**Decisions and Resolutions adopted at the 128th Special Session of the International Coffee Council**

28 October 2020

### Opening of the 128th Special Session of the Council

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1. His Excellency Mr Iman Pambagyo, of Indonesia, opened and chaired the first part of the 128th Special Session of the International Coffee Council, held on 28 October 2020. Due to social distancing restrictions, the Council took place virtually using the online Zoom platform. The Chair noted that the Secretariat chose to use Zoom to enable interpretation into the ICO official languages, English, French, Portuguese and Spanish.

2. The Chair of the Council opened the Council by welcoming all Members and he then invited the Executive Director to give his opening remarks.

3. The Executive Director gave his opening speech. He stressed that collaboration was the only way to succeed during the crisis caused by the covid-19 pandemic. He invited everyone to seek common solutions and noted that concerns regarding the structure and governance system of the Organization should be addressed in the Working Group on the Future of the Agreement (WGFA). He expressed his satisfaction that the United Kingdom would be joining the ICO as of 1 January 2021, which would result in the addition of a new key Member and bring more resources to the Organization. He stressed the importance of the work of the Coffee Public-Private Task Force (CPPTF) and that the United Nations Development Programme had asked to participate in the technical workstreams. The 2020 edition of the Coffee Development Report and the ICO Statistical Database would be launched in the near future. He noted that budget cuts would have an impact on staff and, therefore, the delivery of services. In coffee year 2020/21, the ICO would only be operating with nine members of staff, as an emergency measure, but that this was not sustainable in the long term. The ICO was an important interlocutor in the development sphere and Members should not allow this Organization to be destroyed. He invited Member States to think long and hard on the consequences of the disappearance of the ICO. If they showed a divided face to the outside world, the coffee sector risked losing support from key partners in the public and private sectors. Members needed to think in the long term and preserve the ties within the ICO. He was confident that a spirit of responsibility and solidarity would prevail and that the session would come to a successful conclusion.

Item 1: Adoption of the Agenda

4. The Council adopted the draft Agenda contained in document ICC-128-0 Rev. 1.

5. The Head of Operations informed the Council that in compliance with Article 11 of the ICA 2007, the quorum for holding the 128th Special Session of the International Coffee Council was reached.
6. The Council adopted the draft agenda.

**Item 2:** Votes for coffee year 2020/21

7. The Head of Operations reported on the document ICC-128-1, and explained tables 1, 2, 3, and 4. Only Members that were in compliance with the applicable rules regarding the payment of contributions would be eligible to vote during the Council.


**Item 3:** Credentials

9. The Head of Operations stated that the credentials received were found to be in good order, he noted that the Secretariat would issue a list of delegates attending at a future date.


**Item 4:** Office holders: Chair and Vice-Chair of the Council

11. According to Article 10 of the 2007 Agreement, the Chair and the Vice-Chair for coffee year 2020/21 should be elected from among the representatives of importing and exporting Members, respectively.

12. The Chair of the Council for coffee year 2019/20, H.E. Mr Iman Pambagyo, of Indonesia, reminded the Council of the rules on the election of the Chair and the Vice-Chair of the Council for coffee year 2020/21.

13. The spokesperson of the importing Members, the delegate of the European Union, nominated Mr John Muldowney, of the EU-Ireland, endorsed by all importing Members, as the Chair of the Council for coffee year 2020/21.

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1 Subsequently circulated as document ICC-128-7.
14. The spokesperson of the exporting Members, the delegate of Brazil, nominated H.E. Ambassador Iván Romero-Martínez, of Honduras, endorsed by all exporting Members, as the Vice-Chair of the Council for coffee year 2020/21.

15. The Chair of the Council for coffee year 2020/21 gave his statement.

16. The Vice-Chair of the Council for coffee year 2020/21 gave his statement.

17. The incoming Chair, Mr John Muldowney, proceeded to chair the rest of the meeting.

18. The Council approved the election of the Chair and Vice-Chair of the Council for coffee year 2020/21.

**Item 5: Draft Administrative Budget for financial year 2020/21**

*Report to the Council of the Small, High-level Working Group*

19. The Chair of the Small, High-level Working Group on Budget-related matters (SHLWG) presented his report to the Council. The Council established this Working Group in September 2020 because some Members had requested substantial reductions in their contributions for coffee year 2020/21, mainly due to the impact of the covid-19 pandemic. The establishment by the Council of the Working Group on budgetary matters was a clear demonstration of the willingness of all ICO Members to address the issues raised.

20. The Chair of the Working Group noted that a guiding principle of the Group’s work was that Members should be treated equally under the provisions of the International Coffee Agreement. Its main tasks were:

- To review requests for reduction in contributions.
- To examine different scenarios for budget reduction, in light of the requests received from several Members for 50% reductions in their contributions.
- To propose a draft ICO budget for coffee year 2020/21.
21. At all times, the SHLWG sought to find a balance between reductions that were clear and reasonable, while still allowing the Organization to perform fully its core functions.

22. The composition of the Working Group, as approved by the Council, was eight exporting Members, four importing members and the Chair and Vice Chair of the Finance and Administration Committee. The spokespersons of exporting and importing Members had consulted their respective groups and informed their representatives on the Working Group. The SHLWG consisted of:

- **Exporting Members**: Colombia, Côte d’Ivoire, Honduras, Indonesia, Kenya, Papua New Guinea, Togo and Viet Nam.
- **Importing Members**: European Union, Japan, Russian Federation and Switzerland.

23. The Terms of Reference of the Working Group (contained in document SHLWG-2/20) covered only the 2020/21 budget. Therefore, the Working Group had not discussed requests related to outstanding contributions from coffee year 2019/20 and arrears from previous years. The contributions for those years had been approved by Council. Any requests for changes needed to be submitted first to the Finance and Administration Committee, which could then make recommendations to the Council.

24. For this reason, the Working Group had not considered the requests for reductions of Bolivia and Malawi. These two Members had been temporarily suspended under the provisions of Resolution 470 and were therefore excluded from the schedule of contributions for 2020/21. Their requests should be handled by the Finance and Administration Committee. The task of the Working Group was to evaluate the requests for reductions in contributions for coffee year 2020/21 made by the second group, which consisted of El Salvador, Ethiopia, Kenya, Nepal, Tanzania, Uganda and Viet Nam. These seven Members had been joined by Nicaragua during the week in which the Special Session of Council was held.

25. The former Chair explained the impact of a 50% budget reduction, as requested by these eight Members. If every Member’s contributions was reduced by at least 50%, the overall impact on total contributions would be 58.4%. This disparity had three causes:
• Ten Members, nine exporting and one importing, had been excluded from the calculation as a result of their temporary suspension under the provisions of Resolution 470. Their votes had been redistributed among the remaining Members;
• Two Members (Guatemala and Paraguay) had withdrawn during 2019/20. Their votes were redistributed among the remaining exporting Members;
• The shares of Members in total exports or imports had changed from previous year, as presented in the “Basis for the initial distribution of votes in 2020/21,” circulated by the Secretariat as ED-2343/20. This reflected the fact that the shares of Members in the international trade of coffee changed over time and, consequently, their share of the ICO budget also changed.

26. The Chair of the SHLWG stated that the Working Group had studied carefully the impact of this 50% scenario. Working Group members had expressed deep concern about the impact on the staffing of the Organization of the large cuts required. Most cuts would inevitably have to come from Personnel. The Organization would be left with an extremely small staff or salary cuts of more than 50% would have to be implemented, which would create grave legal and contractual problems as well as damage staff morale.

27. The Working Group was prepared to be flexible and to examine very painful cuts. However, the consensus of delegates was that this 50% scenario was too drastic and not viable. Members noted the need to find a compromise that enabled the Organization to continue to fulfil its core functions while granting significant relief to Members who had requested reductions.

28. In addition to scenarios for cuts in contributions based on the provisions of the Agreement, the Working Group also carefully evaluated a proposal by Viet Nam to use other criteria to distribute contributions. In particular, Viet Nam defended that the contributions of all Members be cut by the same percentage, regardless of the rules contained in the ICA 2007.

29. The opinion of the legal advisers of the Organization was that such a departure from the text of the Agreement could be justified in an emergency situation and for a pre-determined length of time.
30. However, the Working Group discarded this approach because it would represent a break with the provisions of the International Coffee Agreement. In addition, it would create ‘winners’ and ‘losers,’ as mentioned in the legal brief.

31. The Chair noted that one Member had written to him requesting that this meeting be postponed, in order to allow the budget to be submitted to the Finance and Administration Committee and then, with thirty days advance notice, to the Council. In reply, the Chair had informed that the Terms of Reference of the Working Group, as approved by the Council, supported the procedure adopted. The exchange of communications had been circulated as ED-2351/20. Furthermore, the Working Group on the Revision of the Agreement was the appropriate forum for all Members to discuss changes in the ways the ICO operates and in its objectives, ranging from ways in which to determine assessed contributions to the entitlements of staff members under the Staff Regulations and Staff Rules.

32. Numerous Members agreed on the proposed budget considering the balance between reductions and the Organization’s ability to perform fully its core functions. They also emphasized the need for immediate payments of arrears by Members who had not fully paid their contributions.

33. The delegate of Nicaragua requested that the Secretariat prepare a detailed calculation and explanation of how distribution of the votes and contributions for coffee year 2020/21 had been determined.

34. The Executive Director responded that a detailed explanation on the distribution of votes for the 2020/21 would be provided to Nicaragua, although the basis for the initial distribution has been released in the document ED-2343/20.

35. Some Members stressed the need to allocate more resources to Language Services.

36. The Executive Director acknowledged the importance of Language Services in binding Members to the Organization. He proposed that the pro rata contribution that would be received from the United Kingdom upon its accession in January 2021 should be primarily channelled to this line item of the budget.

37. The proposal of the Executive Director was approved by Members.
38. The Head of Finance and Administration presented the budget scenario contained in the report FA-231/20 Rev. 5, as recommended by the Small, High-level Working Group to Council. The report contained a series of cuts in relation to the 2019/20 budget in order to accommodate the concerns raised by Members who had requested reductions, while seeking to maintain the core functions of the ICO.

39. The budget reductions in percentage terms from 2019/20 were: 25.8% for Personnel; 15.8% for Premises; and 48.6% for Other Costs. The total Net Expenditures resulted in GBP 1,864,000, a reduction of £722,000 from the previous year, which represented a 28% decrease. Significant cost reductions on Other Items could be found in Language Services, amounting to £82,000; Travel, which had been cut from £54,000 to zero; and a reduction of £31,000 had been made in the Programme of Activities.

40. With regard to staffing, of the fourteen posts in the Establishment Table in Annex II of the proposed budget, five would remain fully or partially vacant during coffee year 2020/21. Three of those posts are in the Operations Division, which was responsible for executing the Programme of Activities. A cut in staff of this magnitude inevitably had consequences on the performance of these tasks. The Head of Finance and Administration also stressed that the costs presented were not representative of a fully staffed Establishment Table. Savings are envisaged from redundancies, leaving posts vacant and the hiring of a collaborator on a short-term service contract.

41. The Head of Finance and Administration explained that there were three main sources of savings in the Personnel Costs: a) 3 posts would be kept vacant throughout the year and 2 posts would be partially vacant; b) staff had agreed to voluntary reduction in Provident Fund contributions to 7.9%; c) staff had also agreed to voluntary freezes on new Salary and Provident Fund scales, as well as step increases. With all the emergency cuts considered, the Personnel Costs in Rev. 5 amounted to £1,325,500, a reduction of £461,500 (26%) from the previous year’s budget.

42. The Net Expenditure on Other items, excluding the Premises, amounted to £209,000, a reduction of £198,000, (49%) from the previous year’s budget. Significant cost reductions on Other Items could be found in Language Services, amounting to £82,000; Travel, which had been cut from £54,000 to zero; and a reduction of £31,000 had been made in the Programme of Activities.
43. The Head of Finance and Administration informed that movements of the Reserve Fund, based on the audited financial reports, were shown in Annex VI of the report. The document did not contain the usual table on the Net Reserve Fund, following remarks by several Members that this table was not easy to interpret. Given the limited time available for revision since the last Council, it was decided not to present this table in Revision 5. The Secretariat would work to prepare a more reader-friendly version of the information, reflecting the constructive opinions by the Members.

44. The Head of Finance and Administration reported that the Estimated Liquidation Cost as of 30 September 2020, shown in page 6 of the report, was £1,523,000 (as compared to £1,818,000 at 30 September 2019). The decrease was due to the resignation and downgrading of posts during 2019/20, the resignation of a member of staff with effect from November 2020, and savings from the recruitment policies adopted and changes in the Establishment Table.

45. The Head of Finance and Administration concluded that, taking into account all the reductions in Rev. 5 of the Budget, total contributions were £1,884,000 and the contribution per vote would fall from £1,304 to £942, a reduction of 27.8% compared with the previous year and 37% compared with 2016/17, due to the implementation of cost-cutting measures and the application of Resolution 470. Income from external sources, such as income from interest, accounting services and statistical database subscriptions was estimated at £26,000. Total revenue would be, therefore, £1,910,000.

46. The Executive Director stressed that this budget contained very real pain for the Organization. It entailed significant reductions in all items and this budget would not please everyone, neither those who requested deeper cuts in their contributions nor those who thought that the capacity of the Organization to fulfil its mandate was being compromised.

47. The Executive Director continued that the Secretariat had tried to look at all areas where cuts were viable. Among the possible savings studied had been the possibility of cutting salaries. This approach had extremely complicated legal implications, in addition to which the staff would be likely to lose their motivation and seek other employment. Only a few weeks ago he had received the letter of resignation of a valued staff member. In that letter, the staff member mentioned the “persistent uncertainty around the financial situation” as a key factor in his decision to leave the Organization. After careful
consideration, the Working Group had concluded that cutting salaries was not viable and discarded this possibility. Even so, the impact on staff was significant. Personnel Costs would fall by £462,000.

48. The Executive Director presented document WP-Council 312/20, which showed the contributions of individual Members under the contribution per vote of £942 provided for in Revision 5 of the Budget. Although the overall reduction in contributions was 27.8%, the figures for individual Members varied. The reasons for this variation were primarily that the shares of individual Members in the total coffee trade change over time, and therefore their shares of votes and contributions also changed, but also the result of the temporary suspension under the provisions of Resolution 470.

49. The Executive Director stressed that below the proposed figure of Total Contributions of £1,884,000, he believed that the Organization would lose its effectiveness and would become unable to render the services that Members expect from it. Members also needed to bear in mind that this reduction came on top of a substantial reduction in 2018/19, as a result of the withdrawal of the United States from the Organization. Proposed contributions for 2020/21 were 36% lower than in 2017/18.

50. In the opinion of the Executive Director, this level of expenditure could only be maintained on a temporary basis as a survival budget that would serve as a bridge to overcome short-term challenges. However, the sacrifices made in key areas, such as economic analysis, project development, fundraising, partnerships with donors and academia, translation, interpretation, in-person meetings and travel, could not be maintained for more than one year. If Members were not prepared to face significant increases in 2021/22 or felt that cuts that went beyond this proposal were needed on a permanent basis, then they would have to rethink the whole nature of the ICO.

51. The Executive Director informed that he had, on the previous day, received a communication from Tanzania, one of the members that had requested a reduction in their contributions. Tanzania had stated that they were unable to attend the Council session due to the holding of elections in their country. With regard to contributions, Tanzania reaffirmed its desire for a 50% cut in contributions in relation to 2019/20.

52. Many delegates expressed appreciation for the work of the Secretariat in presenting various budget scenarios that took into consideration the requests for reductions made by some Members and for analysing for the sustainability of the ICO’s
operation. They agreed on the proposed budget contained in FA-231/20 Rev. 5. They also emphasized the solidarity of all the Members in the difficult situation faced by the Organization in 2020/21.

53. The delegate of Viet Nam emphasized that the coronavirus pandemic had created an unprecedented situation, especially in the collection of fees from the private sector, which was the source for payment of the assessed contributions to the ICO. Viet Nam had sent four letters to the Secretariat asking for reductions in their contributions to the 2019/20 and 2020/21 budgets. Viet Nam considered that the best way forward would be for the contributions of all Members should be reduced by an equal percentage. His delegation agreed with the budget, but was opposed to the way in which contributions were calculated.

54. The Executive Director informed that the Secretariat had duly circulated to the Members all four communications sent by Viet Nam requesting reductions in their contributions for both 2019/20 and 2020/21. One possible way forward would be for Viet Nam to propose an instalment plan to the Finance and Administration Committee, so as to alleviate short-term pressure on its finances.

55. With regard to document FA-231/20 Rev. 5, the delegate of Kenya pointed out that the dates in the heading of the second page of Table C were incorrect and requested that explanatory footnotes to be added to the Establishment Table in Annex II in order to reflect the vacancies of specific posts. In addition, she requested the restoration of the table on the Net Reserve Fund Balances.

56. The Executive Director thanked the delegate of Kenya for pointing out the typographical error in Table C, which would be corrected. A revised Establishment table would be issued with the requested footnotes. With regard to the table on Net Reserve Fund Balances, the Head of Finance and Administration had explained earlier that several Members had remarked that this table was not easy to interpret and the Secretariat was, therefore, preparing a more reader-friendly version.

57. The delegate of Uganda proposed the transfer of £22,000 from the Premises budget to the Programme of Activities.
58. The Chair summed up the situation as follows: the Council had reached a consensus on the adoption of the budget contained in FA-231/20 Rev. 5, subject to the reallocation of £22,000 from the line item “Refurbishment costs for relocation to new premises” to the Programme of Activities. The Council also took note of the objection raised by Viet Nam to the proposed distribution of contributions among Members.

59. The Council approved the Budget for 2020/21\(^2\), with the transfer of £22,000 to the Programme of Activities.

**Item 6: Report on the Programme of Activities 2020/21**

60. The Head of Operations presented a summary of document FA-255/20 Rev.1, which contained the Programme of Activities (PoA) for coffee year 2020/21, based on the resources available in Revision 5 of the draft ICO Administrative Budget 2020/21. He highlighted that these activities were related to the mandatory functions attributed to the ICO under the International Coffee Agreement (ICA) 2007. They were also related to the implementation of the ICO Five-Year Action Plan for 2017-2021 (ICC-120-11), as well as decisions adopted by the International Coffee Council, including Resolution 465 on coffee price levels and activities connected with the work of the Coffee Public-Private Task Force (CPPTF). The Programme of Activities for 2020/21 placed special emphasis on supporting Members in the assessment, analysis and mitigation of the dramatic impact of the covid-19 pandemic on the coffee sector. Additional important elements of the PoA for 2020/21 were the campaign for Youth (Coffee’s Next Generation) and other core activities.

61. The Head of Operations emphasized that the amount allocated to the PoA in the ICO Administrative Budget represented additional resources, essentially funds for consultancy work, to complement the work of the ICO Operations Division. The overall budget for the execution of the Organization’s activities included the staff of the Operations Division, a share of ICO overhead costs, a share of other staff costs (the office of the Executive Director and other ICO staff contributing to the realization of the PoA), plus the budget for the PoA itself. The sum of all these elements was roughly £1 million in the 2020/21 budget.

\(^2\) Subsequently circulated as document ICC-128-4.
62. The Head of Operations also stressed that, due to reductions in staff and a freeze in recruitments, the ability to implement the PoA, including the capacity to identify and manage external consultants, would be seriously affected.

63. Members acknowledged the proposed PoA but expressed concern that the reduction in the overall ICO budget that had been agreed upon would affect the capacity of the Organization to implement the Agreement, the Five-Year Action Plan and the PoA.

64. One Member suggested to increase the PoA budget by transferring £22,000 from the budget line for covering possible relocation costs if the ICO were to move to more cost-effective premises.

65. The Executive Director alerted Members that, while feasible, the suggested reallocation of funds would create budgetary difficulties in case of a move to new premises.

66. The Council agreed to the proposed budget reallocation.

67. The Secretariat suggested that the £22,000 could possibly be allocated to covering the cost of national experts helping to develop technical cooperation projects. One Member did not agree with this initial proposal. The Council confirmed the reallocation and suggested that, through the appropriate institutional channels, the Head of Operations would consult interested Members to analyse and agree on the activities in the PoA 2020/21 that would benefit most from the allocation of the additional funding.

68. The Council approved the Programme of Activities for 2020/21 contained in FA-255/20 Rev.1, with the addition of £22,000, to be allocated to specific activities at a later date.

**Item 7:** Coffee Public-Private Task Force (CPPTF) and CEO & Global Leader Forum (CGLF) – Communiqué

69. The Head of Operations reported on the revised joint public-private communiqué prepared by the Coffee Public-Private Task Force. He noted that the latest version incorporated inputs from ICO exporting and importing Members and from the CEO and Global Leaders Forum. He noted that a very important point was added to the Communiqué and Road Map, which was the concept of a ‘prosperous income’. He noted that document WP-Council 310/20 Rev. 2 had been circulated to all ICO Members and sherpas of the CPPTF and that the Secretariat had not received any objection.
70. The Chair of the Council noted that this was a historic moment for the coffee sector, in which both importers and exporters, together with the private sector, jointly agreed on the same vision and objective to set out a common roadmap. He congratulated the ICO and asked the Council to approve the document.


**Item 8:** ICO Flagship Report: Coffee Development Report 2020

72. Due to time constraints, the Chair of the Council suggested cancelling the presentation and for the Council to instead take note of the item.

73. The Council took note of this item.

**Item 9:** Office holders and committees

**Item 9.1:** Chair and Vice-Chair and composition of committees

74. The Chair of the Council asked the Council to consider and, if appropriate, approve the composition of the committees and officeholders for 2020/21.

75. The nominations for committees and officeholders were presented to the Council by the spokespersons of exporting and importing Members. They were as follows:

76. Finance and Administration Committee (6 exporting, 5 importing Members) Chair: Mr N. N. Narendra (India), Vice-Chair: To be determined. Exporting Members: Colombia, Côte d’Ivoire, Honduras, India, Indonesia and Uganda. Importing Members: European Union, Japan, Norway, Russian Federation and Switzerland.

77. Projects Committee (8 exporting, 3 importing Members) Chair: Ms Stefanie Küng (Switzerland), Vice-Chair: H.E. Dr Durga Bahadur Subedi (Nepal). Exporting Members: Burundi, Colombia, Cote d’Ivoire, Nepal, Nicaragua, Papua New Guinea, Peru and Togo, Importing Members: European Union, Japan and Switzerland.

78. Promotion and Market Development Committee (8 exporting, 3 importing Members), Chair: Mr Corneille Tabalo (Congo, Dem. Rep.), Vice-Chair: Mr Mario Cerutti

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3 Subsequently published as document ICC-128-5: Communiqué 2020 - Pursuing Economic Sustainability for an Inclusive and Resilient Global Coffee Sector
79. Statistics Committee (8 exporting, 3 importing Members), Chair: Ms Ina Grohmann (EU-Germany), Vice-Chair: Mr James Kiiru (Kenya). Exporting Members: Colombia, Congo, Dem. Rep., India, Indonesia, Kenya, Mexico, Nepal, Peru, Importing Members: Japan, Russian Federation and the European Union.

80. The Council approved the Chair and Vice-Chair and composition of committees for coffee year 2020/21.

**Item 9.2:** Chair and Vice-Chair of the Consultative Forum on Coffee Sector Finance

81. The Chair of the Council invited the spokespersons for exporting and importing Members to present nominations. The new composition of the Core Group of the Consultative Forum of Coffee Sector Finance was presented to the Council. They were as follows:


83. The Council elected and approved the Chair and Vice-Chair of the Consultative Forum on Coffee Sector Finance.

**Item 10:** Future meetings

**Item 10.1:** Dates for Future Meetings

84. The Chair of the Council announced that the next session of the International Coffee Council would take place from Monday 12 to Friday 16 April 2021.

85. The Council took note of these dates.
Item 10.2: Topics for Future Meetings

86. The Council took note of this item.

Item 11: Other business

87. There were no comments raised under this item.

Item 12: Closing session

88. The Chair of the Council thanked all Members for their presence.

89. The Executive Director thanked the outgoing Chair of the Council for his efforts and his dedication, while also thanking the new Chair of the Council.

90. The delegate for Colombia thanked all those Members who agreed to a compromise on the budget.

91. The delegate for Viet Nam noted that they would only approve the budget once the reduction in contributions for Viet Nam of 25% was made. The Chair of the Council noted Viet Nam’s comment.

92. The Chair of the Council declared the 128th Session of the International Coffee Council closed.