APPENDIX 10

Union Internationale des Architectes - International Union of Architects

A Recommendation on Communicating the UIA Accord to National Governments and Relevant Authorities

As considered by the UIA Professional Practice Commission
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This Recommendation was prepared by a Drafting Panel chaired by Esa Mohammed of Malaysia.

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A Recommendation on Communicating the UIA Accord to National Governments and Relevant Authorities

Introduction

The UIA Accord on Recommended International Standards of Professionalism in Architectural Practice (Accord) has been recognized as a global standard by UIA member sections. Member sections are urged to use their utmost endeavors in promoting the use of the Accord by their respective national governments and relevant authorities. Each UIA member section is appraised with their system of government and administration and shall find avenues where the Accord can be introduced, considered and used in the country's practice of the architectural profession.

1. Preamble

1.1. At the triennial UIA Congress and General Assembly in Beijing, China in July 1999, the Assembly unanimously approved the resolution adopting the Accord on Recommended International Standards of Professionalism in Architectural Practice documents. It was an historic achievement in that it represented the first time the profession of architecture adopted a global standard. The Assembly also authorized the UIA Council to develop a policy to communicate the Accord and Recommended Guideline documents to interested parties. However, the follow up of its adoption has not been prolific and in some cases indifferent.

1.2. The strategy and policy for communication of the Accord and Recommended Guideline documents should have two related but independent parts:

- Guidelines and policy for UIA member sections and
- Guidelines and policy for the UIA Secretariat and Officers.

2. Policy Guidelines for UIA Member Sections

2.1 Member sections are required to uphold the principles, policies and guidelines as contained in the Accord. They are to:

2.1.1. Encourage their governments and regulatory agencies to reference, and adopt where appropriate and possible, the policies of the Accord as the basis for reviewing and making appropriate revisions in their own national standards for the profession.

2.1.2. Offer to assist in this review process.

2.1.3. Encourage their governments and regulatory agencies to seek the assistance of the UIA Professional Practice Commission as appropriate.

2.1.4. Encourage their governments to commend the policies of the Accord to the World Trade Organization as an appropriate basis to begin negotiating mutual recognition agreements.

2.1.5. Encouraged to add a specific message of their own, in which they will also relate the global policy as agreed by the profession at the world level to national conditions and policies.

2.1.6. Report the results of contacts with their governments and regulatory agencies to the Professional Practice Commission (PPC) and recommend changes in the strategies as well as the texts of the Accord and Recommended Guideline documents based on their experience.

2.1.7. Participate in the development and review of additional Accord policies and recommended guidelines.

2.2. For the purpose of the above each Member section shall establish its Relevant Contact Point (RCP) in the section. The RCP, which can comprise of a special committee on the UIA Accord or any other relevant body, may determine the appropriate administrative authorities/channels in their governments that can be the vehicles for communication of the Accord. The administrative authorities/channels may comprise of government ministries/agencies that deal with the following;

- Building and Construction
- Environment
- Urban planning and development
- Housing
- Architectural education and training
- Registration/licensing for architectural practice

2.3. Representatives of member sections in government organizations dealing with the above shall pursue the promotion of the Accord in their activities. It is therefore necessary that the member section, as well as its members, is fully informed of the Accord. The Accord shall be published and distributed to all its members. The Accord has been translated into a number of languages; these translations are available at www.aia.org/institute/uia. Clarifications on the Accord shall be provided by the RVC on demand basis. Seminars and workshops dealing with the application of the Accord shall also be organized by the section and appropriate CPD credits are accorded to the participants.

2.4. Each Member section shall submit on an annual basis a comprehensive report on the results of contacts with their governments and regulatory agencies to the PPC and recommend changes in the strategies as well as the texts of the Accord and

Recommended Guideline documents based on their experience if necessary. The report shall be precise and be in the format as per Appendix A or amended by the PPC from time to time.

3. Trade Agreements and Negotiations

3.1. The General Agreement on Trade in Services (GATS) covers all commercially traded services except those supplied in the exercise of governmental authority. Professional and Business services form one of the categories of services of the WTO and trade negotiations on the services sector is an on going agenda. Architectural services fall under this product classification.

3.2. Country officials are dependent on their respective country's professional bodies to assist in providing inputs and requirements to the negotiators who are generally employees of the Department of Trade. Regional trade negotiations also involve matters and trade on services.

3.3. Member sections shall organize seminars or workshops to enlighten the relevant government officials of the Accord. It is recommended that the Member section publish the Accord as an adopted policy which can be further distributed to the government and the relevant departments. Topics for discussions may be relevant to the issues of GATS as follows;

3.3.1. Public Procurement is a major item in GATS particularly the requirement for transparency in the procurement process. Communication activities on the Accord and Recommended Guidelines should point out e.g. how the adoption of the recommended standards would help to respond to the important political objectives of public procurement procedures. The QBS recommendations are a perfect illustration of this principle, whereby the system and rules proposed in the guideline documents will obviously need to be adapted in national contexts and in circumstances when they are not applicable. The same reasoning can also apply when trying to raise the awareness in the private sector.

3.3.2. Consumer protection has become an important aspect in the national context. Domestic laws and regulations are formulated by national governments in the interests of public and consumers. Strong arguments can be presented using the various aspects of the Accord showing its relevance on public interests.

3.3.3. Environment features well in the WTO and provision of the GATS. The preservation of the eco-system that makes up the natural environment is dependent on the creation and modification of the built environment by man. The role and responsibility of architects in the creation of the built environment is paramount and should be emphasized. It is anticipated that there is a growing interest on the part of national government in environmental issues to support the protection of public interests.

3.3.4. Export of services is the pivotal item in all multi-lateral and bilateral negotiations. Architectural service is classified under CPC 8671 in GATS. Furthermore the service is

generally carried out under SMEs which attract politically charged arguments for protection against the GATS. It would be of interest to national governments to gather support of the SMEs in the trade negotiations at the WTO to ensure fair competition and to facilitate trade in services. The guidelines and recommendations contained in the Accord would be of material relevance in such negotiations.

4. Policy Guidelines for the UIA Secretariat and Officers

4.1. At the PPC meeting in Tokyo in April 2003, "This Commission resolves that the UIA Council as a matter of urgency establish a public relations and communications commission charged with the responsibility to:

1) Effectively communicate and promote UIA policies, standards, accords and charters to international organizations such as the World Trade Organization, UNESCO, etc. and
2) Assist member sections to communicate and promote UIA policies, standards, accords and charters to their national governments."

4.2. Additionally the recommendations as submitted to the UIA Council at its meeting in Athens, 1-4 December 1999 refers:

1) "The UIA, through its Secretariat and Officers should publicize, promote, and encourage the recognition and use of the policy framework of the Accord by international agencies such as the World Trade Organization, OECD, and other appropriate institutions and organizations with an interest in international standards of architectural practice.
2) The UIA should make available the consultation services of members of the Professional Practice Commission to assist international agencies. Agencies requesting consultation services should be expected to cover members' expenses."

5. Conclusion

The recognition and successful implementation of the Accord requires the total and mutual commitments of all member sections as well as the UIA Council and Secretariat. It is therefore necessary for constant communication between the member sections and the Secretariat through the commission. The reporting format attached shall streamline the monitoring of the communication of the Accord.

Appendix A

PROFESSIONAL PRACTICE COMMISSION
INTERNATIONAL UNION OF ARCHITECTS

CASE STUDY
IN THE
USE AND APPLICATION
OF THE
UIA ACCORD FOR PROFESSIONALISM IN THE INTERNATIONAL PRACTICE OF ARCHITECTURE

The Professional Practice Commission is compiling a series of case studies that document how the Accord is being utilized by UIA member sections. It is hoped that these case studies will encourage other UIA member sections to make use of the Accord in their countries.

1. UIA Member Section

This part shows the name of the Institute of Architect or other organizations representing the profession.

2. Use and Application of the UIA Accord

This entry shall provide the general overview as to the application of the Accord in the member section and the government. It may also contain comments on the strength and weaknesses of the Accord which may have been encountered and suggestions for its improvements.

It may highlight the official adoption of the Accord by any relevant authorities in the country of the member section. Particular reference shall be made to the activities of the government in dealing with their representation in the WTO and the application of the Accord.

3. Goal - Objective

This part establishes the initial objective of the member section in applying the usage of the Accord. For example, it may be for the improvement of the architectural training, code of conduct, scope of services, economic cooperation between nations, etc.

4. Instigator/Organizer of the Use and Application of the UIA Accord

This part identifies the organizations, committees or individuals who instigate the use of the Accord. It may also elaborate the process and procedures upon which the application was successfully implemented.

5. Government Ministry/Bureau/Agency

This part contains the list of relevant government ministries, authorities, and organizations such as: ministry of public works, ministry of international trade and industries, ministry of education, board of architects, institutes of architects, schools of architecture in local universities, etc. It may also contain the comments and suggestions made by such organization in using the Accord.

6. Description of the Process/Procedure

This part elaborates the process and procedures as to how the Accord is applied in the Member section's country. It may contain the background on the administrative structure of the government that deals with the profession and how the Accord can be introduced.

7. Results

This part summarizes the achievements of the member section in the application of the Accord.

8. Date Initiated

This is the date when the member section actively initiated activities pertaining to the promotion of the Accord to the relevant authorities and organizations.