



International Code for the Protection of Tourists

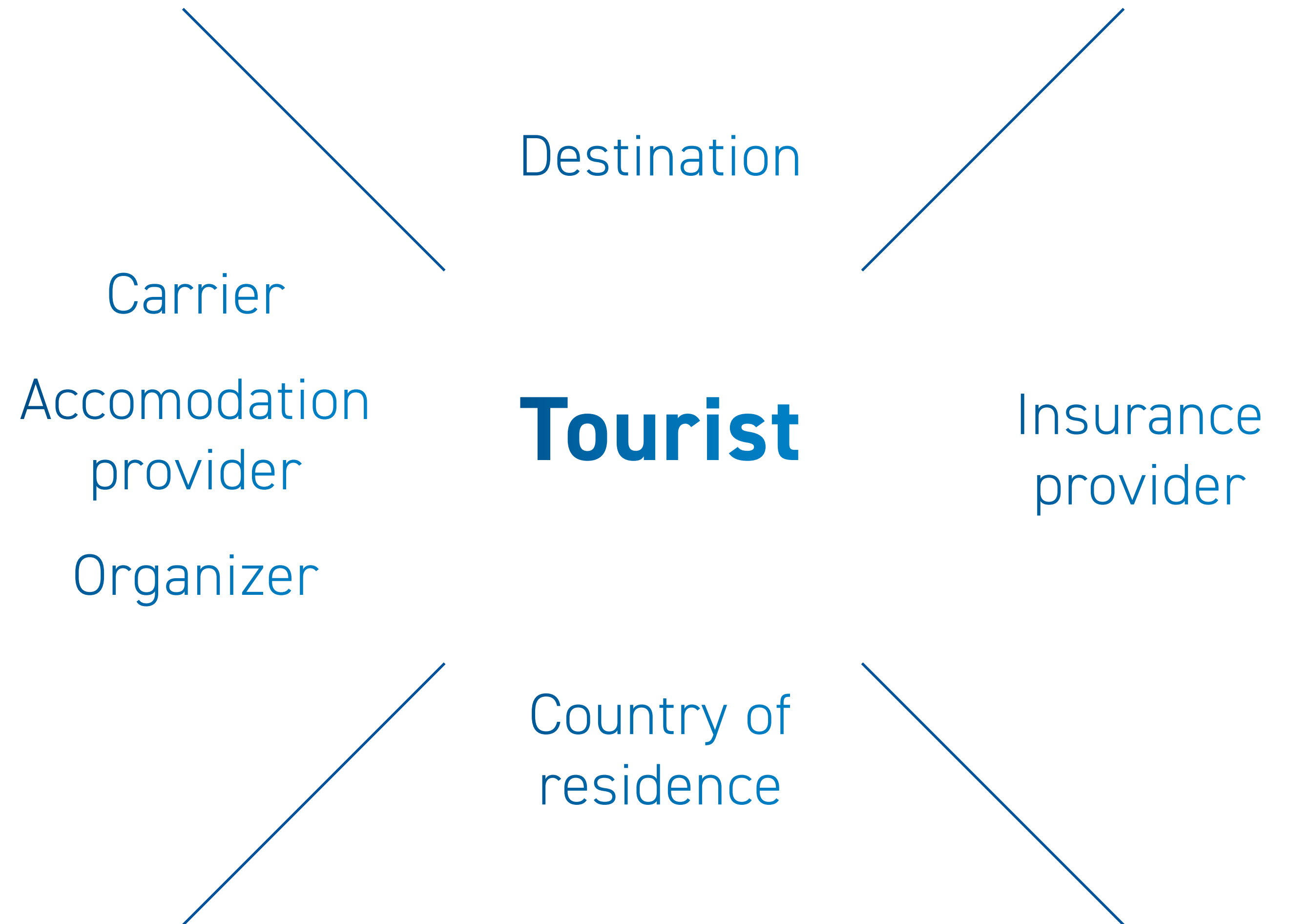
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Situation of international tourists during COVID19 crisis

- **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/ pandemia

International Tourism trust matrix



Committee on the development of an International Code for the Protection of Tourists

MANDATE:

- Develop **minimum standards in emergency situations and consumer rights of tourists in the post COVID-19 scenario (International Code for the Protection of Tourists)**
- **Soft law instrument of a non-legally binding nature**

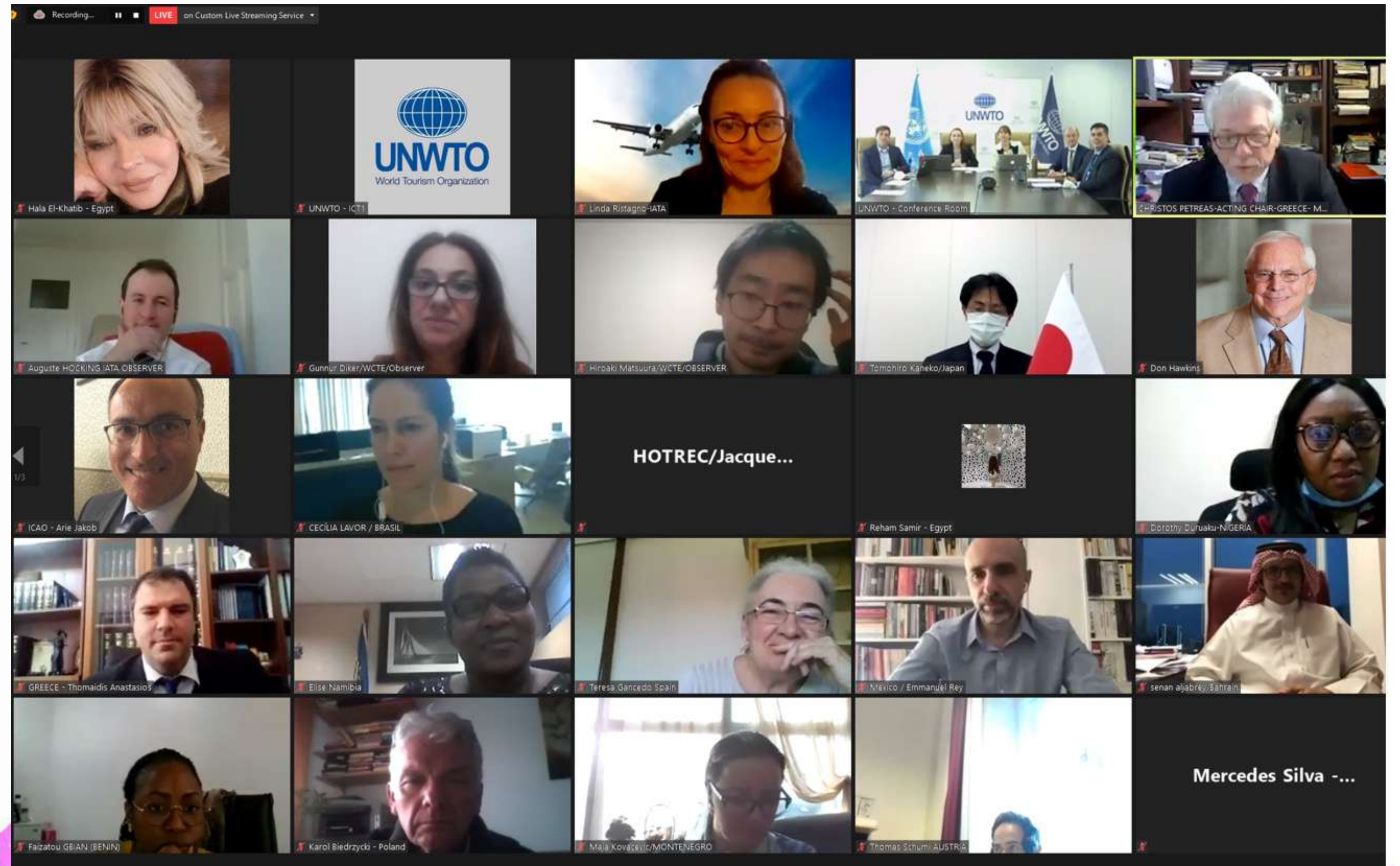
COMPOSITION:

- ACTING CHAIR: **Greece**
 - MEMBERS:
 - 98 **Full and Associate** Members: nine ACS's members: Bahamas, Colombia, Costa Rica, Dominican Republic, El Salvador, Guatemala, Jamaica, Mexico and Nicaragua
 - 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**

The ICPT Committee Members



The ICPT Committee Observers



Timeline of the Code

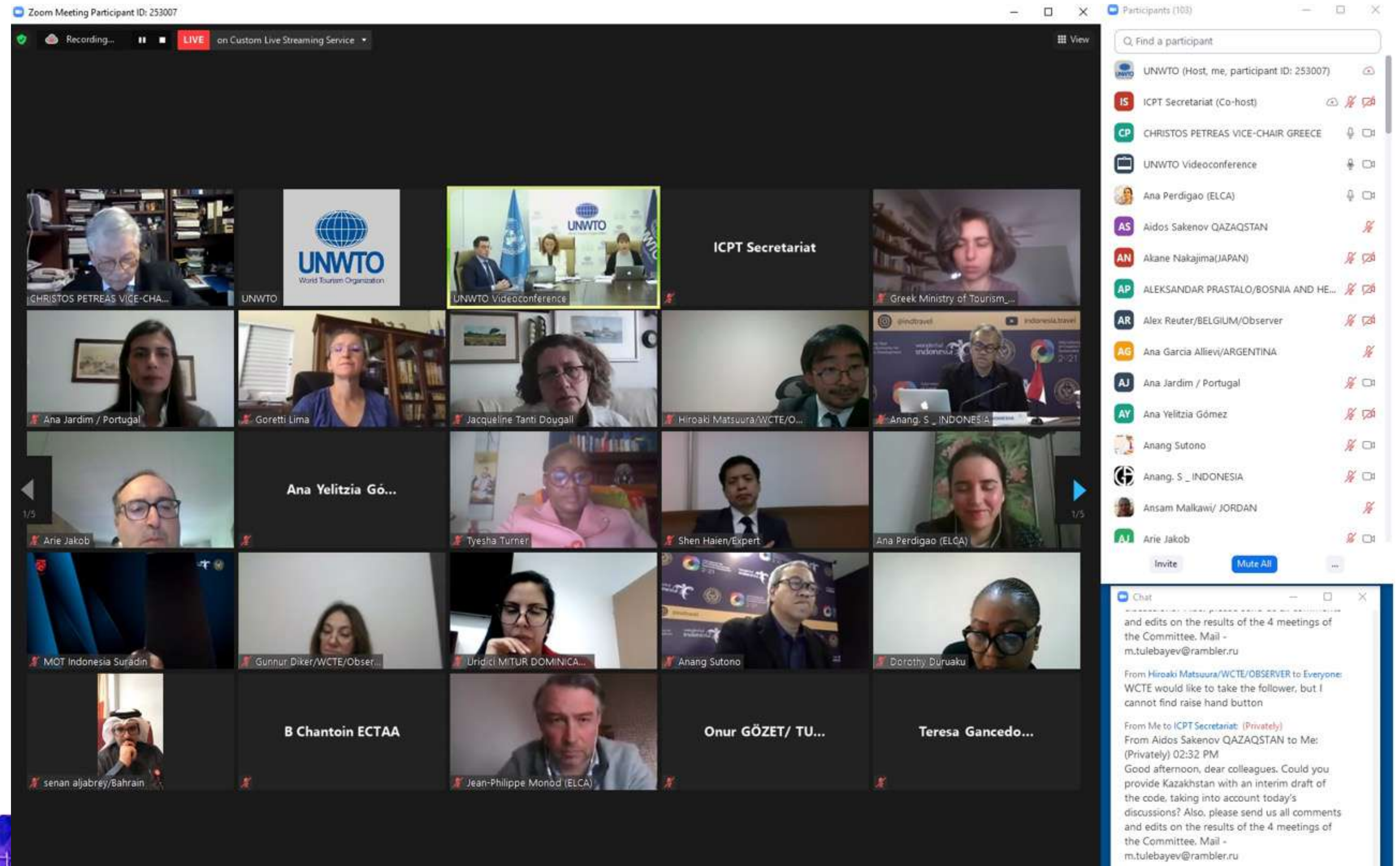
FROM 112TH SESSION OF THE EXECUTIVE COUNCIL --- > TO THE 24TH SESSION OF THE GENERAL ASSEMBLY:

- 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.



Meetings



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



A watercolor illustration of a cityscape featuring several domes and towers, rendered in warm tones of orange, red, and yellow. The style is soft and artistic, with visible brushstrokes and a dreamy atmosphere. The buildings are layered, creating a sense of depth. The background is a mix of light and dark washes, suggesting a sky or a hazy atmosphere.

Structure and Content of the Code

- 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 the application of the recommendations of the International Code for the Protection of Tourists

Chapters One and Two

CHAPTER ONE: DEFINITIONS AND CLARIFICATIONS

- Adopted by the Committee on a provisional basis
- Being developed on an on-going basis, subject to the inclusion of any additional definitions, as necessary.

CHAPTER TWO: ASSISTANCE TO INTERNATIONAL TOURISTS IN EMERGENCY SITUATIONS

- Development of minimum international standards for the protection of tourists in emergency situations
- Four central themes – Prevention, Information, Assistance, Repatriation
- Published as *ad interim* guidance subject to the approval of the 24th General Assembly of UNWTO





Chapter Three

Tourist Protection in Contracts (I)

CHAPTER THREE - PART I: MINIMUM STANDARDS ON TOURISTS PROTECTION

- Development and harmonization of minimum international standards for the protection of tourists as consumers
- Focus on the contractual protection and consumer rights of tourists in non-emergency situations
- Seven sections: Pre-contractual and Contractual Information, Termination, Failure of performance, Protection in case of insolvency, Right of access to justice



Chapter Three

Tourist Protection in Contracts (II)

CHAPTER THREE - PART II: CONTRACTUAL ISSUES RELATING TO EMERGENCY SITUATIONS

- Focus on the contractual protection and consumer rights of tourists in emergency situations
- Four main topics: Prevention, Termination of the contract, Vouchers as alternative to monetary reimbursement and Government financial support to Tourist Service Providers

CHAPTER THREE - PART III: PRINCIPLES ON TOURISTS' PROTECTION IN DIGITAL TOURISM SERVICES"

- Set of principles for the protection of tourists with respect to the new digital tourism services, with a view to ensuring a safe approach and use of online tourism platforms and prevention of any abuse thereof.
- Nine Principles

Chapters Four and Five

CHAPTER FOUR: INTERNATIONAL SETTLEMENT OF TRAVEL AND TOURISM DISPUTES VIA ALTERNATIVE MEANS OF DISPUTE RESOLUTION

- Focus on alternative means for the resolution of travel and tourism disputes at the international level
- Aims to provide tourists with flexible and efficient mechanisms to resolve such disputes in an expeditious and fair manner (ADR/ODR procedures)
- Three parts - Part III deals specifically with emergency situations, bearing in mind the vulnerability of tourists in those circumstances and the massive increase of litigation resulting from emergency situations

CHAPTER FIVE: ADHERENCE AND APPLICATION OF THE INTERNATIONAL CODE FOR THE PROTECTION OF TOURISTS

- Focus on modalities for the adherence to the Code, for monitoring its implementation, and proposals regarding UNWTO's role regarding the Code
- Aims to provide clarity to parties regarding the nature of the Code and its relationship with national laws and international agreements, and to review the role of UNWTO and proposed technical Committee for the monitoring the implementation, evaluation and interpretation of the Code.

Achievements

LARGE PARTICIPATION:

- More than 120 members and Observers have contributed to the development of the overall text of the Code by providing comments, suggestions and proposals to its five different chapters

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 Code

ADOPTION BY CONSENSUS:

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

REPORT TO THE GENERAL ASSEMBLY:

- The Committee will submit the final overall text of the Code, as adopted by the Committee, to the General Assembly for adoption



Main aim

The Code 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

Adoption by the General Assembly

- Harmonization of minimum standards on tourists' protection at the international level
- Practical guidance as to policy, legislation and regulatory practices for all those, in the public and private sector, who have obligations, responsibilities, duties and rights regarding the matters dealt with in the Code.
- Member States may use the recommendations of the Code as a point of reference for enhancing, improving or supplementing their national laws and regulations



Next steps

After the adoption of the Code by the General Assembly:

- **VOLUNTARY ADHERANCE:**

Member States of the UNWTO and Member States of 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 Code 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 INTERPRETATION:**

A technical Committee subsidiary to the Executive Council will be established to assist the Secretary-General to promote and monitor the application of the Code



Thank you!