DECISIONS TAKEN BY THE EXECUTIVE COUNCIL

AT ITS THIRTIETH SESSION

Madrid, Spain, 11-13 May 1987

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3. DECISIONS TAKEN BY THE COUNCIL

CE/DEC/1 (XXX)

Communication of the Secretary-General

Agenda item 2 (document CE/30/2)

The Executive Council,

Having taken note with appreciation of the communication of the Secretary-General,

1. Commends the Secretary-General for his analysis of world tourism trends;

2. Endorses the list he has prepared of the main obstacles to movements of tourists;

3. Considers that to the extent possible WTO's programme of work should henceforth be prepared on the basis of WTO's four major lines of emphasis: security, facilitation, education and information;

4. Takes note of the Secretary-General's suggestion concerning the need to prepare a body of rules for the protection of tourists;

5. Desires that this suggestion be the subject of policy debate within the General Assembly;

6. Notes with interest the organization of conferences of ministers responsible for tourism in several regions of the world;

7. Is convinced that this regional movement makes WTO's global and resolutely multilateral approach all the more indispensable; and

8. Appeals to the member States to take an active part in the work of the General Assembly by sending delegations of the highest possible level.
The Executive Council,

Having taken note of the reports on financial matters, and

Having heard the Chairman of the Committee on Budget and Finance submit the Committee's report on the financial matters included in the agenda of the thirtieth session of the Council,

1. Shares the concern expressed by the Committee on Budget and Finance regarding contribution arrears;

2. Takes note that at 8 May 1987, the total number of countries with arrears of two years or more in the payment of their contributions came to twenty-seven, twenty-three of which are subject to application of the provisions of paragraph 13 of the Financing Rules attached to the Statutes;

3. Requests the Secretary-General to once again approach member States that have not notified the Spanish Government of their approval of the new wording of paragraph 13 of the Financing Rules to do so as invited by General Assembly resolution 92(IV);

4. Takes note with satisfaction that the Secretary-General has drawn attention in the Regional Commissions to the matter of member States that have not paid their contributions;

5. Also requests the Secretary-General to continue with his efforts to apply the Executive Council decisions aimed at ensuring the collection of contributions with the firmness he has heretofore displayed;

6. Takes note that a certain number of member States have benefited from a favourable parity of the exchange rate between the United States dollar and their national currency at the time of paying their contributions for 1986 and 1987 to the Organization, which produced economies in their appropriations allocated for participation in intergovernmental organizations;

7. Invites those Members to consider the possibility of using those budgetary surpluses as voluntary contributions to WTO's Working Capital Fund;
8. Recommends the General Assembly to apply Article 34 of the Statutes to Members whose arrears in contributions equal or exceed the contributions owed by such Members for four financial years and who have not, within six months, agreed with the Secretary-General on a payment plan for paying these contribution arrears;

9. Decides to authorize the transfer amounting to 116,376.30 dollars made by the Secretary-General between the different parts of the 1986 budget; and

10. Recommends the General Assembly to assess to 930 dollars, the annual contribution for 1988 and for 1989 to be paid by Affiliate Members, which has not been reassessed since 1982.

CE/DEC/3 (XXX)

Voluntary contributions

Agenda item 5(b) (document CE/30/4(b))

The Executive Council,

Considering the possible advantage, pointed out by the Committee on Budget and Finance, of diversifying WTO's resources, particularly by appealing for voluntary contributions from States or from entities other than States,

Considering that according to the Financial Regulations, any voluntary contributions for which a specific purpose has not been defined must accrue to the General Fund as "miscellaneous income" for use to be determined by the General Assembly (regulation 10(1)(f)),

Considering that, again according to the Financial Regulations, voluntary contributions for which a specific purpose is defined must be accepted by the Executive Council as Funds in Trust (regulation 10(3)),

Considering that these two categories of voluntary contributions do not allow all of the necessary resources to be mobilized for the benefit of WTO, particularly because of the administrative rules currently in effect,

Requests the Secretary-General to submit to the General Assembly any proposals he deems appropriate for diversifying the sources of financing for activities, particularly WTO's operation activities, and for augmenting the necessary resources, by means of voluntary contributions from States and other public and private entities.
Provision of experts

Agenda item 5(a)

The Executive Council,

Considering the need to provide WTO with additional means to enable it to enhance the execution of its programme as well as its technical cooperation with the developing countries,

Noting with keen interest that several member States view favourably the prospect of providing to WTO, free of charge, experts to assist the Organization,

1. Recommends the General Assembly to call on member States to make available to the Organization experts to assist in the execution of its programme of activities and in the implementation of operational projects on behalf of the developing countries; and

2. Recommends the General Assembly to suggest that member States prepared to provide WTO with experts conclude an outline agreement with the Organization for that purpose.

Financial matters

Report of the Secretary-General on possible definitions of the term "services" as mentioned in paragraph 13 of the Financing Rules attached to the Statutes

Agenda item 3(h) (document CE/30/5(h))

The Executive Council,

Considering that under paragraph 13 of the Financing Rules, "a Member which is in arrears in the payment of its financial contributions to the Organization's expenditure shall be deprived of the privileges enjoyed by the Members in the form of services and the right to vote in the Assembly and the Council if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two financial years", 

Considering the report of the Secretary-General on possible definitions of the term "services" as mentioned in the aforementioned paragraph 13 (document CE/30/5(h)), prepared in pursuance of decision 3(XXIX), paragraph 4,

Decides to adopt the following guidelines for the application of paragraph 13 of the Financing Rules:

(a) the "services" of WTO of which Members would be deprived under paragraph 13 of the Financing Rules include in particular:

(i) the dispatch of publications and documents of the Organization under the conditions applicable to WTO Members;

(ii) all forms of assistance to Members provided within the framework of WTO's general budget: establishment of projects, operational missions, the provision of experts and consultants, etc.;

(iii) the reception of interns and scholarship recipients from the member State concerned;

(iv) participation in technical meetings organized by WTO other than meetings of the organs (including their subsidiary organs) of the Organization: symposia, colloquia, etc.;

(v) support in the form of WTO's sponsorship, auspices or good offices for the initiatives, activities and events of the Member concerned;

(vi) as well as any other activity aimed toward the promotion and development of tourism on behalf of the Member in question;

(b) Members deprived of the "services" of WTO maintain the right to participate in session of the Organization's statutory organs and their subsidiary organs and to be informed of the date and place of such sessions;

(c) Full Members deprived of the "services" of WTO are simultaneously deprived of the right to vote in the sessions of the Organization's statutory organs and their subsidiary organs;

(d) once it is observed that the amount of a country's arrears equals or exceeds the amount of the contributions due from it for the two preceding financial years, the Secretary-General is required to notify this Member that he is henceforth deprived of the services of the Organization and, in the case of Full Members, of the right to vote in the Organization's statutory organs;
(e) a Member deprived of the "services" of the Organization may, under paragraph 13 of the Financing Rules, request restoration by the General Assembly of his full rights as a Member of the Organization by explaining in writing the reasons for his failure to pay. Before the Assembly decides on the request of the Member in question, the Executive Council must have observed that the failure to pay is due to conditions beyond the control of the Member in question; furthermore, the Executive Council and the Member in question must agree on measures that will be taken to pay the arrears.

CE/DEC/6(XXX)

General programme of work and budget of the Organization for the period 1988-1989

Agenda items 4 and 5 (documents CE/30/3(a), CE/30/3(a) Corr., CE/30/3(b), CE/30/3(b) Add.1, CE/30/4(a) and CE/30/4(b))

The Executive Council,

Having examined the drafts for the general programme of work prepared by the Secretary-General and the draft programme of work proposed by the Technical Committee for Programme and Coordination,

Having also examined the various budget proposals submitted to it,

Having heard the report of the Chairman of the Committee on Budget and Finance with respect most particularly to the draft budget contained in Part A of document CE/30/4(a),

1. Entrusts the Secretary-General with preparing on that basis a draft budget for 1988-1989, providing for appropriations not to exceed 11.7 million United States dollars, and an additional amount of 1.6 million United States dollars to be allocated to a restructuring of the Secretariat with respect to staff and necessary equipment in order to reduce purely administrative expenses;

2. Entrusts the Secretary-General with preparing a general programme of work corresponding to the resources provided for in the draft budget which will make it possible:

- to increase technical cooperation in favour of the developing countries;
- to pursue activities in the fields of statistics and enhancement of the image of tourism;

- to give priority to the four fields of activity adopted by the Council: the security and protection of tourists, facilitation, education and training, and information;

3. Authorizes the Secretary-General to submit the aforementioned draft general programme of work and draft budget to the General Assembly;

4. Takes note of the Secretary-General's proposal, as approved by the Committee on Budget and Finance, to set up an exchange reserve account financed initially from the General Fund surplus for the financial period 1984–1985, amounting to 437,751 United States dollars; and

5. Recommends the General Assembly:

   (1) to approve the draft general programme of work and draft budget submitted to it;

   (2) to authorize the Secretary-General to implement the approved general programme of work taking into account the gradual receipt of contributions to the budget; and

   (3) to set up the exchange reserve account proposed by the Secretary-General.

CE/DEC/7(XXX)

Administrative and statutory matters

Subsidiary organs of the Assembly

Agenda item 6(a) (document CE/30/6(a))

The Executive Council,

Takes note of the Secretary-General's report on the activities of the Regional Commissions of the Organization since the twenty-ninth session of the Council and those planned for the coming months.
CE/DEC/8 (XXX)

Administrative and statutory matters

Subsidiary organs of the Council

Agenda item 6(b) (document CE/30/6(b))

The Executive Council,

Takes note of the Secretary-General's report on the activities of its subsidiary organs since the twenty-ninth session of the Executive Council and those planned for the coming months.

CE/DEC/9 (XXX)

Administrative and statutory matters

Membership of the Organization

Agenda item 6(c) (documents CE/30/6(c) and CE/30/6(c) Add.1)

The Executive Council,

1. Takes note of the Secretary-General's report on membership of the Organization;

2. Urges the Secretary-General to pursue his contacts with the Government of Malaysia with a view to convincing that Government to reexamine its intention of withdrawal from the Organization; and

3. Requests the Secretary-General to continue his action with a view to increasing the membership of the Organization thus pursuing its vocation for universality.
CE/DEC/10 (XXX)

Administrative and statutory matters

Report of the Chairman of the Committee of Affiliate Members

Agenda item 6(d)

The Executive Council,

1. Takes note of the report of the Chairman of Affiliate Members; and

2. Invites him to continue his efforts to prepare, in close cooperation with the Secretary-General, the thirteenth meeting of Affiliate Members.

CE/DEC/11 (XXX)

Administrative and statutory matters

Report of the Sub-Committee for the review of applications for affiliate membership

Agenda item 6(e) (document CE/30/6(e))

The Executive Council,

1. Takes note of the report of the Sub-Committee for the review of applications for affiliate membership; and

2. Recommends to the General Assembly that the following candidates should be admitted as Affiliate Members of the Organization:
   - World Association for Professional Training in Tourism (AMFORT)
   - International Union of Food and Allied Workers' Associations (IUF)
   - International Leisure Group plc (ILG)
   - The George Washington University.
Administrative and statutory matters

Relations with international organizations and other bodies

Agenda item 6(f) (document CE/30/6(f))

The Executive Council,

Having examined the report of the Secretary-General on relations with international organizations and other bodies,

Taking note of this report and welcoming the efforts of the Secretary-General to intensify relations with other international organizations and other bodies,

1. Approves the efforts of the Secretary-General to achieve a general agreement concerning relations between the World Tourism Organization and the International Labour Organization and invites him to pursue these efforts;

2. Takes note in the meantime in this regard of the creation of a Joint ILO-WTO Working Group within which representatives of the two organizations are called upon to exchange information on activities of joint interest and to coordinate the implementation of elements of projects undertaken by one organization that also fall within the sphere of activities of the other organization;

3. Welcomes the submission by the Secretary-General of a comprehensive report of WTO activities to the General Assembly through the Economic and Social Council (ECOSOC) of the United Nations; and

4. Suggests to consider the possibility to co-sponsor a resolution to be accepted by the General Assembly of the United Nations at its forty-fourth session on this matter.
Administrative and statutory matters

State of approval of the amendments to the Organization's Statutes

Agenda item 6(g) (document CE/30/6(g))

The Executive Council,

Considering that Article 33(3) of WTO's Statutes provided that "an amendment (to the Statutes) shall come into force for all Members when two-thirds of the member States have notified the Depositary Government of their approval of such amendment",

Considering that the requirement of formal ratification of an amendment to the Statutes subsequent to its approval by two-thirds of the General Assembly has resulted in considerable delays in the coming into force of amendments already adopted by the Assembly,

Noting in this regard that since the necessary number of ratifications has not been obtained, no amendment approved since 1979 has yet entered into force, even though the approved amendments do not in any way affect the Organization's objectives and structures,

Taking into account the procedures applied by the very large majority of international organizations for the amendment of their Statutes,

Requests the Secretary-General to explore different ways and means to accelerate the entry into force of the amendments to the Statutes.

CE/DEC/14(XXX)

Administrative and personnel matters

Agenda item 6(h) (document CE/30/6(h))

The Executive Council,

1. Takes note of the consultation pursued by the Secretary-General with the Spanish authorities on the sharing of
costs in accordance with the WTO Headquarters Agreement for work performed on the Headquarters building and on the conditions governing exemption from the Value Added Tax levied against goods – merchandise and services – procured by the Organization;

2. Invites the Spanish authorities to proceed as soon as possible with reimbursement of the amounts due to the Organization under this exemption for the year 1986 and with the introduction of a system of advances on these reimbursements for 1987 and future years;

3. Endorses the Secretary-General's intention to strengthen, within the limits of the budget to be approved by the General Assembly, the computerization of Secretariat activities with a view to reducing staff costs;

4. Recognizes the need to align, effective 1 February 1987, the salary scale of staff of the General Services category with that of their counterparts in the United Nations system employed at Madrid, while considering as an acquired right the salary amounts applied at that date by means of the appropriate transitional provisions; and

5. Entrusts the Secretary-General with continuing his study of possible improvements in the provisions concerning staff health care and pensions and retirement schemes, in particular through affiliation with the United Nations Joint Staff Pension Fund.

CE/DEC/15(XXX)

Headquarters Committee

Report of the Secretary-General on administrative and personnel matters

Agenda item 6(h) (document CE/30/6(h))

The Executive Council,

Having taken note of the report of the Secretary-General on relations between WTO and the host State,

1. Welcomes the fact that these relations continue to be marked by an attitude of cooperation and mutual understanding and that the Organization still enjoys the support of the host State;
2. Thanks the Spanish Government, and in particular all the authorities required to deal with WTO, for their constant availability and support;

3. Considers that it is incumbent on the Executive Council to back the Secretary-General in all his approaches to and negotiations with the Spanish authorities, especially when the implementation of the Convention concerning WTO's legal status in Spain is at stake;

4. Decides, in view of the precedents existing in the organizations of the United Nations system in particular, to set up a Headquarters Committee which will operate in accordance with the following rules:

   (a) The Headquarters Committee shall comprise seven members, six of which shall be chosen for a period of two years by the Executive Council from among its Members with permanent representatives at Madrid, it being understood that Spain shall be an ex officio member of the Committee;

   (b) The Headquarters Committee, which shall elect its own Chairman, shall meet at least once every three months and whenever the Secretary-General considers it advisable;

   (c) The Headquarters Committee shall be required to assist the Secretary-General on all matters concerning relations with the host State, and, in particular on:

      (i) matters concerning the Headquarters building of the Secretariat and the necessary premises and the residence of the Secretary-General;

      (ii) matters connected with the effective entitlement to and enjoyment and exercise of the privileges, immunities and facilities conferred upon the WTO community (representatives of Members, permanent delegates, WTO staff members and their families), in accordance, in particular, with the Convention concerning WTO's legal status in Spain;

      (iii) any other matter that could strengthen the links between WTO and the host State;

   (d) The Chairman of the Headquarters Committee shall report on its work to the Executive Council at each session; and

Administrative and statutory matters

Report of the Secretary-General on administrative and personnel matters

Staff Regulations

Agenda item 6(h) (document CE/30/6(h) Add.1)

The Executive Council,

Recognizing the need to revise WTO's Staff Regulations in order to fill gaps and correct insufficiencies that have now existed for several years and, to the extent necessary, to bring the provisions applicable to WTO's staff into line with the common system of the United Nations and its specialized agencies,

1. Recommends that the General Assembly adopt the proposed Staff Regulations as contained in document CE/30/6(h) Add.1;

2. Requests the Members of the Council to convey to the Secretary-General before 15 July 1987 their proposed amendments to the draft Staff Rules contained in document CE/30/6(h) Add.1 which will have to be adopted by the Executive Council on the basis of the Staff Regulations; and

3. Entrusts the Secretary-General with taking into account the various proposed amendments in the revised draft of the Staff Rules, which will be submitted for adoption at the thirty-first session of the Executive Council.

Operational support activities

Agenda item 7(a) (documents CE/30/7(a) Rev.1 and CE/30/7(a) Rev.1 Add.1)

The Executive Council,

Having examined the report on the Operational Support Activities of the Organization carried out since its last session at Madrid in December 1986,
1. Welcomes the holding of the first Interdisciplinary Study Cycle on Tourism Planning, Marketing and Financing from 1 to 23 July 1987 in Granada (Spain) and invites the Members to assure a wide and active participation;

2. Recommends to the General Assembly, in view of the high priority given to training and education, the approval of the Agreements with the Governments of Italy and of the Kingdom of Morocco concerning the tourism education and training at the centres in Rome and in Tangier;

3. Thanks to George Washington University for the proposal to host educational and training activities in tourism and the Government of the United States of America for its cooperation in this regard; and

4. Appeals to member States to provide scholarships for developing countries to attend courses at regional centres, and to carry out other education and training programmes based on the new policy approved by decision 6(XXIX) at its last session.

CE/DEC/18(XXX)

Report on operational activities carried out since the twenty-ninth session of the Council

Cooperation and development activities

Agenda item 7(b) (document CE/30/7(b))

The Executive Council,

1. Takes note of the report of the Secretary-General on cooperation and development activities carried out since the twenty-ninth session of the Council;

2. Invites the Secretary-General to continue giving special attention to the carrying out of such activities in the future;

3. Urges member States who benefited from WTO sectoral support and operational missions that resulted in project proposals to approach their coordinating agencies for external financial assistance with these proposals in order to secure UNDP or other bilateral and multilateral funding for the projects; and
4. Requests member States to ensure that when nominating their candidates for UNDP-funded fellowships, due attention should be given to the claim of eligible women candidates, in line with the decisions taken by the United Nations General Assembly as well as by the governing bodies of the several agencies and organizations of the UN system.

CE/DEC/19(XXX)

Proposal to establish a World Tourism Information Exchange Centre (Clearing-House)

Agenda item 7(c) (document CE/30/7(c))

The Executive Council,

Having considered the information provided on the role, objectives and functions of the proposed World Tourism Information Exchange Centre,

1. Recalls, in this regard, resolution 99(IV) and decision 3(XXVIII) adopted at the fourth session of the General Assembly (Roma 1981) and at the twenty-eighth session of the Executive Council (Cartagena, Colombia, April 1986) respectively;

2. Appreciates the measures initiated by the Secretary-General with a view to establishing such a centre;

3. Recognizes the fundamental need for such a centre in order to facilitate the exchange of tourism information on a world-wide basis and thereby to avoid duplication in tourism development activities; and

4. Endorses the basic principles outlined for the establishment of such a centre.
Draft Convention to facilitate travel and tourist stays through passport, visa and health and exchange control measures

Agenda item 8 (document CE/30/8)

The Executive Council,

Taking note of the report submitted by the Secretary-General on the status of replies received by 6 May 1987 from Full, Associate and Affiliate Members, as well as from non-members and international organizations, concerning the draft Convention to facilitate travel and tourist stays through passport, visa and health and exchange control measures (document CE/30/8),

Considering the insufficient number of replies, although the draft document in question is still being reviewed by the competent bodies in a great many member States,

Decides:

(a) to request the Secretary-General to send a fresh reminder to the States and international organizations that have not yet forwarded their observations and comments, asking them to do so by 1 July 1987 at the latest;

(b) to request the Secretary-General to arrange for the preparation, in the light of all the replies received, of a revised draft Convention, together with an appropriate explanatory comment;

(c) to distribute the revised and supplemented draft Convention for consideration by the General Assembly at its seventh session under the provisional agenda item on facilitation;

(d) to entrust the Facilitation Committee with reviewing the draft Convention in question at its seventh meeting to be held from 8 to 10 September 1987 and with formulating its observations and comments, with particular reference to the follow-up action that the General Assembly might, in its view, take on the draft document and decide in particular whether a diplomatic conference should be convened to complete the preparation of the Convention.
Observer status in WTO for the Palestine Liberation Organization (PLO) equivalent to the status of PLO in the United Nations and its specialized agencies. Rights and privileges of non-member observers within WTO

Agenda item 9 (document CE/30/9)

The Executive Council,

Considering the matter of "Observer status in WTO for the Palestine Liberation Organization (PLO) equivalent to the status of PLO in the United Nations and its specialized agencies", included in the agenda on the request of Iraq, as well as the matter of "Rights and privileges of non-member observers within WTO", included in the agenda on the request of Colombia,

Taking note of the report submitted by the Secretariat,

Decides to continue the consideration of these questions during its next session.

CE/DEC/22(XXX)

Report on preparatory work for the seventh session of the General Assembly

Agenda item 10 (document CE/30/10)

The Executive Council,

1. Takes note of the report of the Secretary-General on the preparatory work for the seventh session of the General Assembly; and

2. Requests the Secretary-General to invite to the seventh session of the General Assembly the international organizations mentioned in Part B of the said report.

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Place and dates of the thirty-first session of the Executive Council

Agenda item 11

The Executive Council,

Decides to hold its thirty-first session at the Headquarters in Madrid, Spain, on 21 September 1987 within the framework of the seventh session of the General Assembly.

4. PARTICIPANTS IN THE THIRTIETH SESSION

1. Delegates of the following Members of the Council attended the session: Indonesia (Chairman), Sri Lanka (First Vice-Chairman), France (Second Vice-Chairman), Argentina, Colombia, Czechoslovakia, Ethiopia, Gabon, Iraq, Japan, Jordan, Mexico, Morocco, Nigeria, Portugal, Rwanda, Switzerland, Togo, Union of Soviet Socialist Republics, United Republic of Tanzania and Spain as privileged Member.

2. The Chairman of the Committee on Budget and Finance (France) was present.

3. The Chairman of the Facilitation Committee (United States of America) was present.

4. The representatives of Austria, Belgium, Brazil, Cameroun, Canada, Egypt, the German Democratic Republic, Israel, Italy, the Lebanon, the Netherlands, Panama, Turkey and the United States attended the session as observers.

5. The Associate Members were represented by the delegate of Puerto Rico.

6. The Chairman of the Committee of Affiliate Members was present.

7. The representatives of the International Labour Organisation and of the International Civil Aviation Organization attended the session as observers.