

CE/DEC/4(CXII)

**DECISION**

**Agenda item 3(b)**  
**Implementation of the General Programme of Work**  
(document CE/112/3(b) rev.3)

*The Executive Council,*

*Having examined the report on the Implementation of the General Programme of Work,*

*[...]*

*Approves the terms of reference of the committee for the development of an International Code for the Protection of Tourists, as presented in Annex VIII; and*

*[...]*

## **Annex VIII: Terms of reference of the Committee for the development of an International Code for the Protection of Tourists**

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### **I. Background**

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1. The impact of the crisis on the tourism industry and the post-COVID-19 scenario presents significant challenges for restoring consumers' confidence. The international fragmentation of tourism consumer rights may represent an additional deterrent to international tourism recovery.
2. UNWTO has advanced together with its Member States<sup>4</sup> international standards for international tourism rights that can be used as a basis for the development of an International Code for the protection of tourists that may harmonize some minimum international standards and provide sufficient guarantees to international tourists in the post-COVID19 scenario, including regarding the assistance to tourists in emergency situations.
3. The present terms of reference establish the composition and modalities for the operationalization of the Committee for the development of an International Code for the Protection of Tourists (hereinafter referred to as the "Committee").

### **II. Composition**

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1. The Committee will be composed of government representatives with relevant expertise. All Full Members may be members of the Committee. Member States wishing to be represented at the Committee will designate a focal point. Member States may also consider inviting as part of their delegation to the Committee experts from the public or private sector, depending on the topics and themes to be discussed at a specific session.
2. The Secretariat will constitute a consultative group of experts within the Committee composed of specialized experts, designated in consultation with the Committee, for the preparation of reports as part of the consultative process, whose composition may vary according to the specific topics discussed at each session. The composition of this consultative group of experts will aim at ensuring the widest geographical representation. Experts shall be independent from any government or organization and serve in their personal capacities and on a voluntary basis.
3. Relevant stakeholders including Affiliate Members, International Organizations, both governmental and non-governmental, may be invited to participate in the discussions of the Committee as Observers to provide relevant input and expertise on the specific topics of discussion. The Committee will clarify the modalities of participation of Observers in its Rules of Procedure.

### **III. Working modalities**

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1. The Committee will work remotely in order to maximize its impact and efficiency. In addition, virtual or in-person meetings will be organized, as appropriate, by the Secretariat for decision-making.
2. The Committee will hold at least two meetings per year.
3. The Committee will adopt its rules of procedure at its first meeting, which will take place virtually in the last quarter of 2020 and appoint a Chair and Vice-Chair among its Members for the period 2020-2021 ensuring a balanced geographical representation of Member States.

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<sup>4</sup> Executive Council documents : CE/89/8, CE/90/7, CE/93/4(b), CE/94/3(l)(e), CE/95/3(l)(c), CE/100/3(d), CE/103/5rev.2, CE/104/5(a), CE/105/5(a). General Assembly documents: A/19/9add.1, A/20/5(l)(b) Annex Add., A/21/8 (l)(d), A/22/10(i)(c).

4. Documentation for each session will consist of a provisional agenda, reports prepared for each substantive item and a report of the session. At the end of each session, the Committee will adopt its agreed conclusions and decisions.
5. The working language will be English. Interpretation will be provided during the plenary meetings of the Committee. Meetings will be recorded.
6. The Office of the Legal Counsel will be servicing the Committee, in coordination with other Departments of the Organization as necessary, in particular with the Regional Department for Europe to liaise as appropriate with the European Commission.

#### **IV. Mandate**

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The Committee shall have the following functions:

1. To develop a proposal for an International Code for the protection of tourists that includes minimum standards in emergency situations and consumer rights of tourists in the post COVID-19 scenario and to present a proposal to the General Assembly for approval. The Committee may also discuss and consider the format and title of the standards and submit proposals as appropriate to the Executive Council and the General Assembly.
2. The Committee will firstly review and deliberate on the recommendations on the assistance to tourists in emergency situations with a view to adjusting them and integrating them as a Chapter of the Code.
3. As a second step, the Committee will consider and deliberate on the scope of consumer rights in Tourism to be included in the Code and develop international standards in this field.
4. The Committee will also propose modalities for the adherence to the Code, for monitoring its implementation and enforcement and proposals regarding UNWTO's role.
5. The Committee will report to the Executive Council for endorsement and present a report to the 24th General Assembly to request approval of standards developed in the 2020-2021 period.