

No. 29467

MULTILATERAL

International Sugar Agreement, 1992 (with annex). Concluded at Geneva on 20 March 1992

Authentic texts: Arabic, Chinese, English, French, Russian and Spanish.

Registered ex officio on 20 January 1993.

MULTILATÉRAL

Accord international de 1992 sur le sucre (avec annexe). Conclu à Genève le 20 mars 1992

Textes authentiques : arabe, chinois, anglais, français, russe et espagnol.

Enregistré d'office le 20 janvier 1993.

INTERNATIONAL SUGAR AGREEMENT, 1992¹

CHAPTER I. OBJECTIVES

Article 1Objectives

The objectives of the International Sugar Agreement, 1992 (hereinafter referred to as this Agreement), in the light of the terms of resolution 93 (IV)² adopted by the United Nations Conference on Trade and Development, are:

- (a) To ensure enhanced international cooperation in connection with world sugar matters and related issues;

¹ Came into force provisionally in respect of the following States and Organization on 20 January 1993, the date by which the Governments and Organization which had deposited with the Secretary-General of the United Nations an instrument of ratification, acceptance or approval or a notification of provisional application, decided to put the Agreement into force among themselves, in accordance with article 40 (3):

<i>Participant</i>	<i>Date of deposit of the instrument of ratification, acceptance (A), approval (AA), or of notification of provisional application (n)</i>
Argentina	29 December 1992 n
Australia.....	24 December 1992
Barbados.....	19 January 1993 n
Brazil.....	19 January 1993 n
Colombia.....	31 December 1992 n
Cuba.....	3 November 1992 n
Dominican Republic.....	19 January 1993 n
European Economic Community	20 November 1992 AA
Fiji.....	21 December 1992
Finland.....	22 December 1992 n
Guyana.....	24 December 1992
Hungary.....	19 January 1993 n
India.....	19 January 1993 n
Jamaica.....	18 January 1993 n
Japan.....	29 December 1992 A
Mauritius.....	18 December 1992
Panama.....	23 December 1992 n
South Africa.....	22 December 1992
Swaziland.....	23 December 1992
Switzerland.....	30 December 1992 n
Thailand.....	30 December 1992 n

In addition, the following States also deposited instruments of ratification:

<i>Participant</i>	<i>Date of deposit of the instrument of ratification</i>
Barbados.....	20 January 1993
(With provisional effect from 20 January 1993.)	
India.....	20 January 1993
(With provisional effect from 20 January 1993.)	

Subsequently, the Agreement came into force provisionally for the following State on the date of deposit with the Secretary-General of the United Nations of its instrument of ratification in accordance with article 40 (4).

<i>Participant</i>	<i>Date of deposit of the instrument of ratification</i>
Sweden.....	21 January 1993
(With provisional effect from 21 January 1993.)	

² United Nations, *Proceedings of the United Nations Conference on Trade and Development, Fourth Session, Nairobi, vol. 1, Report and Annexes*, p. 6.

- (b) To provide a forum for intergovernmental consultations on sugar and on ways to improve the world sugar economy;
- (c) To facilitate trade by collecting and providing information on the world sugar market and other sweeteners;
- (d) To encourage increased demand for sugar, particularly for non-traditional uses.

CHAPTER II. DEFINITIONS

Article 2

Definitions

For the purpose of this Agreement:

1. "Organization" means the International Sugar Organization referred to in article 3;
2. "Council" means the International Sugar Council referred to in article 3, paragraph 3;
3. "Member" means a Party to this Agreement;
4. "special vote" means a vote requiring at least two thirds of the votes cast by Members present and voting, on condition that these votes are cast by at least two thirds of the number of Members present and voting;
5. "simple majority vote" means a vote requiring more than half of the total votes of Members present and voting, on condition that these votes are cast by at least half of the number of Members present and voting;
6. "year" means the calendar year;
7. "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, but does not include final molasses or low-grade types of non-centrifugal sugar produced by primitive methods;
8. "entry into force" means the date on which this Agreement enters into force provisionally or definitively, as provided for in article 40;
9. "free market" means the total of net imports of the world market, except those resulting from the operation of special arrangements as defined in chapter IX of the International Sugar Agreement, 1977,¹

¹United Nations, *Treaty Series*, vol. 1064, p. 219.

10. "world market" means the international sugar market and includes both sugar traded on the free market and sugar traded under special arrangements as defined in chapter IX of the International Sugar Agreement, 1977.

CHAPTER III. INTERNATIONAL SUGAR ORGANIZATION

Article 3

Continuation, headquarters and structure of the International Sugar Organization

1. The International Sugar Organization established under the International Sugar Agreement, 1968,¹ and maintained in existence under the International Sugar Agreements, 1973,² 1977, 1984³ and 1987,⁴ shall continue in being for the purpose of administering this 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 Administrative Committee and its Executive Director and staff.

Article 4

Membership of the Organization

Each Party to this Agreement shall be a Member of the Organization.

Article 5

Membership by intergovernmental organizations

Any reference in this Agreement to a "Government" or "Governments" shall be construed as including the European Economic Community and any other intergovernmental organization having responsibilities in respect of the negotiation, conclusion and application of international agreements, in particular commodity agreements. Accordingly, any reference in this Agreement to signature, ratification, acceptance or approval, or to notification of provisional application or to accession shall, in the case of such intergovernmental organizations, be construed as including a reference to signature, ratification, acceptance, or approval, or to notification of provisional application, or to accession, by such intergovernmental organizations.

¹ United Nations, *Treaty Series*, vol. 654, p. 3.

² *Ibid.*, vol. 906, p. 69.

³ *Ibid.*, vol. 1388, p. 3.

⁴ *Ibid.*, vol. 1499, No. I-25811.

Article 6

Privileges and immunities

1. The Organization shall have international legal personality.
2. The Organization shall have the capacity to contract, to acquire and dispose of movable and immovable property and to institute legal proceedings.
3. The status, privileges and immunities of the Organization in the territory of the United Kingdom shall continue to be governed by the Headquarters Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the International Sugar Organization signed at London on 29 May 1969,¹ with such amendments as may be necessary for the proper functioning of this Agreement.
4. If the seat of the Organization is moved to a country which is a Member of the Organization, that Member shall, as soon as possible, conclude with the Organization an agreement to be approved by the Council relating to the status, privileges and immunities of the Organization, of its Executive Director, staff and experts and of representatives of Members while in that country for the purpose of exercising their functions.
5. Unless any other taxation arrangements are implemented under the agreement envisaged in paragraph 4 of this article and pending the conclusion of that agreement the new host Member shall:
 - (a) Grant exemption from taxation on the remuneration paid by the Organization to its employees, except that such exemption need not apply to its own nationals; and
 - (b) Grant exemption from taxation on the assets, income and other property of the Organization.
6. If the seat of the Organization is to be moved to a country which is not a Member of the Organization, the Council shall, before that move, obtain a written assurance from the Government of that country:
 - (a) That it shall, as soon as possible, conclude with the Organization an agreement as described in paragraph 4 of this article; and
 - (b) That, pending the conclusion of such an agreement, it shall grant the exemptions provided for in paragraph 5 of this article.
7. The Council shall endeavour to conclude the agreement described in paragraph 4 of this article with the Government of the country to which the seat of the Organization is to be moved before transferring the seat.

¹United Nations, *Treaty Series*, vol. 700, p. 121.