



DN 114/13/ICA 2007

INTERNATIONAL COFFEE ORGANIZATION
ORGANIZACIÓN INTERNACIONAL DEL CAFÉ
ORGANIZAÇÃO INTERNACIONAL DO CAFÉ
ORGANISATION INTERNATIONALE DU CAFÉ

28 March 2013
Original: English

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**INTERNATIONAL COFFEE AGREEMENT 2007
CONCLUDED IN LONDON, 28 SEPTEMBER 2007
OPPORTUNITY FOR DEPOSIT OF INSTRUMENTS
9 – 12 SEPTEMBER 2013**

The Executive Director of the International Coffee Organization (ICO), as the chief administrative officer of the Depository for the International Coffee Agreement (ICA) 2007, communicates the following:

The deadline for deposit of instruments of ratification, acceptance, approval or accession is 30 September 2013.

There will be an opportunity for deposit of instruments of ratification, acceptance, approval or accession, or notifications of provisional application, during the 111th Session of the International Coffee Council which will take place in Belo Horizonte, Brazil from 9 to 12 September 2013.

Document ED-2033/08 Rev. 7, which includes model instruments of ratification, acceptance, approval or accession, is attached for information. The Annex shows the status of membership of the ICO under the ICA 2007. An updated report on membership can be found on the ICO website: http://www.ico.org/depositary_e.asp.

Attention: Treaty Services of Ministries of Foreign Affairs

International Coffee Organization
22 Berners Street,
London W1T 3DD
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Fax: +44 (0) 20 7612 0630
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ANNEX

**MEMBERSHIP OF THE INTERNATIONAL COFFEE ORGANIZATION
UNDER THE INTERNATIONAL COFFEE AGREEMENT 2007
AS AT 27 MARCH 2013**

	DATE OF SIGNATURE	NOTIFICATION OF PROVISIONAL APPLICATION	TYPE OF INSTRUMENT DEPOSITED	DATE OF DEPOSIT OF INSTRUMENT	PERCENTAGE OF VOTES FOR THE PURPOSES OF ENTRY INTO FORCE
A. Countries which have completed all the required procedures					
Exporting Members (38)					
Angola	19 May 2008		Approval	22 September 2009	0.5
Bolivia, Plurinational State of	16 June 2011	10 April 2012			0.6
Brazil	19 May 2008		Ratification	2 February 2011	24.4
Burundi	21 September 2009		Acceptance	21 September 2009	0.8
Cameroon	23 May 2008		Ratification	17 September 2012	1.2
Central African Republic	22 May 2008		Ratification	24 August 2010	0.5
Colombia	20 May 2008	2 December 2008			10.0
Costa Rica	29 May 2008		Ratification	11 December 2009	1.8
Côte d'Ivoire	18 July 2008		Approval	15 October 2008	2.6
Cuba	29 August 2008		Ratification	4 December 2008	0.5
Ecuador	30 September 2008		Ratification	30 September 2008	1.3
El Salvador	25 June 2008		Ratification	4 December 2008	1.7
Ethiopia	28 August 2008		Ratification	8 July 2010	2.8
Gabon	22 July 2008		Acceptance	25 February 2009	0.5
Ghana	11 July 2008		Ratification	17 August 2009	0.5
Guatemala	29 August 2008		Ratification	23 March 2011	3.6
Honduras	27 June 2008		Ratification	7 June 2010	2.9
India	28 August 2008		Ratification	22 September 2008	3.6
Indonesia	25 June 2008		Ratification	5 February 2009	5.5
Kenya	22 May 2008		Ratification	22 May 2008	1.2
Liberia	26 August 2008		Ratification	6 October 2009	n.a.
Malawi	28 August 2008		Ratification	18 July 2012	0.5
Mexico	23 June 2009		Ratification	8 April 2010	2.6
Nicaragua	19 March 2009		Ratification	12 August 2009	1.6
Panama	1 July 2008		Ratification	12 March 2009	0.6
Papua New Guinea	7 November 2008	6 November 2009			1.5
Philippines			Accession	29 March 2011	0.5
Rwanda	18 July 2008		Ratification	17 May 2012	0.8
Sierra Leone			Accession	5 May 2011	n.a.
Tanzania	23 July 2008	22 September 2009	Ratification	21 September 2010	1.1
Thailand	4 August 2009		Ratification	4 August 2009	0.8
Timor-Leste	19 August 2008		Ratification	5 January 2009	n.a.
Togo	23 May 2008		Ratification	21 September 2010	0.6
Uganda	21 September 2009		Ratification	1 March 2010	2.7
Vietnam	28 August 2008		Approval	28 August 2008	12.7
Yemen	27 February 2008		Ratification	14 July 2010	n.a.
Zambia	11 September 2009		Ratification	3 August 2011	0.6
Zimbabwe	20 August 2009		Ratification	24 May 2012	0.6
Total					93.7
Importing Members (6)					
European Union	17 June 2008		Approval	17 June 2008	68.0
<i>Austria</i>					
<i>Belgium</i>					
<i>Bulgaria</i>					

	DATE OF SIGNATURE	NOTIFICATION OF PROVISIONAL APPLICATION	TYPE OF INSTRUMENT DEPOSITED	DATE OF DEPOSIT OF INSTRUMENT	PERCENTAGE OF VOTES FOR THE PURPOSES OF ENTRY INTO FORCE
Importing Members (contd)					
<i>Cyprus</i>					
<i>Czech Republic</i>					
<i>Denmark</i>					
<i>Estonia</i>					
<i>Finland</i>					
<i>France</i>					
<i>Germany</i>					
<i>Greece</i>					
<i>Hungary</i>					
<i>Ireland</i>					
<i>Italy</i>					
<i>Latvia</i>					
<i>Lithuania</i>					
<i>Luxembourg</i>					
<i>Malta</i>					
<i>Netherlands</i>					
<i>Poland</i>					
<i>Portugal</i>					
<i>Romania</i>					
<i>Slovakia</i>					
<i>Slovenia</i>					
<i>Spain</i>					
<i>Sweden</i>					
<i>United Kingdom</i>					
Norway	2 June 2010		Ratification	21 September 2010	1.2
Switzerland	22 May 2008		Ratification	11 September 2009	1.8
Tunisia	5 October 2009		Ratification	21 September 2010	n.a.
Turkey	28 August 2008		Ratification	28 March 2011	n.a.
United States of America	28 August 2008		Acceptance	28 August 2008	21.8
Total					92.8
B. Countries which have signed the Agreement but not completed the required procedures					
Exporting countries (6)					
Benin	23 September 2009				0.5
Congo, Dem. Rep. Of	23 September 2009				0.7
Guinea	2 July 2008				0.8
Madagascar	25 September 2009				0.6
Nigeria	21 July 2008				0.5
Paraguay	27 September 2010				0.5
Total					3.6

	DATE OF SIGNATURE	NOTIFICATION OF PROVISIONAL APPLICATION	TYPE OF INSTRUMENT DEPOSITED	DATE OF DEPOSIT OF INSTRUMENT	PERCENTAGE OF VOTES FOR THE PURPOSES OF ENTRY INTO FORCE
C. Countries which have not signed the Agreement					
Exporting countries (5)					
Congo, Rep.					0.5
Dominican Republic					0.6
Haiti					0.5
Jamaica					0.5
Venezuela, Bolivarian Rep. of					0.6
Total					2.7
Importing countries (1)					
Japan 1/					7.2
Total					7.2
D. Countries invited as observers to attend the 98th Session of the Council at which the ICA 2007 was adopted					
Algeria	Fiji	Mozambique	Sudan		
Argentina	Iceland	Myanmar	Syrian Arab Republic		
Armenia	Iran, Islamic Republic of	Nepal	The former Yugoslav		
Australia	Israel	New Zealand	Republic of Macedonia		
Belarus	Jordan	Oman	Timor-Leste 2/		
Belize	Korea, Republic of	Pakistan	Trinidad and Tobago		
Botswana	Kuwait	Peru	Tunisia 2/		
Cambodia	Lao People's Dem. Rep.	Russian Federation	Turkey 2/		
Canada	Lebanon	Saudi Arabia	Ukraine		
Chile	Liberia 2/	Serbia	United Arab Emirates		
China	Libyan Arab Jamahiriya	Sierra Leone 2/	Uruguay		
Croatia	Malaysia	Singapore	Yemen 2/		
Egypt	Mauritius	South Africa			
Equatorial Guinea	Morocco	Sri Lanka			

n.a. = not applicable

Note: The percentage of votes for the purposes of entry into force is based on the initial distribution of votes for coffee year 2007/08: document EB-3934/07.

1/ See document ED-2060/09.

2/ Procedures for membership of the 2007 Agreement completed.



Procedures for membership of the International Coffee Agreement 2007

1. The Executive Director presents his compliments and wishes to inform Members and observer Governments about procedures for membership of the International Coffee Agreement (ICA) 2007.
2. At its 109th Session from 24 to 28 September 2012 the International Coffee Council approved Resolution 449 which provides for Governments to deposit instruments of ratification, acceptance, approval or accession until 30 September 2013.
3. Members of the ICA 2001 and observer Governments are invited to contact the Treaty Sections or Legal Offices of their Ministries of Foreign Affairs and request them to undertake the necessary formalities for membership, which include the following:
 - (a) Signatory Governments (see Section A of Annex II) – ratification, acceptance or approval by **30 September 2013**.
 - (b) Non-Signatory Governments (see Section B of Annex II) – accession no later than **30 September 2013**.

Ratification, acceptance or approval

4. The ICA 2007 requires ratification, acceptance or approval by Governments which have signed it and intend to apply it. Under the provisions of Resolution 449, Members should deposit their instruments of ratification, acceptance or approval with the Depositary by **30 September 2013**. Instruments of ratification, acceptance or approval must be signed by the Head of State, Head of Government, or by the Minister for Foreign Affairs, and deposited with the Depositary. A model instrument, which may be adapted as appropriate, is attached as Annex III. The UN Treaty Section notes that instruments must include:

- Title, date and place of conclusion of treaty
- The type of action should be clearly identified, e.g. ratification, acceptance or approval
- Full name and title of the person signing the instrument (i.e. the Head of State, Head of Government or Minister for Foreign Affairs)
- An unambiguous expression of the intent of the Government to consider itself bound by the treaty and to undertake faithfully to observe and implement its provisions
- Date and place where the instrument was issued
- Signature of the Head of State, Head of Government or Minister for Foreign Affairs (the official seal is not sufficient).

Steps for ratification, acceptance or approval to the Agreement are as follows:

- (a) prepare instrument of ratification, acceptance or approval (as applicable) in accordance with model in Annex III;
- (b) instrument is signed by Head of State, Head of Government, or Minister for Foreign Affairs;
- (c) deliver the instrument by hand, mail, fax or scanned copy by email to the ICO;
- (d) if the instrument is faxed or sent as a scanned copy to the ICO, deliver the original instrument to the Organization as soon as possible thereafter;
- (e) the ICO will examine the instrument to ensure it is in due and proper form. The date of deposit will be the date on which the instrument is received at the ICO headquarters; and
- (f) the ICO will notify Members and non-member Governments about this action.

Accession

5. Accession is generally used by States wishing to express their consent to be bound by a treaty where the deadline for signature has passed. Under the provisions of Resolution 449, Governments eligible for membership in accordance with Article 43 may accede to the International Coffee Agreement 2007 by depositing an instrument of accession with the Organization no later than **30 September 2013** or such other time as the Council may decide. A model instrument, which may be adapted as appropriate, is attached as Annex III. The criterion for accepting instruments is the same as for instruments of ratification, acceptance or approval (see sub-paragraphs (a) to (f) above).

Notification of provisional application

6. Under the provisions of Article 41 (Provisional application), a signatory Government which intends to ratify, accept or approve the 2007 Agreement may, at any time, notify the Depositary that it will apply the Agreement provisionally in accordance with its legal procedures. Similar wording to that of the model instrument in Annex III, adapted as appropriate, may be used for notifications of provisional application.

Additional information

Depositary contact details

7. The International Coffee Organization is the Depositary for the ICA 2007 (as designated by Council Resolution 436 of 25 January 2008). The contact details for the ICO are as follows:

International Coffee Organization

22 Berners Street

London W1T 3DD

United Kingdom

Tel: +44 (0) 20 7612 0600 (switchboard)

Fax: +44 (0) 20 7612 0630

Email: depositary@ico.org

Website: www.ico.org

8. The ICO will continue to advise all interested Parties, by means of Depositary Notifications, about actions relating to the ICA 2007.

Certified true copies

9. Certified true copies of the ICA 2007 were sent in February 2008 to each State eligible to become a Member. Additional copies are available on request from the Secretariat and electronic copies can be downloaded from the ICO website at the following link: www.ico.org/documents/ica2007-certified.pdf.

Website

10. The ICO website includes a section containing copies of all relevant documents such as certified true copies of the ICA 2007, the status of the ICA 2007, Depositary Notifications, etc. (see www.ico.org/depositary_e.asp). The United Nations Treaty Handbook provides further information on depositary practice, as well as a glossary of relevant terms and can be consulted on the UN Treaty Section website (<http://untreaty.un.org>) as well as on the ICO website.

11. Further information about membership procedures is also provided in the following Annexes:

Annex I	Summary of steps for membership of the ICA 2007
Annex II	Governments eligible to ratify, accept, approve or accede to the ICA 2007 under the provisions of Articles 40 and 43 of the ICA 2007
Annex III	Model of an instrument of ratification, acceptance, approval or accession to the ICA 2007

Relevant ICO documents

- Resolution 431: Adoption of text of the ICA 2007
- Resolution 436: Depositary for the ICA 2007
- Resolution 447: Procedures for accession to the ICA 2007
- Resolution 449: Extension of the time limit for ratification, acceptance, approval of or accession to the ICA 2007
- ED-2033/08 Rev. 7: Procedures for membership
- ICA 2007: Certified true copy

SUMMARY OF STEPS FOR MEMBERSHIP OF THE ICA 2007

RATIFICATION, ACCEPTANCE OR APPROVAL
(FOR SIGNATORY GOVERNMENTS LISTED IN SECTION A OF ANNEX II)
(No later than 30 September 2013)

ACCESSION
(FOR NON SIGNATORY GOVERNMENTS LISTED IN SECTIONS B AND C OF ANNEX II)
(No later than 30 September 2013)

Prepare instrument of ratification, acceptance, approval or accession
(in accordance with Annex III)



Deliver instrument by hand, mail, fax or scanned copy to the ICO headquarters
(22 Berners Street, London W1T 3DD,
Fax: +44 (0) 20 7612 0630, Email: depositary@ico.org)



If the instrument is sent by fax or as a scanned copy to the ICO, deliver the original instrument to the ICO as soon as possible thereafter



ICO confirms receipt, reviews the instrument and notifies Members of this action

**GOVERNMENTS ELIGIBLE TO RATIFY, ACCEPT, APPROVE OR ACCEDE
TO THE ICA 2007 UNDER THE PROVISIONS OF ARTICLES 40 AND 43 OF THE ICA 2007
(As at 28 September 2012)**

A. Countries which have signed the 2007 Agreement and which need to deposit an instrument of ratification, acceptance or approval:

Exporting countries

Benin
Congo, Democratic Republic of
Guinea
Madagascar
Nigeria
Paraguay

B. Contracting Parties to the ICA 2001 which have not signed the 2007 Agreement and which need to deposit an instrument of accession:

Exporting countries

Congo, Republic of
Dominican Republic
Haiti
Jamaica
Venezuela Bolivarian Rep. of

Importing countries

Japan¹

C. Countries invited as observers to attend the 98th Session of the Council at which the ICA 2007 was negotiated:

Algeria	Equatorial Guinea	Morocco	Sri Lanka
Argentina	Fiji	Mozambique	Sudan
Armenia	Iceland	Myanmar	Syrian Arab Republic
Australia	Iran, Islamic Republic of	Nepal	The former Yugoslav Republic of Macedonia
Belarus	Israel	New Zealand	Trinidad and Tobago
Belize	Jordan	Oman	Ukraine
Botswana	Korea, Republic of	Pakistan	United Arab Emirates
Cambodia	Kuwait	Peru	Uruguay
Canada	Lao People's Dem. Rep.	Russian Federation	
Chile	Lebanon	Saudi Arabia	
China	Libyan Arab Jamahiriya	Serbia	
Croatia	Malaysia	Singapore	
Egypt	Mauritius	South Africa	

¹ See document ED-2060/09

**MODEL OF AN INSTRUMENT OF RATIFICATION, ACCEPTANCE, APPROVAL OR ACCESSION
TO THE INTERNATIONAL COFFEE AGREEMENT 2007**

WHEREAS the INTERNATIONAL COFFEE AGREEMENT, ('the Agreement'), 2007 was concluded in London on 28 September 2007,

NOW THEREFORE I, [NAME AND TITLE of the Head of State, Head of Government or Minister for Foreign Affairs], declare that the Government of [name of State], having considered the above-mentioned Agreement, [ratifies] [accepts] [approves] [accedes to] the same and undertakes faithfully to perform and carry out the stipulations therein contained.

IN WITNESS WHEREOF, I have signed this instrument of [ratification] [acceptance] [approval] [accession] at [place] on [date].

[Signature]*

*** To be signed by the Head of State, Head of Government, or Minister for Foreign Affairs**

Contact address for the Depositary:

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