

**EU Intelligence Report**  
**December-January 2016**



## **KEY HIGHLIGHTS**

### **Taxation/VAT**

[Commission set out plans for VAT reform](#)

### **Employment Law/ Labour skills**

[EU to address challenges of work-life balance](#)

### **Consumer issues**

[Parliament adopts resolutions on Personal Protective Equipment and Cableway installations](#)

[Commission publishes Package travel directive](#)

[Geo-blocking set high on the EU agenda](#)

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### Regulation

#### **Dutch Presidency publishes Council programme for the first half of 2016**

##### COUNCIL

The Netherlands will hold the Presidency of the Council until 30<sup>th</sup> June 2016, which means that they will chair Ministerial meetings and lead negotiations. In the work [programme](#) for the Council for the next six months, the Presidency highlights the willingness to focus on essential legislation, promoting innovation whilst focusing at growth and jobs, and better connecting the institutions.

Regarding specific dossiers, the Presidency's will work on the Digital Single Market notably by addressing cross-border e-commerce. In the first half of 2016, the Commission will publish an action plan for a more effective VAT regime, including VAT on cross-border transactions within the EU. In terms of employment policy, the Presidency will look at the New Skills Agenda for Europe, a proposal to fight youth unemployment and gender equality.

### Tourism Policy

#### **Commission holds European Tourism Day event**

##### EUROPEAN COMMISSION STAKEHOLDERS

The European Commission organised an event for the European Tourism Day on 16th December, which focused on what can be done for the promotion of Europe as a tourist destination to EU and non-EU markets, both by the European Commission and by the industry.

Representatives from the European Commission highlighted the importance of tourism as an industrial sector with the potential for job creation and attracting investment. They mentioned the need to develop transnational tourism products and promote the internationalization of SMEs and digitalization, while ensuring a better access to tourism funding. Business representatives stressed that in order to promote Europe in long-haul markets we need to create a strong tourism ecosystem in Europe, notably by streamlining visa requirements and developing a fair and competitive business environment.

#### **Parliament TRAN Committee discusses tourism with UNWTO Secretary General**

##### EUROPEAN PARLIAMENT

On 3<sup>rd</sup> December, the transport committee of the European Parliament (TRAN) received UNWTO Secretary General, Mr Taleb Rifai, to discuss current challenges facing the tourism sector as well as future cooperation between the EU and the UNWTO.

Mr Rifao stated that 2017 will be declared the year of sustainable tourism, which means economically, socially and environmentally sustainable. He advised on the EU to take responsibilities in the tourism area regarding climate change, entrepreneurship and competitiveness, as well as travel facilitation.

Attendees also discussed cooperation between the EU and the UN, security challenges, potentials for growth and jobs, and the importance of tourism for a wealthy Europe.

**Commission shows renewed attention to tourism accessibility and challenges faced by all persons with disabilities**

EUROPEAN COMMISSION

On the 28th of January the European Commission organised a conference on tourism accessibility and sustainability, together with [ETIS](#), the European Tourism Indicators System. Commission representatives highlighted the importance of accessibility in tourism as a source of social inclusion but also as a business opportunity. They highlighted that accessible tourism demand will grow and that Commission and industry need to work together to improve the related skills (even more important than infrastructure), the offer and the communication about accessible services.

In addition, in December the Commission [proposed](#) a new European Accessibility Act, to set common accessibility requirements in transport and e-commerce. This will be discussed by the Parliament and the Council in 2016.

In the meantime, a [public consultation](#) on the review of the European Disability Strategy 2010-2020 is open until the 18<sup>th</sup> of March.

**Taxation/VAT**

**EU Parliament and Commission step up actions on corporate taxation**

EUROPEAN PARLIAMENT  
EUROPEAN COMMISSION

On 26<sup>th</sup> December, the European Parliament adopted in plenary the legislative [report](#) on “Bringing transparency, coordination and convergence to Corporate Tax policies in the Union”. The report includes 24 recommendations to the European Commission to address the issue of aggressive tax planning.

As part of its fight against tax evasion, the Commission [presented](#) on 28 January a new package on anti-tax avoidance. The fundamental principle of this package of measures is that companies should pay tax where they make their profits. The Package makes specific proposals to help Member States ensure that this happens.

**Commission set out plans for VAT reform**

COMMISSION  
COUNCIL

In January the Commission published a [roadmap](#) for the VAT Action Plan, which explains how they want to address the

distortions of competitions and level the playing field, reduce the administrative burden on businesses and increase cross-border trade.

Reduced rates are not mentioned in the roadmap, and at this stage it is not clear whether the Commission will look at more harmonisation of VAT rates structure and level, or at more flexibility for Member States. They will in any case try to rectify some product-specific derogations that were meant to be temporary and that they believe are now leading to a non-level playing field.

The Vat Action Plan is expected to be published by mid-2016. In addition, the Commission is considering a study on the impact of indirect taxes on EU tourism competitiveness.

The Council welcomed the Commission’s initiative in its draft [conclusions](#) on the Single Market Strategy and called on the Commission to adopt these initiatives as soon as possible.

## **Employment Law/ Labour Skills**

### **EU to address challenges of work-life balance**

#### EUROPEAN COMMISSION

The European Commission has [launched](#) a public consultation on possible tools to address the challenges of work-life balance faced by working parents and caregivers. The deadline for submitting responses is 17<sup>th</sup> February 2015.

This public consultation follows a [roadmap](#) for the initiative 'A new start to address the challenges of work-life balance faced by working families', which aims at increasing the participation of women in the labour market and to notably strengthen gender equality. According to the 2016 Work Programme, a set of legislative and non-legislative measures will be undertaken to address to better address these challenges.

The Council also showed high interest in the subject, and the Trio Presidency (including Netherlands, Malta and UK), have [stressed](#) the need to consider gender perspectives in all policy areas and called on the Commission for a new Strategy for gender equality 2016-2020.

### **Parliament adopts report on Skills policies for fighting youth unemployment**

#### EUROPEAN PARLIAMENT

In December, the Parliament adopted the own-initiative report on [Skills policies for fighting youth unemployment](#), which ended the legislative procedure. Parliament recalled that the lack of relevant skills for available jobs and an education and training mismatch are important factors which cause youth unemployment. In parallel, there are many overqualified youth unemployed whose skills do not match the demand of the labour market.

Regarding skills for employability, the Parliament called on Member States to examine best practices in the school career guidance system where pupils are monitored from an early school stage to the first steps in the labour market.

## **Consumer issues**

### **Parliament adopts resolutions on Personal Protective Equipment and Cableway installations**

#### EUROPEAN PARLIAMENT

On 22<sup>nd</sup> January, the European Parliament [adopted](#) the resolution on the proposal for a simplification of the Personal Protective Equipment Directive which applies to products that users wear or hold to protect themselves from hazards either at home, at work or whilst engaging in leisure activities. After formal adoption by the Council, the regulation will enter into force on the twentieth day following its publication in the Official Journal of the European Union. The regulation will become applicable two years after its entry into force.

The European Parliament Plenary also [adopted](#) the proposal for a regulation applying to new cableway installations, but amusement parks are not included in the scope of this legislation. Exemptions are in fact provided for on-site or mobile equipment exclusively designed for leisure and amusement purposes and not as a means for transporting persons.

## **Geo-blocking is high on the EU agenda**

#### EUROPEAN PARLIAMENT

#### EUROPEAN COMMISSION

#### COUNCIL

On the 19<sup>th</sup> January, the Parliament [adopted](#) the non-binding report on Towards a Digital Single Market. With this resolution, MEPs

call on the Commission to end geo-blocking, and to identify and define concise case groups of justified discrimination under Article 20(2) of the Services Directive, in order to clarify what unjustified discriminatory behaviour is. MEPs also called to end unjustified geo-blocking in a non-binding report on the [Single Market within the European Semester](#), which was adopted in the Internal Market committee in January and should be voted in Plenary on 24<sup>th</sup> February 2016.

In its [inception impact assessment](#), the Commission already suggested that customers would be able to choose from which country website he wishes to buy. This could also include relevant arrangements for the after-sales services.

On the 28<sup>th</sup> January, the preliminary results of the consultation on online platforms and geo-blocking were published. According to the results, many companies agree that discrimination is an issue to be tackled, and they believe that consumers resident in other Member States should not in principle be denied access to offers available to consumers resident in another Member State. However, companies stress respect for contractual freedom. A full report will be published online in the spring of 2016.

Regarding next steps, the Commission should present this year an e-commerce Action Plan (by April 2016) and regulatory proposals on consumer protection, e-commerce and geo-blocking (by May 2016).

As stated before, amusement parks may be impacted by these proposals because of possible future limitations on their ability to set different prices for consumers from different markets, even if these can be justified on the basis of the cost of marketing or to remain price attractive.

### **Commission publishes Package travel directive**

#### OFFICIAL JOURNAL OF THE EU

On 11<sup>th</sup> December the revised Package Travel Directive was [published](#) in the Official Journal of the EU. Member States have now to transpose the new directive into their national laws by 1 January 2018. The directive will be applicable from 1 July 2018.

Some legal uncertainty remains about the so-called Linked Travel Arrangements. This may result in parks that carry banner advertising linking consumers to other travel services being exposed to additional new consumer rules.

### **MEP Questions and Answers**

#### [MEP question on discrimination against non-national consumers making online travel bookings](#)

MEP [Daniel Dalton \(conservative\)](#) asked the Commission whether they were aware that certain Member States had recently taken action to ban anti-discrimination clauses in contracts between online travel agencies (OTAs) and hotels. He also wanted to know whether the Commission agreed that measures to ban anti-discrimination clauses between OTAs and hotels run counter to the principle of free movement of services and establishment as set out in Article 101 of the TFEU, and if they would take action against such measures.

#### [MEP question on the Green Paper on the Safety of tourism accommodation services](#)

MEP [Claudia Tapardel MEP \(socialist\)](#) asked the Commission's view on the better sharing and collection of tourism accommodation-related safety incident data, which was not covered by the limited response in the Commission's summary report of 6 March 2015 on the public consultation on the Green Paper. She also asked whether the Commission would keep

this policy under review and whether the Directorate-General for Justice and Consumers would retain responsibility for the safety of services relating to tourism accommodation within the EU.

#### [MEP question on online purchasing in the tourism sector](#)

MEP [Hans Olaf Henkel \(conservative\)](#) asked the Commission what they were doing to tackle monopolistic structures and whether there are any cases involving investigations. He argued that among the most important entities that operate on the internet, online travel agents in particular seem to have been enjoying a monopolistic structure.

#### [MEP question on age-friendly tourism strategies](#)

MEP [Claudia Tapardel \(socialist\)](#) asked the Commission whether they were taking any measures in support of initiatives to stimulate senior tourism in the EU and whether the Commission was considering developing EU guidelines that will address the specific barriers which senior citizens come up against in gaining access to tourist destinations in Europe.

#### [MEP question on tourism and security](#)

MEP [Urmas Paet \(liberal\)](#) asked the Commission whether it might not be sensible to adopt a general consular alert system in the EU and whether an EU-wide travel alert system would not be more effective and rational.

#### [Commission answers question on European tourists](#)

In July 2015, MEP [Siôn Simon \(socialist\)](#) [asked](#) the Commission what steps they had taken with Member States, airlines and tour operators, to ensure that any information about changes to a security situation reach citizens as quickly as possible.

Mr Avramopoulos replied on behalf of the Commission that the responsibility for providing travel advice to tour operators or citizens lies with Member States. The Commission has developed a web page that provides citizens with links to the travel advice issued by Member States' competent authorities.

#### [Commission answers question on EU support for tourism development](#)

In October, [Rolandas Paksas MEP \(far right\)](#) asked the Commission what EU

financial support was provided for the development and expansion of spa tourism and recreational areas.

The Commission replied that a guide existed, giving a comprehensive overview of EU programmes providing funding opportunities for the tourism sector. SMEs can access various financial instruments under different funds. Besides, Member States and regions can use the European Structural and Investment Funds to support, amongst others, the competitiveness of SMEs, preservation of natural and cultural heritage and small scale tourism infrastructure.

#### [Commission answers question on the Commission and support for tourism](#)

[Monika Flašíková Beňová MEP \(socialist\)](#) asked what the Commission was planning to focus on as it supports tourism in the short and medium term.

The Commission replied that to help the EU tourism industry to face increasing competition from new, emerging destinations, the Commission focusses on helping to promote Europe as a tourist destination and on enhancing the EU tourism offer, particularly in key long-haul

markets. Furthermore, the Commission is assisting public and private stakeholders, to improve the availability of skilled workforce, the quality and mobility of traineeships and apprenticeships.

**[Commission answers MEP question on tourism strategies for regional development](#)**

In October 2015, [Claudia Tapardel MEP \(socialist\)](#) asked what the Commission's strategy for combining tourism development with locally-adapted types of activities as part of broader regional economic development policies was.

The commission answered that Regions can use European Structural and Investment Funds to support tourism, and in particular competitiveness of SMEs, preservation of the natural and cultural heritage, and small scale tourism infrastructure provided they contribute to the thematic objectives and are part of a territorial strategy to develop endogenous economic potential. Many regions in their Research and Innovation Strategy for Smart Specialisation (RIS3) have indicated tourism as a priority.

**Events**

***February***

- 25 February 2016: [First Commission workshop on the implementation of the Package Travel Directive](#), Brussels

***April***

- 4 April 2016: [Sustainable management and accessible tourism: Awards ceremony](#), Brussels, Belgium