



## TOURISM AND TRANSPORT PACKAGE

Brussels, 13 May 2020

### 1. What is the Commission proposing today?

The Commission package on tourism and transport in 2020 and beyond is composed of three guidelines and a recommendation to help EU countries gradually lift travel restrictions, allow businesses to reopen and ensure that people in Europe can benefit from a safe and relaxing summer after months of confinement while respecting necessary health precautions.

The package includes:

- A [chapeau communication](#) on tourism and transport in 2020 and beyond;
- A [common approach](#) to lifting restrictions of free movement at EU internal borders in a gradual and coordinated way, mirroring the progressive lifting of domestic restrictions;
- A [common framework](#) to support the gradual re-establishment of transport whilst ensuring the safety of passengers and personnel;
- A [recommendation](#) to make travel vouchers an attractive alternative to cash reimbursement;
- Common [criteria and principles](#) for gradually and safely restoring tourism activities, in particular for health protocols for hospitality (hotels, etc.).

### I. RESTORING FREE MOVEMENT OF PEOPLE

#### 2. Will I be able to travel abroad this summer?

Many families have endured long periods of separation to help stem the tide of the virus. As soon as the epidemiological situation allows it, people should be able to travel safely to be reunited with their families, as well as for business or leisure. The first step to make this possible is that the domestic epidemiological situation allows relaxation of domestic free movement restrictions.

Travelling abroad will depend on the evolution of the public health situation in Member States. While a generalised lifting of restrictions would be desirable if the health situation were sufficiently positive across the Union, the Commission anticipates that a staged and coordinated approach is likely to be necessary. This would start by lifting restrictions and controls between regions and Member States with sufficiently similar epidemiological situations. The approach must also be flexible, including the possibility to reintroduce certain measures if the health situation requires.

The Commission is inviting Member States to engage in a process of re-opening unrestricted cross-border movement within the Union on the basis of 3 criteria:

- (1) **epidemiological**, notably focusing on areas and Member States where the situation is improving, based on the regional map being developed by the European Centre for Disease Prevention and Control;
- (2) the ability to apply **containment measures** (e.g. physical distancing, hygiene) throughout the whole journey, including at border crossings and;
- (3) **economic** and social considerations, prioritising cross-border movement in key areas of health, social and economic activity.

The lifting of restrictions at borders in the first phase between regions or Member States with similar epidemiological situations. This does not only concern neighbouring Member States: when restrictions are lifted between two regions, the same treatment should be extended to all regions in Europe where the health situation is comparable.

The principle of **non-discrimination** must be respected: where a Member State decides to lift its restrictions on movement to and from another Member State, or as regards regions or areas of either such Member State, this must apply, without discrimination, to all EU citizens and to all residents of

that Member State regardless of their nationality, and should apply to all parts of the Union in a similar epidemiological situation.

### 3. Who does the recommendation apply to?

The recommendations concerns the free movement of persons and lifting of internal border controls and are therefore addressed to all EU Member States – whether or not they are part of the Schengen area – as well as all Schengen Associated countries.

The Commission is also ready to associate the Western Balkans closely with the implementation of its Joint Roadmap towards lifting COVID-19 containment measures, in line with the Commission's Communication on "Support to the Western Balkans in tackling COVID-19 and the post-pandemic recovery".

### 4. What types of travel are covered by the recommendation?

The Commission is proposing a gradual approach to lifting travel restriction, comprised of three phases.

In **phase 0**, the current situation, several travel restrictions are in place for non-essential travel. Member States should still allow workers, in particular transport, frontier, posted and seasonal workers, and service providers to cross borders and have unhindered access to their place of work- especially for essential services and passage of goods.

In **phase 1**, travel restrictions and border controls should be gradually lifted throughout the EU starting between regions, areas and Member States with a positively evolving and sufficiently similar epidemiological situation. During this phase, smooth transit should be facilitated for professional and for personal reasons as well as for tourism.

During **phase 2**, all coronavirus related restrictions and controls at the internal borders should be lifted, while keeping the necessary health measures in place. Travel for all purposes should be permitted throughout the Union.

Going from Phase 0 which is the current state of play to the next stages should be done in a flexible manner, if necessary taking a step back in case the epidemiological situation worsens.

### 5. How can I get information about where restrictions are still in place?

Member States should regularly communicate on the state of play of restrictions. This is necessary to ensure that people crossing borders can plan and act on the basis of transparent information and full awareness of the situation, allowing them to take up their individual responsibility in following health recommendations when travelling.

The Commission will support this communication effort by continuing to display publicly on its [website](#) the list of internal border controls in place at any given time, as well as links to other relevant information for travellers (on local health situation, health services, applicable health protocols, etc.)

## II. RESTORING SAFE TRANSPORT

### 6. Which health and safety protocols will apply during travel?

The health of citizens remains the number one priority. To ensure the protection of both employees working in transport and passengers, the Commission's guidelines on the progressive restoration of transport services and connectivity recommend several measures:

- To minimise contact at departure, passengers will be encouraged to **buy tickets and check-in online**. Physical distancing should be ensured at security checks and luggage drop-off and collection;
- **Fewer passengers may be allowed on board**, for example buses, trains or ferries, to facilitate physical distancing, and passengers who are not from the same household may be seated apart;
- Where physical distancing is more difficult to ensure, additional safeguards and measures should be put in place, for example, the wearing of face masks. Transport staff should be provided with

adequate **protective equipment**;

- Transport operators may install **protective barriers**, e.g. between passengers and the driver, and you may be asked to board through a rear door;
- Doors should be opened automatically or remotely by the driver at every stop – so you do not need to touch any buttons or door handles;
- **Sanitising/disinfecting gel** should be available in vehicles and in transport hubs;
- Vehicles should be cleaned and disinfected regularly;
- **Food, drinks and other goods may no longer be on sale on board**, to minimise contact;
- Ventilation should be strengthened, for example by using appropriate air filters, and natural ventilation should be prioritised where possible;
- Transport operators are advised to develop strategies in case a passenger falls ill or shows symptoms of coronavirus during the journey.

For employees further information for workplaces is also available in the guidance provided by the [European Agency for Safety and Health at Work](#).

## **7. Do I need to wear a mask when taking transport? What kind of mask?**

Passengers should wear facemasks in transport hubs and vehicles used for collective transport, especially where physical distancing measures cannot be fully observed at all times. These do not need to be medical masks. National health/safety authorities will specify the exact requirements per transport mode, based on the epidemiological risk in that country, the availability of masks, and other considerations. It is recommended that transport workers are equipped with adequate personal protection equipment.

## **8. How and when will all the transport connections resume as before the coronavirus pandemics?**

The easing of travel and operational restrictions will be gradual to protect health, but also to ensure that transport systems and services, and other related systems (e.g. border controls between EU and non-EU countries), can re-adjust, as and when more people start travelling again.

The progressive restoration of transport services and connectivity will be fully dependent on relaxation of travel restrictions, on epidemiological assessments, and on expert medical advice on health and sanitary protection needs.

## **9. Which measures should be taken to mitigate the risk of transmission on planes?**

Our priority is to protect passengers, crew and transport workers when air transport restarts. We approach seating arrangements as we approach all other aspects of resuming travel: we want to mitigate risk – we cannot eliminate it.

The Commission guidelines recommend a number of preventive measures such as personal protective equipment (facemasks), hygiene and cleaning measures, reduced interaction on board, plus strengthened filtering and airflow systems used in aircraft cabins, which mitigate the risk of transmission. The forthcoming health and safety protocol that is being developed by the European Union Aviation Safety Agency (EASA) and European Centre for Disease Prevention and Control (ECDC) will specify additional risk mitigation measures to address physical distancing on board. Accessible information on airport processes and airline policies should be provided to passengers in advance of travel.

## **III. SAFELY RESUMING TOURISM SERVICES**

### **10. How will I be protected during my stay in hotel, during visits to restaurants or in outdoor tourist areas?**

To help Member States, the Commission has issued guidance for the safe and gradual restoration of tourism activities and for health protocols in hospitality businesses such as hotels and other types of accommodation, including indoor and outdoor areas, restaurants and cafés. The Commission encourages Member States to take into account those protocols when adopting their own protocols

adapted to national, regional and local conditions.

This guidance provides considerations, from a public health perspective, on the prevention and control of coronavirus for the tourism sector, while acknowledging the specificities across the EU/EEA. This includes considerations for staff as well as clients before, during and after their stay in a hotel and during visits to restaurants, coffee shops, or bars.

It is important to underline that as long as there is a risk of infection, traveling entails some risks. To protect the health of guests as well as workers, it is essential to follow infection prevention measures, such as physical distancing and hygiene, respiratory etiquette and use of facemasks as well as cleaning and disinfection.

The guidance also recommends that establishments should provide in a clear and visible way the information on all measures applied and to be followed. Finally, as a guest, you should receive all necessary information prior to arrival and in the place of hospitality establishment on all current guidance by local public health authorities, as well as specific measures that are put in place and affect your arrival, stay and departure.

#### **IV. PROVIDING INFORMATION TO TRAVELLERS AND PROTECTING THEIR RIGHTS**

##### **11. How can different digital applications help protect me and my family against coronavirus?**

Member States, with the support of the Commission, have agreed on [guidelines for interoperability](#) of mobile apps that support contact tracing and alerts to individuals who may have been exposed to the virus, so that citizens can be warned of a potential infection with coronavirus also when they travel in the EU. These guidelines build on the principles set out in the joint EU toolbox and the Commission guidance on data protection.

Tracing apps must be voluntary, transparent, temporary, cybersecure, using pseudonymised data, should rely on Bluetooth technology and be inter-operable across borders as well as across operating systems. For example, such apps need to have a common approach to detecting proximity between devices, and should allow individuals roaming in another Member State to be alerted with the relevant information in a language they understand. Ensuring interoperability is crucial, so that wide, voluntary take-up of national tracing apps can support the relaxation of confinement measures and the lifting of restrictions of freedom of movement throughout the EU. Access to cross-border flights, or travel more generally, should not be subject to the use of contact tracing apps.

##### **12. What about the protection of my private data?**

Contact tracing apps, if fully compliant with EU rules and well-coordinated, can play an important role in the strategy to lift containment measures, complementing other measures like increased testing capacities. The largest possible participation of EU citizens is necessary to exploit the full potential of tracing apps. Their use should always be voluntary, they should be time-limited and they should aim to exploit the latest privacy-enhancing technological solutions.

Based on Bluetooth proximity technology, they do not enable tracking of people's locations. In addition, health authorities should be the only ones to have access to such data. If implemented, contact tracing measures should be strictly limited for the purposes of dealing with the coronavirus outbreak and set up in line with the [EU toolbox on tracing apps](#), the [Commission guidance on data protection](#) and the [Guidelines of the European Data Protection Board](#).

##### **13. What action has the Commission already taken on passenger rights and package travel holidays amidst the coronavirus pandemic?**

The Commission calls on Member States, travel organisers and carriers to find pragmatic and flexible solutions that respect passengers' and travellers' right to be reimbursed for cancelled transport services or package travel holidays in the current situation of coronavirus pandemic.

In March 2020, the Commission published [interpretative guidelines on EU passenger rights regulations in the context of the developing situation with Covid-19](#) as well as an [advisory guidance on EU package travel rules in the context of COVID-19](#). Today the Commission is issuing a Recommendation on travel vouchers for passengers and travellers as an alternative to reimbursement for cancelled package travel and transport services, which go a step further. Member States are invited to follow a joint approach, giving consumers an attractive and reliable choice between a cash refund or accepting a voucher

instead.

**14. As a passenger, what are my rights for cancelled transport services or package travels in the context of the coronavirus pandemic?**

Passengers and travellers can be reassured that their rights are protected. The [EU passenger rights regulations](#) provide for passenger rights in the case of cancellation of transport services. The [Package Travel Directive](#) provides the necessary protection for the travellers who booked a travel package with a tour operator. In the case of a cancellation by the carrier, passengers have the choice, to be offered reimbursement or re-routing. As re-routing is hardly applicable under the present circumstances, the choice is mostly about possible different forms of reimbursement.

Under the passenger rights regulations, reimbursement of the full cost of the ticket is due 7 days following the passenger's request in the cases of air, sea and inland waterways transport, 14 days after the offer has been made or the request has been received for bus and coach transport and one month after the request of the passenger in the case of rail transport. Under the applicable rules, the reimbursement can be made in money or via a voucher. However, reimbursement by means of a voucher can only take place if the passenger agrees to it.

Under the Package Travel Directive, if a package trip is cancelled due to "unavoidable and extraordinary circumstances", travellers have the right to get a full refund of any payments made for the package, without undue delay and in any event within 14 days after termination of the contract. In this context, the organiser may offer the traveller reimbursement in the form of a voucher. In both cases, this possibility to get a voucher does not deprive the travellers of their right to reimbursement in money.

**15. What should a voucher offer?**

Vouchers may be a viable and attractive alternative to reimbursement for cancelled package travel and transport services in the context of coronavirus pandemic. Today's recommendation on vouchers sets out key features to ensure that if offered instead of reimbursement they are reliable and attractive for consumers, i.e.:

- covered by **insolvency protection** – in case the carrier or the organiser become insolvent, while the voucher has not yet been used, the traveller or the passenger must be reimbursed by the insolvency protection guarantor of the carrier/organiser. The insolvency protection system is to be set up at national level, either by public or private sector (can be a fund or insurer).
- **refundable if not redeemed**: passengers and travellers should have the right to ask for reimbursement in money at the latest 12 months following the issuance of the voucher concerned and at any moment thereafter. Carriers and organisers could consider making vouchers refundable at an earlier stage if the passenger or traveller so requests. Vouchers (or the remaining amount) should also be automatically reimbursed: at the latest 14 days after the end of the validity period of the voucher, in case it has not been redeemed.

The Recommendation also sets out other key features introducing flexibility:

**On the range of services:** vouchers should allow to book the same route under the same conditions as the original booking or a package travel with the same characteristics as the terminated package.

**On the operator with whom the new booking can be done:** Carriers and organisers should consider extending the possibility to use the vouchers for bookings with other entities that form part of the same group of companies.

**On transferability:** Vouchers for transport services should be transferable to another passenger without any additional cost.

**16. As a consumer, what can I do if I am only offered a voucher, but I wish for my money to be refunded?**

You can ask for a refund. You have the legally protected choice between reimbursement in money or a voucher. Given the liquidity problems of the carriers and organisers, you could consider to choose a voucher if the conditions are attractive (insolvency protection, reimbursable after a certain period of time or other features)

If you do not receive a reply from the carrier within the legal or recommended deadlines or if you are not satisfied with the reply, you can lodge a complaint with the relevant national enforcement authority for passenger rights. The national authority should provide you with a non-binding legal opinion on



how to proceed with your claim.

You can also try to resolve your dispute using out-of-court procedures or an Alternative Dispute Resolution entity. If you bought your ticket online, you can submit your complaint via the Online Dispute Resolution platform. Both options are only available to EU residents.

You may wish to resort to formal legal action and present a claim for compensation under EU rules using the European Small Claims procedure or bring the matter before the national courts. More information can be found [here](#) or [here](#). European Consumer Centres can also help and advise passengers on problems related to air passenger rights.

## **V. GETTING TOURISM BACK ON TRACK**

### **17. I am a company working in the tourism sector. Which kind of financial support can I get and how?**

A number of Member States have already taken action, under the [Temporary State Aid Framework](#) adopted in March 2020, to provide direct grants up to € 800,000 or loans or guarantees on very favourable terms for larger amounts; or, in some cases, to grant compensation to businesses for damage suffered due to the pandemic.

The EU has also made available €1 billion as a guarantee for the European Investment Fund, which will leverage a loan guarantee of €8 billion to help 100,000 SMEs across the EU, including in tourism. National or regional authorities managing EU structural and cohesion funds, can decide to use the funding under the [Coronavirus Response Investment Initiatives](#) (CRII and CRII+), under shared management with Member States, to address the immediate liquidity shortages of small or medium businesses working in tourism, such as covering labour costs, materials, operational inputs, inventories and overheads, rent and utilities.

### **18. What is the Commission doing to save jobs in the tourism sector?**

On 2 April, the Commission proposed a new instrument for temporary [Support to mitigate Unemployment Risks in an Emergency \(SURE\)](#). It will allow for a financial assistance up to €100 billion in the form of loans from the EU to affected Member States to support short-time work schemes.

The SURE instrument will be available to Member States that need to mobilise significant financial means to fight the negative economic and social consequences of the coronavirus outbreak on their territory. It will provide financial assistance to Member States to address sudden increases in public expenditure for the preservation of employment.

Specifically, the SURE instrument will act as a second line of defence, supporting short-time work schemes and similar measures, to help Member States protect jobs and thus employees and the self-employed against the risk of unemployment and loss of income.

### **19. What is the Commission doing to promote local tourism?**

It is likely that due to the recent epidemic crisis, domestic and intra-EU tourism will prevail in the short-term. The Commission is working to reinforce Member States and regions efforts to promote trans-national and trans-regional tourism offer, as marketing of destinations is predominantly the competence of the national/regional tourism offices.

At the same time, the Commission has been helping to diversify the local tourism offer and connecting citizens to the diversity and richness of nature and culture in Europe and will continue to support Member States to restart tourism during this health crisis. It will work on promoting patronage voucher schemes through which consumers can support their favourite local tourism businesses, as well as the European platform for Digital Cultural Heritage [Europeana](#), promoting cultural, sustainable coastal and maritime or rural and agri-tourism.

The Commission will also build on ongoing initiatives such as the [European Capitals of Smart Tourism](#), which reward innovative and smart tourism in European cities, as well as [European Destinations of Excellence \(EDEN\)](#) which are lesser-known, off-the-beaten-track destinations committed to sustainable tourism management across Europe, [trans-European thematic tourism products](#), such as trans-European thematic Routes around World Heritage sites – [World Heritage Journeys of the European Union](#) and [Cultural Routes certified by the Council of Europe](#), as well as the European Capitals of Culture.

## **20. What is the patronage voucher and how will they help tourism?**

Patronage vouchers can be bought by consumers from small suppliers in the tourism sector closed for business due to the coronavirus crisis (such as restaurants, Bed & Breakfast, small hotels) and can be later exchanged for services once businesses reopen. The small supplier immediately receives the money paid for the voucher, which helps them in terms of cash flow. For consumers, patronage vouchers provide an opportunity to support their favourite suppliers and help them survive the current crisis. Patronage vouchers can play a meaningful role in sustaining Europe's hotel and restaurant ecosystems.

## **21. What is the long-term perspective to help the tourism sector? Will the EU tourism ecosystem recover?**

The EU will put all efforts, together with Member States, to help the European tourism ecosystem recover from the crisis. In order to make it more resilient, we will need to reflect together on the lessons learned and on the new trends that might emerge. The shared ambition is to maintain Europe as a leading destination in terms of quality, value, sustainability and innovation. This can only be achieved, if we are committed to the sustainable and digital transition and if this commitment is at all levels, from the European to the local level.

Pursuing the [European Green Deal](#) objectives to make tourism more sustainable would mean enabling sustainable transport and connectivity, implementing smart management of tourism flows and measuring impacts, diversifying tourism offer and protecting natural resources and local communities. Digital transition will provide new, innovative opportunities to manage travel and tourism flows, to make better use of big data, and drive innovation, among others. In this transition, SMEs will need to be supported in particular.

The Commission will organise a European tourism convention, as soon as health circumstances allow, in order to reflect – together with EU institutions, the industry, regions, cities and other stakeholders – on the future of sustainable, innovative and resilient European tourism ecosystem – the 'European Agenda for Tourism 2050'.

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