



NETWORK FOR THE EUROPEAN PRIVATE SECTOR IN TOURISM

To:
Members of the Transport and Tourism Committee
European Parliament

Brussels, 3 February 2017

Dear Members of the TRAN Committee,

RE: NET position on the draft opinion on the European Accessibility Act

NET, the Network for the European Private Sector in Tourism, would like to express its position regarding the draft TRAN opinion on the Directive proposal on the approximation of the laws, regulations and administrative provisions of the Member States as regards the accessibility requirements for products and services (COM(2015)0615 – C8-0387/2015 – 2015/0278(COD)).

NET acknowledges the growing significance of accessible tourism.

However, NET has **serious concerns about the inclusion of tourism services into the scope of the Directive proposal.**

The tourism industry is a highly fragmented industry composed of mostly small and medium-sized companies. Compared to the other services covered by the scope of the proposed Directive, the EU tourism sector is comprised of around 2 million enterprises, of which the vast majority (around 90%) are micro enterprises, employing fewer than 10 persons. Furthermore, 99% are small enterprises, i.e. employing 10 or more, but fewer than 50 people. In addition to the proposed mandatory need for the transformation of the built environment of tourism establishments, as required in the draft opinion and which would already be highly cost intensive, the proposal to make all tourism services mandatorily fully accessible would cause huge additional burdens to these enterprises, which often do not have the knowledge, skills, and the human and financial resources to cope with these significant changes. Such obligations could have a negative impact on the viability of the nearly 2 million enterprises, which are the backbone of the European tourism industry, and thus jeopardise Europe's leading position as the number one destination in the world.

The above does not mean that the sector is not being made accessible. Indeed, accessibility of tourism and hospitality services is to a great extent **already regulated at national level, where the adaptation capacity of this micro-enterprise dominated sector can be better taken into account, compared to a one-size-fits-all European approach.** Besides the national regulations, voluntary schemes and recommendations set up by organisations of people with disabilities, often in cooperation with tourism associations, are more flexible in adapting to what small enterprises are able to achieve..

CLIA Europe

CRUISE COMPANIES OPERATING
IN EUROPE

ECTAA

TRAVEL AGENTS &
TOUR OPERATORS IN EUROPE

EFCO&HPA

CAMPSITES, HOLIDAY PARKS
& HOLIDAY VILLAGES IN EUROPE

ETOA

EUROPEAN INBOUND TOURISM

EUROGITES

RURAL & FARM TOURISM

HOTREC

HOTELS, RESTAURANTS
& CAFÉS IN EUROPE

IAAPA

INTERNATIONAL ASSOCIATION OF
AMUSEMENT PARKS AND ATTRACTIONS

IRU

BUS, COACH & TAXI OPERATORS
WORLDWIDE

Moreover, with regard to the ongoing harmonisation of accessibility requirements in the field of tourism, an **International Standard on accessible tourism is currently being developed at the International Standardisation Organisation (ISO)**, being led by the United Nation's World Tourism Organisation (UNWTO) and disability organisations, which aims to ensure more harmonised tourism and hospitality services for guests with disabilities.

One of the major issues on accessibility in tourism, namely to find information on the services offered, will be covered through the e-commerce aspect of the proposed Directive, which requires the adaptation of websites when selling products and services online.

In addition to the above, NET also **doubts that, based on the Treaty on the Functioning of the European Union (TFEU), there is legal room for harmonisation in the field of tourism.** Title I of the TFEU defines the areas of Union competence. In particular, Article 6 clarifies the list of areas, where the Union shall have only supportive, coordinative or supplementary competences, including, among others, tourism. Furthermore, Article 195 of the TFEU (Tourism) clearly states that *“The European Parliament and the Council, acting in accordance with the ordinary legislative procedure, shall establish specific measures to complement actions within the Member States (...), excluding any harmonisation of the laws and regulations of the Member States.”*

For all the reasons above, NET proposes that the inclusion of tourism and hospitality services be deleted from the scope of the Directive.