



**INTERNATIONAL
COFFEE
ORGANIZATION**

ICC Resolution 469

5 June 2020

Original: English

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International Coffee Council

126th Session (Special)

4 and 5 June 2020

London, United Kingdom

Resolution Number 469

APPROVED AT THE SECOND PLENARY MEETING,
5 JUNE 2020

RESTORATION OF VOTING RIGHTS OF THE DEMOCRATIC REPUBLIC OF THE CONGO

WHEREAS:

Paragraph (2) of Article 21 of the International Coffee Agreement 2007 provides that, “If any Member fails to pay its full contribution to the Administrative Budget within six months of the date on which the contribution is due, its voting rights and its right to participate in meetings of specialized committees shall be suspended until its contribution has been paid in full. However, unless the Council so decides, such Member shall not be deprived of any of its other rights nor relieved of any of its obligations under this Agreement”;

As at 28 May 2020 the Democratic Republic of the Congo had outstanding contributions amounting to £23,016 for 2019/20 and previous years;

The Democratic Republic of the Congo has submitted a proposal for the payment of its arrears as shown in document FA-243/20 (attached); and

In recognition of the commitment by the Democratic Republic of the Congo to pay the arrears in accordance with the instalment scheme shown in document FA-243/20, it is deemed appropriate to restore its voting rights,

THE INTERNATIONAL COFFEE COUNCIL

RESOLVES:

1. To allow the Democratic Republic of the Congo to pay its outstanding contribution of £7,824 for coffee year 2019/20 to the Administrative Budget immediately and the remaining outstanding contributions to be paid in two instalments of £7,824 and £7,368 payable on 1 July 2021 and 1 July 2022, respectively.
2. To restore with immediate effect the voting rights of the Democratic Republic of the Congo for as long as the above payment plan is maintained and future contributions are paid in accordance with the provisions of Article 21 of the 2007 Agreement.
3. That this Resolution shall not constitute a precedent in respect of the waiver of obligations relating to contributions under the provisions of Article 21 of the 2007 Agreement.
4. To request the Executive Director to inform the Finance and Administration Committee of the Democratic Republic of Congo's compliance with its obligations under paragraph 1 of this Resolution.



Finance and Administration Committee
38th Meeting
1 and 2 June 2020
London, United Kingdom

Democratic Republic of the Congo
Payment of arrears in contributions
to the Administrative Budget

RESTRICTED

Background

1. As indicated in the document concerning the situation of outstanding contributions affecting voting rights (document [ICC-126-1 Rev. 1](#)), the Democratic Republic of the Congo has a total amount outstanding of £23,016, being £7,824 for the current coffee year and arrears of £15,192 as at 28 May 2020.

2. The Minister of Agriculture of the Democratic Republic of the Congo has submitted a letter dated 9 May 2020 (see attached Annex I) requesting the ICO to consider ways of paying its arrears. The Secretariat has proposed the following payment plan to which they have agreed (Annex II and III):

- (a) The current contribution of £7,824 for coffee year 2019/20 to be paid in full immediately.
- (b) The first instalment of £7,824 to be paid on 1 July 2021.
- (c) The second instalment of £7,368 to be paid on 1 July 2022.

Action

The Committee is requested to consider whether this proposal is acceptable as a means of settling the arrears of the Democratic Republic of the Congo, and to make a recommendation to the Council in connection with the votes of the Democratic Republic of the Congo in view of efforts being made to repay its outstanding contributions

**DEMOCRATIC REPUBLIC OF THE CONGO
MINISTRY OF AGRICULTURE**

9 May 2020

Mr José Sette
Executive Director
International Coffee Organization
222 Gray's Inn Road
London WC1X 8HB

Dear Mr Sette,

Contribution of the Democratic Republic of the Congo to the Administrative Budget of the ICO for 2019/20

I refer to your letter dated 1 October 2019 addressed to the Director General a.i. of ONAPAC and I note that the contribution of the Democratic Republic of the Congo to the ICO's Administrative Budget for 2019/20 amounts to £7,824, and its arrears to £15,192.

In consequence, I can assure you that my country intends to gradually clear the above amounts by paying its contribution of £7,824 to the Budget for 2019/20 in June 2020, while the arrears will be paid in two instalments of £7,596 each from October 2020.

Please accept, Mr Executive Director, the assurances of my highest consideration.

Signed: Joseph Antoine Kasonga Mukuta
Minister of Agriculture



JOSÉ SETTE
Executive Director

ACC/038

22 May 2020

Joseph Antoine Kasonga Mukuta
Ministry of Agriculture
Croisement Boulevard du 30 juin et Avenue Batetela
Commune de la Gombe
Kinshasa
Democratic Republic of the Congo

Dear Mr Mukuta,

I refer to the letter addressed you sent me on 9 May 2020 outlining the Democratic Republic of the Congo's proposal to settle its outstanding contributions to the Organization's Administrative Budget for 2019/20 and prior years.

We are grateful for your offer to settle the amount due by the Democratic Republic of the Congo, which currently amounts to £23,016, by paying £7,824 in June 2020 and arrears of £15,192 under a repayment plan.

This would therefore mean that, in addition to the amount of £7,824 to be paid by 1 June 2020, two instalments of £7,824 and £7,368 relating to previous years would be payable on 1 July 2021 and 2022, as shown in a table in Annex A. This is of course subject to the approval of the Finance and Administration Committee and the Council.

I would be most grateful if you could inform us about your agreement to this proposal in writing with Annex A. We would then be prepared to submit a draft Resolution to the Finance and Administration Committee during the upcoming Council Session scheduled for 1 to 5 June 2020.

In the meantime, I remain at your disposal to answer any questions you may have.

Yours sincerely,

Signed: José Sette
Executive Director



**INSTALMENT PLAN
DEMOCRATIC REPUBLIC OF THE CONGO**

As of 22 May 2020

Repayment Year	Amount (£)
Immediately	7,824
By 1 July 2021	7,824
By 1 July 2022	7,368

**DEMOCRATIC REPUBLIC OF THE CONGO
OFFICE NATIONAL DES PRODUITS AGRICOLES DU CONGO**

28 May 2020

Mr José Sette
Executive Director
International Coffee Organization
222 Gray's Inn Road
London WC1X 8HB

Dear Mr Sette,

Subject: Payment Plan for arrears to the ICO

We refer to your letter No. ACC/038 dated 22 May 2020 stating that our debt to the ICO amounts to £23,016.

Regarding your concerns, we confirm that we agree with your proposal as set out in Annex A of your letter. Therefore, our debt will be settled as follows:

1 st instalment paid by 1 June 2020:	£7,824
2 nd instalment paid by 1 July 2021:	£7,824
3 rd instalment paid by 1 July 2022:	<u>£7,368</u>
Total:	£23,016

We therefore make the firm commitment to comply with this timetable in order to contribute financially to the smooth operation of our common institution as a Member country.

Please accept, Mr Executive Director, the assurances of our highest consideration

Signed: Simon N'Siona Malamba
Director General a.i.