

# TRENDS IN STATE REGULATION OF THE HOSPITALITY INDUSTRY UNDER THE INFLUENCE OF RESTRICTIONS DUE TO THE EFFECTS OF THE COVID-19 PANDEMIC AND INTERNATIONAL SANCTIONS

## TENDÊNCIAS NA REGULAMENTAÇÃO ESTATAL DA INDÚSTRIA HOTELEIRA SOB A INFLUÊNCIA DE RESTRIÇÕES DEVIDO AOS EFEITOS DA PANDEMIA COVID-19 E DAS SANÇÕES INTERNACIONAIS

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help enterprises in the hospitality industry to overcome the current challenging situation.

**Keywords:** Hospitality industry. Effects of the pandemic. Impact of sanctions. State regulation. Support measures.

**Resumo:** O documento analisa as perspectivas de desenvolvimento da regulamentação estatal da indústria hoteleira em meio a uma recuperação da demanda por serviços de hospitalidade como resultado do levantamento de todas as restrições devidas à pandemia da COVID-19 e às sanções internacionais. O estudo visa definir as principais direções na regulamentação estatal anti-crise da indústria hoteleira. Por meio de uma análise de documentos e estatísticas e uma pesquisa de especialistas, determina-se que a esfera dos serviços de hospitalidade se encontra agora em crise, cuja resolução depende de uma

administração pública eficaz. Os autores acreditam que para superar esta crise, é necessário distinguir claramente os principais setores da indústria hoteleira e suas diferenças em relação à indústria do turismo no nível legislativo. Uma regulamentação legal separada ajudará na melhor identificação dos problemas da indústria e suas causas e no desenvolvimento de medidas especiais para eliminá-los. Um estudo da experiência global e nacional de medidas reguladoras anti-crise para restaurar a indústria hoteleira sugere que a Rússia está concentrada principalmente na adoção de regulamentações administrativas de emergência, que nem sempre estão voltadas para as opiniões dos representantes empresariais. Com base nesta experiência, os autores formularam propostas para o desenvolvimento de medidas de regulamentação estatal para ajudar as empresas do setor hoteleiro a superar a atual situação desafiadora.

**Palavras-chave:** Indústria hoteleira. Efeitos da pandemia. Impacto das sanções. Regulamentação do Estado. Medidas de apoio.

## 1. Introduction

At present, the dynamically developing hospitality industry, which includes several areas of commercial activity, is making an increasing contribution to the development of modern states' economies. The provision of quality, safe, and affordable services for tourists and other categories of travelers today includes, first of all, as recorded by the results of research (Aisin et al., 2022; Otcheskiy et al., 2022; Saenko et al., 2022), the production of information services to find and book places to stay, creating and providing a variety of accommodation and meals, organization of familiarization and entertainment time of travelers, and life, health, and property insurance for travelers. Apart from providing conditions for travel, the developed hospitality industry solves important social problems (Berdibekova et al., 2022). According to official statistics, the hotel and restaurant business, which requires significant investments, employs more than 5% of the working population of Russia (2018) (Federal State Statistics Service, 2019). Therefore, the provision of hospitality services is among the top priority objects of state regulation and is under the scrutiny of legislators, economists, and politicians (Stadolin et al., 2022). On the other hand, researchers are engaged in a constant search to improve the efficiency of corporate management in the dynamically changing field of hospitality (Vysheslavova et al., 2022). Since 2020, this business sector has been heavily affected by factors of not only an economic but political nature (Potekhina et al., 2022). Restrictions on the movement of citizens, quarantines, and lockdowns imposed by authorities around the world in response to the COVID-19 pandemic have caused, due to a lack of travelers, loss of income and closures of hotels and catering establishments (Yembergenov et al., 2022).

In Russia, in addition to the logistical constraints caused by the spread of COVID-19, new problems for the hospitality industry have arisen due to international sanctions in connection with Russia's special military operation (SMO) in Ukraine. For example, the ability of

businesses to purchase equipment and technology for hotels and catering facilities has been significantly reduced, as companies that have joined these sanctions refuse to partner with Russian businesses. These and many other problems have to be urgently solved today by focusing efforts and coordinating the actions of the state and business.

The scientific community finds a new field of research to explore solutions to minimize losses and to further develop the hospitality industry (Iudina et al., 2022; Nikolskaya et al., 2022). The greatest research interest at the moment lies in such aspects of hospitality industry management as antimonopoly regulation of activities in conditions of deficit (Alieva & Parakhina, 2022; Vasin & Kuzmina, 2022); improvement of professional training for enterprises (Afanasev et al., 2022; Tuliankina & Udalov, 2021); development of new directions, improving the quality of services (Shevtsova, 2022). The measures proposed to support this sector of the economy can assist in its adaptation and further development. Thus, research efforts to find new solutions for the development of the hospitality sector are extremely topical.

The goal of the present study is to form a set of measures ensuring further adaptation of the hospitality industry in the Russian Federation. Research objectives are to study the concept and specific features of activities in the provision of hospitality services, identify the reasons behind the arising problems, and discover opportunities to solve them through the analysis of international experience. The hypothesis of the study states that for adaptation and sustainable development of the hospitality industry, it is necessary to develop and implement a set of temporary regulatory anti-crisis measures combining both economic and administrative levers.

## **2. Methods**

The study employed both theoretical and empirical methods common to many sciences and specific to one branch (specialized research methods). The theoretical methods used are analysis and synthesis, system-structural approach, deduction, the comparative legal method for the study of theoretical and practical approaches to regulated relations, generalization of scientific opinions on the problems under study, and the statistical method, which showed the importance and relevance of the problem.

The primary data collection method was the analysis of documents and other various information sources. Among these sources were normative legal acts posted on government websites, information on events provided by trusted news sites, monographs and articles,

including those published in journals indexed by Scopus and Web of Science, containing conceptual provisions regarding the sustainable development of the hospitality and tourism industry, and abstracts of conference and roundtable speeches on these topics. Among the sources selected for analysis were documents concerning the operation of multinational hotel chains such as Radisson Hotel Group.

Secondly, the study utilized the survey method and mathematical processing of the qualitative information collected with it. The most labor-intensive and, consequently, effective for this study was the expert survey method. The experts recruited were employees of tourism departments and committees on the development of small and medium-sized businesses formed by the executive authorities of three regions of the Central Administrative District of Russia. Criteria for the selection of experts were at least three articles written by them on the relevant topic published in journals cited in Scopus or Web of Science or work experience of not less than 10 years. All participants in the survey were informed about its purpose and the intent of the organizers to publish the results without the respondents' personal information.

Each respondent was forwarded an e-mail asking them to answer in writing what they consider to be the most effective crisis management tools for the hospitality industry. After the collection of responses and their mathematical computation, the identified methods were divided into several groups, and the percentage of mentions was calculated for each of them.

### **3. Results**

#### **3.1 Hospitality Industry as Part of the Tourism Industry: Features and Legal Practices**

Today, the hospitality industry, which includes hotel and restaurant businesses as its key component, is becoming increasingly developed and important in the national economy. The hospitality industry should be interpreted in a broad and narrow sense. In the narrow sense, it refers to the totality of hotels and other means of accommodation and catering enterprises (Nikolenko, 2021). In a broad sense, the hospitality industry is a sector of services, interrelated with the tourism industry, uniting numerous enterprises of different orientations (the primary of which are hotels, restaurants, water parks, ski resorts, beach complexes, rental companies, and other service facilities for recreation, as well as businesses supporting the operation of these basic enterprises, such as insurance companies, etc.), founded based on the principle of hospitality service to tourists, travelers, and residents and the organization of their leisure and recreation.

This does not imply, however, that the hospitality industry is a variety or part of the tourism industry. Being economically related to the tourism industry, the hospitality industry serves as a material foundation for the development of the tourism industry, without which the latter is inconceivable in most modern directions. Yet it would be inappropriate to consider these types of activities identical concepts and mix them. In this sense, we share the view of S.S. Skobkin (2012), who believes that such ambiguity makes it difficult to determine the boundaries of each of these markets and to identify the state of supply and demand in each of these categories and, ultimately, has a negative impact on strategic planning in this area of business activity. From the point of legal regulation, the substitution of the two concepts is also erroneous. According to Art. 1 of the Federal Law of the Russian Federation "On the Fundamentals of Tourism in the Russian Federation" (hereinafter – the Law) (State Duma of the Federal Assembly of the Russian Federation, 1996), tourism activity is understood as tourism activities – tour operator and travel agent services, as well as other activities for the organization of travel. Proceeding from the meaning of this norm and other provisions of the Law, the essence of tourism activities lies in the paid organization of various forms of people's travel from their place of permanent residence to meet recreational, learning, religious, commercial, sports, professional, business, and other needs in places of temporary stay. Tourist activity is a special type of entrepreneurial activity focused on making a profit from organizing tourist trips from the place of their permanent residence. Such activities are usually carried out by tourist enterprises, which in the tourism industry play the main organizational role in the formation of tourist flows (Skobkin, 2012). However, the same Art. 1 of the Law gives a definition of the tourism industry that stipulates that aside from tour operators and agencies, the industry also includes hotels and other facilities, including transportation, catering, etc., as provided by the Order of the Federal Agency for Tourism of July 5, 2022 No. 307-Pr-22 "On Approval of the List of Objects of the Tourism Industry" (Federal Agency for Tourism, 2022). This legal definition seems incorrect, as it does not distinguish between the organizational activity of providing tourist and, as a rule, package services and the activity of creating and providing separate accommodation, catering, entertainment, and other services. Furthermore, the interaction of tour operators and travel agencies with hotels, catering, and entertainment facilities is based on separate civil law contracts. In these contracts, one party, a travel agency, acts as an agent and, for a fee received from the tourist and on their behalf, enters into a business relationship with a hotel, which provides its customers with a range of its services for the remuneration received from the travel agent. As a result of this contractual interaction, the hotel provides itself with guests, and the tourist

organization sells the tourist product. This contract is entrepreneurial. However, in addition to this, the hotel can also conclude direct contracts with guests, which have all the characteristics of a consumer contract and are concluded outside of the package of tourist services. In the same way, the organization of a tour may not include accommodation in a hotel and meals in a restaurant or entertainment activities, as, for example, in the case of extreme tourism in the wilderness. Therefore, it is incorrect and illegitimate to substitute the hotel activity for the tourist activity. Otherwise, it would be equally appropriate to recognize an airline company's activity of transporting passengers by air as a tourist activity.

For this reason, the definition of the tourism industry given in the Law needs to be revised, and the activities of hotels and other enterprises providing temporary accommodation, meals, and other services to travelers directly at the place of stay should be attributed to another sphere of industry other than tourism and transport and be covered in a separate law regulating commercial hospitality relations exclusively.

### **3.2 Consequences of the COVID-19 Pandemic and International Sanctions for the Hospitality Industry**

Large-scale government assistance and support for businesses has been taking little account of the features of the hospitality industry, unlike, for example, in the case of tour operators and travel agencies. The few exceptions are short-term deferrals on taxes, advance payments, and insurance premiums and a moratorium on bankruptcy on applications of third parties (State Duma of the Federal Assembly of the Russian Federation, 2020). Tour operators were also given the right to give out vouchers for equivalent future travel to clients under contracts concluded before March 31, 2020 instead of returning money for trips canceled due to COVID-19. In addition, the rules of cost recovery for tour operators due to coronavirus were changed: they were reimbursed for the cost of return of tourists for the period from January 24 to March 30, 2020 without reference to the date of the official introduction of restrictions in the country (State Duma of the Federal Assembly of the Russian Federation, 2020). In 2021 and 2022, there was tourist cashback (return) in the amount of 20% of the funds paid to the consumers of tourist products. These measures had only an indirect favorable economic effect on hotels and catering enterprises. These businesses incurred the greatest costs to perform the sanitary measures under the new requirements of Rospotrebnadzor issued due to the pandemic.

To understand the opportunities for anti-crisis regulation in Russia, we conducted an expert survey, the results of which are provided in Table 1.

**Table 1.** The most effective methods and tools for crisis management in the hospitality industry according to the experts

Question for the experts	Regulation method	Regulation tools	Percentage of mentions
What methods and tools of regulation would be most effective for crisis management in the hospitality industry?	1 Administrative method	Restraining price increases by setting maximum prices and markups	15%
	2 Economic method	Application of tax and customs concessions, subsidized loans, rents, etc.	37%
	3 Comprehensive approach	A combination of the above methods	48%

In several countries, support for the hospitality industry has been much more substantial. For example, on March 22, 2020, Egyptian President Abdel Fattah al-Sisi announced that the government had allocated 100 billion Egyptian pounds (\$6.4 billion) in direct funding to ensure the continued operation of hotels (TASS, 2020). The payment of property taxes from hotels and tourist facilities was postponed by three months. In Turkey, in support of the tourism sector, the introduction of a hotel occupancy tax was postponed until November 1, 2020, and taxes and payments for April, May, and June for companies renting hotels were delayed for six months. In the UK, small businesses related to the hotel and restaurant industry received an exemption from commercial tax for the duration of pandemic-related restrictions (TASS, 2020).

For ease of comparison, government support measures for the hospitality industry are listed in Table 2.



**Table 2.** Government support measures for the hospitality industry

Country	Measures adopted to support businesses in the hospitality industry in response to pandemic restrictions
Egypt	Direct government funding to prevent hotel closures
Great Britain	Commercial tax exemption for small businesses in the hospitality industry for the duration of the restrictions
Turkey	Deferred payment of hotel occupancy and rental taxes for a specified period
Russia	Deferral of taxes, advance payments, and insurance premiums, declaring a temporary moratorium on third-party bankruptcies for businesses in the hospitality industry

Transnational hotel chains around the world have suffered financial losses because of the resulting constraints. Nevertheless, they quickly began to adapt to the new realities, developing and implementing short-term and long-term anti-crisis strategies (Dukhovnaia et al., 2021).

Already in the first phase of the pandemic, in the spring of 2020, hotels faced the urgent need to impose restrictive measures, aimed at protecting the lives and health of guests and staff (Hollander, 2021).

A good example in this respect is the experience of Radisson Hotel Group, which in May 2020 announced its Radisson Hotels Safety Protocol, a new program to reinforce its cleaning measures and disinfection procedures. The protocol was developed in partnership with the world's leader in inspection services.

Radisson Hotel Group undertook a thorough review of all existing health and safety procedures and, together with a team of experts, developed and approved additional protocols. These enhanced policies, work instructions, and comprehensive health and safety procedures were adapted in accordance with local requirements and guidelines to ensure guests' safety and peace of mind from check-in to check-out. The Radisson Hotels Safety Protocol further enhanced existing strict sanitation, cleanliness, and disinfection practices in hotels worldwide (Frontdesk.ru, 2020).

Today, hospitality industry enterprises in Russia are dealing with new problems caused by international sanctions. In science, the impact of international sanctions on the development of countries has been studied mainly in the theoretical aspect. Hence, there are new



opportunities for researchers to collect practical data on the hospitality industry obtained under the influence of sanctions. For almost a year, after the first package of sanctions was introduced, many foreign companies announced their refusal to cooperate. To summarize, we identified two groups of problems:

Group 1: endoproblems, i.e. problems within the industry, such as the departure of foreign e-booking services such as Airbnb.com and Booking.com from the Russian market;

Group 2: exoproblems, i.e. the consequences of restrictions in other areas directly affecting the hospitality industry. For example, the refusal of foreign suppliers to supply software and equipment, the closure of airspace, and the refusal to carry passengers.

On the one hand, as predicted by experts, some items of hotel expenses have risen significantly because of the described problems. The expert community argues that the price increase may reach up to 30% in the near future (World Trade Centre Moscow, 2022). On the other hand, international sanctions contribute to the reorientation of tourist flows from foreign destinations, especially popular European destinations, to domestic tourism. In this case, the flow of tourists to Russian hotels should increase substantially given the limited choice. Therefore, the Russian government believes that it is not economically viable to continue extending the tourist cashback program, which was launched to support the industry under the influence of COVID-19 restrictions.

#### **4. Discussion**

As shown by our analysis, the functioning of the hospitality industry was significantly affected by the spread of the COVID-19 pandemic and international sanctions. However, government regulation of the industry differed significantly in each of these cases. Interventions to recover the hospitality industry from the effects of the pandemic focused on coordinated government and business efforts to develop economic support mechanisms. In particular, there was an easing of tax, customs, and credit policies for the hospitality industry and the application of benefits and incentives, such as tourist cashback. With the imposition of international sanctions, representatives of government agencies turned their attention to legislative measures. More specifically, they focused on the need to develop an approach centered around the separate regulation of the tourism industry and the hospitality industry due to the substantive differences between tourism, hotel, and restaurant businesses. This approach is outlined in the works by S.S. Skobkin (2012) and R.A. Shukurov (2020). Divided regulation seems to allow the authorities to

be more attentive to the problems of hospitality industry enterprises in case of crises in this sphere. This regulation should also be extended to such an important segment of the hospitality industry as daily rental housing (flats, apartments) for citizens. Legislative bodies proceed from the need to prevent a substantial, unreasonable increase in prices for hotel, restaurant, and other services provided by these enterprises under the conditions of the resulting deficit. For this reason, there is a discussion at the state level about the possibility of a temporary administrative restriction of price growth by introducing a maximum deviation from the calculated average price of the service (Association of Tour Operators, 2022). Elevated demand for domestic tourism, in turn, can provoke a rise in prices for accommodation in hotels and transfer to places of recreation. Further on, the latter can reinforce the negative image of domestic tourism among Russian consumers. The proposal of administrative, non-market cost containment supported by some researchers (Alieva & Parakhina, 2022) only causes dissatisfaction with the representatives of the hotel business and seems inappropriate. In this connection, we propose to rationalize the possibility of price increases for hotels based on the quality of their services. For the assessment of service quality, it is needed to establish self-regulating organizations and associations of representatives of the hotel and restaurant business, similar to and instead of the world-famous rating project for hotels and restaurants Michelin (Buybrand.ru, 2022). These organizations rate hotels and restaurants, determining their ability to raise prices for their services above the established limit. Thus, minimal deviation from the calculated price established administratively with consideration of regional and seasonal coefficients is used for objects rated at zero. Possible departure from the calculated price increases with the rating and be unlimited for objects with the highest rating. The use of the rating system and the classification of hotels and restaurants by the quality and number of services offered is supported by A.I. Murygin (2022) and S.G. Fedorchukova (2020). That being said, administrative price containment should be used as an exceptional and temporary anti-crisis measure of government regulation.

Several researchers (Solovev et al., 2023; Stadolin et al., 2022; Ukhina et al., 2022) argue that economic incentive measures must remain the main measures able to provide quick results. First and foremost, these include:

- tax and customs exemptions and credit subsidies for hospitality companies to acquire the software and equipment necessary for their operation;
- tax incentives and credit grants to the developers of Russian websites of hotels for direct booking and computer and mobile applications for online booking of hotels and search for short-term rental accommodation;

- tax and customs exemptions, credit subsidies for the production of the above-mentioned equipment at Russian production enterprises as part of import substitution;
- tax incentives for investors in the construction of new facilities and additional spaces for the hospitality industry and the reconstruction of existing ones.

The proposed measures should ensure the attainment of the main objectives of crisis management – the survival and further sustainable development of enterprises in the hospitality industry, as well as the accessibility of their services to the majority of consumers – Russian citizens.

## **5. Conclusion**

The research reported in this article entails important conclusions concerning the formation of comprehensive state regulation that is critical in today's crisis conditions of the hospitality industry. At present, to restore the hospitality industry from the consequences of the COVID-19 pandemic and ensure its further development in the face of international sanctions, there is a need for joint efforts of the state and business in applying a set of anti-crisis regulations, including changes in the legislative framework, administrative containment of price increases, and economic incentives. Such a combination of measures should help to maintain a fair balance between the interests of business representatives and the state in ensuring the availability of produced services to citizens. Thus, the hypothesis of this study seems to be proven. The continuation of the present study started within the framework of the stated topic can be seen in the formation of the legal framework to ensure the long-term post-crisis development of the hospitality industry.

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