AFFILIATE MEMBERS DEPARTMENT

REFORM OF THE UNWTO
AFFILIATE MEMBERSHIP
LEGAL FRAMEWORK
Starting from extensive analysis and evaluation of the membership, based on inputs received from Members and surveys carried out in 2019 and 2021, AMD reached the conclusion that it is essential and urgent to update and modernize the current legal framework of the UNWTO Affiliate Membership.

Within this context, the Reform of our legal basis is the highest priority in the Affiliate Members Department since January 2020.
Why an integral Reform?

For UNWTO to count with necessary the tools, procedures & institutional mechanisms to achieve key objectives:

• Quality-oriented Expansion of the Affiliate Membership
• Reinforce the public – private partnership, through enhanced integration of Affiliate Members with Member States/Governments and within UNWTO
• Build value for UNWTO Members; updated and solid value proposition addressed to our membership.
• Fully align the legal framework of affiliate members with the UNWTO Statutes

+500 Affiliate Members  +80 Countries
How to achieve it?
The Roadmap of the Reform Process

1. **2018-2019**: comprehensive **internal assessment** of the Affiliate Membership

2. **January 2020**: the initiative to reform the existing Legal Framework shared with the Board of the Affiliate Members and with the Committee for the Review of Applications for Affiliate Membership.
   
The initiative has been well valued by both the Board and the Committee.

3. **September 2019**: 112 Executive Council (Tbilisi, Georgia) approved the proposal of the Secretary General to amend the current legal basis for the Affiliate Members.
   
   How to carry out the Reform?

   Through the creation of a specialized **Working Group for the UNWTO Affiliate Membership Legal Reform (WG – AMLR)**, formed by 14 Members States from all the regions and the Chair of the Board as the institutional representative of the Affiliate Members, with Spain as Chair.

4. **November 2020**: the WG-AMLR formally constituted, under the Chairmanship of Spain

5. **December 2020 - July 2021**:
   
   - 7 meetings of the WG – AMLR, to fulfil the mandate entrusted by the Executive Council.
   - In parallel, 5 meetings of the Board of Affiliate Members, to keep AMs updated, evaluate progress of the Reform and incorporate AMs proposals

6. **15 July 2021**: the final version of the new Legal Framework approved by the WG - AMLR.

7. **Since July 2021**: communicating the content of the proposed Reform among the Affiliate Members.
Creation of a specialized “Committee on Matters Related to Affiliate Membership” (CMAM) – to serve as a much necessary institutional vehicle for an effective integration of the Affiliate Members with the Governments and within UNWTO.

Currently there is no dedicated institutional framework foreseen for the Affiliate Members, to allow them to debate with the Member States and to bring their proposals to the consideration of the Executive Council and the General Assembly. The only institutional channels that Affiliate Members have as of today for this purpose is through the Secretariat / Secretary General.

CMAM will fill this gap and will serve as the specialized body to offer to the Affiliate Members the necessary support and an operational mechanism to network, dialogue and collaborate with the Governments, particularly to interact with the UNWTO statutory bodies (General Assembly, Executive Councils and Regional Commissions).
Provide the necessary tools to promote a quality-oriented expansion of the Affiliate Membership.

In this regard the new Charter of the Affiliate Membership:

• Establish more **demanding eligibility criteria** and a **clearer description of the categories of entities** to which affiliate membership is open.

• Set conditions for UNWTO to introduce a strict and **precise preliminary check and admission procedure**, to ensure that a candidate has the capacity, knowledge and determination to add value to the Membership, through:
  - **Involvement of the Government** of the State in which the candidate's headquarters are located in the eligibility check of the new candidate
  - **due diligence procedure** - whenever considered necessary.

• A **faster withdrawal procedure** is also introduced

### Regulation of the functions and working methods of the Plenary and the Board

Improvement of the rigor and clarity of the specification of the prerogatives and responsibilities of the Governing Bodies of the Affiliate Membership: the Board and the Plenary.

The current legal framework establishes in a fairly detailed way what the Board of Affiliates can do and how it operates, but leaves practically undefined all the key aspects regarding the functioning of the Plenary of the Affiliates - which is the organ of greatest representativeness.

The improvements introduced through the **Revised Rules of Procedure** includes:

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<th>For the Plenary of the Affiliate Members:</th>
<th>For the Board of the Affiliate Members:</th>
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<td>• Specific <strong>quorum</strong> for decision-making</td>
<td>• Term of office of the Board Members of 4 years instead of 2 years</td>
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<td>• Adoption of <strong>decisions by consensus</strong>, except when a majority is required</td>
<td>• Functions revised and fully aligned with the UNWTO Statutes</td>
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<td>• Detailed specific functions and responsibilities</td>
<td>• Sessions every 2 years in the framework of the General Assembly, instead of every year</td>
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Legal Framework with coherent structure and plenty in accordance with UNWTO Statutes.

The reform also solved the imperative to have a Legal Framework establishing in a clear manner which governing body is competent for what.

The problem: The current legal framework for affiliate members is contained in a single document, the Rules of Procedure of the Committee for Affiliate Members, which includes some prerogatives that are the exclusive competence of the Member States, i.e. topics in which neither the Plenary nor the Board can take decisions, since otherwise it would be contrary to the UNWTO Statutes.

The solution: through the reform the legal framework was restructured as to include in the Rules of Procedures of the Committee for Affiliate Members only those topics in which the Plenary and/or the Board have the prerogative to adopt changes and to include in a separate document those prerogatives and responsibilities which are exclusive competence of the Member States, according to the statutes of the Organization.

Therefore, the new Legal Framework of the UNWTO Affiliate Membership would consists of two documents:

a. The revised Rules of Procedure of the Committee of the Affiliate Members which includes all the regulation concerning the Plenary and the Board, fully in line with the provision of the Article 7.5 of the UNWTO Statutes ("there may be a Committee of the Affiliate Members which shall establish its own rules and submit them to the General Assembly").

b. A Charter of the UNWTO Affiliate Membership which includes all the content concerning:

- the Affiliate Membership – i.e. definition of Affiliate Membership, admission process, rights & obligations of AMs, withdrawal procedure etc, and;

- the new Committee on Matters Related to Affiliate Membership (CMAM).
What next?
Approval by the Plenary & the 24GA

To obtain the approval of the Plenary of the Affiliates and of the General Assembly for the proposed new Legal Framework:

**Next steps: approval by the 24th GA**

**Until Nov. 2021**
- Communication & promotion campaign:
  - Informing AM & MS about the content of the Reform

**30 Nov. 2021**
- Progress Report to the 114 Executive Council
- Reformed “Rules of Procedure” to be approved by the 43rd Plenary Session

**2 Dec. 2021**
- Approval of the new Legal Framework by the 24th GA

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**30 November 2021 / 43rd AM Plenary:**
- The revised Rules of Procedure of the Committee of the Affiliate Members to be submitted for the approval of the 43rd Plenary Session, in accordance with the Statutes (Article 7.5) and to the current Rules of Procedures (article 13).

**Note:**
- Two-third majority of the affiliate members present and voting required for the approval.

**2 December / 24th General Assembly:**
- The Charter of the UNWTO Affiliate Membership and the Rules of Procedure of the Committee of the Affiliate Members (previously submitted to the approval of the Plenary) to be submitted for the approval of the 24th General Assembly

**Note:**
- Only the Rules of Procedure of the Affiliate Members will be submitted to approval of the Plenary
- The other document, The Charter of the UNWTO Affiliate Membership will be submitted for approval directly to of the General Assembly, on 2 December 2021.

See the full text of the new Legal Framework here:

[24GA Agenda item 17 - Reform of the AM Legal Framework](#)