

Procedures for membership of the International Coffee Agreement 2022

1. The Executive Director wishes to inform Members and Governments about updated procedures for membership of the International Coffee Agreement (ICA) 2022.
2. At its 135th Session on 30 March 2023, the International Coffee Council approved [Resolution 479](#) which enables governments to sign and deposit instruments of ratification, acceptance or approval until 30 April 2024 and 31 July 2024, respectively.
3. ICO Members and non-member Governments are invited to contact the Treaty Sections or Legal Offices of their Ministries of Foreign Affairs or other competent authorities and request them to initiate the necessary formalities for membership, which include the following:
 - (a) Signature during the period **6 October 2022 to 30 April 2024**.
 - (b) During the period **6 October 2022 to 31 July 2024**, deposit of:
 - Instruments of ratification, acceptance or approval; or
 - Notification of provisional application, followed by ratification, acceptance or approval.
 - (c) Accession (this option is only available after the deadline for signature has passed and once the Council has established conditions for accession).

Depositary contact details

4. The International Coffee Organization is the Depositary for the ICA 2022 (as designated by Council Resolution 477 of 9 June 2022). The contact details for the ICO are as follows:

International Coffee Organization
222 Gray's Inn Road
London WC1X 8HB
United Kingdom
Tel: +44 (0) 20 7612 0600 (switchboard)
Email: depositary@ico.org
Website: www.icocoffee.org

Certified true copies

5. The ICO has provided the original of the Agreement in the four official languages and will hand over certified true copies of the ICA 2022 to governments or any intergovernmental organization eligible to become a Member (i.e. Contracting Parties to the ICA 2007 and Governments invited to attend the 133rd Session at which the 2022 Agreement was negotiated – see Annex III) upon signature. In the case of the European Union (EU), this information will be sent to the representative of the EU.

Signature

6. Signature indicates the intention of a government to apply the Agreement. Under the provisions of Resolution 479, the ICA 2022 is open for signature at the Depositary Headquarters until **30 April 2024**. It should be noted that a government only becomes a Contracting Party to the ICA 2022 after depositing an instrument of ratification, acceptance or approval or a notification of provisional application.

Steps for signature of the ICA 2022 are summarized as follows:

- (a) Prepare an instrument of Full Powers for the proposed signatory in accordance with the section on Full Powers below and Annex IV.
- (b) Deliver instrument of Full Powers by hand, mail or scanned copy by email to the ICO headquarters in London for advance review.
- (c) Make an appointment with the Depositary Office of the ICO to sign the Agreement (during the period that the Agreement is open for signature).
- (d) Attend the appointment and present the original instrument of Full Powers (if sent as a scanned copy by email previously).
- (e) Signature ceremony for the ICA 2022.
- (f) The ICO, in its capacity as Depositary, will notify Members and non-member Governments about this action.

Full Powers

7. In international law, a Head of State, Head of Government or Foreign Minister may sign a treaty in his or her own right. Anyone else needs to produce “Full Powers” signed by one of those three representatives. Full Powers can take time to produce so they should be prepared well in advance of the proposed date of signature of the Agreement. The UN Treaty Section advises that Full Powers must include the following (see model in Annex IV):

- It must be signed by either the Head of State, Head of Government, or Minister for Foreign Affairs.

- The signature must be legible.
- It should indicate the title of the treaty.
- Full Powers must state the full name and title of the representative authorized to sign.
- Date and place of signature must be indicated.
- Official seal (optional, but cannot replace the signature of one of the three authorized authorities).

Ratification, acceptance or approval

8. The ICA 2022 requires ratification, acceptance or approval by Governments which have signed it and intend to apply it. Under the provisions of Resolution 479, Members should deposit their instruments of ratification, acceptance or approval with the Depositary **by 31 July 2024**. Instruments of ratification, acceptance or approval must be signed by the Head of State or Government, or by the Minister for Foreign Affairs, and deposited with the Depositary. A model instrument, which may be adapted as appropriate, is attached as Annex V. The UN Treaty Section notes that instruments must include:

- Title, date and place of conclusion of treaty.
- Full name and title of the person signing the instrument (i.e. the Head of State, Head of Government or Minister for Foreign Affairs).
- An unambiguous expression of the intent of the government to consider itself bound by the treaty and to undertake faithfully to observe and implement its provisions.
- Date and place where the instrument was issued.
- Signature of the Head of State, Head of Government or Minister for Foreign Affairs (the official seal is not sufficient).

Steps for ratification, acceptance or approval to the Agreement are as follows:

- (a) Following signature of the ICA 2022, prepare instrument of ratification, acceptance or approval (as applicable) in accordance with model in Annex V.
- (b) Instrument is signed by Head of State or Government, or Minister for Foreign Affairs.
- (c) Deliver the instrument by hand, mail, or scanned copy sent by email to the ICO.
- (d) If the instrument is sent as a scanned copy to the ICO, deliver the original instrument to the Organization as soon as possible thereafter.
- (e) The ICO will examine the instrument to ensure it is in due and proper form.
- (f) The ICO will notify Members and non-member Governments about this action.

Notification of provisional application

9. Similar wording to that of the model instrument in Annex V, adapted as appropriate, may be used for notifications of provisional application.

Accession

10. Accession is generally used by States wishing to express their consent to be bound by a treaty where the deadline for signature has passed. Upon the entry into force (both definitive and provisional) of the ICA 2022, the Council shall decide to establish procedures for accession, in accordance with Article 47.

Depositary notifications

11. The ICO will advise all interested Parties, by means of Depositary Notifications, about actions relating to the ICA 2022. Parties eligible to sign the new Agreement will be invited to confirm the contact details for communications relating to the ICA 2022, such as the Treaty Sections or Legal Offices of their Ministries of Foreign Affairs. Where specific contact details have not been provided, information will be sent to the designated contacts for the countries concerned, for transmission to Ministries of Foreign Affairs. Where contact details have been provided, copies of correspondence will be sent to the designated country contact.

Further information

12. The United Nations Treaty Handbook provides further information on depositary practice, as well as a glossary of terms such as accession, ratification, etc. This can be consulted on the UN Treaty Section website (<http://untreaty.un.org>) as well as on the ICO website. Further information about membership procedures is also provided in the following Annexes:

Annex I	Summary of steps for membership of the ICA 2022
Annex II	Outline schedule of actions for the ICA 2022
Annex III	Countries eligible to sign the ICA 2022
Annex IV	Model instrument of Full Powers
Annex V	Model of an instrument of ratification, acceptance or approval to the International Coffee Agreement 2022

Relevant ICO documents

- Resolution 476 (9 June 2022): Adoption of text of ICA 2022
- Resolution 477 (9 June 2022): Depositary for the ICA 2022
- International Coffee Agreement 2022: certified true copy
- Resolution 478 (6 October 2022): Signature of the ICA 2022
- Resolution 479 (6 April 2023): Extension of the term of the deadline for signature and ratification, acceptance or approval of the ICA 2022

SUMMARY OF STEPS FOR MEMBERSHIP OF THE ICA 2022

ICO sent certified true copies to countries eligible to become Members and notified them that the ICA 2022 would be open for signature on 6 October 2022



Governments initiate steps for membership of the ICA 2022



SIGNATURE
(6 October 2022 – 30 April 2024)

Prepare instrument of Full Powers for the proposed signatory
(in accordance with Annex IV)



Deliver instrument of Full Powers by hand, mail or scanned copy sent by email to the ICO headquarters for advance verification



Make an appointment for signature with the ICO Depository Office
(Tel: +44 (0) 20 7612 0600, Email: depository@ico.org)



Attend the appointment:
- Present original Full Powers (if sent as a scanned copy previously)
- Sign the ICA 2022



RATIFICATION, ACCEPTANCE OR APPROVAL; OR NOTIFICATION OF PROVISIONAL APPLICATION
(6 October 2022 – 31 July 2024)

Prepare instrument of ratification, acceptance or approval; or notification of provisional application (in accordance with Annex V)



Deliver instrument by hand, mail, or scanned copy to be sent to the ICO headquarters
(222 Gray's Inn Road, London WC1X 8HB, Email: depository@ico.org)



If the instrument is sent as a scanned copy to the ICO, deliver the original instrument to the ICO as soon as possible thereafter



ICO confirms receipt, reviews the instrument and notifies Members of this action

OUTLINE SCHEDULE OF ACTIONS FOR THE ICA 2022

Date	Action
9 June 2022	<ul style="list-style-type: none"> • International Coffee Council designated the ICO as the Depository for the 2022 Agreement (Resolution 477).
10 June – 5 October 2022	<ul style="list-style-type: none"> • Original text of ICA 2022 prepared and deposited with the ICO. • Certified true copies sent to all States entitled to become Members of the ICA 2022. • Governments initiate steps for signature of ICA 2022 and preparation and deposit of instruments.
6 – 7 October 2022	<ul style="list-style-type: none"> • Opening for signatures and deposit of instruments at 134th Session of the Council in Bogotá., Colombia
6 October 2022 – 30 April 2024	<ul style="list-style-type: none"> • ICA 2022 is open for signature from 6 October 2022, as per ICC Resolution 478, until 30 April 2024. • ICO circulates depository notifications about relevant actions.
30 April 2024	<ul style="list-style-type: none"> • End of period for signature of ICA 2022
6 October 2022 - 31 July 2024	<ul style="list-style-type: none"> • Period for the deposit of instruments of ratification, acceptance, approval or notification of provisional application
1 August 2024	<ul style="list-style-type: none"> • ICA 2022 may enter into force provisionally on this date or on any date within next 12 months if it has not already entered into force definitively, if signatory Governments holding votes as described in paragraph (1) of Article 46 have deposited instruments of ratification, acceptance or approval, or sent notifications of provisional application. • Council Resolution on entry into force (if appropriate). • ICO notifies Members about entry into force (if appropriate).
31 July 2025	<ul style="list-style-type: none"> • If Agreement has not entered into force definitively or provisionally by this date, signatory Governments which have deposited instruments of ratification, etc. may by mutual consent decide that it shall enter into force amongst themselves.

COUNTRIES ELIGIBLE TO SIGN THE ICA 2022

Article 44 of the ICA 2022 provides that Contracting Parties to the ICA 2007 and Governments invited to the Council session at which the ICA 2022 was adopted may sign the ICA 2022. They are listed as follows:

Contracting Parties to the ICA 2007

Exporting Members			Importing Members
Angola	Gabon	Peru	European Union ¹
Bolivia, Plurinational State of	Ghana	Philippines	Japan
Brazil	Honduras	Rwanda	Norway
Burundi	India	Sierra Leona	Russian Federation
Cameroon	Indonesia	Tanzania	Switzerland
Central African Republic	Kenya	Thailand	Tunisia
Colombia	Liberia	Timor-Leste	United Kingdom
Congo, Dem. Rep. of	Madagascar	Togo	
Costa Rica	Malawi	Venezuela	
Côte d'Ivoire	Mexico	(Bolivarian Republic of)	
Cuba	Nepal	Vietnam	
Ecuador	Nicaragua	Yemen	
El Salvador	Nigeria	Zambia	
Ethiopia	Panama	Zimbabwe	
	Papua New Guinea		

Governments invited as observers to attend the 133rd Session of the Council at which the ICA 2022 was negotiated

Algeria	Guatemala	Saudi Arabia
Argentina	Guinea	Sierra Leone
Australia	Iceland	Singapore
Benin	Israel	Sri Lanka
Belize	Jamaica	South Africa
Cambodia	Korea, Republic of	Trinidad and Tobago
Canada	Lao People's Dem. Rep.	Turkey
Cape Verde	Malaysia	Uganda
Chile	Morocco	United States of America
China	Mozambique	United Arab Emirates
Congo (Republic)	Myanmar	Uruguay
Dominican Republic	New Zealand	
Egypt	Paraguay	

¹ Paragraph (4) of Article 44 of the 2022 Agreement provides that the EU shall deposit a declaration with the Depositary confirming its exclusive competence over matters governed by the Agreement. The member States of the EU shall not be eligible to become Contracting Parties to the Agreement.

ANNEX IV

MODEL INSTRUMENT OF FULL POWERS

FULL POWERS

I, [name and title of the Head of State, Head of Government or Minister for Foreign Affairs],

HEREBY AUTHORIZE [name and title] to sign the International Coffee Agreement 2022 on behalf of the Government of [name of State].

Done at [place] on [date].

[Signature] *

Official seal (optional)

*** To be signed by the Head of State or Government, or Minister for Foreign Affairs**

**MODEL OF AN INSTRUMENT OF RATIFICATION, ACCEPTANCE
OR APPROVAL TO THE INTERNATIONAL COFFEE AGREEMENT 2022**

WHEREAS the INTERNATIONAL COFFEE AGREEMENT, (“the Agreement”), 2022 was opened for signature on 6 October 2022,

NOW THEREFORE I, [NAME AND TITLE of the Head of State, Head of Government or Minister for Foreign Affairs], declare that the Government of [name of State], having considered the obligations and conditions of participation in the above-mentioned Agreement, [has ratified] [accepts] [has approved] the same and undertakes faithfully to perform and carry out the obligations therein contained.

IN WITNESS WHEREOF, I have signed this instrument of [ratification] [acceptance] [approval] at [place] on [date].

[Signature]*

*** To be signed by the Head of State or Government, or Minister for Foreign Affairs**

Contact address for the Depositary:

Depositary Office
International Coffee Organization
222 Gray’s Inn Road
London WC1X 8HB
United Kingdom
Tel: +44 (0) 20 7612 0600 (switchboard)
Email: depositary@ico.org