

## **Statutes Of The World Tourism Organization**

**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.**

### **Establishment**

#### **Article 1**

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 Organizations (UIOTO), 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.
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**

Membership of the Organization shall be open to:

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

### **Article 5**

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**

1. Associate membership of the Organization shall be open to all territories or groups of territories not responsible for their external relations.
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**

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 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**

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;
- (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**

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**

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.

#### **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**

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.

### **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 Depositary 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**

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**

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.

[Articles 40 to 45, which constituted transitional provisions that have lapsed, have not been retained in the present text.]

**Done at Mexico City on 27 September 1970.**

Nepal Law Commission

## ANNEX

### FINANCING 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.
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.
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.

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.
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.

**Done at Mexico City on 27 September 1970**