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**United Nations Cocoa Conference, 2010**

Geneva, 19–23 April 2010

Item 6 of the provisional agenda

**Preparation of a successor agreement to the  
International Cocoa Agreement, 2001**

**Note by the UNCTAD secretariat**

This document indicates the amendments to document TD/Cocoa.10/R.1 as proposed by the Working Group for a Future International Cocoa Agreement, established by the Council of the International Cocoa Organization (ICCO). They were the results of the discussions held during the meeting of the Working Group for a Future International Cocoa Agreement which took place on 25 March 2010.

With reference to document TD/Cocoa.10/R.1, entitled “Preparation of a successor agreement to the International Cocoa Agreement, 2001” prepared by UNCTAD in Geneva on the basis of the text transmitted by the Executive Director of ICCO, the Working Group for a Future International Cocoa Agreement (the “Group”) amended the following articles, with the name and numbering corresponding to the articles contained in the aforementioned documents.

### **Preamble**

The following alternative text was proposed by the Consumers:

“THE PARTIES TO THE AGREEMENT,

“Recognizing the contribution of the cocoa sector to poverty eradication and the achievement of internationally-agreed development goals, including the Millennium Development Goals (MDGs);

“Recognizing the importance of cocoa [...] for the economies of many countries that are largely dependent upon this commodity for their export earnings and for the achievement of their development programmes and strategies;

“Recognizing the importance of the cocoa sector to the livelihoods of millions of people, particularly in developing countries, and bearing in mind that in many of these countries production is on small-scale family farms;

“Recognizing the need to continue fostering the sustainable development of the cocoa sector, leading to enhanced employment and income, increased protection of the environment and better living standards and working conditions in Member countries;

“Recognizing that close international cooperation on cocoa-related matters can foster an economically diversified cocoa sector, the sustainable development of producing countries, the increase of cocoa production, consumption and trade, as well as good relations between cocoa producer and consumer Members;

“Recognizing that dialogue and cooperation between Members, international organizations, the private sector, the civil society and other stakeholders can contribute to the development of the cocoa sector;

“Recognizing the importance of ensuring transparency of the international cocoa market in order to achieve a balanced sustainable world cocoa economy; for the benefit of both producers and consumers;

“Recognizing the contribution of the previous International Cocoa Agreements of 1973, 1975, 1980, 1986, 1993 and 2001 to the development of the world cocoa economy;

“HEREBY AGREE THE FOLLOWING:”

#### ***Article 1 (Objectives)***

The Group agreed to remove the second paragraph of the article.

#### ***Article 13 (Cooperation with other organizations)***

The Group agreed to amend the fifth paragraph as follows: “The Council may seek to cooperate with other relevant experts in cocoa matters.”

#### ***Article 14 (Invitation and admission of observers)***

The Group agreed to amend the third paragraph and to add a fourth paragraph as follows:

“3. The Council may also invite non-governmental organizations having relevant expertise in aspects of the cocoa sector, as observers.

“4. For each of its sessions, the Council shall decide on the attendance of observers, including, on an ad hoc basis, non-governmental organizations having relevant expertise in aspects of the cocoa sector, in conformity with the conditions set out in the administrative rules of the Organization.”

***Article 27 (Establishment of the Economics Committee)***

The Group agreed to amend the text in the second sentence of the first paragraph as follows: “An Economics Committee is hereby established. The Economics Committee shall:”.

***Article 32 (Cocoa substitutes)***

The Group agreed to maintain the title of the article as follows: “Cocoa substitutes”.

***Article 43 alt (Mandate and activities on sustainability)***

The Consumers’ group proposed to the following new alternative text (in place of the previous one):

“1. The mandate of the Organization on sustainability shall encompass all types of activities contributing to the achievement of a sustainable world cocoa economy, under the guidance and authority of the Council.

“2. Members shall make all necessary efforts to accomplish a sustainable cocoa economy, taking into account the sustainable development principles and objectives contained, *inter alia*, in the Rio Declaration on Environment and Development and in Agenda 21 adopted in Rio de Janeiro in 1992, the United Nations Millennium Declaration adopted in New York in 2000 and in the Report of the World Summit on Sustainable Development adopted in Johannesburg in 2002.

“3. The Organization shall assist Members to realize their goals in the development of a sustainable cocoa economy.

“4. In their activities, Members will integrate the three interdependent pillars of economic, social and environmental sustainability.

“5. Members shall encourage stakeholders in the cocoa economy – including farmers, cooperatives, traders, exporters, processors, manufacturers, wholesalers, retailers and non-governmental organizations – to contribute to their sustainability goals and activities.

“6. The Organization shall actively seek multilateral and bilateral donors in the support of programmes, projects and activities aimed at achieving sustainability in the cocoa economy.”

***Article 44 (Mandate and activities on sustainability)***

This article was deleted.

***Article 45 (Establishment of the Consultative Board on the World Cocoa Economy)***

The Consumers’ group suggested the following alternative text for the first three paragraphs for consideration by the Group during the Conference:

“1. A Consultative Board on the World Cocoa Economy is hereby established to encourage the active participation of experts of the private sector in the work of the Organization and to promote a continuous dialogue among experts from the public and private sectors.

“2. The Consultative Board on the World Cocoa Economy shall:

- (a) Advise the Council on issues of general and strategic interest to the cocoa sector;
- (b) Identify threats to supply and demand and propose actions to meet the challenges;
- (c) Identify ways and means of strengthening the position of farmers, with a view to improving their livelihoods;
- (d) Contribute to the development of a sustainable cocoa economy;
- (e) Develop modalities and frameworks for promotion of consumption;
- (f) Facilitate the availability of information on production, consumption and stocks; and
- (g) Advise on other matters within the scope of the Agreement.

“3. The Consultative Board may submit recommendations on the above matters to the Council.”

***Article 46 (Composition of the Consultative Board on the World Cocoa Economy)***

The Group agreed to limit the composition to eight experts.

***Article 47 (Meetings of the Consultative Board on the World Cocoa Economy)***

The Group agreed on the text initially proposed in the first paragraph by the Producers' group.

The Group agreed on the following text for the fourth paragraph: “The Board may also invite eminent experts or personalities of high standing in a specific field, from the public and private sectors, including appropriate non-governmental organizations, having relevant expertise in aspects of the cocoa sector, to participate in its work and meetings.”

**Annex B (Imports of cocoa calculated for the purpose of article 58)**

The Consumers' group proposed to amend the table as presented in the following page, to reflect the membership of the European Union in the ICCO.

| Country                   | b/   | 2005/06   | 2006/07   | 2007/08   | Average<br>3-year period<br>2005/06 - 2007/08 |        |
|---------------------------|------|-----------|-----------|-----------|---|--------|
|                           |      | (tons)    |           |           | (share)                                       |        |
| European Union:           | m    | 2 484 235 | 2 698 016 | 2 686 041 | 2 622 764                                     | 53.24% |
| <i>Austria</i>            |      | 20 119    | 26 576    | 24 609    | 23 768  | 0.48%  |
| <i>Belgium/Luxembourg</i> |      | 199 058   | 224 761   | 218 852   | 214 224                                       | 4.35%  |
| <i>Bulgaria</i>           |      | 12 770    | 14 968    | 12 474    | 13 404  | 0.27%  |
| <i>Cyprus</i>             |      | 282       | 257       | 277       | 272   | 0.01%  |
| <i>Czech Republic</i>     |      | 12 762    | 14 880    | 16 907    | 14 850  | 0.30%  |
| <i>Denmark</i>            |      | 15 232    | 15 493    | 17 033    | 15 919  | 0.32%  |
| <i>Estonia</i>            |      | 37 141    | 14 986    | - 1 880   | 16 749  | 0.34%  |
| <i>Finland</i>            |      | 10 954    | 10 609    | 11 311    | 10 958  | 0.22%  |
| <i>France</i>             |      | 388 153   | 421 822   | 379 239   | 396 405                                       | 8.05%  |
| <i>Germany</i>            |      | 487 696   | 558 357   | 548 279   | 531 444                                       | 10.79% |
| <i>Greece</i>             |      | 16 451    | 17 012    | 17 014    | 16 826  | 0.34%  |
| <i>Hungary</i>            |      | 10 564    | 10 814    | 10 496    | 10 625  | 0.22%  |
| <i>Ireland</i>            |      | 22 172    | 19 383    | 17 218    | 19 591  | 0.40%  |
| <i>Italy</i>              |      | 126 949   | 142 128   | 156 277   | 141 785                                       | 2.88%  |
| <i>Latvia</i>             |      | 2 286     | 2 540     | 2 434     | 2 420   | 0.05%  |
| <i>Lithuania</i>          |      | 5 396     | 4 326     | 4 522     | 4 748   | 0.10%  |
| <i>Malta</i>              |      | 34        | 46        | 81        | 54  | -      |
| <i>Netherlands</i>        |      | 581 459   | 653 451   | 681 693   | 638 868                                       | 12.97% |
| <i>Poland</i>             |      | 103 382   | 108 275   | 113 175   | 108 277                                       | 2.20%  |
| <i>Portugal</i>           |      | 3 643     | 4 179     | 3 926     | 3 916   | 0.08%  |
| <i>Romania</i>            |      | 11 791    | 13 337    | 12 494    | 12 541  | 0.25%  |
| <i>Slovak Republic</i>    |      | 15 282    | 16 200    | 13 592    | 15 025  | 0.30%  |
| <i>Slovenia</i>           |      | 1 802     | 2 353     | 2 185     | 2 113   | 0.04%  |
| <i>Spain</i>              |      | 150 239   | 153 367   | 172 619   | 158 742                                       | 3.22%  |
| <i>Sweden</i>             |      | 15 761    | 13 517    | 14 579    | 14 619  | 0.30%  |
| <i>United Kingdom</i>     |      | 232 857   | 234 379   | 236 635   | 234 624                                       | 4.76%  |
| United States             |      | 822 314   | 686 939   | 648 711   | 719 321                                       | 14.60% |
| Malaysia                  | c/ m | 290 623   | 327 825   | 341 462   | 319 970                                       | 6.49%  |
| Russian Federation        | m    | 163 637   | 176 700   | 197 720   | 179 352                                       | 3.64%  |
| Canada                    |      | 159 783   | 135 164   | 136 967   | 143 971                                       | 2.92%  |
| Japan                     |      | 112 823   | 145 512   | 88 403    | 115 579                                       | 2.35%  |
| Singapore                 |      | 88 536    | 110 130   | 113 145   | 103 937                                       | 2.11%  |
| China                     |      | 77 942    | 72 532    | 101 671   | 84 048  | 1.71%  |
| Switzerland               | m    | 74 272    | 81 135    | 90 411    | 81 939  | 1.66%  |

| Country                    | b/ | 2005/06 | 2006/07 | 2007/08 | Average<br>3-year period<br>2005/06 - 2007/08 |       |
|----------------------------|----|---------|---------|---------|---|-------|
|                            |    | (tons)  |         |         | (share)                                       |       |
| Turkey                     |    | 73 112  | 84 262  | 87 921  | 81 765  | 1.66% |
| Ukraine                    |    | 63 408  | 74 344  | 86 741  | 74 831  | 1.52% |
| Australia                  |    | 52 950  | 55 133  | 52 202  | 53 428  | 1.08% |
| Argentina                  |    | 33 793  | 38 793  | 39 531  | 37 372  | 0.76% |
| Thailand                   |    | 26 737  | 31 246  | 29 432  | 29 138  | 0.59% |
| Philippines                |    | 18 549  | 21 260  | 21 906  | 20 572  | 0.42% |
| Mexico                     | c/ | 19 229  | 15 434  | 25 049  | 19 904  | 0.40% |
| Korea, Republic of         |    | 17 079  | 24 454  | 15 972  | 19 168  | 0.39% |
| South Africa               |    | 15 056  | 17 605  | 16 651  | 16 437  | 0.33% |
| Iran (Islamic Republic of) |    | 10 666  | 14 920  | 22 056  | 15 881  | 0.32% |
| Colombia                   | c/ | 16 828  | 19 306  | 9 806   | 15 313  | 0.31% |
| Chile                      |    | 13 518  | 15 287  | 15 338  | 14 714  | 0.30% |
| India                      |    | 9 410   | 10 632  | 17 475  | 12 506  | 0.25% |
| Israel                     |    | 11 437  | 11 908  | 13 721  | 12 355  | 0.25% |
| New Zealand                |    | 11 372  | 12 388  | 11 821  | 11 860  | 0.24% |
| Serbia                     |    | 10 864  | 11 640  | 12 505  | 11 670  | 0.24% |
| Norway                     |    | 10 694  | 11 512  | 12 238  | 11 481  | 0.23% |
| Egypt                      |    | 6 026   | 10 085  | 14 036  | 10 049  | 0.20% |
| Algeria                    |    | 9 062   | 7 475   | 12 631  | 9 723   | 0.20% |
| Croatia                    |    | 8 846   | 8 904   | 8 974   | 8 908   | 0.18% |
| Syrian Arab Republic       |    | 7 334   | 7 229   | 8 056   | 7 540   | 0.15% |
| Tunisia                    |    | 6 019   | 7 596   | 8 167   | 7 261   | 0.15% |
| Kazakhstan                 |    | 6 653   | 7 848   | 7 154   | 7 218   | 0.15% |
| Saudi Arabia               |    | 6 680   | 6 259   | 6 772   | 6 570   | 0.13% |
| Belarus                    |    | 8 343   | 3 867   | 5 961   | 6 057   | 0.12% |
| Morocco                    |    | 4 407   | 4 699   | 5 071   | 4 726   | 0.10% |
| Pakistan                   |    | 2 123   | 2 974   | 2 501   | 2 533   | 0.05% |
| Costa Rica                 |    | 1 965   | 3 948   | 1 644   | 2 519   | 0.05% |
| Uruguay                    |    | 2 367   | 2 206   | 2 737   | 2 437   | 0.05% |
| Lebanon                    |    | 2 059   | 2 905   | 2 028   | 2 331   | 0.05% |
| Guatemala                  |    | 1 251   | 2 207   | 1 995   | 1 818   | 0.04% |
| Bolivia                    | c/ | 1 282   | 1 624   | 1 927   | 1 611   | 0.03% |
| Sri Lanka                  |    | 1 472   | 1 648   | 1 706   | 1 609   | 0.03% |
| El Salvador                |    | 1 248   | 1 357   | 1 422   | 1 342   | 0.03% |
| Azerbaijan                 |    | 569     | 2 068   | 1 376   | 1 338   | 0.03% |
| Jordan                     |    | 1 263   | 1 203   | 1 339   | 1 268   | 0.03% |
| Kenya                      |    | 1 073   | 1 254   | 1 385   | 1 237   | 0.03% |
| Uzbekistan                 |    | 684     | 1 228   | 1 605   | 1 172   | 0.02% |
| Hong Kong, China           |    | 2 018   | 870     | 613     | 1 167   | 0.02% |
| Republic of Moldova        |    | 700     | 1 043   | 1 298   | 1 014   | 0.02% |

| Country                                      | b/ | 2005/06   | 2006/07   | 2007/08   | Average<br>3-year period<br>2005/06 - 2007/08 |         |
|--|----|-----------|-----------|-----------|---|---------|
|  |    |           |           |           | (tons)  | (share) |
| Iceland                                      |    | 863       | 1 045     | 1 061     | 990   | 0.02%   |
| The former Yugoslav Republic of<br>Macedonia |    | 628       | 961       | 1 065     | 885   | 0.02%   |
| Bosnia and Herzegovina                       |    | 841       | 832       | 947       | 873   | 0.02%   |
| Cuba   | c/ | 2 162     | - 170     | 107       | 700   | 0.01%   |
| Kuwait                                       |    | 427       | 684       | 631       | 581   | 0.01%   |
| Senegal                                      |    | 248       | 685       | 767       | 567   | 0.01%   |
| Libyan Arab Jamahiriya                       |    | 224       | 814       | 248       | 429   | 0.01%   |
| Paraguay                                     |    | 128       | 214       | 248       | 197   | -       |
| Albania                                      |    | 170       | 217       | 196       | 194   | -       |
| Jamaica                                      | c/ | 479       | - 67      | 89        | 167   | -       |
| Oman   |    | 176       | 118       | 118       | 137   | -       |
| Zambia                                       |    | 95        | 60        | 118       | 91  | -       |
| Zimbabwe                                     |    | 111       | 86        | 62        | 86  | -       |
| Saint Lucia                                  | c/ | 26        | 20        | 25        | 24  | -       |
| Samoa  |    | 48        | 15        | 0         | 21  | -       |
| Saint Vincent and the Grenadines             |    | 6         | 0         | 0         | 2   | -       |
| Total  | d/ | 4 778 943 | 5 000 088 | 5 000 976 | 4 926 669                                     | 100.00% |