



**INTERNATIONAL TROPICAL
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INFORMATION NOTE FOR AGENDA ITEM 11 OF THE COUNCIL

**PROCEDURES FOR EXTENDING/RENEGOTIATING THE
INTERNATIONAL TROPICAL TIMBER (ITTA), 2006**

Procedures for Extending/Renegotiating the International Tropical Timber Agreement (ITTA), 2006

Article 44 of the ITTA 2006 defines the duration of the agreement and procedures for extension and renegotiation.

Article 12 of the ITTA 2006 Decisions & the Recommendations of Council states:

- 1. The Council shall endeavour to take all decisions and to make all recommendations by consensus.*
- 2. If consensus cannot be reached, the Council shall take all decisions and make all recommendations by a simple distributed majority vote, unless this Agreement provides for a special vote.*

Duration

ITTA 2006 Article 44, Paragraph 1 states that the “Agreement shall remain in force for a period of 10 years after its entry into force unless the Council, by special vote in accordance with Article 12, decides to extend, renegotiate or terminate it in accordance with the provisions of this article.” If there is full consensus, there is no need for a special vote.

- The ITTA 2006 came into force on 7 December 2011 and will therefore expire on 6 December 2021 (after 10 years) unless the Council, by special vote, decides to extend, renegotiate or terminate it.
- A Council Decision on the extension or renegotiation of the Agreement can take place anytime between now, November 2020, and the 57th Session in 2021, provided that the 57th Session takes place before the expiration date of 6 December 2021.

Extension

The ITTA 2006 Article 44 Paragraph 2 states that the “Council may, by special vote in accordance with Article 12, decide to extend this Agreement for two periods, an initial period of five years and an additional one of three years.

Furthermore, ITTA 2006 Article 44, Paragraph 3 states that if, before the expiry of the Agreement, “the new Agreement to replace this Agreement has been negotiated but has not yet entered into force either definitively or provisionally, the Council may, by special vote in accordance with article 12, extend this Agreement until the provisional or definitive entry into force of the new Agreement.” Paragraph 4 states that if “the new Agreement is negotiated and enters into force during any period of extension of this Agreement under paragraph 2 or

paragraph 3 of this article, this Agreement, as extended, shall terminate upon the entry into force of the new Agreement.”

➤ **Council may decide, by consensus or by special vote, to extend the ITTA, 2006 three times:**

1. From 7 December 2021 to 6 December 2026;
2. From 7 December 2026 to 6 December 2029; and
3. Until the provisional or definitive entry into force of the new Agreement.

ADDITIONAL INFORMATION:

1. From the extensions of previous ITTAs, there is no notification period requirement as such.
2. The 1st party to be notified of any proposed extension is the UN ‘depository’ – the UN Treaties Office in New York.
3. Any renegotiation of the ITTA, being a commodity agreement, will be under the auspices of the UNCTAD, who will need to be notified when this decision is taken by Council.
4. As Council was informed on Monday 9th November 2020, a decision on the extension of the ITTA 2006 can be made **at the very latest by mid-November 2021** to enable the Treaties Office in New York to be notified, to avoid the ITTA 2006 showing as having lapsed if not informed prior to 6 December 2021.
5. The text of the draft decision appended to the IAG report is an exact copy of text (with the exception of date changes) used for the extension of the ITTA 1994, which was easily adopted through a decision by consensus.
6. The ITTA 1994 was extended three times:
 - a. Decision 4 (XXVIII) – from 1 January 2001 until 31 December 2003;
 - b. Decision 9 (XXXIII) - from 1 January 2004 until 31 December 2006; and
 - c. Decision 3 (XLI) – until the provisional or definitive entry into force of the successor Agreement (7 December 2011).

Background Information on the Renegotiation of the ITTA 1994

Steps taken during the renegotiation of the ITTA 1994 are as follows:

- Decision 4(XXXII) – Appointed two consultants to produce a report looking into work and mechanisms of other relevant Organizations and treaties, and identifying emerging issues and developments in international trade;
- Decision 8(XXXIII) – Adopted the schedule for the Preparatory Committee (see below), requested Members feedback, formed a working group including the legal advisor from UNCTAD.
- Budget allocations need to be made accordingly, including in the Biennial Work Programme (Decision 3(XXXIII))
- The total budget for the renegotiation of the ITTA, 1994, was approximately \$1 million for travel, translation, and administrative costs related to convening the meetings indicated below. The budget was provided thorough voluntary contributions by Japan, U.S.A., Switzerland, and Korea, and through the Working Capital Reserve.

Note: The costs indicated above does not include the expenditure incurred by several Member delegations who attended all the sessions, so the actual costs are in excess of the approximate figure of \$ 1 million stated in the above bullet. The \$1 million reflects costs to the organization.

THE ITTA 1994 RENEGOTIATION CALENDAR

May 2003	34 th Council Session (6 days) + Producer/Consumer Coordination Meeting (1 day) + PrepCom I (2 days) Venue: Panama, 12-21 May 2003
November 2003	35 th Council Session (6 days) + PrepCom II (3 days) Venue: Yokohama, 3-12 November 2003
July 2004	UNCTAD Renegotiation I (5 days) Venue: Geneva, 26-30 July 2004
February 2005	UNCTAD Renegotiation II (5 days) Venue: Geneva, 14-18 February 2005
June 2005	UNCTAD Renegotiation III (5 days) Venue: Geneva, 27 June - 1 July 2005
January 2006	UNCTAD Renegotiation IV (12 days) Venue: Geneva, 16-27 January 2006