

INTERNATIONAL SUGAR AGREEMENT, 1973

Note: The Agreement entered into force with respect to the Philippines, October 15, 1974,

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INTERNATIONAL SUGAR AGREEMENT, 1973

CHAPTER I - OBJECTIVES

ARTICLE 1

OBJECTIVES

The objectives of this International Sugar Agreement (hereinafter referred to as the Agreement) are to further international cooperation in sugar matters and to provide a framework for the preparation of negotiations of an agreement having objectives similar to the objectives of the International Sugar Agreement, 1968, which took into account the recommendations contained in the Final Act of the first session of the United Nations Conference on Trade and Development (hereinafter referred to as UNCTAD) and which were as follows:

- (a) to raise the level of international trade in sugar, particularly in order to increase the export earnings of developing exporting countries;
- (b) to maintain a stable price for sugar which will be reasonably remunerative to producers, but which will not encourage further expansion of production in developed countries;
- (c) to provide adequate supplies of sugar to meet the requirements of importing countries at fair and reasonable prices;
- (d) to increase sugar consumption and in particular to promote measures to encourage consumption in countries where consumption per caput is low;
- (e) to bring world production and consumption of sugar into closer balance; .
- (f) to facilitate the coordination of sugar marketing policies and the organization of the market;
- (g) to provide for adequate participation in, and growing access to, the markets of the developed countries for sugar from the developing countries;
- (h) to observe closely developments in the use of any form of substitutes for sugar, including cyclamates and other artificial sweeteners; and

- (i) to further international cooperation in sugar questions.

CHAPTER II - DEFINITIONS

ARTICLE 2

DEFINITIONS

For the purposes of the Agreement:

1. "Organization" means The International Sugar Organization referred to in Article 3;
2. "Council" means The International Sugar Council established by Article 3;
3. "Member" means
 - (a) a Contracting Party to the Agreement, other than a Contracting Party with a notification under paragraph 1 (b) of Article 38 currently in effect, or
 - (b) a territory or group of territories in respect of which a notification has been made under paragraph 3 of Article 38;
4. "exporting Member" means any Member which is listed as such in Annex A of the Agreement, or which is given the status of an exporting Member upon becoming a Contracting Party to the Agreement;
5. "importing Member" means any Member which is listed as such in Annex B of the Agreement, or which is given the status of an importing Member upon becoming a Contracting Party to the Agreement.
6. "special vote" means a vote requiring at least two thirds of the votes cast by exporting Members present and voting and at least two thirds of the votes cast by importing Members present and voting.
7. "distributed simple majority vote" means a vote cast by at least half of the number of exporting Members present and voting and by at least half of the number importing Members present and voting, and consisting of more than half of the total votes of Members in each category present and voting;
8. "financial year" means the calendar year;
9. "sugar" means sugar in any of its recognized commercial forms derived from sugar cane or sugar beet including edible and fancy molasses syrups and any other form of liquid sugar used for human consumption but does not include final molasses or low grade types of non-centrifugal sugar produced by primitive methods or sugar destined for use other than human consumption as food;
10. "entry into force" is to be read as meaning the date on which the Agreement enters into force provisionally or definitely, as provided for in Article 36;
11. any reference in the Agreement to a "Government invited to the United Nations Sugar Conference, 1973" shall be construed as including a reference to the European Economic Community (hereinafter referred to as the EEC). Accordingly any reference in the Agreement to "signature of the Agreement" or to the "deposit of an instrument of ratification, acceptance, approval or accession" by a Government

shall, in the case of the EEC, be construed as including signature on behalf of the EEC by its competent authority and the deposit of the instrument required by the institutional procedures of the EEC to be deposited for the conclusion of an international agreement.

CHAPTER III - THE INTERNATIONAL SUGAR ORGANIZATION ITS MEMBERSHIP AND ADMINISTRATION

ARTICLE 3

CONTINUATION, HEADQUARTERS AND STRUCTURE OF THE INTERNATIONAL SUGAR ORGANIZATION

1. The International Sugar Organization established under the International Sugar Agreement, 1968, shall continue in being for the purpose of administering the present Agreement and supervising its operation, with the membership, powers and functions set out in this Agreement.
2. The headquarters of the Organization shall be in London unless the Council decides otherwise by special vote.
3. The Organization shall function through the International Sugar Council, its Executive Committee, its Executive Director and its staff.

ARTICLE 4

MEMBERSHIP OF THE ORGANIZATION

1. Each Contracting Party shall constitute a single Member of the Organization, except as otherwise provided in paragraphs 2 or 3 of this Article. Multilateral -- International Sugar Agreement -- 13 October 1973
2. (a) When a Contracting Party makes a notification under paragraph 1 (a) of Article 38 declaring that the Agreement shall extend to a developing territory or territories which wish to participate in the Agreement, there may be, with the express consent and approval of those concerned, either:
 - (i) joint membership for that Contracting Party together with these territories, or
 - (ii) when that Contracting Party has made a notification under paragraph 3 of Article 38, separate membership, singly, all together or in groups for the territories that would individually constitute an importing Member.
- (b) When a Contracting Party makes a notification under paragraph 1 (b) and a notification under paragraph 3 of Article 38 There shall be separate membership as set out in sub- Paragraph (a) (ii) above.
3. A Contracting Party which has made a notification under paragraph 1(b) of Article 38 and has not withdrawn that notification shall not be a Member of the Organization.

ARTICLE 5

COMPOSITION OF THE INTERNATIONAL SUGAR COUNCIL