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(OR. en)

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Interinstitutional File:  
2023/0435 (COD)

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#### 'I/A' ITEM NOTE

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From: General Secretariat of the Council  
To: Permanent Representatives Committee/Council

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Subject: Draft DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE  
COUNCIL amending Directive (EU) 2015/2302 to make the protection of  
travellers more effective and to simplify and clarify certain aspects of that  
Directive **(first reading)**  
- Adoption of the legislative act  
= Statement

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#### **Italy has requested that the following statement be entered in the Council minutes**

Italy votes in favour of the adoption of Directive [2023/0435 (COD)], acknowledging the efforts made to balance consumer protection with the needs of the tourism sector.

However, Italy wishes to place on record its deep concern regarding the recurrence of events of global significance following the COVID-19 pandemic, such as the war in Ukraine and the conflicts in the Middle East and the Gulf, which have a direct impact on the economies of the Member States and the European Union, including the tourism sector and, in particular, the resilience of the organised tourism sector.

In particular, Italy expresses its concern regarding Articles 12 and 12a, relating to the right of withdrawal and the regulation of vouchers, which have not adequately taken into account the disruptive impact of events such as those mentioned, which require flexibility and must be addressed with systemic tools so as not to impose disproportionate financial and organisational burdens on operators, especially small and medium-sized enterprises. In recent years, organised tourism operators have all too often found themselves having to shoulder the burden of unforeseen events – such as the recent conflict – whose scale and economic impact are far too great for their business models, and which have nothing to do with the standard consumer protection that lies at the heart of the Package Travel Directive, which we are about to approve in its revised form. Insurance cover or other standard private-law remedies either exclude or fail to adequately protect the organised tourism sector against acts of war or crises that undermine the safety of travellers on routes or in areas of strategic importance to the European Union.

Italy therefore calls on the Commission to closely monitor the impact of the lack of any flexibility in the rules regarding the events mentioned, and stands ready to collaborate on the development of corrective measures in the future or to propose to the European Commission the establishment of a funding facility, for example under the Competitiveness Fund, or a state aid scheme for these emergencies, which have proven to be recurrent in nature and which clearly have serious systemic impacts on the organised tourism sector and, in turn, in various ways, on final consumers.