



INTERNATIONAL CODE FOR THE PROTECTION OF TOURISTS

“REBUILD CONFIDENCE AMONG TOURISTS’
CONSUMERS IN A POST COVID-19 WORLD”

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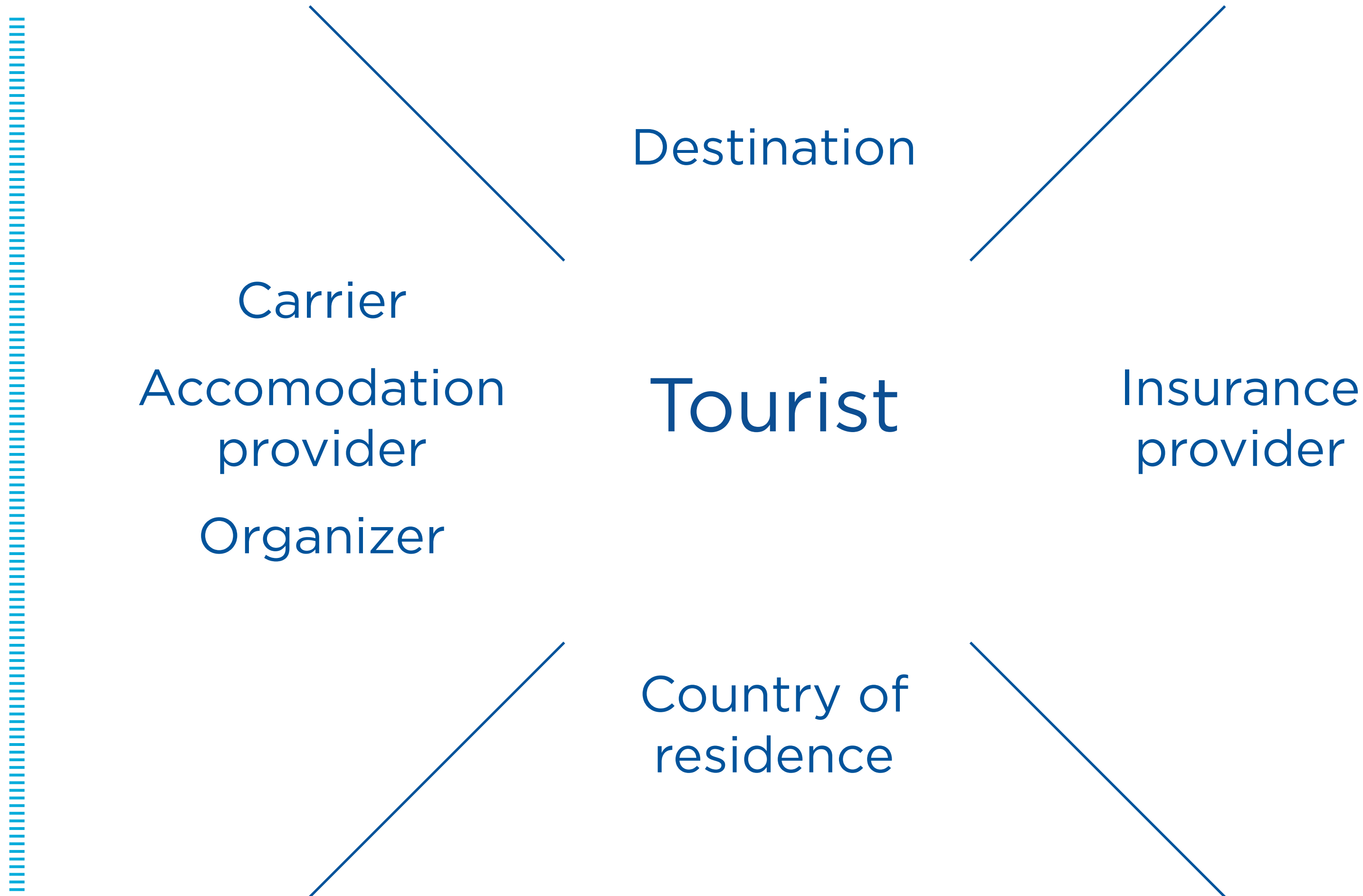
INTERNATIONAL CODE FOR THE PROTECTION OF TOURISTS

Adopted by the Resolution A/RES/732(XXIV) of the General
Assembly of UNWTO at its twenty-fourth session

Situation of international tourists during COVID19 crisis

- ***Closure of borders with little or no notice*** - 100% destinations with partial or total travel restrictions.
- ***Millions of tourists stranded*** during crisis- different luck and treatment depending on nationality and destination
- ***Outbreaks*** in cruises, resorts and hotels
- ***Lack of information*** - what to do? Who pays for what?
- Limited ***access to accommodation and public health*** in destination during lockdown
- Millions of ***flights cancelled***. Some tourists reimbursed, some others provided with vouchers, some others allowed to change route but at higher cost.
- Travel and health ***insurances not covering*** acts of god/ pandemic

International Tourism trust matrix



The International Code for the Protection of Tourists

ICPT:

- Comprehensive set of principles and recommendations for the *protection of tourists in emergency situations and consumer rights of tourists* in the post COVID-19 scenario
- *Harmonization of minimum standards on tourists' protection at the international level*

ICPT COMMITTEE:

- *Members:*
 - 98 *Full and Associate* Members
 - 5 *Non- UNWTO* Members (Belgium, Denmark, Ireland, Latvia, Luxemburg)
- *Consultative group of specialized experts*
- *Observers:*
 - *International Organizations* – ACS, Commonwealth, EU Commission, HCCH, ICAO, ISO, UNCTAD, World Committee on Tourism Ethics
 - *Private Stakeholders* – Allianz, ECTAA, EGFATT, Expedia Group, HOTREC, IATA, IFTTA, IH&RA, ILA, ISTO
 - Mechanism to receive the consolidated input of the *Affiliate Membership* (CABA)

Timeline

From 112th session of the Executive Council --- > to the 24th session of the General Assembly:

- 11 virtual meetings
- 11 months
- 30th October 2020 - 30th September 2021

..during which the Committee has revised and discussed the five chapters of the Code and developed the final text of the International Code for the Protection of Tourists that is being presented to the General Assembly for adoption.

Achievements

LARGE PARTICIPATION:

- More than 120 members and Observers have contributed to the development of the overall text of the ICPT by providing comments, suggestions and proposals to its five different chapters
- 16 Full Member from Asia and the Pacific.

MEETINGS:

- Over a period of one year, the Committee has held eleventh (11) meetings during which it has revised and discussed the five different chapters of the ICPT

ADOPTION BY CONSENSUS:

- The Committee adopted the five different chapters, as well as the final overall text of the ICPT by consensus

Adoption of the ICPT

Adopted by consensus by the General Assembly at its 24th session through **resolution 732 (XXIV)**:

“The General Assembly,

Approves the International Code for the Protection of Tourists;

Calls upon Member States of UNWTO and the United Nations to adhere to the Code,

and invites them to submit a written notification to the Secretary-General of UNWTO in respect of their intention to adhere to thereto and, subsequently, of any specific activities in this respect”.

Legal nature

- Soft law instrument of a non-legally binding nature
- Principles and Recommendations addressed to Member States and private stakeholders
- Voluntary adherence
- Practical guidance to Governments as to proposed policy, legislation and regulatory practice at the national level

Structure and Content of the ICPT

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- I. Definitions and Clarifications
 - II. Assistance to Tourists in Emergency Situations
 - III. Tourists Protection in Contracts
 - IV. International Settlement of Travel and Tourism Disputes via Alternative means of Dispute Resolution
 - V. Mechanisms for Adherence to and Application of the Recommendations of the International Code for the Protection of Tourists

Main aim

The ICPT provides principles and recommendations on tourists' protection to the Member States and the private sector with a view to:

- Restoring consumers' confidence and making the travel environment more attractive
- Providing sufficient guarantees to international tourists in the post-COVID19 scenario, including regarding the assistance to tourists in emergency situations
- Creating a feeling of safety for tourists/travelers and improving the contractual relationships between providers and recipients of the various tourism services

Benefits for Member States

- **MINIMUM INTERNATIONAL STANDARDS:**

By developing and harmonizing minimum international standards, the ICPT will give greater legal certainty and clarity to States regarding their obligations, duties, responsibilities and rights

- **PRACTICAL GUIDANCE:**

Member States may use the principles and recommendations of the ICPT as a point of reference for enhancing, improving or supplementing their national laws and regulations

- **FLEXIBLE INSTRUMENT:**

States remain entirely free to take any measures they consider appropriate for the application of the ICPT and to adapt it to the different conditions and characteristics of their country

Benefits for Tourism Stakeholders

- **PRIVATE SECTOR:**

Tourism service providers are encouraged to commit to the Code, uphold its principles and apply its relevant recommendations by integrating them in their contractual instruments signed with tourists

- **DIRECT APPLICATION:**

Tourism stakeholders may apply the principles and recommendations of the ICPT directly, without the need to adhere thereto and regardless of whether a State has adhered or not to the same

- **MORE CLEAR ALLOCATION OF RESPONSIBILITIES:**

The ICPT will provide greater legal certainty to private stakeholders by clarifying their obligations, duties, responsibilities and rights for the assistance to tourists in emergency situations and consumer protection rights in general

Next steps

- **VOLUNTARY ADHERANCE:**
Member States of both UNWTO and the United Nations will be called upon to adhere to the Code on a voluntary basis, and submit a written notification to the Secretary General
- **MONITORING AND REPORTING:**
States adhering to the ICPT will report to the Secretary General on the status of application of the Code in their country in order to develop and share knowledge, best practices and lessons learnt
- **EVALUATION AND INTERPRETATON:**
A technical Committee subsidiary to the Executive Council will be established to assist the Secretary-General to promote and monitor the application of the ICPT

ADHERENCE TO THE INTERNATIONAL CODE FOR THE PROTECTION OF TOURISTS



SOURCE: UNWTO

STEP 1: **ADHERENCE TO THE ICPT**

- **Voluntary and non-legally binding**
- Member States of UNWTO and the United Nations
- States undertake to integrate the ICPT into their relevant policies, legislations and regulations and to report to the UNWTO Secretary-General on the application of the ICPT within their country

STEP 2: **NOTIFICATION OF ADHERENCE**

- Adherence can be full or partial- there is no established form but models are provided for reference
- Model Notification for **Full Adherence** (to be sent to icpt@unwto.org)
- Model Notification for **Partial Adherence** (to be sent to icpt@unwto.org)

STEP 3: **SUBMISSION TO THE COMPETENT AUTHORITIES**

- Submission to national authorities with power to legislate and/or take other action (adopt policies, regulations, etc.) **for consideration**
- **Taking best efforts to integrate the principles and recommendations of the ICPT in the relevant legislation, regulations, and policies of the country**
- Designate one or more national authorities responsible for ensuring coordination at national level in respect of the matters dealt with in the ICPT and for contributing to the effective application of its recommendations

STEP 4: **REPORTING SYSTEM**

- One year after the notification of adherence
- States will report to the UNWTO Secretary-General on the status of application of the ICPT and, subsequently, on the measures taken within their country
- Sharing knowledge, best practices and lessons learnt

Promotion

- **ICPT CHAMPION COUNTRIES:**

Member States adhering to the ICPT will be invited to serve as ‘Champion Countries for the Code’ in order to galvanize political support and visibility for the ICPT among governments and promote adherence thereto by States

- **REGIONAL WORKSHOPS:**

Series of informative sessions for public and private stakeholders aiming at promoting the Code at regional level

- **TECHNICAL PUBLICATION:**

Collective commentary to the principles and recommendations of the ICPT by a selected group of Experts, in consultation with the Member States and Observers of the ICPT Committee

Thank you!

