

General Assembly

Nineteenth session

Gyeongju, Republic of Korea, 8-14 October 2011

Provisional agenda item 14

A/19/14(II)

Madrid, August 2011

Original: English

Report on the World Committee on Tourism Ethics

Part II

I. Reform of the World Committee on Tourism Ethics

A. Introduction

1. In accordance with Article 10 of the Global Code of Ethics for Tourism of 1999, the **World Committee on Tourism Ethics (WCTE)** was established as an independent and impartial body by the 2003 General Assembly resolution A/RES/469(XV). As a subsidiary organ of the General Assembly, the Committee met for the first time in February 2004, in Rome, Italy.

2. Following an agreement signed between UNWTO and the Italian Government, a Permanent Secretariat of the Committee was established in Rome in November 2008, within the premises of the Italian Department of Tourism.

3. Since its inception, the Committee has been intended to play a key role in paving the way for the responsible development of world tourism by promoting the practical implementation of the principles enshrined within the Code of Ethics, not only within UNWTO but throughout the sector. Nonetheless, nearly eight years after its formation, it has become increasingly clear that the body continues to be far from achieving its expected goals. The Code of Ethics appears to be still little known among tourism industry practitioners, tourists and the general public; the incorporation of its principles into national legislation, regulations or professional codes of conduct remains limited; and the conciliation procedures for the settlement of disputes established by the Committee have not proven to be a success.

4. Bearing in mind the aforementioned state of affairs, and in accordance with the principle stated in the White Paper (Document A/19/11 - Report on the progress of the reform of the Organization), the Secretary-General embarked on a series of consultations aimed at assessing the work of the Committee, with the objective of initiating possible reforms.

5. The views gathered over these last months have largely seemed to converge with those of the Secretary-General, in that the Committee would require a decisive overhaul of its composition, functions, and operational procedures if it is to enhance its effectiveness, affirm its independence and increase the knowledge and implementation of the Code of Ethics worldwide. In the longer term, it might be convenient to reflect upon the possibility to adopt the Code under the form of a convention.

6. Hereafter are various considerations on the potential future reform of the World Committee of Tourism Ethics.

B. *Present structure and functioning of the World Committee on Tourism Ethics*

7. The three main functions of the Committee are, at present: (a) the promotion and dissemination of the Global Code of Ethics for Tourism; (b) the evaluation and monitoring of the Code of Ethics' implementation; and (c) conciliation for the settlement of differences concerning the application or interpretation of the Code.

8. The Committee presently comprises a Chairman, eleven members and eleven alternates. While the Chairman is proposed by the Secretary-General upon consultation with the General Assembly, the members and alternates are either elected or designated by the Full, Associate and Affiliate Members of UNWTO. The expenses incurred for their participation in Committee meetings are covered by the candidates' nominating authority.

9. The Committee customarily meets once a year, but may hold additional meetings if deemed necessary.

10. The Permanent Secretariat in Rome has been assigned the task of assisting the Committee in promoting and disseminating the Global Code of Ethics for Tourism, commissioning research on ethical issues, and organizing meetings and events related to tourism ethics.

C. *Proposed reform of the Committee*

11. For the purpose of the envisaged reform of the Committee, the Secretary-General would like to propose the following changes in terms of its functions, composition, operational and funding procedures, as outlined below:

Functions

12. The main functions of the Committee should be: (a) monitoring, evaluating and reporting on the implementation of the Global Code of Ethics for Tourism globally and regionally; (b) the research and issuance of reports, recommendations and observations on ethical matters related to tourism; and (c) the proposal and approval of the texts of conventions and other legal instruments on specific issues related to the Code of Ethics' provisions.

13. The original conciliatory function of the Committee in terms of the settlement of disputes (as stipulated in Article 10 of the Code of Ethics) will be adapted to offer a more flexible and accessible mechanism of consultation/clarification to stakeholders, including civil society. The task of promoting and disseminating the Code of Ethics will be entrusted primarily to the Permanent Secretariat in Rome, which will report thereon to every meeting of the Committee, as well as to the UNWTO General Assembly.

14. The specific functions and responsibilities assigned to the Chair of the Committee, the Permanent Secretariat in Rome and the UNWTO Secretariat, respectively, will be spelled out in detail in a revised version of the Rules of Procedure of the Committee. Coordination between the three entities will be strengthened, and their cooperation enhanced.

Composition

15. The Committee will consist of a smaller, more dynamic body, comprising a **chairperson** and **eight members** with a high moral stature who will be appointed by the General Assembly for a mandate of four years. The concept of staggering, or phased renewal of the Committee every two years will be maintained. During the session of the General Assembly to be held in 2013, a total of five members of the Committee (including the chairperson) will be appointed for a mandate of four years, while the other four members will be appointed for a mandate of two years.

16. Nominations to the Committee may be presented by Full, Associate and Affiliate Members of UNWTO, as well as by the UNWTO Secretary-General. The selection process will subsequently be handled by a selection board, to be set up by the General Assembly, consisting of high-level officials of the General Assembly, the Executive Council, the Board of Affiliate Members, the Secretary-General and the Legal Adviser of UNWTO. In examining the nominations and recommending to the General Assembly the names of appointees to serve on the Ethics Committee, this body will be requested to take into account the need for a balanced composition of the Committee from a regional, sectorial and gender perspective. A detailed document on the revised selection procedure of the Committee and the desired profile of its members and chairperson will be presented in due course.

17. The UNWTO Secretary-General or his/her representative, as well as a representative of the Permanent Secretariat in Rome, will attend the meetings of the Ethics Committee *ex officio*. The Legal Adviser of the UNWTO will attend the meetings in an advisory capacity.

Funding

18. In order to ensure the independence of the Committee and its members, specific funds should be set aside from the Organization's overall programme budget and allotted to the effective running of the Committee. These funds will cover, *inter alia*, (a) the expenses related to travel and accommodation of the Chair and the members of the Committee, so as to enable them to attend all meetings; and (b) the logistical costs for the holding of Committee meetings at UNWTO headquarters in Madrid or at the Permanent Secretariat in Rome.

19. Additional financial resources required for commissioning position papers and research, as well as for promotional activities, will be sought from external funding sources, with the assistance of the Permanent Secretariat in Rome. Partnerships with foundations and universities will be strongly encouraged.

Operation

20. The Committee will meet at least once every year, either at UNWTO Headquarters in Madrid or at the Permanent Secretariat in Rome. Should the Committee decide to meet in any other location upon the request of a government, the latter will be expected to cover any additional costs incurred by this change of venue.

Timing

21. The generic reform proposal of the Committee is submitted to the present session of the General Assembly (Gyeongju, Republic of Korea, 8-13 October 2011), for approval.

22. The implementation of the Committee's new organizational and functional structure, along with the new nomination and selection process to appoint the members of the Committee, will be put in place

throughout the coming biennial period of 2012 and 2013, to culminate with the appointment of the members of the new Committee by the General Assembly at its twentieth session in 2013.

D. *Proposed amendment to the Protocol of Implementation of the Global Code of Ethics for Tourism (Part I)*

23. General Assembly resolution A/RES/438(XIV) of 2002, and its subsequent amendments incorporated by resolutions A/RES/469(XV) and 577(XVIII), outlines the provisions of Part I of the Protocol of Implementation of the Global Code of Ethics for Tourism applicable to the functioning of the World Committee on Tourism Ethics.

24. In view of the prospective reform of said body as outlined in the above paragraphs, the Secretary-General would propose the following revised and amended text of Part I of the Protocol of Implementation entitled: *World Committee on Tourism Ethics – Body Responsible for interpreting, applying and evaluating the provisions of the Global Code of Ethics for Tourism*:

WORLD COMMITTEE ON TOURISM ETHICS,

BODY RESPONSIBLE FOR INTERPRETING, APPLYING AND EVALUATING THE PROVISIONS OF THE GLOBAL CODE OF ETHICS FOR TOURISM

(a) *A World Committee on Tourism Ethics shall be created comprising nine eminent nationals, preferably from the Member States of UNWTO, independent from governments and with no contractual relationship with UNWTO, who are appointed by the General Assembly in their personal capacity. They shall serve the Committee with independence and impartiality and shall not report to and shall not seek nor receive any orders or instructions from any authority other than the World Committee on Tourism Ethics or the General Assembly of UNWTO.*

(b) *The functions of the World Committee on Tourism Ethics shall be:*

- i. monitoring, evaluating and reporting on the implementation of the Global Code of Ethics for Tourism;*
- ii. the research and issuance of reports, recommendations and observations on ethical matters related to tourism; and*
- iii. the proposal and approval of texts of conventions and other legal instruments on specific issues related to the Code of Ethics provisions.*

(c) *The members of the World Committee on Tourism Ethics shall be appointed as follows:*

- Nominations to the Committee may be presented by the Full, Associate and Affiliate Members of UNWTO, as well as by the Secretary-General;*
- A selection board shall be established by the General Assembly and composed of the Chair of the General Assembly, the Chair of the Executive Council and the Chair of the Board of the Affiliate Members, the Secretary-General and the Legal Adviser of UNWTO. The selection board will examine the proposed nominations in order to recommend to the General Assembly the names of the nine personalities to be appointed by the latter to serve on the Committee as follows:*
 - i. eight candidates to serve as members of the World Committee on Tourism Ethics; and*

ii. one candidate to serve as chairperson;

- In the same way, the names of candidates will be submitted to the General Assembly to replace members whose terms of office have expired or who have resigned or otherwise ceased to be available;
- The Executive Council may designate an observer to the Committee.

The UNWTO Secretary-General or his/her representative, as well as a representative of the Permanent Secretariat in Rome, will attend the meetings of the World Committee on Tourism Ethics *ex officio*. The Legal Adviser of the World Tourism Organization shall participate in an advisory capacity, in the Committee meetings.

On selecting and appointing the members of the Committee, account shall be taken of the need for a balanced composition of this body from a regional, gender and sectorial perspective, and for a diversification of the qualifications and personal status of its members, from the economic, environmental and social as well as legal viewpoint. The members shall be appointed for four years and their term of office may be renewed only once.

The members of the Committee are re-appointed by half every two years.

(d) The World Committee on Tourism Ethics shall establish its own Rules of Procedure, and refer them to the General Assembly.

(e) A majority presence of the Committee members shall be necessary to constitute a quorum at its meetings; in the event that a member is absent, he/she will not be represented by a substitute at meetings; the Committee shall make its best efforts to adopt its decisions by consensus; however, in the event of a tie in the voting, the chairperson shall have the casting vote;

(f) UNWTO shall undertake to cover the travel expenses and daily subsistence allowances occasioned by the participation in the meetings of the nine members of the World Committee on Tourism Ethics; it being understood that the members of the Committee shall not receive any remuneration; the secretariat of the Committee shall be provided by the services of the UNWTO Secretariat and by the Permanent Secretariat of Rome; the operating costs remaining payable by the Organization may, wholly or in part, be charged to a trust fund financed by voluntary contributions.

(g) The World Committee on Tourism Ethics shall meet at least once a year. These meetings will be held at UNWTO Headquarters or at the Permanent Secretariat in Rome, unless it is decided otherwise, provided the host country covers the costs and expenses involved in holding the meeting at a different venue.

(h) The World Committee on Tourism Ethics may invite experts or external institutions to contribute to its proceedings.

(i) On the basis of periodic reports submitted to them by Full Members, Associate Members and Affiliate Members of UNWTO, the UNWTO Regional Commissions shall, every two years, examine the application of the Code in their respective regions; they shall record their findings in a report to the World Committee on Tourism Ethics.

(j) The World Committee on Tourism Ethics shall exercise a global function as an observatory for the challenges encountered in implementing the Code and for proposed

recommendations; it shall summarize the reports drawn up by the Regional Commissions and supplement them with the information it has collected with the assistance of the Secretary-General and the support of the Board of Affiliate Members.

(k) The Secretary-General shall refer the report of the World Committee on Tourism Ethics to the General Assembly, together with his/her own observations. The General Assembly shall decide what follow-up action to take on the report and the recommendations thus submitted to it, which national tourism administrations and other stakeholders in tourism development shall subsequently have the task of implementing.

(l) The Secretary-General of UNWTO shall submit, on a regular basis, a report on the implementation of the Global Code of Ethics for Tourism to the Secretary-General of the United Nations for its submission to the UN General Assembly.