggests the establishment of a national arbitration body in each Member State with responsibility for settling disputes arising within the national territory and consulting its opposite number in other countries in respect of disputes arising abroad.

## **Information**

The Committee notes the impact of new information technology on the tourist industry : while undoubtedly making the industry more effective, technology may at the same time be responsible for a reduction in the number of clerical jobs. It also enables people to find out many things for themselves immediately.

## **Brochures**

In the field of tourist/consumer information, the Committee notes that the utility or accuracy of a travel brochure or sales catalogue is often in the eye of the beholder. It proposes that the Commission study existing national regulations and voluntary codes with a view to producing guidelines for travel brochures and thus combat misleading advertising.

## **Promotion**

In addition, the Committee notes that the "Guidelines" make no mention of tourist promotion, e.g. joint promotion by the ten Member States to attract tourists from non-member countries, (particularly North America and Japan) and it is understood that by gentleman's agreement this aspect is being left to the European Travel Commission (ETC).

The Committee does not, of course, wish to upset an arrangement which may be working satisfactorily, but it does consider that in the long term a fully integrated Community tourism policy would have to take an interest in promotion, which may mean in practice an even fuller cooperation with the European Travel Commission than heretofore.

On a practical day-to-day point, the Committee requests the harmonization and simplification of the procedures for the free circulation of tourist publicity material between the Member States.

## **Grading of hotels**

One aspect of precise tourist information on which action could be taken, however, is the grading of hotels, which is not standardized at present at Community level. The Committee proposes that the hotel industry be asked to voluntarily standardize the grading system at Community level, in collaboration with interested consumer organizations, and that the Commission should introduce legislation if no action is forthcoming.

## **Fares and prices**

The Committee feels that despite all attempts at simplification the average tourist is still baffled by the variety of fares, prices and other rates seemingly available for any given tourist activity and the number and variety of undisclosed extras, and it makes a plea for greater simplification and more transparency, perhaps by quoting the minimum and maximum tariffs for every given activity with equal prominence.

## **Fiscal aspects**

The Committee feels that there is a need for Community-level harmonization of fiscal and para-fiscal provisions. Such provisions differ from one Member State to another and have a big and varying difference on the profitability of travel firms. If necessary, this could be done in the light of the findings of the investigation planned by the Commission.

## **Road maps**

On another very precise matter, the Committee proposes that it should be compulsory for tourist guides and road maps to bear the date of printing and any updating.

## **Inclusive holidays**

Finally, the Committee notes with satisfaction that the Commission is working on a draft Directive on consumer protection in connection with inclusive holidays.

## **Transport policy**

The Committee considers that a common transport policy must be regarded as being part of the fundamental infrastructure upon which a tourism policy must be built, regrets that progress towards a transport policy has been painfully slow and urges the Council therefore to proceed with all due speed towards the adoption of the Commission transport proposals, particularly those put forward by the Commission in its submission of February 1983, taking account of the Committee's comments on these proposals.

## **Transport details Coach-rail-air-sea**

In addition, the Committee has some specific observations to make on certain aspects of transport : it requests a study of coach and bus safety. The Committee stresses how important working conditions are for road safety and asks national authorities to enforce Regulation 543/69, inter alia by systematic, stricter checks. (The Regulation, which was adopted in 1969, deals with working conditions in road transport). The Committee is pleased that the Council has just adopted the draft Decision on the commercial independence of railways. It supports the Commission's proposal that air tariffs should be reduced, and appeals for an easing of the burdens and restrictions on the air transport industry and fuller harmonization of existing regulations, provided such measures are not at the expense of employment in the air transport industry. It proposes that the tourism aspect of maritime and internal navigation services including ferryboats, cruises and pleasure boating be covered by the tourism policy. It considers that the importance of transport infrastructure needs emphasis as current proposals thereon are progressing rather slowly.

## **Urban traffic congestion**

Finally, the Committee points to the necessity to examine the problem of urban and intercity traffic congestion in the context of short-term and weekend tourism, with particular attention to the improvement of access to airports and city-centres.

## **Social tourism**

There is an underlying assumption in the Guidelines, supported by the Committee, that tourism, once the preserve of the privileged few, should be made available to all. The introduction of paid holidays for everyone is a significant factor here. But the Committee would go further and propose that the Community evolve a specific social tourism policy.

### **Social tourism - details**

The Committee supports social tourism as a means of making leisure, cultural and educational activities available to everyone. The Committee considers therefore that a Community social tourism policy should be concerned with the following main problems :

- a) making it easy for as many people as possible to take vacations;
- b) seeing that the two major "dependant" categories of the population - the young and the aged - are adequately provided for by the tourist industry, whether they are classified as low income groups or not;
- c) seeing that not only the low income groups, but that certain disadvantaged social groups (the unemployed, the handicapped, immigrant workers) are also provided for;
- d) seeing that certain vocational groups, farmers for example, which do not have ready access to tourist activities, be considered in any co-ordinated planning;
- e) integrating outdoor activities with a social content, tourist sports activities, cultural exchanges, and suitable accommodation, into tourism;
- f) encouraging employment in the tourist industry where small and medium-sized firms (SMEs) are frequently to the fore;
- g) dovetailing all the foregoing activities into the problem of seasonality;
- h) examining all the financial aids currently available from Community and other sources, and co-ordinating them into an integrated financial programme;
- i) encouraging both sides of industry to take a greater interest in the development of social tourism policy and to ensure that social tourism organizations adhere strictly to their operational rules.

The Committee recognizes that this is likely to be a long-term operation, but as a first step it would ask the Commission to make a survey of the facilities already available throughout the Community, with a view to deciding what further action may be necessary.

The Committee in its Report accompanying this Opinion has gone into some detail on the subject of social tourism and refers the Commission to this document for further information. It should be noted that the following matters are dealt with in some depth in the Report :

- a) Youth tourism and employment, including the Young Workers Exchange Programme (YWEP);
- b) Tourism for senior citizens;
- c) The handicapped and tourism;
- d) Health resort tourism;
- e) Staggered holidays (seasonality);
- f) Twinning of towns and cities.

## **Regions**

The Committee welcomes the financing of tourism projects through the ERDF and the EAGGF but recommends a change in the procedure for applying for funds for such projects - in respect of both commercial and social tourism - so that grass roots applications may receive more favourable consideration and hopes that the new revised ERDF procedure will help alleviate the problem. On employment questions the European Social Fund must be brought into play, whatever the tourism sectors concerned.

## **Cross-border cooperation**

Furthermore, the Committee recommends the example of cross-border co-operation such as in the Ardennes-Eifel zone shared between Belgium, France, Germany and Luxembourg, which could be used as a model for elsewhere in the Community. It also draws attention to the need for adequate transport infrastructure and connections in the regions.

## **Agri-tourism**

On the important matter of agri-tourism, both in the sense of farm tourism (holidays with accommodation provided on farms) and in the sense of rural tourism (holidays in a rural environment), the Committee notes the statement in the Guidelines that little use is being made of existing Community instruments (EAGGF and ERDF) in this field, and supports in principle proposals to harmonize and support national agri-tourism policies.

## **Environment and cultural heritage**

The Committee agrees with the Guidelines' proposals on the environment and cultural heritage, but makes the following recommendations. The Committee draws attention to the problem of congestion and saturation of the environment by mass tourism which will need action to control it. It recommends as well a study of the levels of saturation in tourist areas and how best to control the situation.

### **Camping**

In addition, some form of control will have to be introduced in respect of camping and caravanning, and the Commission is requested to examine what steps should be taken.

### **Urban renewal**

On the matter of urban renewal, however, the concept of cultural/entertainment centres might be worth encouraging as a form of urban renewal which would at the same time promote tourism, be commercially viable and create employment.

### **Statistics**

In view of the fact that comparable tourism statistics for the ten Member States do not yet exist, the Committee requests the Commission to arrange for EUROSTAT to align the relevant statistical bases and compile and publish the relevant statistics. The compilation of comparable tourist accident statistics would also be useful.

### **International dimension**

In the European context, the Committee draws particular attention to the need to integrate the two candidate countries for membership of the EEC - Spain and Portugal - into the proposed tourism policy, in view of the importance of this industry to their economies.

The Committee also supports the Community policy on the development of tourism in the Third World - particularly in the ACP countries under the Lomé Convention - where the Commission, through the EDF, is making financial assistance available.

The attention of the Commission is drawn to the problems facing the EEC tourist travelling outside the Community, particularly as regards health and safety. The Committee requests that in the formulation of any future legislative proposals the Commission bear these points in mind.

## **Costing plan**

Finally, the Committee requests the Commission to work out a costing plan for the tourism policy showing how much of the proposed policy is covered by existing allocations.

The Committee feels that provisions relating to a Community policy on expenditure would have a multiplier effect on the economy, very necessary in present economic circumstances, and suggests that this factor be taken into account in any discussions concerning the reform of the Community budget.



## **B. REPORT OF THE SECTION FOR PROTECTION OF THE ENVIRONMENT, PUBLIC HEALTH AND CONSUMER AFFAIRS** (Rapporteur : Mr Edouard BRASSIER)

### **I. INTRODUCTION**

On 30 November 1982, the Commission, by letter from Mr CONTO-GEORGIS, Commissioner with responsibility for tourism, a Communication from the Commission to the Council entitled "Initial Guidelines for a Community Policy on Tourism" dated 1 July 1982 (ref. : COM(82) 385 final) was referred to the Economic and Social Committee for an Opinion.

On 14 December 1982, the Bureau of the Committee decided to instruct the Section for the Environment, Public Health and Consumer Affairs to draw up an Opinion and Report on the matter.

The Section organized its work at its meeting of 1 February 1983 setting up the following Study Group :

Chairman : Mr DE GRAVE

Rapporteur : Mr BRASSIER

Members : Mr BREITENSTEIN (in place of Mr ANTONSEN -  
Art. 50 of the Rules of Procedure)

Mr BROICHER

Mrs GREDAL

Mr KITSIOS

Mr MERAVIGLIA

Mr MURPHY

Mr de NORMANN

Mr PRONK (in place of Mr ETTY - Art. 50 of the Rules  
of Procedure)

Mr QUERLEUX (in place of Mr de WIT - Art. 50 of the  
Rules of Procedure)

Mrs RANGONI-MACHIAVELLI

Mr REGALDO (in place of Mr ROMOLI - Art. 50 of the  
Rules of Procedure)

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## II. GENERAL BACKGROUND

The Section welcomes the Communication entitled "Initial Guidelines for a Community Policy on Tourism" (COM(82) 385 final - sent to the Council on 1 July 1982), in which the Commission sets out its proposals on this matter and endorses the proposal for a Community tourism policy in principle.

The Section's first observation is a fundamental one : - there exists no accepted international definition of "tourism", although several "official" definitions have been put forward.

The definition used by Eurostat, although too narrow to cover all aspects of the proposed tourism policy is worth quoting, as follows :

*Tourism: travel by a 'tourist', i.e. a person away from the usual place of residence ('home') for a holiday, business trip, family visit, conference or other meeting (scientific, diplomatic, religious, sporting, etc.); excludes travel regularly undertaken to places of work or education, e.g. daily commuters; comprises :*

- *international tourism: travel outside the country of residence for at least 24 hours;*
- *national tourism: travel within the country of residence.*

The Guidelines do not attempt a definition of tourism, but in practice take the broad approach by covering a fairly wide range of activities. The Section supports this general interpretation as being the only practical one in the circumstances, and feels that the average citizen can easily grasp the concept of "tourism" without the necessity for semantic definitions, and the word is used in this Report in this general sense.

The Section considers that for the purposes of the proposed Community policy, tourism is not only an economic activity associated entirely with travel agents, transport, hotels, etc. Tourism is also a human and cultural activity concerned with the quality of life and living standards of the population in general and particularly of the people in local communities and neighbourhoods which tourists visit. Modifications to the lifestyles of people and mutual understanding between people can therefore result from the activity known as tourism.

Contrary to popular belief, this is not the first time the Council has been approached on this subject as France, Italy and Belgium have already put forward proposals (in 1958, 1959 and 1970 respectively). All these moves were stillborn, for a variety of reasons but mainly because tourism was not viewed as part and parcel of the Community's economic and social activities as a whole.

Tourism is such a large subject that it impinges on a wide range of other Community activities and policies. Some of these policies - transport for example - are so intimately connected with tourism, that it is difficult to see how a tourism policy can be fully successful unless a transport policy is also adopted. Other policies, while less intimately connected with tourism - VAT harmonization or insurance for example - are sufficiently relevant to have a considerable impact on tourism at least in certain circumstances.

The Section therefore would draw attention to the obvious fact that many policies and proposals, which appear disparate at first sight, are interlinked and the proposed tourism policy which touches on such a wide range of activities could serve as a catalyst to spark off action in other fields where progress is currently blocked.

With this in view, the Section considers that henceforth the Member States in the preparation and implementation of their national tourism policies should take account of the need to work towards a common market in tourism that will operate as smoothly as possible, and that any measures which might distort competition and hinder its development should be avoided. Indeed, particular vigilance to avoid distortion may be required as the service sector, tourism included, is not normally subject to the same scrutiny as the goods-producing sector.

The Section is aware that so far the Ministers of Tourism of the Member States have met only once at Community level (in 1970) and that the responsibilities of national authorities in such matters differ significantly. It therefore notes that the Commission's intention in proposing a Community policy on tourism to the Council is not to replace national policies but to pinpoint a number of common priorities in certain spheres, on which action might be proposed.

Nevertheless the Section considers that, while some measures of caution may be required, there is no need for reticence in presenting the Council with further recommendations, which could, if necessary, encompass aspects of tourism that are not dealt with in the Guidelines.

The Section has thus introduced several new themes and found it necessary to deviate somewhat from the framework of the Commission document, as can be seen from the table of contents, mainly by inserting major chapters on the protection of the tourist as consumer and on social tourism for which it feels it has a special responsibility. The Section also regrets that the Commission's document has not made an assessment of the extent to which the Member States had actually implemented the various Community measures mentioned therein, nor an evaluation of their effects either singly or in combination. However, it believes that, to start with, the Council would be taking a step in the right direction in adopting the proposed Guidelines.

The Section also notes that tourism as a subject which is currently being dealt with by several international organizations other than the EEC, and in particular the OECD (Paris), the Council of Europe (Strasbourg), the World Tourism Organization (Madrid), the European Travel Commission (Dublin) and the International Bureau of Social Tourism (Brussels), as well as a large number of organizations dealing with specialized or national aspects of tourism.

Many of these organizations however concern themselves primarily with research and information exchange and have recommendatory rather than legislative powers. This is not to detract from their work, but the Section hopes that the Community which has legislative powers will be able to achieve progress on those matters (statistics, hotel grading for example) on which little harmonization has been achieved to date.

The Section also expects that the Commission will maintain constant liaison with all the organizations mentioned above, and make full use of the wealth of research work which has already been done by them on tourism, rather than spend money on further independent research, particularly in fields in which the priority need is for action.

According to a study forecasting the prospects for European tourism from 1980 to 1990 published by the European Travel Commission in 1980, tourism will become the largest "industry" in Europe, and even the world, around the year 2000, if not before.

This forecast gives some idea of the increasing contribution it is bound to make to the Community economy. The potential value of all forms of intra-Community tourism must therefore be recognized as a major force in fostering mutual understanding, and hence European unity.

Also, in view of the fact that tourism gives employment to 4 million people in the Community, its impact on the economies of the Ten is already substantial, is likely to become more so, and in a sector of the economy which appears to be holding up in the current recession, it therefore merits special attention.

The Section examined the Guidelines in some detail and received submissions from various professional organizations connected with the travel trade, which were taken into account in compiling this present Report. The Section's Opinion (CES 691/83 fin) gives in effect a short summary of the main conclusions of this Report.

The Section's specific comments are set out below in CHAPTERS III to XIII.



### III. FREEDOM OF MOVEMENT - FRONTIER CHECKS

Despite the fact that the Community is now over 25 years in existence, frontier checks for EEC nationals between Member States still exist, and vary from state to state and according to the type of transport used.

This matter is dealt with in some detail in the Guidelines, and the Section appreciates that the Commission has done substantial work in this field, and that a number of proposals for further liberalization are in hand.

The Section endorses all measures which simplify frontier crossings within the Community, and would hope to see their eventual total abolition.

However, the Section regrets to state that while some barriers to the free movement of tourists are coming down, others are going up.

Thus for example, since the publication of the Guidelines, Directive 83/182 on the abolition of formalities and taxes on cars, caravans and pleasure boats has been adopted; but as against that one of the Member States has introduced restrictions on foreign currency allowances for travel abroad.

The continued existence in the Member States of different rates of VAT, and other taxes such as those on alcoholic beverages and tobacco, and the related practice of giving "duty-free" allowances to travellers make it necessary for some form of frontier controls to be maintained, even if only for spot check purposes.

A recent proposal by the Commission to abolish the duty-free facilities for inter-Community travel which was rejected, can only mean that certain controls will have to be retained indefinitely.

Thus the tourist/consumer cannot have it both ways, at least at this stage of the evolution of the Community - duty free allowances cannot be retained *and* all frontier checks abolished at the same time.

From an immediately practical point of view however, the Section would favour the proposal in the Guidelines that more generous allowances involving a regular re-adjustment of monetary value ceilings would mean less risk of infringement and might permit more flexible frontier checks to be introduced. A proposal for a Directive to this effect is currently (mid-1983) under consideration.

As far as modes of transport are concerned there appears to be little logic in requiring disembarkation cards for persons travelling by public transport, but not for those who cross a frontier by car.

The Section supports the Commission proposal<sup>2</sup> for a resolution on the simplification of frontier checks, on which the Committee has already issued a supporting Opinion<sup>3</sup>.

<sup>2</sup> COM(82) 400 final.

<sup>3</sup> CES 204/83.

This proposal requests the Community to investigate other practical possibilities for further reducing frontier checks, and the Section suggests that in the particular field of air transport the Commission maintain liaison with ICAO (International Civil Aviation Organization) and ECAC (European Civil Aviation Conference) which is already working on the standardization of disembarkation procedure.

Finally, the Section notes that the checking system currently in operation at most community airports and border crossings provides the same exit channel or channels for all travellers whatever their origin.

The Section supports the Guidelines' proposal that special check points be reserved for EEC citizens and suggests that special "fast" channels or lanes be provided for EEC nationals. As a practical example, the system in operation at Heathrow Airport London might be cited.

It has been suggested that certain documents be issued to tourists to facilitate them in travelling within, or indeed outside the Community, and specifically the following :

1. Community passport (to be introduced in 1985)
2. Identity card
3. Community driving license
4. Document for social security entitlement
5. Vaccination certificate
6. School-children's and students' pass
7. Hitchhiker's card, etc.

The Section feels that while each document can be justified in itself, a proliferation of different documents and passes could well make the tourist's life more rather than less difficult, if these had to be obtained and carried separately.

The Section therefore proposes that the Commission examine the possibility of introducing a simpler system, for example a single pass book, perhaps as an adjunct to a passport or identity card, which would incorporate all relevant travel documents, each authorized as appropriate.

#### **IV. TOURIST PROTECTION - INSURANCE**

The Section agrees with the Guidelines that the question of protection of the tourist is of considerable importance, and considers that the overall situation at present, particularly from the insurance point of view is unsatisfactory. The matter of insurance is considered under the following headings :

- Health insurance and social security
- Tourist (accident) insurance/car insurance
- Hotel safety insurance
- Insurance - General conclusions.

##### **Health Insurance/Social Security**

The Section notes that there is as yet no effective Community Public Health Policy, and that the Commission maintains the view in any case that medical care is a matter for each Member State.

Nevertheless, the majority feeling is that the Member States, all of which benefit to some degree from the tourist industry, should assume the obligation to provide adequate medical, dental and hospital coverage for tourists holding an EEC nationality, on condition that they are already covered by a mandatory insurance in their country of origin.

Some members would however, have preferred to waive this requirement.

The current scheme based on form E 111 for the covering of medical expenses incurred by travellers within the Community is unsatisfactory especially as (1) many tourists are unaware of this document's availability and travel without it, and (2) the procedures and trouble for acquiring it are unnecessarily complicated; (3) even when it is used, tourists are faced in some Member States with unexpected demands for cash payments for medical services, not all of which are refunded; and (4) the period of validity of the form is too short. The Section does not agree with the view that all that is needed to make the present system work satisfactorily is greater publicity.

The Section therefore would like to see a more effective arrangement introduced which should possibly include the introduction of an internationally recognized document which would entitle the tourist to on-the-spot treatment without the requirement of an immediate cash disbursement, even if the tourist has to make some payment later through administrative channels.

Finally, if and when a Community public health policy is introduced, the Commission should ensure that the right of the tourist to adequate medical care is recognized therein.

## **Tourist (accident) assistance/Car Insurance**

The Section notes that under this heading two proposals for Directives are still pending before the Council, that on Civil Liability Insurance since August 1980, and that on Tourist Assistance since January 1981, on each of which the Committee has issued an Opinion<sup>4</sup>, and calls on the Council to adopt these as soon as possible, taking into consideration the observations made by the Committee at the time.

As far as concerns a measure which has been adopted, viz. the Recommendation of 8 January 1981 on Accelerated Settlement of Claims under Civil Liability Insurance<sup>5</sup>, it has been alleged that this may be meeting with bureaucratic obstruction in some Member States, and even though a Recommendation is not binding, the Section would ask the Commission to examine to what extent this one in particular is being implemented.

The Section notes that the tourist and particularly the tourist/motorist travelling in a country other than his own, often inadvertently violates traffic regulations of which he could not reasonably have been aware, and while agreeing that the harmonization of traffic regulations has made considerable progress calls for continuing vigilance to ensure even greater harmonization.

## **Hotel Safety - Insurance**

The Section requests the Commission as a matter of urgency to advance its proposal for a standard EEC Regulation on hotel safety, currently in preparation, despite the different requirements of the various Member States. Accordingly, the Section proposes that the Commission, in the preparation of this proposal,

- a. define standard framework security systems, while leaving to Member States the option to adapt the Regulation to suit national needs;
- b. examine the possibility of introducing compulsory civil liability and fire insurance in the Community hotel industry;
- c. take into account the draft Convention on the Hotelkeepers contract, prepared by UNIDROIT<sup>6</sup>.

<sup>4</sup> Tourist assistance - CES 1073/81 - OJ N° C 343 of 31/12/1981, Car insurance - CES 231/81 OJ N° C 138 of 9/6/1981.

<sup>5</sup> OJ N° L 57 of 4 March 1981.

<sup>6</sup> International Institute for the Unification of Private Law, Rome.

## **Insurance - General conclusions**

However, the Section is of the opinion that all the above-mentioned aspects must be seen in the context of insurance as a whole, and makes the following general observations :

There are a number of proposals for Directives on insurance harmonization still pending before the Council which would affect all Community citizens, including tourists and the adoption of these would certainly be a step in the right direction.

The Section is concerned with what appears to be an increasing tendency to insure tourists several times against the same risks, for example by the tour operator, the airline carrier, the hotelier, by private insurance, etc., all of which serves to unnecessarily increase the cost of travel. In short, risks traditionally covered by "ordinary" insurance should be distinguished from so-called "tourist" risks.

The Section requests the Commission therefore to make an investigation with a view to clarifying the systems of tourist insurance currently in operation, and if necessary make proposals for simplification which should make for greater "transparency", and for cost reduction.

Even if all the foregoing recommendations were implemented however, the Section still fears that the various insurance options available may be still so complex that the average tourist can never be expected to fully understand them and make a rational choice, and therefore suggest that the Commission in its investigation examine the possibility of introducing a system of standard minimum insurance for all travellers within the Community, covering all the more obvious risks, and establish a list of additional risks which could be covered by optional extra insurance.

Lastly, the Section recommends that the tourist/customer should invariably be given the insurance contract relating to him, or be able to keep a copy. At present neither the last minute insurance cards filled out at airports nor the insurance undertakings contained in the vouchers appended to comprehensive travel contracts allow for this possibility.

## **Tourist Protection - Default and Bankruptcy - Restrictions on Admission to the Tourist Trade - Right of Appeal**

The legal position of the tourist vis-à-vis travel agents and tour operators should in theory be governed by a travel contract, but as each Member State has had either its own regulations or has had no specific regulations governing this matter, an "International Convention of Travel Contracts (CCV)", also known as the Brussels Convention, was adopted on 23 April 1970. This Convention was drawn up outside the EEC by UNIDROIT. However, only two EEC Member States, Belgium and Italy have ratified it.

Even though as explained in the Guidelines this Convention is regarded as "inadequate" and a revised version has been under study since 1980, the Section considers that the regulations governing travel contracts within the Community should be made uniform, with a view to the protection of the tourist/consumer; but at the same time this should be done in such a manner as to avoid contradiction with the Brussels Convention which would only cause further confusion.

In addition, UNIDROIT and the Council of Europe have been working on a particular aspect of the matter - the respective rights of travellers and hotel-keepers, which are not protected in a uniform manner in all Member States. In fact the Council of Europe drew up in 1962 a "Convention on the Liability of Hotel-keepers concerning the Property of Guests", which entered into force in 1967, and has been ratified by most of the Member States<sup>7</sup>.

This Convention however is also considered "inadequate" and UNIDROIT has recently produced a new draft text entitled "Draft Convention on the Hotel-keepers Contract".

The Section therefore requests the Commission to examine the subject of travel and hotel contracts, particularly in the light of its proposal currently in preparation on the protection of consumers in connection with inclusive holidays; and to take whatever steps may be appropriate to ensure that standard travel and hotel contracts are introduced within the Community.

Considerable press publicity has been given in recent years to a number of fairly spectacular failures in the international travel trade, leading to bankruptcies, staff dismissals, and stranded tourists, and there has also been evidence of the growth of certain abuses and dubious practices, both in the private and the public sector.

Paradoxically, much of the trouble stems from what might appear at first sight to have been a worthy motive - the provision of cut-price cheap travel for the masses, but clearly there are limits to how far this can go without disastrous consequences.

There is clearly need for some form of regulation of the travel trade, and some Member States are already introducing regulatory legislation covering in particular the licensing of travel agents, the bonding of agents or tour operators and the establishment of Travellers Protection Funds.

The Section recognizes that the relative division of responsibilities for default in the chain tourist/consumer/travel agent/tour operator/airline/hotel/provider of ancillary services etc. is still in a state of flux, and is of the opinion that this remains one of the more important tasks to be resolved by a Community tourism policy.

<sup>7</sup> Belgium, France, Germany, Ireland, Italy, Luxembourg and the UK, but not Denmark, Greece and the Netherlands.

The Section suggests that the Commission should examine this problem and suggests remedies. For example, some members feel that the establishment of an EEC guarantee fund for tourism as a whole could be considered, to be financed by the tourism industry but administered by the Community in order to cover claims for compensation made either by the tourist or by the innocent operator, in case of the non-execution of a contract because of fraud or gross negligence. They do of course, realize that this is likely to be in the nature of a long-term solution.

Most members are, however, opposed to a Community fund of this kind. The Section observes that legislation introducing national guarantee funds to protect the tourist/consumer, has been adopted in certain Member States and proposes that the Commission examine the different national legislations with a view to a possible harmonization at Community level.

Nevertheless, the Section observes that while the Commission can strengthen tourist legislation within the Community and can exercise control over tourism to points *outside* the EEC but which has its origin *within* the Community, it can less easily solve problems connected with tourism which originates outside the EEC (see CHAPTER XII on the international dimension). The Section requests the Commission to examine the aspects of the matter and put forward proposals as appropriate.

On the other hand, the Section considers that although it is important to consider consumers' interests, those of operators such as hoteliers and travel agents must not be neglected, as they are also important links in the tourist chain who frequently have no protection against the cancellation of reservations, the bankruptcy of other intermediaries such as tour operators and travel agents, and delays caused by strikes and bad weather. The Section is of the opinion that the Commission should take this aspect of the situation into consideration, when preparing future proposals.

Some members are of the opinion that the conditions under which the tourist industry operates in the Community require a genuine travel agents "statute", as has already been proposed in 1978 by the profession itself through the Group of National Travel Agents' Associations within the EEC.

On the other hand, the majority draw attention to the fact that the Community legal system makes no provision for any "statute". The Section therefore suggests that the Commission should quite simply put forward proposals for standardizing the national rules governing admission to the trade of travel agent.

In the preparation of such proposals, the Commission should take into consideration the difference between "registration" and "authorization" of agents; thus, while it would not be desirable to impose excessively strict regulations on well established and experienced agents, it would be advisable to check the growth of bucket-shop travel agents, and to prevent the re-emergence on the market of agents who have been responsible for bankruptcies or been involved in major scandals.

The Guidelines document covers two related subjects under this heading - (i) the right of establishment and freedom to provide tourist services, and (ii) vocational training and the mutual recognition of diplomas, but the Section feels that there are certain facets which should be brought out more clearly.

Confusion must be avoided between the right to practice tourism as the independent manager of a tourist enterprise<sup>8</sup> and the right to engage in a profession such as tourism as an employee.

The right to engage in tourism as an employee can still be subject to certain restrictions as the Guidelines rightly point out, and the Section urges the Commission to examine as a priority what steps should be taken to eliminate the many anomalies which still exist.

Although the Section supports the necessity of solving the seasonality problem, and of providing employment for young workers, it also recognizes that, if tourist services are to be provided by amateurs or by unskilled staff, this could be to the detriment of the industry as a whole and to the tourist as consumer in particular.

This underlines the necessity for adequate vocational training, the harmonization of professional standards, the mutual recognition of qualifications and the mobility of workers in the tourist industry, points brought out clearly in the Guidelines, and with which the Section agrees. They are, of course, already covered in this Chapter.

Finally, the Section would like to see greater attention being paid to the training of tourism-management executive for hotels and restaurants, and suggests that the American experience in this field would be worth examining. This of course should be done in consultation with the HOTREC. (Committee of the Hotel and Restaurant Industry in the European Community).

Lastly, the Section observes that vocational courses will in future have to familiarize trainees with new applications of technology, such as reservation by computer.

However, while formal legal protection for tourists and operators is undoubtedly necessary as a last resort, the average aggrieved tourist or indeed operator does not want to rush precipitously into legal action and would be content to have his or her grievance redressed with the minimum of fuss.

The Section is aware that services through which tourist/consumers can submit complaints already exist in several Member States, either at official level, or through consumer organizations.

These however vary from country to country, and as tourism is largely a cross-frontier activity, the Section suggests that the Commission examine the possibility of harmonizing simple complaint procedures in the Member States, and the superimposition of a new Community procedure, if necessary, in collaboration with existing bodies already engaged in that activity.

<sup>8</sup> Dir. 82/470 : OJ N° L 213 of 21 July 1983.

Some members of the Section were in favour of the establishment at Community level of a tourist mediator (possibly along the lines of the Scandinavian ombudsman) to whom cases which could not be resolved at national level could be referred.

On the other hand, some other members were of the opinion that the establishment of such a post would involve excessive expenditure and felt that complaints should be dealt with at national level, with consultations between the relevant authorities in Member States where appropriate.

Finally, most members supported the proposed establishment of a national arbitration body in each Member State with responsibility for settling disputes arising within the national territory and consulting his opposite number in other countries in respect of disputes arising abroad.

In this matter, the Section would draw attention to its work on the Consumer-Producer Dialogue on which it is at present preparing an Own-initiative Opinion which will be available in 1984, and which will cover the general question of rights of redress.

### **Tourist Protection - Tourist/Consumer information - Promotion**

The protection of tourists and their interests however means more than physical and financial protection. It is also important to ensure that full and correct information is given them in respect of their vacations, and as the Guidelines say, that misleading advertising and information must be combated. Attractive and colourful brochures are of course an integral part of tourist promotion; commercial promoters and indeed governments naturally want to present their "tourism product" in the best light. To put the matter at its simplest, nearly every tourist publicity photograph taken outdoors shows blue skies, irrespective of what the normal climate of the relevant country is really like, and the average tourist must be considered to have sufficient intelligence to recognize this.

The main source of complaints about brochures however is that the information given about particular facilities and prices is not so much factually wrong as misleading, or represents a half-truth - for example, a hotel described as being "near" a beach when it is actually (say) a kilometer distant.

The Section recognizes that a very large subjective element will always be involved both in the preparation of brochures by promoters and their interpretation by tourists.

Some Member States have laid down official guidelines for their preparation, notably Denmark; other countries are applying voluntary codes, applicable to advertising as a whole, such as the UK. In certain cases too, the necessity for "negative publicity" is being recognized, i.e. the specific mention of obvious drawbacks.

The proposal for a Directive on misleading and inaccurate advertising which has been before the Council since 1 March 1978 and on which the Committee has issued an Opinion<sup>9</sup>, would, if adopted, be applicable to tourist publicity also. Pending its adoption, the Section suggests that the Commission study the existing national legislations and voluntary codes with a view to producing eventual guidelines for drawing up tourist brochures.

In addition, the Section notes that the "Initial Guidelines" make no mention of tourist promotion, e.g. joint promotion by the Ten Member States to attract tourists from non-Member countries, (particularly North America and Japan) and it is understood that by gentleman's agreement this aspect is being left to the European Travel Commission (ETC). It should be noted however that the ETC promotes all European countries outside the Eastern bloc, and not only the Member States of the Community.

The Section does not of course wish to upset an arrangement which may be working satisfactorily, but considers that in the long term a fully integrated Community tourism policy would have to take an interest in promotion, which may mean in practice an even fuller cooperation with the ETC than heretofore. The Section notes that the hotel industry is strongly in favour of an EEC tourist promotion campaign on the theme "Destination Europe".

Tourist promotion both within and without the Community involves the printing and distribution of tourist brochures, maps, posters, promotional aids, exhibition stands, etc., most of which are distributed free either by the national or local tourist authorities and/or by commercial firms. The question of the adequacy of the information contained therein has been dealt with in this chapter.

The formalities for and treatment of tourist publicity matter for the purposes of customs and VAT vary from one Member State to another, and the Section requests the Commission to examine the matter with a view to harmonizing the procedures and reducing obstacles to the free circulation of tourist publicity material to a minimum.

**Hotel grading :** Although various systems of grading of hotels (e.g. by stars, letters, etc.) are in use within the Community, there is no standard system in operation. The Section appreciates that the hotel industry itself may not wish to have a system of uniform classification imposed on it by legislation, but nevertheless feels that such a system is necessary.

It therefore requests the hotel industry to itself produce an acceptable system within a reasonable time in collaboration with interested consumer organizations (a voluntary agreed code of the type evolved by the Office of Fair Trading in the UK is suggested) and asks the Commission to keep a watching brief on the situation with a view to the preparation of legislation if no action is forthcoming.

<sup>9</sup> OJ N° C 171 of 9 July 1979.

Apart from simple grading by "stars" or "letters", such a system should take into account the classification of hotels by age and set standard definitions for inns and motels.

Thus at present a decrepit Victorian hotel may technically have the same amenities as a brand-new modern facility, or vice-versa, a modern utilitarian structure may be the technical equivalent of a fine family-run inn, and all be given the same classification; steps should be taken to correct these anomalies. Likewise, only motels with proper parking facilities outside each room or cabin should be entitled to be described as such - and not simply a hotel which happens to have a parking lot.

The American grading system currently in use by the major international chains should also be considered. If possible, the new system should be linked with corresponding systems used for campings and restaurants.

The Section considers it essential that these matters will be the subject of consultation between the Commission and the Committee of the Hotel and Restaurant Industry in the EEC (HOTREC).

Simplification of and greater transparency in price quotation : Despite all attempts at simplification, the average tourist/consumer is still baffled by the variety of fares, prices and other rates - seemingly available for any given tourist activity and the number and variety of undisclosed extras. This is of course an aspect of the cut-price phenomenon, but it should not be impossible to find a solution in the interests of consumer protection.

A source of particular irritation is where prices for certain facilities are described prominently as being "from" a certain figure, when in practice this figure covers a facility so ridiculously inadequate that few can avail of it without extra expense.

Perhaps if the minimum and maximum tariffs for every given activity were quoted with equal prominence, the customer should at least be able to know the range within which he could operate.

A much vexed question is the imposition of surcharges by tour operators due to changes in the relative value of currencies. Such surcharges may be inevitable but the Section is of the opinion that there should be limits imposed, as is the practice on a voluntary basis in some countries; the Section also feels that the case for surcharges would carry more weight, if refunds were paid when currency values drop.

Some members of the Section suggest that the Commission look into the matter of linking the amount of surcharges to the fluctuations that take place within the EMS in conformity with the proposal of the Commission to the Council on the promotion of the international role of the ECU in individual transactions<sup>10</sup>, at least as far as intra-Community tourism is concerned. This should have the effect of shifting the responsibility for surcharges from the

<sup>10</sup> COM(83) 274 final.

tour operators to the Member States and perhaps encourage a better appreciation of the problems of the tourist industry at national government level. Other members were opposed to this, considering that the proposal to link tourist prices to the ECU was unnecessary.

Maps : in view of the relatively rapid rate at which motorways, by-passes, etc. are being constructed, publishers of tourist guides and road maps should be obliged to show clearly and in a prominent position the date of printing and, where appropriate, updating.

The Section notes with satisfaction that the Commission intends to present to the Council a draft directive on consumer protection in connection with inclusive holidays, and it is hoped that the Section's observations under this Chapter will be taken into account by the Commission in its work.

## V. TRANSPORT AND ENERGY

Without transport there would be no tourism, so that community *transport* policy must be regarded as being part of the fundamental infrastructure upon which a *tourism* policy must be built.

Regrettably, progress towards a common transport policy (inland transport) or a common air transport policy which were first put forward in a serious way in 1961, has been painfully slow. The Commission has put forward a wide-ranging programme of proposals, of which very few have been passed by the Council, despite the support in various Opinions of the Economic and Social Committee, and the support of the Parliament.

An attempt is currently being made to revivify the original momentum, a move which the Section supports, and points out to the Council the obvious fact of the interdependence of Community policies, so that the blocking of one (transport) can fundamentally affect another (tourism).

The Section urges the Council therefore to proceed with all deliberate speed towards the adoption of the common transport proposals, particularly those made by the Commission in its submission of February 1983, and to bear in mind the ESC's comments on these proposals<sup>11</sup>.

The Guidelines do not cover the principles of transport in any depth, confining observations to matters of obvious tourist interest, and the Section likewise feels that the subject is so vast that it is only possible to cover certain particularly pertinent matters in this Report.

### Road transport - coaches and buses

The Section notes that the Community legislation in respect of coach and bus services within the framework of the common transport policy appears to be relatively comprehensive and that since the Guidelines were published the ASOR<sup>12</sup> agreement has been adopted which provides for common rules covering regular and/or shuttle coach and bus services between the Community on the one hand and a number of European non-Member States on the other.

Despite all this however some matters still create problems such as for example the lack of standardization of the acceptable length of coaches, the necessity to carry passenger manifests when crossing inter-Community borders whereas trains for example do not, as well as disparities in VAT application. The Section requests the Commission to bear these points in mind when the relevant matters come up for harmonization (see also CHAPTERS III and XI).

<sup>11</sup> Progress towards a Common Transport Policy - Inland Transport (COM(83) 58 final).

<sup>12</sup> ASOR : Accord Service Occasionnels par Route OJ N° L 230 of 5 August 1982, ESC Opinion : N° C 205 of 9 August 1983.

A matter of considerable concern to the Section however is the problem of coach and bus accidents which although statistically rare are sufficiently frequent and tragic to cause public disquiet.

Regulations to ensure safety at national and Community level (AETR Agreement)<sup>13</sup> do exist; the problem seems to be to get them more fully implemented and if necessary improved. The coach and bus operators claim that some of them are too rigid and complex to operate; the publicity resulting from recent accidents alleges that existing regulations are frequently not observed by coach drivers; other allegations are that coach speed limits are too high, that inspections are inadequate, that the police are not necessarily familiar with the relevant regulations, etc.

In this connection the Section would point out that compliance with working conditions is vital for road safety and calls on national authorities to enforce the set of social provisions drawn up in 1969 (Regulation 543/69)<sup>14</sup> notably via systematic and more stringent monitoring.

While the Section does not wish to exaggerate the problems and recognizes that human error will always exist, the situation does seem unsatisfactory, and the Section requests the Commission to study the problem of coach and bus safety, and if necessary make legislative proposals in the matter.

## **Railways**

The Section is cognizant of the fundamental problems facing railways in the Community - notably their continuing financial deficits, the tendency to protect them from road transport competition in some Member States, and to sacrifice them to road transport in others, etc. A tourism policy however would be more concerned to ensure that the services provided, however financed, are maintained at the necessary standard to the tourist/consumer.

In this connection the most relevant and topical aspect of the matter is the Council Decision on the commercial independence of railways in the management of their international passenger and luggage traffic, adopted in July 1983<sup>15</sup>.

The ESC issued an Opinion on 1 June 1983<sup>16</sup> endorsing this proposal. The Committee's views are succinctly expressed as follows :

"International passenger fares are currently calculated by adding up domestic fares applicable to national borders. Seasonal fare changes very often do not occur at the same time in the different Member States and sometimes require government approval. The proposed decision is designed to eliminate the consequent substantial complications and difficulties which make it harder for the railways to compete with their rivals.

<sup>13</sup> OJ N° L 334 of 24 December 1977 (AETR) ESC Opinion : OJ N° 263 of 17 November 1975.

<sup>14</sup> Reg. 543/69 : OJ N° L 77 of 29 March 1969, ESC Opinion OJ N° C 92/67.

<sup>15</sup> OJ N° L 237 of 26 August 1983.

<sup>16</sup> CES 540/83 - OJ N° C 211 of 8 August 1983.

The Committee notes that the Community's railways have expressed strong support for the proposal and that there is already close cooperation on tariffs, e.g. international youth travel in the summer months, supplements for sleepers. This cooperation is still somewhat limited, but would naturally increase with the proposed independence. Independence is also likely to give the railways the opportunity to bring tariffs more into line with market needs.

The Committee would stress that freedom to determine fares is not enough. In parallel with this there must be closer cooperation between the railways on the provision of international transport. This would involve : faster turn-round by reducing halts at borders; the streamlining of customs operations; the avoidance of locomotive changes at borders wherever technically possible; the further simplification of the procedure for approving stock; improved seat reservation systems on foreign rail networks; etc."

In addition to the foregoing, the ESC naturally supports the various moves designed to make passenger services more attractive as mentioned in the Guidelines, and in particular the need for coordination between railway networks in the introduction of high-speed trains.

### **Air transport**

The Section is aware of the perennial argument in Europe between national airline carriers, who maintain they find it necessary to keep fares high because of high operating costs; IATA obligations, the need to maintain high standards and to operate unprofitable routes for prestige purposes, etc., and the charter carriers who operate at cut-price rates, take the bulk of tourist holiday traffic and complain of state protectionism of their competitors, the national airlines.

The examples of cheap fares and deregulation in the USA are constantly quoted by consumer interests as an example for Europe to follow, which argument is consistently rejected by airlines who maintain that the situation in the USA is not comparable with Europe.

The Section notes that the Guidelines come out in support of competition and the reduction of air tariffs, and that the Commission has a number of proposals pending before the Council on aspects of air transport of which the latest in date (July 1983) are (i) a proposal to apply certain rules of competition to air transport<sup>17</sup> and (ii) a proposal to give airlines greater flexibility in fixing tariffs which should have the effect of reducing fares by 15/20% on average<sup>18</sup>. The Committee has in January 1983 issued Opinions on both these proposals, agreeing with them in principle, but with several reservations of a technical nature, of which the most important of relevance to tourism policy is that such measures must not be implemented at the expense of employment or the possible creation of new jobs.

<sup>17</sup> OJ N° C 317 of 3 December 1982 : ESC Opinion - CES 74/83 - 27 January 1983.

<sup>18</sup> COM(81) 590 final : ESC Opinion - CES 75/83 - 27 January 1983.

This highlights the dilemma whereby one aspect of tourism policy - cheaper air fares - could be in conflict with another - maintaining and expanding employment in the tourist industry itself.

The Section therefore agrees with the Guidelines' position on competition and reduced air tariffs, but with the same qualifications as above concerning the social repercussions.

The Section would also like to see the Council adopt the proposal on the authorization of scheduled inter-regional air passenger services on which the Committee has issued an Opinion in October 1981<sup>19</sup>, which would be of great assistance to the development of regional tourism.

The Section would also like to appeal both to the Commission and the Member States to ease the burdens and restrictions currently imposed on both national airlines and charters, and for a fuller harmonization of existing practices and regulations.

### **Maritime/inland navigation services**

The Section notes that the Guidelines make no mention of maritime or internal navigation services such as ferryboats or cruisers, nor of pleasure boating (yachting, sailing, etc.).

It should be remembered that within the EEC, ferryboats, both as passenger and car transporters, are an essential lifeline in some countries such as Britain and Ireland, and are also used in several other areas such as in the Baltic and in the Mediterranean.

The problems facing the ferryboat trade however are these common to the entire tourist industry - such as seasonality, VAT, inadequate infrastructure, all of which are referred to in the Guidelines.

Nevertheless, the Section recommends that the Commission should cover the tourism aspects of the services mentioned in this paragraph in its proposed policy, and keep contact with the operators in this field.

### **Transport infrastructure**

The Guidelines state that the importance of transport infrastructure for tourist traffic is a point that scarcely needs emphasis. On the contrary, the Section considers that it does need emphasis because it is clear that while some action has been taken on an ad hoc basis<sup>20</sup>, comparatively little progress has been made on the Commission's original proposal pending before the Council since 1976<sup>21</sup> on transport infrastructure and financial support therefor.

<sup>19</sup> Dir. 83/416 - OJ N° L 237 of 26 August 1983.  
ESC Opinion - OJ N° C 343 of 31 December 1981.

<sup>20</sup> OJ N° L 376 of 31 December 1982, Regulation 3600 (82) of 30 December 1982 on the granting of limited support in the field of transport infrastructure.

<sup>21</sup> OJ N° C 207 of 2 September 1976, Proposal for a Council Regulation concerning financial support for transport infrastructure projects of Community interest.

The Committee has already issued several Opinions<sup>22</sup> on this subject prepared by its Transport Section endorsing the Commission's proposals in the matter, and the Environment and Consumer Affairs Section would add its support to the Committee's previous submissions, emphasising once more the point that the blocking of transport policy will also obstruct tourism policy.

### **Urban and intercity traffic congestion**

Finally, the Section points to the necessity to examine the problem of urban and intercity traffic congestion in the context of short-term and weekend tourism, with particular attention to the improvement of access to airports and city-centres.

### **Energy matters relating to tourism**

The Guidelines examine this proposal in its CHAPTER III, 6 (pp. 22-23) referring to the repercussions of the oil crisis and the use of alternative energy sources for which Community financial aid is available.

The Section agrees with the Guidelines' observations under this Chapter and has no special comment to make on this subject.

<sup>22</sup> see ESC publication - Transport policy in the 80s - March 1983 - Cat. N° CES-83-003.



## VI. SOCIAL TOURISM

While the Guidelines document does not develop social tourism as a separate theme, there is an underlying assumption that tourism, once the preserve of the privileged few, should be made available to all, and the Section too supports this assumption in principle.

The Section would go further however and would propose that the Community evolve a specific social tourism policy, as part of tourism policy as a whole. As defined by BITS (Bureau International du Tourisme Social) however, social tourism has a precise meaning and refers specifically to the participation of the lower income groups in tourism through clearly defined measures of a social character. "Social tourism" can also be understood as being in juxtaposition with "commercial tourism".

The Section considers that this definition may be too narrow if interpreted literally. It attaches particular importance to social tourism as a means of opening up recreation, culture, education and training to the public at large and would consider that a Community policy in this sphere should be concerned with the following main problems :

- making it easy for as many people as possible to take vacations;
- seeing that the two major "dependent" categories of the population - the young and the aged - are adequately provided for by the tourist industry, whether they are classified as low income groups or not;
- seeing that not only the low income groups, but that certain disadvantaged social groups (the unemployed, the handicapped, immigrant workers) are also provided for;
- seeing that certain vocational groups, farmers for example, which do not have ready access to tourist activities, be considered in any coordinated planning;
- integrating the following activities : socially-oriented outdoor activities, tourist sports activities, cultural exchanges, low-cost accommodation;
- encouraging employment in the tourist industry, where small and medium-sized firms (SMEs) are frequently to the fore;
- dovetailing all the foregoing activities into the problem of seasonality;
- examining all the financial aids currently available from Community and other sources, and coordinating them into an integrated financial programme, and
- encouraging the social partners to take a greater interest in the development of social tourism policy and to ensure that social tourism organizations adhere strictly to their operational rules.

In pursuing the aim that as many people as possible should be able to take vacations, the Section points out that even this ideal has its limitations. Thus there may well be people who would prefer not to take holidays away from home; a vacation should remain a right, not become an obligation.

Also it may be questioned if tourism in certain circumstances, far from being "socially" desirable in itself and far from promoting mutual understanding among peoples, does not have the opposite effect. There are certainly certain types of "tourists" who by their behaviour abroad do not give tourism a very good image; and even "ordinary" tourism has been known to generate antagonism of a semi-political nature. And in many cases - although perhaps less within the Community than outside it - can cause severe culture shock.

Unfortunately, there have been examples where for technical reasons social tourism facilities can be and have been availed of by persons who are well above the lower income bracket, but some abuses are bound to creep into the most well-intentioned programmes, and this is not a valid argument against social tourism as such.

On the other hand, social tourism might in the long term be extended to cover the overwhelming majority of the population, and while this might be a welcome development in itself, it could impose financial burdens similar to those now being experienced by the social security systems in several Member States.

In addition, there is the problem of congestion and saturation due to "mass" as distinct from "social" tourism and its adverse effects on the environment which are covered elsewhere in this Report (see CHAPTER IX).

The "clearly defined measures of a social character" referred to in the BITS definition above would involve in practice the provision of vacations for the lower income groups in a wide variety of locations or institutions falling within the following broad categories :

- Purpose-built holiday centres or holiday camps including centres with specialized activities such as sports, and catering for special categories of persons such as children, old people, etc.;
- Vacation villages, commercial or non-commercial;
- Rural dwellings (gîtes)<sup>23</sup> (see under Agri-tourism - Chapter VIII);
- Camping and caravanning, usually on an organized basis;
- Youth hotels;
- Conventional facilities which can be used for social tourism as well as for "ordinary" tourism - including hotels, pensions, family-run boarding houses, camping facilities, etc.

Such facilities can be financed from a variety of sources : in the Member States themselves, either directly or through various agencies of a social character or through local government agencies and townships; in some countries through mutual self-help organizations such as cooperatives and friendly societies (mutuels), or through trade unions, or through private or semi-private bodies, commercial or non-profit making.

<sup>23</sup> a "gîte" (as defined by COPA-COGECA) is a furnished accomodation in a rural house, rented out occasionally to holiday-makers.

In addition, a new idea was introduced in France in 1982 - that of holiday cheques available through employers to lower-paid workers entitling them to certain discounts particularly in the off-season.

The Section recognizes that certain aspects of Community policy and certain disbursements from existing funds may in practice assist the development of social tourism for the lower income groups as explained above, but considers that these fall well short of a social tourism policy.

In fact, social tourism is not even centralized at present at national level in the Member States, although it is much more developed in some Member States than in others.

The Section considers that the Community should aim for the ideal of making social tourism available to the lower income groups (which would automatically cover the unemployed and guest workers, and some of the old and the handicapped), throughout the Community, by the levelling-up of facilities available and the encouragement of international exchange visits to use such facilities.

The Section recognizes that this is likely to be a long-term operation but as a first step would ask the Commission to make a survey of the facilities already available throughout the Community with a view to deciding what further action including financial intervention may be necessary.

The Section notes that while the Trade Unions are active in supporting social tourism in some Member States, they are not so involved in others. The Section would like to see greater Trade Union participation throughout the Community in positively aiding and developing social tourism.

### **Youth tourism and employment**

Regarding youth, the first of the two major dependant categories of the population, youth *tourism* is indirectly linked with youth *employment*, and the two aspects are consequently treated together.

In the present economic situation, youth unemployment is causing considerable concern. The Section is of course aware that the matter has been the subject of much discussion and debate within the Community institutions, particularly in recent months (1982-1983), and is of the opinion that policies of youth unemployment, education and training and certain aspects of the environment can be dovetailed into a future tourism policy.

In particular, the Draft Council Resolution on the promotion of youth employment<sup>24</sup> should also be taken into consideration. It proposes a programme of special measures, which are in effect principles which could be applied to various sectors including tourism, although the latter is not specifically mentioned as such.

<sup>24</sup> OJ N° C 211 of 8 August 1983 - Opinion N°s CES 544/83 and CES 545/83.

In June 1983, the Committee itself adopted two Opinions which have some relevance to this matter. The Committee's Opinion on youth employment adopted in June 1983<sup>25</sup> says in part-response to the Draft Resolution mentioned above that there is considerable scope for creating jobs in several parts of the service sector including tourism, hotels and recreation, and reaches the overall conclusion that the Committee should enter into a dialogue with youth organizations by promoting meetings on youth employment at Community, national and regional level.

The Committee's own Opinion on "Young People and their Role in the Development of the European Community" adopted in June 1983<sup>26</sup> goes into some detail on measures to involve youth in the development of the European Community, several of which would have relevance to tourism, such as :

- language studies generally;
- twinning and direct contacts between schools and youth groups and organizations;
- youth training activities outside the basic education system (Community vocational training courses, sporting fixtures); to this could be added the whole field of sporting tourism as developed by sports organizations such as ADEPS<sup>27</sup> in Belgium;
- educational visits and exchanges, including sponsorships for bona-fide youth exchange organizations;
- transport and accommodation concessions for young people; under this heading could be included the fuller development of the youth hostel system.

The Opinion concludes that, to make these measures successful, back-up action must be taken.

The various concessions outlined above would in principle be available only to bona-fide students or members of youth organizations with the appropriate identity or membership cards.

On the question of transport, however, the Section would like to make an observation concerning hitchhiking : Given that in some countries hitchhiking has become a risky activity both for the hitchhikers themselves, and for motorists, it should be controlled by the issue of special cards to bona-fide hitchhikers (for example students) and that certain pick-up areas should be reserved for hitchhikers, such as the entry to motorways. In addition, a system of insurance for hitchhikers should be worked out, perhaps linked to the proposed cards.

The Draft Resolution on the promotion of youth employment referred to above<sup>28</sup> however does request the Commission to present a Report, after an 18-month deadline, on the progress accomplished. The Section proposes that

<sup>25</sup> CES 544/83 - OJ N° C 211 of 8 August 1983.

<sup>26</sup> CES 545/83 - OJ N° C 211 of 8 August 1983.

<sup>27</sup> ADEPS : Administration de l'Education Physique, des Sports et de la Vie en Plein Air.

<sup>28</sup> OJ N° C 149 of 8 June 1983.

the Commission refer to appropriate tourism developments in this Report. The Guidelines make little reference to "youth" as such and do not develop youth tourism as a separate theme. The most extensive reference is to the use of young unemployed workers in the restoration of monuments, towns and villages (covered under its Chapter on the European Heritage), a proposal with which the Section agrees.

Nevertheless, the Section strongly feels that Youth Tourism as such should be incorporated into the proposed tourism policy, and taken into consideration when concrete proposals are eventually being submitted by the Commission to the Council.

The Section is of the opinion that, as tourism is one of the few sectors in which economic activity continues at a high level at present, this sector has a special responsibility in setting an example in respect of youth employment.

The Section is also of the opinion that the Commission should more fully consider how it could disburse the funds at its disposal to ensure that youth exchanges of all kinds - for workers, students and the socially disadvantaged - can be arranged for the tourist off-season, thus contributing to a solution of the problem of seasonality. The European Youth Forum<sup>29</sup>, through its national youth committees, would undoubtedly have a role to play here.

The Section notes however that in the specific case of the 2nd Young Workers Exchange Programme (YWEP), which has been in operation since 1979 and is partly financed by the EEC, certain difficulties<sup>30</sup> have been encountered, and that 1983 is being regarded as a transition year before more far-reaching decisions about the future development of the YWEP are made.

One of the difficulties referred to is that young workers in a period of high unemployment are reluctant to leave their jobs on a temporary basis in case they are unable to return to them.

Many workers in the tourist industry however are temporarily out of work anyway for part of the year because of seasonality, and would be only too happy to avail of the YWEP in the off-season.

While aware that workers in the tourist industry have already availed of the YWEP, the Section suggests that, because tourism is uniquely placed to avail of the programme, the Commission consider even greater participation by the tourist industry therein when formulating future plans.

It should be noted that the European Foundation for the Improvement of Living and Working Conditions is currently working on a study of working time and leisure time involving an investigation of activities for the young unemployed including those of a social, cultural, educational nature involving local Community projects. The Section suggests that a tourism dimension could well be included in this study.

<sup>29</sup> Youth Forum of the European Communities, Avenue de Cortenberg 66, 1040 Bruxelles.

<sup>30</sup> Report on exchange of young workers programme (COM(82) 376 final).

The Section is further of the opinion that there is considerable scope for the use of existing tourist amenities in the off-season by socially orientated groups such as sports clubs, scouts, girl-guides, etc., and for educational and vocational purposes, and that such activities should be eligible for Community funding also.

The Section therefore requests the Commission to open discussions with the tourist industry, or take other appropriate measures, with a view to drawing up a programme of concrete measures for youth employment in that sector, which would dovetail into :

- the proposal for a dialogue on employment with youth organizations, called for in the Committee's Opinion on "Youth Employment"<sup>31</sup>;
- the proposal for back-up action called for in the Committee's Opinion on "Young people"<sup>32</sup>;
- the progress report envisaged in the Draft Council Resolution on "Youth Employment"<sup>33</sup>.

### **Third Age Tourism**

It is now a matter of common knowledge that the average expectation of life in Western Europe is now approaching 80 years, and that the proportion of the population in the so-called "third age" group is constantly increasing. In fact, a "fourth age" category, the over-80's is now being recognized as a separate group.

The Guidelines do not mention old age tourism as such and make no more than a passing reference to pensioners who might vacation in the off-season, but the Section is of the opinion that a community tourism policy would be very short-sighted if it did not take third age tourism into account as one of the major ingredients in tourist development between now and the end of the century.

Indeed, the beginning of third-age pressure groups can be detected - the Lugano manifesto on third age tourism dates from 1972 and Eurolink-Age, an organization to lobby the Community on third-age matters has recently been set up - and if the retirement age is universally lowered to 60, such groups are likely to become more vociferous.

Third age tourism is likely to raise more problems than appear at first sight, not least being the wish of older people not to be too sharply segregated from younger age groups.

The Section therefore requests the Commission to open and maintain dialogue with third age organizations with a view to integrate third age tourism into overall community tourism policy in a progressive and orderly fashion.

<sup>31</sup> CES 544/83 - OJ N° C 211 of 8 August 1983.

<sup>32</sup> CES 545/83 - Ibidem.

<sup>33</sup> OJ N° C 149 of 8 June 1983.

## **The Handicapped and Tourism**

The Committee has long been concerned with the problem of the handicapped and in July 1981 issued a detailed Opinion on their situation and problems; while tourism as such is not specifically mentioned in this Opinion, the paragraph on "Access and transport" is relevant, as follows<sup>34</sup>.

"Barriers to mobility whether they are steps at the office or the local library or an inaccessible railway carriage, are a major source of frustration to people with physical handicaps. Similarly, failure to take account of the specific needs of blind and deaf people can seriously reduce their independence. We believe that Article 3(c) of the Treaty of Rome ('the abolition as between Member States of obstacles to freedom of movement for persons, services and capital') and Article 3(d) ('the adoption of a common policy in the sphere of transport') require the Commission to take a more active role in facilitating the free movement of disabled people throughout the e Community. In particular WE RECOMMEND that minimum standards of accessibility should be required at all major airports and railway stations. The question of harmonized parking concessions for disabled people has also been under consideration for some time. We understand the Commission will be represented at the Second International Conference on Transport for Elderly and Handicapped Persons in Cambridge in 1981 and we hope concrete proposals will be forthcoming."

The Section is happy to note that since the issue of this Opinion the Council adopted an action programme on the social integration of disabled persons, (December 1981) and in this present Report the Section would simply remind the Commission that the problem will impinge on a future tourism policy, and that the "clearly defined measures of a social character" set out in the preceding paragraphs are also of relevance to the handicapped.

## **Health Resort Tourism**

In the earlier part of this century, tourism for health purposes was much more popular than at present, whether at spa resorts, thermal treatment centres, sea-water treatment centres, mountain sanatoria, etc.

The Section recognizes that it cannot dictate fashion, but suggests that if spas and thermal treatment centres, many of which have fallen partly into desuetude, were better known, or more integrated into social tourism programmes, they might be utilized more.

<sup>34</sup> CES 774/81 - page 35.

## **Staggered Holidays (Seasonality)**

The problem of staggered holidays or seasonality is one of the major problems - perhaps even the greatest problem facing the tourist industry, with enormous implication of an economic nature, involving the utilization of resources, and of a social nature regarding unemployment. It is with this latter aspect that the Section is particularly concerned.

Seasonality is a problem which transcends simply school or factory holidays however. If, as futurologists predict, working hours will be cut by one-third by the end of the century, leisure time will correspondingly increase.

However, it is not the reduction of the number of working hours per day or week that will in itself cause an increase in tourism, but rather an increase in the length of annual vacations. This is bound to come, and unless these vacations are staggered, the existing congestion is likely to get worse.

The Section considers this a priority and is pleased to note that the Commission has commissioned the International Bureau of Social Tourism to carry out a study on the pattern of school holidays and of the total holiday shut-down in industrial and commercial firms, with a view to looking at the various options which would lead to staggered holidays. This study has been completed and is now being examined by the Commission (October 1983).

It is likely to take some time before the problem of seasonality of tourist employment is solved, if indeed it can ever be completely solved, and in the meantime the Section recommends that the Commission consider providing finance perhaps from the Social Fund to assist employees during the low season, either in the shape of allowances to offset loss of earning or help in finding work during these months. This observation refers to workers in the tourist industry generally, irrespective of age; the question of the employment of young workers under the YWEP has been dealt with in the preceding paragraphs.

## **Town twinning**

The Section sees town twinning schemes as one way of fostering international understanding and hopes that these schemes will be stepped up and expanded.

## VII. REGIONAL DEVELOPMENT AND TOURISM

Paradoxical as it may seem, the move towards European unity through the EEC is proceeding simultaneously with a tendency towards greater devolution of authority to the Regions, at least in some countries, and this is reflected in a greater devolution of powers in respect of tourism. France and Spain for example, two major tourist "host" countries have taken steps in this direction.

In the Guidelines, regional tourist development is treated as part of regional development as a whole in the context of projects financed through the ERDF and the EAGGF which have a "tourism" content, and which are put forward for aid by the national authorities of the Member States.

The Section welcomes the financing of tourism projects through the funds mentioned above but would like to see a change in the application procedure. The current level of direct communication between less-favoured regions and the Community authorities is unsatisfactory since suitable projects proposed at regional level may be blocked by the national administration of the country concerned, so that the Commission never has a chance to study them.

The Section also feels strongly that account must be taken of the role played by non-governmental organizations such as various associations and committees set up in local communities in a number of Member States to represent local interests and to further economic and social development.

These bodies comprise local dignitaries, businessmen and others and though they function outside the official administrative framework they work in close cooperation with statutory and developmental bodies and promote tourism through their own financial contributions and voluntary activities.

The Section therefore requests that in respect of applications for aid for tourism projects, at any rate, some kind of revised procedure be worked out which would allow applications originating at grass roots level to be given more favourable consideration and hopes that the proposal for a revised ERDF procedure<sup>35</sup> currently under consideration will help to alleviate the problem in the manner desired.

The Section would also like to see the development of cross-border cooperation between regions which might find it difficult to develop in isolation, because of administrative and other obstacles.

<sup>35</sup> COM(81) 589 - Proposal for a Regulation amending Reg. (EEC) N° 724/75 establishing the ERDF.

An excellent example of cross-border cooperation exists in the Ardennes-Eifel zone between France, Belgium, Luxembourg and Germany, and this type of activity might well serve as an example for border regions in other parts of the Community, for example the frontier regions of the Republic of Ireland and Northern Ireland, already referred to in the Guidelines and currently under study by the Committee.

The Section is also aware that an adequate transport infrastructure, and adequate transport connections are vitally necessary if the more backward regions in the Community are to be developed for tourist purposes.

## VIII. AGRI-TOURISM

The Section attaches particular importance to the development of agri-tourism, both in the sense of farm tourism (holidays with accommodation provided on farms) and in the sense of rural tourism (holidays in a rural environment)<sup>36</sup>.

The Guidelines document treats the subject of agri-tourism at some length under the heading of Regional Development, which is quite appropriate insofar as any projects of an agri-tourist nature which have been hitherto dealt with by the Community, fall under the ERDF and EAGGF.

However, the Guidelines document<sup>37</sup> concludes that "aside from the indirect effects of the socio-structural Directives and the common agricultural policy in general, the actual support given to farm tourism is very slight", and "little use is being made by the Member States of the existing Community instruments to promote farm tourism", and proposes that the "aids afforded by the EAGGF and the ERDF must be properly coordinated by the Member States and the Commission."

The Section is of the opinion that the proposed Community tourism policy should be more forceful than this, and should develop agri-tourism as a specific phenomenon in its own right, rather than as an afterthought to the EAGGF and the ERDF.

In this connection, the Section wholeheartedly supports the recent action of the Working Party on Agri-tourism in COPA/COGECA<sup>38</sup> in calling on the EEC to take Community measures to harmonize and support national agri-tourism policies.

This is particularly appropriate at a time of recession when the Community is endeavouring to identify new fields in which it can promote economic activity and employment, and in this case the keeping of rural workers on the land rather than swell the exodus to the big cities.

Even though strictly speaking outside the field of agri-tourism, the Section hopes that farmers will be encouraged to widen their horizons by taking holidays outside their own rural environment, either on an individual basis, or through their own vocational organizations.

<sup>36</sup> see also page 67 - rural dwellings (gîtes).

<sup>37</sup> Guidelines pp. 34 and 35.

<sup>38</sup> COPA : Comité des Organisations Professionnelles Agricoles de la C.E.  
COGECA : Comité Général de la Coopération Agricole de la C.E.



## IX. ENVIRONMENT AND SAFEGUARDING OF HERITAGE

Under this general heading the Guidelines document deals with (i) environmental protection and tourism, and (ii) the architectural heritage and tourism. The Section appreciates the excellent summary it gives of the Community's environmental measures affecting tourism.

These include the Third Action Programme on the Environment (1982-86), the proposed Directive on the environmental effects of certain public and private projects (Environmental Impact Assessment), both of which apply ipso facto to tourist developments, and have been the subject of Committee Opinions<sup>39</sup>.

The Section agrees with the principle that the European cultural and architectural heritage should be preserved not only in the interests of tourism but for its own sake. The Section thus wholeheartedly endorses the position taken in favour of this principle by the Guidelines.

The Section shares the Commission's concern however that in spite of the express interest of the Community Institutions in the preservation of the cultural and architectural heritage, comparatively little positive action has been taken on the matter at Community level.

The Section agrees with the Guidelines that concerted action from Community funds such as the EIB, ERDF, the EAGGF and the Social Fund and the ACE is necessary, which will not only help preserve the heritage, but provide much needed employment.

However, on the general relationship between tourism and environmental pollution, the Section would like to draw attention to what it sees as a major problem touched on but not dealt with in depth in the Guidelines - the problem of congestion and saturation.

The Guidelines document assumes (i) that mass tourism as such is a "good thing", and (ii) that that portion of the population (estimated at 40%) which does not take an annual vacation at present should be encouraged to do so. From a social point of view, these assumptions are of course correct but unfortunately are also contributing factors to the increasing congestion and saturation of existing tourist areas and facilities, thus impinging on the environment and on the quality of life.

Thus, it may be asked if it is really desirable to allow the architectural and cultural heritage to be literally destroyed by tourists who have little interest in culture, ruining the said heritage for those genuinely interested in it, not to mention the adverse effects on the same heritage of the sheer volume of motor vehicle traffic.

<sup>39</sup> 3rd programme : ESC Opinion : OJ N° C 205 of 9 August 1982 public and private projects : ESC Opinion : OJ N° C 185 of 27 July 1981.

While on this particular issue, it is impossible in practice to make too fine a distinction between the culturally motivated tourist and the "mass" tourist who after all provides the bulk of tourist revenue, nevertheless saturation by mass tourism is a problem which cannot be ignored and must eventually necessitate positive action.

The Section suggests that a good first step could be to undertake at Community level an analysis of the levels of supply saturation in tourist areas such as has been undertaken by the Austrian Institute for Regional and Physical Planning<sup>40</sup> and in certain other countries.

### **Camping and Caravanning**

A practical example of a field in which positive action can be taken and to which the Guidelines have drawn particular attention is the need to limit camping and caravanning to approved sites and to stop such sites being opened in areas of natural beauty.

This is a matter which merits particular attention, aggravated as it is by the growth of wildcat camping (camping sauvage).

The camper or caravaner makes much greater demands than the "ordinary tourist" on space, for car, trailer, mobile home, etc., both on the road or at the campsite and frequently on the beach as well. He is also more likely to cause pollution, dump garbage, light fires and generally damage the environment, not to mention causing traffic congestion. Finally the camper frequently comes with supplies for the entire holiday and contributes comparatively little to the country he vacations in.

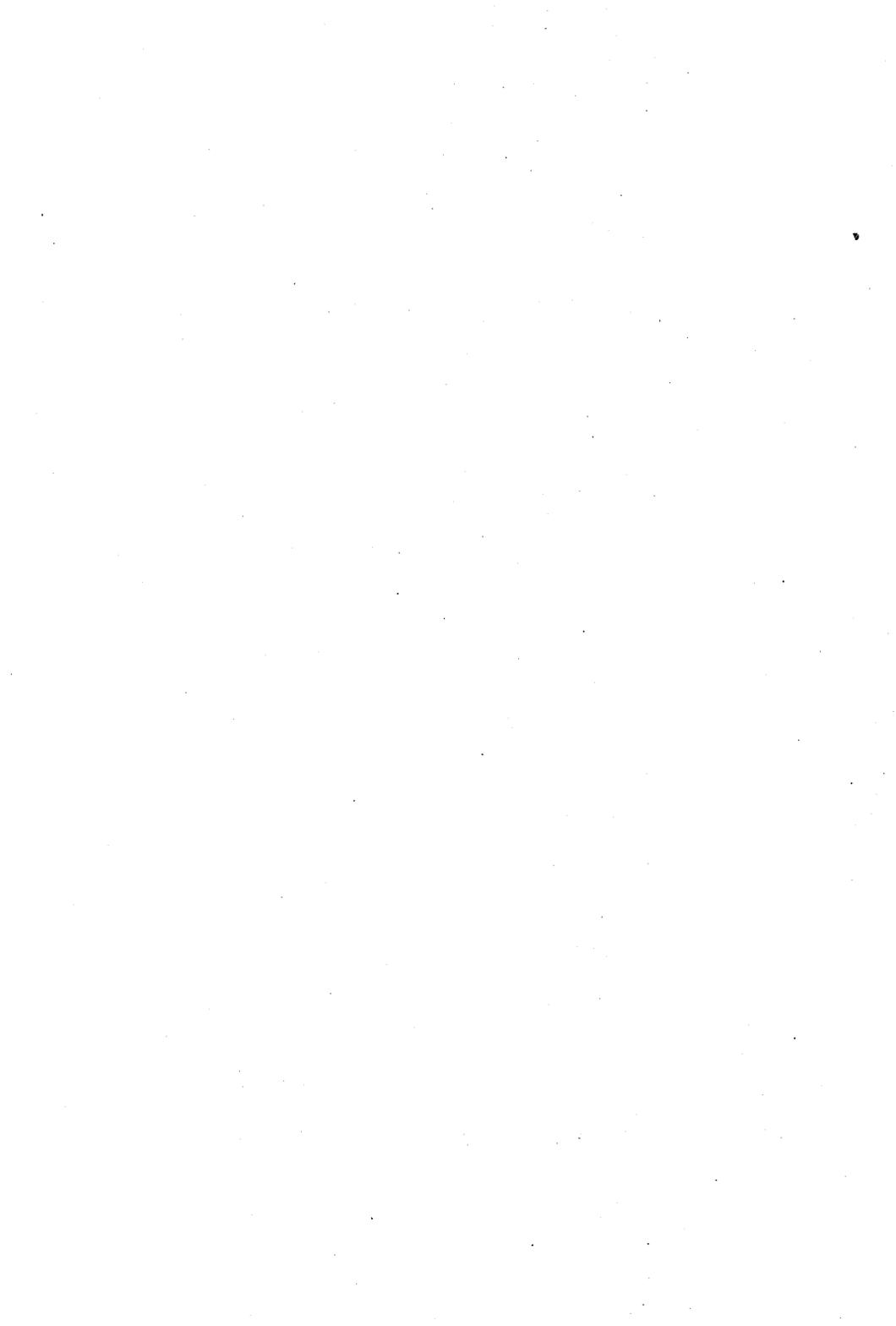
Camping of the rucksack or boy-scout variety has of course existed for some considerable time and it would be unfair to discourage, but mass family camping or caravanning is a relatively recent phenomenon, which is by no means confined to the poorer sectors of society, but which unfortunately may be too great a strain on economic, social and environmental resources.

The solution can hardly be found by staggering holiday and camping in mid-winter and sooner or later controls will have to be imposed. The Section therefore asks the Commission to examine what steps may be necessary in respect of such controls and to put forward specific proposals, bearing in mind that camping within the framework of social tourism should be retained as a priority.

<sup>40</sup> See OECD Report on Tourism Policy and International Tourism in OECD Member Countries - 1982, pp. 10 and 26.

## **Urban Renewal**

The Guidelines does not deal with the subject of urban renewal as such except insofar as this means the safeguarding of the architectural heritage. The Section suggests that in these circumstances the concept of high-class cultural/entertainment centres like the Tivoli in Copenhagen, the Pompidou Centre in Paris and Disneyland and Disneyworld in the USA might be worth encouraging as a form of urban renewal which would at the same time promote tourism, be commercially viable, and create employment.



## **X. TAXATION**

The VAT-rates applicable to services in the Community generally and to those provided by hotels and restaurants in particular differ widely from one Member State to another as is illustrated by the table given in the Guidelines, and there have even been some increases since the "Guidelines" document was produced.

The eventual harmonization of VAT-rates on the tourist industry forms part of the overall problem of VAT-harmonization generally at Community level, a matter which is outside the scope of this Report.

Some members agree with the proposal contained in the Guidelines, namely that the wide variation in tourist VAT-rates must inevitably have a distorting effect on competition, and that it would be useful if the Commission could examine to what extent disparities imposed through different rates of VAT divert the flow of tourism.

However, the majority disagree and are opposed to the Section taking a stand on this point.

The foregoing observations also apply of course to the varying tax elements in fuel prices in the different Member States, and to disparities which may occur in motorway toll rates.



## XI. STATISTICS

Though innumerable studies have been published on tourism, it is still extremely difficult to predict trends during the years ahead as the statistics compiled by the Ten Member States cannot easily be compared.

For instance, the OECD study<sup>41</sup> on tourism in 1982 mentions five categories used by the OECD countries (including the EEC Member States) for classification purposes. These are:

- arrivals of foreign visitors or tourists at frontiers;
- arrivals of foreign tourists at hotels;
- arrivals of foreign tourists at registered tourist accommodation;
- nights spent by foreign tourists in hotels;
- nights spent by foreign tourists in registered tourist accommodation.

The system of classification varies from country to country so that it is hard to draw comparisons. The Section requests therefore that the Commission through its statistical service (EUROSTAT), take the necessary steps to align the relevant statistical bases, and in due course to compile and publish the relevant statistics.

The Section also notes that there are no uniform statistics available on accidents to tourists while on vacation, insurance claims, road accidents, etc. Such statistics would surely be useful in providing an answer to the problems covered under CHAPTER IV on tourist insurance.

<sup>41</sup> Tourism Policy and International Tourism in OECD Member Countries, 1982 - p. 74.



## XII. INTERNATIONAL DIMENSION

The Guidelines are, of course, mainly concerned with intra-Community tourism, but Europe does not exist in isolation, and a Community tourism policy will have to take account of the international dimension of tourism.

Particular attention must be paid in any proposals for Community legislation on tourism to the situation in Spain and Portugal, two countries heavily involved in tourism, and which are expected to join the EEC in the near future. The bulk of the incoming tourists to the Community originate in other parts of the "Western World" and in Japan, and in due course the Community may have to evolve a harmonized approach both on the promotional side, and in the application of the various regulations covering insurance, health care, frontier checks, etc. vice-versa, a Community tourist policy cannot remain indifferent to the fate of EEC citizens travelling in non-Community countries.

The Section would also like to draw attention to a particular matter not mentioned in the Guidelines - the promotion of tourism in the Third World, particularly in the ACP States.

The World Tourism Organization has already drawn attention to the role of international tourism in developing countries, and the Community itself is also tackling the matter by making financial assistance available for tourism development in the ACP States through the EDP (European Development Fund) and the EIB (European Investment Bank) within the framework of the Lomé Convention.

The importance of tourism as a factor in the world economy has already been mentioned, and indeed its importance to and impact on many ACP countries is likely to be proportionately greater than within the Community itself. Many of these countries, devoid of other resources, are heavily dependent on tourism, and for many it represents the main source of income.

The merits and demerits of encouraging tourism in the developing countries with the risk of cultural shock, economic disparities, etc. will of course have to be balanced against the value of promoting international understanding and aiding economic development, and each developing country will have to make its own decision in this matter.

The overriding factor, however, is that tourism, rightly or wrongly, is an activity which few if any countries can fully avoid, and the Section feels that by assisting the developing countries in the field of tourism under the Lomé Convention, the Community in agreement with the countries concerned can influence its development along satisfactory socio-economic lines.

Indeed, it will also be in the economic interests of the Community itself to encourage tourism in the developing countries as this will result in:

- a certain alleviation of the congestion and pressure on tourist amenities within the Community itself,

- an injection of wealth into the economies of the ACP countries concerned, leading to increased demand for goods and services from the EEC, including a demand for expertise in the field of tourism itself, and
- hopefully, the emergence in the long term of a return flow of tourist traffic from these countries to the EEC which should lead to a better mutual understanding between the peoples of the EEC and ACP countries.

At the level of the tourist consumer the main immediate problem with which EEC tourism policy should be concerned is the protection of the EEC tourist against all the hazards to which he or she is currently prone in Europe itself.

This observation applies to all non-EEC countries, but more particularly to the Third World countries where health hazards and personal safety are likely to be a major problem.

In conclusion, the Section therefore recommends that the Commission when it eventually makes detailed proposals within the framework of tourism policy, takes into consideration the international dimension as described above.

### **XIII. FINANCIAL ASPECTS**

The Section realizes that it has put forward quite a few suggestions which if implemented would, at first sight, involve the Community in considerable expenditure.

On closer examination however it will appear that most of the proposals would be covered either under existing budgetary heading, or fall under policies currently under discussion, for which the Community would be making financial provision in any case.

The Guidelines itself gives an excellent synopsis of the various policies currently in operation which impinge on tourism, and the Section suggests that once the tourism policy has been adopted in principle, the Commission work out a costing plan showing how much of the proposed policy is covered by existing allocations and how much would necessitate "new" expenditure.

The Section feels that expenditure on provisions relating to a Community policy would have a multiplier effect on the economy, very necessary in present economic circumstances, and suggests that this factor be taken into account in any discussions concerning the reform of the Community budget.

**European Communities - Economic and Social Committee**

**Initial Guidelines for a Community Policy on Tourism**

**Opinion of the Economic and Social Committee**

**Brussels : General Secretariat of the Economic and Social Committee**

1984 - 59 pages

**DA, DE, EN, FR, GR, IT, NL**

The Committee approved the proposal for the initial guidelines drawing attention to (i) the effect of tourism on the quality of life, (ii) the fact that a tourism policy can serve as a catalyst to spark off action which is currently blocked, or on which little harmonization has been achieved to date and (iii) the fact that tourism is one of the world's major industries and seems to be holding up well in the present recession and therefore merits special attention.

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