

General Assembly

Nineteenth session
Gyeongju, Republic of Korea, 8-14 October 2011
Provisional agenda item 4(b)

A/19/4(b)
Madrid, 1 August 2011
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Membership of the Organization

(b) Suspension of membership in accordance with Article 34 of the Statutes, and requests for temporary exemption from the application of paragraph 13 of the Financing Rules

1. At 31 July 2011, the provisions of Article 34 of the Statutes and paragraph 13 of the Financing Rules attached to the Statutes (see Annex 1) are applied to the following 23 Full Members and to the Associate Member Netherlands Antilles. These Members have been deprived of Member's privileges in the form of services and the right to vote in the Assembly and the Council.

| FULL MEMBERS MEMBRES EFFECTIFS MIEMBROS EFECTIVOS | PARAGR. 13 PÁRRAFO 13 | ART. 34 | ARREAR CONTRIBUTIONS ARRIÉRÉS DE CONTRIBUTIONS CONTRIBUCIONES ATRASADAS | | |
|--|--------------------------------|------------|---|-----------------------------------|--------------|
| | | | YEARS/ ANNÉES/ AÑOS | TOTAL YEARS/ ANNÉES AÑOS | TOTAL EUR |
| AFGHANISTAN /AFGANISTAN/ AFGANISTÁN | X | X | 81-87, 89-08,10 | 28 | 653.095,77 |
| BAHRAIN / BAHREIN / BAHREIN | X | X | 77-10 | 10 | 352.996,25 |
| BURUNDI | X | X | 77-07 | 31 | 701.347,61 |
| CAPE VERDE /CAP VERT /CABO VERDE | X | X | 02-10 | 9 | 165.714,00 |
| CENTRAL AFRICAN REPUBLIC/ RÉPUBLIQUE CENTRAFRICAINE/ REPÚBLICA CENTROAFRICANA | X | X | 06-10 | 5 | 102.762,00 |
| CÔTE D'IVOIRE | X | X | 04-10 | 7 | 186.105,00 |
| CHAD / TCHAD | X | | 07-08.10 | 3 | 73.315,00 |
| DJIBOUTI | X | X | 03-10 | 8 | 167.782,00 |
| DEM. REPUBLIC OF THE CONGO / RÉP. DÉMOCRATIQUE DU CONGO / REP. DEMOCRÁTICA DEL CONGO | X | X | 91-96,98-00, 02- 06, 08-10 | 17 | 337.407,26 |
| GUINEA / GUINÉE | X | X | 95-96,98-00, 07-10 | 9 | 205.401,75 |
| GUINEA BISSAU / GUINÉE-BISSAU | X | X | 92-96,99-10 | 17 | 348.950,55 |
| KYRGYZSTAN / KIRGHIZISTAN / KIRGUISTÁN | X | X | 95-10 | 16 | 369.619,89 |
| LESOTHO | X | | 09-10 | 2 | 49.686,00 |
| LIBYAN ARAB JAMAHIRIYA / JAMAHIRIYA ARABE LIBYENNE / JAMAHIRIYA ÀRABE LIBIA | X | X | 04-06,09 | 4 | 244.004,00 |
| MALAWI | X | X | 00,02,04-10 | 9 | 199.542,24 |
| MALI | X | X | 91-93, 96-98 | 6 | 139.424,37 |
| MONGOLIA / MONGOLIE | X | X | 93-099 | 7 | 214.799,06 |

| | | | | | |
|---|---|---|----------------------|----|--------------|
| PAPUA NEW GUINEA / PAPOUASIE-NOUVELLE-GUINÉE / PAPUA NUEVA GUINEA | X | | 08-10 | 3 | 68.762,00 |
| SAO TOME AND PRINCIPE / SAO TOME ET PRINCIPE/ SANTO TOME Y PRÍNCIPE | X | X | 86-10 | 25 | 520.543,65 |
| SIERRA LEONE / SIERRA LEONA | X | X | 79-00,03-10 | 30 | 652.818,39 |
| SUDAN / SOUDAN/SUDÁN | X | X | 84-86,89-03 06-08 | 21 | 457.439,92 |
| TURKMENISTAN / TURKMÉNISTAN / TURKMENISTÁN | X | X | 95-98,00-10 | 15 | 444.444,40 |
| UGANDA / OUGANDA | X | X | 95-00, 02-04,10 | 10 | 196.541,76 |
| TOTAL: | | | | | 7.858.218,59 |

2. Annex 2 to this document transmits to the General Assembly the list of Members that could be liable to suspension from the rights and privileges of membership, as provided for in Article 34 of the Statutes. This application would be effective in 2012.

3. The information in Annexes 1 and 2 will enable the General Assembly to rule on this matter in accordance with resolution 217(VII).

4. The following Members submitted to the General Assembly at its eighteenth session (Astana, Kazakhstan, 5-8 October 2009) plans for the payment of their contribution arrears in instalments and requested that the provisions of paragraph 13 not be applied to them. The General Assembly agreed to grant such temporary exemption to these Members subject to the following two conditions:

- (a) immediate payment of the contribution corresponding to the year before the General Assembly session at which their case is reviewed;
- (b) strict observance of the agreed plan for the settlement of arrears.

FULL MEMBERS

CONGO
NIGER
TOGO

AFFILIATE MEMBERS

COTAL – Confederación de Organizaciones Turísticas de la América Latina
AMFORT – Asociación Mundial para la Formación Profesional Turística
KUTEL – University of Tourism Economics and Law

PAYMENT PLANS APPROVED BY THE EXECUTIVE COUNCIL AT ITS 89TH SESSION

5. The Full Members Nicaragua and Iraq submitted payment plans to the 89th session of the Executive Council [CE/DEC/7(LXXXIX)] for subsequent ratification by the nineteenth General Assembly. Nicaragua has partially fulfilled the conditions established for 2011. Iraq's payment plan was submitted according to decision [CE/DEC/7(LXXXVIII)] of the Executive Council at its 88th session, and will become in force on January 2014 pending approval by this session of the General Assembly.

PAYMENT PLANS APPROVED BY THE EXECUTIVE COUNCIL AT ITS 90TH SESSION

6. The Full Members Gambia and Mauritania submitted payment plans to the 90th session of the Executive Council [CE/DEC/8(XC)] for subsequent ratification by the nineteenth General Assembly. Neither of them has complied with the conditions established in their payment plans for 2011.

7. On 21 July 2011, the Secretariat received written notice by the Full Member Central African Republic proposing a 4-year plan for the payment of its contribution arrears starting in 2011. The following is a list of contributions owed by the Full Member Central African Republic, which is subject to the provisions of paragraph 13 of the Financing Rules attached to the Statutes and Article 34 of the Statutes:

| | <u>EUR</u> |
|------------------|------------------|
| Financial years: | |
| - 2006 | 4,604.00 |
| - 2007 | 23,996.00 |
| - 2008 | 24,476.60 |
| - 2009 | 24,843.00 |
| - 2010 | 24,843.00 |
| - 2011 | <u>24,843.00</u> |
| TOTAL | 127,605.00 |
| | ===== |

8. All the communications received from Members after the date of this document requesting temporary exemption from the provisions of paragraph 13 of the Financing Rules will be submitted to the present session for its consideration. The Council will formulate the relevant recommendations which, together with the Members' requests, will be forwarded to the Assembly in an addendum to this document so that it may adopt the appropriate resolution.

9. The following table shows the extent to which the Members with which agreements have been concluded for the settlement of their arrears in instalments have complied with the conditions laid down by the Assembly in resolution 557(XVIII).

| MEMBERS GRANTED TEMPORARY EXEMPTION FROM THE APPLICATION OF PARAGRAPH 13 (RESOLUTION 557 (XVIII)) Compliance with the conditions laid down by the Assembly Situation at 31 July 2011 | | | | | | |
|---|----------------------------------|--|-----|---|---------------------------------|-----------------|
| | | CONDITIONS LAID DOWN BY THE GENERAL ASSEMBLY | | | | |
| | | Payment of the year the G.A./ E.C. approved the plan | | Strict fulfilment of the agreed payment plan | | |
| FULL MEMBERS | Arrears payment plan | Payment made | | | | |
| | | | | Contribution for the year | Annual payment of arrears | |
| BOLIVIA | in 10 years beginning in 2008 | 2007 | YES | 2008-2009 2010-2011 | YES NO | YES NO |
| BURKINA FASO | in 6 years beginning in 2006 | 2006 | YES | 2006-2010 2011 | YES NO | YES NO |
| CAMBODIA | in 30 years beginning in 2006 | 2006 | YES | 2006-2011 | YES | YES |
| CONGO | in 30 years beginning in 2009 | 2009 | NO | 2009-2011 | YES | YES |
| EL SALVADOR (1) | in 10 years beginning in 1999 | 1997 | YES | 1998-2010 2011 | YES NO | YES NO |
| IRAQ (2) (*) | -- | -- | -- | -- | -- | -- |
| GAMBIA (*) | in 20 years beginning in 2011 | 2011 | NO | 2011 | NO | NO |
| LAO PEOPLE'S DEM. REPUBLIC | in 25 years beginning in 2005 | 2005 | YES | 2005-2011 | YES | YES |
| MAURITANIA (*) | in 30 years beginning in 2011 | 2011 | NO | 2011 | NO | NO |
| NICARAGUA (*) | in 12 years Beginning in 2010 | 2010 | YES | 2010 2011 | YES NO | YES YES |
| NIGER | in 10 years beginning in 2008 | 2007 | NO | 2008-2009 2010 2011 | YES PART NO | YES NO NO |
| PERU | in 15 years beginning in 2005 | 2005 | YES | 2005-2010 2011 | YES NO | YES NO |
| TOGO | in 10 years beginning in 2009 | 2009 | YES | 2009-2011 | YES | YES |
| URUGUAY | in 15 years beginning in 2007 | 2007 | YES | 2007-2010 2011 | YES NO | YES NO |
| YEMEN (3) | in 13 years beginning in 2001 | 1999 | YES | 2000-2011 | YES | YES |

OBSERVATIONS:

- (1) **El Salvador:** Since the debt of El Salvador is less than the amount of its assessed contributions for the past two years, the provisions of paragraph 13 are no longer applicable to this Member.
- (2) **Iraq:** Grace period extended until 19th session of the General Assembly pending approval of payment plan to start on 1st January 2014.
- (3) **Yemen:** The Minister of Tourism of Yemen, confirmed in his letter dated 13 May 2006 that the necessary measures will be taken to agree on a new payment plan upon the conclusion of the current one, which would cover contributions corresponding to the years 1979-1989 owed by the former People's Republic of Yemen.

(*) **Payment plans approved by the 89th Executive Council session in the case of Iraq and Nicaragua, and by the 90th Executive Council session in the case of Gambia and Mauritania, all of them pending ratification by the XIX General Assembly.**

10. Affiliate Members Confederación de Organizaciones Turísticas de la América Latina (COTAL) and Asociación Mundial para la Formación Profesional (AMFORT) have not complied with the conditions established in their payment plans with AMFORT's having elapsed in 2010, while KUTEL - University of Tourism Economics and Law has partially complied until 2010.

UPDATES FROM PREVIOUS STATEMENT CONTAINED IN DOCUMENT CE/90/5(e) Add.1

When compared with the information contained in the above mentioned document as of 31 May 2011 submitted to the previous session of the Executive Council, the following updates can be observed:

- | | |
|--|---------------------------|
| (a) Countries in Article 34 of the Statutes Rules: | No change |
| Countries in paragraph 13 of the Financing Rules: | No change |
| (b) Amount due by these Members as of 31 May 2011: | 7,858,218.59 euros |
| Amount due by these Members as of 31 July 2011: | <u>7,858,218.59</u> euros |
| Total arrears received during the period: | 0.00 euros ===== |
- (c) Togo has fully complied with its payment plan for 2011 since 31 May 2011, the date of the previous statement submitted to the Executive Council. Furthermore, the Central African Republic has submitted a four-year payment plan to the present session of the Executive Council for approval.

ANNEX 1

ARTICLE 34 OF THE STATUTES

1. Article 34 of the Statutes concerning the suspension of Members provides as follows:

"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."

2. At its seventh session the General Assembly adopted the following resolution 217(VII) concerning the application of these provisions:

A/RES/217(VII)

Suspension of Members in arrears in the payment of
statutory contributions: Article 34 of the Statutes

"The General Assembly,

"Considering decision 2(XXX) by which the Executive Council recommended the Assembly to apply Article 34 of the Statutes and consequently to suspend the Members of the Organization whose contribution arrears are equal to or exceed the contributions owed by such Members for four financial years and who have not, within six months, agreed with the Secretary-General on a payment plan for reimbursing these arrears,

"Considering document A/7/10(j) prepared by the Secretary-General pursuant to the above Executive Council decision,

"Recognizing that Article 34 of the Statutes, which provides the sanction of suspension when a Member persists in a policy that is contrary to the fundamental aim of the Organization as mentioned in Article 3 of the Statutes, becomes applicable in the case of prolonged non-payment of obligatory contributions to the Organization's budget, such an attitude clearly constituting a policy contrary to the aims of WTO,

"1. Decides to apply henceforward the measure of suspension provided for in Article 34 of the Statutes:

"(a) when a Member of the Organization has accumulated contribution arrears in respect of any four financial years, which need not be consecutive, partial payment of contributions not preventing the measure of suspension being applied, and;

"(b) when the aforementioned Member has not agreed a payment plan for the contribution arrears with the Secretary-General within a period of one year from the date of the resolution by which the Assembly noted that the measure of suspension was applicable to the Member pursuant to Article 34 of the Statutes;

.....

- "3. Requests the Secretary-General to apply the present resolution and to inform each session of the Executive Council concerning its application."

PARAGRAPH 13 OF THE FINANCING RULES ATTACHED TO THE STATUTES

3. The provisions of paragraph 13 of the Financing Rules attached to the Statutes read as follows:

"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 Members."

4. In this regard, at its sixth session the Assembly adopted the following resolution:

A/RES/162(VI)

"The General Assembly,

.....

"Confirms the following provisions;

"When a Full Member becomes subject to the provisions of paragraph 13 of the Financing Rules and Regulation 8(7) of the Financial Regulations, the Assembly may restore that Member's right to vote and to enjoy the services of the Organization, only on an exceptional basis, when:

- "1. the Member has explained the reasons for its failure to pay in writing and has requested the restoration of its rights in writing;
- "2. the Council finds that the circumstances are beyond the Member's control;
- "3. the Council and the country concerned have agreed to the measures which should be taken in order to settle the arrears."

ANNEX 2

Miembros a los que podrían ser aplicadas las disposiciones del Art. 34 de los Estatutos en 2012

Membres auxquels pourraient s'appliquer les dispositions de l'article 34 en 2012

Members to which the provisions of Art. 34 of the Statutes could be applied in 2012

(al 31 de julio de 2011 / au 31 juillet 2011 / at 31 July 2011)

1. MIEMBROS EFECTIVOS / MEMBRES EFFECTIFS / FULL MEMBERS

1. CHAD
2. PAPUA NEW GUINEA

2. MIEMBROS AFILIADOS / MEMBRES AFFILIÉS / AFFILIATE MEMBERS

1. ACCOR
2. AQABA SPECIAL ECONOMIC ZONE AUTHORITY
3. ASOCIACION MUNDIAL PARA LA FORMACIÓN PROFESIONAL TURISTICA (AMFORT)
4. CAMARA DE PERIODISTAS Y COMUNICADORES DE TURISMO
5. CHAM PALACES AND HOTELS
6. CHAMBER OF COMMERCE OF INDUSTRY OF THE DODECANESE
7. CONFEDERACIÓN NACIONAL TURISTICA A.C.
8. DNIPRO HOTEL
9. ECOTOURISM KENYA
10. ENCIRCA INC.
11. FEDERATION OF TOURISM ASSOCIATIONS OF NIGERIA (FTAN)
12. FUNDACION EMPRESARIAL COMUNIDAD EUROPEA CHILE – EUROCHILE
13. GREEN GLOBE
14. INTERNATIONAL AIR TRANSPORT ASSOCIATION (IATA)
15. JIBEK JOLY HOLDING COMPANY
16. MIDDLE EAST AIRLINES – AIRLIBAN
17. MONDIAL ENERGY INC.
18. NEVADA TOURISM COMMISSION
19. TABASHEER TRAVEL & TOURISM AGENCY
20. THE SCHOLARSHIP
21. TRAVEL MEDIA APPLICATIONS
22. UNIVERSITY OF TEHRAN
23. WORLD ASSOCIATION FOR THE PROTECTION OF TANGIBLE AND INTANGIBLE CULTURAL HERITAGE IN THE TIMES OF ARMED CONFLICT – WATCH
24. WEST AFRICA TOURISM UNION (WATU)