



GUIDELINES

**PROCEDURE FOR THE
ADHERENCE TO THE
INTERNATIONAL CODE
FOR THE PROTECTION OF
TOURISTS**

INTRODUCTION

At its twenty-fourth session held in Madrid (Spain) from 30 November to 3 December 2021, the UNWTO General Assembly adopted by consensus the [International Code for the Protection of Tourists](#) ('ICPT' or 'the Code') through [resolution 732 \(XXIV\)](#).

Likewise, through the aforementioned resolution, the General Assembly called upon the Member States of both UNWTO and the United Nations to adhere to the ICPT and invited them to submit a written notification to the UNWTO Secretary-General in respect of their intention to adhere to the Code and, subsequently, of any specific activities in this respect.

The purpose of these guidelines is to assist interested Member States in adhering to the ICPT fully or partially and, subsequently, in the submission of the ICPT, within the period of one year after the notification of adherence, to the attention of the competent national authorities and other appropriate actions.¹

More information about the [procedure for the adherence to the ICPT](#) and its subsequent steps can be found on the [UNWTO website](#). Any questions on the above can be addressed to the ICPT Secretariat through the following email address: icpt@unwto.org.

1 These guidelines have been prepared by the ICPT Secretariat with the available information, particularly with regard to the practice of the United Nations and its Specialized Agencies, to assist States in adhering to the ICPT fully or partially and any subsequent steps thereof. They neither claim to be exhaustive nor they represent an official interpretation of the practice of the United Nations and its Specialized Agencies.



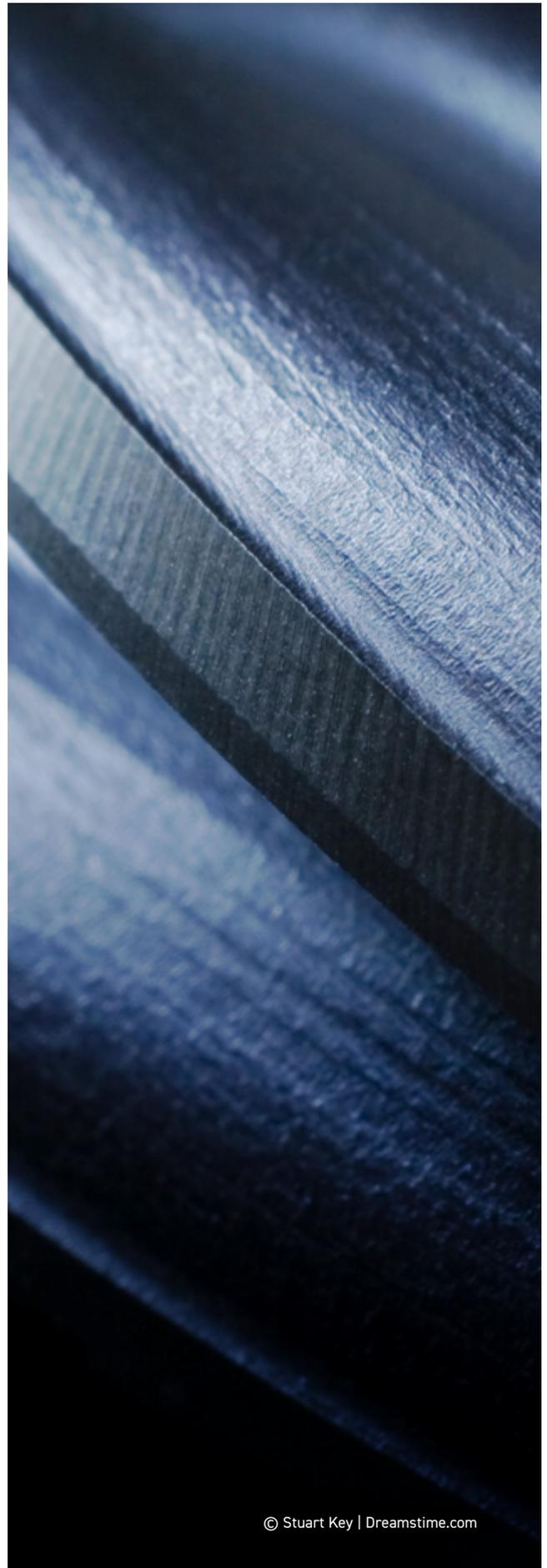
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ADHERENCE TO THE ICPT

The ICPT is a voluntary instrument of a non-legally binding nature. States are encouraged to formally adhere to the ICPT and to express their willingness to apply its principles and recommendations within their country through a formal notification to the Secretary-General of the UNWTO.

Adherence to the ICPT is open to all Member States of both the UNWTO and the United Nations. They may adhere to the ICPT fully or partially. In case of partial adherence, States will clearly indicate the relevant chapters/parts/sections of ICPT which they wish to apply within their country.

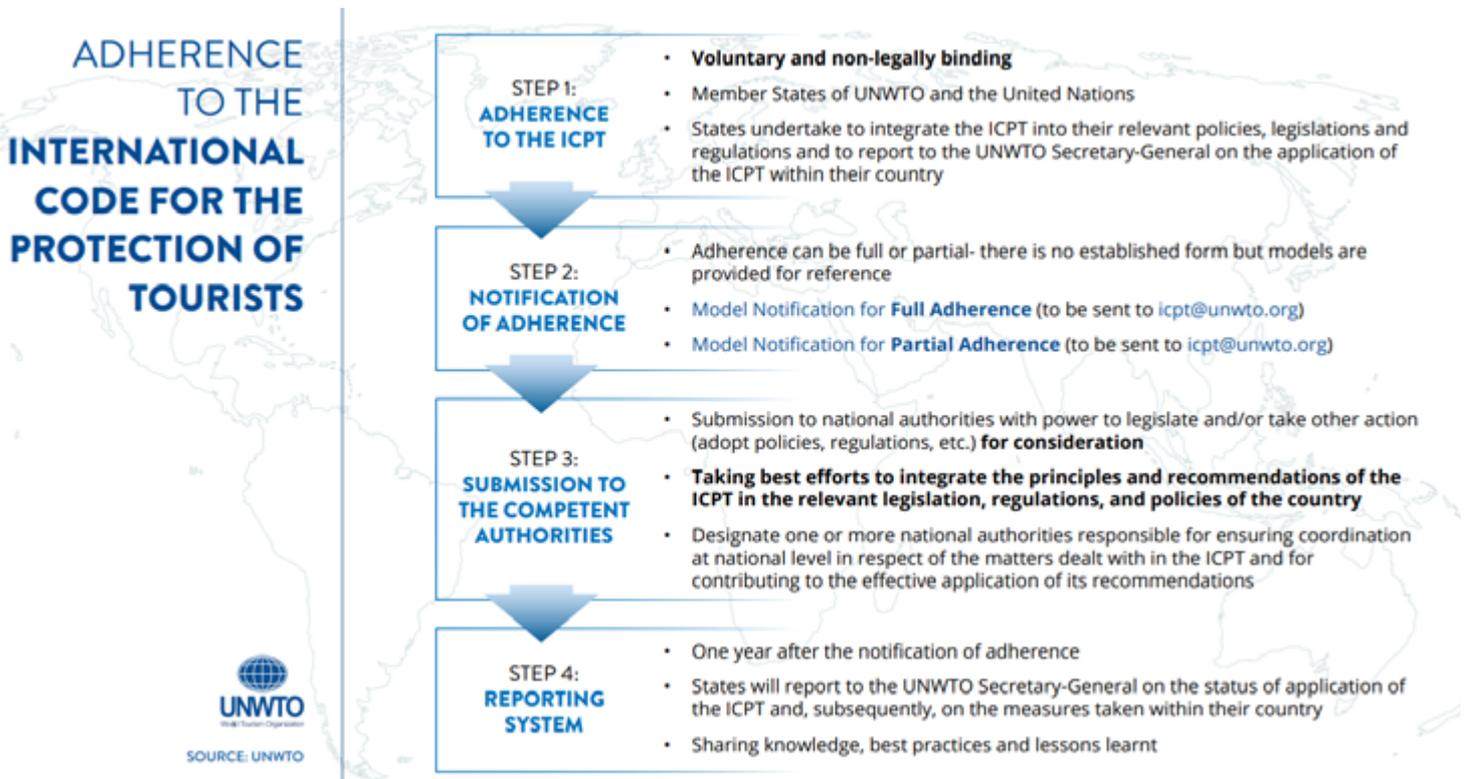


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FLOWCHART FOR THE ADHERENCE TO THE ICPT:

Interested Member States may consult the **flowchart for the Adherence to the ICPT** summarizing the steps by which States may adhere to the ICPT. States are requested to take into account, as far as possible and in the interest

of the application of the principles and recommendations of the Code, the points given below and to supply the notification of adherence (full or partial) provided at the end of these guidelines:



STEP 1: VOLUNTARY ADHERENCE TO THE ICPT

Member States of the World Tourism Organization and Member States of the United Nations are encouraged to adhere to ICPT fully or partially and apply its principles and recommendations on a voluntary basis.

While the ICPT is a voluntary instrument of a non-legally binding nature, States are required to formally adhere to the Code and to express their willingness to apply its principles and recommendations within their country through a formal notification to the Secretary-General of the UNWTO.

ADHERENCE TO THE ICPT:

- a. Adherence to the ICPT is open to the Member States of the UNWTO and Member States of the United Nations.²
- b. States may adhere to the ICPT fully or partially. States willing to adhere to the ICPT only partially shall clearly indicate the relevant chapters/parts/sections of ICPT in their notification to the Secretary-General of the UNWTO.

LEGAL NATURE:

- a. Adherence to the ICPT is completely voluntary. It will not create legally binding obligations for States.
- b. Without prejudice to the foregoing, by adhering to the ICPT fully or partially, States, without being obliged to do so, will undertake to:
 - i. Submit the ICPT to the attention of the relevant national authorities;³
 - ii. Make their best efforts to integrate its principles and recommendations into their relevant policies, legislation and regulations;
 - iii. Designate one or more national authorities responsible for coordination and effective application of the ICPT;
 - iv. Assess the costs and benefits of the application of the recommendations of the ICPT;
 - v. Consult with relevant tourism stakeholders; and
 - vi. Report to the Secretary-General in order to gather and compile relevant information on the practice, experience and potential difficulties of countries in implementing the recommendations of the ICPT with a view to developing and sharing knowledge, best practices and lessons learnt with all Member States.

² For the purposes of these guidelines, any references to "States" shall be deemed to refer to the [Member States of the UNWTO](#) and [Member States of the United Nations](#).

³ For more information on the submission of the ICPT to the attention of the relevant national authorities and other appropriate actions, please refer to step 3 of these guidelines.

FORM:

States willing to adhere fully or partially to the ICPT shall inform the Secretary-General of the UNWTO through a formal notification of adherence.⁴

TIME LIMITS:

There are no time limits to adhere to the ICPT. States may adhere to the ICPT fully or partially at any time after its adoption by the General Assembly of the UNWTO.⁵

4 For more information on the notification of adherence to the ICPT, please refer to step 2 of these guidelines.

5 The ICPT was adopted by the General Assembly of UNWTO, at its twenty-fourth session held on 29 November – 3 December 2021 in Madrid (Spain), through resolution 732 (XXIV).

STEP 2: NOTIFICATION OF ADHERENCE TO THE ICPT

States willing to adhere to the ICPT fully or partially shall inform the Secretary-General of the UNWTO through a formal notification of adherence.

Furthermore, it is recommended that the notification of adherence includes the official logo or stamp of the relevant institution (i.e., Government, Ministry, Embassy).

MINIMUM REQUIREMENTS:

While there are no specific requirements as to the form of the notification, the notification of adherence shall meet the following minimum requirements:

- i. Be a notification in writing, whether in paper or electronic form;
- ii. Proceed from a person with the authority to engage the State; and
- iii. Clearly convey the Government's intention to adhere to the ICPT fully or partially and to submit its principles and recommendations to its competent authorities for consideration within a period of one year from the notification of adherence.

SIGNING AUTHORITY:

The notification of adherence shall be signed by a person with the authority to engage the State. Although this requirement may vary from country to country depending on their internal structure and procedures, the person entitled to sign the notification of adherence shall have sufficient powers to submit the ICPT to the attention of the competent authorities of the State for consideration.

MODEL NOTIFICATION OF ADHERENCE:

Model notifications for the '[Full Adherence](#)' and '[Partial Adherence](#)' to the ICPT are available respectively under Annex I and Annex II to these guidelines. States are encouraged to use said model notifications to express their intention to adhere to the ICPT fully or partially.

FORM:

The notification of adherence shall be issued in writing in paper or electronic form⁶ (i.e., mail, email or fax) and be submitted to the following address: icpt@unwto.org

The notification of adherence will be accepted only if written in any of the working languages of the UNWTO (i.e., English, French and Spanish) or if an appropriate translation is attached.

⁶ For notifications of adherence in the electronic form, both scanned handwritten signatures and authentic electronic signatures are considered valid.

STEP 3: SUBMISSION OF THE ICPT TO THE COMPETENT AUTHORITIES AND OTHER APPROPRIATE ACTIONS

States adhering to the ICPT fully or partially shall submit the Code, within the period of one year after the notification of adherence, to the attention of the competent authorities for the application of its recommendations and principles and other appropriate actions.

AIMS AND OBJECTIVES OF SUBMISSION:

- a. The main aim of submission is to bring the ICPT to the knowledge of the competent authorities for consideration and promote measures at the national level for the application of its principles and recommendations into relevant policies, legislation and regulations and other appropriate actions.
- b. The submission of the ICPT to the relevant competent authorities will not create legally binding obligations for States. States remain entirely free to propose any actions which they may judge appropriate in respect of ICPT.

NATURE OF THE COMPETENT AUTHORITY:

The competent authorities (also referred to as the “*relevant authorities within whose competence the matters of the Code lie*”) are the authorities which, under the Constitution of each State, have power to legislate and/or to take other actions in order to integrate the principles and recommendations of the ICPT into relevant policies, legislation and regulations at national level.

ACTIONS TO BE UNDERTAKEN UPON SUBMISSION:

Upon submission, the competent national authorities shall review the principles and recommendations of the ICPT and, without being obliged to do so, consider any appropriate actions to:

- i. Make their best efforts to **integrate the principles and recommendations of the ICPT into their relevant policies, legislation and regulations**, and use the ICPT as a point of reference for enhancing, improving or supplementing their national laws and regulations;
- ii. **Designate one or more national authorities** responsible for ensuring coordination at national level and for contributing to the effective application of the ICPT within the country;
- iii. **Assess the costs and benefits of the application of the recommendations of the ICPT** in order to ensure that it supports and does not hinder the sustainable development of tourism or the provision of tourism services; and
- iv. **Consult with relevant tourism stakeholders** who have obligations, responsibilities, duties and rights regarding the matters dealt with in the ICPT to ensure that the application of its recommendations does not impose disproportionate burdens in relation to specific tourism services or lead to unfair and distortive practices in the tourism sector.

LEGAL NATURE:

- a. States have complete freedom as to the nature of the proposals to be made and on the effect that they consider it appropriate to give effect to the ICPT within their country, in accordance with their own constitutional requirements and to the extent it is considered appropriate with regard to specific tourism services.
- b. The submission of the ICPT to the competent authorities does not imply any obligation to adopt or amend national policies, legislation and regulations for the State adhering to the ICPT.

TIME LIMITS

In order for the competent national authorities to consider and undertake any appropriate actions to apply the principles and recommendations of the ICPT at the national level, the submission should be made within the period of **one year after the notification of adherence**.



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STEP 4: REPORTING SYSTEM

States adhering to the ICPT undertake to report to the Secretary General of UNWTO on the status of application of the ICPT and, subsequently, on the measures taken to give effect to the ICPT within their country.

The ICPT features a set of reporting mechanisms aimed at gathering and compiling relevant information on the practice, experience and potential difficulties encountered by countries in applying the principles and recommendations of the ICPT within the country.

The 'ICPT Reporting Mechanisms' are the following:

1. INITIAL REPORTS:

INITIAL REPORTS:

States adhering to the ICPT will firstly report to the Secretary General of UNWTO, one year after the notification of adherence, on the status of application of the ICPT within their country.

CONTENT:

- a. 'Initial Reports' will include the status of integration of the recommendations of the ICPT in the national law and regulatory practice of their country in regard to the matters dealt with in the ICPT, showing the extent to which effect has been given or is proposed to be given, to the recommendations of the ICPT.
- b. States adhering to the ICPT will inform the Secretary-General of UNWTO of the submission of the Code to the attention of the competent national authorities and other appropriate actions undertaken for the

application of the principles and recommendations of the ICPT at national level.

AIMS AND OBJECTIVES:

- a. 'Initial Reports', like other reporting instruments foreseen in the Code, are not intended to monitor States' compliance in the application of the principles and recommendations of the ICPT within the country.
- b. To the contrary, they aim at gathering and compiling relevant information with a view to developing and sharing knowledge, best practices and lessons learnt among States adhering to the ICPT.

FORM AND TIME LIMITS:

- a. In order to facilitate the uniform presentation of information, the ICPT Secretariat will submit a **Standard Form** for 'Initial Reports' to enable States adhering to the ICPT to compile all relevant information in regard to the matters dealt with in the ICPT and report to the Secretary General of UNWTO, as appropriate.
- b. 'Initial Reports' will be submitted **one year after the notification of adherence** by each States adhering to the ICPT.

2. PERIODIC REPORTS:

PERIODIC REPORTS:

- a. Subsequently, after the submission of Initial Reports, States adhering to the ICPT will report on the measures they have taken to give effect to specific chapters or sections of the ICPT, or on any other alternative approaches they have taken, within their countries.
- b. The ICPT Secretariat will follow up, in an appropriate timeframe, to assist States adhering to the ICPT in compiling 'Periodic Reports' and reporting regularly to the Secretary General of UNWTO, as appropriate.

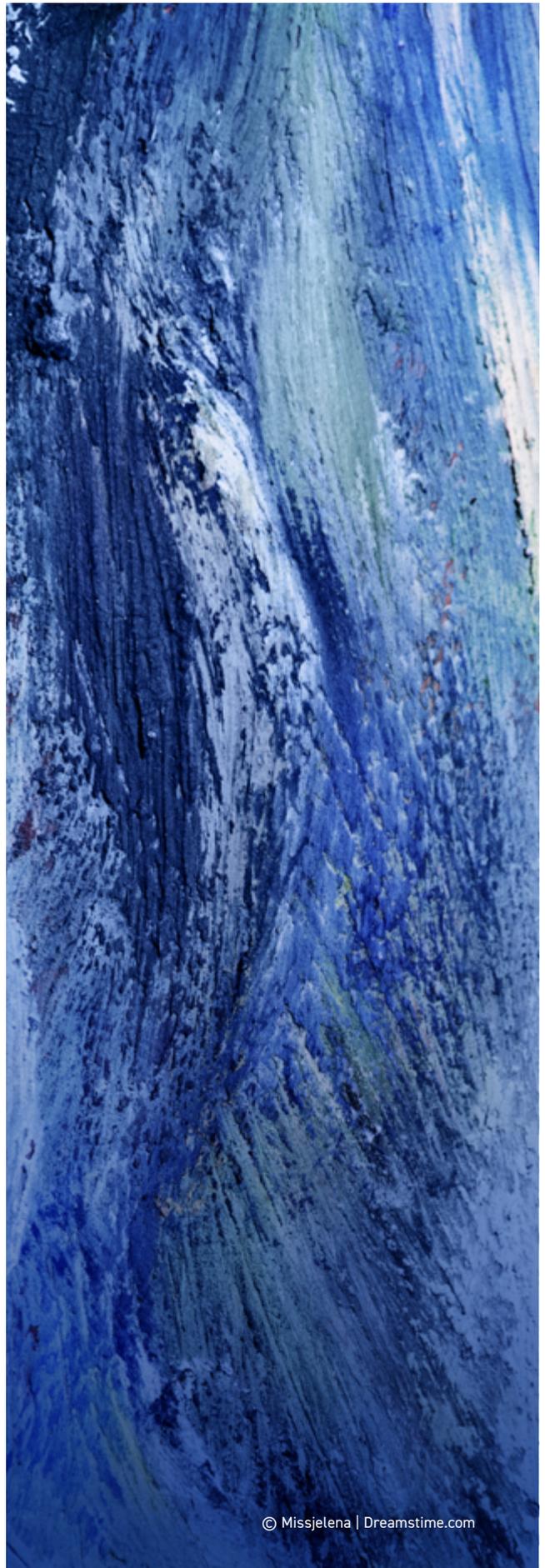
3. GENERAL REPORTS:

TECHNICAL COMMITTEE:

- a. On the basis of the Periodic Reports submitted by States adhering to the ICPT, relevant information on the practice, experience and potential difficulties encountered by countries in applying the principles and recommendations of the ICPT will be compiled by Technical Committee, subsidiary to the Executive Council, in a 'General Report' on the adherence and application of the ICPT.
- b. Said Technical Committee will be established in accordance with Section D, Chapter Five of the ICPT and will assist the Secretary General of UNWTO to promote and monitor the application of the ICPT.

GENERAL REPORTS:

- c. The technical Committee will adopt, in an appropriate timeframe, the 'General Report' on the adherence and application the ICPT that will be transmitted by the Secretary-General of the UNWTO to the General Assembly.



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ANNEX I: MODEL NOTIFICATION FOR THE FULL ADHERENCE TO THE ICPT

Model Notification⁷

FULL ADHERENCE TO THE INTERNATIONAL CODE FOR THE PROTECTION OF TOURISTS

(To be signed by a person with the authority to engage the State⁸)

Official letter-headed paper⁹

The Government of **[name of country]** has the honour to refer to the International Code for Protection of Tourists, adopted by the General Assembly of the World Tourism Organization at its twenty-fourth session, Madrid, Spain 2021, through resolution 732 (XXIV), and to inform the Secretary General of the World Tourism Organization that the **[name of country]** hereby adheres to the aforementioned Code.

Pursuant to paragraph 3(i), Section A, Chapter Five, the Government of **[name of country]** undertakes to submit the aforementioned Code, within a period of one year at most from the notification of adherence, to the attention of the relevant authorities within whose competence the matters lie for the application of its recommendations and principles or other appropriate action.

Done at [name of the city], on [date]

Name, full title and signature

⁷ The notification of adherence shall be issued in writing in paper or electronic form (i.e., mail, email or fax). Further, the notification of adherence can be accepted only if written in any of the working languages of the Organization or if an appropriate translation is attached.

⁸ The notification of adherence shall be signed by a person with the authority to engage the State.

⁹ Including official logo or stamp of the relevant institution (i.e., Government, Ministry, Embassy).

ANNEX II: MODEL NOTIFICATION FOR THE PARTIAL ADHERENCE TO THE ICPT

Model Notification¹⁰

PARTIAL ADHERENCE TO THE INTERNATIONAL CODE FOR THE PROTECTION OF TOURISTS

(To be signed by a person with the authority to engage the State¹¹)

Official letter-headed paper¹²

The Government of **[name of country]** has the honour to refer to the International Code for Protection of Tourists, adopted by the General Assembly of the World Tourism Organization at its twenty-fourth session, Madrid, Spain 2021, through resolution 732 (XXIV), and to inform the Secretary General of the World Tourism Organization that the **[name of country]** hereby adheres to the aforementioned Code.

Without prejudice to the foregoing, the Government declares that the **[name of country]** hereby adheres to the aforementioned Code only partially with respect to the following chapters/parts/sections:

(please clearly indicate the chapters/parts/sections to which the country wishes to adhere to)

Pursuant to paragraph 3(i), Section A, Chapter Five, the Government of **[name of country]** undertakes to submit the aforementioned Code, within a period of one year at most from the notification of adherence, to the attention of the relevant authorities within whose competence the matters lie for the application of its recommendations and principles or other appropriate action.

Done at [name of the city], on [date]

Name, full title and signature

10 The notification of adherence shall be issued in writing in paper or electronic form (i.e., mail, email or fax). Further, the notification of adherence can be accepted only if written in any of the working languages of the Organization or if an appropriate translation is attached.

11 The notification of adherence shall be signed by a person with the authority to engage the State.

12 Including official logo or stamp of the relevant institution (i.e., Government, Ministry, Embassy).



UNWTO
World Tourism Organization