



**INTERNATIONAL  
COFFEE  
ORGANIZATION**

**ICC 133-6**

23 June 2022  
Original: English

**E**

**Decisions and Resolutions adopted  
at the 133<sup>rd</sup> Session of the  
International Coffee Council**

**8 and 9 June 2022**

**Opening of the 133<sup>rd</sup> Session of the Council**

Item 1:	Adoption of the Agenda .....	2
Item 2:	Votes.....	2
Item 3:	Draft of the new International Coffee Agreement (ICA) .....	3
Item 4:	Credentials .....	17
Item 5:	Future meetings.....	17
Item 6:	Other business.....	17
Item 7:	Closing session.....	18

1. H. E. Ambassador Iván Romero-Martínez, of Honduras, chaired the 133<sup>rd</sup> Session of the International Coffee Council which was held virtually (Zoom platform) on 8 and 9 June 2022, as decided by the Council during its 132<sup>nd</sup> Session held in April 2022.
2. The Chair of the Council opened the Session by welcoming all Members and gave his official opening statement, emphasizing the innovative and progressive nature of the International Coffee Agreement 2022 and its importance for the sustainability of the global coffee sector.
3. The Vice-Chair of the Council briefly addressed the Council and commended Members for the text of the new ICA following a very constructive and inclusive dialogue and process.
4. During her opening speech, the Executive Director renewed her and the ICO Secretariat's commitment to support the signature, ratification and implementation of the new Agreement for the successful achievement of its objectives and to expand cooperation with all coffee stakeholders.
5. The Head of Operations confirmed that, in compliance with Paragraph 4 of Article 11 of the 2007 Agreement, the quorum for holding the 133<sup>rd</sup> Special Session of the International Coffee Council had been reached. He also informed the Council that, as per standard practices for sessions at which the text of a new Agreement was being considered, non-member Governments were invited to attend the 133<sup>rd</sup> Session of the Council as Observers, and welcomed the delegates of Mozambique and Saudi Arabia.
6. Members congratulated the Executive Director on the beginning of her term at the ICO and renewed their support to the Organization.

**Item 1: Adoption of the Agenda**

7. The Chair of the Council stressed the exceptional nature of the session of the Council and invited Members to devote their full attention to the consideration of the draft of the new International Coffee Agreement 2022.

- |   |
|---|
| 8. The Council adopted the draft Agenda contained in document <a href="#">ICC-133-0</a> . |
|---|

**Item 2: Votes****Item 2.1: Revised initial distribution of votes for coffee year 2021/22**

9. The Head of Operations announced that the Secretariat had circulated two documents related to the distribution of votes. He noted that as per paragraph 1, Art. 46 of the draft of the International Coffee Agreement 2022, the Organization should use, as a reference for the calculation of the percentage requirements for the entry into force of the Agreement, the initial distribution of votes for coffee year 2021/22. However, as the initial distribution of votes circulated on 23 September 2021 ([ICC-130-1 Rev. 1](#)) no longer reflected the current Membership of the Organization, following Uganda's withdrawal from the ICA 2007 in February 2022, the Secretariat circulated a "revised initial distribution of votes" as contained in document [ICC-133-1](#) on 7 June 2022. The Head of Operations then reported on the document containing the redistribution of votes for coffee year 2021/22 as at 6 June 2022, which had been calculated on the basis of the revised initial distribution of votes as per document [ICC-133-1](#) and in accordance with Article 12 of the International Coffee Agreement (2007). He explained Tables 1, 2, 3 and 4 and reminded those present that only Members of the International Coffee Agreement 2007 who had paid their contributions were eligible to vote during the Council.

10. The Council approved the revised initial distribution of votes contained in document [ICC-133-1](#) and document [ICC-133-2](#) on the redistribution of votes for coffee year 2021/22.

**Item 3: Draft of the new International Coffee Agreement (ICA)**

11. The Chair of the Council announced that the draft of the new Agreement contained in document [WGFA-101/22](#) reflected the consensus reached among Members within the Working Group on the Future of the Agreement (WGFA) and had already been presented to the Council by the Chair and the Vice-Chair of the former WGFA during its 132<sup>nd</sup> Session held in April 2022. As per decision [ICC-132-3](#) of the Council, Members had the opportunity to review the draft of the International Coffee Agreement 2022 and to submit any suggestions or amendments to the draft text by 18 May 2022. The Chair reported that written amendments had been submitted by Brazil, Indonesia and Japan, and that Thailand had formally reached out to the Secretariat to inform them that they had no further amendments to submit.

12. The Chair of the Council also reported on the ad-hoc preparatory meeting held on 31 May 2022, during which Members took part in a preliminary review of the proposed amendments submitted to the Secretariat as contained in document [WP-Council 325/22 Rev. 1](#).
13. The Head of Operations introduced documents [WP-Council 322/22 Rev. 1](#), [WP-Council 323/22](#), [WP-Council 324/22](#) and [WP-Council 325/22 Rev. 1](#). With reference to [WP-Council 325/22 Rev. 1](#), the Head of Operations noted that, in order to facilitate the discussion, the document was divided into three sections, with the first containing proposed amendments to the content of the draft of the International Coffee Agreement 2022; the second containing proposed amendments to the wording; and the third containing all proposed amendments to punctuation/orthography.
14. With reference to the definition of ‘Affiliate Member’, the Head of Operations recalled that the question was extensively discussed during several meetings of the WGFA and that the only decision still pending was on whether individual private sector and civil society entities, in addition to private sector and civil society associations, could also be eligible for affiliation.
15. The delegate of Brazil expressed his support for the inclusion of all entities, including individual ones, in the Board of Affiliate Members and identified the broader participation of the private sector and civil society in the activities of the Organization as the only way to modernize it. He also addressed shared challenges in the global coffee sector.
16. The delegate of Mexico thanked the Secretariat for their prompt response to the request of launching a survey in March 2022 to collect Members’ impressions in this regard and announced that Mexico would join the consensus reached by Council.
17. The delegate of Colombia endorsed the broader participation of the private sector and civil society in the activities of the Organization and thanked the delegation of Mexico for their professionalism, cooperation and flexibility.
18. Based on the discussions, the Council reached a consensus on the Affiliate Membership.

19. With reference to paragraph 2, Article 21 “Determination of the Administrative Budget and assessment of contributions”, the delegate of Indonesia asked whether the redistribution of contributions of Members whose membership had been suspended in accordance with paragraph 4 of article 22 would imply an increase in contributions for Members not in arrears. The Head of Operations clarified that the redistribution of contributions was a standard practice already foreseen in [Resolution 470](#) and stressed that, thanks to the new contribution calculation system, the impact of the abovementioned redistribution would be lower than as per the ICA 2007 since it would be shared among all ICO Members rather than only those from the category to which the Member being suspended belonged (exporting or importing).

20. With reference to paragraph 2, Article 30 “Statistical information” and the proposed amendment of the text submitted by Brazil, the delegates of Papua New Guinea, Japan, Mexico, Colombia and Vietnam expressed their preference for retaining the original wording, as contained in document [WGFA-101/22](#), given the importance of ensuring data transparency. The delegate of Brazil joined the consensus.

21. With reference to paragraph 4, Article 34 “Board of Affiliate Members” and the proposed amendment of the text submitted by Indonesia, the delegates of Papua New Guinea, Brazil, Switzerland, the European Union, Peru, Mexico and Colombia supported the retention of the original wording, as contained in document [WGFA-101/22](#), as it better defined the private sector’s active role and participation in the discussions with the Council. The delegate of Indonesia joined the consensus.

22. With reference to the mandate of the Economics Committee and the proposed amendment of the text submitted by Japan, the delegate of Japan joined the consensus for paragraph 1, Article 33 “Development and funding of projects” and Article 38 “Coffee Sector Finance” following the approval of the proposed changes to Article 25 “Economics Committee” by the Council.

23. The Council approved the following additions/amendments to the content of the International Coffee Agreement 2022 as contained in document [WP-Council 325/22 Rev. 1](#):

- **Paragraph 13, Article 2 – Definitions**

(13) *Affiliate Member* means an entity of the Private Sector or Civil Society related or engaged with the work of the Organization.

- **New paragraph, Article 2 – Definitions**

(14) The *CEO and Global Leaders Forum (CGLF)* is a forum of senior executives of Private Sector entities that are signatories of the 2019 London Declaration on “price levels, price volatility and the long-term sustainability of the coffee sector” and established as the Private Sector response to the ICC Resolution 465 issued on 20 September 2018. The Forum meets annually with ICO Members, relevant coffee stakeholders and development partners to consider the outcomes of the Coffee Public-Private Working Party (CPPWP) defined in Article 35.

- **Paragraph 1, Article 3 - General undertakings by Members**

(1) Members undertake to adopt such measures as are necessary to enable them to fulfil their obligations under this Agreement and fully cooperate with one another in securing the attainment of the objectives of this Agreement; in particular, Members also undertake to provide, where possible, the information necessary to facilitate the functioning of this Agreement, provided that such information does not breach confidentiality.

- **Paragraph 7, Article 6 - Affiliation**

(7) The Council shall establish a schedule of annual contributions to be paid by Affiliate Members. The mechanism and management of the contributions paid shall be in accordance with the Financial Rules and Financial Regulations of the Organization.

- **Paragraph 2, Article 21 – Determination of the Administrative Budget and assessment of contributions**

(2) The contribution of each Member to the Administrative Budget for each financial year shall be calculated as follows: i) 50 per cent based on the average value of total trade and ii) 50 per cent based on the average volume of total trade of the preceding four calendar years. For the purpose of this Article, “total trade” here refers to the sum of total import and export at the time the Administrative Budget for that financial year is approved. In determining contributions, the contribution of each Member shall be calculated without regard to the suspension of the voting rights of any Member or any redistribution of votes resulting therefrom. However, the aforesaid calculation shall not apply for Members whose membership has been suspended in accordance with paragraph (4) of Article 22, and their contributions shall be redistributed amongst the remaining Members for that financial year only.

- **New paragraphs, Article 21 – Determination of the Administrative Budget and assessment of contributions**

(7) For purposes of this Article, exports and imports of coffee shall be construed as referring to shipments from any origin and to any destination, respectively, in the preceding four calendar years.

(8) For purposes of this Article, in the case of the European Union or any intergovernmental organization as defined in paragraph (3) of Article 4, exports shall be construed as including the sum of exports to all destinations, including within itself, and imports shall include the sum of imports from all origins, including within itself.

- **Paragraph 4, Article 22 – Payment of contributions**

(4) The Council shall temporarily suspend by decision the membership of any Member in persistent arrears of more than 21 months of outstanding contributions. A Member that has been temporarily suspended will be relieved of its obligations to contribute to the Administrative Budget of the Organization but shall remain liable to meet any other of its financial obligations under this Agreement. Upon payment in full of its outstanding contributions or upon the approval of a repayment plan by the Council, that Member shall regain the right of membership. Payments made by Members in arrears will be credited first to their longest outstanding contribution.

- **Article 25 – Economics Committee**

A Committee on Economics shall be established, which shall be responsible for matters related to: promotion and market development; market transparency, statistical information, studies and surveys; projects; the sustainable development; and financing of the coffee sector. The Council shall determine the Economics Committee's composition and mandate in addition to those that are outlined in Articles 33 and 38.

- **Paragraph 6, Article 34 – Board of Affiliate Members**

(6) The BAM shall normally meet at the seat of the Organization, prior to the regular sessions of the Council and with no scheduling conflicts with the said sessions. In case of acceptance by the Council of an invitation by a Member to hold a meeting in its territory, the BAM shall also meet in that territory, in which case the additional costs to the

Organization involved above those incurred when the meeting is held at the seat of the Organization shall be borne by the country or Private Sector organization hosting the meeting.

- **Paragraph 4, Article 35 – The Coffee Public-Private Working Party – CPPWP**

(4) The Executive Director shall act as ex-officio secretary of the CPPWP with a designated member of staff serving as alternate and acting on her or his behalf whenever necessary.

- **Paragraph 3, Article 37 – The World Coffee Conference**

(3) The Council shall decide on the form, title, subject matter and timing of the Conference, keeping the Board of Affiliate Members and the Coffee Public-Private Working Party informed thereof. The Conference shall be held normally at the seat of the Organization, during a session of the Council. If the Council decides to accept an invitation by a Member to hold a session in its territory, the Conference may also be held in that territory, in which case the additional costs to the Organization involved above those incurred when the session is held at the seat of the Organization shall be borne by the country hosting the session.

24. The Council approved the following additions/amendments to the wording of the International Coffee Agreement 2022 as contained in document [WP-Council 325/22 Rev. 1](#):

- **Excerpt 3, Preamble**

Considering the need for collaboration among members of the value chain to work together to create the structural conditions that will not only allow coffee farmers to achieve real prosperity and improve their livelihoods continuously, but also secure the future for the next generations of coffee growers as well as for the global coffee industry;

- **Paragraph 8, Article 1 - Objectives**

(8) developing projects, supporting the management of financial resources for initiatives and, when possible and appropriate, managing the implementation of projects that benefit Members and the world coffee economy;



- **Paragraph 11, Article 2 - Definitions**

(11) Private Sector means the segment of the economy that is owned, controlled, and managed by private individuals or enterprises, or state-owned enterprises whose main activities are in or related to the coffee sector and that operate similarly as part of an open market-based system, including but not limited to:

- (i) farmers, farmers' organizations and cooperatives, and other producers;
- (ii) micro-, small- and medium-sized enterprises (MSMEs);
- (iii) social enterprises;
- (iv) large national and multinational companies;
- (v) financial institutions; and
- (vi) industry and trade associations.

- **Paragraph 5, Article 6 - Affiliation**

(5) The Council shall establish procedures for appraisal of applications for Affiliate Member status, which shall take into account how the work of the applicant is related or engaged with the work of the Organization and its direct relevance to the objectives of this Agreement.

- **Paragraph 3, Article 13 - Votes**

(3) The remaining votes of exporting Members shall be divided among such Members as follows: 50 per cent in proportion to the average volume of their respective exports of coffee; and 50 per cent in proportion to the average value of their respective exports of coffee.

- **Paragraph 4, Article 13 - Votes**

(4) The remaining votes of importing Members shall be divided among such Members as follows: 50 per cent in proportion to the average volume of their respective imports of coffee; and 50 per cent in proportion to the average value of their respective imports of coffee.

- **Paragraph 6, Article 13 - Votes**

(6) For purposes of this Article, exports and imports of coffee shall be construed as referring to shipments from any origin and to any destination, respectively, in the preceding four calendar years.

- **Paragraph 7, Article 13 – Votes**

(7) For purposes of this Article, in the case of the European Union or any intergovernmental organization as defined in paragraph (3) of Article 4, exports shall be construed as including the sum of exports to all destinations, including within itself, imports shall include the sum of imports from all origins, including within itself.

- **Paragraph 3, Article 21 – Determination of the Administrative Budget and assessment of contributions**

(3) The initial contribution of any Member joining the Organization after the entry into force of this Agreement as provided for in Article 46 shall be assessed by the Council as per paragraph (2) of Article 21 on the basis of the period remaining in the current financial year, but the assessments made upon other Members for the current financial year shall not be altered.

- **Paragraph 4, Article 21 – Determination of the Administrative Budget and assessment of contributions**

(4) Each Member shall make a minimum contribution of 0.25 per cent of the total Administrative Budget for each financial year.

- **Paragraph 5, Article 21 – Determination of the Administrative Budget and assessment of contributions**

(5) Members whose average total trade of coffee accounts for a share of less than 0.25 per cent of the sum of all Members' average total trade in volume and value will be only subject to the minimum contribution referred to in paragraph (4).

- **Paragraph 2, Article 26 – Removal of obstacles to trade and consumption**

(2) A Member should regulate its coffee sector to meet national health, environmental and living income policy objectives, consistent with their commitments and obligations under international agreements and with the United Nations SDGs, including those related to international and regional trade.

- **Paragraph 3, Article 27 – Promotion and market development**

(3) Such activities may be included in the programme of activities or among the project activities of the Organization referred to in Article 33 and may be financed by voluntary contributions from Members, non-members, other organizations and the Private Sector.

- **Paragraph 3, Article 32 – Studies, surveys and reports**

(3) Information collected, compiled, analysed and disseminated may also include, where technically feasible:

- (a) quantities and prices of coffees relating to factors such as different geographic areas, families, local communities, and conditions of production;
- (b) information on market structures, niche markets and emerging trends in production and consumption; and
- (c) studies related to the progress on living and prosperous income

- **Paragraph 4, Article 32 – Studies, surveys and reports**

(4) In order to carry out the provisions of paragraph (1) of this Article, the Council shall consider those studies, surveys and reports to be included in the annual programme of activities, with estimated resource requirements, paying special attention to small- and medium-scale farmers and other producers. These activities shall be financed either from provisions within the Administrative Budget or from extrabudgetary sources.

- **Paragraph 5, Article 32 – Studies, surveys and reports**

(5) The Organization shall place particular emphasis on facilitating access to information by small- and medium-scale farmers and other producers to assist them in improving their sustainability, productivity and financial performance, including managing credit and risk.

- **Paragraph 1, Article 34 – Board of Affiliate Members**

(1) The Board of Affiliate Members (BAM) shall be an advisory body which may make recommendations upon request of the Council, as well as invite the Council and its subsidiary bodies to include in their Agendas and decide on matters related to this Agreement and to the state of the world coffee sector.

- **Paragraph 2, Article 35 – The Coffee Public-Private Working Party – CPPWP**

(2) The CPPWP shall:

- (a) build consensus on priority issues and actions to be submitted for consideration to the Council and shared with the CEO and Global Leaders Forum (CGLF);
- (b) conduct the public-private dialogue and track progress regarding commitments on the issues of the price levels, price volatility and the long-term sustainability of the coffee sector;
- (c) drive the further development and operationalization of commitments and initiatives approved by the Council regarding the issue of price levels and the long-term sustainability of the coffee sector; and
- (d) develop continuously a shared vision and the agenda for public-private dialogue, addressing pressing issues involving the coffee sector, clarifying expectations and identifying opportunities and resources for shared action.

- **Paragraph 1, Article 36 – Engagement, integration and inclusiveness**

(1) The Council and its subsidiary bodies, including the CPPWP, shall enable Affiliate Members as well as international organizations, where appropriate, to:

- (a) provide expert analysis on issues directly from its experience in the field;
- (b) serve as an early warning agent;
- (c) help to raise public awareness of relevant issues;
- (d) contribute to the advancement of the objectives of this Agreement; and
- (e) contribute with relevant information at events of the Organization.

- **Paragraph 2, Article 36 – Engagement, integration and inclusiveness**

(2) Recognizing also that the Organization provides opportunities for Affiliate Members to be heard by a wide audience and contribute to its agenda, Affiliate Members can:

- (a) participate in the activities of the Organization with the approval of the Council, or in those contained in the programme of activities;
- (b) obtain and share information, knowledge and good practices with Members and other Affiliate Members through the collaborative tools provided to them by the Organization or through other means;
- (c) attend ICO-affiliated international conferences and events;
- (d) make written and oral statements at these events;
- (e) organize side events;
- (f) access information and data; and
- (g) have opportunities to network and lobby so as to expand their contacts and knowledge base to explore possible partnerships with various stakeholders.

- **Paragraph 1, Article 40 – Sustainable coffee sector**

(1) Members shall give due priority to the sustainable management of coffee resources and processing, bearing in mind the principles and objectives on sustainable development in its three dimensions – economic, social, and environmental – in a balanced and integrated manner, contained in the United Nations SDGs and other related global initiatives that have been endorsed by Members.

- **Paragraph 2, Article 40 – Sustainable coffee sector**

(2) The Organization may, upon request, assist Members to sustainably develop their coffee sector with the aim of promoting prosperity for coffee farmers and all coffee stakeholders, while improving productivity, quality, resilience, and profitability in the coffee value chain, in particular for the small-scale farmers and other small-scale coffee producers.

- **Paragraph 1, Article 53 – Amendment**

(1) The Council may propose an amendment of the Agreement and shall communicate such proposal to all Contracting Parties. The amendment shall enter into force for all Members of the Organization 100 days after the Depository has received notifications of acceptance from Contracting Parties holding at least two-thirds of the votes of the exporting Members, and from Contracting Parties holding at least two-thirds of the votes of the importing Members. The two-thirds percentage referred to herein shall be calculated based upon the number of Contracting Parties to the Agreement at the time that the

proposal of the amendment was circulated to the Contracting Parties concerned for acceptance. The Council shall fix a time within which Contracting Parties shall notify the Depository of their acceptance of the amendment, which shall be communicated by the Council to all Contracting Parties and the Depository. If, on expiry of such time limit, the percentage requirements for the entry into effect of the amendment have not been met, the amendment shall be considered withdrawn.

25. With reference to the amendments contained in section 3 of document WP-Council 325/22 Rev.1, the Council approved all punctuation/orthography changes submitted by Members as well as Japan's proposal to capitalize all references to 'private sector' and 'civil society', since both had been already defined in Article 2 "Definitions".

26. The Council examined the documents ([WP-Council 322/22 Rev. 1](#) and [WP-Council 323/22](#)) related to a number of resolutions required for supporting the approval of the text of the new Agreement related to timing, endorsement, signature and ratification and the designation of the Depository.

27. The Head of Operations presented the draft resolution supporting the approval of the ICA 2022 contained in document [WP-Council 322/22 Rev. 1](#). He noted the inclusion of two additional paragraphs in response to requests by Members, the first on the commitment to define conversion factors for roasted, decaffeinated, liquid, soluble and premixed coffee, as per the request by the Japanese delegation; and the second on the establishment of a transition period and the possible creation of financial mechanisms to assist Members classified as developing countries and affected by an increase in contributions following the introduction of the new contribution calculation system, as per the request submitted by the Philippines to the Secretariat.

28. The delegate of Brazil expressed his support for both proposals included in the draft resolution and stressed that the new contribution calculation system was introduced to make the share of contributions among Members fairer and avoid penalizing any Members.

29. The delegate of the Philippines noted that their contributions would be affected by an increase of more than 220 per cent and therefore proposed limiting the increase to contributions to 50 per cent for all exporting Members classified as developing countries.

30. The delegate of Switzerland suggested that the resolution refer to the establishment of transitional mechanisms and to the submission of options for a transition

period by the Executive Director to the Council only in general terms so as to facilitate the approval of the resolution without having to revise the new contribution calculation system endorsed by Members.

31. The delegate of the European Union endorsed the proposal by Switzerland as it would provide the Executive Director and the Council with adequate time to consider possible solutions and a transition period for when the increase in contributions for exporting Members classified as developing countries would be significantly higher.

32. The delegate of the Philippines welcomed the proposal by Switzerland.

33. In response to a question from the delegate of Japan, the Head of Operations clarified that no provisions related to the transition period being considered would be added to the Agreement. He stressed that the inclusion of this topic in the Council resolution would grant the Organization more time to identify and further elaborate on possible solutions to the question to be submitted to the Council for consideration.

34. The Council approved the draft resolution contained in [WP-Council 322/22 Rev. 1](#) subsequently published as [Resolution 476](#), a copy of which is attached to these Decisions.

35. The Head of Operations presented document [WP-Council 324/22](#) containing the draft dates to be included in the International Coffee Agreement 2022. In response to the questions raised by the delegates of Brazil and Japan, the Head of Operations provided clarifications on the different deadlines for the signature and ratification of the Agreement and on its provisional entry into force. He also clarified that the date for the revised initial distribution of votes had been changed to 6 June 2022 as it was not calculated on 8 June 2022 as originally foreseen in document [WP-Council 324/22](#).

36. The delegate of Colombia suggested that the process for the signature of the 2022 Agreement could begin during the 134<sup>th</sup> Session of the International Coffee Council, to be held in Bogotá, Colombia, given the symbolic value of the Session – the first in-person Session of the Council since the pandemic and with the newly-appointed Executive Director.

37. The Chair of the Council and the delegate of Mexico welcomed the proposal by Colombia and reiterated their willingness to assist the Government of Colombia as needed.

38. The Executive Director suggested officially opening the agreement 2022 for signature on the first day of the 134<sup>th</sup> Session of the Council on 6 October 2022. She also recommended maintaining all other deadlines, since postponing the dates based on the new date for opening the new Agreement for signature would affect the calculation of contributions with the new system foreseen in the ICA 2022 and could compromise the Organization's budget and cash flow.

39. The Council approved the new dates for the revised initial distribution of votes (6 June 2022) and the opening for signature of the ICA 2022 (6 October 2022), as well as the remaining dates contained in [WP-Council 324/22](#).

40. The Head of Operations presented the draft resolution contained in document [WP-Council 323/22](#), noting that the document contained the same standard wording used in the resolution designating the Organization as the Depositary of the ICA 2007.

41. The Council approved the draft resolution contained in document [WP-Council 323/22](#) designating the ICO as the Depositary for the ICA 2022 and subsequently circulated as [Resolution 477](#), a copy of which is attached to these Decisions.

42. The Chair of the Council congratulated ICO Members and the Secretariat on the approval of the new Agreement, thanking them for their relentless work and commitment throughout the complex Agreement revision process. He also expressed his gratitude to the delegate of Switzerland, Ms Stefanie Kung, for her capable leadership and participation in the revision process as Chair of the WGFA, and to the delegate of Papua New Guinea, Mick Wheeler, Vice-Chair of the WGFA.

43. The delegate of Thailand asked the Secretariat to circulate to Members the text of the International Coffee Agreement 2022, as approved during the 133<sup>rd</sup> Special Session of the Council, in order to initiate consultations and internal procedures with their Government.

44. The Vice-Chair of the Council thanked the Chair of the Council for capably leading discussions on the approval of the Agreement.

45. The delegates of Colombia, Brazil, Mexico, Costa Rica, Kenya and Nicaragua congratulated the Organization on the significant results achieved, acknowledging the



remarkable work carried out by the Chair of the Council, former Executive Director José Sette, the delegates of Switzerland and Papua New Guinea, the Head of Operations, and the Secretariat as a whole.

**Item 4:                    Credentials**

46.    The Head of Operations stated that the credentials received were found to be in good order and noted that the Secretariat, as standard practice, would issue a Credentials Report and a list of delegations that attended the Council Session at a later date.

47.    The Council noted the report on credentials.

**Item 5:                    Future meetings**

48.    The Chair of the Council reminded Members that, as decided by the Council during its 132<sup>nd</sup> session, the 134<sup>th</sup> Session of the Council had been scheduled to take place from 3 to 7 October 2022 in Bogotá.

49.    The delegate of Colombia shared a videoclip on Colombian Coffee and informed Members that the exhibition “Café de Colombia” was scheduled to take place in Bogotá during the same week as the 134<sup>th</sup> Session of the Council. He presented a summary of the scheduled activities, including visits to local coffee farms and cultural events.

50.    The Council took note of the proposed dates for future meetings.

**Item 6:                    Other business**

51.    The delegate of Brazil suggested that the Secretariat reach out to the European Commission and European Parliament to further discuss the EU proposal for a regulation on deforestation-free products and the impact the latter would have on exporting countries and coffee producers as well as on the private sector. He announced that Brazil had organized a meeting with other ICO exporting Members to address the question and that a draft statement containing the countries’ concerns to be submitted to the European Parliament had been prepared.

52. The Chair of the Council assured Members that the Organization would identify concrete actions to voice their concerns.

53. The delegate of Kenya informed the Council that his duty as representative to the ICO would conclude at the end of June 2022 and he thanked the Organization for the work carried out.

54. The Executive Director informed Members that the development of the new Coffee Market Development Toolkit had been completed and that a series of training sessions would take place in the four official languages of the Organization for the benefit of ICO Members in the coming weeks. She invited all delegations to register and attend.

55. The Chair of the Council paid tribute and expressed his gratitude to the ICO's Translation & Documents Coordinator, Ms Mirella Glass, due to retire shortly, for her outstanding service to the Organization.

**Item 15: Closing session**

56. The Chair of the Council thanked all Members for their attendance, expressing his gratitude to the Executive Director, the Head of Operations, all ICO staff and the team of interpreters.



**INTERNATIONAL  
COFFEE  
ORGANIZATION**

**ICC** Resolution 476

9 June 2022  
Original: English

**E**

International Coffee Council  
133<sup>rd</sup> Session (Special)  
Virtual Session  
8 and 9 June 2022  
London, United Kingdom

**Resolution Number 476**

APPROVED AT THE SECOND PLENARY MEETING,  
9 JUNE 2022

### **International Coffee Agreement 2022**

WHEREAS:

The International Coffee Agreement 2007 is due to remain in force until 1 February 2024 unless extended under the provisions of Article 48 of the 2007 Agreement; and

The Council has negotiated a new Agreement and agreed a text,

THE INTERNATIONAL COFFEE COUNCIL

RESOLVES:

1. To approve the text of the International Coffee Agreement 2022, contained in document WGFA-101/22 and further decisions made at 133<sup>rd</sup> International Coffee Council Session held on 8 and 9 June 2022 and contained in document WP-Council 325/22 Rev. 1.
2. To request the Executive Director to update and submit to the Council for approval, the conversion factors for roasted, decaffeinated, liquid, soluble coffee, and adding the conversion factor for premixed coffee, prior to the entry into force of the 2022 Agreement (Annex I of the 2022 Agreement).

3. To consider that in view of the change in the system of contributions, from the system under the ICA 2007, a few exporting Members, which are developing countries, will be subject to a substantial increase in their assessed contribution. As a result, the Council shall consider establishing transitional mechanisms and requests the Executive Director to submit to the Council options for a transition period.

4. To request the Executive Director to prepare the definitive text of the International Coffee Agreement 2022 in the four official languages of the Organization, and to authenticate each text for transmission to the Depositary.

5. To request the Executive Director to convey this Resolution to the Depositary in order that the Agreement be opened for signature, in accordance with the provisions of Article 44 thereof.



**INTERNATIONAL  
COFFEE  
ORGANIZATION**

**ICC Resolution 477**

9 June 2022  
Original: English

**E**

International Coffee Council  
133<sup>rd</sup> Session (Special)  
Virtual Session  
8 and 9 June 2022  
London, United Kingdom

**Resolution Number 477**

APPROVED AT THE SECOND PLENARY MEETING,  
9 JUNE 2022

**Depositary for the  
International Coffee Agreement 2022**

WHEREAS:

The International Coffee Council has approved Resolution 476 adopting the text of the International Coffee Agreement 2022 at its 133<sup>rd</sup> Session on 9 June 2022;

Paragraph (1) of Article 76 (Depositaries of Treaties) of the 1969 Vienna Convention on the Law of Treaties provides that the designation of the depositary of a treaty may be made by the negotiating States, and that the depositary may be one or more States, an international organization or the chief administrative officer of the organization; and

Paragraph (10) of Article 2 of the International Coffee Agreement 2022 provides that the Council shall designate the Depositary by a consensus decision before 6 October 2022 and that such a decision shall form an integral part of the 2022 Agreement,

THE INTERNATIONAL COFFEE COUNCIL

RESOLVES:

1. To designate the International Coffee Organization as the Depositary for the International Coffee Agreement 2022.

2. To request the Executive Director, in her capacity as chief administrative officer of the International Coffee Organization, to take the necessary steps to ensure that the Organization performs the functions of the Depositary for the 2022 Agreement, in a manner consistent with the 1969 Vienna Convention on the Law of Treaties, including but not limited to:

- (a) Keeping custody of the original text of the Agreement and of any Full Powers delivered to the Depositary.
- (b) Preparing and circulating certified true copies of the original Agreement.
- (c) Receiving any signatures to the Agreement, and receiving and keeping custody of any instruments, notifications and communications relating to it.
- (d) Examining whether the signature or any instrument, notification or communication relating to the Agreement is in due and proper form.
- (e) Circulating acts, notifications and communications relating to the Agreement.
- (f) Advising when the number of instruments of ratification, acceptance or approval, or notifications of provisional application, required for the entry or provisional entry into force of the Agreement as set out in Article 46 thereof, have been deposited.
- (g) Registering the Agreement with the Secretary-General of the United Nations.
- (h) In the event of any questions about the performance of the Depositary's functions, bringing the matter to the attention of the signatories and Contracting Parties, or, where appropriate, to the International Coffee Council.