(5) *Contracting Party* means a Government, the European Community or any intergovernmental organization referred to in paragraph (3) of Article 4 which has deposited an instrument of ratification, acceptance, approval or notification of provisional application of this Agreement in accordance with the provisions of Articles 40, 41 and 42 or has acceded thereto in accordance with the provisions of Article 43.

(6) *Member* means a Contracting Party.

(7) *Exporting Member* or *exporting country* means a Member or country, respectively, which is a net exporter of coffee; that is, a Member or country whose exports exceed its imports.

(8) *Importing Member* or *importing country* means a Member or country, respectively, which is a net importer of coffee; that is, a Member or country whose imports exceed its exports.

(9) *Distributed majority vote* means a vote requiring 70% or more of the votes of exporting Members present and voting and 70% or more of the votes of importing Members present and voting, counted separately.

(10) *Depositary* means the intergovernmental organization or Contracting Party to the International Coffee Agreement 2001 designated by decision of the Council under the International Coffee Agreement 2001, to be taken by consensus before 31 January 2008. Such decision shall form an integral part of this Agreement.

CHAPTER III – GENERAL UNDERTAKINGS BY MEMBERS

ARTICLE 3
General undertakings by Members

(1) Members undertake to adopt such measures as are necessary to enable them to fulfil their obligations under this Agreement and fully cooperate with one another in securing the attainment of the objectives of this Agreement; in particular, Members undertake to provide all information necessary to facilitate the functioning of this Agreement.

(2) Members recognize that Certificates of Origin are important sources of information on the trade in coffee. Exporting Members, therefore, assume responsibility for ensuring the proper issuing and use of Certificates of Origin according to the rules established by the Council.

(3) Members recognize further that information on re-exports is also important for the proper analysis of the world coffee economy. Importing Members, therefore, undertake to supply regular and accurate information on re-exports, in the form and manner determined by the Council.

CHAPTER IV – MEMBERSHIP

ARTICLE 4
Membership of the Organization

(1) Each Contracting Party shall constitute a single Member of the Organization.

(2) A Member may change its category of membership on such conditions as the Council may agree.

(3) Any reference in this Agreement to a Government shall be construed as including the European Community and any intergovernmental organization having exclusive competence in respect of the negotiation, conclusion and application of this Agreement.

ARTICLE 5
Group membership

Two or more Contracting Parties may, by appropriate notification to the Council and to the Depositary, which will take effect on a date to be specified by the Contracting Parties concerned and on conditions agreed by the Council, declare that they are participating in the Organization as a Member group.