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United Nations Conference for the Negotiation of a Successor Agreement to the International Agreement on Olive Oil and Table Olives, 1986, as Amended and Extended, 1993
Geneva, 25 – 29 April 2005
Agenda item 7

Preparation of a Successor Agreement to the International Agreement on Olive Oil and Table Olives, 1986, as Amended and Extended 1993

Draft agreed articles 1, 9, 42 and 47 as approved by the Committee of the Whole and transmitted to the Drafting Committee

**DRAFT INTERNATIONAL AGREEMENT
ON OLIVE OIL AND TABLE OLIVES, 2005**

CHAPTER I – GENERAL OBJECTIVES

Article 1

General objectives

The general objectives of this Agreement are indicated hereafter:

1. With respect to international technical cooperation:

- To foster international cooperation for the integrated, sustainable development of world olive growing;

- To foster the coordination of production, industrialization, storage and marketing policies for olive oils, olive-pomace oils and table olives;

- To encourage research and development and to foster the transfer of technology and training activities in the olive products sector with the aim, *inter alia*, of modernising olive growing and the olive products industry and of improving the quality of production;

- To lay the foundations of international cooperation in international trade in olive oils, olive-pomace oils and table olives to create, in this context, close cooperative ties with the representatives of the various branches of the international olive products sector, in compliance with the corresponding international agreements and accords;

- To further the efforts made and steps taken to improve and draw notice to product quality;

- To further the efforts made and steps taken to improve the interaction between olive growing and the environment, particularly with a view to protecting and conserving the environment;

- To examine and foster the integral utilization of the products derived from the olive tree;

- To conduct activities for the preservation of the gene sources of olive trees;

2. With respect to the standardization of international trade in olive products:

- To carry on conducting collaborative activities in the area of physico-chemical and sensory testing in order to add to the knowledge of the composition and quality characteristics of olive products, with a view to establishing international standards enabling:

- . product quality control;
- . fair international trading;
- . protection of consumer rights;
- . prevention of fraudulent practices.

- To facilitate the study and application of measures for harmonizing national and international laws relating, in particular, to the marketing of olive oil and table olives;

- To encourage harmonization of the criteria for the definition of geographical indications granted by the Members with a view to their international protection;

- To lay the foundations of international cooperation to prevent and, where appropriate, to combat any fraudulent practices in international trade in any edible olive products by establishing close cooperative ties in this context with the representatives of the various branches of the international olive products sector.

3. With respect to the expansion of international trade and the promotion of olive products:

- To promote any activities conducive to the harmonious, sustainable expansion of the world olive products economy by every means in the power of the Organization in the fields of production, consumption and international trade, having regard to the ways in which they are interrelated;

- To facilitate the study and application of measures for balancing production and consumption and the establishment of procedures for information and consultation in order to enhance the transparency of the market;

- To implement measures designed to expand international trade in olive products and to adopt whatever measures are appropriate to enhance the consumption of olive oil and table olives;

- To undertake activities fostering a better understanding of the nutritional, therapeutic and other properties of olive oil and table olives;

- To maintain and amplify the role of the International Olive Council as a meeting point for all the operators in the sector and as a world documentation and information centre on the olive tree and its products.

Article 9

Decisions of the Council of Members

1. Unless otherwise provided in this Agreement, decisions of the Council of Members shall be taken by consensus of the Members within a time-limit laid down by the Chairperson. Such time-limit may not exceed the duration of the session at which the decision is submitted to the Council of Members.

If consensus is not reached within this time-limit, Members shall take a vote.

2. Any decision shall be considered to be adopted when at least 50 per cent of the Members accounting for 82 per cent of the participation shares are in favour thereof.

3. The Council of Members may take decisions by an exchange of correspondence between the Chairperson and the Members without holding a session, provided that no Member objects to this procedure.

The rules for the application of this consultation procedure shall be laid down by the Council of Members in its Rules of Procedure.

Any decision so taken shall be communicated to all the Members by the Executive Secretariat as quickly as possible and shall be entered in the final report of the following session of the Council of Members.

Article 42

Entry into force

1. This Agreement shall enter into force definitively on the day when at least five Governments among those mentioned in Annex A to this Agreement and accounting for at least 90 per cent of the participation shares have signed this Agreement definitively or have ratified, accepted or approved it, or acceded thereto.

2. If, on 1 January 2006, this Agreement has not entered into force in accordance with paragraph 1 of this article, it shall enter into force provisionally if by that date five Governments satisfying the percentage requirements of paragraph 1 of this article have signed this Agreement definitively or have ratified, accepted or approved it, or have notified the depositary that they will apply this Agreement provisionally.

3. If, on 1 January 2006, the requirements for entry into force under paragraph 1 or paragraph 2 of this article have not been met, the Secretary-General of the United Nations shall invite those Governments which have signed this Agreement definitively or have ratified, accepted or approved it, or have notified that they will apply this Agreement provisionally, to decide whether to bring this Agreement into force definitively or provisionally among themselves, in whole or in part, on such date as they may determine.

4. For any Government which has not notified the depositary under article 41 that it will apply this Agreement provisionally and which deposits an instrument of ratification, acceptance, approval or accession after the entry into force of this Agreement, this Agreement shall enter into force on the date of such deposit.

Article 47

Duration, prolongation, extension and termination

1. This Agreement shall remain in force until 31 December 2014 unless the International Olive Council, acting through its Council of Members, decides to prolong it, extend it, renew it or terminate it in advance in accordance with the provisions of this article.

2. The International Olive Council, acting through its Council of Members, may decide to prolong this Agreement for not more than two periods of two years each. Any Member which does not accept any such prolongation of this Agreement shall so inform the International Olive Council and shall cease to be a Party to this Agreement from the beginning of the period of prolongation.

3. If, before 31 December 2014, or before the expiry of a period of prolongation referred to in paragraph 2 of this article, as the case may be, a new agreement or a protocol for the extension of this Agreement has been negotiated but has not yet entered into force either definitively or provisionally, this Agreement shall remain in force beyond its expiry date until the new agreement or protocol enters into force, provided that the period of such prolongation does not exceed 12 months.

4. The International Olive Council, acting through its Council of Members, may at any time decide to terminate this Agreement with effect from such date as it may determine.

5. Notwithstanding the expiry or termination of this Agreement, the International Olive Council shall continue in being for as long as may be necessary for the purpose of carrying out the liquidation of the International Olive Council, including the settlement of accounts, and shall have during that period such powers and functions as may be necessary for these purposes.

6. The International Olive Council shall notify the depositary of any decision taken under this article.