



Treaty Series No. 6 (1974)

## Resolution

to extend the International Coffee  
Agreement 1968 with modifications,  
approved at the Twenty-second Session  
of the International Coffee Council  
on 14 April 1973

(with text of Agreement as extended and Distribution of Votes)

[The United Kingdom notified its acceptance on 28 September 1973 and the Agreement  
as extended continued in force on 1 October 1973]

*Presented to Parliament  
by the Secretary of State for Foreign and Commonwealth Affairs  
by Command of Her Majesty  
March 1974*

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## RESOLUTION NUMBER 264

*(Approved at the Second Plenary Meeting, 14 April 1973)*

### EXTENSION OF THE INTERNATIONAL COFFEE AGREEMENT 1968

#### WHEREAS:

The International Coffee Agreement 1968,<sup>(1)</sup> subject to the provisions of Article 69, shall remain in force until 30 September 1973;

The time required both to negotiate a new Agreement and to carry out the constitutional formalities and procedures for approval, ratification or acceptance will not permit such an Agreement to enter into force on 1 October 1973;

Paragraph (2) of Article 69 permits the Council to extend the International Coffee Agreement 1968 with or without modification; and

In order to allow time for the negotiation of a new Agreement, the International Coffee Agreement 1968 should be extended,

#### THE INTERNATIONAL COFFEE COUNCIL

#### RESOLVES:

1. That, with the modifications set out in Annex 1 to this Resolution, the International Coffee Agreement 1968 shall be extended to 30 September 1975.

2. That the International Coffee Agreement 1968 as extended in accordance with the provisions of paragraph 1 of this Resolution shall remain in force among those Contracting Parties to the Agreement which have notified their acceptance of such Agreement to the Secretary-General of the United Nations by 30 September 1973, if on that date such Contracting Parties represent at least twenty exporting Members holding a majority of the votes of the exporting Members and at least ten importing Members holding a majority of the votes of the importing Members. The votes for this purpose shall be as distributed in Annex 2 to this Resolution.

3. That a notification by a Contracting Party that it accepts the Agreement as extended subject to its appropriate constitutional procedures shall be regarded as equal in effect to a notification of acceptance and, therefore, such Contracting Party shall have all the rights and obligations of a Member. If confirmation that such constitutional procedures have been complied with is not received by the Secretary-General of the United Nations by 31 March 1974 or on such later date as the Council may decide such Contracting Party shall thereupon cease to participate in the Agreement.

4. To instruct the Executive Director to convey this Resolution to the Secretary-General of the United Nations with a request that, under the provisions of Article 71 of the Agreement, he notify the Contracting Parties of the date to which the Agreement is extended.

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(<sup>1</sup>) Treaty Series No. 103 (1969), Cmnd. 4211.

## INTERNATIONAL COFFEE AGREEMENT 1968 AS EXTENDED

### PART A

The International Coffee Agreement 1968 is modified as follows : <sup>(2)</sup>

#### PREAMBLE

Paragraph 3: the words "accumulation of burdensome stocks" are deleted.

Paragraph 4: The existing text is deleted.

Paragraph 5: The existing text is deleted and replaced by :

"Noting that it has not been possible to complete the negotiation of a new International Coffee Agreement and that additional time is required for this purpose,"

#### ARTICLE 1

The existing text is deleted and replaced by :

"The objectives of the Agreement are :

(1) to preserve and promote the understanding between producers and consumers necessary for the conclusion of a new International Coffee Agreement and to avoid the consequences prejudicial to both which would result from the termination of international co-operation;

(2) to preserve the International Coffee Organization :

(a) as a forum for the negotiation of a new Agreement;

(b) as a competent and effective centre for the collection and dissemination of statistical information on the international trade in coffee, in particular on prices, exports, imports, stocks, distribution and consumption of coffee and on production and production trends."

#### ARTICLE 2

Paragraph (4): The existing text is deleted and replaced by :

" 'Export of Coffee' means any shipment of coffee which leaves the territory of the country in which the coffee is grown save that the shipment of coffee from any of the dependent territories of a Member to its metropolitan territory or to another of its dependent territories for domestic consumption therein or in any other of its dependent territories shall not be considered as the export of coffee."

Paragraph (6): Add the following words after the words "Member means a Contracting Party . . .":

"including an intergovernmental organization which, as provided for in Article 3, has acceded to the Agreement;"

Paragraphs (12), (15), (16) and (17) are deleted.

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<sup>(2)</sup> Texts in French, Portuguese and Spanish will appear in the United Nations Treaty Series, available through Agency Section, Her Majesty's Stationery Office, P.O. Box 569, London, SE1 9NY—Tel. 01-928 6977, ext. 410.

### ARTICLE 3

Paragraph (3): The existing text is deleted and replaced by paragraphs (3), (4) and (5) as follows:

“(3) Any reference in this Agreement to a Government shall be construed as including a reference to the European Economic Community or an intergovernmental organization having comparable responsibilities in respect to the negotiation, conclusion and application of international agreements, in particular commodity agreements. Accordingly, reference in this Agreement to accession by a Government under the provisions of Article 63 shall be construed as including a reference to accession by such an intergovernmental organization.

(4) Such an intergovernmental organization shall not itself have any votes but in the case of a vote on matters within its competence, it shall be entitled to cast the votes of its member States and shall cast them collectively. In such cases, the member States of such an intergovernmental organization shall not be entitled to exercise their individual voting rights.

(5) The provisions of paragraph (1) of Article 15 shall not apply to such an intergovernmental organization but it may participate in the discussions of the Executive Board on matters within its competence. In the case of a vote on matters within its competence and notwithstanding the provisions of paragraph (1) of Article 18 the votes which its member States are entitled to cast in the Executive Board shall be cast collectively by any one of those member States.”

### ARTICLE 5

Paragraph (1): The following words are deleted:

“ approval, ratification,”

Paragraph (2): Sub-paragraph (a) is deleted.

### ARTICLE 12

Paragraph (3): The existing text is deleted and replaced by:

“ The remaining votes of exporting Members shall be as set out in Annex D.”

Paragraph (6): The reference to “ Articles 25, 38, 45, 48, 54 or 59 ” is deleted and replaced by “ Article 25.”

### ARTICLE 17

Paragraph (2): Sub-paragraphs (b), (c), (d), (e) and (g) are deleted. Sub-paragraph (f): the words “ extension or ” are deleted.

### ARTICLE 25

Paragraph (3): The words “ or under Articles 38, 45, 48, 54 or 59 ” are deleted.

### ARTICLES 27-51

Are deleted.

ARTICLES 53-54

Are deleted.

ARTICLE 55

Paragraph (1): Sub-paragraph (a): the words "production trends" are inserted between "production," and "prices".

Paragraph (2): The words "production trends" are inserted between "production," and "exports".

ARTICLE 57

Paragraph (3): Is deleted.

ARTICLE 58

The words "in accordance with Article 59" are deleted.

ARTICLES 59, 60, 61 and 62

Are deleted.

ARTICLE 63

Paragraph (1): The second sentence beginning "In establishing such conditions . . .", and all subsequent sentences in this paragraph are deleted.

ARTICLE 65

Paragraph (1): The words "signature or" and "approval, ratification" are deleted.

The word "extended" is inserted before the word "Agreement".

Paragraph (2): The words "approval, ratification" are deleted.

ARTICLE 69

The existing text is deleted<sup>(1)</sup> and replaced by:

"(1) The extended Agreement, subject to the provisions of paragraph (2), shall remain in force until 30 September 1975 or until a new Agreement has entered into force, whichever is the earlier.

(2) The Council may at any time, by vote of a majority of the Members having not less than a distributed two-thirds majority of the total votes, decide to terminate the Agreement. Such termination shall take effect on such date as the Council shall decide.

(3) Notwithstanding termination of the Agreement, the Council shall remain in being for as long as necessary to carry out the liquidation of the Organization, settlement of its accounts and disposal of its assets and shall have during that period such powers and functions as may be necessary for those purposes.

(4) The Council may, by a vote of 58 per cent of the Members having not less than a distributed majority of 70 per cent of the total votes, negotiate a new Agreement for such period as the Council shall determine."

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<sup>(1)</sup> It should be noted that paragraph 2 of this Article corresponds to paragraph 3 of Article 69 of the 1968 Agreement and paragraph 3 of this Article corresponds to paragraph 4 of Article 69 of the 1968 Agreement.

## ARTICLE 71

First sentence: The date 1962 is deleted and replaced by 1968. The words "approval, ratification" and "of the dates on which the Agreement comes provisionally and definitively into force" are deleted.

Second sentence: The words "62 paragraph (2)" and "to which the Agreement is extended or" are deleted. The word "it" is deleted and replaced by the words "the Agreement".

## ARTICLE 72

Paragraph (2): Delete text and replace by:

"(2) In order to facilitate the uninterrupted continuation of the Agreement:

(a) All acts by or on behalf of the Organization or any of its organs in effect on 30 September 1973 and the terms of which do not provide for expiry on that date, shall remain in effect unless they have been changed under the provisions of the present Agreement. Except as provided in sub-paragraphs (b) and (c) hereof all acts based on the deleted Articles of the International Coffee Agreement 1968 are expressly revoked with effect from 1 October 1973.

(b) After 30 September 1973 the Diversification Fund shall remain in being for as long as is necessary to carry out its liquidation, the settlement of its accounts and the disposal of its assets. During that period the Council may adopt such amendments to the Statutes as it deems necessary for those purposes.

(c) After 30 September 1973 the World Coffee Promotion Committee shall remain in being for as long as is necessary to carry out the liquidation of the Promotion Fund, the settlement of its accounts and the disposal of its assets.

(d) All decisions taken by the Council during the coffee year 1972-73 for application in coffee year 1973-74 shall apply on a provisional basis as if the extension of the Agreement had become effective."

Paragraph commencing: "IN WITNESS WHEREOF . . ." is deleted.

Final Paragraph: The reference to the Russian language is deleted; the words "signatory and acceding Government" are deleted and replaced by "Contracting Party to the Agreement".

## ANNEXES A, B AND C

Are deleted.

## ANNEX D

New addition.

## ANNEX D

## EXPORTING COUNTRIES: DISTRIBUTION OF VOTES

TOTAL	Exporting country						Votes		Total 1,000
							Basic 136	Remaining 864	
Bolivia	...	...	...	...	...	4	—	4	
Brazil	...	...	...	...	...	4	327	331	
Burundi	...	...	...	...	...	4	4	8	
Colombia	...	...	...	...	...	4	109	113	
Costa Rica	...	...	...	...	...	4	17	21	
Dominican Republic	...	...	...	...	...	4	8	12	
Ecuador	...	...	...	...	...	4	12	16	
El Salvador	...	...	...	...	...	4	30	34	
Ethiopia	...	...	...	...	...	4	23	27	
Ghana	...	...	...	...	...	4	—	4	
Guatemala	...	...	...	...	...	4	28	32	
Guinea	...	...	...	...	...	4	2	6	
Haiti	...	...	...	...	...	4	8	12	
Honduras	...	...	...	...	...	4	7	11	
India	...	...	...	...	...	4	7	11	
Indonesia	...	...	...	...	...	4	21	25	
Jamaica	...	...	...	...	...	4	—	4	
Kenya	...	...	...	...	...	4	13	17	
Liberia	...	...	...	...	...	4	—	4	
Mexico	...	...	...	...	...	4	27	31	
Nicaragua	...	...	...	...	...	4	9	13	
Nigeria	...	...	...	...	...	4	—	4	
OAMCAF	...	...	...	...	...	4	84	88	
OAMCAF	...	...	...	...	...	—	—	(4)	
Cameroon	...	...	...	...	...	—	—	(15)	
Central African Republic	...	...	...	...	...	—	—	(3)	
Congo, People's Republic	...	...	...	...	...	—	—	(1)	
Dahomey	...	...	...	...	...	—	—	(1)	
Gabon	...	...	...	...	...	—	—	(1)	
Ivory Coast	...	...	...	...	...	—	—	(46)	
Madagascar	...	...	...	...	...	—	—	(14)	
Togo	...	...	...	...	...	—	—	(3)	
Panama	...	...	...	...	...	4	—	4	
Paraguay	...	...	...	...	...	4	—	4	
Peru	...	...	...	...	...	4	12	16	
Portugal	...	...	...	...	...	4	43	47	
Rwanda	...	...	...	...	...	4	2	6	
Sierra Leone	...	...	...	...	...	4	2	6	
Tanzania	...	...	...	...	...	4	11	15	
Trinidad and Tobago	...	...	...	...	...	4	—	4	
Uganda	...	...	...	...	...	4	37	41	
Venezuela	...	...	...	...	...	4	5	9	
Zaire	...	...	...	...	...	4	16	20	



## PART B

The text of the International Coffee Agreement 1968 as extended is as follows:<sup>(1)</sup>

### INTERNATIONAL COFFEE AGREEMENT 1968 AS EXTENDED

#### Preamble

(Modified)

The Governments Parties to this Agreement,

Recognizing the exceptional importance of coffee to the economies of many countries which are largely dependent upon this commodity for their export earnings and thus for the continuation of their development programmes in the social and economic fields;

Considering that close international co-operation on coffee marketing will stimulate the economic diversification and development of coffee-producing countries and thus contribute to a strengthening of the political and economic bonds between producers and consumers;

Finding reason to expect a tendency toward persistent disequilibrium between production and consumption (. . .) and pronounced fluctuations in prices which can be harmful both to producers and to consumers;

(. . .)

*Noting that it has not been possible to complete the negotiation of a new International Coffee Agreement and that additional time is required for this purpose,*

Have agreed as follows:

### CHAPTER I. OBJECTIVES

#### ARTICLE I

(Modified)

#### Objectives

*The objectives of the Agreement are :*

(1) *to preserve and promote the understanding between producers and consumers necessary for the conclusion of a new International Coffee Agreement and to avoid the consequences prejudicial to both which would result from the termination of international co-operation;*

(2) *to preserve the International Coffee Organization :*

(a) *as a forum for the negotiation of a new Agreement;*

(b) *as a competent and effective centre for the collection and dissemination of statistical information on the international trade in coffee, in particular on prices, exports, imports, stocks, distribution and consumption of coffee and on production and production trends.*

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<sup>(1)</sup>Note: Whenever practicable new words and phrases are indicated by italic and deletions from the text are indicated thus (. . .).

## CHAPTER II. DEFINITIONS

### ARTICLE 2

(Modified)

#### Definitions

For the purposes of the Agreement :

(1) "Coffee" means the beans and berries of the coffee tree, whether parchment, green or roasted, and includes ground, decaffeinated, liquid and soluble coffee. These terms shall have the following meaning:

(a) "green coffee" means all coffee in the naked bean form before roasting;

(b) "coffee berries" means the complete fruit of the coffee tree; to find the equivalent of coffee berries to green coffee, multiply the net weight of the dried coffee berries by 0.50;

(c) "parchment coffee" means the green coffee bean contained in the parchment skin; to find the equivalent of parchment coffee to green coffee, multiply the net weight of the parchment coffee by 0.80;

(d) "roasted coffee" means green coffee roasted to any degree and includes ground coffee; to find the equivalent of roasted coffee to green coffee, multiply the net weight of roasted coffee by 1.19;

(e) "decaffeinated coffee" means green, roasted or soluble coffee from which caffeine has been extracted; to find the equivalent of decaffeinated coffee to green coffee, multiply the net weight of the decaffeinated coffee in green, roasted or soluble form by 1.00, 1.19 or 3.00 respectively;

(f) "liquid coffee" means the water-soluble solids derived from roasted coffee and put into liquid form; to find the equivalent of liquid to green coffee, multiply the net weight of the dried coffee solids contained in the liquid coffee by 3.00;

(g) "soluble coffee" means the dried water-soluble solids derived from roasted coffee; to find the equivalent of soluble coffee to green coffee, multiply the net weight of the soluble coffee by 3.00.

(2) "Bag" means 60 kilogrammes or 132.276 pounds of green coffee: "ton" means a metric ton of 1,000 kilogrammes or 2,204.6 pounds: and "pound" means 453.597 grammes.

(3) "Coffee year" means the period of one year, from 1 October through 30 September.

(4) "*Export of coffee*" means any shipment of coffee which leaves the territory of the country in which the coffee is grown save that the shipment of coffee from any of the dependent territories of a Member to its metropolitan territory or to another of its dependent territories for domestic consumption therein or in any other of its dependent territories shall not be considered as the export of coffee.

(5) "Organization", "Council" and "Board" mean, respectively, the International Coffee Organization, the International Coffee Council, and the Executive Board referred to in Article 7 of the Agreement.

(6) "Member" means a Contracting Party *including an intergovernmental organization which, as provided for in Article 3, has acceded to the Agreement*; a dependent territory or territories in respect of which separate Membership has been declared under Article 4; or two or more Contracting Parties or dependent territories, or both, which participate in the Organization as a Member group under Article 5 or 6.

(7) "Exporting Member" or "exporting country" means a Member or country, respectively, which is a net exporter of coffee; that is, whose exports exceed its imports.

(8) "Importing Member" or "importing country" means a Member or country, respectively, which is a net importer of coffee; that is, whose imports exceed its exports.

(9) "Producing Member" or "producing country" means a Member or country, respectively, which grows coffee in commercially significant quantities.

(10) "Distributed simple majority vote" means a majority of the votes cast by exporting Members present and voting, and a majority of the votes cast by importing Members present and voting, counted separately.

(11) "Distributed two-thirds majority vote" means a two-thirds majority of the votes cast by exporting Members present and voting and a two-thirds majority of the votes cast by importing Members present and voting, counted separately.

(12) (Deleted.)

(13) "Exportable production" means the total production of coffee of an exporting country in a given coffee year less the amount destined for domestic consumption in the same year.

(14) "Availability for export" means the exportable production of an exporting country in a given coffee year plus accumulated stocks from previous years.

(15) (Deleted.)

(16) (Deleted.)

(17) (Deleted.)

### CHAPTER III. MEMBERSHIP

#### ARTICLE 3

(Modified)

#### **Membership in the Organization**

(1) Each Contracting Party, together with those of its dependent territories to which the Agreement is extended under paragraph (1) of Article 65, shall constitute a single Member of the Organization, except as otherwise provided under Articles 4, 5 and 6.

(2) A Member may change its category of Membership, previously declared on approval, ratification, acceptance or accession to the Agreement, on such conditions as the Council may agree.

(3) *Any reference in this Agreement to a Government shall be construed as including a reference to the European Economic Community or an intergovernmental organization having comparable responsibilities in respect to the negotiation, conclusion and application of international agreements, in particular commodity agreements. Accordingly, reference in this Agreement to accession by a Government under the provisions of Article 63 shall be construed as including a reference to accession by such an intergovernmental organization.*

(4) *Such an intergovernmental organization shall not itself have any votes but in the case of a vote on matters within its competence, it shall be entitled to cast the votes of its member States and shall cast them collectively. In such cases, the member States of such an intergovernmental organization shall not be entitled to exercise their individual voting rights.*

(5) *The provisions of paragraph (1) of Article 15 shall not apply to such an intergovernmental organization but it may participate in the discussions of the Executive Board on matters within its competence. In the case of a vote on matters within its competence and notwithstanding the provisions of paragraph (1) of Article 18 the votes which its member States are entitled to cast in the Executive Board shall be cast collectively by any one of those member States.*

#### ARTICLE 4

##### **Separate Membership in Respect of Dependent Territories**

Any Contracting Party which is a net importer of coffee may, at any time, by appropriate notification in accordance with paragraph (2) of Article 65, declare that it is participating in the Organization separately with respect to any of its dependent territories which are net exporters of coffee and which it designates. In such case, the metropolitan territory and its non-designated dependent territories will have a single Membership, and its designated dependent territories, either individually or collectively as the notification indicates, will have separate Membership.

#### ARTICLE 5

(Modified)

##### **Group Membership upon Joining the Organization**

(1) Two or more Contracting Parties which are net exporters of coffee may, by appropriate notification to the Secretary-General of the United Nations at the time of deposit of their respective instruments of (. . .) acceptance or accession and to the Council, declare that they are joining the Organization as a Member group. A dependent territory to which

the Agreement has been extended under paragraph (1) of Article 65 may constitute part of such a Member group if the Government of the State responsible for its international relations has given appropriate notification thereof under paragraph (2) of Article 65. Such Contracting Parties and dependent territories must satisfy the following conditions:

- (a) they shall declare their willingness to accept responsibility for group obligations in an individual as well as a group capacity;
- (b) they shall subsequently provide sufficient evidence to the Council that the group has the organization necessary to implement a common coffee policy, and that they have the means of complying, together with the other parties to the group, with their obligations under the Agreement; and
- (c) they shall subsequently provide evidence to the Council either:
  - (i) that they have been recognized as a group in a previous international coffee agreement; or
  - (ii) that they have:
    - (a) a common or co-ordinated commercial and economic policy in relation to coffee; and
    - (b) a co-ordinated monetary and financial policy, as well as the organs necessary for implementing such a policy, so that the Council is satisfied that the member group can comply with the spirit of group membership and the group obligations involved.

(2) The Member group shall constitute a single Member of the Organization, except that each party to the group shall be treated as if it were a single Member as regards all matters arising under the following provisions:

- (a) (Deleted.)
- (b) Articles 10, 11 and 19 of Chapter IV; and
- (c) Article 68 of Chapter XX.

(3) The Contracting Parties and dependent territories joining as a Member group shall specify the Government or organization which will represent them in the Council as regards all matters arising under the Agreement other than those specified in paragraph (2) of this Article.

- (4) The Member group's voting rights shall be as follows:
  - (a) the Member group shall have the same number of basic votes as a single Member country joining the Organization in an individual capacity. These basic votes shall be attributed to and exercised by the Government or organization representing the group;
  - (b) in the event of a vote on any matters arising under provisions specified in paragraph (2) of this Article, the parties to the Member group may exercise separately the votes attributed to them by the provisions of paragraph (3) of Article 12 as if each were an individual Member of the Organization, except for the basic votes, which shall remain attributable only to the Government or organization representing the group.

(5) Any Contracting Party or dependent territory which is a party to a Member group may, by notification to the Council, withdraw from that group and become a separate Member. Such withdrawal shall take effect upon receipt of the notification by the Council. In case of such withdrawal from a group, or in case a party to a group ceases, by withdrawal from the Organization or otherwise, to be such a party, the remaining parties to the group may apply to the Council to maintain the group, and the group shall continue to exist unless the Council disapproves the application. If the Member group is dissolved, each former party to the group will become a separate Member. A Member which has ceased to be a party to a group may not, as long as the Agreement remains in force, again become a party to a group.

## ARTICLE 6

### **Subsequent Group Membership**

Two or more exporting Members may, at any time after the Agreement has entered into force with respect to them, apply to the Council to form a Member group. The Council shall approve the application if it finds that the Members have made a declaration, and have provided evidence, satisfying the requirements of paragraph (1) of Article 5. Upon such approval, the Member group shall be subject to the provisions of paragraphs (2), (3), (4) and (5) of that Article.

## CHAPTER IV. ORGANIZATION AND ADMINISTRATION

### ARTICLE 7

#### **Seat and Structure of the International Coffee Organization**

(1) The International Coffee Organization established under the 1962 Agreement shall continue in being to administer the provisions and supervise the operation of the Agreement.

(2) The seat of the Organization shall be in London unless the Council by a distributed two-thirds majority vote decides otherwise.

(3) The Organization shall function through the International Coffee Council, its Executive Board, its Executive Director and its staff.

### ARTICLE 8

#### **Composition of the International Coffee Council**

(1) The highest authority of the Organization shall be the International Coffee Council, which shall consist of all the Members of the Organization.

(2) Each Member shall be represented on the Council by a representative and one or more alternates. A Member may also designate one or more advisers to accompany its representative or alternates.

## ARTICLE 9

### **Powers and Functions of the Council**

(1) All powers specifically conferred by the Agreement shall be vested in the Council, which shall have the powers and perform the functions necessary to carry out the provisions of the Agreement.

(2) The Council shall, by a distributed two-thirds majority vote, establish such rules and regulations, including its own rules of procedure and the financial and staff regulations of the Organization, as are necessary to carry out the provisions of the Agreement and are consistent therewith. The Council may, in its rules of procedure, provide a procedure whereby it may, without meeting, decide specific questions.

(3) The Council shall also keep such records as are required to perform its functions under the Agreement and such other records as it considers desirable. The Council shall publish an annual report.

## ARTICLE 10

### **Election of the Chairman and Vice-Chairmen of the Council**

(1) The Council shall elect, for each coffee year, a Chairman and a first, a second and a third Vice-Chairman.

(2) As a general rule, the Chairman and the first Vice-Chairman shall both be elected either from among the representatives of exporting Members, or from among the representatives of importing Members, and the second and the third Vice-Chairmen, shall be elected from representatives of the other category of Members. These offices shall alternate each coffee year between the two categories of Members.

(3) Neither the Chairman nor any Vice-Chairman acting as Chairman shall have the right to vote. His alternate will in such case exercise the Member's voting rights.

## ARTICLE 11

### **Sessions of the Council**

As a general rule, the Council shall hold regular sessions twice a year. It may hold special sessions if it so decides. Special sessions shall also be held when either the Executive Board, or any five Members, or a Member or Members having at least 200 votes so request. Notice of sessions shall be given at least thirty days in advance, except in cases of emergency. Sessions shall be held at the seat of the Organization, unless the Council decides otherwise.

## ARTICLE 12

(Modified)

### **Votes**

(1) The exporting Members shall together hold 1,000 votes and the importing Members shall together hold 1,000 votes, distributed within each category of Members—that is, exporting and importing Members, respectively—as provided in the following paragraphs of this Article.

(2) Each Member shall have five basic votes, provided that the total number of basic votes within each category of Members does not exceed 150. Should there be more than thirty exporting Members or more than thirty importing Members, the number of basic votes for each Member within that category of Members shall be adjusted so as to keep the number of basic votes for each category of Members within the maximum of 150.

(3) *The remaining votes of exporting Members shall be as set out in Annex D.*

(4) The remaining votes of importing Members shall be divided among those Members in proportion to the average volume of their respective coffee imports in the preceding three-year period.

(5) The distribution of votes shall be determined by the Council at the beginning of each coffee year and shall remain in effect during that year, except as provided in paragraph (6) of this Article.

(6) The Council shall provide for the redistribution of votes in accordance with this Article whenever there is a change in the Membership of the Organization, or if the voting rights of a Member are suspended or regained under the provisions of Article 25 (. . .).

(7) No Member shall hold more than 400 votes.

(8) There shall be no fractional votes.

## ARTICLE 13

### **Voting Procedure of the Council**

(1) Each representative shall be entitled to cast the number of votes held by the Member represented by him, and cannot divide its votes. He may, however, cast differently any votes which he exercises pursuant to paragraph (2) of this Article.

(2) Any exporting Member may authorize any other exporting Member, and any importing Member may authorize any other importing Member, to represent its interests and to exercise its right to vote at any meeting or meetings of the Council. The limitation provided for in paragraph (7) of Article 12 shall not apply in this case.

## ARTICLE 14

### **Decisions of the Council**

(1) All decisions of the Council shall be taken, and all recommendations shall be made, by a distributed simple majority vote unless otherwise provided in the Agreement.



(2) The following procedure shall apply with respect to any action by the Council which under the Agreement requires a distributed two-thirds majority vote:

- (a) if a distributed two-thirds majority vote is not obtained because of the negative vote of three or less exporting or three or less importing Members, the proposal shall, if the Council so decides by a majority of the Members present and by a distributed simple majority vote, be put to a vote again within 48 hours;
- (b) if a distributed two-thirds majority vote is again not obtained because of the negative vote of two or less importing or two or less exporting Members, the proposal shall, if the Council so decides by a majority of the Members present and by a distributed simple majority vote, be put to a vote again within 24 hours;
- (c) if a distributed two-thirds majority vote is not obtained in the third vote because of the negative vote of one exporting Member or one importing Member, the proposal shall be considered adopted;
- (d) if the Council fails to put a proposal to a further vote, it shall be considered rejected.

(3) The Members undertake to accept as binding all decisions of the Council under the provisions of the Agreement.

## ARTICLE 15

### **Composition of the Board**

(1) The Executive Board shall consist of eight exporting Members and eight importing Members, elected for each coffee year in accordance with Article 16. Members may be re-elected.

(2) Each member of the Board shall appoint one representative and one or more alternates.

(3) The Chairman of the Board shall be appointed by the Council for each coffee year and may be re-appointed. He shall not have the right to vote. If a representative is appointed Chairman, his alternate will have the right to vote in his place.

(4) The Board shall normally meet at the seat of the Organization, but may meet elsewhere.

## ARTICLE 16

### **Election of the Board**

(1) The exporting and the importing Members on the Board shall be elected in the Council by the exporting and the importing Members of the Organization respectively. The election within each category shall be held in accordance with the following paragraphs of this Article.

(2) Each Member shall cast all the votes to which it is entitled under Article 12 for a single candidate. A Member may cast for another candidate any votes which it exercises pursuant to paragraph (2) of Article 13.

(3) The eight candidates receiving the largest number of votes shall be elected; however, no candidate shall be elected on the first ballot unless it receives at least 75 votes.

(4) If under the provisions of paragraph (3) of this Article less than eight candidates are elected on the first ballot, further ballots shall be held in which only Members which did not vote for any of the candidates elected shall have the right to vote. In each further ballot, the minimum number of votes required for election shall be successively diminished by five until eight candidates are elected.

(5) Any Member which did not vote for any of the Members elected shall assign its votes to one of them, subject to paragraphs (6) and (7) of this Article.

(6) A Member shall be deemed to have received the number of votes originally cast for it when it was elected and, in addition, the number of votes assigned to it, provided that the total number of votes shall not exceed 499 for any Member elected.

(7) If the votes deemed received by an elected Member would otherwise exceed 499, Members which voted for or assigned their votes to such elected Member shall arrange among themselves for one or more of them to withdraw their votes from that Member and assign or reassign them to another elected Member so that the votes received by each elected Member shall not exceed the limit of 499.

## ARTICLE 17

(Modified)

### Competence of the Board

(1) The Board shall be responsible to and work under the general direction of the Council.

(2) The Council by a distributed simple majority vote may delegate to the Board the exercise of any or all of its powers, other than the following :

- (a) approval of the administrative budget and assessment of contributions under Article 24;
- (b) (c) (d) (e) (All deleted.)
- (f) waiver of the obligations of a Member under Article 57;
- (g) (Deleted.)
- (h) establishment of conditions for accession under Article 63;
- (i) a decision to require the withdrawal of a Member under Article 67;
- (j) (. . .) termination of the Agreement under Article 69; and
- (k) recommendation of amendments to Members under Article 70.

(3) The Council by a distributed simple majority vote may at any time revoke any delegation of powers to the Board.

## ARTICLE 18

### **Voting Procedure of the Board**

(1) Each member of the Board shall be entitled to cast the number of votes received by it under the provisions of paragraphs (6) and (7) of Article 16. Voting by proxy shall not be allowed. A member may not split its votes.

(2) Any action taken by the Board shall require the same majority as such action would require if taken by the Council.

## ARTICLE 19

### **Quorum for the Council and the Board**

(1) The quorum for any meeting of the Council shall be the presence of a majority of the Members representing a distributed two-thirds majority of the total votes. If there is no quorum on the day appointed for the opening of any Council session, or if in the course of any Council session there is no quorum at three successive meetings, the Council shall be convened seven days later; at that time and throughout the remainder of that session the quorum shall be the presence of a majority of the Members representing a distributed simple majority of the votes. Representation in accordance with paragraph (2) of Article 13 shall be considered as presence.

(2) The quorum for any meeting of the Board shall be the presence of a majority of the members representing a distributed two-thirds majority of the total votes.

## ARTICLE 20

### **The Executive Director and the Staff**

(1) The Council shall appoint the Executive Director on the recommendation of the Board. The terms of appointment of the Executive Director shall be established by the Council and shall be comparable to those applying to corresponding officials of similar inter-governmental organizations.

(2) The Executive Director shall be the chief administrative officer of the Organization and shall be responsible for the performance of any duties devolving upon him in the administration of the Agreement.

(3) The Executive Director shall appoint the staff in accordance with regulations established by the Council.

(4) Neither the Executive Director nor any member of the staff shall have any financial interest in the coffee industry, coffee trade, or coffee transportation.

(5) In the performance of their duties, the Executive Director and the staff shall not seek or receive instructions from any Member or from any other authority external to the Organization. They shall refrain from any action which might reflect on their position as international officials responsible only to the Organization. Each Member undertakes to respect the exclusively international character of the responsibilities of the Executive Director and the staff and not to seek to influence them in the discharge of their responsibilities.

## ARTICLE 21

### **Co-operation with other Organizations**

The Council may make whatever arrangements are desirable for consultation and co-operation with the United Nations and its specialized agencies and with other appropriate inter-governmental organizations. The Council may invite these organizations and any organizations concerned with coffee to send observers to its meetings.

## CHAPTER V. PRIVILEGES AND IMMUNITIES

### ARTICLE 22

#### **Privileges and Immunities**

(1) The Organization shall have legal personality. It shall in particular have the capacity to contract, acquire and dispose of movable and immovable property and to institute legal proceedings.

(2) The Government of the country in which the headquarters of the Organization is situated (hereinafter referred to as "the host Government") shall conclude with the Organization as soon as possible an agreement to be approved by the Council relating to the status, privileges and immunities of the Organization, of its Executive Director and its staff and of representatives of Members while in the territory of the host Government for the purpose of exercising their functions.

(3) The agreement envisaged in paragraph (2) of this Article shall be independent of the present Agreement and shall prescribe the conditions for its termination.

(4) Unless any other taxation arrangements are implemented under the agreement envisaged in paragraph (2) of this Article the host Government:

- (a) shall grant exemption from taxation on the remuneration paid by the Organization to its employees, except that such exemption need not apply to nationals of that country, and
- (b) shall grant exemption from taxation on the assets, income and other property of the Organization.

(5) Following the approval of the agreement envisaged in paragraph (2) of this Article, the Organization may conclude with one or more other Members agreements to be approved by the Council relating to such privileges and immunities as may be necessary for the proper functioning of the International Coffee Agreement.

## CHAPTER VI. FINANCE

### ARTICLE 23

#### **Finance**

(1) The expenses of delegations to the Council, representatives on the Board, and representatives on any of the committees of the Council or the Board shall be met by their respective Governments.

(2) The other expenses necessary for the administration of the Agreement shall be met by annual contributions from the Members assessed in accordance with Article 24. However, the Council may levy fees for specific services.

(3) The financial year of the Organization shall be the same as the coffee year.

### ARTICLE 24

#### **Determination of the Budget and Assessment of Contributions**

(1) During the second half of each financial year the Council shall approve the administrative budget of the Organization for the following financial year and shall assess the contribution of each Member to that budget.

(2) The contribution of each Member to the budget for each financial year shall be in the proportion which the number of its votes at the time the budget for that financial year is approved bears to the total votes of all the Members. However, if there is any change in the distribution of votes among Members in accordance with the provisions of paragraph (5) of Article 12 at the beginning of the financial year for which contributions are assessed, such contributions shall be correspondingly adjusted for that year. In determining contributions, the votes of each Member shall be calculated without regard to the suspension of any Member's voting rights or any redistribution of votes resulting therefrom.

(3) The initial contribution of any Member joining the Organization after the entry into force of the 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, but the assessments made upon other Members for the current financial year shall not be altered.

ARTICLE 25

(Modified)

**Payment of Contributions**

(1) Contributions to the administrative budget for each financial year shall be payable in freely convertible currency, and shall become due on the first day of that financial year.

(2) 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, both its voting rights in the Council and its right to have its votes cast in the Board shall be suspended until such contribution has been paid. However, unless the Council by a distributed two-thirds majority vote so decides, such Member shall not be deprived of any of its other rights nor relieved of any of its obligations under the Agreement.

(3) Any Member whose voting rights have been suspended under paragraph (2) of this Article (. . .) shall nevertheless remain responsible for the payment of its contribution.

ARTICLE 26

**Audit and Publication of Accounts**

As soon as possible after the close of each financial year an independently audited statement of the Organization's receipts and expenditures during that financial year shall be presented to the Council for approval and publication.

CHAPTER VII. REGULATION OF EXPORTS

ARTICLE 27

**General Undertakings by Members**

(Deleted)

ARTICLE 28

**Basic Export Quotas**

(Deleted)

ARTICLE 29

**Basic Export Quota of a Member Group**

(Deleted)

ARTICLE 30

**Fixing of Annual Export Quotas**

(Deleted)

ARTICLE 31

**Additional Provisions Concerning Basic and Annual Export Quotas**  
(Deleted)

ARTICLE 32

**Fixing of Quarterly Export Quotas**  
(Deleted)

ARTICLE 33

**Adjustment of Annual Export Quotas**  
(Deleted)

ARTICLE 34

**Notification of Shortfalls**  
(Deleted)

ARTICLE 35

**Adjustment of Quarterly Export Quotas**  
(Deleted)

ARTICLE 36

**Procedure for Adjusting Export Quotas**  
(Deleted)

ARTICLE 37

**Additional Provisions for Adjusting Export Quotas**  
(Deleted)

ARTICLE 38

**Compliance with Export Quotas**  
(Deleted)

ARTICLE 39

**Shipments of Coffee from Dependent Territories**  
(Deleted)

ARTICLE 40

**Exports not Charged to Quotas**  
(Deleted)

ARTICLE 41

**Regional and Inter-regional Price Arrangements**  
(Deleted)

ARTICLE 42

**Survey of Market Trends**  
(Deleted)

CHAPTER VIII. CERTIFICATES OF ORIGIN AND RE-EXPORT

ARTICLE 43

**Certificates of Origin and Re-export**

(Deleted)

CHAPTER IX. PROCESSED COFFEE

ARTICLE 44

**Measures relating to Processed Coffee**

(Deleted)

CHAPTER X. REGULATION OF IMPORTS

ARTICLE 45

**Regulation of Imports**

(Deleted)

CHAPTER XI. INCREASE OF CONSUMPTION

ARTICLE 46

**Promotion**

(Deleted)

ARTICLE 47

**Removal of Obstacles to Consumption**

(Deleted)

CHAPTER XII. PRODUCTION POLICY AND CONTROLS

ARTICLE 48

**Production Policy and Controls**

(Deleted)

CHAPTER XIII. REGULATION OF STOCKS

ARTICLE 49

**Policy Relative to Coffee Stocks**

(Deleted)



## CHAPTER XIV. MISCELLANEOUS OBLIGATIONS OF MEMBERS

### ARTICLE 50

#### **Consultation and Co-operation with the Trade**

(Deleted)

### ARTICLE 51

#### **Barter**

(Deleted)

### ARTICLE 52

#### **Mixtures and Substitutes**

(1) Members shall not maintain any regulations requiring the mixing, processing or using of other products with coffee for commercial resale as coffee. Members shall endeavour to prohibit the sale and advertisement of products under the name of coffee if such products contain less than the equivalent of 90 per cent of green coffee as the basic raw material.

(2) The Executive Director shall submit to the Council an annual report on compliance with the provisions of this Article.

(3) The Council may recommend to any Member that it take the necessary steps to ensure observance of the provisions of this Article.

## CHAPTER XV. SEASONAL FINANCING

### ARTICLE 53

#### **Seasonal Financing**

(Deleted)

## CHAPTER XVI. DIVERSIFICATION FUND

### ARTICLE 54

#### **Diversification Fund**

(Deleted)

## CHAPTER XVII. INFORMATION AND STUDIES

### ARTICLE 55

(Modified)

#### **Information**

(1) The Organization shall act as a centre for the collection, exchange and publication of:

- (a) statistical information on world production, *production trends*, prices, exports and imports, distribution and consumption of coffee; and
- (b) in so far as is considered appropriate, technical information on the cultivation, processing and utilization of coffee.

(2) The Council may require Members to furnish such information as it considers necessary for its operations, including regular statistical reports on coffee production, *production trends*, exports and imports, distribution, consumption, stocks and taxation, but no information shall be published which might serve to identify the operations of persons or companies producing, processing or marketing coffee. The Members shall furnish information requested in as detailed and accurate a manner as is practicable.

(3) If a Member fails to supply, or finds difficulty in supplying, within a reasonable time, statistical and other information required by the Council for the proper functioning of the Organization, the Council may require the Member concerned to explain the reasons for non-compliance. If it is found that technical assistance is needed in the matter, the Council may take any necessary measures.

## ARTICLE 56

### **Studies**

(1) The Council may promote studies in the fields of the economics of coffee production and distribution, the impact of governmental measures in producing and consuming countries on the production and consumption of coffee, the opportunities for expansion of coffee consumption for traditional and possible new uses, and the effects of the operation of the Agreement on producers and consumers of coffee, including their terms of trade.

(2) The Organization may study the practicability of establishing minimum standards for exports of coffee from producing Members. Recommendations in this regard may be discussed by the Council.

## CHAPTER XVIII. WAIVER

### ARTICLE 57

(Modified)

### **Waiver**

(1) The Council by a distributed two-thirds majority vote may relieve a Member of an obligation, on account of exceptional or emergency circumstances, force majeure, constitutional obligations, or international obligations under the United Nations Charter for territories administered under the trusteeship system.

(2) The Council, in granting a waiver to a Member, shall state explicitly the terms and conditions on which and the period for which the Member is relieved of such obligation.

(3) (Deleted).

## CHAPTER XIX. CONSULTATIONS, DISPUTES AND COMPLAINTS

### ARTICLE 58

(Modified)

#### **Consultations**

Each Member shall accord sympathetic consideration to, and shall afford adequate opportunity for, consultation regarding such representations as may be made by another Member with respect to any matter relating to the Agreement. In the course of such consultation, on request by either party and with the consent of the other, the Executive Director shall establish an independent panel which shall use its good offices with a view to conciliating the parties. The costs of the panel shall not be chargeable to the Organization. If a party does not agree to the establishment of a panel by the Executive Director, or if the consultation does not lead to a solution, the matter may be referred to the Council ( . . . ). If the consultation does lead to a solution, it shall be reported to the Executive Director who shall distribute the report to all Members.

### ARTICLE 59

#### **Disputes and Complaints**

(Deleted)

## CHAPTER XX. FINAL PROVISIONS

### ARTICLE 60

#### **Signature**

(Deleted)

### ARTICLE 61

#### **Ratification**

(Deleted)

### ARTICLE 62

#### **Entry into Force**

(Deleted)

### ARTICLE 63

(Modified)

#### **Accession**

(1) The Government of any State Member of the United Nations or of any of its specialized agencies may accede to this Agreement upon conditions that shall be established by the Council ( . . . ).

(2) Each Government depositing an instrument of accession shall, at the time of such deposit, indicate whether it is joining the Organization as an exporting Member or an importing Member, as defined in paragraphs (7) and (8) of Article 2.

## ARTICLE 64

### Reservations

Reservations may not be made with respect to any of the provisions of the Agreement.

## ARTICLE 65

### (Modified)

#### Notifications in respect of Dependent Territories

(1) Any Government may, at the time of ( . . . ) deposit of an instrument of ( . . . ) acceptance or accession, or at any time thereafter, by notification to the Secretary-General of the United Nations, declare that the *extended* Agreement shall apply to any of the territories for the international relations of which it is responsible and the *extended* Agreement shall apply to the territories named therein from the date of such notification.

(2) Any Contracting Party which desires to exercise its rights under Article 4 in respect of any of its dependent territories, or which desires to authorize one of its dependent territories to become part of a Member Group formed under Article 5 or 6, may do so by making a notification to that effect to the Secretary-General of the United Nations, either at the time of deposit of its instrument of ( . . . ) acceptance or accession, or at any later time.

(3) Any Contracting Party which has made a declaration under paragraph (1) of this Article may at any time thereafter, by notification to the Secretary-General of the United Nations, declare that the Agreement shall cease to extend to the territory named in the notification and the Agreement shall cease to extend to such territory from the date of such notification.

(4) The Government of a territory to which the Agreement has been extended under paragraph (1) of this Article and which has subsequently become independent may, within 90 days after the attainment of independence, declare by notification to the Secretary-General of the United Nations that it has assumed the rights and obligations of a Contracting Party to the Agreement. It shall, as from the date of such notification, become a party to the Agreement.

## ARTICLE 66

### Voluntary Withdrawal

Any Contracting Party may withdraw from the Agreement at any time by giving a written notice of withdrawal to the Secretary-General of the United Nations. Withdrawal shall become effective 90 days after the notice is received.

## ARTICLE 67

### **Compulsory Withdrawal**

If the Council determines that any Member has failed to carry out its obligations under the Agreement and that such failure significantly impairs the operations of the Agreement, it may by a distributed two-thirds majority vote require the withdrawal of such Member from the Organization. The Council shall immediately notify the Secretary-General of the United Nations of any such decision. Ninety days after the date of the Council's decision that Member shall cease to be a Member of the Organization and, if such Member is a Contracting Party, a party to the Agreement.

## ARTICLE 68

### **Settlement of Accounts with Withdrawing Members**

(1) The Council shall determine any settlement of accounts with a withdrawing Member. The Organization shall retain any amounts already paid by a withdrawing Member and such Member shall remain bound to pay any amounts due from it to the Organization at the time the withdrawal becomes effective; provided, however, that in the case of a Contracting Party which is unable to accept an amendment and consequently either withdraws or ceases to participate in the Agreement under the provisions of paragraph (2) of Article 70, the Council may determine any settlement of accounts which it finds equitable.

(2) A Member which has withdrawn or which has ceased to participate in the Agreement shall not be entitled to any share of the proceeds of liquidation or the other assets of the Organization upon termination of the Agreement under Article 69.

## ARTICLE 69

(Modified)<sup>(1)</sup>

### **Duration and Termination**

#### **Negotiation of a new Agreement**

(1) *The extended Agreement, subject to the provisions of paragraph (2), shall remain in force until 30 September 1975 or until a new Agreement has entered into force, whichever is the earlier.*

(2) The Council may at any time, by vote of a majority of the Members having not less than a distributed two-thirds majority of the total votes, decide to terminate the Agreement. Such termination shall take effect on such date as the Council shall decide.

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<sup>(1)</sup> Paragraph 2 of this Article corresponds to paragraph 3 of Article 69 of the 1968 Agreement and paragraph 3 of this Article corresponds to paragraph 4 of Article 69 of the 1968 Agreement.

(3) Notwithstanding termination of the Agreement, the Council shall remain in being for as long as necessary to carry out the liquidation of the Organization, settlement of its accounts and disposal of its assets and shall have during that period such powers and functions as may be necessary for those purposes.

(4) *The Council may, by a vote of 58 per cent of the Members having not less than a distributed majority of 70 per cent of the total votes, negotiate a new Agreement for such period as the Council shall determine.*

## ARTICLE 70

### **Amendment**

(1) The Council by a distributed two-thirds majority vote may recommend an amendment of the Agreement to the Contracting Parties. The amendment shall become effective 100 days after the Secretary-General of the United Nations has received notifications of acceptance from Contracting Parties representing at least 75 per cent of the exporting countries holding at least 85 per cent of the votes of the exporting Members, and from Contracting Parties representing at least 75 per cent of the importing countries holding at least 80 per cent of the votes of the importing Members. The Council may fix a time within which each Contracting Party shall notify the Secretary-General of the United Nations of its acceptance of the amendment and if the amendment has not become effective by such time, it shall be considered withdrawn. The Council shall provide the Secretary-General with the information necessary to determine whether the amendment has become effective.

(2) Any Contracting Party, or any dependent territory which is either a Member or a party to a Member group, on behalf of which notification of acceptance of an amendment has not been made by the date on which such amendment becomes effective, shall as of that date cease to participate in the Agreement.

## ARTICLE 71

(Modified)

### **Notifications by the Secretary-General**

The Secretary-General of the United Nations shall notify all Contracting Parties to the International Coffee Agreement 1968 and all other Governments of States Members of the United Nations or of any of its specialized agencies, of each deposit of an instrument of (. . .) acceptance or accession (. . .). The Secretary-General of the United Nations shall also notify all Contracting Parties of each notification under Articles 5 (. . .), 65, 66 or 67; of the date (. . .) on which *the Agreement* is terminated under Article 69; and of the date on which an amendment becomes effective under Article 70.

## ARTICLE 72

(Modified)

### Supplementary and Transitional Provisions

(1) The present Agreement shall be considered as a continuation of the International Coffee Agreement 1962.

(2) In order to facilitate the uninterrupted continuation of the Agreement:

(a) All acts by or on behalf of the Organization or any of its organs (. . .) in effect on 30 September 1973 and the terms of which do not provide for expiry on that date, shall remain in effect unless they have been changed under the provisions of the present Agreement. *Except as provided in sub-paragraphs (b) and (c) hereof all acts based on the deleted Articles of the International Coffee Agreement 1968 are expressly revoked with effect from 1 October 1973.*

(b) *After 30 September 1973 the Diversification Fund shall remain in being for as long as is necessary to carry out its liquidation, the settlement of its accounts and the disposal of its assets. During that period the Council may adopt such amendments to the Statutes as it deems necessary for those purposes.*

(c) *After 30 September 1973 the World Coffee Promotion Committee shall remain in being for as long as is necessary to carry out the liquidation of the Promotion Fund, the settlement of its accounts and the disposal of its assets.*

(d) All decisions (. . .) taken by the Council during the coffee year 1972/73 for application in coffee year 1973/74 shall (. . .) apply on a provisional basis as if the *extension of the Agreement had become effective.*

(. . .).

The texts of this Agreement in the English, French, Portuguese (. . .) and Spanish languages shall all be equally authentic. The originals shall be deposited in the archives of the United Nations and the Secretary-General of the United Nations shall transmit certified copies thereof to each (. . .) *Contracting Party to the Agreement.*

ANNEX A  
Basic Export Quotas  
(Deleted)

ANNEX B  
Non-quota Countries of Destination Referred to in  
Article 40, Chapter VII  
(Deleted)

ANNEX C  
Distribution of Votes  
(Deleted)

ANNEX D  
EXPORTING COUNTRIES: DISTRIBUTION OF VOTES

Exporting country							Votes		Total 1,000
	TOTAL	...	...	...	...	...	Basic 136	Remaining 864	
Bolivia	...	...	...	...	...	...	4	—	4
Brazil	...	...	...	...	...	...	4	327	331
Burundi	...	...	...	...	...	...	4	4	8
Colombia	...	...	...	...	...	...	4	109	113
Costa Rica	...	...	...	...	...	...	4	17	21
Dominican Republic	...	...	...	...	...	...	4	8	12
Ecuador	...	...	...	...	...	...	4	12	16
El Salvador	...	...	...	...	...	...	4	30	34
Ethiopia	...	...	...	...	...	...	4	23	27
Ghana	...	...	...	...	...	...	4	—	4
Guatemala	...	...	...	...	...	...	4	28	32
Guinea	...	...	...	...	...	...	4	2	6
Haiti	...	...	...	...	...	...	4	8	12
Honduras	...	...	...	...	...	...	4	7	11
India	...	...	...	...	...	...	4	7	11
Indonesia	...	...	...	...	...	...	4	21	25
Jamaica	...	...	...	...	...	...	4	—	4
Kenya	...	...	...	...	...	...	4	13	17
Liberia	...	...	...	...	...	...	4	—	4
Mexico	...	...	...	...	...	...	4	27	31
Nicaragua	...	...	...	...	...	...	4	9	13
Nigeria	...	...	...	...	...	...	4	—	4
OAMCAF	...	...	...	...	...	...	4	84	88
OAMCAF	...	...	...	...	...	...	—	—	(4)
Cameroon	...	...	...	...	...	...	—	—	(15)
Central African Republic	...	...	...	...	...	...	—	—	(3)
Congo, People's Republic	...	...	...	...	...	...	—	—	(1)
Dahomey	...	...	...	...	...	...	—	—	(1)
Gabon	...	...	...	...	...	...	—	—	(1)
Ivory Coast	...	...	...	...	...	...	—	—	(46)
Madagascar	...	...	...	...	...	...	—	—	(14)
Togo	...	...	...	...	...	...	—	—	(3)
Panama	...	...	...	...	...	...	4	—	4
Paraguay	...	...	...	...	...	...	4	—	4
Peru	...	...	...	...	...	...	4	12	16
Portugal	...	...	...	...	...	...	4	43	47
Rwanda	...	...	...	...	...	...	4	2	6
Sierra Leone	...	...	...	...	...	...	4	2	6
Tanzania	...	...	...	...	...	...	4	11	15
Trinidad and Tobago	...	...	...	...	...	...	4	—	4
Uganda	...	...	...	...	...	...	4	37	41
Venezuela	...	...	...	...	...	...	4	5	9
Zaire	...	...	...	...	...	...	4	16	20



DISTRIBUTION OF VOTES							
Country					Exporting	Importing	
Australia	...	...	...	...	—	9	
Austria	...	...	...	...	—	13	
Belgium*	...	...	...	...	—	27	
Bolivia	...	...	...	...	4	—	
Brazil	...	...	...	...	331	—	
Burundi	...	...	...	...	8	—	
Canada	...	...	...	...	—	32	
Colombia	...	...	...	...	113	—	
Costa Rica	...	...	...	...	21	—	
Cyprus	...	...	...	...	—	5	
Czechoslovakia	...	...	...	...	—	10	
Denmark	...	...	...	...	—	24	
Dominican Republic	...	...	...	...	12	—	
Ecuador	...	...	...	...	16	—	
El Salvador	...	...	...	...	34	—	
Ethiopia	...	...	...	...	27	—	
Federal Republic of Germany	...	...	...	...	—	103	
Finland	...	...	...	...	—	21	
France	...	...	...	...	—	79	
Ghana	...	...	...	...	4	—	
Guatemala	...	...	...	...	32	—	
Guinea	...	...	...	...	6	—	
Haiti	...	...	...	...	12	—	
Honduras	...	...	...	...	11	—	
India	...	...	...	...	11	—	
Indonesia	...	...	...	...	25	—	
Israel	...	...	...	...	—	7	
Italy	...	...	...	...	—	54	
Jamaica	...	...	...	...	4	—	
Japan	...	...	...	...	—	28	
Kenya	...	...	...	...	17	—	
Liberia	...	...	...	...	4	—	
Mexico	...	...	...	...	31	—	
Netherlands	...	...	...	...	—	42	
New Zealand	...	...	...	...	—	7	
Nicaragua	...	...	...	...	13	—	
Nigeria	...	...	...	...	4	—	
Norway	...	...	...	...	—	16	
OAMCAF	...	...	...	...	(88)	—	
OAMCAF	...	...	...	...	(4) <sup>(1)</sup>	—	
Cameroon	...	...	...	...	15	—	
Central African Republic	...	...	...	...	3	—	
Congo, People's Republic	...	...	...	...	1	—	
Dahomey	...	...	...	...	1	—	
Gabon	...	...	...	...	1	—	
Ivory Coast	...	...	...	...	46	—	
Madagascar	...	...	...	...	14	—	
Togo	...	...	...	...	3	—	
Panama	...	...	...	...	4	—	
Paraguay	...	...	...	...	4	—	
Peru	...	...	...	...	16	—	
Portugal	...	...	...	...	47	—	
Rwanda	...	...	...	...	6	—	
Sierra Leone	...	...	...	...	6	—	
Spain	...	...	...	...	—	26	
Sweden	...	...	...	...	—	37	
Switzerland	...	...	...	...	—	23	
Tanzania	...	...	...	...	15	—	
Trinidad and Tobago	...	...	...	...	4	—	
Uganda	...	...	...	...	41	—	
United Kingdom	...	...	...	...	—	51	
United States of America	...	...	...	...	—	386	
Venezuela	...	...	...	...	9	—	
Zaire	...	...	...	...	20	—	
TOTAL...	...	...	...	...	996	1,000	

\* Includes Luxembourg.

(<sup>1</sup>) Basic votes not attributable to individual contracting parties under Article 5 (4) (b).

NOTIFICATIONS OF ACCEPTANCE UNDER PARAGRAPH 2 OF  
RESOLUTION No. 264

EXPORTING COUNTRIES

<i>Country</i>	<i>Date of Notification of Acceptance</i>
Brazil ... ..	21 September 1973
Burundi ... ..	30 September 1973
Cameroon ... ..	28 September 1973
Central African Republic ... ..	26 July 1973
Colombia ... ..	4 September 1973
Congo, People's Republic of ... ..	30 September 1973
Costa Rica ... ..	28 September 1973
Dahomey ... ..	30 September 1973
Ecuador ... ..	13 September 1973
Ethiopia ... ..	28 September 1973
Gabon ... ..	28 September 1973
Ghana ... ..	28 September 1973
Guatemala ... ..	20 September 1973
Guinea ... ..	6 August 1973
Haiti ... ..	30 September 1973
Honduras ... ..	30 September 1973
India ... ..	28 September 1973
Indonesia ... ..	25 September 1973
Ivory Coast ... ..	26 September 1973
Jamaica ... ..	30 September 1973
Kenya ... ..	15 August 1973
Liberia ... ..	30 September 1973
Madagascar ... ..	27 September 1973
Nicaragua ... ..	25 September 1973
Paraguay ... ..	30 September 1973
Sierra Leone ... ..	30 September 1973
Togo ... ..	28 September 1973
Uganda ... ..	13 September 1973
Zaire ... ..	29 September 1973

IMPORTING COUNTRIES

<i>Country</i>	<i>Date of Notification of Acceptance</i>
Australia <sup>(1)</sup> ... ..	28 September 1973
Canada ... ..	28 September 1973
Cyprus ... ..	30 September 1973
Czechoslovakia ... ..	26 September 1973
Denmark ... ..	9 August 1973
France ... ..	30 July 1973
New Zealand ... ..	30 September 1973
Norway ... ..	28 September 1973
Spain ... ..	28 September 1973
Sweden ... ..	17 September 1973
Switzerland ... ..	28 September 1973
United Kingdom ... ..	28 September 1973

(<sup>1</sup>) Australia changed its category of Membership on notifying acceptance of the Agreement from Importing Member to Exporting Member and in accordance with the decision of the Council will as Exporting Member have four basic votes.

NOTIFICATIONS OF ACCEPTANCE UNDER PARAGRAPH 3 OF  
RESOLUTION No. 264

EXPORTING COUNTRIES

<i>Country</i>	<i>Date of Notification of Acceptance</i>
Bolivia ... ..	27 September 1973
Dominican Republic ... ..	28 September 1973
El Salvador ... ..	27 September 1973
Mexico ... ..	28 September 1973
Panama ... ..	30 September 1973
Peru ... ..	27 September 1973
Portugal ... ..	27 September 1973
Rwanda ... ..	22 September 1973
Tanzania ... ..	28 September 1973
Venezuela ... ..	28 September 1973

IMPORTING COUNTRIES

<i>Country</i>	<i>Date of Notification of Acceptance</i>
Belgium ... ..	28 September 1973
Finland ... ..	28 September 1973
Germany, Federal Republic of ... ..	28 September 1973
Japan ... ..	28 September 1973
Netherlands ... ..	28 September 1973
United States of America ... ..	28 September 1973

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