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INTERNATIONAL
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International Coffee Council
111th Session
9 – 12 September 2013
Belo Horizonte, Brazil

**International Coffee Agreement 2007
Membership as at 21 August 2013**

Background

1. The attached document contains a report on membership of the International Coffee Agreement (ICA) 2007. In March 2013 the Executive Director circulated document DN-114/13/ICA 2007 notifying Members of the opportunity to deposit instruments during the 111th Session of the Council in Belo Horizonte, Brazil.
2. The Executive Director urges all Governments that have yet to complete membership formalities for the 2007 Agreement to make every effort to accelerate the procedures required.

Action

The Council is requested to consider this report.

INTERNATIONAL COFFEE AGREEMENT 2007
MEMBERSHIP AS AT 21 AUGUST 2013

Background

1. The ICA 2007 was adopted by the International Coffee Council on 28 September 2007 through Resolution 431. On 25 January 2008, the Council designated the International Coffee Organization (ICO) as the Depositary for the Agreement and it opened for signature at the ICO headquarters in London on 1 February 2008 until 31 August 2008, and for deposit of instruments of ratification, acceptance or approval until 30 September 2008. The period for signature and deposit of instruments was subsequently extended by the Council (see Resolutions 439, 440, 441, 442, 445, 446, 448 and 449).

Status of the 2007 Agreement

2. The ICA 2007 entered into force definitively on 2 February 2011 in accordance with the provisions of paragraph (1) of Article 42 of the ICA 2007.

3. As at 21 August, 44 exporting Members and 6 importing Members have signed the Agreement, and 39 exporting Members and 6 importing Members have ratified, accepted or approved the Agreement or deposited notifications of provisional application (see Annex I). The attached table shows the status of membership under the ICA 2007. Governments are listed in the following four categories:

Section A: Members of the 2007 Agreement

Section B: Members of the ICA 2001 which have signed the ICA 2007 but not completed the required procedures

Section C: Members of the ICA 2001 which have not signed the ICA 2007

Section D: Countries invited as observers to attend the 98th Session of the Council at which the ICA 2007 was adopted.

Deposit of instruments of ratification, acceptance or approval

4. Under the provisions of Resolution 449, signatory Governments have until **30 September 2013** to deposit instruments of ratification, acceptance or approval. Procedures for membership are set out in document ED-2033/08 Rev. 7, together with a model instrument. Document WP-Council 237/13 contains a draft Resolution extending the deadline for deposit of instruments of ratification, acceptance or approval until 30 September 2014. Following the expiry of the deadline for signature on 28 September 2011, accession is the only option for membership open to non-signatory Governments (see paragraph 6 below).

Notification of provisional application

5. 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. The Plurinational State of Bolivia, Colombia and Papua New Guinea are currently applying the Agreement provisionally.

Accession

6. Accession is generally used by States wishing to express their consent to be bound by a treaty where the deadline for signature has passed. Article 43 (Accession) provides that the Government of any State member of the United Nations or of any of its specialized agencies or any intergovernmental organization described in paragraph (3) of Article 4 may accede to the 2007 Agreement in accordance with procedures which shall be established by the Council. At its 106th Session, the Council approved Resolution 447 establishing procedures for accession, in accordance with Article 43 of the 2007 Agreement. The deadline for deposit of instruments of accession is **30 September 2013**. Information about procedures for accession is set out in document ED-2033/08 Rev. 7, together with a model instrument. Document WP-Council 237/13 contains a draft Resolution extending the deadline for deposit of instruments of accession until 30 September 2014.

Members of the ICA 2001 which have not yet completed procedures for the ICA 2007

7. Countries which have not yet completed membership procedures will only be required to pay contributions to the Administrative Budget in 2013/14 from the date they become Members¹. The Executive Director has written to the designated persons for countries listed in Sections B and C of Annex I to remind them of the need to complete membership procedures as soon as possible.

Participation at meetings and credentials

8. As has been the procedure since the entry into force of the 2007 Agreement, countries which were Members under the 2001 Agreement but have not yet completed procedures for the ICA 2007 may continue to attend meetings and receive ICO documents, pending the formal completion of membership procedures. These Members are long-standing Members of

¹ Paragraph (3) of Article 20 provides that the initial contribution of any Member joining the ICO after the entry into force of the 2007 Agreement shall be assessed by the Council on the basis of the number of votes to be held by it and the period remaining in the current financial year.

previous Agreements, and this practice was followed under the ICA 1994 as extended and the ICA 2001. Although these Members may be invited to take their seats in the Council, they would not be eligible to participate in the formal decision-making process.

9. In the case of the report on credentials, these Members will continue to be grouped as countries which have not yet completed the formal procedures for membership of the ICA 2007, but were Members under the ICA 2001 and have sent representatives to this Session. A similar procedure was followed in the case of Council Sessions held under the ICA 2001².

² See *Reports on credentials and Lists of Delegations for coffee year 2001/02* contained in documents ICC-86-11, ICC-86-12, ICC-87-11 and ICC-87-12.

**MEMBERSHIP OF THE INTERNATIONAL COFFEE ORGANIZATION
UNDER THE INTERNATIONAL COFFEE AGREEMENT 2007
AS AT 21 AUGUST 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 (39)					
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
Paraguay	27 September 2010		Ratification	21 August 2013	0.5
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					94.2
Importing Members (6)					
European Union	17 June 2008		Approval	17 June 2008	68.0
<i>Austria</i>					
<i>Belgium</i>					
<i>Bulgaria</i>					
<i>Croatia</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 (5)					
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
Total					3.1

	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 3/	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/ Procedure for membership of the 2007 Agreement completed.

3/ Became a State member of the European Union on 1 July 2013 and as a consequence the procedures for membership of the 2007 Agreement have been completed.