

No. 20315

MULTILATERAL

**Statutes of the Group of Latin American and Caribbean
Sugar Exporting Countries (GLACSEC). Approved at
Cali on 12 March 1976**

*Authentic texts: Spanish, French, English and Portuguese.
Registered by Mexico on 6 August 1981.*

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**Statuts du Groupe de pays latino-américains et des Caraïbes
exportateurs de sucre (GEPLACES). Approuvés à Cali
le 12 mars 1976**

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Enregistrés par le Mexique le 6 août 1981.*

STATUTES¹ OF THE GROUP OF LATIN AMERICAN AND CARIBBEAN SUGAR EXPORTING COUNTRIES (GLACSEC)

The Governments of Argentina, Barbados, Bolivia, Brazil, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Trinidad and Tobago, and Venezuela.

Taking into account that the Group of Latin American and Caribbean Sugar Exporting Countries, created in Cozumel, Quintana Roo, Mexico, in November of 1974, is based on the principles of sovereign equality and mutual respect among the Member Countries;

Conscious of the importance of sugar in the economies of their countries;

Convinced that closer cooperation and concerted action will contribute to the orderly marketing of sugar which is necessary to protect the income that Member Countries receive from their sugar exports;

Determined to strengthen regional complementarity within a growing process of integration in the Latin American area;

Considering that the said complementarity must be carried out within the spirit of the Declaration² and the Action Programme³ for the establishment of a New International Economic Order and the spirit of the Charter of Economic Rights and Duties of the States;⁴

Recognizing that one of the objectives of SELA is "to design and strengthen mechanisms and forms of association which enable Member States to obtain adequate prices, ensure stable markets for the exports of their commodities and manufactures and increase their bargaining power";

Decide that the Group of Latin American and Caribbean Sugar Exporting Countries, henceforth referred to as "the Group", shall be governed by the following Statutes:

¹ Came into force on 15 November 1978, the date by which they had been accepted or ratified by two thirds of the Governments of the countries that constitute the Group, in accordance with article 37.

State	Date of deposit of the instrument of ratification	State	Date of deposit of the instrument of ratification
Barbados	2 March 1977	Haiti	28 July 1977
Bolivia	15 November 1978	Honduras	17 October 1978
Cuba	14 November 1977	Jamaica	20 September 1977
Dominican Republic	17 October 1977	Mexico	20 December 1976
Ecuador	24 November 1976	Nicaragua	21 February 1977
Guatemala	20 October 1978	Panama	19 January 1977
Guyana	13 February 1978	Peru	16 December 1977

Subsequently, the Statutes came into force for the following States on the date of deposit of their instruments of acceptance or ratification, in accordance with article 37:

State	Date of deposit of the instrument of ratification
Colombia	7 February 1979
Brazil	4 December 1979
Argentina	13 December 1979

² United Nations, *Official Records of the General Assembly, Sixth Special Session, Supplement No. 1 (A/9559)*, p. 3

³ *Ibid.*, p. 5.

⁴ *Ibid.*, *Twenty-ninth Session, Supplement No. 31 (A/9631)*, p. 50.

CHAPTER I. OBJECTIVES AND FUNCTIONS

Article 1. The objectives and functions of the Group are:

- (a) To serve as a flexible consulting and coordinating mechanism for the common matters related to the production and marketing of sugar;
- (b) To contribute to the formulation of adequate mechanisms to create and implement formulas of cooperation and integration consistent with the obligations derived from treaties to which Member Countries are currently parties;
- (c) To facilitate the harmonious and vigorous development of the sugar industry of Member Countries;
- (d) To assist in the adoption of common positions in negotiations and in international meetings related to sugar;
- (e) To promote joint action in special situations that Member Countries face in matters related to sugar;
- (f) To coordinate policies tending to obtain fair and remunerative levels of prices;
- (g) To increase the cooperation and exchange of knowledge among the bodies and entities entrusted with implementation of policy matters of external marketing of sugar of the Member Countries;
- (h) To exchange scientific and technological knowledge in the cultivation of sugar cane, the production of sugar, and the use of by-products of sugar cane;
- (i) To maintain a periodical information service of a functional nature that may serve Member Countries in guiding their marketing policy;
- (j) To analyse the possibilities of industrial complementarity in all areas of activity in the sugar industry; and
- (k) Other objectives and functions that may contribute to the development of the basic principle in paragraph (a) of this article.

CHAPTER II. MEMBERS

Article 2. Members of the Group are the independent Latin American and Caribbean countries which are traditional sugar exporters and which accept or ratify these Statutes in accordance with article 37.

CHAPTER III. OBSERVERS

Article 3. The Assembly may accept, by unanimous decision, the participation as an observer of any country which meets the following requirements:

- (a) Is independent;
- (b) Is a traditional exporter of sugar;
- (c) Is a member of the Group of 77, and
- (d) Specifically expresses a desire to join the Group.

Article 4. The Assembly may grant, by unanimous decision, the status of observer to any Latin American or Caribbean regional or sub-regional inter-governmental organization that may apply for it, and in which Member Countries of the Group participate. Once the status has been granted, the said organization shall be represented by nationals of the Member Countries of the Group.

CHAPTER IV. ORGANIZATION

Article 5. The Group has the following permanent organs:

- (a) The Assembly; and
- (b) The Secretariat

Article 6. The Assembly is the supreme organ of the Group and shall consist of all the Member Countries. Each Member Country shall appoint one representative and, if it so desires, one or more alternates and advisers.

Article 7. The Assembly shall have power to examine all matters within the competence of the Group and adopt resolutions, take decisions, and formulate recommendations in accordance with these Statutes.

Article 8. As a general rule, the Assembly shall hold one or two ordinary meetings in every year. The Assembly shall also have the power to hold extraordinary meetings when so decided by the Assembly or when requested by the majority of the Member Countries.

Article 9. The Assembly shall determine the date and place of its regular meetings.

Article 10. The meetings of the Assembly shall be convened by the Executive Secretary and shall be held at the Secretariat or in any Member Country offering to host the Meeting.

Article 11. Meetings of the Assembly shall be convened at least thirty days in advance and the notice convening the meeting shall be accompanied by the respective draft agenda.

Article 12. The quorum of meetings of the Assembly shall be two-thirds of the Member Countries with the right to vote.

Article 13. The Assembly shall have power to:

- (a) Adopt the measures and decisions considered necessary by the Member Countries in order to achieve the Group's objectives and functions specified in article 1 of these Statutes;
- (b) Elect and remove the Executive Secretary, the Assistant Executive Secretary and the Assistant Secretaries;
- (c) Approve the Group's Annual Budget and determine each Member Country's contribution;
- (d) Approve the Work Plan of the Secretariat;
- (e) Approve and modify the Regulations;
- (f) Elect the President and two Vice-Presidents for each meeting of the Group;
- (g) Accept the participation of observers referred to in articles 3 and 4 and establish the conditions of their participation;
- (h) Establish special commissions or work groups;
- (i) Decide on the change of the location of the headquarters of the Secretariat;
- (j) Declare the dissolution of the Group and the cessation of the effect of these Statutes;
- (k) Consider and approve amendments to these Statutes;
- (l) Appoint the External Auditors of the Group; and
- (m) Interpret the present Statutes.

Article 14. With the exception of the decisions referred to in paragraph (g) of article 13, which shall be adopted unanimously, the Assembly shall adopt all of its resolutions and decisions, and shall formulate its recommendations by a two-thirds majority of the Member Countries with the right to vote.

Article 15. Each Member Country shall have the right to one vote.

Article 16. The Secretariat is the Group's executive organ, and shall act in accordance with these Statutes, the Regulations and decisions of the Assembly. It shall consist of an Executive Secretary, an Assistant Executive Secretary, the Assistant Secretaries, and other members of the staff that may be necessary. The Executive Secretary shall bear the legal representation of the Group.

Article 17. Each of the Member Countries agrees to respect the exclusively international nature of the duties of the Executive Secretary, the Assistant Executive Secretary, the Assistant Secretaries, and staff of the Secretariat, and not try to influence them in the performance of the said duties.

Article 18. The Secretariat shall have its seat in Mexico, D. F., United States of Mexico.

Article 19. The Executive Secretary, the Assistant Executive Secretary and Assistant Secretaries shall be elected for a period of three years and may be reelected only for one further equal term of office. These officers shall be nationals of Member Countries and shall be elected on the basis of rotation among Member Countries.

CHAPTER V. FINANCIAL PROVISIONS

Article 20. The Member Countries shall pay their contributions to the Annual Budget of the Group which shall be determined by the Assembly on the following bases:

- (a) Each Member Country shall pay an equal amount as a minimum quota;
- (b) The balance shall be distributed in direct proportion to each country's volume of sugar exports corresponding to the average of the three years immediately preceding the budgetary year for which there is, on the first day of the period, information published officially by the International Sugar Organization or by any other source determined by the Assembly. The Assembly may also decide that the said balance may be distributed taking as a basis, in addition to the volume of exports, the production of each country corresponding to the same period mentioned for fixing the volume of exports;
- (c) There shall be established a maximum quota of an amount equivalent to a percentage of the total Annual Budget as determined by the Assembly; and
- (d) If there is a difference between the amount of the contributions calculated in accordance with the preceding paragraphs and the total amount of the Annual Budget, such difference shall be distributed among the Member Countries in accordance with the provisions of paragraph (b).

Article 21. (a) Any Member Country may contribute on a voluntary basis to a special Fund, independent of the Annual Budget, for the purpose of financing programs and studies, especially with respect to the interchange in scientific and technological matters which the Assembly may consider to be of special interest to the Group;

(b) The countries admitted as observers in accordance with article 3 of these Statutes shall make contributions to the special Fund in return for the services and benefits which they derive from their participation as observers in the Group;

(c) The Assembly shall fix the level of the Special Fund, estimate the amount of voluntary contributions that may be made by Member Countries, and fix the amount of the contributions of observer countries.

(d) The Assembly shall determine the conditions governing the operation of the Special Fund.

Article 22. The financial year of the Group shall coincide with the calendar year.

Article 23. The expenses of the representatives at meetings of the Group shall be paid by the respective Member Countries.

Article 24. The expenses related to the organization of the Meetings of the Group shall be the responsibility of the host country, unless the meetings take place at the seat of the Secretariat.

Article 25. Expenses not budgeted for by the Secretariat when convening extraordinary meetings shall be met by the Member Countries in proportion to their contribution to the Annual Budget.

Article 26. The Contributions to the Annual Budget shall be made in freely convertible currency and shall be due on the first day of the financial year.

Article 27. If any Member Country fails to pay its total contributions to the Annual Budget within a period of six (6) months as from the date on which it falls due, its voting rights in the Meetings of the Assembly shall be suspended.

Article 28. The voting rights of any Member Country that have been temporarily suspended under article 27 shall be restored once the circumstances causing the suspension cease to exist.

CHAPTER VI. PRIVILEGES AND IMMUNITIES

Article 29. The Group shall have juridical personality. In particular it shall have the capacity to sign contracts, to acquire and dispose of movable and fixed property, and to institute legal proceedings.

Article 30. The Group shall conclude with the Government of the Country where the seat of the Secretariat is located, as soon as possible, an Agreement that shall be approved by the Assembly regarding the legal status, privileges and immunities of the Group, of the Secretariat and of the members of the staff.

Article 31. The Agreement provided for in article 30, which shall be independent of these Statutes, shall establish the conditions for its termination.

Article 32. Unless other provisions regarding taxes are applied in accordance with the Agreement provided for in article 30, the Government of the country where the Secretariat is located shall:

- (a) Grant tax exemption on the remuneration paid by the Group to its staff; and
- (b) Grant tax exemption on the property, income and other assets of the Group.

Article 33. (a) The representatives of the Member Countries shall have during their stay in the territory of a Member Country for the purpose of

participating in meetings or other activities of the Group, the privileges and immunities accorded them by the said Member Country to permit them to perform their functions;

(b) The members of the Secretariat and the experts appointed by the Group shall have during their stay in the territory of a Member Country the privileges and immunities accorded them by the said Member Country to permit them to perform their functions;

(c) The Group, if it deems it necessary, shall authorize the negotiation of an Agreement on privileges and immunities with the Member Countries.

CHAPTER VII. RELATION WITH SELA

Article 34. The Assembly may authorize the Executive Secretary to establish relations of coordination and information with the Permanent Secretary of SELA with a view to achieving the best possible cooperation between the Group and the aforementioned Organization.

CHAPTER VIII. FINAL PROVISIONS

Signature

Article 35. These Statutes shall be open for signature by all the independent countries of Latin America and the Caribbean that are traditional exporters of sugar, at the Fourth Meeting of the Group at Cali, Colombia, and shall remain open for signature by the said countries at the Foreign Ministry of the United States of Mexico, the country where the Secretariat of the Group is located. At the time of signature the representatives of the Member Countries shall state whether the signature is subject to ratification. The Foreign Ministry of the United States of Mexico shall notify the Member Countries and the Executive Secretary of the Group of each signature.

Ratification

Article 36. These Statutes shall be subjected to acceptance by signature or signature and ratification by the signatory Governments if this is required by the legislative provisions in force in the respective countries. The instruments of ratification shall be deposited at the Foreign Ministry of the United States of Mexico which shall notify the Member Countries and the Executive Secretary of the deposit.

Entry into Force

Article 37. These Statutes shall enter into force on the date they are accepted or ratified by two-thirds of the Governments of the countries that constitute the Group. The countries whose Governments have to ratify these Statutes in accordance with their legislative provisions shall be considered provisional members of the Group with full rights and obligations until they become Member Countries through the deposit of their instruments of ratification.

Reservations

Article 38. No reservations may be made to any of the provisions of these Statutes.

Withdrawal

Article 39. Any Member Country may, at any time, withdraw from the Group and denounce these Statutes after giving prior notification in writing to the Depository which shall transmit it to the Member Countries and the Executive Secretary. The withdrawal and denunciation shall take effect ninety (90) days after receipt of the notification by the Depository.

Settling Balances

Article 40. If any Member Country withdraws at any time, the Secretariat and the Member Country shall settle all outstanding accounts during the period of ninety (90) days stipulated in the preceding article.

No Member Country shall be entitled to any part of the proceeds of the Group's liquidation or assets after withdrawal.

Amendments

Article 41. Each Member Country may propose amendments to these Statutes. The amendments to these Statutes that are approved by the Assembly shall be formalized in protocols that shall enter into force after they have been accepted or ratified by two-thirds of the Member Countries, through the deposit of the respective instruments.

Languages

Article 42. The official languages of the Group are English, French, Portuguese, and Spanish.

Duration and Termination

Article 43. 1. These Statutes shall continue in force indefinitely.

2. The Assembly may, at any time, by a majority of two-thirds of the Members with the right to vote, declare the Group and these Statutes terminated.

3. Notwithstanding the termination of the Group and these Statutes, the Assembly shall continue in existence for as long as is necessary in order to liquidate the Group and dispose of its assets, and during this period, it shall have all necessary powers for this purpose.

IN WITNESS WHEREOF, the undersigned, duly authorized by their respective Governments, have signed these Statutes on the date that appears next to their signature.

APPROVED in the city of Cali, Colombia, on the twelfth day of March, nineteen hundred and seventy six, in four equally authentic copies, in English, French, Portuguese, and Spanish.

The Government of the United States of Mexico, as depositary country of these Statutes, shall send duly authenticated copies of same to the Governments of all other signatory countries.

For Argentina:

[CONRADO CARLOS BECKMAN]¹
12/marzo/76²
Ratificación por artículo 37³

For Barbados:

[VALERIE T.MC. COMIE]
1 de julio 1976⁴
Subject to ratification

For Bolivia:

[SERGIO LUPE MENDOZA]
12/marzo/76²

For Brasil:

[PAULO DYRCEU PINHEIRO]
12/março/76²
(*Ad referendum* do Congresso nacional)⁵

For Colombia:

[JORGE RAMÍREZ OCAMPO]
12/marzo/76²
Sujeto a ratificación⁶

For Costa Rica:

[JORGE SÁNCHEZ MÉNDEZ]
12/marzo/76²
Requiere ratificación⁷

For Cuba:

[RICARDO CABRISAS RUIZ]
12/marzo/76²

For the Dominican Republic:

[QUIRILLO VITORIO SÁNCHEZ]
12/marzo/76²
Ad referendum

For Ecuador:

[JOSÉ RICARDO MARTÍNEZ C.]
16 de julio de 1976⁸

¹ Names of signatories appearing between brackets were not legible and have been supplied by the Government of Mexico.

² 12 March 1976.

³ Subject to ratification in accordance with article 37.

⁴ 1 July 1976.

⁵ *Ad referendum* to the National Congress.

⁶ Subject to ratification.

⁷ Requires ratification.

⁸ 16 July 1976.

For El Salvador:

[GUILLERMO RUBIO MELHADO]
12/marzo/76¹
Sujeto a ratificación²

For Guatemala:

[RENÉ MONTES COBAR]
12/marzo/76¹
Sujeto a ratificación²

For Guyane:

[FRANK NOEL]
March 12, 1976
Subject to ratification

For Haiti:

[JEAN DOMINIQUE DAPHNIS]
1 de julio de 1976³

For Honduras:

[JOSÉ RAMÓN MARTÍNEZ PONCE]
12/marzo/76¹
Sujeto a ratificación²

For Jamaica:

[LLOYD BARNETT]
March 12, 1976
Subject to ratification

For Mexico:

[FRANCISCO CAÑO ESCALANTE]
12/marzo/76¹
Ad referendum

For Nicaragua:

[KLAUS SENNELMANN]
12/marzo/76¹
Sujeto a ratificación²

For Panama:

[JULIO E. SOSA]
12/marzo/76¹

¹ 12 March 1976.

² Subject to ratification.

³ 1 July 1976.

For Paraguay:

[HUGO COUCHONNAL]
27-X-76

For Peru:

[ENRIQUE ESTREMADOYRO DEL CAMPO]
12/marzo/76¹

For Trinidad-Tobago:

[WILFRED NAIMOOL]
(Subject to ratification)

For Venezuela:

[ROBERTO POCATERRA]
12/marzo/76¹
Ad referendum

¹ 12 March 1976.