



# UNWTO Basic Documents

## Volume I

Statutes | Rules of Procedure | Agreements

Fifth edition  
Updated and revised | February 2016



# UNWTO

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**UNWTO Basic Documents, Volume I – Statutes, Rules of Procedure, Agreements**

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## Introduction

The *UNWTO Basic Documents* bring together in three volumes essential documents concerning the governance of the World Tourism Organization (UNWTO).

The fifth edition of the present volume I, updated as of February 2016, provides a general introduction to the Organization's legal framework, role and functions. It contains the Statutes, the Rules of Procedure of the UNWTO's governing bodies and main Committees, as well as the most important documents related to the status of the UNWTO as a specialized agency of the United Nations.

In the present edition, main revisions have been introduced within the "Rules of Procedure of the Committee of the Affiliate Members" and the "Headquarters Agreement between the Kingdom of Spain and the World Tourism Organization", whereupon the "Supplemental Agreement on Cooperation between the Spanish Government and The World Tourism Organization", still included in the fourth edition, has become obsolete.



# Statutes<sup>1</sup> of the World Tourism Organization

## Establishment

**Article 1<sup>2</sup>** The World Tourism Organization, hereinafter referred to as “the Organization”, an international organization of intergovernmental character resulting from the transformation of the International Union of Official Travel Organisations (IUOTO), is hereby established.

## Headquarters

**Article 2** The Headquarters of the Organization shall be determined and may at any time be changed by decision of the General Assembly.

## Aims

- Article 3**
1. The fundamental aim of the Organization shall be the promotion and development of tourism with a view to contributing to economic development, international understanding, peace, prosperity, and universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion. The Organization shall take all appropriate action to attain this objective.
  2. In pursuing this aim, the Organization shall pay particular attention to the interests of the developing countries in the field of tourism.

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**1** Text adopted by the Extraordinary General Assembly of IUOTO held at Mexico City, from 17 to 28 September 1970. The Statutes came into force on 2 January 1975 in accordance with Article 36.

**2** The amendments to articles 1, 4, 5, 6, 7, 9 and 14 adopted by the General Assembly at its sixteenth session [resolution 511 (XVI)] in Dakar, November/December 2005, have not yet come into force.

3. In order to establish its central role in the field of tourism, the Organization shall establish and maintain effective collaboration with the appropriate organs of the United Nations and its specialized agencies. In this connection the Organization shall seek a cooperative relationship with and participation in the activities of the United Nations Development Programme, as a participating and executing agency.

## Membership

Article 4<sup>3</sup> Membership of the Organization shall be open to:

- (a) Full Members
- (b) Associate Members
- (c) Affiliate Members

- Article 5<sup>4</sup>
1. Full membership of the Organization shall be open to all sovereign States.
  2. States whose national tourism organizations are Full Members of IUOTO at the time of adoption of these Statutes by the Extraordinary General Assembly of IUOTO shall have the right to become Full Members of the Organization, without requirement of vote, on formally declaring that they adopt the Statutes of the Organization and accept the obligations of membership.
  3. Other States may become Full Members of the Organization if their candidatures are approved by the General Assembly by a majority of two-thirds of the Full Members present and voting provided that said majority is a majority of the Full Members of the Organization.

- Article 6<sup>5</sup>
1. Associate membership of the Organization shall be open to all territories or groups of territories not responsible for their external relations.

---

3 Ibid.

4 Ibid.

5 Ibid.

2. Territories or groups of territories whose national tourism organizations are Full Members of IUOTO at the time of adoption of these Statutes by the Extraordinary General Assembly of IUOTO shall have the right to become Associate Members of the Organization, without requirement of vote, provided that the State which assumes responsibility for their external relations approves their membership and declares on their behalf that such territories or groups of territories adopt the Statutes of the Organization and accept the obligations of membership.
3. Territories or groups of territories may become Associate Members of the Organization if their candidature has the prior approval of the Member State which assumes responsibility for their external relations and declares on their behalf that such territories or groups of territories adopt the Statutes of the Organization and accept the obligations of membership. Such candidatures must be approved by the Assembly by a majority of two-thirds of the Full Members present and voting provided that said majority is a majority of the Full Members of the Organization.
4. When an Associate Member of the Organization becomes responsible for the conduct of its external relations, that Associate Member shall be entitled to become a Full Member of the Organization on formally declaring in writing to the Secretary-General that it adopts the Statutes of the Organization and accepts the obligations of full membership.

- Article 7<sup>6</sup>
1. Affiliate membership of the Organization shall be open to international bodies, both intergovernmental and non-governmental, concerned with specialized interests in tourism and to commercial bodies and associations whose activities are related to the aims of the Organization or fall within its competence.
  2. Associate Members of IUOTO at the time of adoption of these Statutes by the Extraordinary General Assembly of IUOTO shall have the right to become Affiliate Members of the Organization, without requirement of vote, on declaring that they accept the obligations of affiliate membership.
  3. Other international bodies, both intergovernmental and non-governmental, concerned with specialized interests in tourism, may become Affiliate Members of the Organization provided the request

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6 Ibid.

for membership is presented in writing to the Secretary-General and receives approval by the Assembly by a majority of two-thirds of the Full Members present and voting and provided that said majority is a majority of the Full Members of the Organization.

4. Commercial bodies or associations with interests defined in paragraph 1 above may become Affiliate Members of the Organization provided their requests for membership are presented in writing to the Secretary-General and are endorsed by the State in which the headquarters of the candidate is located. Such candidatures must be approved by the General Assembly by a majority of two-thirds of the Full Members present and voting provided that said majority is a majority of the Full Members of the Organization.
5. There may be a Committee of Affiliate Members which shall establish its own rules and submit them to the General Assembly for approval. The Committee may be represented at meetings of the Organization. It may request the inclusion of questions in the agenda of those meetings. It may also make recommendations to the meetings.
6. Affiliate Members may participate in the activities of the Organization individually or grouped in the Committee of Affiliate Members.

## Organs

### Article 8

1. The organs of the Organization are:
  - (a) the General Assembly, hereinafter referred to as the Assembly;
  - (b) the Executive Council, hereinafter referred to as the Council;
  - (c) the Secretariat.
2. Meetings of the Assembly and the Council shall be held at the Headquarters of the Organization unless the respective organs decide otherwise.

## General Assembly

### Article 9<sup>7</sup>

1. The Assembly is the supreme organ of the Organization and shall be composed of delegates representing Full Members.
2. At each session of the Assembly each Full and Associate Member shall be represented by not more than five delegates, one of whom shall be designated by the Members as Chief Delegate.
3. The Committee of Affiliate Members may designate up to three observers and each Affiliate Member may designate one observer, who may participate in the work of the Assembly.

### Article 10

The Assembly shall meet in ordinary session every two years and, as well, in extraordinary session when circumstances require. Extraordinary sessions may be convened at the request of the Council or of a majority of Full Members of the Organization.

### Article 11

The Assembly shall adopt its own Rules of Procedure.

### Article 12

The Assembly may consider any question and make recommendations on any matter within the competence of the Organization. Its functions, other than those which have been conferred on it elsewhere in the present Statutes, shall be:

- (a) to elect its President and Vice-Presidents;
- (b) to elect the Members of the Council;
- (c) to appoint the Secretary-General on the recommendation of the Council;
- (d) to approve the Financial Regulations of the Organization;
- (e) to lay down general guidelines for the administration of the Organization;
- (f) to approve the Staff Regulations applicable to the personnel of the Secretariat;
- (g) to elect the Auditors on the recommendation of the Council;
- (h) to approve the general programme of work of the Organization;

<sup>7</sup> Ibid.

- (i) to supervise the financial policies of the Organization and to review and approve the budget;
- (j) to establish any technical or regional body which may become necessary;
- (k) to consider and approve reports on the activities of the Organization and of its organs and to take all necessary steps to give effect to the measures which arise from them;
- (l) to approve, or to delegate the power to approve, the conclusion of agreements with governments and international organizations;
- (m) to approve, or to delegate the power to approve, the conclusion of agreements with private organizations or private entities;
- (n) to prepare and recommend international agreements on any question that falls within the competence of the Organization;
- (o) to decide, in accordance with the present Statutes, on applications for membership.

#### Article 13

1. The Assembly shall elect its President and Vice-Presidents at the beginning of each session.
2. The President shall preside over the Assembly and shall carry out the duties which are entrusted to him.
3. The President shall be responsible to the Assembly while it is in session.
4. The President shall represent the Organization for the duration of his term of office on all occasions on which such representation is necessary.

### Executive Council

- Article 14<sup>8,9</sup>**
1. The Council shall consist of Full Members elected by the Assembly in the ratio of one Member for every five Full Members, in accordance with the Rules of Procedure laid down by the Assembly, with a view to achieving fair and equitable geographical distribution.
  2. One Associate Member selected by the Associate Members of the Organization may participate in the work of the Council without the right to vote.
  3. A representative of the Committee of Affiliate Members may participate in the work of the Council without the right to vote.

- Article 15<sup>10</sup>**
- The term of elected Members shall be four years except that the terms of one-half of the Members of the first Council, as determined by lot, shall be two years. Election for one-half of the membership of the Council shall be held every two years.

- Article 16**
- The Council shall meet at least twice a year.

- Article 17**
- The Council shall elect a Chairman and Vice-Chairmen from among its elected Members to serve for a term of one year.

- Article 18**
- The Council shall adopt its own Rules of Procedure.

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<sup>8</sup> Ibid.

<sup>9</sup> Text of the amendment adopted by the General Assembly at its fifth session [resolution 134 (V)] in New Delhi, October 1983, the application of which is provisional, pending its entry into force:

"1 bis. The host State of the Headquarters of the Organization shall have a permanent additional seat on the Executive Council, which shall be unaffected by the procedure laid down in paragraph 1 above concerning the geographical

<sup>10</sup> The amendment adopted by the General Assembly at its seventh session [resolution 208 (VII)] in Madrid, October 1987, has not yet entered into force.

**Article 19** The functions of the Council, other than those which are elsewhere assigned to it in these Statutes, shall be:

- (a) to take all necessary measures, in consultation with the Secretary-General, for the implementation of the decisions and recommendations of the Assembly and to report thereon to the Assembly;
- (b) to receive from the Secretary-General reports on the activities of the Organization;
- (c) to submit proposals to the Assembly;
- (d) to examine the general programme of work of the Organization as prepared by the Secretary-General, prior to its submission to the Assembly;
- (e) to submit reports and recommendations on the Organization's accounts and budget estimates to the Assembly;
- (f) to set up any subsidiary body which may be required by its own activities;
- (g) to carry out any other functions which may be entrusted to it by the Assembly.

**Article 20** Between sessions of the Assembly and in the absence of any contrary provisions in these Statutes, the Council shall take such administrative and technical decisions as may be necessary, within the functions and financial resources of the Organization, and shall report the decisions which have been taken to the Assembly at its following session, for approval.

## Secretariat

**Article 21** The Secretariat shall consist of the Secretary-General and such staff as the Organization may require.

**Article 22<sup>11</sup>** The Secretary-General shall be appointed by a two-thirds majority of Full Members present and voting in the Assembly, on the recommendation of the Council, for a term of four years. His appointment shall be renewable.

<sup>11</sup> The amendment to this article adopted by the General Assembly at its sixteenth session [resolution 512 (XVI)] in Dakar, November/December 2005, has not yet come into force.

**Article 23**

1. The Secretary-General shall be responsible to the Assembly and Council.
2. The Secretary-General shall carry out the directions of the Assembly and Council. He shall submit to the Council reports on the activities of the Organization, its accounts and the draft general programme of work and budget estimates of the Organization.
3. The Secretary-General shall ensure the legal representation of the Organization.

**Article 24**

1. The Secretary-General shall appoint the staff of the Secretariat in accordance with Staff Regulations approved by the Assembly.
2. The staff of the Organization shall be responsible to the Secretary-General.
3. The paramount consideration in the recruitment of staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, technical competence and integrity. Subject to this consideration, due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible.
4. In the performance of their duties the Secretary-General and staff shall not seek or receive instructions from any government or any other authority external to the Organization. They shall refrain from any action which might reflect on their position as international officials responsible only to the Organization.

## Budget and expenditure

**Article 25**

1. The budget of the Organization, covering its administrative functions and the general programme of work, shall be financed by contributions of the Full, Associate and Affiliate Members according to a scale of assessment accepted by the Assembly and from other possible sources of receipts for the Organization in accordance with the Financing Rules which are attached to these Statutes and form an integral part thereof.

2. The budget prepared by the Secretary-General shall be submitted by the Council to the Assembly for examination and approval.

**Article 26**

1. The accounts of the Organization shall be examined by two Auditors elected by the Assembly on the recommendation of the Council for a period of two years. The Auditors shall be eligible for re-election.
2. The Auditors, in addition to examining the accounts, may make such observations as they deem necessary with respect to the efficiency of the financial procedures and management, the accounting system, the internal financial controls and, in general, the financial consequences of administrative practices.

**Quorum****Article 27**

1. The presence of a majority of the Full Members shall be necessary to constitute a quorum at meetings of the Assembly.
2. The presence of a majority of the Full Members of the Council shall be necessary to constitute a quorum at meetings of the Council.

**Voting****Article 28**

Each Full Member shall be entitled to one vote.

**Article 29**

1. Subject to other provisions of the present Statutes, decisions on all matters shall be taken in the Assembly by a simple majority of Full Members present and voting.
2. A two-thirds majority vote of the Full Members, present and voting, shall be necessary to take decisions on matters involving budgetary and financial obligations of the Members, the location of the Headquarters of the Organization, and other questions deemed of particular importance by a simple majority of the Full Members present and voting at the Assembly.

**Article 30**

Decisions of the Council shall be made by a simple majority of Members present and voting except on budgetary and financial recommendations which shall be approved by a two-thirds majority of Members present and voting.

**Legal personality, privileges and immunities****Article 31**

The Organization shall have legal personality.

**Article 32**

The Organization shall enjoy in the territories of its member States the privileges and immunities required for the exercise of its functions. Such privileges and immunities may be defined by agreements concluded by the Organization.

**Amendments****Article 33**

1. Any suggested amendment to the present Statutes and its Annex shall be transmitted to the Secretary-General who shall circulate it to the Full Members at least six months before being submitted to the consideration of the Assembly.
2. An amendment shall be adopted by the Assembly by a two-thirds majority of Full Members present and voting.
3. An amendment shall come into force for all Members when two-thirds of the member States have notified the Depository Government of their approval of such amendment.

**Suspension of membership****Article 34**

1. If any Member is found by the Assembly to persist in a policy that is contrary to the fundamental aim of the Organization as mentioned in Article 3 of these Statutes, the Assembly may, by a resolution adopted by a majority of two-thirds of Full Members present and voting, suspend

such Member from exercising the rights and enjoying the privileges of membership.

2. The suspension shall remain in force until a change of such policy is recognized by the Assembly.

## Withdrawal from membership

- Article 35**
1. Any Full Member may withdraw from the Organization on the expiry of one year's notice in writing to the Depositary Government.
  2. Any Associate Member may withdraw from the Organization on the same conditions of notice, provided the Depositary Government has been notified in writing by the Full Member which is responsible for the external relations of that Associate Member.
  3. An Affiliate Member may withdraw from the Organization on the expiry of one year's notice in writing to the Secretary-General.

## Entry into force

- Article 36**
- The present Statutes shall enter into force one hundred and twenty days after fifty-one States whose official tourism organizations are Full Members of IUOTO at the time of adoption of these Statutes have formally signified to the provisional Depositary their approval of the Statutes and their acceptance of the obligations of membership.

## Depositary

- Article 37<sup>12</sup>**
1. These Statutes and any declarations accepting the obligations of membership shall be deposited for the time being with the Government of Switzerland.
  2. The Government of Switzerland shall notify all States entitled to receive such notification of the receipt of such declarations and of the date of entry into force of these Statutes.

## Interpretation and languages

- Article 38<sup>13</sup>**
- The official languages of the Organization shall be English, Arabic, French, Russian and Spanish.

- Article 39**
- The English, French, Russian and Spanish texts of these Statutes shall be regarded as equally authentic.

<sup>12</sup> Text of the amendment adopted by the General Assembly at its fourth session [resolution 93 (IV)] in Rome, September 1981, the application of which is provisional, pending its entry into force:

"1. These Statutes and any declarations accepting the obligations of membership shall be deposited with the Government of Spain.

2. The Government of Spain shall inform all States so entitled of the receipt of the declarations referred to in paragraph 1 and of the notifications in accordance with the provisions of Articles 33 and 35, and of the date of entry into force of amendments to these Statutes."

<sup>13</sup> The amendment to this article adopted by the General Assembly at its seventeenth session, Cartagena de Indias, November 2007 [resolution 521 (XVII)] has not yet come into force.

## Transitional provisions

- Article 40** The Headquarters shall provisionally be in Geneva, Switzerland, pending a decision by the General Assembly under Article 2.
- Article 41** During a period of one hundred and eighty days after these Statutes enter into force, States Members of the United Nations, the specialized agencies and the International Atomic Energy Agency or Parties to the Statute of the International Court of Justice shall have the right to become Full Members of the Organization, without requirement of vote, on formally declaring that they adopt the Statutes of the Organization and accept the obligations of membership.
- Article 42** During the year following the entry into force of the present Statutes, States whose national tourism organizations were members of IUOTO at the time of adoption of these Statutes and which have adopted the present Statutes subject to approval may participate in the activities of the Organization with the right and obligations of a Full Member.
- Article 43** During the year following the entry into force of the present Statutes, territories or groups of territories not responsible for their external relations but whose tourism organizations were Full Members of IUOTO and are therefore entitled to associate membership and which have adopted the Statutes subject to approval by the State which assumes responsibility for their external relations may participate in the activities of the Organization with the rights and obligations of an Associate Member.
- Article 44** When the present Statutes come into force, the rights and obligations of IUOTO shall be transferred to the Organization.
- Article 45** The Secretary-General of IUOTO at the time of the entry into force of the present Statutes shall act as Secretary-General of the Organization until such time as the Assembly has elected the Secretary-General of the Organization.

Done at Mexico City on 27 September 1970.

*The text of the present Statutes is an exact copy of the text authenticated by the signatures of the President of the Extraordinary General Assembly, President of the International Union of Official Travel Organisations, and of the Secretary-General of the International Union of Official Travel Organisations.*

*Certified true and complete copy.*

*The Secretary-General of  
the International Union of Official Travel Organisations Robert C. Lonati*



## Annex

### Financial Rules

1. The financial period of the Organization shall be two years.
2. The financial year shall be from 1 January to 31 December.
3. The budget shall be financed by the contributions of the Members according to a method of apportionment to be determined by the Assembly, based on the level of economic development and of the importance of tourism in each country, and by other receipts of the Organization.
4. The budget shall be formulated in United States dollars. The currency used for the payment of contributions shall be the United States dollar. This shall not preclude acceptance by the Secretary-General, to the extent authorized by the Assembly, of other currencies in payment of Members' contributions.<sup>1</sup>
5. A General Fund shall be established. All membership contributions made pursuant to paragraph 3, miscellaneous income and any advances from the Working Capital Fund shall be credited to the General Fund. Expenditure for administration and the general programme of work shall be paid out of the General Fund.
6. A Working Capital Fund shall be established, the amount of which is to be fixed by the Assembly. Advance contributions of Members and any other budget receipts which the Assembly decides may be so used, shall be paid into the Working Capital Fund. When required, amounts therefrom shall be transferred to the General Fund.

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<sup>1</sup> Text of the amendment adopted by the General Assembly at its fourteenth session [resolution 422(XIV)] in Seoul and Osaka, September 2001, the application of which is provisional, pending its entry into force:

"The budget shall be formulated in euros. The currency used for payment of contributions shall be the euro or any other currency or combination of currencies stipulated by the Assembly. This shall not preclude acceptance by the Secretary-General, to the extent authorized by the Assembly, of other currencies in payment of Members' contributions."

7. Funds in trust may be established to finance activities not provided for in the budget of the Organization which are of interest to some member countries or groups of countries. Such Funds shall be financed by voluntary contributions. A fee may be charged by the Organization to administer these Funds.
8. The Assembly shall determine the utilization of gifts, legacies and other extraordinary receipts not included in the budget.
9. The Secretary-General shall submit the budget estimates to the Council at least three months before the appropriate meeting of the Council. The Council shall examine these estimates and shall recommend the budget to the Assembly for final examination and approval. The Council's estimates shall be sent to Members at least three months before the appropriate session of the Assembly.
10. The Assembly shall approve the budget by years for the succeeding two-year financial period and its annual apportionment, as well as its administrative accounts for each year.
11. The accounts of the Organization for the last financial year shall be transmitted by the Secretary-General to the Auditors and to the competent organ of the Council.

The Auditors shall report to the Council and to the Assembly.

12. The Members of the Organization shall pay their contribution in the first month of the financial year for which it is due. Members shall be notified of the amount of their contribution, as determined by the Assembly, six months before the beginning of the financial year to which it relates.

However, the Council may approve justified cases of arrears due to different financial years existing in different countries.<sup>2</sup>

<sup>2</sup> Text of the amendment adopted by the General Assembly at its third session [resolution 61 (III)] in Torremolinos, September 1979, the application of which is provisional, pending its entry into force:

"The Members of the Organization shall pay their contribution in the first month of the financial year for which it is due. Members shall be notified of the amount of their contribution, as determined by the Assembly, six months before the beginning of financial years in which the General Assembly is held and two months before the beginning of the other financial years. However, the Council may approve justified cases of arrears due to different financial years existing in different countries."

13. A Member which is in arrears in the payment of its financial contributions to the Organization's expenditure shall be deprived of the privileges enjoyed by the Members in the form of services and the right to vote in the Assembly and the Council if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two financial years. At the request of the Council, the Assembly may, however, permit such a Member to vote and to enjoy the services of the Organization if it is satisfied that the failure to pay is due to conditions beyond the control of the Member.<sup>3</sup>
14. A Member withdrawing from the Organization shall be liable for assessments on a pro rata basis up to the time the withdrawal becomes effective.

In calculating the assessments of Associate and Affiliate Members, account shall be taken of the different bases of their membership and the limited rights they enjoy within the Organization.<sup>4</sup>

Done at Mexico City on 27 September 1970

*The text of the present Financing Rules attached to the Statutes of the World Tourism Organization is an exact copy of the text authenticated by the signatures of the President of the Extraordinary General Assembly, President of the International Union of Official Travel Organisations, and of the Secretary-General of the International Union of Official Travel Organisations.*

*Certified true and complete copy.*

*The Secretary-General  
of the International Union of Official Travel Organisations*

*Robert C. Lonati*

<sup>3</sup> The amendment to this paragraph adopted by the General Assembly at its fourth session [resolution 92 (IV)] in Rome, September 1981, has not yet come into force.

<sup>4</sup> The amendment to this paragraph adopted by the General Assembly at its sixteenth session [resolution 511 (XVI)] in Dakar, November/December 2005, has not yet come into force.

## Amendments to the Statutes and its Annex (Financing Rules) Adopted by the General Assembly since the Creation of UNWTO

The text of the present amendments to the Statutes is the exact copy of the text adopted in the resolutions and authenticated by the signatures of the President of the General Assembly and the Secretary-General.

These amendments adopted by the General Assembly since the creation of the UNWTO have not, to date, been ratified by two thirds of the member States and thus have not entered into force in accordance with Article 33.3 of UNWTO's Statutes.

The amendments are presented following the order of the articles to which they apply, independently of their chronological order. Those that are applied, by decision of the General Assembly, on a provisional basis pending their entry into force are reproduced below in *italics*.

### Statutes

#### Establishment

Article 1 *Text of the amendment adopted by the General Assembly at its sixteenth session [resolution 511 (XVI)] in Dakar, November/December 2005:*

The World Tourism Organization, hereinafter referred to as “the Organization”, is hereby established as an international organization of intergovernmental character. It is a specialized agency of the United Nations.

## Membership

Article 4 Text of the amendment adopted by the General Assembly at its sixteenth session [resolution 511 (XVI)] in Dakar, November/December 2005:

Membership of the Organization shall be open to:

- (a) Full Members
- (b) Associate Members

Article 5 Text of the amendment adopted by the General Assembly at its sixteenth session [resolution 511 (XVI)] in Dakar, November/December 2005:

1. Full membership of the Organization shall be open to all sovereign States that are members of the United Nations.
2. Such States may become Full Members of the Organization if their candidatures are approved by the General Assembly by a majority of two-thirds of the Full Members present and voting provided that said majority is a majority of the Full Members of the Organization.
3. States that have withdrawn from the Organization in accordance with the provisions of Article 35 shall have the right to become Full Members of the Organization again, without requirement of vote, on formally declaring that they adopt the Statutes of the Organization and accept the obligations of membership.

Article 6 Text of the amendment adopted by the General Assembly at its sixteenth session [resolution 511 (XVI)] in Dakar, November/December 2005:

1. Territories already holding associate membership on 24 October 2003 shall maintain the status, rights and obligations belonging to them as at such date. The list of such territories is annexed to these Statutes.
2. Members enjoying the status of Affiliates, up to at the date of entry into force of the Amendments to the present Statutes adopted on 29 November 2005 shall become as of right Associate Members at that date.

3. Associate membership of the Organization shall be open to intergovernmental and non-governmental organizations, tourism bodies without political competence subordinate to territorial entities, professional and labour organizations, academic, educational, vocation training and research institutions and to commercial enterprises and associations whose activities are related to the aims of the Organization or fall within its competence. The participation of Associate Members in the work of the Organization shall be of a technical nature, with decisions and votes being the exclusive prerogative of the Full Member.
4. Such entities may become Associate Members of the Organization provided that their requests for membership are presented in writing to the Secretary-General and that the candidature is approved by the General Assembly by a majority of two-thirds of the Full Members present and voting provided that said majority is a majority of the Full Members of the Organization. Except in the cases of international organizations, the candidatures of the entities mentioned in paragraph 3 above shall be introduced by the United Nations member State on whose territory their headquarters is located.
5. The General Assembly shall abstain from considering the candidature of such entities if their headquarters is located in a territory that is the subject of a dispute, of sovereignty or other, before the United Nations, or if their activity is related to such a territory, unless no Full Member objects to the introduction of the candidature of said entity or to its admission to the Organization.

Article 7 Text of the amendment adopted by the General Assembly at its sixteenth session [resolution 511 (XVI)] in Dakar, November/December 2005:

1. A Committee of Associate Members shall be constituted which shall establish its own rules and submit them to the Assembly for approval by a majority of two-thirds of the Full Members present and voting provided that said majority is a majority of the Full Members of the Organization. The Committee may be represented at meetings of the Organization's organs.

2. The Committee of Associate Members shall be composed of three boards:
  - (a) a board of destinations, composed of the tourism bodies, without political competence subordinate to territorial entities;
  - (b) an education board composed of academic, educational, vocational training and research institutions; and
  - (c) a professional board composed of all the other Associate Members.

Intergovernmental and non-governmental organizations may participate in whichever board or boards correspond to their competencies.

## General Assembly

Article 9 Text of the amendment adopted by the General Assembly at its sixteenth session [resolution 511 (XVI)] in Dakar, November/December 2005:

1. The Assembly is the supreme organ of the Organization and shall be composed of delegates representing Full Members.
2. At each session of the Assembly each Full Member shall be represented by not more than five delegates, one of whom shall be designated by the Member as Chief Delegate.
3. Associate Members as of 24 October 2003, the list of which is annexed to the present Statutes, shall be represented by not more than five delegates, one of whom shall be designated as Chief Delegate. These delegates may participate, without the right to vote, in the work of the Assembly. They shall have the right to speak but may not participate in decision-making.
4. The Committee of Associate Members may designate three spokespersons, one representing the board of destinations, one representing the professional board and the other representing the education board, who shall participate in the work of the Assembly, without the right to vote. Each Associate Member may designate one observer, who may attend the deliberations of the Assembly.

## Executive Council

Article 14 Text of the amendment adopted by the General Assembly at its fifth session [resolution 134 (V)] in New Delhi, October 1983, clarified at the twelfth session [resolution 365 (XII)] in Istanbul, October 1997, the application of which is provisional, pending its entry into force:

*1bis. The host State of the Headquarters of the Organization shall have a permanent additional seat on the Executive Council, which shall be unaffected by the procedure laid down in paragraph 1 above concerning the geographical distribution of Council seats.*

Text of the amendment adopted by the General Assembly at its sixteenth session [resolution 511 (XVI)] in Dakar, November/December 2005:

1. The Council shall consist of Full Members elected by the Assembly in the ratio of one Member for every five Full Members, in accordance with the Rules of Procedure laid down by the Assembly, with a view to achieving a fair and equitable geographical distribution.
2. Associate Members as of 24 October 2003 may have a spokesperson who may participate, without the right to vote, in the work of the Council. Such spokesperson may not participate in decision-making.
3. The three spokespersons of the Committee of Associate Members may participate, without the right to vote, in the work of the Council. Such spokespersons may not participate in decision-making.

Article 15 Text of the amendment adopted by the General Assembly at its seventh session [resolution 208 (VII)] in Madrid, September/October 1987:

1. The term of elected Members shall be four years. Election for one-half of the membership of the Council shall be held every two years.
2. The terms of office of the Members of the Council shall not be immediately renewable upon expiration unless an immediate renewed membership is essential to safeguard a fair and equitable geographical distribution. In such a case, the admissibility of the request for renewal shall be obtained from a majority of Full Members present and voting.

## Secretariat

Article 22 Text of the amendment adopted by the General Assembly at its sixteenth session [resolution 512 (XVI)] in Dakar, November/December 2005:

The Secretary-General shall be appointed by a two-thirds majority of Full Members present and voting in the Assembly, on the recommendation of the Council, for a term of four years. His appointment shall be renewable only once.

## Depositary

Article 37 Text of the amendment adopted by the General Assembly at its fourth session [resolution 93 (IV)] in Rome, September 1981, the application of which is provisional, pending its entry into force:

1. *These Statutes and any declarations accepting the obligations of membership shall be deposited with the Government of Spain.*
2. *The Government of Spain shall inform all States so entitled of the receipt of the declarations referred to in paragraph 1 and of the notification in accordance with the provisions of Articles 33 and 35, and of the date of entry into force of amendments to these Statutes.*

## Interpretation and languages

Article 38 Text of the amendment adopted by the General Assembly at its seventeenth session [resolution 521 (XVII)] in Cartagena de Indias, November 2007:

The official languages of the Organization shall be Arabic, Chinese, English, French, Russian and Spanish.

## Financing Rules

Paragraph 4 Text of the amendment adopted by the General Assembly at its fourteenth session [resolution 422 (XIV)], Seoul and Osaka, 24-29 September 2001, the application of which is provisional, pending its entry into force:

*The budget shall be formulated in euros. The currency used for payment of contributions shall be the euro or any other currency or combination of currencies stipulated by the Assembly. This shall not preclude acceptance by the Secretary-General, the extent authorized by the Assembly, of other currencies in payment of Members' contributions.*

Paragraph 12 Text of the amendment adopted by the General Assembly at its third session [resolution 61 (III)] in Torremolinos, September 1979, the application of which is provisional, pending its entry into force:

*The Members of the Organization shall pay their contribution in the first month of the financial year for which it is due. Members shall be notified of the amount of their contribution, as determined by the Assembly, six months before the beginning of financial years in which the General Assembly is held and two months before the beginning of the other financial years. However, the Council may approve justified cases of arrears due to different financial years existing in different countries.*

Paragraph 13 Text of the amendment adopted by the General Assembly at its fourth session [resolution 92 (IV)] in Rome, September 1981:

- (a) A Member which is one or more years in arrears in the payment of its contributions to the Organization's expenditure may not be elected to the Executive Council or hold offices within the organs of the General Assembly.
- (b) A Member which is one or more years in arrears in the payment of its contributions to the Organization's expenditure and which has failed to explain the nature of the circumstances surrounding its failure to pay and to indicate the measures to be taken to settle its arrears shall pay a compensatory amount equal to two per cent of its arrears, in addition to said arrears.

- (c) A Member which is in arrears in the payment of its financial contributions to the Organization's expenditure shall be deprived of the privileges enjoyed by the Members in the form of services and the right to vote in the Assembly and the Council if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two financial years. At the request of the Council, the Assembly may, however, permit such a Member to vote and to enjoy the services of the Organization if it is satisfied that the failure to pay is due to conditions beyond the control of the Member.

#### Paragraph 14, last sentence

Text of the amendment adopted by the General Assembly at its sixteenth session [resolution 511 (XVI)] in Dakar, November/December 2005:

In calculating the assessments of Associate Members, account shall be taken of the different bases of their membership and the limited rights they enjoy within the Organization.

## Rules of Procedure of the General Assembly of the World Tourism Organization<sup>1</sup>

### Preamble

1. These Rules of Procedure are adopted pursuant to Article 11 of the Statutes of the World Tourism Organization to which they are subordinate.
2. For the purpose of these Rules, the terms "Statutes", "Assembly" and "Council" shall mean the Statutes, the General Assembly and the Executive Council of the World Tourism Organization, respectively.

### Rule 1

1. The Secretary-General shall convene the Assembly in ordinary session every two years at the Organization's Headquarters.
2. The Assembly may meet at another place if it so decides, provided the host country reimburses the extra expenses involved in holding the Assembly session.
3. The date of the session shall be fixed by the Assembly or by the Council if so empowered and notified to the Members of the Organization not less than seven months before the opening of the session.

### Rule 2

On a decision of the Council or at the request of a majority of Full Members of the Organization, the Secretary-General shall, within fifteen days of the decision or receipt of the request, convene the Assembly in extraordinary session.

<sup>1</sup> Text adopted by the General Assembly at its second session [resolution 320 (X)], on 23 May 1977, and amended by the General Assembly at its tenth session in Bali, October 1993.

- Rule 3**
1. The letters of convocation shall be sent by the Secretary-General to the Members of the Organization ninety days before the opening of an ordinary session and thirty days before the opening of an extraordinary session.
  2. At the request of the Council, invitations may be sent by the Secretary-General to any intergovernmental or non-governmental international organizations with which the Organization has established relations.

## Functions of the Assembly

- Rule 4** The Assembly may consider any question and make recommendations on any matter within the competence of the Organization.

## Agenda of the Assembly

### Ordinary sessions

- Rule 5**
1. The Secretary-General shall draw up the provisional agenda of each ordinary session of the Assembly and transmit it to the Members of the Organization. The provisional agenda of an ordinary session shall include the following items:
    - (a) Adoption of the agenda;
    - (b) Election of the President and Vice-Presidents of the Assembly;
    - (c) Election of the Credentials Committee and any other subsidiary organs of the Assembly;
    - (d) Consideration of the Secretary-General's report on the activities of the Organization;
    - (e) Consideration of the report and recommendations of the Council;
    - (f) Consideration and approval of the reports on the activities of the subsidiary organs of the Assembly, of a technical or regional nature;
    - (g) Consideration and approval of the report on the activities of the Committee of Affiliate Members;
    - (h) Any items whose inclusion was decided by the Assembly at a previous session;

- (i) Any items proposed by a Member of the Organization;
  - (j) Consideration of any other matters which the Secretary-General deems necessary to put before the Assembly;
  - (k) Approval of the general programme of work of the Organization;
  - (l) Consideration and approval of the draft budget for the next financial period and review of the accounts for the previous financial period;
  - (m) Election of the Members of the Council.
2. The provisional agenda shall be attached to the letters of convocation and invitations provided for in rule 3.
  3. Proposals made by Members pursuant to paragraph 1(i) above after dispatch of the provisional agenda shall be accompanied by a report and transmitted to the Secretary-General at least thirty days before the opening of the session. The Secretary-General shall bring them to the knowledge of the other Members at least twenty days before the opening of the session.

### Extraordinary sessions

- Rule 6** The Secretary-General shall draw up the provisional agenda consisting of the matter or matters for which the extraordinary session is convened and attach it to the letters of convocation provided for in rule 3.

### Ordinary and extraordinary sessions

- Rule 7** The Assembly, after approving the agenda and electing the President and Vice-Presidents, shall consider the report submitted to it by the Secretary-General on the technical, administrative and financial implications of any items included in its agenda, unless it decides otherwise.
- Rule 8** Copies of all reports, proposals and other documents relating to the provisional agenda of a session, including proposals to prepare, recommend or conclude an international convention, agreement or set of regulations, shall be sent by the Secretary-General to the Members of the Organization at the same time as the provisional agenda or as soon after it as possible.



## Plenary meetings of the Assembly

- Rule 9**
1. Delegations of Full Members consisting of five delegates at most, one of whom shall be designated head of delegation, shall be entitled to attend the plenary meetings of the Assembly. Each delegation may also include alternate delegates and as many advisers, technical advisers, experts and persons of similar status as may be required by it.
  2. Invited representatives of States that are not members of the Organization but that are Members of the United Nations or of a specialized agency of the United Nations or Parties to the Statute of the International Court of Justice, as well as invited representatives of international organizations, both intergovernmental and non-governmental, shall be entitled to attend the public plenary meetings of the Assembly as observers.
  3. Delegations of Associate Members consisting of five delegates at most, one of whom shall be designated head of delegation, and not more than three observers designated by the Committee of Affiliate Members as well as one observer designated by each Affiliate Member shall be entitled to attend the plenary meetings of the Assembly.
- Rule 10**
1. The plenary meetings of the Assembly shall be public, unless the Assembly decides otherwise. The Secretary-General shall determine the conditions in which staff members may attend these meetings.
  2. All decisions of the Assembly adopted at a private meeting shall be announced as soon as possible at a public meeting.
- Rule 11**
- Subject to the decisions of the Assembly, the Secretary-General shall make the necessary arrangements for the admission of representatives of the press and other media of information to the public plenary meetings of the Assembly.

## Submission of credentials and identification papers

- Rule 12**
1. The names of the delegates of Full Members and Associate Members, of the observers of Affiliate Members and of the invited representatives of the United Nations and other international organizations, both intergovernmental and non-governmental, shall be communicated to the Secretary-General, if possible, at least fifteen days before the session of the Assembly opens.
  2. The credentials of the delegates of Full Members and Associate Members, issued by the competent authority of the State, shall be handed to the Secretary-General, if possible, at least one day before the session of the Assembly opens.
  3. Identification papers of the observers of Affiliate Members and invited representatives of intergovernmental and non-governmental international organizations shall be handed to the Secretary-General, if possible, at least one day before the session of the Assembly opens.

## Credentials Committee

- Rule 13**
1. At the beginning of each session, the Assembly shall, on the proposal of the President, appoint a Credentials Committee composed of nine delegates of Full Members, having regard to fair and equitable geographical distribution.
  2. The Credentials Committee shall elect its Chairman and Vice-Chairman.
  3. If the Chairman of the Committee is unable to discharge his duties, they shall fall to the Vice-Chairman.
  4. The Committee shall examine the credentials of the delegates of Full Members and Associate Members, issued by the competent authority of the State or of the territory or group of territories, and the identification papers of the observers of Affiliate Members and of the observers referred to in paragraph 2 of rule 9, and report without delay to the Assembly.

## Provisional admission

**Rule 14** Any delegate of a Full Member or Associate Member whose admission is objected to by a Full Member shall be entitled to attend provisionally with the same rights as the other delegates until the Credentials Committee has submitted its report on his credentials and the Assembly has taken a decision.

## Officers of the Assembly

**Rule 15** The Officers of the Assembly shall be the President and the Vice-Presidents elected for the duration of the session from among the Full Members.

**Rule 16**

1. The session of the Assembly shall be opened by the President of the preceding session or by the head of the delegation to which he belonged.
2. The Assembly shall elect its President.
3. The Assembly shall elect its Vice-Presidents on the basis of equitable geographical distribution, making allowance for the region represented by the President.

## Functions of the President and Vice-Presidents

**Rule 17**

1. The President shall ensure the observance of these Rules of Procedure. He shall declare the opening and close of each plenary meeting, direct the discussions at plenary meetings, grant the right to speak, put questions to the vote and announce the decisions. He shall rule on points of order and, subject to the provisions of these Rules of Procedure, ensure the orderly conduct of business at each meeting. He may propose a limitation of the time allowed to each speaker or the closing of the list of speakers. He may also declare the suspension of the debates.
2. The President shall not participate in the discussions or votes.
3. He shall be responsible to the Assembly while it is in session.

4. The President may appoint one of the Vice-Presidents to replace him during a meeting or a part of a meeting. A Vice-President acting as President shall have the same powers and duties as the President.
5. If the President is unable to perform his functions, a new President shall be elected by the Assembly for the unexpired term.
6. The President shall represent the Organization during his term of office, on all occasions on which such representation is necessary.

## Functions of the Assembly's Officers

**Rule 18** The Officers of the Assembly shall be jointly responsible for recommending the Assembly's programme of work, determining the time and agenda of each plenary meeting, making proposals regarding the establishment and composition of subsidiary organs, and reporting to the Assembly on all other questions requiring decision for the proper conduct of business.

## Subsidiary organs of the Assembly

**Rule 19** The Assembly may establish any subsidiary organs of a technical or regional nature that it considers necessary. It may, in particular, set up regional commissions, whose number, designation, composition and missions it shall prescribe.

## Secretariat of the Assembly

**Rule 20**

1. The Secretary-General shall act as Secretary of the Assembly and its subsidiary organs.
2. The Secretary-General may delegate his functions to any other member of the Secretariat.

**Rule 21** The Secretary-General shall make available to the Assembly the staff of the Secretariat and the means required for holding its session.

- Rule 22**
1. The Secretariat shall receive, translate into the working languages of the Assembly, reproduce and distribute documents, reports and resolutions of the Assembly, its committees and other organs, interpret speeches made at the meetings; prepare, reproduce and circulate the records of the session; have the custody and proper preservation of the documents in the archives of the Assembly; distribute all documents of the Assembly to the Members of the Organization, and, generally, perform all other work which the Assembly may see fit to entrust to it.
  2. The Secretary-General may at any time make to the Assembly and its subsidiary organs oral or written statements on any matter under consideration.

### Participation of observers in meetings of the Assembly

**Rule 23** The delegates of Associate Members may participate in the meetings of the Assembly and its subsidiary organs but shall not hold any office or have the right to vote.

- Rule 24**
1. The Committee of Affiliate Members may appoint not more than three observers and each Affiliate Member may appoint one observer to participate in the meetings of the Assembly and its subsidiary organs.
  2. Observers shall not hold any office or have the right to vote.

**Rule 25** The observers referred to in paragraph 2 of rule 9 may be invited by the President to address the plenary meetings of the Assembly.

### Conduct of business

**Rule 26** The President may declare a meeting open and permit the debate to proceed when at least one-third of the Full Members are present. The presence of a majority of the Full Members shall be required for any decision to be taken.

- Rule 27**
1. No one may address the Assembly without having previously obtained the permission of the President. The President shall call upon speakers in the order in which they signify their wish to speak. The President may call a speaker to order if his remarks are not relevant to the subject under discussion.
  2. The Secretary-General shall be responsible for preparing the list of speakers.

**Rule 28** The chairman or rapporteur of a subsidiary organ of the Assembly or a working group may be accorded precedence for the purpose of explaining the conclusions arrived at by the subsidiary organ or working group.

- Rule 29**
1. During the discussion of any matter, a delegate of a Full Member or Associate Member may raise a point of order, which shall be decided forthwith by the President in accordance with the Rules of Procedure.
  2. A delegate of a Full Member or Associate Member rising to a point of order may not speak on the substance of the matter under discussion.
  3. A delegate of a Full Member or Associate Member may appeal against the ruling of the President. The appeal shall be immediately put to the vote, and the President's ruling shall stand unless overruled by a majority of the Full Members present and voting.

**Rule 30** During the course of a debate, the President may read out the list of speakers and, with the consent of the Assembly, declare the list closed. He may, however, accord the right of reply to any delegate of a Full Member or Associate Member if a speech delivered after he has declared the list closed makes this desirable.

**Rule 31** A delegate of a Full Member or Associate Member may at any time move the adjournment of the debate on the agenda item under discussion. In addition to the proposer of the motion, two delegates may speak in favour of, and two against, the motion, after which the motion shall be immediately put to the vote. The President may limit the time to be allowed to speakers under this rule.

**Rule 32** A delegate of a Full Member or Associate Member may at any time move the closure of the debate, even if another delegate has signified his wish to speak. Permission to speak on the closure of the debate shall be accorded only to two speakers opposing the closure, after which the motion shall be immediately put to the vote. If the Assembly approves the motion, the President shall declare the closure of the debate. The President may limit the time to be allowed to speakers under this rule.

**Rule 33** During the discussion of any matter, a delegate of a Full Member or Associate Member may move the suspension or the adjournment of the meeting. Such motions shall not be debated but shall be immediately put to the vote. The President may limit the time to be allowed to the speaker who moves the suspension or the adjournment of the meeting.

**Rule 34** Subject to the provisions of rule 29, the following motions shall have precedence, in the order given, over all other proposals or motions before the meeting:

- (a) to suspend or to adjourn the meeting;
- (b) to adjourn the debate on the agenda item under discussion;
- (c) to close the debate.

**Rule 35** 1. Proposals and amendments shall be presented in writing to the Secretary-General, who shall communicate them to the delegations. As a general rule, no proposal shall be discussed or put to the vote at any meeting unless its text has been communicated to all the delegations not later than the day preceding the meeting. The President may, however, permit the discussion and consideration of amendments and procedural motions even though the amendments or motions have not been communicated or have been communicated the same day.

2. The President may at any time make suggestions for expediting the debates.
3. A delegate of a Full Member or Associate Member may appeal against a ruling of the President. The appeal shall be immediately put to the vote, and the President's ruling shall stand unless overruled by a majority of the Full Members present and voting.

**Rule 36** A motion may be withdrawn by its proposer at any time before voting on it has commenced, provided that the motion has not been the subject of an amendment. A motion which has been so withdrawn may be reintroduced without notice by any other Member.

## Voting

**Rule 37** Each Full Member represented at the Assembly shall have one vote.

- Rule 38**
1. Subject to the provisions of the following paragraphs, the Assembly shall take decisions by a simple majority of the Full Members present and voting.
  2. Decisions on the following matters shall be taken by a two-thirds majority of the Full Members present and voting:
    - (a) approval of the Financial Regulations of the Organization and any amendment thereto;
    - (b) approval of the budget;
    - (c) matters involving budgetary and financial obligations of the Members;
    - (d) suspension of a Member whose policy is contrary to the fundamental aim of the Organization and lifting of the suspension;
    - (e) appointment of the Secretary-General.
  3. Decisions concerning the Headquarters of the Organization, the admission of new Members and the adoption of amendments to the Statutes of the Organization shall be taken by a majority of two-thirds of Full Members present and voting, provided that said majority is a majority of the Full Members of the Organization.

4. The Assembly may decide by simple majority that a matter is of such importance as to justify recourse to an increased majority provided for, according to the circumstances, in paragraphs 2 and 3 above.

**Rule 39** Under these Rules of Procedure, the term “Full Members present and voting” shall be understood to mean “Full Members present and voting for or against”. Full Members which abstain from voting shall be regarded as not voting.

**Rule 40** The Assembly shall vote by a show of hands, unless under a point of order a vote by roll call is requested in accordance with the provisions of rules 17 and 29. The roll call shall be taken in the Spanish alphabetical order of the names of the Full Members, beginning with the Member whose name is drawn by lot by the President.

**Rule 41** In case of a tie on matters other than elections or on matters for which a two-thirds majority is not required, a second vote shall be taken at, and expressly mentioned in the agenda of a subsequent meeting to be held within forty-eight hours of the first vote. If the second vote also results in a tie, the proposal shall be regarded as rejected.

**Rule 42** When a proposal is the subject of an amendment, the amendment shall be put to the vote first. If a proposal is the subject of two or more amendments, the Assembly shall vote first on the one which, in the opinion of the President, is the farthest removed in substance from the original proposal, and then on the amendment next removed therefrom, and so on.

**Rule 43** All elections as well as the appointment of the Secretary-General shall be made by secret ballot.

## Languages

**Rule 44** The working languages of the Assembly shall be English, French, Russian and Spanish.

**Rule 45** Any delegate or observer may speak in a language other than the working languages of the Assembly but must in that case provide interpretation into one of those languages.

## Summary records of plenary meetings

- Rule 46**
1. Provisional summary records of the plenary meetings shall be prepared in the working languages by the Secretariat of the Assembly and distributed to the delegates and observers as soon as possible.
  2. Within one month after the provisional summary records have been distributed, delegates and observers may transmit to the Secretariat in writing any corrections they consider necessary.
  3. The final summary records shall report the proposals and the conclusions of the Assembly, summarizing the arguments and reasons therefore.
  4. The Secretariat shall record the discussions of the plenary meetings of the Assembly.
  5. The President of the Assembly may decide to have a recording transcribed if there is a dispute between Members about the actual content of a statement or the significance of a decision taken.

## Resolutions

**Rule 47** Resolutions adopted by the Assembly shall be sent to the Members within thirty days following the closing of the session.

## Amendments

**Rule 48** Any amendment proposed to these Rules of Procedure shall be included in the agenda. The amendment shall be submitted to the Assembly at any plenary meeting together, where appropriate, with a report drawn up by a committee established by the Assembly or the Executive Council for this purpose.

## Admission of new Members

**Rule 49** The formal declaration whereby new Full Members, as referred to in Article 5(2) of the Organization's Statutes, adopt those Statutes and accept the obligations of membership shall take effect on its receipt by the depositary government.

**Rule 50** The admission of new Members shall be governed by the following provisions:

- (a) Each application for admission shall be addressed to the Secretary-General, who shall submit it to the Assembly after having informed the Council.
- (b) Each application for admission must include a formal declaration by the applicant of its acceptance of the Statutes and the obligations of membership.
- (c) Applications for admission must be submitted at least sixty days before the Assembly's session.
- (d) The Members of the Organization shall be informed of any applications for admission at least thirty days before the Assembly's session.
- (e) A representative of an applicant may, with the consent of the Assembly, be present at the meeting when the Assembly considers its application for admission.

## Procedure for suspending Members pursuing a policy contrary to the fundamental aim of the Organization

**Rule 51**

1. Any request to suspend a Member in accordance with Article 34 of the Statutes shall be addressed to the Secretary-General. The Secretary-General shall submit it to the Council, and the Council shall report on the question to the Assembly.
2. Such a request must be submitted at least sixty days before the Council's session.
3. Within thirty days from the date on which he receives a request for suspension, as provided for in paragraph 1 above, the Secretary-General shall transmit it to the Members, enclosing the account of the facts considered to justify suspension under Article 34 of the Statutes.
4. Any request to suspend a Member made to the Assembly shall be referred to a committee set up for the purpose by the Assembly and tasked with presenting a report. The same procedure shall also apply to the lifting of the suspension provided for in Article 34(2) of the Statutes.

## Procedure for the remission of penalties for contribution arrears

**Rule 52** The Assembly shall decide upon any proposal submitted by the Council to permit a Member which is in arrears in the payment of its contributions to continue to enjoy the services of the Organization and, if a Full Member, to vote.

## Appointment of the Secretary-General

**Rule 53**

1. On the recommendation of the Council, the Secretary-General shall be appointed for a period of four years by the Assembly by a two-thirds majority of the Full Members present and voting.
2. The term of office of the Secretary-General shall be renewable.

## Election of Members of the Council

- Rule 54** The Assembly shall elect by secret ballot the Members of the Council in the proportion of one Member of the Council for every five Full Members of the Organization, having regard to fair and equitable geographical distribution.
- Rule 55**
1. At each ordinary session, the Assembly shall elect half the Members of the Council. The term of office of Members of the Council shall be four years.
  2. At each ordinary session of the Assembly, the Associate Members shall elect one of their number to participate in the work of the Council without the right to vote.
  3. At each ordinary session of the Assembly, the Committee of Affiliate Members shall elect a representative to participate in the work of the Council without the right to vote.
  4. The term of office of the Members of the Council shall begin immediately following their election by the Assembly and shall end on the election of their successors.
  5. If a Member ceases to belong to the Council before its term of office expires, a by-election shall be held at the following session of the Assembly to replace that Member until the end of its term of office.

## Procedure for the consideration of proposed amendments to the Statutes

- Rule 56**
1. The text of proposed amendments to the Statutes or the Financing Rules attached thereto shall be transmitted to Full Members by the Secretary-General at least six months before the opening of the session of the Assembly and must have reached the Secretary-General at least seven months before that date.
  2. The Secretary-General shall notify all Members of the entry into force of amendments.

## Rules of Procedure of subsidiary organs of the Assembly

- Rule 57** Subject to any specific provisions adopted by the Assembly, the provisions of these Rules of Procedure shall be applicable, *mutatis mutandis*, to any subsidiary organs established by it.

## Final provisions

- Rule 58** The Assembly alone shall be competent to amend these Rules of Procedure.
- Rule 59** These Rules of Procedure shall enter into force on the date of their adoption by the Assembly.

## Guiding Principles for the Conduct of Elections by Secret Ballot<sup>1</sup>

1. Before voting begins, the President shall hand to the two tellers appointed by him the list of Members entitled to vote and the list of candidates. For the election of Members of the Council, the list of candidates shall include only those nominations submitted in accordance with rules 54 and 55 of the Rules of Procedure of the Assembly.
2. The Secretariat shall distribute a ballot paper to each delegation entitled to vote. Every ballot paper shall be of the same size and colour without distinguishing marks.
3. The tellers, after having satisfied themselves that the ballot-box is empty, shall lock it and hand the keys to the President.
4. The Members entitled to vote shall be called in turn in the required alphabetical order of their names, beginning with the name of a Member which shall be drawn by lot.
5. The Secretary of the meeting and the tellers shall record each Member's vote when its representative has deposited its ballot paper in the ballot-box, by marking the margin of the list of Members entitled to vote opposite to the name of the Member in question.
6. At the conclusion of the calling of Members, the President shall ensure that all the Members present and entitled to vote have been called. He shall then declare the voting closed and announce that the votes are to be counted.
7. When the ballot-box has been opened, the tellers shall count the number of ballot papers. If the number is not equal to that of the voters recorded, the President shall declare the vote invalid and another ballot shall be held.

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<sup>1</sup> Under Rule 43 of the Rules of Procedure of the Assembly, page 54.



8. Where the counting of votes takes place outside the Assembly Hall, the ballot papers shall be returned by the tellers to the ballot-box, which shall be taken by them to the room where the votes are to be counted.
9. One of the tellers shall then read aloud the names which are on the ballot papers. The number of votes obtained by each of the candidates mentioned shall be written opposite their names by the other teller on a document drawn up for this purpose.
10. A ballot paper on which no names are written or which bears the word "abstention" shall be considered as signifying an abstention.
11. The following shall be considered null and void:
  - (a) ballot papers on which there are more names than there are persons to be elected or on which the same name appears more than once;
  - (b) ballot papers in which the voters have revealed their identity in particular by apposing their signature or mentioning the name of the Member they represent;
  - (c) votes for candidates other than those nominated in accordance with the Rules of Procedure.
12. When the counting of the votes is completed, the tellers shall indicate the results in a document drawn up for this purpose, which they shall sign and hand to the President. The latter, in plenary meeting, shall announce the results in the following order: number of Members entitled to vote; number absent; number of abstentions; number of ballot papers null and void; number of Members present and voting; number required for a majority; names of candidates and the number of votes secured by each of them, in descending order of the number of votes.
13. For the purpose of these provisions, the following definitions shall apply:
  - (a) "Absent": Members entitled to vote but whose representatives are not present at the meeting at which the secret ballot takes place;
  - (b) "Number of Members present and voting": the difference between the number of Members with the right to vote and the total number of absentees, abstentions and invalid ballot papers.
14. The President shall declare elected candidates who have obtained the required majority.

15. The list signed by the tellers and on which the results of the vote have been recorded shall constitute the official record of the count of the ballot and shall be retained in the Organization's files. The ballot papers shall be destroyed immediately after the declaration of the results of the ballot.

# Rules of Procedure of the Executive Council of the World Tourism Organization<sup>1</sup>

## Preamble

1. These Rules of Procedure are adopted pursuant to Article 18 of the Statutes of the World Tourism Organization, to which they are subordinate.
2. For the purposes of these Rules, the terms “Statutes”, “Assembly” and “Council” shall mean the Statutes, the General Assembly and the Executive Council of the World Tourism Organization, respectively.

## Composition and functions of the Council

### Rule 1

1. The Council shall consist of Full Members elected by the Assembly in the proportion of one Member for every five Full Members of the Organization, in accordance with the Rules of Procedure of the Assembly, having regard to fair and equitable geographical distribution.
2. Besides the delegates of Full Members elected to the Council, a delegate of one Associate Member appointed by the Associate Members of the Organization may participate in the work of the Council without the right to vote.
3. A representative of the Committee of Affiliate Members may participate in the work of the Council without the right to vote.
4. A Full Member that is not a Member of the Council may attend without the right to speak or to vote, all sessions of the Council.

The Chairman of the Council may authorize any Full Member that is

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<sup>1</sup> Text adopted by the Executive Council on 22 November 1976, at its third session, and amended by the Executive Council at its forty-seventh session [decision 5(XLVII)] in Bali, October 1993.

not a Member of the Council to speak on an agenda item, either at the Council's request or when the Full Member concerned so requests in writing.

The Chairman of the Council may attach to this authorization such conditions as he deems relevant and necessary.

5. An Associate or Affiliate Member may be authorized to speak on an agenda item, either at the Council's request or when the Member concerned so requests in writing.  
This authorization shall be given by the Chairman of the Council after consulting the delegate of the Associate Members or the representative of the Affiliate Members, as appropriate.  
The Chairman of the Council may attach to this authorization such conditions as he deems relevant and necessary.

#### Rule 2

Without prejudice to other functions assigned to it in the Statutes of the Organization or elsewhere in these Rules, the Council shall:

- (a) take all appropriate measures, in consultation with the Secretary-General, for the implementation of the decisions and recommendations of the Assembly and report thereon to the Assembly;
- (b) receive from the Secretary-General reports on the activities of the Organization;
- (c) submit proposals to the Assembly;
- (d) examine the general programme of work of the Organization as prepared by the Secretary-General, prior to its submission to the Assembly;
- (e) submit reports and recommendations on the Organization's accounts and budgetary estimates to the Assembly;
- (f) submit to the Assembly its recommendation concerning the appointment of the Secretary-General in case of vacancy or when his term of office is about to expire;
- (g) establish any subsidiary organs which may be required;
- (h) carry out any other tasks which may be entrusted to it by the Assembly.

## Sessions of the Council

#### Rule 3

1. The Council shall meet at least twice a year. It shall fix at each session the date of the next session. The letters of convocation for ordinary sessions shall be sent to the Members of the Council by the Secretary-General at least forty days before the opening of the session.
2. Between two ordinary sessions of the Council, the Chairman of the Council may, after consulting the Secretary-General and with the approval of a majority of the Members of the Council, call an extraordinary session or change the date which the Council has set for the opening of the next session. The Chairman of the Council shall convene an extraordinary session or change the date of a scheduled ordinary session if requested to do so in writing by a majority of Council Members. No session of the Council may be convened with less than fifteen days' notice.
3. Without prejudice to the provisions of paragraph 4 of this Rule, the sessions of the Council shall be held at the Organization's Headquarters unless the Council decides otherwise.
4. If events requiring immediate action occur, the Secretary-General may, in consultation with the Chairman, convene the Council in emergency session, the date and place of which shall be fixed by the Secretary-General.

#### Rule 4

1. The provisional agenda of each session of the Council shall be drawn up by the Secretary-General in agreement with the Chairman.
2. The provisional agenda of each ordinary session of the Council shall include:
  - (a) any item the inclusion of which has been requested by the Assembly;
  - (b) any item the inclusion of which has been decided by the Council at a previous session;
  - (c) any item proposed by a Full Member of the Organization;
  - (d) the current budgetary estimates and financial statements of the Organization submitted by the Secretary-General;
  - (e) the report of the Council to the Assembly on the work of the Organization;
  - (f) any item proposed by the Chairman or the Secretary-General;
  - (g) consideration of the report and agenda items proposed by the

#### Committee of Affiliate Members.

3. The provisional agenda of each ordinary session, together with the supporting documents, shall be transmitted by the Secretary-General to the Members of the Council at least thirty days before the opening of the session.
4. Any item of the agenda of a session of the Council that has not been fully considered at that session shall automatically be included in the agenda of the next session unless otherwise decided by the Council.
5. In exceptional circumstances, the Secretary-General, on his own initiative or at the request of a Full Member of the Organization, may, in consultation with the Chairman, include any question suitable for the agenda that may arise after the dispatch of the provisional agenda and up to five days before the opening of the session, in a supplementary provisional agenda which the Council shall examine together with the provisional agenda.
6. The Council shall adopt its final agenda. Subject to the provisions of paragraph 7 of this Rule, only items included in the provisional agenda and the supplementary agenda may be placed on the final agenda.
7. In an emergency, the Council may however place on its agenda items not included in the provisional or supplementary agenda if the Secretary-General states that he is able to submit reports on these matters at least forty-eight hours before the beginning of their discussion.
8. The Council shall consider the report submitted to it by the Secretary-General on the technical, administrative and financial implications of each agenda item.

### Officers of the Council

#### Rule 5

1. The Council shall elect by secret ballot from among its Members a Chairman, a first Vice-Chairman and a second Vice-Chairman for a term of one year.
2. The election shall require a simple majority of the Members of the

Council present and voting. If no candidate receives the majority in the first ballot, a second and, if necessary, subsequent ballots shall be held to decide between the two candidates who received the largest number of votes in the first ballot.

3. The term of office of the Chairman and the Vice-Chairmen may be renewed once.
4. The Full Members elected to the chairmanship and vice-chairmanships of the Council shall designate the persons to perform the duties of Chairman and Vice-Chairmen.

#### Rule 6

1. The Chairman shall ensure the observance of these Rules of Procedure. He shall declare the opening and close of each Council meeting, direct the discussions, grant the right to speak, put questions to the vote, and announce the decisions. He shall rule on points of order and, subject to the provisions of these Rules of Procedure, ensure the orderly conduct of business at each meeting. He may propose a limitation of the time allowed to each speaker or the closing of the list of speakers. He may also declare the suspension of the debates.
2. Should circumstances arise which are not provided for by these Rules, the Chairman shall refer, wherever appropriate, to the corresponding provisions of the Rules of Procedure of the Assembly.
3. The Chairman shall not participate in the discussions or votes. A delegate of the same State as the Chairman shall participate in the discussion and votes.
4. The Chairman shall be responsible to the Council.
5. The Chairman of the session may appoint one of the Vice-Chairmen to replace him during a meeting or a part of a meeting. A Vice-Chairman acting as Chairman shall have the same powers and duties as the Chairman.
6. If the Chairman is unable to perform his functions he shall be replaced by the first Vice-Chairman or, failing that, by the second.

7. The Chairman shall invite the Chairmen of the subsidiary organs of the Council and representatives of the Regional Commissions to participate in Council sessions. He may also invite the Auditors.

**Rule 7** If the Chairman is unable to perform his duties between two sessions, one of the Vice-Chairmen shall perform them in his place.

## Organs of the Council

- Rule 8**
1. The Council may establish any subsidiary organs it considers necessary for its work.
  2. These Rules of Procedure shall be applicable mutatis mutandis to these organs. Any changes proposed by these organs shall be submitted to the Council for approval.

- Rule 9<sup>2</sup>**
1. The Council shall establish one main committee, the Programme and Budget Committee.
  2. This Committee shall elect a Chairperson and a Vice-Chairperson.
  3. This Committee shall meet immediately before the appropriate sessions of the Council to consider documents submitted to the Council which fall within its competence and shall report to it on the matters which it has considered.

## Secretariat

- Rule 10**
1. The Secretary-General shall act as Secretary of the Council and its subsidiary organs.
  2. The Secretary-General may delegate his functions to any other member of the Secretariat.

<sup>2</sup> Rule amended by the General Assembly at its nineteenth session [resolution 602(XIX)] in Gyeongju, October 2011.

- Rule 11**
1. The Secretary-General shall report to the Council on the technical, administrative and financial implications of all items included in the agenda of the Council.
  2. The Secretary-General shall inform the Council of the progress of discussions concerning the conclusion, and of the content, of any international convention, agreement or arrangement that he considers concluding on behalf of the Organization.

**Rule 12** The Secretary-General may at any time make to the Council and its subsidiary organs oral or written statements on any matters under discussion.

- Rule 13**
1. The Secretariat shall prepare provisional summary records of the Council's sessions.
  2. The provisional summary records shall be prepared in the official languages of the Organization and distributed as soon as possible to the Members of the Council, the delegate of the Associate Members and the representatives of the Committee of Affiliate Members attending the session.
  3. The Members of the Council, the delegate of the Associate Members and the representative of the Committee of Affiliate Members attending the session shall inform the Secretariat in writing of any corrections they wish to have made to the summary records, within the time fixed by the Secretary-General.
  4. The Secretariat shall record the discussions of Council meetings.
  5. The Chairman of the Council may decide to have a recording transcribed if there is a dispute between Members about the actual content of a statement or the significance of a decision taken.

**Rule 14** Any resolutions, recommendations or other formal decisions of the Council and its subsidiary organs shall be transmitted by the Secretary-General to the Members of the Organization.

## Conduct of business

**Rule 15** The presence of a majority of the Members of the Council shall be necessary to constitute a quorum at meetings of the Council.

**Rule 16** The meetings of the Council shall be public unless it decides otherwise. The Secretary-General shall determine the conditions in which staff members may attend those meetings.

**Rule 17**

1. No one may address the Council without having previously obtained the permission of the Chairman. The Chairman shall call upon speakers in the order in which they signify their wish to speak. The Chairman may call a speaker to order if his remarks are not relevant to the subject under discussion.
2. A delegate may appeal against a ruling of the Chairman. The appeal shall be immediately put to the vote and the Chairman's ruling shall stand unless overruled by a majority of the Members present and voting.
3. The Chairman may at any time make suggestions for expediting the debates.
4. The Secretary-General shall be responsible for preparing the list of speakers.

**Rule 18** The invited chairman or rapporteur of a subsidiary organ of the Council or a working group may be accorded precedence for the purpose of explaining the conclusions arrived at by the subsidiary organ or working group.

**Rule 19**

1. During the discussion of any matter, a delegate may raise a point of order, which shall be decided forthwith by the Chairman in accordance with these Rules of Procedure.
2. A delegate rising to a point of order may not speak on the substance of the matter under discussion.

3. A delegate may appeal against the ruling of the Chairman. The appeal shall be immediately put to the vote and the Chairman's ruling shall stand unless overruled by a majority of the Members present and voting.

**Rule 20** During the course of a debate, the Chairman may read out the list of speakers and, with the consent of the Council, declare the list closed. He may, however, accord the right of reply to any delegate if a speech delivered after he has declared the list closed makes this desirable.

**Rule 21** A delegate may at any time move the adjournment of the debate on the agenda item under discussion. In addition to the proposer of the motion, one delegate may speak in favour of, and two against, the motion, after which the motion shall be immediately put to the vote. The Chairman may limit the time to be allowed to speakers under this rule.

**Rule 22** A delegate may at any time move the closure of a debate, even if another delegate has signified his wish to speak. Permission to speak on the closure of the debate shall be accorded only to two delegates opposing the closure, after which the motion shall be immediately put to the vote. If the Council approves the motion, the Chairman shall declare the closure of the debate. The Chairman may limit the time to be allowed to speakers under this rule.

**Rule 23** During the discussion of any matter, a delegate may move the suspension or the adjournment of the meeting. Such motions shall not be debated but shall be immediately put to the vote. The Chairman may limit the time to be allowed to the speaker who moves the suspension or the adjournment of the meeting.

**Rule 24** Subject to the provisions of rule 18, the following motions shall have precedence, in the order given, over all other proposals or motions before the meeting:

- (a) to suspend the meeting;
- (b) to adjourn the meeting;
- (c) to adjourn the debate on the agenda item under discussion;
- (d) to close the debate.

**Rule 25** Proposals and amendments shall be presented in writing to the Secretary-General, who shall communicate them to the delegates. As a general rule, no proposal shall be discussed or put to the vote at any meeting unless its text has been communicated to all the delegates not later than the day preceding the meeting. The Chairman may, however, permit the discussion and consideration of amendments and procedural motions even though the amendments or motions have not been communicated or have been communicated the same day.

**Rule 26** A motion may be withdrawn by its proposer at any time before voting on it has commenced, provided that the motion has not been the subject of an amendment. A motion which has been so withdrawn may be reintroduced without notice by any other delegate.

## Voting

**Rule 27**

1. Each Full Member represented at the Council shall have one vote.
2. Under these Rules of Procedure, the term "Members present and voting" shall be understood to mean "Members present and voting for or against". Members which abstain from voting shall be regarded as not voting.

**Rule 28** Subject to provisions to the contrary in the Statutes of the Organization, the Council's decisions shall be taken by a simple majority of the Members present and voting.

## Recommendation to the Assembly for the appointment of the Secretary-General

**Rule 29**

1. The Council shall recommend to the Assembly a nominee for appointment to the post of Secretary-General.
2. The recommendation shall be made at a private meeting of the Council.

3. The recommendation shall be made by a simple majority of the Members of the Council present and voting. If no candidate receives the majority in the first ballot, a second and, if necessary, subsequent ballots shall be held to decide between the two candidates receiving the largest number of votes in the first ballot.

## Credentials

**Rule 30** The Officers of the Council shall verify the credentials of its Members at the beginning of each session.

## Composition of delegations to the Council

**Rule 31** The delegation of each Full Member of the Council shall consist of one delegate, who may be accompanied by one or more advisers entitled to act as alternates.

## Rules of Procedure of the subsidiary organs of the Council

**Rule 32** Subject to any specific provisions the Council may adopt, these Rules of Procedure shall apply *mutatis mutandis* to the subsidiary organs established by the Council.

## Final provisions

**Rule 33**

1. These Rules of Procedure shall enter into force on the date of their adoption by the Council.
2. The Council alone shall be competent to amend these Rules of Procedure.

## Rules of Procedure of the Programme and Budget Committee (PBC)<sup>1</sup>

### Rule 1

#### Function

1. The function of the Programme and Budget Committee is to be the main instrument of the Executive Council:
  - (a) for the preparation of the Organization's budget and programme of work;
  - (b) for the monitoring of the programme of work and its financial implementation; and
  - (c) for the systematic evaluation and audit of its outputs, results and overall performance.
2. The Programme and Budget Committee:
  - (a) examines, prior to their submission to the Council, all documents in relation with the budget and programme of work of the Organization, as prepared by the Secretary-General;
  - (b) reports to the Council accordingly;
  - (c) carries out any other tasks which may be entrusted to it by the Council.

### Rule 2

#### Composition

1. The Programme and Budget Committee is a sub-organ of the Executive Council; therefore, all rules applying to Executive Council members also apply to Programme and Budget Committee members.

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<sup>1</sup> Text adopted by the General Assembly at its nineteenth session [resolution 602(XIX)] in Gyeongju, October 2011.



2. The Programme and Budget Committee is composed of:<sup>2</sup>
  - (a) two (2) full members per region, as follows:
    - six (6) members of the Executive Council, one per region, each designated by the Council itself
    - six (6) members, one per region, designated by their respective regional commission
  - (b) the representative of the Associate Members in the Executive Council;
  - (c) the representative of the Affiliate Members in the Executive Council and another representative of the Affiliate Members.<sup>3</sup>
3. The Programme and Budget Committee elects one Chairperson and one Vice-Chairperson among its members. A Vice-Chairperson acting as Chairperson shall have the same powers and duties as the Chairperson.
4. A UNWTO member that is not a member of the Programme and Budget Committee may attend any session of the Programme and Budget Committee as an observer, i.e., without the right to speak.

### Rule 3 Terms of office

The renewal of Programme and Budget Committee membership shall be as follows:

- (a) For the six (6) members from the Executive Council, in similar ways as their renewal<sup>4</sup> in the Executive Council;
- (b) for the six (6) members designated by the regional commissions, elections will be carried out every 4 years.<sup>5</sup>

<sup>2</sup> For Election of the Programme and Budget Committee members please refer to the document [CE/93/7].

<sup>3</sup> Article amended by the Executive Council at its ninety-third session [decision 5(XCIII)] in Madrid, June 2012.

<sup>4</sup> Executive Council members are designated for 4 years.

<sup>5</sup> In accordance with the document [CE/93/7], if a member elected by a Regional Commission were to become a member of the Executive Council, its term on the Committee would automatically come to an end, with the Regional Commission electing a replacement for the remaining part of the term.

### Rule 4 Sessions of the Committee

1. The Committee meets in regular session immediately before the Council, or at any time as required by the Executive Council.
2. Members of the Committee could be consulted at any time, including by electronic means.
3. Between ordinary sessions of the Programme and Budget Committee, the Chairperson of the Committee may, after consulting both the Chairperson of the Council and the UNWTO Secretary-General, call an extraordinary session.
4. The provisional agenda of each session of the Committee shall be drawn up by the Secretary-General in agreement with the Chairperson of the Committee.

### Rule 5 Secretariat

1. The Secretary-General shall act as Secretary of the Committee. She/he may delegate her/his functions to any other member of the Secretariat.
2. The Secretary-General may make oral or written statements on any matters under discussion to the Committee at any time.
3. The Secretariat helps the Chairperson in preparing the Programme and Budget Committee reports for the Council.

### Rule 6 Conduct of business

1. The presence of a majority of the Members of the Committee shall be necessary to constitute a quorum at meetings of the Committee.<sup>6</sup>
2. Interpretation of these rules of procedure will be made considering the standing practice of the Executive Council on the relevant matter.

<sup>6</sup> The cost of participation at the Programme and Budget Committee meetings will be on the Members, in accordance with the document [CE/93/7].

# Rules of Procedure of the Committee of the Affiliate Members<sup>1</sup>

## Chapter I Affiliate Members

### Article 1      Affiliate Members

1. The Affiliate Members form an integral part of UNWTO membership with the objective of contributing to sustainable global tourism, in which knowledge and innovation are applied to making tourism more responsible and competitive, in accordance with the Global Code of Ethics for Tourism and the purposes and principles of the United Nations.
2. Affiliate membership is open to all intergovernmental and non-governmental organizations, tourism management bodies and other areas of tourism interest, professional and labour organizations, universities and other educational, vocational training and research institutions, as well as to business associations and commercial bodies whose activities are directly or indirectly connected with tourism, related to the mission of UNWTO and meet the requisites set forth in the Statutes of UNWTO and in these Rules of Procedure.
3. Affiliate Members have the status of Member of the World Tourism Organization in accordance with the Statutes of UNWTO and these Rules of Procedure.

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<sup>1</sup> Text adopted by the General Assembly at its nineteenth session [resolution 602(XIX)] in Gyeongju, October 2011. The transitional and final provisions of the text were deleted by the General Assembly at its twenty-first session [resolution 666(XXI)], in Medellin, September 2015.

## Article 2 Rights and obligations

1. The Affiliate Members shall have the right to:
  - (a) contribute to the preparation of the general programme of work of UNWTO;
  - (b) participate in the activities and organs of UNWTO in the form stipulated for such purpose;
  - (c) obtain and share information, knowledge and good practices with other Members through the collaborative tools provided to them by UNWTO or through other means;
  - (d) present candidatures and participate in the election of the organs provided for in Article 5(1) of these Rules of Procedure;
  - (e) receive all the technical and institutional services provided at any given time by UNWTO to its Affiliate Members;
  - (f) display their brand in connection with the UNWTO programmes and activities in which they participate and to use the UNWTO name and acronym in their activities, in accordance with the provisions of the pertinent regulations and subject to the guidelines, terms and conditions for the use of the UNWTO name, acronym, emblem and flag, also referred to as signs. Affiliate Members may use the UNWTO emblem provided they have requested and obtained from the Secretariat a written authorization.
2. The Affiliate Members shall have the obligation to:
  - (a) respect, observe and disseminate the principles, values, standards and policies of UNWTO;
  - (b) collaborate, as far as possible, with other Affiliate Members of UNWTO;
  - (c) contribute their knowledge and experience for the analysis of global, regional, local and sectorial other tourism-related issues, and to collaborate in finding the best solutions;
  - (d) respect and observe agreements and decisions adopted by the organs of the Affiliate Members as well as the governing organs of UNWTO;
  - (e) pay their contributions as defined in the Statutes and in these Rules of Procedure;
  - (f) respect and observe UNWTO guidelines, terms and conditions for the use of the UNWTO signs and to obtain the appropriate authorizations;
  - (g) respect and observe the UNWTO Global Code of Ethics for Tourism.

## Article 3 Admission procedure

1. Applications for affiliate membership shall be addressed to the Secretariat of UNWTO and must be accompanied by:
  - (a) a profile of the candidate;
  - (b) information on the candidate's objectives and activities, demonstrating their connection with the principles and values promoted by UNWTO;
  - (c) a statement of commitment to the Global Code of Ethics for Tourism and acceptance of the Statutes of UNWTO and of the regulations of the Affiliate Members;
  - (d) an official endorsement from the government of the State of domicile of the candidate.
2. Following verification of compliance with the established requirements, the application shall be circulated to Members of the Board of the Affiliate Members for information before submission to the Executive Council of UNWTO for approval, which shall confer effect to and recognition of all the rights and obligations of the Affiliate Member.
3. All applications should be thereafter submitted to the General Assembly in its following session for ratification, as stipulated by the Statutes of UNWTO.

## Article 4 Suspension and termination of affiliate membership

Any Affiliate Member found to conduct or persist in policies and practices contrary to the obligations listed in Article 2(2) of these Rules of Procedure shall be subject to suspension of membership, in accordance with the Statutes.

## Chapter II Organizational Structure of the Affiliate Members

### Article 5 Organizational structure of the Affiliate Members

1. The organs of the Committee of the Affiliate Members are:
  - (a) the Plenary;
  - (b) the Board of the Affiliate Members.
2. As needed, and in order for the Affiliate Members to function more effectively, working groups or committees, networks, regional chapters, or any other operational body may be created to more effectively perform specific objectives.
3. The creation of such groups and their mandate will be recommended by the Board of the Affiliate Members to the Secretary-General.

### Article 6 The Plenary

1. The Plenary is the organ in which all Affiliate Members are represented, and shall be composed of all the membership, each having voice and vote.
2. Ordinary sessions of the Plenary shall be convened biennially by the Secretary-General, after consultation with the Board of the Affiliate Members. The Plenary may meet in extraordinary sessions upon convocation by the Secretary-General, as well as at the request of the Board of the Affiliate Members or of the majority of the Affiliate Members.
3. The agenda of ordinary Plenary sessions shall be prepared by the Secretary-General, at the proposal of the Board of the Affiliate Members issued two months prior to the date of the session, and shall be communicated to the Affiliate Members at least one month in advance of the session. In the case of extraordinary sessions, the aforementioned notice periods shall be reduced by half.
4. The Board of the Affiliate Members or the Secretary-General, in consultation with the Chairman of that Board, may invite enterprises or entities that could contribute to the Plenary sessions, even if they are not Affiliate Members.

### Article 7 The Board of the Affiliate Members: definition, functions and composition

1. The Board of the Affiliate Members is an advisory body to the Secretary-General whose main functions are:
  - (a) the integration and contribution of the Affiliate Members to the goals, mission and the general programme of work of UNWTO; and
  - (b) the design of the strategy, as well as to approve the draft programme of work and follow up on its implementation, and integration in the general programme of work of UNWTO.
2. The Board of the Affiliate Members shall be composed of 23 members, of whom 8 Vice-Chairmen shall be elected by all Affiliate Members, three Vice-Chairmen shall be designated by the Secretary-General and 12 shall be elected exclusively by the Affiliate Members from the respective regions, the latter also being referred to as Regional Vice-Chairmen. The Board shall be chaired by one of its members, who shall be elected in accordance with Article 8(8) of these Rules of Procedure.<sup>2</sup>
3. The term of office of the members of the Board of the Affiliate Members shall be two years.
4. The Board of the Affiliate Members shall meet at least twice a year, with each meeting being convened with at least a two months' notice, and with the provisional agenda established by the Secretary-General in consultation with the Chairman of the Board.

### Article 8 Participation in the elections for the Board of the Affiliate Members: voters and candidates

1. All Affiliate Members in full exercise of their rights shall be eligible to vote and be voted for under the conditions stipulated in these Rules of Procedure.
2. Every two years, the Affiliate Members shall elect 12 Regional Vice-Chairmen and 8 Vice-Chairmen for the Board of the Affiliate Members.

<sup>2</sup> Article amended by the General Assembly at its twenty-first session [resolution 666(XXI)] in Medellín, September 2015.

3. The Regional Vice-Chairmen, in number of two per region, shall be elected exclusively by the Affiliate Members from their respective regions.
4. For the purpose of the composition and activities of the Board of the Affiliate Members and the election of its 12 Regional Vice-Chairmen, the six UNWTO regions are Africa, the Americas, East Asia and the Pacific, South Asia, Europe, and the Middle East.<sup>3</sup>
5. The 8 Vice-Chairmen to be elected shall be voted by all Affiliate Members from all regions.<sup>4</sup>
6. An Affiliate Member may be a candidate for the positions of Regional Vice-Chairman and Vice-Chairman simultaneously. In such cases, if the candidate is elected for a Regional Vice-Chairmanship, its candidacy for Vice-Chairmanship is automatically eliminated and the corresponding votes eventually received are counted as null and void.
7. The Secretary-General shall designate three additional Vice-Chairmen for a term of two years so as to complete the full membership of 23 members of the Board of the Affiliate Members.
8. In its first meeting, during the General Assembly the members of the Board shall elect one of its members as Chairman.
9. The members of the Board of the Affiliate Members designated by the Secretary-General may vote but may not receive votes for the position of Chairman.
10. The Members of the Board will abide by the following code of conduct: Commitment to protect the interests of all Affiliate Members, demonstrating loyalty to the organization, impartiality in decision-making and their absolute discretion regarding the issues discussed at the meetings.  
It is understood that purpose of the presence on the Board is to represent all Affiliate Members, whereby, this presence is not used to further individual interests of the delegates or only that of the Affiliate Member represented therein.<sup>5</sup>

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3 Ibid.

4 Ibid.

5 Ibid.

## Article 9 Election procedure

1. The election of the 12 Regional Vice-Chairmen and 8 Vice-Chairmen, referred to in Article 8(2) above, for the Board of the Affiliate Members shall be conducted by mail and/or electronic vote prior to the General Assembly, in accordance with these Rules of Procedure, with the "Guiding Principles for the Conduct of Elections by Secret Ballot" annexed to the Rules of Procedure of the General Assembly and with the specific guidelines for the election procedure of the members of the Board of the Affiliate Members issued by the Secretariat, prior to the General Assembly in order to convene the new Board at its first meeting and proceed to elect the Chairman during the aforementioned General Assembly.<sup>6</sup>
2. Each Affiliate Member may cast two ballots for the election of the candidates. In Ballot I the Affiliate Member may choose up to two candidates for the positions of Regional Vice-Chairmen of the respective region and in Ballot II up to 10 candidates for the positions of Vice-Chairmen.
3. Upon the announcement of the results of the voting for Regional Vice-Chairmen and subject to Article 8(6) of these Rules of Procedure, the counting of the votes for Vice-Chairmen shall proceed.
4. In case any region fails to elect two Regional Vice-Chairmen, that position shall remain vacant.<sup>7</sup>
5. The Chairman of the Board may be elected for up to two consecutive terms.
6. Should the position of Chairman fall vacant, the Board of the Affiliate Members shall select one of its Members to act as an interim Chairman. Vacancies arising among the Regional Vice-Chairmen and the Vice-Chairmen shall not be filled until the following election.
7. In respect of aspects not covered in these Rules of Procedure, the elections for the Chairmanship, Regional Vice-Chairmanship and Vice-Chairmanship of the Board of the Affiliate Members shall be conducted in accordance with the "Guiding Principles for the Conduct of Elections

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6 Ibid.

7 Ibid.

by Secret Ballot”, annexed to the Rules of Procedure of the General Assembly, and with the specific guidelines on the election procedure issued by the Secretariat.<sup>8</sup>

#### Article 10 Management of the Affiliate Members

The Secretary-General shall assign the appropriate staff to manage the affairs of the Affiliate Members within the Secretariat of UNWTO. The Secretary-General shall discharge these responsibilities through a dedicated structure, which shall conduct its responsibilities in coordination with the different Operational, Regional and Support Programmes of UNWTO.

### Chapter III Affiliate Member Contributions

#### Article 11 Contributions

1. The Affiliate Members shall pay their contribution in the first month of the financial year for which it is due, in accordance with the Statutes.
2. The aforementioned contribution of the Affiliate Members shall be proposed by the Secretary-General in the Programme of Work and Budget of UNWTO, in consultation with the Board of the Affiliate Members, to be approved by the General Assembly.
3. With the approval of the Secretary-General and in accordance with its rules and regulations, UNWTO may receive voluntary contributions from external sources or from its own Affiliate Members to support the programme of work of the Affiliate Members.

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<sup>8</sup> Ibid.

### Chapter IV Participation of the Affiliate Members in UNWTO Organs and Activities

#### Article 12 Participation in the General Assembly, Executive Council, Regional Commissions and Technical Committees

1. As part of UNWTO's membership structure, the Affiliate Members shall be represented and participate in UNWTO's General Assembly, Executive Council, and their subsidiary organs, in accordance with the Statutes and the Rules of Procedure of the respective bodies.
2. The Chairman of the Board of the Affiliate Members or another member of the Board delegated by the Chairman shall head the representatives of the Affiliate Members that will attend and participate in the work of such meetings.
3. The representative of the Affiliate Members shall report to these organs on the activities of the Affiliate Members and on points of interest for the discussion, definition and execution of the general programme of work of UNWTO.
4. The Chairman of the Affiliate Members together with the corresponding Regional Vice-Chairmen shall participate in the Regional Commission meetings.
5. The Secretariat may organize consultations with the Affiliate Members on matters of general interest or specific themes, as a channel for their participation in the execution of general programme of work of UNWTO.

### Chapter V Amendment of the Rules of Procedure

#### Article 13 Amendment of the Rules of Procedure

1. The initiative to amend the present Rules of Procedure is the competence of the Board of the Affiliate Members or of the Secretary-General.
2. Any proposed amendment by the Board of the Affiliate Members shall be submitted to the Secretary-General at least four months before

the Plenary session so as to be distributed in advance to all Affiliate Members.

3. If it is upon the initiative of the Secretary-General, he/she shall communicate it to the Board of the Affiliate Members.
4. Amendments to the Rules of the Procedure must be approved by a two-thirds majority of those present and voting at the Plenary, with each Affiliate Member having one vote.
5. Any such amendment shall be submitted for ratification by the General Assembly.

## Headquarters Agreement between the Kingdom of Spain and the World Tourism Organization<sup>1</sup>

The Kingdom of Spain and the World Tourism Organization,

Whereas the entry of the World Tourism Organization into the UN system has constituted a qualitative change in that organization, specifically with regard to the provisions contained in the Convention on the Privileges and Immunities of the United Nations of 1946 and the Convention on the Privileges and Immunities of the Specialized Agencies, adopted by the United Nations General Assembly on 21 November 1947;

Whereas the above gives rise to the recognition of the application to the World Tourism Organization of the necessary privileges, immunities, exemptions and facilities established by the Convention on the Privileges and Immunities of the Specialized Agencies, adopted by the United Nations General Assembly on 21 November 1947, to which Spain acceded on 26 September 1974, and Annex XVIII relating to the World Tourism Organization, approved by the General Assembly of the World Tourism Organization in Cartagena de Indias, 2007 [resolution 545 (XVII)];

Whereas it is necessary to harmonize and adapt the Convention between the World Tourism Organization and Spain Concerning the Legal Status of the World Tourism Organization in Spain signed on 10 November 1975, to which other supplementary agreements signed were added, to the status of Specialized Agency of the United Nations, in accordance with resolution 58/232 of the United Nations General Assembly;

Whereas, due to the above circumstances, it is necessary to adapt and unify in one text, in the form of a new Headquarters Agreement, the necessary privileges, immunities, exemptions and facilities, which are to govern the relationship of the World Tourism Organization with Spain;

Have agreed as follows:

<sup>1</sup> Text signed on 25 June 2015, approved by the General Assembly at its twenty-first session [resolution 663 (XXI)] in Medellín, Colombia, on 17 September 2015 and ratified by Spain on 1st October 2015. The Agreement entered into force definitively on 15 November 2015.

## Article 1 Definitions

In this Headquarters Agreement:

- (a) "Spain" means the Kingdom of Spain;
- (b) "UNWTO" means the World Tourism Organization;
- (c) "the Parties" means Spain and the UNWTO;
- (d) "appropriate authorities" means the appropriate national, regional, local and other authorities in accordance with the laws and regulations of Spain;
- (e) "the Convention" means the Convention on the Privileges and Immunities of the Specialized Agencies adopted by the UN General Assembly of 21 November 1947 and Annex XVIII of said Convention relating to the UNWTO;
- (f) "the Organization" means the World Tourism Organization;
- (g) "archives of the UNWTO" means all records, correspondence, documents, and so forth, whether printed or in electronic form, belonging to or held by the aforementioned UNWTO;
- (h) "telecommunications" means any emission, transmission or reception of verbal or written information, images, sounds or information of any nature by wire, radio, satellite, fibre optics or other electronic or electromagnetic means;
- (i) "Secretary-General" means the Secretary-General of the UNWTO;
- (j) "officials of the UNWTO" means officials accredited at its headquarters in Spain in accordance with the provisions of Article VI of the Convention on the Privileges and Immunities of the Specialized Agencies of the United Nations, adopted by the General Assembly of the United Nations on 21 November 1947, and Annex XVIII relating to the UNWTO;
- (k) "dependents" means:
  - spouses, provided that the marriage has not been the object of annulment or divorce, or partners with whom there exists a

- union in force that is equivalent to marriage and who are listed in a public registry established for such purpose in another State;
  - the unmarried children under 18 of officials, or children under 23 attending higher education and financially dependent on their parents;
  - unmarried children who depend on their parents and suffer from a physical or mental disability;
  - the parents of the official and those of the official's spouse or partner, who live in the same household, do not engage in gainful activities and financially dependent on the holder of the accreditation;
- (l) "experts on mission" or "experts" means persons, other than officials of the Office, performing missions for the UNWTO and who come within the scope of Articles VI and VII of the Convention on the Privileges and Immunities of the United Nations of 1946, as well as Annex XVIII of the Convention on the Privileges and Immunities of the Specialized Agencies of the United Nations adopted by the United Nations General Assembly on 21 November 1947, relating to the UNWTO;
  - (m) "premises" means any land, buildings, structures, and related facilities which the appropriate authorities make available to the UNWTO for its exclusive use;
  - (n) "property and assets of the UNWTO" means all property, including funds, income and other assets belonging to the UNWTO, or that it holds or administers and that are linked to the performance of its functions;
  - (o) "affiliate member" means the entities considered as such in the statutes of the UNWTO;
  - (p) "Permanent Missions" means Missions of the Member States of the Organization accredited to it;
  - (q) "diplomatic Missions in Spain" means diplomatic and consular Missions and Missions of International Organizations present in Spain;
  - (r) "Permanent Representative" means the Head of Mission, permanently accredited by the UNWTO;



(s) “Representative on Mission” means the representative of the Member State to the UNWTO designated to perform a specific mission.

(t) “Representative” means any person designated by a Member State before the UNWTO.

#### Article 2 Legal personality

Spain recognizes the international personality and legal capacity of the UNWTO.

#### Article 3 Freedom of action of the Organization

Spain shall guarantee the Organization the independence and freedom of action appropriate to it as an international institution.

#### Article 4 Immunities and privileges

1. The Organization shall enjoy all the immunities and privileges normally accorded to international organizations of a universal character.
2. The Convention on the Privileges and Immunities of the Specialized Agencies of the United Nations adopted by the United Nations General Assembly in 1947, ratified by Spain on 26 September 1974 and approved by the General Assembly of the UNWTO at its sixteenth session held in Dakar in 2005, in resolution 489 (XVI), as well as its Annex XVIII shall apply to the UNWTO. In case of discrepancy between the provisions of said Convention and the provisions of this Agreement, the provision that is more favourable to the Organization shall apply.
3. If Spain concludes any agreement with an intergovernmental organization containing terms and conditions more favourable than those granted to the UNWTO under this Agreement, Spain shall favourably receive the request of the UNWTO to extend such terms and conditions to the UNWTO. The Parties shall agree on the appropriate way to establish them in accordance with their internal legal requirements

#### Article 5 Inviolability

1. The premises of the Organization’s headquarters, including buildings, parts of buildings and land forming part of the Headquarters shall be inviolable, irrespective of their owner. No agent of the Spanish authorities shall enter them without the consent of the Secretary-General of the Organization or his authorized representative
2. The Organization’s archives, official correspondence and in general all the documents belonging to it or held by it and intended for its official use shall be inviolable wherever they may be.
3. The property and assets of the Organization in Spain shall be immune from all forms of search, requisition, confiscation, expropriation or any other form of interference, whether by executive, administrative, judicial or legislative action.
4. The Organization shall control and police the premises of its Headquarters.
5. Spain shall adopt all the appropriate measures for ensuring the protection of the Headquarters. If so requested by the Secretary-General, it shall provide the necessary assistance for the maintenance of law and order inside the headquarters.

#### Article 6 Immunity from legal process

1. The Organization shall enjoy immunity from any penal, civil and administrative proceedings, except insofar as that immunity has been expressly waived by the Secretary-General of the Organization or his authorized representative.
2. The inclusion in a contract to which the Organization is a Party of a clause giving a Spanish ordinary court jurisdiction shall constitute a formal waiver of the immunity. However, barring an express clause to the contrary, no such waiver of immunity shall extend to any measure of execution.
3. The institution by the Organization of legal proceedings shall imply its waiving of immunity from legal process in the event of a counterclaim.

## Article 7 Communications

1. The Organization shall enjoy, for its official communications, treatment not less favourable than that accorded to other international institutions and to diplomatic missions in Spain, especially in the matter of priorities, rates and charges for mail, telegraph, telephone and other communications.
2. The Organization shall have the right to use codes for its official communications. It shall also have the right to dispatch and receive correspondence by duly identified couriers or bags, which shall have the same privileges and immunities as diplomatic couriers and bags.
3. Correspondence and other official communications of the Organization shall be immune from censorship.
4. In the event of force majeure entailing a complete or partial interruption of these services, the needs of the Organization shall be given the same priority as may be enjoyed by the Spanish authorities.
5. None of the provisions of this Article may be interpreted as forbidding the adoption of adequate special security measures, to be determined by agreement between the Contracting Parties.

## Article 8 Public services

1. Spain shall facilitate the use by the Organization of all the necessary public services and shall grant reductions in the corresponding rates, where such reductions exist, in the same conditions as granted to the Spanish authorities.
2. In case of interruption or likely interruption of any such services, Spain shall accord to the Organization, so that it can meet its needs, the same priority as may be enjoyed by the Spanish authorities.

## Article 9 Publications

The import and export of the Organization's publications and those intended for it shall not be subject to any restrictions.

## Article 10 Taxation

1. The Organization, its property, funds and assets, wherever located and by whomsoever held, shall be exempt from all direct and indirect state, regional and municipal taxes and levies, except those which constitute charges for public utility services.
2. Furthermore, the UNWTO shall be exempt from all indirect taxes, including value added tax or any other taxes levied on goods and services intended for official use.
3. The exemption from value added tax shall be carried out, in general, through the procedure established for the rest of International Organizations and Diplomatic Corps accredited in Spain.
4. The exemption referred to in paragraph 1 of this Article shall not apply to taxes and levies which individuals or bodies corporate coming under a contract with the Organization must pay in accordance with Spanish legislation.

## Article 11 Customs

1. The Organization shall be exempt from the payment of all customs duties and related levies of any kind, except charges for storage, transport and services supplied, and from prohibitions and restrictions on the import or export of articles intended for its official use.
2. Articles imported with such exemption shall not be sold or transferred in Spain without the authorization of the State Tax Administration Agency, processed through the Ministry of Foreign Affairs and Cooperation, for clearance for home use of the aforesaid articles, subject to compliance with foreign trade formalities and payment of the corresponding taxes.
3. Spain and the UNWTO shall agree on the specific norms for the importation, in accordance with the provisions of paragraphs 1 and 2, of a sufficient number of vehicles for the Organization's official needs.
4. The UNWTO shall be exempt from customs duties, taxes on vehicle ownership, and any other levies on motor vehicles, including spare parts and supplies needed for their official use in Spain, regardless of

whether they are imported or acquired in the country. Such vehicles shall be registered in accordance with the applicable laws and regulations in Spain. The UNWTO may freely dispose of these vehicles one year after their acquisition or importation, without any prohibitions, restrictions, customs duties or any other levy. Notwithstanding the foregoing, it may dispose of such vehicles before the indicated date if so authorized by the State Tax Administration Agency with proper justification for the replacement of the vehicle.

5. The procedure concerning applications for the imports and exports provided for in this Article and customs clearance shall be in conformity with the norms laid down by the State Tax Administration Agency. Each application shall be signed by the Secretary-General or, in his absence, by his authorized representative and shall be forwarded through the Ministry of Foreign Affairs and Cooperation.

#### Article 12 Free disposal of funds

1. For the purpose of achieving its aims, the Organization may hold funds, gold or foreign exchange of any kind and may keep its books in any currency. It may also freely receive and transfer its funds, gold or foreign currency and convert into any other currency the currencies in its possession.
2. Spain shall assist the Organization in obtaining the most favourable conditions for its exchange transactions and its transfers.

#### Article 13 Meetings of the Organization

1. Spain recognizes the right of the UNWTO to convene, pursuant to its statutes, the meetings of the General Assembly, the Executive Council or other statutory organs or of the United Nations system, and international technical meetings that are in keeping with the objectives of the Organization without the need to sign special agreements. In respect of these meetings, the Convention on the Privileges and Immunities of the Specialized Agencies of the United Nations of 1947, Annex XVIII relating to the UNWTO and this Headquarters Agreement shall apply.

2. Meetings organized by the UNWTO in national territory that are held outside the Office shall require prior notification to the Spanish authorities.
3. The Spanish Government shall provide facilities for holding meetings of the General Assembly, Executive Council, committees and working parties that cannot be held in the headquarters building of the organization, by making available appropriate meeting rooms that shall enjoy inviolability and protection on the same terms as those established for the premises of the UNWTO in Article 5 of this Headquarters Agreement. The conditions of this cooperation shall be determined for each particular case by a specific agreement between the two parties, which shall additionally specify reception, liaison, cleaning, upkeep, security, and any other services deemed necessary to provide for the holding of such meetings.
4. The Spanish Government as far as possible and by means of all appropriate practical arrangements, shall facilitate the Organization's task of receiving delegates of assemblies, conferences and meetings convened by the Organization, at airports and at other points of entry into Spanish territory.

#### Article 14 Freedom of entry and sojourn

1. Spain shall take appropriate measures to facilitate the entry into, sojourn in and departure from Spanish territory of the following categories of persons, regardless of their nationality:
  - (a) representatives of Members of the Organization;
  - (b) the Secretary-General and the staff of the Organization;
  - (c) the spouses, children and members of the families of the persons referred to in (a) and (b) above who live with them;
  - (d) any other persons who, by reason of their functions, must have access to the Organization's Headquarters in an official capacity.
2. The facilities set out in this Article shall be granted for the exercise and performance of official duties or functions of the persons mentioned in (a) and (d) of the above paragraph, limited to the time required for their performance.

3. Visas that may be required for persons referred to in this Article shall be granted without charge and as soon as possible.
4. The persons referred to in this Article 14 shall be exempt from the formalities provided for by Spanish laws and regulations with respect to the registration of aliens, residence permits and working permits, provided they are not gainfully employed in Spain in any other capacity.
5. The persons mentioned in the preceding paragraph must have the relevant travel document in order.
6. Spain shall grant an accreditation visa to persons providing services at the UNWTO for a period limited to the performance of their functions, when the nationality of the person so requires.
7. Spain shall preferentially process the request of the persons mentioned in section (b) of paragraph 1 who wish to remain in Spain with their family members upon the conclusion of the exercise of their functions at the UNWTO due to retirement and shall issue as promptly as possible the residence permits and any other documents necessary for the UNWTO officials, their spouses and their dependent family members, provided that the retired staff member accredits own financial means and health insurance.

#### Article 15 Status of the Secretary-General and officials of certain categories

1. The Secretary-General of the Organization shall be accorded the privileges and immunities, exemptions and facilities accorded to heads of diplomatic missions.
2. The Secretary-General shall designate the senior official of the organization who is to act on his behalf in his absence from duty; during the exercise of these functions, the official so designated shall enjoy the same status as the Secretary-General.
3. Officials belonging to the Professional category at grade P-5 or higher by reason of the responsibilities of their functions shall be accorded the same privileges and immunities, exemptions and facilities as are accorded to diplomatic agents in Spain. The Secretary-General shall periodically notify Spain of the number and names of such officials.

4. The Secretary-General shall designate the officials who by reason of their functions shall be accorded the same privileges and immunities, exemptions and facilities as are accorded to the administrative staff of accredited diplomatic missions in Spain.
5. In respect of officials belonging to the Professional category at a grade lower than P-5 who are Spanish nationals or permanent residents in Spain, the Kingdom of Spain shall not be bound to accord them privileges and immunities exceeding those provided for in the 1947 Convention for such cases or those provided for in this Headquarters Agreement.
6. The Organization shall notify the Ministry of Foreign Affairs and Cooperation of:
  - (a) the appointment of its officials, their arrival in or final departure from Spain and the termination of their employment in the Organization;
  - (b) the arrival and final departure of any persons belonging to an official's family who live with him and the fact, where applicable, that a person becomes or ceases to be a member of that family.
7. The private residence of the Secretary-General shall enjoy the same inviolability and protection as the premises of the UNWTO. His papers, correspondence and property shall likewise be inviolable in the terms accorded to diplomatic agents.

#### Article 16 Immunities and facilities accorded to all officials

1. Officials of the Organization, regardless of their nationality, shall be immune from legal process of any kind in respect of words spoken or written and all acts performed by them in the exercise of their functions, even if they have ceased to be officials of the Organization.
2. They shall be exempt from taxation in respect of the salaries, emoluments and indemnities paid to them by the Organization. Benefits paid in any circumstances by a pension fund or provident scheme within the meaning of Article 20 of this Agreement shall also be exempt from taxation at the time of their payment. The same privilege shall be applied to all benefits paid to agents, officials or employees of the Organization for sickness, accidents and so forth.

3. The appropriate authorities shall process applications for visas and residence permits and any other documents that may be required for domestic workers of officials of the Office during the exercise of their functions as promptly as possible, provided that the contracts of the domestic workers comply with the Spanish labour legislation in force on the matter.

**Article 17** Immunities and facilities accorded to officials who are not Spanish nationals or foreigners with permanent residence in Spain at the time of joining the UNWTO

1. In every case, and to the extent that these privileges are not accorded under the provisions of Articles 15 and 16, the Organization's officials shall enjoy the following privileges:
  - (a) immunity from seizure of their personal and official baggage;
  - (b) freedom to acquire and keep in Spain or outside it foreign securities, foreign currency accounts and other personal property and, under the same conditions applicable to Spanish nationals, real property; and upon the conclusion of their appointment in the UNWTO in Spain, the right to remove from the country, through authorized channels and without any prohibition or restriction, their funds in the same currencies and in the same amount as they were introduced in Spain.
  - (c) in respect of foreign exchange, including the maintenance of foreign currency accounts, they shall enjoy the same facilities accorded to members of diplomatic missions accredited in Spain;
  - (d) exemption from any military service obligations in Spain;
  - (e) exemption from immigration restrictions and formalities for the registration of foreigners, for themselves as well as for their spouses and dependents;
  - (f) the same repatriation facilities for both themselves and their spouses and dependent relatives as are accorded to officials of diplomatic missions of similar rank, in the event of international crisis;
  - (g) the right to import, free of duty, their furniture and personal effects when moving to Spain to take up their duties, this right remaining valid for one year from the date on which they have definitively taken up their duties;
  - (h) exemption from taxes on any income or assets, for themselves and for their family members forming part of the household, insofar as such income originates from sources outside Spain or such assets are located outside said country;

- (i) exemption from inheritance and gift tax, except in respect of real property situated in Spain insofar as the obligation to pay such taxes results solely from the fact that the officials and their family members forming part of the household are resident in Spain;
  - (j) exemption from the excise tax on vehicles and the excise tax on fuels;
  - (k) the right to acquire or import motor vehicles, exempt from taxes and duties while working for the UNWTO in the Kingdom of Spain, under terms no less favourable than those accorded to diplomatic missions, consular offices and international organizations in Spain. Automobiles imported or acquired under this Agreement may be sold in Spain at any time after their importation or purchase, subject to the relevant Spanish legislation;
  - (l) the right to import, free of duty, articles for use and consumption. The Spanish Government, in agreement with the Secretary-General of the Organization, shall allow duty-free importation, in accordance with the rules contained in this Article, of items intended for use or consumption of officials referred to in this Article. The aforementioned items shall be intended exclusively for use or consumption by the officials of the Organization, with express prohibition of their sale or transfer in Spain in any form or for any purpose.
2. Supplemental agreements shall be concluded between the Organization and the Spanish Government to regulate the importation of limited quantities of articles for the personal use or consumption of said officials.

**Article 18** Experts on mission

1. Experts performing missions for the Office of UNWTO in Spain and who are not UN officials shall be accorded the privileges and immunities, exemptions and facilities under Articles VI and VII of the Convention on the Privileges and Immunities of the United Nations of 1946, as well as those established in Annex XVIII of the Convention on the Privileges and Immunities of the Specialized Agencies of 1947.
2. Experts on mission shall be exempt from taxation on the salaries and other emoluments paid to them by the UNWTO, and may enjoy other privileges, immunities, exemptions and facilities that may be agreed by the parties.

3. The UNWTO shall in all cases duly inform the Spanish Ministry of Foreign Affairs and Cooperation about the arrival and sojourn of experts on mission.

Article 19 Gainful employment in Spain of dependent family members of officials

1. Dependents of the UNWTO officials accredited at its headquarters in Spain may engage in gainful employment for the duration of the appointment of the holder of the accreditation.
2. The request for authorization to engage in the gainful employment in question shall be forwarded to the Ministry of Foreign Affairs and Cooperation. The request may be refused if the job is reserved for Spanish nationals for reasons of security, exercise of public office or protection of State interests.
3. Dependents who obtain employment as permitted by this Agreement shall enjoy no civil, criminal or administrative immunity in respect of activities related to their jobs, and shall be subject to the Spanish laws and courts in respect of such activities.

Article 20 Pension fund and special funds

1. Any pension fund or provident scheme officially operating for the benefit of officials of the Organization shall enjoy legal capacity in Spain provided it observes the forms laid down for this purpose by Spanish law. Any pension fund or provident scheme officially operating for the benefit of officials of the Organization shall enjoy legal capacity in Spain provided it observes the forms laid down for this purpose by Spanish law. The benefits provided by such a scheme to the Organization's officials shall enjoy the same exemptions and immunities as apply to those officials under this Headquarters Agreement.
2. Funds and foundations, whether possessing legal personality of their own or not, which are administered under the auspices of the Organization and are intended solely for its official purposes shall enjoy the same exemptions and immunities as the Organization's movable property.

Article 21 Social security

1. The Organization shall be exempt from all compulsory contributions to any general social security schemes, including equalization funds, unemployment insurance scheme, accident insurance schemes, and so forth and the officials of the Organization shall be exempt from Spanish social security provisions.
2. This exemption shall also apply to household workers employed in the exclusive service of an official of the Organization provided that:
  - (a) they are not Spanish nationals or permanent residents in Spain;
  - (b) they are insured by a social security scheme of the Organization.
3. Officials of the Organization who employ persons to whom the exemption provided for in paragraph 2 above does not apply shall comply with the social security obligations which employers are bound to discharge under Spanish legislation.
4. The exemption provided for in the preceding paragraph of this Article shall not prevent voluntary participation of the Organization's officials in the social security system of Spain.
5. The Organization shall be bound to make arrangements for the participation of Spanish or locally recruited officials in the Spanish social security system.

Article 22 Purpose of immunities

1. The privileges and immunities provided for by this Headquarters Agreement are not intended for the personal benefit of the officials of the Organization. They are accorded solely in order to ensure in all circumstances the free operation of the Organization and the complete independence of its officials.
2. The Secretary-General of the Organization shall have the right and duty to waive the immunity of any official whenever, in his opinion, the immunity would impede the normal course of justice and can be waived without prejudice to the interests of the Organization.

## Article 23 Prevention of abuses

The Organization and Spain shall cooperate at all times to facilitate the proper administration of justice, to ensure observance of police regulations and to prevent occurrences of any abuses of the privileges, exemptions, immunities and facilities provided for by this Headquarters Agreement.

## Article 24 Identity card

1. The Spanish Ministry of Foreign Affairs and Cooperation shall supply an identity card to each official of the Organization and to his family members who live with him, which shall serve as proof of identity of the official for the Spanish authorities.
2. The Organization shall regularly communicate to the Ministry of Foreign Affairs and Cooperation a list of the officials of the Organization and their family members, indicating for each the date of birth, nationality, address in Spain and the category or grade of each official.

## Article 25 Permanent missions to the UNWTO

The permanent missions of Member States to the UNWTO shall enjoy the same privileges and immunities accorded to diplomatic missions in Spain.

## Article 26 Permanent representatives to the UNWTO

The Permanent Representatives to the UNWTO shall be entitled in Spanish territory to the same privileges and immunities that the Spanish Government accords to heads of diplomatic missions accredited to Spain

## Article 27 Representatives to the UNWTO

Without prejudice to any other privileges and immunities they enjoy during the exercise of their functions, the representatives of the Member States accredited to the Organization shall enjoy in Spain the privileges and immunities accorded to members of comparable rank of the staff of the mission as established for diplomatic missions in the Vienna Convention of 1961.

## Article 28 Representatives on Mission to the UNWTO

1. Representatives of Member States at assemblies, conferences and meetings convened by the Organization shall enjoy in Spain the following privileges and immunities:
  - (a) inviolability of their person, place of residence and possessions;
  - (b) immunity from arrest and detention and immunity from legal process in respect of words spoken and written and all acts done by them in the performance of their official functions;
  - (c) customs facilities in respect of their personal effects and exemption from baggage inspection in the same conditions as are accorded to diplomatic agents on temporary mission;
  - (d) the right to use codes in their official communications and to receive and dispatch papers and official correspondence by diplomatic courier or in sealed bags;
  - (e) exemption from immigration restrictions and aliens' registration, as provided for in Article 13, and from national service;
  - (f) exemption from exchange restrictions in the same conditions as accorded to diplomatic agents on temporary mission.
2. Representatives of Affiliate Members shall be entitled solely to the privileges provided for in paragraph 1 (b), (e) and (f).

## Article 29 Private law disputes

The Organization shall make provision for appropriate methods of settlement of:

- (a) disputes arising out of contracts to which the Organization is a party and other disputes of a private law character;
- (b) disputes involving an official of the Organization who, by reason of his official position, enjoys immunity, if that immunity has not been waived in accordance with Article 22.

## Article 30 Non-responsibility of Spain

Spain shall not incur by reason of the activities of the Organization within its territory any international responsibility for acts or omissions of the Organization or of its officials acting or abstaining from acting within the scope of their functions.

**Article 31** Headquarters building

Spain has made available to the Organization a building that serves as the headquarters of the Organization and is the subject of a special agreement between the two Parties, of 10 March 1980. The building was handed over through the document signed on 7 May 1981. The headquarters of the Organization is in Madrid.

**Article 32** Consultations between Spain and the World Tourism Organization for the implementation of this Headquarters Agreement

1. Spain and the Organization shall conduct regular consultations, at the request of either party, for all matters concerning the implementation of this Headquarters Agreement and, especially, to develop the modalities of its practical application and to prevent any abuse in connection with the facilities referred to therein.
2. Should both parties consider it necessary, the results of these consultations may be formalized through the appropriate exchange of letters.

**Article 33** Cooperation of the Spanish Government with the Organization

The cooperation of the Spanish Government with the Organization for the purpose of enabling the latter to achieve its aims in the most effective and least onerous manner shall be covered by a special agreement between the two Parties, dealing in particular with the specific spheres in which such cooperation appears desirable in view of the known resources, experience and competence of Spain in the field of tourism.

**Article 34** Settlement of disputes

1. Any dispute between the Parties concerning the interpretation or application of this Headquarters Agreement, any supplemental agreement or annex or any question concerning the relations between Spain and the Organization which it has not been possible to settle by direct negotiation between the Parties shall be referred by one Party or the other to an Arbitration Tribunal composed of three arbitrators for final decision.

2. Spain and the Organization shall each choose one member of the Arbitration Tribunal.
3. The two members thus chosen shall choose a president.
4. Should the first two members fail to agree upon the president, the latter shall be chosen by the President of the International Court of Justice at the request of one of the members of the Arbitration Tribunal.
5. The Arbitration Tribunal shall establish its own rules of procedure.

**Article 35** Modification of the Headquarters Agreement

1. This Headquarters Agreement may be modified in full or in part following consultations entered into at the request of Spain or the Organization. Any such modification shall be made by mutual consent.
2. The Parties may enter into such supplemental agreements as they deem necessary.

**Article 36** Entry into force

1. This Headquarters Agreement shall be provisionally applied from the date of its signature. It shall enter into force definitively on the date on which the Parties have officially notified each other of the completion of the formalities required by their respective laws and constitutive provisions. Furthermore, this Headquarters Agreement replaces the Convention between the World Tourism Organization and Spain Concerning the Organization's Legal Status in Spain signed on 10 November 1975, and any supplementary and/or special agreements Spain has signed with the UNWTO regarding the same matter, except the Special Agreement on the Headquarters Building of the UNWTO, of 10 March 1980, and the delivery document of the building dated 7 May 1981, which shall continue in full force.
2. Its entry into force shall take place on the date on which the instruments accrediting completion of the procedures referred to in the previous paragraph are exchanged.



3. Spain shall take all necessary measures and coordinate the appropriate authorities to give full effect to the terms of this Agreement.

Done in Madrid on 25th June 2015,  
in duplicate, in the Spanish, French and English languages,  
all being equally authentic, with the Spanish version prevailing  
in the event of conflict between versions.

The Secretary-General  
of the  
World Tourism Organization

Taleb Rifai

The Minister of Foreign Affairs  
and Cooperation

José Manuel García-Margallo

## Special Agreement on the Headquarters Building of the World Tourism Organization, as Provided for under Article 24 of the Convention between the World Tourism Organization and Spain Concerning the Organization's Legal Status in Spain

The Government of Spain (hereinafter called "the Government"), represented by Mr. Ignacio Aguirre Borrell, Secretary of State for Tourism, on the one hand, and the World Tourism Organization (hereinafter called "the Organization"), represented by its Secretary-General, Mr. Robert C. Lonati, on the other hand,

Considering the offer made by Spain at the first session of the Organization's General Assembly (hereinafter called "the General Assembly") and accepted by the latter in decision 11 (I) with a view to establishing the Headquarters of the Organization at Madrid,

Given the provisions of Article 24 of the Convention of 10 November 1975 between the Organization and Spain (hereinafter called "the Headquarters Convention"), relative to the conclusion of a special agreement on the building to be used as the permanent Headquarters of the Organization (hereinafter called "the Headquarters building"),

Given the provisions of Article 11 of the Supplemental Agreement of 19 May 1977 with regard to cooperation between the Government and the Organization under which premises intended for meetings of the statutory organs of the Organization were made available to the latter,

Have agreed as follows:

**Article I** The Spanish Government accords to the Organization, which accepts, the right to use for an indefinite period the building at No. 42 calle Capitán Haya, at Madrid, of which the site plan is attached, as the permanent Headquarters of the Organization.

**Article II**

1. The Government hands over to the Organization the above-mentioned building, equipped and fitted out at the expense of the Government in accordance with the needs of the Organization, which accepts it as its permanent Headquarters. The commitment of the Government concerning the provisional premises of the Organization's Headquarters at Madrid therefore becomes null and void on the date when the Headquarters building is handed over.
2. The Government cedes to the Organization full ownership of the furniture made available to it in the said premises, together with the furnishings in the Headquarters building at the moment of its handing over.

**Article III**

1. As from the date when the building is handed over, the Organization is authorized to use it, with its equipment and installations as required for its Headquarters.
2. The Organization may carry out, at its own expense, work deemed necessary for later improvements to the Headquarters building, after having obtained authorization from the competent authorities should such authorization be normally required.
3. Should this Agreement be terminated, the Organization must return the Headquarters building to the Government, in good repair and condition.

**Article IV** The Organization shall pay to the Government for use of the premises, equipment and installations which are the subject of this Agreement an annual nominal rent of one United States dollar, which sum shall be deducted each year from the contribution fixed for Spain as a Full Member of the Organization.

**Article V** All expenses incurred by normal use of the Headquarters building shall be borne by the Organization. The Government shall bear the cost of maintenance or upkeep of this building and its fixed equipment and fittings, together with the cost of repairs after damage or deterioration due to defects in the initial construction or preparation or to circumstances beyond its control.

**Article VI** The Government shall take appropriate steps to avoid any interruption in the functioning of the Organization if the latter has to evacuate temporarily, wholly or in part, the Headquarters building, in the event of force majeure or following an accident for which it is not responsible.

**Article VII**

1. The Government shall make available to the Organization at the former's expense meeting rooms and other premises, installations and auxiliary services at the Convention and Exhibition Centre at Madrid as may be necessary to holding sessions of the General Assembly.
2. Provided that the Organization delivers sufficient advance notice to the Government, the latter shall provide facilities similar to those indicated in the foregoing paragraph for meetings of other statutory organs of the Organization which cannot be held in the Headquarters building due to the limited capacity of the conference rooms arranged therein.
3. Throughout the period of their use by the Organization the premises made available to the latter under this Article are regarded as Headquarters buildings and benefit from the same legal status as the latter.

**Article VIII** In all cases for which provision is not expressly made in this Agreement, legal relations between the Organization and the Government with regard to the Headquarters building are governed by the Headquarters Convention.

**Article IX** *Transitional provision*

The Government bears the cost, as being part of the total cost of transferring the Organization's Headquarters from Geneva to Madrid, of removal expenses from the temporary Headquarters premises to the building which is the subject of this Agreement.

## Article X Entry into force

1. This Agreement comes into effect provisionally on the date when the Headquarters building is handed to the Organization. It comes into force permanently on the date when both sides shall have officially confirmed they have completed the formalities required by their respective laws and statutory provisions.
2. This Agreement will remain in force for the same period of time as the Headquarters Convention.

Done at Madrid on 10 March 1980,  
in duplicate in Spanish and French, both copies being equally authentic.

For the  
Spanish Government

The Secretary of State  
for Tourism  
Ignacio Aguirre Borrell

For the  
World Tourism Organization

The Secretary-General  
Robert C. Lonati

## Agreement between the United Nations and the World Tourism Organization<sup>1</sup>

Recalling resolutions 2529(XXIV) of 5 December 1969 and 32/156 of 19 December 1977 of the General Assembly of the United Nations,

In consideration of the Charter of the United Nations and the Statutes of the World Tourism Organization,

In further consideration of the provisions of Article 57 of the Charter of the United Nations and of article 3, paragraph 3, and article 31 of the Statutes of the World Tourism Organization,

The United Nations and the World Tourism Organization agree as follows:

### Article 1 Recognition

1. The United Nations recognizes the World Tourism Organization as a specialized agency of the United Nations responsible for taking such action as may be appropriate under its Statutes for the accomplishment of the objectives set forth therein.
2. The United Nations recognizes the decisive and central role of the World Tourism Organization, as an intergovernmental organization, in world tourism, as enshrined in its Statutes.
3. Convinced that tourism can contribute significantly to the pursuit of the shared objectives of achieving sustainable development and poverty eradication, the United Nations notes that, in accordance with its Statutes, the World Tourism Organization shall pay particular attention to the interests of the developing countries in the field of tourism.

<sup>1</sup> Text approved by the General Assembly of the United Nations through [resolution 58/232] and by UNWTO General Assembly at its fifteenth session [resolution 453(XV)] in Beijing, October 2003. The agreement entered into force on 23 December 2003.

## Article 2 Coordination and cooperation

1. In its relations with the United Nations, its organs and the agencies of the United Nations system, the World Tourism Organization recognizes the coordinating role, as well as the comprehensive responsibilities in promoting economic and social development, of the General Assembly and the Economic and Social Council under the Charter of the United Nations.
2. In exercise of its central coordinating role in the field of tourism undertaken in accordance with its Statutes and with a view to contributing to economic and social development, in particular opportunities for poverty eradication and employment creation in the least developed countries, the World Tourism Organization recognizes the need for effective coordination and cooperation with the United Nations, its organs and the agencies of the United Nations system.
3. The World Tourism Organization, accordingly, agrees to cooperate with the United Nations in whatever measure may be necessary to effect the required coordination of policies and activities.
4. The World Tourism Organization agrees further to participate in, and to cooperate with, any body or bodies that have been established or may be established by the United Nations for the purpose of facilitating such cooperation and coordination, in particular through membership in the United Nations System Chief Executives Board for Coordination, and to furnish such information as may be required for the carrying out of this purpose.
5. The World Tourism Organization shall inform the Economic and Social Council of matters of inter-agency concern within its competence and of any formal agreement on such matters to be concluded between the World Tourism Organization and another agency within the United Nations system.

## Article 3 Reciprocal representation

1. Representatives of the United Nations shall be invited to attend the meetings of the General Assembly and the Executive Council of the World Tourism Organization and their subsidiary organs, and to

participate, without the right to vote, in the deliberations of these bodies. Written statements presented by the United Nations shall be distributed by the secretariat of the World Tourism Organization to the members of the above-mentioned bodies, in accordance with the relevant rules of procedure.

2. Representatives of the World Tourism Organization shall be invited to attend meetings and to participate, without the right to vote and in accordance with the relevant rules of procedure, in the deliberations of the Economic and Social Council, its commissions and its committees, of the Main Committees and other organs of the General Assembly and of the conferences and meetings of the United Nations, with respect to items on their agenda relating to matters within the scope of the activities of the World Tourism Organization and other matters of mutual interest. Written statements presented by the World Tourism Organization shall be distributed by the Secretariat of the United Nations to the members of the above-mentioned bodies, in accordance with the relevant rules of procedure.
3. Representatives of the World Tourism Organization shall be invited, for purposes of consultation, to attend meetings of the General Assembly when matters defined in paragraph 2 of the present article are under consideration.

## Article 4 Proposals of agenda items

1. After such preliminary consultations as may be necessary, the World Tourism Organization shall arrange for the inclusion in the agenda of its General Assembly, the Executive Council or their subsidiary bodies, as appropriate, items proposed by the United Nations.
2. After such preliminary consultations as may be necessary, the United Nations shall arrange for the inclusion in the agenda of the Economic and Social Council or, as appropriate and in accordance with the relevant rules of procedure, of other organs or bodies of the United Nations of items proposed by the World Tourism Organization.

#### Article 5 Recommendations of the United Nations

1. Having regard to the obligations of the United Nations to promote the objectives set forth in Article 55 of the Charter of the United Nations and the functions and powers of the Economic and Social Council, under Article 62 of the Charter, to make or initiate studies and reports with respect to international economic, social, cultural, educational, health and related matters and to make recommendations concerning these matters to the specialized agencies concerned, and having regard also to the responsibility of the United Nations, under Articles 58 and 63 of the Charter, to make recommendations for the coordination of the policies and activities of such specialized agencies, the World Tourism Organization agrees to arrange for the submission, as soon as possible, to the appropriate organ of the World Tourism Organization of all formal recommendations which the United Nations may make to it.
2. The World Tourism Organization agrees to enter into consultations with the United Nations upon request with respect to such recommendations, and in due course to report to the United Nations on the action taken by the World Tourism Organization or by its members to give effect to such recommendations, or on the other results of their consideration.

#### Article 6 Assistance to the United Nations

In accordance with the Charter of the United Nations and the Statutes of the World Tourism Organization, the World Tourism Organization shall cooperate with the United Nations by furnishing to it to the fullest extent possible such special information or studies, and by rendering such assistance to it as the United Nations may request.

#### Article 7 Regular reports

The World Tourism Organization shall submit to the United Nations regular reports on its activities.

#### Article 8 Exchange of information and documents

Subject to such arrangements as may be necessary for the safeguarding of confidential material, full and prompt exchange of appropriate information and documents shall be made between the United Nations and the World Tourism Organization.

#### Article 9 Public information

Having regard to the aim of the World Tourism Organization, as defined in article 3, paragraph 1, of its Statutes, and with a view to coordinating the activities of the World Tourism Organization in this field with the operations of the information services of the United Nations, supplementary arrangements regarding these matters shall be concluded between the United Nations and the World Tourism Organization.

#### Article 10 Relations with the International Court of Justice

1. The World Tourism Organization agrees to furnish any information which may be requested by the International Court of Justice in pursuance of Article 34 of the Statute of the Court.
2. The General Assembly of the United Nations authorizes the World Tourism Organization to request advisory opinions of the International Court of Justice on legal questions arising within the scope of its competence other than questions concerning the mutual relationships between the United Nations and the World Tourism Organization or other specialized agencies.
3. Such requests may be addressed to the International Court of Justice by the General Assembly or by the Executive Council of the World Tourism Organization acting in pursuance of an authorization by the General Assembly of the World Tourism Organization.
4. When requesting the International Court of Justice to give an advisory opinion, the World Tourism Organization shall inform the Economic and Social Council of the request.

#### Article 11 Non-Self-Governing and other Territories

The World Tourism Organization agrees to cooperate within the fields of its competence with the United Nations in giving effect to the principles and obligations set forth in Chapters XI, XII and XIII of the Charter of the United Nations and other internationally recognized principles and obligations regarding colonial countries and peoples, and taking into account the relevant resolutions of the General Assembly of the United Nations, with regard to matters affecting the well-being and development of the peoples of the Non-Self-Governing and other Territories.

#### Article 12 Technical assistance

The United Nations and the World Tourism Organization undertake to work together in the provision of technical assistance in the field of tourism and tourism development. In particular, they undertake to avoid undesirable duplication of activities and services and agree to take such measures as may be required to achieve effective coordination within the framework of existing coordinating machinery in the field of technical assistance, taking into account the respective roles and responsibilities of the United Nations and the World Tourism Organization under their constituent instruments, as well as those of other organizations participating in technical assistance activities. To this end, the World Tourism Organization recognizes the overall responsibilities of the resident coordinators for operational activities for development, as formulated in the relevant General Assembly resolutions. As one of the smaller specialized agencies without field representation, the World Tourism Organization may use resident coordinators to ensure its representation and promote its role.

#### Article 13 Statistical services

1. The United Nations and the World Tourism Organization agree to strive for the maximum cooperation, the elimination of all undesirable duplication between them and the most efficient use of personnel in their respective collection, analysis, publication and dissemination of statistical information. They agree to combine their efforts to secure the greatest possible usefulness and utilization of statistical information, to guarantee close coordination in their respective statistical initiatives and to minimize the burden placed upon Governments and other organizations from which such information may be collected.
2. The World Tourism Organization recognizes that the United Nations is the

central agency for the collection, analysis, publication, standardization and improvement of tourism statistics serving the general purposes of international organizations.

3. The United Nations recognizes the World Tourism Organization as the appropriate organization to collect, to analyse, to publish, to standardize and to improve the statistics of tourism and to promote the integration of these statistics within the sphere of the United Nations system.

#### Article 14 Administrative cooperation

1. The United Nations and the World Tourism Organization recognize the desirability of cooperation in administrative matters of mutual interest.
2. Accordingly, the United Nations and the World Tourism Organization undertake to consult together, and with other agencies concerned within the United Nations system, from time to time concerning these matters, particularly the most efficient and harmonized use of facilities, staff and services and appropriate methods of avoiding the establishment and operation of competitive or overlapping facilities and services with a view to securing as much uniformity in these matters as possible.
3. The consultations referred to in the present article shall be utilized to establish the most equitable manner in which any special services or assistance furnished, on request, by the World Tourism Organization to the United Nations or by the United Nations to the World Tourism Organization shall be financed subject to supplementary arrangements to be concluded for that purpose.
4. The consultations referred to in the present article shall also explore the possibility of continuing or establishing common facilities or services in specific areas, including the possibility of one organization providing such facilities or services to one or several other organizations, and establish the most equitable manner in which such facilities or services shall be financed subject to supplementary arrangements to be concluded for that purpose.

## Article 15 Regional and branch offices

Any regional or branch offices which the World Tourism Organization may establish shall closely cooperate with the regional or branch offices which the United Nations has established or may establish, in particular the offices of the regional commissions and of the resident coordinators.

## Article 16 Personnel arrangements

1. The United Nations and the World Tourism Organization agree to develop, in the interests of uniform standards of international employment and to the extent feasible, common personnel standards, methods and arrangements designed to avoid unjustified differences in terms and conditions of employment, to avoid competition in recruitment of personnel and to facilitate any mutually desirable and beneficial interchange of personnel. For this purpose the World Tourism Organization agrees to accept the Statute of the International Civil Service Commission and participate in the United Nations Joint Staff Pension Fund in accordance with the Regulations of the Fund and accept the jurisdiction of the United Nations Administrative Tribunal in matters involving applications alleging non-observance of those Regulations.
2. The United Nations and the World Tourism Organization agree to cooperate to the fullest extent possible in achieving these ends, and in particular they agree:
  - (a) To consult together from time to time concerning matters of mutual interest relating to the terms and conditions of employment of the officers and staff, with a view to securing as much uniformity in these matters as may be feasible;
  - (b) To cooperate in the interchange of personnel when desirable, on a temporary or a permanent basis, making due provision for the retention of seniority and pension rights;
  - (c) To cooperate with the agencies of the United Nations system in the establishment and operation of suitable machinery for the settlement of disputes arising in connection with the employment of personnel and related matters.
3. The terms and conditions under which any facilities or services of the United Nations or the World Tourism Organization in connection with the matters referred to in the present article are to be extended to the other shall, where necessary, be the subject of supplementary

arrangements concluded for this purpose pursuant to article 20 of the present Agreement.

## Article 17 Budgetary and financial matters

1. The World Tourism Organization recognizes the desirability of establishing close budgetary and financial relationships with the United Nations in order that the administrative operations of the United Nations and the agencies within the United Nations system shall be carried out in the most efficient and economic manner possible, and that the maximum measure of coordination and uniformity with respect to these operations shall be secured.
2. The World Tourism Organization agrees to accept the Statute of the Joint Inspection Unit.
3. The World Tourism Organization agrees to conform, as far as may be practicable and appropriate, to standard practices and forms recommended by the United Nations.
4. Financial and budgetary arrangements that may be entered into between the United Nations and the World Tourism Organization shall be approved in accordance with their respective constitutive instruments.
5. In the preparation of the budget of the World Tourism Organization, the Secretary-General of the World Tourism Organization shall consult with the Secretary-General of the United Nations with a view to achieving, insofar as practicable, uniformity in presentation of the budgets of the United Nations and of the agencies within the United Nations system for the purposes of providing a basis for comparison of the several budgets without precluding the use by each organization of different currencies to formulate its budget.
6. The World Tourism Organization agrees to transmit its proposed budgets to the United Nations not later than when the said budgets are transmitted to its members so as to enable the General Assembly of the United Nations to examine them and make recommendations, in accordance with Article 17, paragraph 3, of the Charter of the United Nations.

7. Representatives of the World Tourism Organization shall be entitled to participate, without vote, in the deliberations of the General Assembly or any committee thereof established by it, at all times when the budget of the World Tourism Organization or general administrative or financial questions concerning the World Tourism Organization are under consideration.

**Article 18** [United Nations laissez-passers](#)

Officials of the World Tourism Organization shall be entitled, in accordance with such special arrangements as may be concluded between the Secretary-General of the United Nations and the Secretary-General of the World Tourism Organization, to use laissez-passers of the United Nations.

**Article 19** [Implementation of the Agreement](#)

The Secretary-General of the United Nations and the Secretary-General of the World Tourism Organization may enter into such supplementary arrangements for the implementation of the present Agreement as may be found desirable.

**Article 20** [Amendment and revision](#)

The present Agreement may be amended or revised by agreement between the United Nations and the World Tourism Organization, and any such amendment or revision shall come into force on its approval by the General Assembly of the United Nations and the General Assembly of the World Tourism Organization.

**Article 21** [Entry into force](#)

The present Agreement enters into force on its approval by the General Assembly of the United Nations and the General Assembly of the World Tourism Organization.

## Convention on the Privileges and Immunities of the Specialized Agencies<sup>1</sup>

Approved by the General Assembly of the United Nations on 21 November 1947;

Whereas the General Assembly of the United Nations adopted on 13 February 1946 a resolution contemplating the unification as far as possible of the privileges and immunities enjoyed by the United Nations and by the various specialized agencies; and

Whereas consultations concerning the implementation of the aforesaid resolution have taken place between the United Nations and the specialized agencies;

Consequently by resolution 179(II) adopted on 21 November 1947, the General Assembly has approved the following Convention, which is submitted to the specialized agencies for acceptance and to every Member of the United Nations and to every other State member of one or more of the specialized agencies for accession.

### Article I [Definition and scope](#)

#### Section 1 [In this Convention:](#)

- (i) The words "standard clauses" refer to the provisions of articles II to IX.
- (ii) The words "specialized agencies" mean:
  - (a) The International Labour Organisation;
  - (b) The Food and Agriculture Organization of the United Nations;
  - (c) The United Nations Educational, Scientific and Cultural Organization;
  - (d) The International Civil Aviation Organization;

<sup>1</sup> Text approved by the General Assembly of the United Nations at its second session, 21 November 1947 and adopted by the UNWTO General Assembly at its sixteenth session [resolution 489 (XVI)] in Dakar, November/December, 2005.



- (e) The International Monetary Fund;
- (f) The International Bank for Reconstruction and Development; (g) The World Health Organization;
- (h) The Universal Postal Union;
- (i) The International Telecommunication Union; and
- (j) Any other agency in relationship with the United Nations in accordance with Articles 57 and 63 of the Charter.

- (iii) The word "Convention" means, in relation to any particular specialized agency, the standard clauses as modified by the final (or revised) text of the annex transmitted by that agency in accordance with sections 36 and 38.
- (iv) For the purposes of article III, the words "property and assets" shall also include property and funds administered by a specialized agency in furtherance of its constitutional functions.
- (v) For the purposes of articles V and VII, the expression "representatives of members" shall be deemed to include all representatives, alternates, advisers, technical experts and secretaries of delegations.
- (vi) In sections 13, 14, 15 and 25, the expression "meetings convened by a specialized agency" means meetings:
  - (1) of its assembly and of its executive body (however designated), and
  - (2) of any commission provided for in its constitution;
  - (3) of any international conference convened by it; and
  - (4) of any committee of any of these bodies.
- (vii) The term "executive head" means the principal executive official of the specialized agency in question, whether designated "Director-General" or otherwise.

## Section 2

Each State party to this Convention in respect of any specialized agency to which this Convention has become applicable in accordance with section 37 shall accord to, or in connexion with, that agency the privileges and immunities set forth in the standard clauses on the conditions specified therein, subject to any modification of those clauses contained in the provisions of the final (or revised) annex relating to that agency and transmitted in accordance with sections 36 or 38.

## Article II Juridical personality

- Section 3** The specialized agencies shall possess juridical personality. They shall have the capacity
- (a) to contract,
  - (b) to acquire and dispose of immovable and movable property,
  - (c) to institute legal proceedings.

## Article III Property, funds and assets

- Section 4** The specialized agencies, their property and assets, wherever located and by whomsoever held, shall enjoy immunity from every form of legal process except in so far as in any particular case they have expressly waived their immunity. It is, however, understood that no waiver of immunity shall extend to any measure of execution.

- Section 5** The premises of the specialized agencies shall be inviolable. The property and assets of the specialized agencies, wherever located and by whomsoever held, shall be immune from search, requisition, confiscation, expropriation and any other form of interference, whether by executive, administrative, judicial or legislative action.

- Section 6** The archives of the specialized agencies, and in general all documents belonging to them or held by them, shall be inviolable, wherever located.

- Section 7** Without being restricted by financial controls, regulations or moratoria of any kind:
- (a) The specialized agencies may hold funds, gold or currency of any kind and operate accounts in any currency;
  - (b) The specialized agencies may freely transfer their funds, gold or currency from one country to another or within any country and convert any currency held by them into any other currency.

**Section 8** Each specialized agency shall, in exercising its rights under section 7 above, pay due regard to any representations made by the Government of any State party to this Convention in so far as it is considered that effect can be given to such representations without detriment to the interests of the agency.

**Section 9** The specialized agencies, their assets, income and other property shall be:

- (a) Exempt from all direct taxes; it is understood, however, that the specialized agencies will not claim exemption from taxes which are, in fact, no more than charges for public utility services;
- (b) Exempt from customs duties and prohibitions and restrictions on imports and exports in respect of articles imported or exported by the specialized agencies for their official use; it is understood, however, that articles imported under such exemption will not be sold in the country into which they were imported except under conditions agreed to with the Government of that country;
- (c) Exempt from duties and prohibitions and restrictions on imports and exports in respect of their publications.

**Section 10** While the specialized agencies will not, as a general rule, claim exemption from excise duties and from taxes on the sale of movable and immovable property which forms part of the price to be paid, nevertheless when the specialized agencies are making important purchases for official use of property on which such duties and taxes have been charged or are chargeable, States parties to this Convention will, whenever possible, make appropriate administrative arrangements for the remission or return of the amount of duty or tax.

#### **Article IV Facilities in respect of communications**

**Section 11** Each specialized agency shall enjoy, in the territory of each State party to this Convention in respect of that agency, for its official communications, treatment not less favorable than that accorded by the Government of such State to any other Government, including the latter's diplomatic mission, in the matter of priorities, rates and taxes on mails, cables, telegrams, radiograms, telephotos, telephone and other communications, and press rates for information to the press and radio.

**Section 12** No censorship shall be applied to the official correspondence and other official communications of the specialized agencies. The specialized agencies shall have the right to use codes and to dispatch and receive correspondence by courier or in sealed bags, which shall have the same immunities and privileges as diplomatic couriers and bags.

Nothing in this section shall be construed to preclude the adoption of appropriate security precautions to be determined by agreement between a State party to this Convention and a specialized agency.

#### **Article V Representatives of members**

**Section 13** Representatives of members at meetings convened by a specialized agency shall, while exercising their functions and during their journeys to and from the place of meeting, enjoy the following privileges and immunities:

- (a) Immunity from personal arrest or detention and from seizure of their personal baggage, and in respect of words spoken or written and all acts done by them in their official capacity, immunity from legal process of every kind;
- (b) inviolability for all papers and documents;
- (c) the right to use codes and to receive papers or correspondence by courier or in sealed bags;
- (d) exemption in respect of themselves and their spouses from immigration restrictions, aliens' registration or national service obligations in the State which they are visiting or through which they are passing in the exercise of their functions;
- (e) the same facilities in respect of currency or exchange restrictions as are accorded to representatives of foreign Governments on temporary official missions;
- (f) the same immunities and facilities in respect of their personal baggage as are accorded to members of comparable rank of diplomatic missions.

**Section 14** In order to secure for the representatives of members of the specialized agencies at meetings convened by them complete freedom of speech and complete independence in the discharge of their duties, the immunity from legal process in respect of words spoken or written and all acts done by them in discharging their duties shall continue to be accorded, notwithstanding that the persons concerned are no longer engaged in the discharge of such duties.

**Section 15** Where the incidence of any form of taxation depends upon residence, periods during which the representatives of members of the specialized agencies at meetings convened by them are present in a member State for the discharge of their duties shall not be considered as periods of residence.

**Section 16** Privileges and immunities are accorded to the representatives of members, not for the personal benefit of the individuals themselves, but in order to safeguard the independent exercise of their functions in connexion with the specialized agencies. Consequently, a member not only has the right but is under a duty to waive the immunity of its representatives in any case where, in the opinion of the member, the immunity would impede the course of justice, and where it can be waived without prejudice to the purpose for which the immunity is accorded.

**Section 17** The provisions of sections 13, 14 and 15 are not applicable in relation to the authorities of a State of which the person is a national or of which he is or has been a representative.

## **Article VI Officials**

**Section 18** Each specialized agency will specify the categories of officials to which the provisions of this article and of article VIII shall apply. It shall communicate them to the Governments of all States parties to this Convention in respect of that agency and to the Secretary-General of the United Nations. The names of the officials included in these categories shall from time to time be made known to the abovementioned Governments.

**Section 19** Officials of the specialized agencies shall:

- (a) Be immune from legal process in respect of words spoken or written and all acts performed by them in their official capacity;
- (b) Enjoy the same exemptions from taxation in respect of the salaries and emoluments paid to them by the specialized agencies and on the same conditions as are enjoyed by officials of the United Nations;
- (c) Be immune, together with their spouses and relatives dependent on them, from immigration restrictions and alien registration;

- (d) Be accorded the same privileges in respect of exchange facilities as are accorded to officials of comparable rank of diplomatic missions;
- (e) Be given, together with their spouses and relatives dependent on them, the same repatriation facilities in time of international crises as officials of comparable rank of diplomatic missions;
- (f) Have the right to import free of duty their furniture and effects at the time of first taking up their post in the country in question.

**Section 20** The officials of the specialized agencies shall be exempt from national service obligations, provided that in relation to the States of which they are nationals, such exemption shall be confined to officials of the specialized agencies whose names have, by reason of their duties, been placed upon a list compiled by the executive head of the specialized agency and approved by the State concerned. Should other officials of specialized agencies be called up for national service, the State concerned shall, at the request of the specialized agency concerned, grant such temporary deferments in the call-up of such officials as may be necessary to avoid interruption in the continuation of essential work.

**Section 21** In addition to the immunities and privileges specified in sections 19 and 20, the executive head of each specialized agency, including any official acting on his behalf during his absence from duty, shall be accorded in respect of himself, his spouse and minor children, the privileges and immunities, exemptions and facilities accorded to diplomatic envoys, in accordance with international law.

**Section 22** Privileges and immunities are granted to officials in the interests of the specialized agencies only and not for personal benefit of the individuals themselves. Each specialized agency shall have the right and the duty to waive the immunity of any official in any case where, in its opinion, the immunity would impede the course of justice and can be waived without prejudice to the interests of the specialized agency.

**Section 23** Each specialized agency shall co-operate at all times with the appropriate authorities of member States to facilitate the proper administration of justice, secure the observance of police regulations and prevent the occurrence of any abuses in connexion with the privileges, immunities and facilities mentioned in this article.

**Article VII**    **Abuses of privilege**

**Section 24**    If any State party to this Convention considers that there has been an abuse of a privilege or immunity conferred by this Convention, consultations shall be held between that State and the specialized agency concerned to determine whether any such abuse has occurred and, if so, to attempt to ensure that no repetition occurs. If such consultations fail to achieve a result satisfactory to the State and the specialized agency concerned, the question whether an abuse of a privilege or immunity has occurred shall be submitted to the International Court of Justice in accordance with section 32. If the International Court of Justice finds that such an abuse has occurred, the State party to this Convention affected by such abuse shall have the right, after notification to the specialized agency in question, to withhold from the specialized agency concerned the benefits of the privilege or immunity so abused.

**Section 25**    1. Representatives of members at meetings convened by specialized agencies, while exercising their functions and during their journeys to and from the place of meeting, and officials within the meaning of section 18, shall not be required by the territorial authorities to leave the country in which they are performing their functions on account of any activities by them in their official capacity. In the case, however, of abuse of privileges of residence committed by any such person in activities in that country outside his official functions, he may be required to leave by the Government of that country provided that:

- (i) Representatives of members, or persons who are entitled to diplomatic immunity under section 21, shall not be required to leave the country otherwise than in accordance with the diplomatic procedure applicable to diplomatic envoys accredited to that country.
- (ii) In the case of an official to whom section 21 is not applicable, no order to leave the country shall be issued other than with the approval of the Foreign Minister of the country in question, and such approval shall be given only after consultation with the executive head of the specialized agency concerned; and, if expulsion proceedings are taken against an official, the executive head of the specialized agency shall have the right to appear in such proceedings on behalf of the person against whom they are instituted.

**Article VIII**    **Laissez-passer**

**Section 26**    Officials of the specialized agencies shall be entitled to use the United Nations laissez-passer in conformity with administrative arrangements to be concluded between the Secretary-General of the United Nations and the competent authorities of the specialized agencies, to which agencies special powers to issue laissez-passer may be delegated. The Secretary-General of the United Nations shall notify each State party to this Convention of each administrative arrangement so concluded.

**Section 27**    States parties to this Convention shall recognize and accept the United Nations laissez-passer issued to officials of the specialized agencies as valid travel documents.

**Section 28**    Applications for visas, where required, from officials of specialized agencies holding United Nations laissez-passer, when accompanied by a certificate that they are travelling on the business of a specialized agency, shall be dealt with as speedily as possible. In addition, such persons shall be granted facilities for speedy travel.

**Section 29**    Similar facilities to those specified in section 28 shall be accorded to experts and other persons who, though not the holders of United Nations laissez-passer, have a certificate that they are travelling on the business of a specialized agency.

**Section 30**    The executive heads, assistant executive heads, heads of departments and other officials of a rank not lower than head of department of the specialized agencies, travelling on United Nations laissez-passer on the business of the specialized agencies, shall be granted the same facilities for travel as are accorded to officials of comparable rank in diplomatic missions.

**Article IX Settlement of disputes**

**Section 31** Each specialized agency shall make provision for appropriate modes of settlement of:

- (a) Disputes arising out of contracts or other disputes of private character to which the specialized agency is a party;
- (b) Disputes involving any official of a specialized agency who by reason of his official position enjoys immunity, if immunity has not been waived in accordance with the provisions of section 22.

**Section 32** All differences arising out of the interpretation or application of the present Convention shall be referred to the International Court of Justice unless in any case it is agreed by the parties to have recourse to another mode of settlement. If a difference arises between one of the specialized agencies on the one hand, and a member on the other hand, a request shall be made for an advisory opinion on any legal question involved in accordance with Article 96 of the Charter and Article 65 of the Statute of the Court and the relevant provisions of the agreements concluded between the United Nations and the specialized agency concerned. The opinion given by the Court shall be accepted as decisive by the parties.

**Article X Annexes and application to individual specialized agencies**

**Section 33** In their application to each specialized agency, the standard clauses shall operate subject to any modifications set forth in the final (or revised) text of the annex relating to that agency, as provided in sections 36 and 38.

**Section 34** The provisions of the Convention in relation to any specialized agency must be interpreted in the light of the functions with which that agency is entrusted by its constitutional instrument.

**Section 35** Draft annexes I to IX are recommended to the specialized agencies named therein. In the case of any specialized agency not mentioned by name in section 1, the Secretary-General of the United Nations shall transmit to the agency a draft annex recommended by the Economic and Social Council.

**Section 36** The final text of each annex shall be that approved by the specialized agency in question in accordance with its constitutional procedure. A copy of the annex as approved by each specialized agency shall be transmitted by the agency in question to the Secretary-General of the United Nations and shall thereupon replace the draft referred to in section 35.

**Section 37** The present Convention becomes applicable to each specialized agency when it has transmitted to the Secretary-General of the United Nations the final text of the relevant annex and has informed him that it accepts the standard clauses, as modified by this annex, and undertakes to give effect to sections 8, 18, 22, 23, 24, 31, 32, 42 and 45 (subject to any modification of section 32 which may be found necessary in order to make the final text of the annex consonant with the constitutional instrument of the agency) and any provisions of the annex placing obligations on the agency. The Secretary-General shall communicate to all Members of the United Nations and to other States members of the specialized agencies certified copies of all annexes transmitted to him under this section and of revised annexes transmitted under section 38.

**Section 38** If, after the transmission of a final annex under section 36, any specialized agency approves any amendments thereto in accordance with its constitutional procedure, a revised annex shall be transmitted by it to the Secretary-General of the United Nations.

**Section 39** The provisions of this Convention shall in no way limit or prejudice the privileges and immunities which have been, or may hereafter be, accorded by any State to any specialized agency by reason of the location in the territory of that State of its headquarters or regional offices. This Convention shall not be deemed to prevent the conclusion between any State party thereto and any specialized agency of supplemental agreements adjusting the provisions of this Convention or extending or curtailing the privileges and immunities thereby granted.

**Section 40** It is understood that the standard clauses, as modified by the final text of an annex sent by a specialized agency to the Secretary-General of the United Nations under section 36 (or any revised annex sent under section 38), will be consistent with the provisions of the constitutional instrument then in

force of the agency in question, and that if any amendment to that instrument is necessary for the purpose of making the constitutional instrument so consistent, such amendment will have been brought into force in accordance with the constitutional procedure of that agency before the final (or revised) annex is transmitted.

The Convention shall not itself operate so as to abrogate, or derogate from, any provisions of the constitutional instrument of any specialized agency or any rights or obligations which the agency may otherwise have, acquire, or assume.

## Article XI Final provisions

**Section 41** Accession to this Convention by a Member of the United Nations and (subject to section 42) by any State member of a specialized agency shall be effected by deposit with the Secretary-General of the United Nations of an instrument of accession which shall take effect on the date of its deposit.

**Section 42** Each specialized agency concerned shall communicate the text of this Convention together with the relevant annexes to those of its members which are not Members of the United Nations and shall invite them to accede thereto in respect of that agency by depositing an instrument of accession to this Convention in respect thereof either with the Secretary-General of the United Nations or with the executive head of the specialized agency.

**Section 43** Each State party to this Convention shall indicate in its instrument of accession the specialized agency or agencies in respect of which it undertakes to apply the provisions of this Convention. Each State party to this Convention may by subsequent written notification to the Secretary-General of the United Nations undertake to apply the provisions of this Convention to one or more further specialized agencies. This notification shall take effect on the date of its receipt by the Secretary-General.

**Section 44** This Convention shall enter into force for each State party to this Convention in respect of a specialized agency when it has become applicable to that agency in accordance with section 37 and the State party has undertaken

to apply the provisions of the Convention to that agency in accordance with section 43.

**Section 45** The Secretary-General of the United Nations shall inform all Members of the United Nations, as well as all members of the specialized agencies, and executive heads of the specialized agencies, of the deposit of each instrument of accession received under section 41 and of subsequent notifications received under section 43.

The executive head of a specialized agency shall inform the Secretary-General of the United Nations and the members of the agency concerned of the deposit of any instrument of accession deposited with him under section 42.

**Section 46** It is understood that, when an instrument of accession or a subsequent notification is deposited on behalf of any State, this State will be in a position under its own law to give effect to the terms of this Convention, as modified by the final texts of any annexes relating to the agencies covered by such accessions or notifications.

- Section 47**
1. Subject to the provisions of paragraphs 2 and 3 of this section, each State party to this Convention undertakes to apply this Convention in respect of each specialized agency covered by its accession or subsequent notification, until such time as a revised convention or annex shall have become applicable to that agency and the said State shall have accepted the revised convention or annex. In the case of a revised annex, the acceptance of States shall be by a notification addressed to the Secretary-General of the United Nations, which shall take effect on the date of its receipt by the Secretary-General.
  2. Each State party to this Convention, however, which is not, or has ceased to be, a member of a specialized agency, may address a written notification to the Secretary-General of the United Nations and the executive head of the agency concerned to the effect that it intends to withhold from that agency the benefits of this Convention as from a specified date, which shall not be earlier than three months from the date of receipt of the notification.

3. Each State party to this Convention may withhold the benefit of this Convention from any specialized agency which ceases to be in relationship with the United Nations.
4. The Secretary-General of the United Nations shall inform all member States parties to this Convention of any notification transmitted to him under the provisions of this section.

**Section 48** At the request of one third of the States parties to this Convention, the Secretary-General of the United Nations will convene a conference with a view to its revision.

**Section 49** The Secretary-General of the United Nations shall transmit copies of this Convention to each specialized agency and to the Government of each Member of the United Nations.

## Annex XVIII<sup>1</sup>

### World Tourism Organization

In their application to the World Tourism Organization (hereinafter referred to as “the Organization”), the standard clauses shall operate subject to the following modifications:

1. Article V and section 25, paragraphs 1 and 2(I), of Article VII of the Convention shall extend to the representatives of Associate Members participating in the work of the Organization in accordance with the Statutes of the World Tourism Organization (herein after referred to as “the Statutes”)
2. Representatives of Affiliate Members, participating in the activities of the Organization in accordance with the Statutes, shall be granted:
  - (a) All facilities in order to safeguard the independent exercise of their official functions;
  - (b) Maximum expeditiousness in the processing of their applications for visas, where required and when accompanied by a certificate that they are travelling on the business of the Organization. In addition such persons shall be granted facilities for speedy travel;
  - (c) In connection with subparagraph (b) above, the principle contained in the last sentence of section 12 of the standard clauses shall apply.
3. Experts, other than officials coming within the scope of Article VI of the Convention, serving on organs and bodies of, or performing missions for, the Organization, shall be accorded such privileges and immunities as are necessary for the independent and effective exercise of their functions, including the time spent on journeys in connection with service on organs and bodies or missions. In particular they shall be accorded:

<sup>1</sup> Text approved by the United Nations Economic and Social Council on 29 April 2008 and by the Executive Council of UNWTO at its eighty-third session [decision 9(LXXXIII)] in Jeju, 2008, pursuant to the mandate received from the General Assembly at its seventeenth session [resolution 545(XVII)] in Cartagena de Indias, 2007. The Annex entered into force on the 30 July 2008.

- (a) Immunity from personal arrest or seizure of their personal baggage;
  - (b) In respect of words spoken or written or acts done by them in the performance of their official functions, immunity from legal process of every kind, such immunity to continue notwithstanding that the persons concerned are no longer serving on organs and bodies of, or employed on mission for the Organization;
  - (c) Inviolability for all papers and documents relating to the work on which they are engaged for the Organization;
  - (d) For the purpose of their communications with the Organization, the right to use codes and to receive papers or correspondence by courier or in sealed bags;
  - (e) The same facilities in respect of currency and exchange restrictions and in respect of their personal baggage as are accorded to officials of foreign Governments on temporary official missions.
4. Privileges and immunities are granted to the experts in the interest of the Organization and not for the personal benefit of the individuals themselves. The Secretary-General of the Organization shall have the right and the duty to waive the immunity of any expert in any case where, in his/her opinion, the immunity would impede the course of justice and it can be waived without the prejudice to the interests of the Organization.
  5. Notwithstanding paragraph 2 above, paragraphs 3 and 4 above shall apply to representatives of Affiliate Members performing missions for the Organization as experts.
  6. The privileges and immunities, exemptions and facilities referred to in section 21 of the standard clauses shall also be accorded to the Deputy Secretary-General of the Organization, his/her spouse and minor children.

## Agreement between the United Nations Development Programme and the World Tourism Organization<sup>1</sup>

The United Nations Development Programme and the World Tourism Organization,

Considering that the General Assembly of the United Nations has established the United Nations Development Programme (hereinafter called UNDP) to support and supplement the national efforts of developing countries to accelerate their economic and social development,

Conscious of the readiness of the World Tourism Organization (hereinafter called the Executing Agency) to participate in activities designed to give effect to the resolutions and decisions of the General Assembly on this matter,

Determined to enhance the effectivity of the UNDP as an instrument of international development cooperation with developing countries,

Have agreed as follows:

### Article I

#### Scope of this Agreement

The Parties hereto hereby agree to join efforts and to maintain close and continuing working relationships in order to achieve the purposes of the United Nations Development Programme. The Executing Agency recognizes the role of leadership of the UNDP within the United Nations system for the achievement of those purposes, and agrees to carry out such relevant activities as it (the Executing Agency) may accept at the request of UNDP. Those activities shall include the execution of specific UNDP technical cooperation activities with Governments. The relationship between the Parties in the execution of such UNDP cooperation activities shall be governed by this Agreement.

<sup>1</sup> English text signed by the Secretary-General of the World Tourism Organization on 7 May 1976 and by the Administrator of the United Nations Development Programme on 15 May 1976; approved by the General Assembly of the Organization on 31 May 1977.



## Article II Conditions of cooperation activities

1. The basic conditions of execution of technical cooperation activities by the Executing Agency hereunder shall be those set forth in the relevant and applicable resolutions and decisions of the competent UNDP organs and in such basic agreements as the UNDP may enter into with recipient Governments. The particular conditions of and the specifications relating to each such activity shall be as set forth in such Project Documents or other similar instruments (hereinafter called Project Documents) as the UNDP and the recipient Government may conclude with respect to each technical cooperation activity.
2. The text of the Standard Basic Assistance Agreement with Governments in current use by UNDP is annexed to this Agreement.<sup>2</sup> The UNDP shall consult with the Executing Agency on any substantial variation in that text which it may adopt for general use, and shall provide the Executing Agency with copies of individual signed agreements.

## Article III The UNDP Resident Representative

The Parties recognize that the UNDP Resident Representative in a country has full responsibility and ultimate authority on behalf of the Administrator of the UNDP for all aspects of the UNDP programme in the country concerned, and that his role in relation to the representatives of the Executing Agency in the country is that of leader of the team, taking into account the professional competence of the Executing Agency and its relationship with appropriate organs of the Government. The Executing Agency further recognizes the Resident Representative as the central coordinating authority on its behalf for all technical cooperation programmes of the United Nations system and agrees to consult him and to keep him fully informed on the planning and formulation of its technical cooperation activities and to provide him with reports on the execution of those activities. The term Resident Representative as used in this Agreement includes a regional representative, representative and officer-in-charge of a UNDP field office, and any other official performing the functions of a Resident Representative.

<sup>2</sup> The UNDP Standard Basic Assistance Agreement given in the Appendix is intended for the information of Governments and does not constitute a basic document of the UNWTO.

## Article IV Project cooperation

The Parties hereto shall cooperate fully with one another and with the Government concerned in the execution of technical cooperation activities with a view to the realization of the objectives described in Project Documents. The Parties shall consult with one another with respect to any matters which might affect the successful completion of any such activity.

## Article V Information regarding projects

1. The Parties shall from time to time exchange views with one another and with the Government on technical cooperation activities, including the progress and costs thereof and the benefits derived therefrom, and shall furnish one another with such information as the other Party may request in respect of such matters. The Executing Agency shall furnish the UNDP with periodic reports on the carrying out of technical cooperation activities at such times and in such form as may be agreed by the Parties.
2. The UNDP and the Government may observe at any time the progress of any technical cooperation activities carried out by the Executing Agency under this Agreement, and the Executing Agency shall afford full facilities to the UNDP and the Government for this purpose.

## Article VI Conditions of project service; procurement

1. With a view to securing the highest standards of efficiency, competence and integrity in the execution of technical cooperation activities, the UNDP shall develop conditions of service for project staff in consultation with appropriate organs of the UN system. The Executing Agency agrees to give sympathetic consideration to any such conditions of service recommended to it by the UNDP, and shall adopt such conditions of service to the maximum extent possible.
2. The Executing Agency agrees to observe the principles of international competitive bidding in the procurement of goods and contractual services for technical cooperation activities, to the maximum extent possible and appropriate under the principles which apply to UNDP activities and with due regard to the need to make the fullest possible use of various currencies available to UNDP.

3. Experts, consultants and suppliers of goods and contractual services and in general all persons performing services for the Executing Agency as part of a technical cooperation activity shall in all cases be acceptable to the UNDP.

#### Article VII Agency status and accountability

In the execution of technical cooperation activities, the Executing Agency shall have the status of an independent contractor vis-à-vis the UNDP. The Executing Agency shall be accountable to the UNDP for its execution of such activities.

#### Article VIII Intellectual property

Patent rights, copyright rights, and other similar rights to any discoveries of work resulting from technical cooperation activities shall belong to the UNDP, it being understood that the recipient Government shall have the right to use any such discoveries or work within the country free of royalty or any charge of similar nature. The Executing Agency agrees to cooperate with UNDP in regard to such steps as the UNDP may decide to take in each case concerning such rights.

#### Article IX Costs of cooperation activities

1. The UNDP undertakes to meet all costs directly incurred by the Executing Agency in the execution of technical cooperation activities, in the amounts set forth in project budgets forming part of Project Documents or otherwise agreed between the Parties. It further undertakes to provide the Executing Agency with advances of funds in such amounts and such currencies as will assist it in meeting current expenses on such activities.
2. The UNDP undertakes to share in such other costs, including undistributed costs of execution of technical cooperation activities, as the Executing Agency may incur in the provision of services to UNDP under this Agreement, in amounts determined in pursuance of such resolutions and decisions as the competent UNDP organs may adopt from time to time.

#### Article X Currency and rates of exchange

1. The Parties shall consult from time to time regarding the use of currencies available to them, with a view to the effective utilization of such currencies.
2. The UNDP may establish operational rates of exchange for transactions between itself and the Executing Agency under this Agreement. Such rates of exchange may be revised by the UNDP in accordance with its Financial Regulations. The Parties shall consult one another, if necessary, on such rates of exchange.

#### Article XI Financial records and accounts

1. The Executing Agency shall maintain accounts, records and supporting documentation relating to technical cooperation activities, including funds received and disbursed by it, in accordance with its Financial Regulations and Rules, insofar as applicable.
2. The Executing Agency shall furnish to the UNDP periodic reports on the financial situation of such activities at such times and in such form as the UNDP may request.
3. The Executing Agency shall cause its External Auditor to examine and report on its (the Executing Agency's) accounts and records relating to technical cooperation activities, and shall make its External Auditor's reports available to the UNDP.
4. Without restricting the generality of the foregoing provisions, the Executing Agency shall as soon as possible after the close of each financial year submit to the UNDP audited statements of accounts showing the status of funds provided it by the UNDP to finance technical cooperation activities.
5. The Executive Agency shall close the accounts of each technical cooperation activity as soon as practicable but not later than twelve months after the completion of the work set out in the Project Document or termination of the activity. Provision shall be made for unliquidated obligations valid at the closing of the accounts.

## Article XII Suspension or termination of assistance

1. The Parties hereto recognize that the successful completion and accomplishment of the purposes of a technical cooperation activity are of paramount importance, and that the UNDP may find it necessary to terminate its cooperation, or to modify the arrangements for execution of a technical cooperation activity, should circumstances arise which jeopardize successful completion or the accomplishment of the purposes of such an activity. The provisions of this Article shall apply to any such situations.
2. The UNDP shall consult with the Executing Agency if any circumstance arises which, in the judgement of the UNDP, interferes or threatens to interfere with the successful completion of a technical cooperation activity, or the accomplishment of its purposes. The Executing Agency shall promptly inform the UNDP of any such circumstance which might come to its (the Executing Agency's) attention. The Parties shall cooperate towards the rectification or elimination of the circumstance in question and shall exert all reasonable efforts to that end, including prompt corrective steps by the Executing Agency where such circumstances are attributable to it or within its responsibility or control.
3. The UNDP may at any time after occurrence of the circumstance in question and appropriate consultations suspend execution of the technical cooperation activity concerned by written notice to the Executing Agency and the Government, without prejudice to the initiation or continuation of any of the measures envisaged in the preceding paragraph. The UNDP may indicate to the Executing Agency and the Government the conditions under which it is prepared to authorize a resumption of execution of the technical cooperation activity concerned.
4. If the cause of suspension is not rectified or eliminated within fourteen days after the UNDP shall have given notice of suspension to the Government and/or the Executing Agency, the UNDP may by written notice at any time thereafter during the continuation thereof
  - (a) terminate the technical cooperation activity concerned, or
  - (b) terminate the Executing Agency's execution of such activity, and take over its execution or entrust it to another Executing Agency, with effect on the date specified in the written notice from UNDP.

5. (a) In the event of any termination under the preceding paragraph, the UNDP shall reimburse the Executing Agency for all costs it may incur or may have incurred (and for which provision has been made in the Project Document) to execute the technical cooperation activity concerned up to the effective date of the termination, including:
  - (i) such proportion of the Executing Agency overhead costs allowable for the activity (if any) as the amount expended on such activity by the Executing Agency (counted to the effective date of termination) bears to the entire UNDP allocation on the activity (as determined in the Project Document); and
  - (ii) reasonable costs of winding up its execution of the technical cooperation activity.
 Reimbursement to the Executing Agency under this provision when added to amounts previously remitted to it by the UNDP in respect of the activity shall not exceed the total UNDP allocation for such activity.
- (b) In the event of transfer of the Executing Agency's responsibilities for execution of a technical cooperation activity either to the UNDP or to another Executing Agency, the Executing Agency shall cooperate with the UNDP in the orderly transfer of such responsibilities.

## Article XIII Waiver of immunities

In the event that the Executing Agency retains the services of operational experts or consultant firms or organizations to assist it in the execution of a technical cooperation activity, the privileges and immunities to which any such operational expert or firm or organization and its personnel may be entitled under any agreement between the UNDP and a Government may be waived by the Executing Agency where, in its opinion, the immunity would impede the course of justice and can be waived without prejudice to the successful completion of the activity concerned or to the interests of the UNDP or the Executing Agency; the Executing Agency shall waive such immunity in any case in which the UNDP so requests.

## Article XIV General provisions

1. This Agreement shall enter into force upon signature, and shall continue in force until terminated under paragraph 3 below.
2. This Agreement may be modified by written agreement between the Parties hereto. Any relevant matter for which no provision is made in this Agreement or any controversy between the Parties, shall be settled in keeping with the relevant resolutions and decisions of the appropriate organs of the United Nations. Each Party shall also give full and sympathetic consideration to any proposal advanced by the other under this paragraph.
3. This Agreement may be terminated by either Party by written notice to the other and shall terminate sixty days after receipt of such notice, provided that termination shall become effective with respect to on-going technical cooperation activities only with the concurrence of both Parties.
4. The provisions of this Agreement shall survive its expiration or termination to the extent necessary to permit an orderly settlement of accounts between the Parties and, if appropriate, with each Government concerned.

In witness whereof, the undersigned, duly appointed representatives of the UNDP and of the Executing Agency, respectively, have on behalf of the Parties signed the present Agreement on the dates and at the places indicated below their respective signatures.

For the United Nations  
Development Programme

Bradford Morse Administrator

15 May 1976  
New York City, USA

For the  
World Tourism Organization

Robert C. Lonati  
Secretary-General

7 May 1976  
Madrid, Spain

Appendix<sup>3</sup>United Nations Development Programme ( UNDP )  
Standard Basic Assistance AgreementAgreement between [ ... ]  
and the United Nations Development Programme

Whereas the General Assembly of the United Nations has established the United Nations Development Programme (hereinafter called the UNDP) to support and supplement the national efforts of developing countries at solving the most important problems of their economic development and to promote social progress and better standards of life, and whereas the Government of [ ... ] wishes to request assistance from the UNDP for the benefit of its people, now therefore the Government and the UNDP (hereinafter called the Parties) have entered into this Agreement in a spirit of friendly cooperation.

## Article I Scope of this Agreement

1. This Agreement embodies the basic conditions under which the UNDP and its Executing Agencies shall assist the Government in carrying out its development projects, and under which such UNDP-assisted projects shall be executed. It shall apply to all such UNDP assistance and to such Project Documents or other instruments (hereinafter called Project Documents) as the Parties may conclude to define the particulars of such assistance and the respective responsibilities of the Parties and the Executing Agency hereunder in more detail in regard to such projects.
2. Assistance shall be provided by the UNDP under this Agreement only in response to requests submitted by the Government and approved by the UNDP. Such assistance shall be made available to the Government, or to such entity as the Government may designate, and shall be furnished and received in accordance with the relevant and applicable
3. This appendix containing the United Nations Development Programme ( UNDP ) Standard Basic Assistance Agreement given here is intended for the information of Governments and does not constitute a basic document of the UNWTO.

resolutions and decisions of the competent UNDP organs, and subject to the availability of the necessary funds to the UNDP.

## Article II Forms of assistance

1. Assistance which may be made available by the UNDP to the Government under this Agreement may consist of:
  - (a) the services of advisory experts and consultants, including consultant firms or organizations, selected by and responsible to the UNDP or the Executing Agency concerned;
  - (b) the services of operational experts selected by the Executing Agency, to perform functions of an operational, executive or administrative character as civil servants of the Government or as employees of such entities as the Government may designate under Article I, paragraph 2, hereof;
  - (c) the services of members of the United Nations Volunteers (hereinafter called volunteers);
  - (d) equipment and supplies not readily available in [ ... ] (hereinafter called the country);
  - (e) seminars, training programmes, demonstration projects, expert working groups and related activities;
  - (f) scholarships and fellowships, or similar arrangements under which candidates nominated by the Government and approved by the Executing Agency concerned may study or receive training; and
  - (g) any other form of assistance which may be agreed upon by the Government and the UNDP.
2. Requests for assistance shall be presented by the Government to the UNDP through the UNDP Resident Representative in the country (referred to in paragraph 4(a) of this Article), and in the form and in accordance with procedures established by the UNDP for such requests. The Government shall provide the UNDP with all appropriate facilities and relevant information to appraise the request, including an expression of its intent with respect to the follow-up of investment-oriented projects.
3. Assistance may be provided by the UNDP to the Government either directly, with such external assistance as it may deem appropriate, or through an Executing Agency, which shall have primary responsibility for carrying out UNDP assistance to the project and which shall have the status of an independent contractor for this purpose. Where assistance

is provided by the UNDP directly to the Government, all references in this Agreement to an Executing Agency shall be construed to refer to the UNDP, unless clearly inappropriate from the context.

4. (a) The UNDP may maintain a permanent mission, headed by a Resident Representative, in the country to represent the UNDP therein and be the principal channel of communication with the Government on all Programme matters. The Resident Representative shall have full responsibility and ultimate authority, on behalf of the UNDP Administrator, for the UNDP programme in all its aspects in the country, and shall be team leader in regard to such representatives of other United Nations organizations as may be posted in the country, taking into account their professional competence and their relations with appropriate organs of the Government. The Resident Representative shall maintain liaison on behalf of the Programme with the appropriate organs of the Government, including the Government's coordinating agency for external assistance, and shall inform the Government of the policies, criteria and procedures of the UNDP and other relevant programmes of the United Nations. He shall assist the Government, as may be required, in the preparation of UNDP country programme and project requests, as well as proposals for country programme or project changes, assure proper coordination of all assistance rendered by the UNDP through various Executing Agencies or its own consultants, assist the Government, as may be required, in coordinating UNDP activities with national, bilateral and multilateral programmes within the country, and carry out such other functions as may be entrusted to him by the Administrator or by an Executing Agency.
- (b) The UNDP mission in the country shall have such other staff as the UNDP may deem appropriate to its proper functioning. The UNDP shall notify the Government from time to time of the names of the members, and of the families of the members, of the mission, and of changes in the status of such persons.

### Article III Execution of projects

1. The Government shall remain responsible for its UNDP-assisted development projects and the realization of their objectives as described in the relevant Project Documents, and shall carry out such parts of such projects as may be stipulated in the provisions of this Agreement and such Project Documents. The UNDP undertakes to complement and supplement the Government's participation in such projects through assistance to the Government in pursuance of this Agreement and the Work Plans forming part of such Project Documents, and through assistance to the Government in fulfilling its intent with respect to investment follow-up.

The Government shall inform UNDP of the Government Cooperating Agency directly responsible for the Government's participation in each UNDP-assisted project. Without prejudice to the Government's overall responsibility for its projects, the Parties may agree that an Executing Agency shall assume primary responsibility for execution of a project in consultation and agreement with the Cooperating Agency, and any arrangements to this effect shall be stipulated in the project Work Plan forming part of the Project Document together with arrangements, if any, for transfer of such responsibility, in the course of project execution, to the Government or to an entity designated by the Government.

2. Compliance by the Government with any prior obligations agreed to be necessary or appropriate for UNDP assistance to a particular project shall be a condition of performance by the UNDP and the Executing Agency of their responsibilities with respect to that project. Should provision of such assistance be commenced before such prior obligations have been met, it may be terminated or suspended without notice and at the discretion of the UNDP.
3. Any agreement between the Government and an Executing Agency concerning the execution of a UNDP-assisted project or between the Government and an operational expert shall be subject to the provisions of this Agreement.
4. The Cooperating Agency shall as appropriate and in consultation with the Executing Agency assign a full-time director for each project who shall perform such functions as are assigned to him by the Cooperating Agency.

The Executing Agency shall as appropriate and in consultation with the Government appoint a Chief Technical Adviser or Project Coordinator responsible to the Executing Agency to oversee the Executing Agency's participation in the project at the project level. He shall supervise and coordinate activities of experts and other Executing Agency personnel and be responsible for the on-the-job training of national Government counterparts. He shall be responsible for the management and efficient utilization of all UNDP-financed inputs, including equipment provided to the project.

5. In the performance of their duties, advisory experts, consultants and volunteers shall act in close consultation with the Government and with persons or bodies designated by the Government, and shall comply with such instructions from the Government as may be appropriate to the nature of their duties, and the assistance to be given and as may be mutually agreed upon between the UNDP and the Executing Agency concerned and the Government. Operational experts shall be solely responsible to, and be under the exclusive direction of, the Government or the entity to which they are assigned, but shall not be required to perform any functions incompatible with their international status or with the purposes of the UNDP or of the Executing Agency. The Government undertakes that the commencing date of each operational expert in its service shall coincide with the effective date of his contract with the Executing Agency concerned.
6. Recipients of fellowships shall be selected by the Executing Agency. Such fellowships shall be administered in accordance with the fellowship policies and practices of the Executing Agency.
7. Technical and other equipment, materials, supplies and other property financed or provided by the UNDP shall belong to the UNDP unless and until such time as ownership thereof is transferred, on terms and conditions mutually agreed upon between the Government and the UNDP, to the Government or to an entity nominated by it.
8. Patent rights, copyrights, and other similar rights to any discoveries or work resulting from UNDP assistance under this Agreement shall belong to the UNDP. Unless otherwise agreed by the Parties in each case, however, the Government shall have the right to use any such discoveries or work within the country free of royalty or any charge of similar nature.

#### Article IV Information concerning projects

1. The Government shall furnish the UNDP with such relevant reports, maps, accounts, records, statements, documents and other information as it may request concerning any UNDP-assisted project, its execution or its responsibilities under this Agreement or Project Documents.
2. The UNDP undertakes that the Government shall be kept currently informed of the progress of its assistance activities under this Agreement. Either Party shall have the right, at any time, to observe the progress of operations on UNDP-assisted projects.
3. The Government shall, subsequent to the completion of a UNDP-assisted project, make available to the UNDP at its request information as to benefits derived from and activities undertaken to further the purposes of that project, including information necessary or appropriate to its evaluation or to evaluation of UNDP assistance, and shall consult with and permit observation by the UNDP for this purpose.
4. Any information or material which the Government is required to provide to the UNDP under this Article shall be made available by the Government to an Executing Agency at the request of the Executing Agency concerned.
5. The Parties shall consult each other regarding the publication, as appropriate, of any information relating to any UNDP-assisted project or to benefits derived therefrom. However, any information relating to any investment-oriented project may be released by the UNDP to potential investors, unless and until the Government has requested the UNDP in writing to restrict the release of information relating to such project.

#### Article V Participation and contribution of Government in execution of projects

1. In fulfilment of the Government's responsibility to participate and cooperate in the execution of the projects assisted by the UNDP under this Agreement, it shall contribute the following in kind to the extent detailed in relevant Project Documents:
  - (a) Local counterpart professional and other services, including national counterparts to operational experts;
  - (b) land, buildings and training and other facilities available or produced within the country; and

(c) equipment, materials and supplies available or produced within the country.

2. Whenever the provision of equipment forms part of UNDP assistance to the Government, the latter shall meet charges relating to customs clearance of such equipment, its transportation from the ports of entry to the project site together with any incidental handling or storage and related expenses, its insurance after delivery to the project site, and its installation and maintenance.
3. The Government shall also meet the salaries of trainees and recipients of fellowships during the period of their fellowships.
4. If so provided in the Project Document, the Government shall pay, or arrange to have paid, to the UNDP or an Executing Agency the sums required, to the extent specified in the Project Budget of the Project Document, for the provision of any of the items enumerated in paragraph 1 of this Article, whereupon the Executing Agency shall obtain the necessary items and account annually to the UNDP for any expenditures out of payments made under this provision.
5. Moneys payable to the UNDP under the preceding paragraph shall be paid to an account designated for this purpose by the Secretary-General of the United Nations and shall be administered in accordance with the applicable financial regulations of the UNDP.
6. The cost of items constituting the Government's contribution to the project and any sums payable by the Government in pursuance of this Article, as detailed in Project Budgets, shall be considered as estimates based on the best information available at the time of preparation of such Project Budgets. Such sums shall be subject to adjustment whenever necessary to reflect the actual cost of any such items purchased thereafter.
7. The Government shall as appropriate display suitable signs at each project identifying it as one assisted by the UNDP and the Executing Agency.

#### Article VI Assessed programme costs and other items payable in local currency

1. In addition to the contribution referred to in Article V above, the Government shall assist the UNDP in providing it with assistance by paying or arranging to pay for the following local costs or facilities, in the amounts specified in the relevant Project Document or otherwise determined by the UNDP in pursuance of relevant decisions of its governing bodies:
  - (a) The local living costs of advisory experts and consultants assigned to projects in the country;
  - (b) local administrative and clerical services, including necessary local secretarial help, interpreter-translators, and related assistance;
  - (c) transportation of personnel within the country; and
  - (d) postage and telecommunications for official purposes.
2. The Government shall also pay each operational expert directly the salary, allowances and other related emoluments which would be payable to one of its nationals if appointed to the post involved. It shall grant an operational expert the same annual and sick leave as the Executing Agency concerned grants its own officials, and shall make any arrangements necessary to permit him to take home leave to which he is entitled under the terms of his service with the Executing Agency concerned. Should his service with the Government be terminated by it under circumstances which give rise to an obligation on the part of an Executing Agency to pay him an indemnity under its contract with him, the Government shall contribute to the cost thereof the amount of separation indemnity which would be payable to a national civil servant or comparable employee of like rank whose service is terminated in the same circumstances.
3. The Government undertakes to furnish in kind the following local services and facilities:
  - (a) the necessary office space and other premises;
  - (b) such medical facilities and services for international personnel as may be available to national civil servants;
  - (c) simple but adequately furnished accommodation to volunteers; and
  - (d) assistance in finding suitable housing accommodation for international personnel, and the provision of such housing to operational experts under the same conditions as to national civil servants of comparable rank.

4. The Government shall also contribute towards the expenses of maintaining the UNDP mission in the country by paying annually to the UNDP a lump sum mutually agreed between the Parties to cover the following expenditures:
  - (a) An appropriate office with equipment and supplies, adequate to serve as local headquarters for the UNDP in the country;
  - (b) appropriate local secretarial and clerical help, interpreters, translators and related assistance;
  - (c) transportation of the Resident Representative and his staff for official purposes within the country;
  - (d) postage and telecommunications for official purposes; and
  - (e) subsistence for the Resident Representative and his staff while in official travel status within the country.
5. The Government shall have the option of providing in kind the facilities referred to in paragraph 4 above, with the exception of items (b) and (e).
6. Moneys payable under the provisions of this Article, other than under paragraph 2, shall be paid by the Government and administered by the UNDP in accordance with Article V, paragraph 5.

#### Article VII Relation to assistance from other sources

In the event that assistance towards the execution of a project is obtained by either Party from other sources, the Parties shall consult each other and the Executing Agency with a view to effective coordination and utilization of assistance received by the Government from all sources. The obligations of the Government hereunder shall not be modified by any arrangements it may enter into with other entities cooperating with it in the execution of a project.

#### Article VIII Use of assistance

The Government shall exert its best efforts to make the most effective use of the assistance provided by the UNDP and shall use such assistance for the purpose for which it is intended. Without restricting the generality of the foregoing, the Government shall take such steps to this end as are specified in the Project Document.



## Article IX Privileges and immunities

1. The Government shall apply to the United Nations and its organs, including the UNDP and UN subsidiary organs acting as UNDP Executing Agencies, their property, funds and assets, and to their officials, including the Resident Representative and other members of the UNDP mission in the country, the provisions of the Convention on the Privileges and Immunities of the United Nations.
2. The Government shall apply to each Specialized Agency acting as an Executing Agency, its property, funds and assets, and to its officials, the provisions of the Convention on the Privileges and Immunities of the Specialized Agencies, including any Annex to the Convention applicable to such Specialized Agency. In case the International Atomic Energy Agency (the IAEA) acts as an Executing Agency, the Government shall apply to its property, funds and assets, and to its officials and experts, the Agreement on the Privileges and Immunities of the IAEA.
3. Members of the UNDP mission in the country shall be granted such additional privileges and immunities as may be necessary for the effective exercise by the mission of its functions.
4.
  - (a) Except as the Parties may otherwise agree in Project Documents relating to specific projects, the Government shall grant all persons, other than Government nationals employed locally, performing services on behalf of the UNDP, a Specialized Agency or the IAEA who are not covered by paragraphs 1 and 2 above the same privileges and immunities as officials of the United Nations, the Specialized Agency concerned or the IAEA under Sections 18, 19 or 18 respectively of the Conventions on the Privileges and Immunities of the United Nations or of the Specialized Agencies, or of the Agreement on the Privileges and Immunities of the IAEA.
  - (b) For purposes of the instruments on privileges and immunities referred to in the preceding parts of this Article:
    - (i) all papers and documents relating to a project in the possession or under the control of the persons referred to in subparagraph 4(a) above shall be deemed to be documents belonging to the United Nations, the Specialized Agency concerned, or the IAEA, as the case may be; and
    - (ii) equipment, materials and supplies brought into, or purchased or leased by those persons within the country, for purposes

of a project shall be deemed to be property of the United Nations, the Specialized Agency concerned, or the IAEA, as the case may be.

5. The expression “persons performing services” as used in Articles IX, X and XIII of this Agreement includes operational experts, volunteers, consultants and juridical as well as natural persons and their employees. It includes governmental or non-governmental organizations or firms which UNDP may retain, whether as an Executing Agency or otherwise, to execute or to assist in the execution of UNDP assistance to a project, and their employees. Nothing in this Agreement shall be construed to limit the privileges, immunities or facilities conferred upon such organizations or firms or their employees in any other instrument.

## Article X Facilities for execution of UNDP assistance

1. The Government shall take any measures which may be necessary to exempt the UNDP, its Executing Agencies, their experts and other persons performing services on their behalf from regulations or other legal provisions which may interfere with operations under this Agreement, and shall grant them such other facilities as may be necessary for the speedy and efficient execution of UNDP assistance. It shall, in particular, grant them the following rights and facilities:
  - (a) Prompt clearance of experts and other persons performing services on behalf of the UNDP or an Executing Agency;
  - (b) prompt issuance without cost of necessary visas, licences or permits;
  - (c) access to the site or work and all necessary right of way;
  - (d) free movement within or to or from the country, to the extent necessary for proper execution of UNDP assistance;
  - (e) the most favourable legal rate of exchange;
  - (f) any permits necessary for the importation of equipment, materials and supplies, and for their subsequent exportation;
  - (g) any permits necessary for importation of property belonging to and intended for the personal use or consumption of officials of the UNDP, its Executing Agencies, or other persons performing services on their behalf, and for the subsequent exportation of such property; and
  - (h) prompt release from customs of the items mentioned in subparagraphs (f) and (g) above.

2. Assistance under this Agreement being provided for the benefit of the Government and people of [ ... ], the Government shall bear all risks of operations arising under this Agreement. It shall be responsible for dealing with claims which may be brought by third parties against the UNDP or an Executing Agency, their officials or other persons performing services on their behalf, and shall hold them harmless in respect of claims or liabilities arising from operations under this Agreement. The foregoing provision shall not apply where the Parties and the Executing Agency are agreed that a claim or liability arises from the gross negligence or wilful misconduct of the above-mentioned individuals.

#### Article XI Suspension or termination of assistance

1. The UNDP may by written notice to the Government and to the Executing Agency concerned suspend its assistance to any project if in the judgement of the UNDP any circumstance arises which interferes with or threatens to interfere with the successful completion of the project or the accomplishment of its purposes. The UNDP may, in the same or a subsequent written notice, indicate the conditions under which it is prepared to resume its assistance to the project. Any such suspension shall continue until such time as such conditions are accepted by the Government and as the UNDP shall give written notice to the Government and the Executing Agency that it is prepared to resume its assistance.
2. If any situation referred to in paragraph 1 of this Article shall continue for a period of fourteen days after notice thereof and of suspension shall have been given by the UNDP to the Government and the Executing Agency, then at any time thereafter during the continuance thereof, the UNDP may by written notice to the Government and the Executing Agency terminate its assistance to the project.
3. The provisions of this Article shall be without prejudice to any other rights or remedies the UNDP may have in the circumstances, whether under general principles of law or otherwise.

#### Article XII Settlement of disputes

1. Any dispute between the UNDP and the Government arising out of or relating to this Agreement which is not settled by negotiation or other agreed mode or settlement shall be submitted to arbitration at the request of either Party. Each Party shall appoint one arbitrator, and the two arbitrators so appointed shall appoint a third, who shall be the chairman. If within thirty days of the appointment of two arbitrators the third arbitrator has not been appointed, either Party may request the President of the International Court of Justice to appoint an arbitrator. The procedure of the arbitration shall be fixed by the arbitrators, and the expenses of the arbitration shall be borne by the Parties as assessed by the arbitrators. The arbitral award shall contain a statement of the reasons on which it is based and shall be accepted by the Parties as the final adjudication of the dispute.
2. Any dispute between the Government and an operational expert arising out of or relating to the conditions of his service with the Government may be referred to the Executing Agency providing the operational expert by either the Government or the operational expert involved, and the Executing Agency concerned shall use its good offices to assist them in arriving at a settlement. If the dispute cannot be settled in accordance with the preceding sentence or by other agreed mode of settlement, the matter shall at the request of either Party be submitted to arbitration following the same provisions as are laid down in paragraph 1 of this Article, except that the arbitrator not appointed by either Party or by the arbitrators of the Parties shall be appointed by the Secretary-General of the Permanent Court of Arbitration.

#### Article XIII General provisions

1. This Agreement shall enter into force upon signature, and be subject to ratification by the Government, and shall come into force upon receipt by UNDP of notification from the Government of its ratification. Pending such ratification, it shall be given provisional effect by the Parties. It shall continue in force until terminated under paragraph 3 below. Upon the entry into force of this Agreement, it shall supersede existing Agreements concerning the provision of assistance to the Government out of UNDP resources and concerning the UNDP office in the country, and it shall apply to all assistance provided to the Government and to

the UNDP office established in the country under the provisions of the Agreements now superseded.

2. This Agreement may be modified by written agreement between the Parties hereto. Any relevant matter for which no provision is made in this Agreement shall be settled by the Parties in keeping with the relevant resolutions and decisions of the appropriate organs of the United Nations. Each Party shall give full and sympathetic consideration to any proposal advanced by the other Party under this paragraph.
3. This Agreement may be terminated by either Party by written notice to the other and shall terminate sixty days after receipt of such notice.
4. The obligations assumed by the Parties under Articles 4 (concerning project information) and 8 (concerning the use of assistance) hereof shall survive the expiration or termination of this Agreement. The obligations assumed by the Government under Articles 9 (concerning privileges and immunities), 10 (concerning facilities for project execution) and 12 (concerning settlement of disputes) hereof shall survive the expiration or termination of this Agreement to the extent necessary to permit orderly withdrawal of personnel, funds and property of the UNDP and of any Executing Agency, or of any persons performing services on their behalf under this Agreement.

In witness whereof the undersigned, duly appointed representatives of the United Nations Development Programme and of the Government, respectively, have on behalf of the Parties signed the present Agreement in the English and [ ... ] languages in two copies at [ ... ] this [ ... ] day of [ ... ].

For the United Nations  
Development Programme

For the  
Government of [ ... ]



**The World Tourism Organization (UNWTO)** is a specialized agency of the United Nations. As the leading international organization in the field of tourism, UNWTO promotes responsible, sustainable and universally accessible tourism. It serves as a global forum for tourism policy issues and a practical source of tourism know-how. UNWTO's membership includes 157 Member States, 6 Associate Members, 2 permanent observers and 500 Affiliate Members representing the private sector, educational institutions, tourism associations and local tourism authorities.



**World Tourism Organization**

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