



Procedures for membership of the International Coffee Agreement 2007

1. The Executive Director a.i. 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 107th Session from 26 to 30 September 2011 the International Coffee Council approved Resolution 448 which provides for Governments to deposit instruments of ratification, acceptance or approval until 30 September 2012. Instruments of accession may also be deposited by the same date, as provided for in Resolution 447, approved by the Council at its 106th Session from 28 to 31 March 2011.
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 2012**.
 - (b) Non-Signatory Governments (see Section B of Annex II) – accession no later than **30 September 2012**.

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 448, Members should deposit their instruments of ratification, acceptance or approval with the Depositary by **30 September 2012**. 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 447, 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 2012** 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 448: Extension of the time limit for ratification, acceptance or approval of the ICA 2007
- ED-2033/08 Rev. 6: 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 2012)

ACCESSION
(FOR NON SIGNATORY GOVERNMENTS LISTED IN SECTIONS B AND C OF ANNEX II)
(No later than 30 September 2012)

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 3 October 2011)**

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

Exporting Governments

Benin	Malawi
Bolivia	Nigeria
Cameroon	Paraguay
Congo, Dem. Rep.	Rwanda
Guinea	Zimbabwe
Madagascar	

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

Exporting Governments

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

Importing Governments

Japan¹

C. Governments 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:

Depositary Office
International Coffee Organization
22 Berners Street
London W1T 3DD
United Kingdom

Tel: +44 (0) 20 7612 0600 (switchboard)
Fax: +44 (0) 20 7612 0630 (fax)
Email: depositary@ico.org