

### **Booking.com remains non-compliant with the Digital Markets Act**

As of today, Booking.com is now legally required to comply with the Digital Markets Act (DMA). Regrettably, to this date, the company has failed to ensure its compliance and has not effectively communicated the necessary changes to business users by yesterday's deadline. HOTREC believes that the compliance report published by Booking.com fails to address several obligations identified under the DMA.

HOTREC takes note of changes in parity clauses which should allow hoteliers to offer better prices on different distribution channels, including on their own websites. However, it is important that the proposed compliance solution is properly assessed. We must ensure that measures with equivalent effect do not lead to similar negative results as parity clauses.

Other changes introduced by Booking.com are either cosmetic, such as access to data, or not addressed at all. For example, hotels are still forced to use Booking.com's pre-payment option with no choice given to consumers. Equally striking and worrying is the fact that Booking.com fails to introduce any meaningful changes to its website interface and does not address concerns regarding ranking. The underlying issue continues to be the lack of transparency on how Booking.com's algorithms work.

#### **Marie Audren, HOTREC Director General, commented:**

"The objectives of the DMA will not be achieved by simply crossing out parts of the terms and conditions, but by ensuring that the DMA obligations are fully complied with and by treating hoteliers fairly. As it stands, Booking.com is still far from being compliant."

"European consumers and travellers rely on affordability, transparency, and choice as essential elements for their hospitality experiences. European hotels, mostly small and medium-sized enterprises, count on the DMA to resolve unfair business practices and impairments by Booking.com. HOTREC strongly urges the European Commission to take the necessary steps as soon as possible and launch a non-compliance investigation against Booking.com."

#### **Background**

According to [HOTREC's 2024 European Distribution Study](#), Booking.com is by far the most dominant online travel agency with a market share of over 70%.

For media enquiries, please contact Matej Zezlin ([matej.zezlin@hotrec.eu](mailto:matej.zezlin@hotrec.eu)), Public Affairs Manager at HOTREC.