CONVENTION ESTABLISHING THE SUSTAINABLE TOURISM ZONE OF THE CARIBBEAN

The Principal Contracting Parties,

Being Signatories to the Convention Establishing the Association of Caribbean States, signed in Cartagena de Indias, Colombia, July 24, 1994,

Taking into consideration the objectives that supported the creation of the Association of Caribbean States, in Cartagena de Indias, Colombia, July 24, 1994; in addition to the statements contained in the Declaration of Santo Domingo de Guzmán, resulting from the Second Summit of Heads of State and/or Government of the States, Countries and Territories of the Association of Caribbean States, held in the Dominican Republic on April 16-17, 1999, as well as the principles and objectives outlined in the Plan of Action on Tourism, Trade and Transport;

Recognizing the validity and importance of the Declaration Establishing the Sustainable Tourism Zone of the Caribbean, approved at the aforementioned Second Summit and the Caribbean Sea as the common patrimony of the region, its historic role, as well as its potential to serve as a unifying element in the development of the region;

Bearing in mind the need to mobilize the collective capacity of its people so as to develop tourism in a sustainable manner, rationally utilizing natural resources in order to enhance the quality of life of present and future generations of Caribbean people;

Reaffirming our conviction of the importance of the concept of sustainability as the basis for protecting biodiversity, culture and the environment, with the human being at the core of our actions, by virtue of favouring an improved distribution of the benefits derived from tourist development;

Taking into consideration that Tourism constitutes the main economic activity for most countries of the region referred to as the Greater Caribbean, and that it represents in itself, a significant factor in foreign exchange earnings, economic and social development;

Convinced that the Sustainable Tourism Zone requires a perennial political will that would recognize the need to realize its potential as a means toward improving the living conditions of our people;

Considering what was agreed upon in the Memorandum of Understanding for the Establishment of the Sustainable Tourism Zone of the Caribbean, and appreciating that the quality, competitiveness and sustainability of this Sector are intrinsically linked to conserving the natural environment and culture of the Caribbean;

In accordance with what is expressed in the Declaration Establishing the Sustainable Tourism Zone of the Caribbean, paragraph 5 (b), which provides that the ACS shall evaluate the existing legal framework and monitor the progress of the Immediate Plan of Action in order to negotiate a legally binding instrument, which by being signed and ratified, would replace the Memorandum of Understanding approved in Santo Domingo de Guzmán, the Dominican Republic, on April 17, 1999;

Agree to the following:

Article 1
Objective

The objective of this Convention is to establish the Sustainable Tourism Zone of the Caribbean, from now on referred to as the Zone, as a geographically determined cultural, socio-economic and biologically rich and diverse unit, in which Tourism development will depend on sustainability and the principles of integration, co-operation and consensus, aimed at facilitating the integrated development of the Greater Caribbean.

Article 2
Scope of application

This Convention shall be applicable to the geographic area located within the basin of the Caribbean Sea, over which ACS Member States and Associate Members exercise sovereignty, or sovereign rights or jurisdiction, in accordance with what is stipulated in article 5 of this Convention.

Article 3
Obligations of the Parties

The following shall be the obligations of the Parties:

A. Adopt, individually and/or collectively, the measures required for gradually and progressively implementing the Sustainable Tourism Zone of the Caribbean, as an instrument that would serve to exclusively foster tourism development and the development of the Greater Caribbean.

B. Adopt, individually and/or collectively, the measures required for developing, coordinating and following up the Strategies listed below, by the relevant authorities of ACS Member States and Associate Members:

1. **Culture and Identity**: Develop projects to research, disclose, preserve and disseminate Caribbean culture, as a means of contributing to consolidating the Caribbean identity and protecting cultural values, so as to strengthen the region's image as a tourist destination.

2. **Community Participation**: Create mechanisms to promote community participation in decision-making, planning, development and the benefits derived from tourist activity, while simultaneously improving infrastructure and basic services in tourist receptive areas.

3. **Environment**: Design research and development programmes and projects so as to promote the preservation, conservation and sustainable use and management of natural spaces used for tourist development.

4. **Technology for sustainability**: Utilize the best technologies available for managing sewage, drainage and solid waste, in addition to using alternative energies and anti-pollution processes.

5. **Economic policies and instruments**: Encourage the creation of economic and financial policies and instruments that would facilitate the development of sustainable tourist enterprises.

6. **Tourist Market**: Encourage the realization of strategies and specific plans of action toward facilitating: the development of tourist products, an increase in the added value of the Caribbean tourist product, and greater demand for the region.

7. **Education**: Develop programmes on sustainable tourism education, training and awareness that would contribute to raising not only the quality of life of communities, but also the tourist services provided and the level of tourist awareness of both the service providers and the tourists.

8. **Legal Framework**: Draft, adjust, sign and ratify the legal and regulatory frameworks needed to give meaning to the Sustainable Tourism Zone of the Caribbean.

9. **Sustainability Indicators**: Encourage the creation of sustainability indicators, in addition to a categorization system related to tourist enterprises and attractions, as well as tourist destinations that would grant consumers a medium and long term guarantee of environmental quality.

10. **Air and Maritime Transport**: Promote the development of interregional air and maritime transport systems that would facilitate the transfer of tourists.

11. **Co-ordination with the private sector**: Promote co-ordination activities with the private sector, in organizing and planning development, for the purpose of consolidating sustainable tourist development in the Caribbean region.

12. **Information centre**: Promote the creation of an Information Centre on Sustainable Tourist Development that will be available to all ACS Member States and Associate Members. In this respect, governments are committed to providing information in order for the Centre's database to be established.

C. Maintain minimal criteria and values for the sustainability indicators of the destinations , and gradually extend them in order to achieve a high level of quality for the Zone, as a tourist destination.

D. Co-operate in the drafting and adoption of Protocols or other Agreements, in order to facilitate the effective application of this Convention.

E. Cooperate in the implementation and harmonizing of the Programs and Projects prepared by the Regional and International Organizations regarding sustainable tourism to use the collective capacities of the Great Caribbean Region.

F. Adopt the necessary measures, in accordance with international law, to effectively fulfill the obligations stipulated in this Convention and its Protocols, and seek to harmonize their policies in this respect.

G. Provide the Secretariat of the Association of Caribbean States with information acquired from the application of the Sustainability Indicators approved by the Special Committee on Sustainable Tourism. Such information and any other that may be required, shall be provided within the timeframe established by the Special Committee on Sustainable Tourism and shall be duly guaranteed by the competent entities in the fields of tourism and environment.

Article 4
Functions of the Special Committee on Sustainable Tourism

The functions of the Special Committee on Sustainable Tourism shall be as follows:

A. Periodically evaluate the status of the implementation or development of the Zone, as well as the advancement of the destinations that constitute it, in accordance with sub-paragraph C of article 3.

B. Determine and establish regional and uniform minimal criteria and values so as to identify and register as Parts of the Zone, the destinations proposed for such purposes by ACS Member States or Associate Members.

C. Analyze the proposals put forward by Member States or Associate Members of the ACS for destinations to be integrated and categorized in the Zone, as well as recommend their approval to the Ministerial Council.

D. Suggest to the Ministerial Council that if periodic evaluations reveal that destinations have ceased to comply with the indicators, they should be recategorized.

E. Recommend a mechanism for Parties to receive assistance in applying and executing bearing in mind regional initiatives.

F. Urge the Member States and Associate Members of the ACS to develop national programs aimed at attaining regional sustainable tourism.

G. Present recommendations to the Ministerial Council regarding the adoption of additional instruments to fulfill the objectives of the Sustainable Tourism Zone of the Caribbean.

In order to carry out the functions assigned, the Special Committee on Sustainable Tourism will be assisted by a panel of technicians and experts whose formation and duties will be defined in an additional instrument entitled "Guidelines Governing the Identification, Approval and Categorization of destinations that Constitute the Sustainable Tourism Zone of the Caribbean".

Article 5
Identification, approval and categorization of the destinations that constitute the Sustainable Tourism Zone of the Caribbean

A. Each ACS Member State or Associate Member shall, in accordance with regional and uniform minimal criteria and values, identify the destinations proposed for integration into the Zone.

B. The Special Committee on Sustainable Tourism shall analyze the integration proposals of one or several destinations put forward by an ACS Member State or Associate Member, and in the appropriate cases, recommend to the Ministerial Council its integration to the Zone, according to the procedure established in the instrument entitled "Guidelines Governing the Identification, Approval and Categorization of Destinations that Constitute the Sustainable Tourism Zone of the Caribbean".

C. The Secretariat of the Association of Caribbean States shall register as parts of the Zone, those destinations approved by the Ministerial Council.

Article 6
Signature

This Convention shall be open for signature from December 12th, 2001, by any State, Country or Territory referred to in Article IV of the Convention Establishing the Association of Caribbean States, that has ratified or adhered to said Convention.

Article 7
Ratification

This Convention shall be subject to ratification by the signatory States, Countries and Territories mentioned in Article IV of the Convention Establishing the Association of Caribbean States, in accordance with their respective constitutional procedures.

Article 8
Accession

After the deposit of the fifteenth instrument of ratification, this Convention shall remain open to accession by any of the States, Countries and Territories referred to in Article IV of the Convention Establishing the Association of Caribbean States.

Article 9
Entry into force

This Convention shall enter into force on the thirtieth day counted from the date on which the fifteenth instrument of ratification is deposited.

For any State, Country and Territory acceding to the Convention after the fifteenth instrument of ratification has been deposited, the Convention shall enter into force for said State, Country and Territory, from the thirtieth day counted from the date on which the respective instrument has been deposited.

Article 10
Duration and Denunciation

This Convention shall have indefinite duration. Any Party may withdraw from it at any time. Withdrawal shall be effective one year after the date on which the Depositary receives the formal notification of denunciation. Denunciation shall not nullify the commitments made by the denouncing party by virtue of this Convention during the period preceding the withdrawal. The Convention shall continue to be in force for the other Parties.

Article 11
Depositary

The original instrument of this Agreement, whose texts in Spanish, French and English are identical and equally authentic, shall be deposited with the Republic of Colombia in its capacity as Depositary of the Convention Establishing the Association of Caribbean States. Colombia shall transmit certified copies of the texts to each Member State and Associate Member of the ACS and shall notify them of signatures, deposits of instruments of ratification or accession, reservations and denunciations.

Article 12
Amendments

Amendments to this Convention may be made by consensus at the Meeting of Heads of State and/or Government or by the Meeting of the Ministerial Council of the Association. Such amendments shall enter into force thirty days after ratification by two-thirds of the Signatories to this Convention.

Article 13
Interpretation and Dispute Settlement

The Contracting Parties shall peacefully resolve any question or dispute relating to the interpretation or application of this Convention.

When any question or dispute cannot be settled by the Parties, they shall be resolved by the Ministerial Council. The Convention Establishing the ACS shall always take precedence over this Convention.

Article 14
Reservations

Any State, Country and Territory may make reservations to this Convention at the moment of its signature, ratification or accession; provided that the reservation pertains to one or more specific provisions or particular elements and are compatible with the aim and objective of this Convention. Reservations shall be made to the Depositary, who shall report on said reservations to the other Parties.

Done in Margarita Island, Bolivarian Republic of Venezuela. this 12th day of December, 2001.

In witness whereof, the duly authorized representatives have signed this Convention.

For the Government of Antigua and Barbuda

For the Government of the Commonwealth of the Bahamas

For the Government of Barbados

For the Government of Belize

For the Government of the Republic of Colombia

For the Government of the Republic of Costa Rica

For the Government of the Republic of Cuba

For the Government of the Commonwealth of Dominica

For the Government of the Dominican Republic

For the Government of the Republic of El Salvador

For the Government of the United Mexican States

For the Government of Grenada

For the Government of the Republic of Guatemala

For the Government of the Cooperative Republic of Guyana

For the Government of the Republic of Haiti

For the Government of the Republic of Honduras

For the Government of Jamaica

For the Government of the Republic of Nicaragua

For the Government of the Republic of Panama

For the Government of St. Kitts and Nevis

For the Government of St. Vincent and the Grenadines

For the Government of St. Lucia

For the Government of the Republic of Suriname

For the Government of the Republic of Trinidad and Tobago

For the Government of the Bolivarian Republic of Venezuela

For the Kingdom of the Netherlands on behalf of the Netherlands Antilles

For the Kingdom of the Netherlands on behalf of Aruba

For the Government of the French Republic (in respect of Guadeloupe, Guiana and Martinique)

Rules Governing the Identification, Approval and Categorisation of Destinations that Constitute the STZC

Introduction

Today, tourism is influenced by a series of external instruments created within its field to govern the changing environmental, social, cultural and economic environment. In light of this, the ACS is proposing, within the regulatory framework of the Sustainable Tourism Zone of the Caribbean, that it's own models be established in support of sustainability.

At the 2nd Summit of Heads of State and/or Government held in Santo Domingo, the Dominican Republic in April 1999, the Foreign Ministers of ACS Member States and Associate Members

signed the Memorandum of Understanding, which defined the principles, strategies and actions to be undertaken toward the Establishment of the Sustainable Tourism Zone of the Caribbean. These actions were outlined in the Immediate Plan of Action, which should be applied by National Tourism Authorities.

Similarly, the Foreign Ministers instructed the Special Committee on Tourism to work toward drafting a legally binding instrument to replace the Memorandum of Understanding, in addition to a document that would include the minimum criteria and values for shaping the Sustainable Tourism Zone.

In seeking to fulfill this mandate, the Special Committee on Tourism formed two working groups, one comprising Legal Experts to prepare the Legal Instrument, and another made up of Experts on Sustainability Indicators to define the criteria and values to be considered.

It is important to clarify that there is a difference between the general goals and objectives outlined in the 12 strategies provided in Article 3, paragraph B of the Convention Establishing the Sustainable Tourism Zone of the Caribbean. These aims are to be achieved through the individual or combined efforts of the ACS Member States and Associate Members and the Secretariat, with respect to the goals and objectives in order to achieve sustainability of the Tourism Destinations, which are expressed in Indicators that must be satisfied by these destinations.

As provided in Article 5, paragraph B of the Convention Establishing the Sustainable Tourism Zone of the Caribbean, the regulatory instrument for the identification, approval and categorisation of the destinations which constitute the Sustainable Tourism Zone of the Caribbean is presented below.

Objectives:

- To contribute to the achievement of sustainability in the tourist destinations identified by ACS Member States and Associate Members, through categorization[1], which would include indicators that define the various stages of development. These would also serve as instructive and motivational mechanisms for attaining this objective.

- To determine Tourism Indicators which would bring about changes leading to the attainment of Sustainability in this field, as a means of generating awareness on the rational use of tourist resources in ACS Member States and Associate Members in the social, cultural, environmental and economic spheres.

Considerations:

- There are differences between the conditions existing in the different ACS Members and Associate Members. Given these differences, it is necessary to devise a set of specific indicators that would harmonize the criteria for the sustainable categorization of the destinations.

- There are economic, cultural, social and environmental elements that impact on the tourism sector and should be taken into consideration.

- There are local and regional institutions which have and apply systems of measurement, which can assist in the categorization of destinations. It would be useful and desirable to benefit from their experiences.

[1] Categorization must include the identification of Sustainability Indicators and their evaluation criteria.

Basic Principles governing indicators

- Develop a system that is not only simple and practical, but that can also be applied and executed in ACS countries and destinations.

- Measure the level of Tourism Sustainability in the Destinations of ACS Member States and Associate Members, by using environmental, social, cultural and economic instruments or models.

- Create a system capable of shifting from simple to complex, as the case may be, that would be developed slowly and gradually, in the most homogenous manner possible among all countries of the region.

- Create a minimum set of indicators that are comprehensive, representative, comparable among destinations and preferably quantitative.

Procedure to be followed to categorize and incorporate destinations into the Sustainable Tourism Zone of the Caribbean :

1. Requests by ACS Member States and Associate Members for the inclusion of destinations shall be submitted to the Special Committee on Sustainable Tourism. ACS Member States and Associate Members shall provide the necessary information, based on the scheme of values of tourism sustainability indicators, in order to consider the incorporation of the destination into the Sustainable Tourism Zone of the Caribbean and its corresponding categorization.

2. The information required by the Special Committee on Sustainable Tourism, must be duly endorsed by the relevant tourism and environmental authorities in the respective country, in accordance with the provisions of Article 3, paragraph F of the Convention Establishing the Sustainable Tourism Zone of the Caribbean.

3. The Special Committee on Sustainable Tourism shall examine and evaluate the proposal submitted, and if the requirements have been fulfilled, shall recommend its approval by the Ministerial Council, so that the destination can be integrated and categorized within the Sustainable Tourism Zone of the Caribbean.

4. In the event that any inconsistencies are identified in the information contained in a proposal, to the Special Committee on Sustainable Tourism shall recommend that the ACS Member State or Associate Member make the necessary corrections, so that the analysis and evaluation process can commence once again.

5. The Secretariat of the Association of Caribbean States shall integrate into the zone destinations approved by the Ministerial Council and shall undertake to disseminate information on the zone and to promote these destinations.

Panel of Experts:

The Special Committee on Sustainable Tourism will be assisted by a panel of experts comprising highly qualified specialists attached to institutions and organizations from ACS Member States and Associate Members to which the destination in question does not belong. The Special Committee on Sustainable Tourism shall establish a verification mechanism for the indicators.

The functions of the Panel of Experts shall be as follows:

a. To verify that indicators have been satisfied, and consequently, recommend the inclusion or exclusion of a destination at a specified degree of sustainability.

b. To specify the measurement parameters for indicators, which they shall submit to the Special Committee on Sustainable Tourism for approval.

c. To define a standardized methodology for the gathering of information in order to measure the indicators.

How to categorize destinations:

In order to categorize tourist destinations, a constant development process subject to periodic evaluations must be followed, in accordance with the provisions of Article 4, paragraph A of the Convention Establishing the Sustainable Tourism Zone of the Caribbean. This would allow the proposed destinations to be placed in the following categories:

- ***Committed Tourist Destination***

A destination striving toward or committed to achieving tourism sustainability. The destination performs a confidential assessment of the indicators and aims to meet the minimum tourism sustainability values within a period not exceeding five years.

- ***Tourist Destination with a Minimum Degree of Sustainability***

The destination has met the minimum values of tourism sustainability indicators.

- ***Tourist Destination with an Intermediate Degree of Sustainability***

The destination has met the intermediate values of tourism sustainability indicators.

- ***Tourist Destination with a Superior Degree of Sustainability***

The destination has met the maximum values of tourism sustainability indicators.

This regulatory document will be amended by the Special Committee on Sustainable Tourism whenever deemed necessary, as tourism develops in the Sustainable Tourism Zone of the Caribbean.

TOURISM SUSTAINABILITY INDICATORS FOR THE ACS

Indicator	*Measure*	*Environmental*	*Social*	*Cultural*	*Economic*
Security	Number of crimes reported by tourists in the destination / Total number of tourists per year.		■		
Identity and Culture	Assessment performed by the competent authority on the degree of participation, high, average or low, in cultural expressions within the tourist destination (gastronomy, design and adaptation, shows, entertainment, handicraft, among others)		■	■	
Child Prostitution	1) State activities to eradicate and combat child prostitution in tourist destinations. 2) Number of child prostitution cases detected/tourists		■		

Indicator	*Measure*	*Environmental*	*Social*	*Cultural*	*Economic*
Employment in Tourism	1).-Number of national employees/Total number of employees (%). 2).- Number of local employees/Total number of employees (%).		■		■
Quality of bodies of water (marine-land)	Colonies of coliforms/100 ml. Presence of heavy metals. pH (Acidity) and Turbidity[2]	■			
Quality of potable water	Nitrates 10 mg/l Phosphates 0.1 mg/l Sulfates 250 mg/l Chloride 200 mg/l Potassium 12 mg/l Pesticides 0.1 mg/l Faecal coliforms 0 colonies/100 ml[3]	■			
Energy consumption index	kWh/tourist/day kWh/m²/year, according to type and/or category of the tourist establishment	■			■

[2] The Quantities and Units of Measurement are based on international standards
Source: Sustainable Tourism Standards and Indicators, Caribbean Tourism Organization, November 2000.
[3] The Quantities and Units of Measurement are based on international standards
Source: Sustainable Tourism Standards and Indicators, Caribbean Tourism Organization, November 2000.

Indicator	*Measure*	*Environmental*	*Social*	*Cultural*	*Economic*
Water consumption index	m^3/tourist/day according to type and/or category of the tourist establishment	■			■
Environmental management and use	Number of tourist enterprises authorized to responsibly utilize and manage the environment/Total number of tourist enterprises	■			
Environmental Management	Number of tourist enterprises equipped with programmes to monitor the environment/total number of enterprises	■			
Efficiency of the solid waste management system	Number of tourist establishments equipped with efficient classification systems/Total number of tourist establishments.	■			
Efficiency of the waste water management system	Number of tourist establishments connected to efficient treatment systems/Total tourist establishments.	■			
Tourist Satisfaction	Number of satisfied tourists/Total number of tourists				■

Indicator	*Measure*	*Environmental*	*Social*	*Cultural*	*Economic*
National and Local Product Consumption Index	Annual value of national goods consumed by the tourism sector/Total consumption by the sector. Annual value of local goods consumed by the tourism sector/Total consumption by the sector.		■		■