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Rapport du Secrétaire général

Partie III : Questions administratives et statutaires

f) État d'avancement de la ratification des amendements aux Statuts et de la Convention de 1947 sur les privilèges et immunités des institutions spécialisées

I. Introduction

1. En 2015, aux termes de sa résolution 662(XXI), l'Assemblée générale demandait aux États membres de ratifier tous les amendements aux Statuts et aux Règles de financement n'étant pas encore entrés en vigueur et priait le Secrétaire général de rendre compte systématiquement à l'Assemblée générale de la situation des amendements aux Statuts et aux Règles de financement.
2. Outre ce qui précède, l'Assemblée générale demandait aussi aux États membres de ratifier l'annexe XVIII de la Convention sur les privilèges et immunités des institutions spécialisées de 1947 (ci-après dénommée « la Convention de 1947 ») relative à l'OMT et adoptée par le Conseil exécutif [décision 9(LXXXIII)] conformément au mandat octroyé par l'Assemblée générale en vertu de la résolution 545(XVII), pour permettre à l'Organisation de jouir des privilèges et immunités que lui confère sa qualité d'institution spécialisée des Nations Unies.
3. Le texte des amendements adoptés en attente de ratification par les deux tiers des Membres est reproduit à l'annexe I au présent document.

II. Amendements aux Statuts et aux Règles de financement : état des lieux

4. L'article 33.3 des Statuts exige, pour qu'un amendement adopté entre en vigueur, que les deux tiers des États membres notifient leur approbation de celui-ci au Gouvernement dépositaire.
5. Étant donné que l'Organisation compte actuellement 156 Membres effectifs, les amendements doivent être ratifiés par 104 Membres. La liste des amendements en attente de ratification accompagnés du nombre de ratifications est fournie à l'annexe II au présent document, de même qu'une liste plus détaillée fournissant aux Membres une vue d'ensemble des amendements qu'ils n'ont pas ratifiés à ce jour.
6. En application de la résolution 662(XXI) adoptée par l'Assemblée générale, le Secrétaire général



a écrit à tous les États membres pour les prier instamment de ratifier les amendements aux Statuts et aux Règles de financement. Suite à cela, depuis la dernière session de l'Assemblée générale, neuf pays supplémentaires ont ratifié un amendement ou plusieurs aux Statuts et aux Règles de financement.

7. Le nombre de ratifications requises pour qu'un amendement donné entre en vigueur est indiqué dans le tableau à l'annexe II.

8. En outre, à sa dernière session tenue à Medellín (Colombie), l'Assemblée générale a décidé, aux termes de sa résolution 662(XXI), de prier le Secrétaire général de constituer un groupe de travail formé d'États membres et placé sous la responsabilité du Conseil exécutif afin d'examiner la procédure actuelle d'amendement des Statuts et de préparer le texte d'un amendement à l'article 33 des Statuts en vue de le soumettre à la vingt-deuxième session de l'Assemblée générale pour approbation.

9. Les résultats de ces travaux sont présentés dans le document A/22/10(III)(g) et l'Assemblée, à sa présente session, est saisie d'une proposition d'amendement à l'article 33 des Statuts.

III. Procédure de ratification des amendements aux Statuts et aux Règles de financement

10. Conformément à l'article 33.3 des Statuts, les États membres souhaitant ratifier des amendements aux Statuts et aux Règles de financement doivent notifier au dépositaire des Statuts de l'Organisation (le Ministère espagnol des affaires étrangères et de la coopération) l'acceptation, approbation, adhésion ou ratification de l'amendement par l'autorité compétente selon le mécanisme juridique interne établi qui est le leur.

11. Le secrétariat estime utile de rappeler que, conformément à l'article 33 des Statuts, aucun instrument officiel de ratification, d'acceptation ou d'approbation n'est requis pour qu'un amendement entre en vigueur ; il suffit que les États membres notifient au Gouvernement dépositaire leur approbation de l'amendement en question.

IV. Convention sur les privilèges et immunités des institutions spécialisées et son annexe XVIII relative à l'OMT

12. Depuis l'entrée en vigueur de l'annexe XVIII à la Convention sur les privilèges et immunités des institutions spécialisées relative à l'OMT le 30 juillet 2008, 16 pays y ont adhéré : Allemagne, Angola, Autriche, Bosnie-Herzégovine, Brunéi Darussalam, Bulgarie, El Salvador, France, Lituanie, Maroc, Paraguay, Portugal, Saint-Marin, Serbie, Seychelles et Suisse. Bien que le nombre d'adhésions ait considérablement augmenté depuis la dernière session de l'Assemblée générale, 140 États membres de l'Organisation n'ont toujours pas exprimé leur consentement à être liés par la Convention de 1947 pour ce qui concerne l'OMT.

13. La Convention sur les privilèges et immunités des institutions spécialisées a été adoptée par l'Assemblée générale en 2005 [résolution 489(XVI)] et son annexe XVIII relative à l'OMT a été adoptée par le Conseil exécutif en 2008 [décision 9(LXXXIII)] conformément au mandat reçu de l'Assemblée générale [résolution 545(XVIII)]. Ces deux textes énoncent les privilèges et immunités minimaux à appliquer à l'OMT dans les systèmes juridiques nationaux afin d'assurer l'exercice effectif des fonctions de l'Organisation sur le territoire de ses États membres, conformément à l'article 32 des Statuts.

14. Les privilèges et immunités garantissent à l'OMT un fonctionnement indépendant et l'aident à s'acquitter de sa mission de manière efficace et efficiente dans ses États membres. En général, la non-

reconnaissance des privilèges et immunités est susceptible de provoquer des retards et de gêner d'une façon ou d'une autre la fourniture des services en temps utile et avec efficacité, et peut compromettre la liberté de circulation et la sécurité nécessaires à l'Organisation et aux représentants de ses Membres quand ils assistent à des réunions convoquées par l'Organisation en dehors du siège.

15. Lorsqu'un État membre de l'OMT n'est pas partie à la Convention de 1947 et n'applique pas l'annexe XVIII relative à l'OMT, les protections juridiques couvertes par ce traité doivent être discutées dans le cadre de négociations avant que l'OMT ne commence toute activité dans le pays. Cela peut entraîner des retards et mobiliser d'importants efforts du secrétariat pour négocier séparément l'accord encadrant chaque nouveau projet ou chaque nouvelle activité pour qu'il contienne les protections accordées en vertu de la Convention de 1947 et de son annexe XVIII. En revanche, s'il existe un cadre général et permanent, il n'est pas nécessaire de traiter de points spécifiques à chaque fois et les modalités d'exécution des projets peuvent être établies plus efficacement.

16. Étant donné que très peu de pays ont adhéré à l'annexe XVIII à la Convention de 1947, le secrétariat se retrouve fréquemment placé dans la situation très difficile où une activité a déjà été planifiée, mais l'accord avec le pays ne prévoit pas les protections juridiques nécessaires et donc contrevient à la résolution 489(XVI), exposant l'Organisation à un risque.

17. La plupart des États membres de l'OMT ont déjà adhéré à la Convention de 1947, mais n'ont pas encore communiqué au dépositaire de la Convention, à savoir le Secrétaire général de l'ONU, leur intention de l'appliquer à l'OMT. En étendre la couverture à l'OMT ne devrait pas présenter de difficultés pratiques majeures dès lors que la Convention de 1947 a déjà pris effet dans l'ordonnement juridique interne vis-à-vis d'une quelconque autre institution spécialisée des Nations Unies. Cependant, les États doivent notifier expressément à la Section des traités du Bureau des affaires juridiques de l'ONU leur intention d'appliquer l'annexe XVIII.

18. Les États membres n'ayant pas adhéré à la Convention de 1947 doivent notifier expressément, au moment de l'adhésion, quels sont les organismes auxquels ils l'appliqueront. Il est de la plus haute importance que l'OMT figure dans cette liste.

19. Le secrétariat reste à disposition pour apporter une assistance ou toutes indications dont les États membres pourraient avoir besoin concernant la procédure d'adhésion à la Convention de 1947 ou son annexe XVIII.

20. Le secrétariat a élaboré un modèle d'accord pour l'accueil d'événements de l'OMT en dehors du siège. Il inclut toutes les protections juridiques nécessaires pour l'Organisation, ses agents, les experts en mission et les représentants des États membres participant à l'événement. L'Assemblée générale, dans sa résolution 662(XXI), a prié tout État désireux d'accueillir une conférence ou un événement de l'OMT sur son territoire d'accepter les clauses et les conditions de l'accord avant que l'activité ne soit planifiée, de sorte qu'il n'y ait pas de difficultés majeures au moment de conclure l'accord. Les clauses et les conditions de l'accord, en particulier celles qui ont trait aux privilèges et immunités, à l'accès non entravé au lieu de la réunion pour tous les invités ou encore aux normes de sécurité appropriées, sont des conditions essentielles pour accueillir n'importe quel événement des Nations Unies en dehors des sièges. Le modèle d'accord suit la politique et la pratique de l'ONU et de ses institutions spécialisées.

V. Suites à donner par l'Assemblée générale

21. L'Assemblée générale, notant la possible adoption d'une nouvelle procédure d'amendement moyennant l'amendement de l'article 33 des Statuts et le bas niveau des adhésions à l'annexe XVIII à la Convention de 1947, est invitée à :

- a) Prendre note du rapport du Secrétaire général sur la situation des amendements aux Statuts ;
- b) Remercier les États membres ayant ratifié un amendement ou plusieurs, ou qui ont engagé la procédure nécessaire ;
- c) Prier les États membres de faire tout ce qui est en leur pouvoir pour ratifier tous les amendements aux Statuts et aux Règles de financement, particulièrement en ce qui concerne l'amendement à l'article 33 des Statuts proposé dans le document A/22/10(III)(g) ;
- d) Prier les États membres de ratifier la Convention de 1947 sur les privilèges et immunités des institutions spécialisées et de notifier expressément au Secrétaire général de l'ONU l'application de l'annexe XVIII à l'OMT ;

Annexe I. Liste des amendements

(a) List of amendments to the Statutes and the Financing Rules adopted by the General Assembly that have not yet come to force in accordance with Article 33 of the Statutes

1. The following 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.

2. The amendments are presented following the chronological order of their adoption by the General Assembly. Those that are applied, by decision of the General Assembly, on a provisional basis pending their entry into force are reproduced below in italics:

A. Amendment to Paragraph 12 of the Financing Rules adopted by the General Assembly at its third session, Torremolinos, September 1979 [resolution 61(III)] 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."

B. Amendment to Paragraph 13 of the Financing Rules adopted by the General Assembly at its fourth session, Rome, September 1981 [resolution 92(IV)]:

"(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."

C. Amendment to Article 37 of the Statutes adopted by the General Assembly at its fourth session, Rome, September 1981 [resolution 93(IV)] 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."

- D. Amendment to Article 14 of the Statutes adopted by the General Assembly at its fifth session, New Delhi, October 1983 [resolution 134(V)] modified at the twelfth session, Istanbul, October 1997 [resolution 365(XII)] 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."

- E. Amendment to Article 15 of the Statutes adopted by the General Assembly at its seventh session, Madrid, September-October 1987 [resolution 208(VII)]:**

"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."

- F. Amendment to Paragraph 4 of the Financing Rules adopted by the General Assembly at its fourteenth session, Seoul / Osaka, 24-29 September 2001 [resolution 422(XIV)] 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."

- G. Amendment to Article 1 of the Statutes adopted by the General Assembly at its sixteenth session, Dakar, November-December 2005 [resolution 511(XVI)]:**

"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."

- H. Amendment to Article 4 of the Statutes adopted by the General Assembly at its sixteenth session, Dakar, November-December 2005 [resolution 511(XVI)]:**

"Membership of the Organization shall be open to:

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

- I. Amendment to Article 5 of the Statutes adopted by the General Assembly at its sixteenth session, Dakar, November-December 2005 [resolution 511(XVI)]:**

"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.”

J. Amendment to Article 6 of the Statutes adopted by the General Assembly at its sixteenth session, Dakar, November-December 2005 [resolution 511(XVI)]:

“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.”

K. Amendment to Article 7 of the Statutes adopted by the General Assembly at its sixteenth session, Dakar, November-December 2005 [resolution 511(XVI)]:

“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:

(i) a board of destinations, composed of the tourism bodies, without political competence

subordinate to territorial entities;

- (ii) an education board composed of academic, educational, vocational training and research institutions; and
- (iii) 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 competences.”

L. Amendment to Article 9 of the Statutes adopted by the General Assembly at its sixteenth session, Dakar, November-December 2005 [resolution 511(XVI)]:

“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.”

M. Amendment to Article 14 of the Statutes adopted by the General Assembly at its sixteenth session, Dakar, November-December 2005 [resolution 511(XVI)]:

“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.”

N. Amendment to Paragraph 14 of the Financing Rules adopted by the General Assembly at its sixteenth session, Dakar, October-December 2005 [resolution 511(XVI)]:

“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.”

O. Amendment to Article 22 of the Statutes adopted by the General Assembly at its sixteenth session, Dakar, November-December 2005 [resolution 512(XVI)]:

"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."

P. Amendment to Article 38 of the Statutes adopted by the General Assembly at its seventeenth session, Cartagena de Indias, November 2007 [resolution 521(XVII)]:

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

Annex II: Listes des amendements adoptés aux Statuts et aux Règles de financement et nombre de ratifications reçues à ce jour
A. General list per amendment of number of ratifications received and number of ratifications pending in order for the amendment to enter into force

Amendment	General Assembly Session, place and date	Article	Ratified By	Pending	In Force
A/RES/61(III)	3rd Session, Torremolinos, September 1979	Paragraph 12 Financing Rules	96	8	Provisional Application
A/RES/92(IV)	4th Session, Rome, September 1981	Paragraph 13 Financing Rules	84	20	No
A/RES/93(IV)	4th Session, Rome, September 1981	Article 37 Statutes	88	16	Provisional Application
A/RES/134(V)*	5th Session, New Delhi, October 1983,	Article 14 Statutes	102	2	Provisional Application
A/RES/208(VII)	7th Session, Madrid, September-October 1987	Article 15 Statutes	69	35	No
A/RES/422(XIV)	14th Session, Seoul / Osaka, 24-29 September 2001	Paragraph 4 Financing Rules	45	59	Provisional Application
A/RES/511(XVI)	16th Session, Dakar, November-December 2005	Article 1 Statutes	21	83	No
		Article 4 Statutes	21	83	No
		Article 5 Statutes	21	83	No
		Article 6 Statutes	21	83	No
		Article 7 Statutes	21	83	No
		Article 9 Statutes	21	83	No
		Article 14 Statutes	21	83	No
A/RES/512(XVI)		Paragraph 14 Financing Rules	21	83	No
A/RES/512(XVI)		Article 22 Statutes	22	82	No
A/RES/521(XVII)	17th Session, Cartagena de Indias, November 2007	Article 38 Statutes	60	44	No

B. Detailed list of number of ratifications received per amendment and number of ratifications pending in order for the amendment to enter into force

	Full Member	Paragraph 12 FR	Paragraph 13 FR	Article 37	Article 14	Article 15	Paragraph 4 FR	Articles 1,4,5,7,9, 14 and Paragraph 14 FR	Article 22	Article 38
1	Afghanistan (*)	No	No	No	No	No	No	No	No	No
2	Albania (*)	No	No	No	No	No	No	No	No	No
3	Algeria	YES	No	No	YES	No	No	No	No	No
4	Andorra	YES	YES	YES	YES	YES	YES	YES	YES	YES
5	Angola (*)	No	No	No	No	No	No	No	No	No
6	Argentina	YES	YES	YES	YES	YES	YES	YES	YES	YES
7	Armenia	No	No	No	No	No	No	YES	YES	No
8	Australia	YES	YES	YES	YES	YES	YES	No	No	YES
9	Austria	YES	YES	YES	YES	YES	YES	YES	YES	No
10	Azerbaijan	YES	YES	YES	YES	YES	No	No	No	No
11	Bahamas	YES	YES	YES	YES	YES	YES	No	No	YES
12	Bahrain	YES	YES	YES	YES	YES	YES	No	No	YES
13	Bangladesh	YES	YES	YES	YES	No	No	No	No	No
14	Belarus	YES	YES	YES	YES	YES	YES	No	No	YES
15	Benin (*)	No	No	No	No	No	No	No	No	No

	Full Member	Paragraph 12 FR	Paragraph 13 FR	Article 37	Article 14	Article 15	Paragraph 4 FR	Articles 1,4,5,7,9, 14 and Paragraph 14 FR	Article 22	Article 38
16	Bhutan	YES	YES	YES	YES	YES	YES	No	No	No
17	Bolivia	YES	YES	YES	YES	YES	YES	No	No	YES
18	Bosnia and Herzegovina	No	No	No	No	No	No	No	No	YES
19	Botswana	No	No	No	No	No	No	No	YES	No
20	Brazil	YES	No	YES	YES	No	No	No	No	No
21	Brunei Darussalam	YES	YES	YES	YES	YES	YES	YES	YES	No
22	Bulgaria	YES	YES	YES	No	No	No	No	No	YES
23	Burkina Faso	YES	YES	No	YES	No	No	No	No	No
24	Burundi (*)	No	No	No	No	No	No	No	No	No
25	Cambodia	No	No	No	No	No	No	No	No	YES
26	Cameroon	No	No	No	YES	No	No	No	No	No
27	Cape Verde	YES	YES	YES	YES	YES	No	No	No	No
28	Central African Republic	No	No	No	No	No	No	No	No	YES
29	Chad (*)	No	No	No	No	No	No	No	No	No
30	Chile	YES	YES	YES	YES	YES	YES	No	No	No
31	China	YES	No	YES	YES	No	No	No	No	No

	Full Member	Paragraph 12 FR	Paragraph 13 FR	Article 37	Article 14	Article 15	Paragraph 4 FR	Articles 1,4,5,7,9, 14 and Paragraph 14 FR	Article 22	Article 38
32	Colombia	YES	YES	YES	YES	YES	No	No	No	No
33	Congo (*)	No	No	No	No	No	No	No	No	No
34	Costa Rica	YES	YES	YES	No	No	No	No	No	YES
35	Côte d'Ivoire	YES	No	No	No	No	No	No	No	No
36	Croatia (*)	No	No	No	No	No	No	No	No	No
37	Cuba	YES	No	No	No	YES	No	No	No	YES
38	Cyprus	YES	YES	YES	YES	No	YES	No	No	No
39	Czech Republic	YES	YES	YES	YES	YES	YES	YES	YES	YES
40	Democratic People's Republic of Korea	YES	No	YES	YES	YES	YES	No	No	YES
41	Democratic Republic of the Congo	No	No	No	YES	No	No	No	No	YES
42	Djibouti (*)	No	No	No	No	No	No	No	No	No
43	Dominican Republic	No	No	No	YES	No	No	No	No	No
44	Ecuador	No	No	No	YES	No	No	No	No	No
45	Egypt	YES	YES	YES	YES	No	YES	YES	YES	YES
46	El Salvador	YES	YES	YES	YES	YES	YES	YES	YES	YES
47	Equatorial Guinea	YES	YES	YES	YES	YES	No	No	No	No

	Full Member	Paragraph 12 FR	Paragraph 13 FR	Article 37	Article 14	Article 15	Paragraph 4 FR	Articles 1,4,5,7,9, 14 and Paragraph 14 FR	Article 22	Article 38
48	Eritrea (*)	No	No	No	No	No	No	No	No	No
49	Ethiopia	YES	YES	YES	YES	No	No	No	No	No
50	Fiji (*)	No	No	No	No	No	No	No	No	No
51	France	YES	YES	YES	YES	No	No	No	No	YES
52	Gabon	YES	YES	YES	YES	No	No	No	No	YES
53	Gambia	No	No	No	YES	No	No	No	No	No
54	Georgia	No	No	No	No	No	No	No	No	YES
55	Germany	YES	YES	YES	YES	No	No	No	No	No
56	Ghana	No	No	No	No	No	No	No	No	YES
57	Greece	YES	YES	YES	YES	YES	YES	No	No	YES
58	Guatemala (*)	No	No	No	No	No	No	No	No	No
59	Guinea	No	No	No	No	No	YES	No	No	No
60	Guinea-Bissau (*)	No	No	No	No	No	No	No	No	No
61	Haiti (*)	No	No	No	No	No	No	No	No	No
62	Honduras	YES	YES	YES	YES	YES	No	No	No	No
63	Hungary	YES	YES	YES	YES	YES	YES	YES	YES	YES

	Full Member	Paragraph 12 FR	Paragraph 13 FR	Article 37	Article 14	Article 15	Paragraph 4 FR	Articles 1,4,5,7,9, 14 and Paragraph 14 FR	Article 22	Article 38
64	India	No	No	No	YES	No	No	No	No	YES
65	Indonesia	YES	YES	YES	YES	No	No	No	No	YES
66	Iran, Islamic Republic of	No	No	No	YES	No	No	No	No	No
67	Iraq	YES	YES	YES	YES	YES	No	No	No	YES
68	Israel	YES	YES	YES	YES	YES	YES	YES	YES	YES
69	Italy	YES	YES	YES	YES	YES	YES	YES	YES	YES
70	Jamaica	YES	YES	YES	YES	YES	YES	No	No	YES
71	Japan (*)	No	No	No	No	No	No	No	No	No
72	Jordan	YES	YES	YES	YES	YES	YES	No	No	No
73	Kazakhstan (*)	No	No	No	No	No	No	No	No	No
74	Kenya	YES	YES	YES	YES	YES	No	No	No	No
75	Kuwait	YES	YES	YES	YES	YES	YES	No	No	No
76	Kyrgyzstan	No	No	No	No	No	No	No	No	YES
77	Lao People's Democratic Republic	No	No	No	YES	No	No	No	No	No
78	Lebanon (*)	No	No	No	No	No	No	No	No	No
79	Lesotho (*)	No	No	No	No	No	No	No	No	No

	Full Member	Paragraph 12 FR	Paragraph 13 FR	Article 37	Article 14	Article 15	Paragraph 4 FR	Articles 1,4,5,7,9, 14 and Paragraph 14 FR	Article 22	Article 38
80	Liberia	No	No	No	No	No	No	No	No	YES
81	Libyan Arab Jamahiriya	YES	YES	YES	YES	No	No	No	No	No
82	Lithuania	YES	YES	YES	YES	YES	YES	YES	YES	YES
83	Madagascar	YES	YES	YES	YES	YES	No	No	No	YES
84	Malawi	No	No	No	No	No	No	No	No	YES
85	Malaysia	YES	YES	YES	YES	YES	No	No	No	YES
86	Maldives	YES	YES	YES	YES	YES	YES	No	No	No
87	Mali	YES	YES	YES	YES	YES	YES	No	No	YES
88	Malta	YES	YES	YES	YES	YES	No	No	No	No
89	Mauritania (*)	No	No	No	No	No	No	No	No	No
90	Mauritius	No	No	No	YES	No	No	No	No	YES
91	Mexico	YES	YES	YES	YES	YES	No	YES	YES	YES
92	Monaco (*)	No	No	No	No	No	No	No	No	No
93	Mongolia (*)	No	No	No	No	No	No	No	No	No
94	Montenegro	YES	YES	YES	YES	YES	YES	YES	YES	No
95	Morocco	YES	YES	YES	YES	YES	No	No	No	YES

	Full Member	Paragraph 12 FR	Paragraph 13 FR	Article 37	Article 14	Article 15	Paragraph 4 FR	Articles 1,4,5,7,9, 14 and Paragraph 14 FR	Article 22	Article 38
96	Mozambique (*)	No	No	No	No	No	No	No	No	No
97	Myanmar (*)	No	No	No	No	No	No	No	No	No
98	Namibia (*)	No	No	No	No	No	No	No	No	No
99	Nepal	YES	YES	YES	No	No	No	No	No	No
100	Netherlands	YES	YES	YES	YES	YES	YES	YES	YES	YES
101	Nicaragua	No	No	No	YES	No	No	No	No	No
102	Niger	YES	YES	YES	No	No	No	No	No	No
103	Nigeria	No	No	No	YES	No	No	No	No	No
104	Norway (*)	No	No	No	No	No	No	No	No	No
105	Oman	YES	YES	YES	YES	YES	YES	No	No	No
106	Pakistan	YES	YES	YES	YES	YES	No	No	No	No
107	Panama	YES	YES	YES	YES	YES	No	No	No	No
108	Papua New Guinea	YES	YES	YES	YES	YES	YES	No	No	No
109	Paraguay	No	No	No	YES	No	YES	No	YES	No
110	Peru	YES	YES	YES	YES	YES	No	No	No	YES
111	Philippines	YES	No	No	YES	No	No	No	No	YES

	Full Member	Paragraph 12 FR	Paragraph 13 FR	Article 37	Article 14	Article 15	Paragraph 4 FR	Articles 1,4,5,7,9, 14 and Paragraph 14 FR	Article 22	Article 38
112	Poland	YES	YES	YES	YES	YES	No	No	No	No
113	Portugal	YES	YES	YES	YES	YES	No	No	No	YES
114	Qatar	YES	YES	YES	YES	YES	YES	No	No	No
115	Republic of Korea	YES	YES	YES	YES	No	No	No	No	YES
116	Republic of Moldova	YES	YES	YES	YES	YES	YES	No	No	No
117	Republic of Trinidad and Tobago (*)	No	No	No	No	No	No	No	No	No
118	Romania	YES	No	YES	YES	YES	No	No	No	No
119	Russian Federation	YES	YES	YES	YES	YES	YES	YES	YES	YES
120	Rwanda	YES	YES	YES	No	No	No	No	No	No
121	San Marino	YES	YES	YES	YES	YES	No	No	No	No
122	Sao Tome and Principe	No	No	No	YES	No	No	No	No	No
123	Saudi Arabia	YES	YES	YES	YES	No	YES	No	No	No
124	Senegal	YES	YES	YES	YES	No	No	No	No	No
125	Serbia	YES	YES	YES	YES	YES	YES	No	YES	YES
126	Seychelles	YES	YES	YES	YES	YES	YES	No	No	YES
127	Sierra Leone (*)	No	No	No	No	No	No	No	No	No

	Full Member	Paragraph 12 FR	Paragraph 13 FR	Article 37	Article 14	Article 15	Paragraph 4 FR	Articles 1,4,5,7,9, 14 and Paragraph 14 FR	Article 22	Article 38
128	Slovakia	YES	YES	YES	YES	YES	YES	No	No	No
129	Slovenia (*)	YES	YES	YES	YES	YES	YES	YES	YES	YES
130	South Africa	No	No	No	No	No	No	No	No	YES
131	Spain	YES	YES	YES	YES	YES	YES	YES	YES	YES
132	Sri Lanka	YES	YES	YES	YES	No	No	No	No	YES
133	Sudan	No	No	No	YES	No	No	No	No	No
134	Swaziland (*)	No	No	No	No	No	No	No	No	No
135	Switzerland (*)	No	No	No	No	No	No	No	No	No
136	Syrian Arab Republic	YES	YES	YES	YES	YES	YES	No	No	No
137	Tajikistan	YES	YES	YES	YES	YES	YES	YES	YES	No
138	Thailand	YES	YES	YES	YES	YES	YES	No	No	YES
139	The former Yugoslav Republic of Macedonia	No	No	No	No	No	No	No	No	YES
140	Timor-Leste	YES	YES	YES	YES	YES	YES	No	No	YES
141	Togo	YES	YES	YES	YES	YES	No	No	No	YES
142	Tunisia	YES	No	No	No	No	No	No	No	YES
143	Turkey	YES	YES	YES	YES	YES	No	No	No	No

	Full Member	Paragraph 12 FR	Paragraph 13 FR	Article 37	Article 14	Article 15	Paragraph 4 FR	Articles 1,4,5,7,9, 14 and Paragraph 14 FR	Article 22	Article 38
144	Turkmenistan	YES	YES	YES	YES	YES	No	No	No	No
145	Uganda	YES	No	No	No	No	No	No	No	No
146	Ukraine (*)	No	No	No	No	No	No	No	No	No
147	United Arab Emirates (*)	No	No	No	No	No	No	No	No	No
148	United Republic of Tanzania	YES	YES	YES	YES	YES	No	No	No	No
149	Uruguay	YES	YES	YES	YES	YES	YES	No	No	No
150	Uzbekistan	YES	No	YES	YES	YES	No	No	No	YES
151	Vanuatu (*)	No	No	No	No	No	No	No	No	No
152	Venezuela	No	No	No	YES	No	No	No	No	No
153	Viet Nam	YES	YES	YES	YES	YES	No	No	No	No
154	Yemen	YES	YES	YES	YES	YES	No	No	No	No
155	Zambia	YES	YES	YES	YES	No	No	No	No	No
156	Zimbabwe (*)	No	No	No	No	No	No	No	No	No
	Total Ratifications	95	83	87	101	68	44	20	21	59

Total number of Members: 156

Quorum needed: 104

(*) Countries that have not ratified any amendment