

**PROTOCOL TO AMEND
THE CHARTER OF THE ESTABLISHMENT OF THE COUNCIL OF PALM OIL
PRODUCING COUNTRIES (CPOPC)**

The Government of Member Countries to the Charter of the Establishment of the Council of Palm Oil Producing Countries ("Charter"),

DESIRING to amend the Charter signed in Kuala Lumpur, on 21 November 2015;

HAVE AGREED AS FOLLOWS:

Article I

Chapter II on Definitions, Article 2 (Definitions), subclause (4) shall be amended as follows:

“(4) Secretariat means the office of the Secretary-General of the Council.”

Article II

Chapter III on Scope and Functions, shall be amended by inserting after Article 3 (Scope and Functions), the new Article 3A as follows:

“ARTICLE 3A

GENERAL UNDERTAKING BY MEMBER COUNTRIES

Member Countries, to their best ability, undertake to adopt such measures as are necessary to enable them to fulfil their obligations under this Charter and fully cooperate with one another in attaining the objectives and effective functioning of the Council, including the Senior Officials Meeting and the Ministerial Council.”

Article III

1. Chapter V on Membership, Article 6 (Membership of the Council), clause (2) shall be amended as follows:

“(2) The Membership of the Council shall be opened to countries with substantial area of oil palm cultivation and exporter of palm oil.”

2. Chapter V on Membership, Article 6 (Membership of Council), shall be amended by inserting after clause 3, the new clauses (4), (5), (6) and (7) as follows:

“(4) Admission of new members of the Council shall be governed by a decision of the Ministerial Council on the recommendation of the Senior Officials Meeting.

(5) A new Member Country shall endeavour to complete the transition process to become a full member of the Council within two (2) years after obtaining approval from the Ministerial Council on the membership application.

(6) In transition of a new Member Country to become a full member of the Council, an observer state status shall be granted to the country through a decision of the Ministerial Council, on the recommendation of the Senior Officials Meeting.

(7) The Ministerial Council shall adopt rules of procedures for application and admission of new members of the Council.”

Article IV

1. Chapter VI on Organs, Article 8 (Ministerial Council), clauses (2), (3), (4), (5) and (7) shall be amended and to be read as follows:

“(2) The Ministerial Council shall consist of Ministers responsible for oil palm cultivation and/or palm oil industry of the Member Countries.

(3) The Ministerial Council shall elect the Chairmanship among the Member Countries with a minimum of one year of full membership to be eligible.

(4) The Chairmanship of the Ministerial Council shall be for a calendar year and rotated among the Member Countries based on the alphabetical order of the names of the Member Countries.

(5) The Ministerial Council shall develop strategic policy directions to guide the works of the Council, including budgetary matters. Priorities identified in the policy directions shall be reflected in the annual work programmes and budget approved by the Ministerial Council.”

“(7) The Ministerial Council shall establish a forum for association, private sectors and smallholders, as appropriate.”

2. Chapter VI on Organs, Article 9 (Senior Officials Meeting), clause (8) shall be deleted, while clauses (6) and (7) shall be amended as follows:

“(6) For the purpose of carrying out the aforementioned functions, the Senior Officials Meeting may establish relevant ad hoc working groups on any matters as deemed necessary within the specific time frame. The ad hoc working groups shall perform their functions as determined by the Senior Officials Meeting and in accordance with their Terms of Reference.

(7) The rules and procedures of the Ministerial Council shall be applied *mutatis mutandis* to the Senior Officials Meeting.”

3. Chapter VI on Organs, Article 10 (The Secretariat and Staffing), clause (3) shall be amended, and new clause (5) shall be inserted after clause (4) as follows:

“(3) The Secretary-General shall, on the recommendation of the Senior Officials Meeting, appoint staff of the Secretariat in accordance with the Staff Regulations as determined by the Ministerial Council Meeting.”

“(5) The Secretariat shall submit periodic and annual reports to the Senior Officials Meeting and the Ministerial Council Meeting.”

4. Chapter VI on Organs, Article 11 (Executive Director), shall be amended by substituting for Article 11 the following Article 11:

**“ARTICLE 11
SECRETARY-GENERAL**

- (1) The Secretary-General shall be the chief administrative officer of the Secretariat and shall be responsible for the day-to-day operations of the Secretariat.
 - (2) The Secretary-General will be assisted by a Deputy Secretary-General and Directors.
 - (3) The Secretary-General and the Deputy Secretary-General shall be appointed based on a rotation basis from the Founding Members of the Council by a decision of the Ministerial Council.
 - (4) Directors shall be appointed based on merit and subject to approval of the Ministerial Council.
 - (5) The Secretary-General, the Deputy Secretary-General, and Directors shall serve the Secretariat for a three-year term. This term may be extended for a further period not exceeding three (3) years by a decision of the Ministerial Council.
 - (6) The Ministerial Council may terminate the employment of the Secretary-General, the Deputy Secretary-General, or Directors prior to the expiry of their respective term of appointment.”
5. Chapter VI on Organs, Article 12 (Association, Private Sector and Smallholder Forum), clause (3) shall be amended as follows:

“(3) The Ministerial Council Meeting shall decide the representative of the Forum and its Terms of Reference.”

Article V

The title of Chapter VII and Article 13 shall be amended, and the new clauses (3) and (4) shall be inserted after clause (2) as follows:

“CHAPTER VII RELATIONSHIP WITH THE UNITED NATIONS, SPECIALIZED AGENCIES OF THE UNITED NATIONS AND EXTERNAL PARTIES

ARTICLE 13 RELATIONSHIP WITH THE UNITED NATIONS, SPECIALIZED AGENCIES OF THE UNITED NATIONS AND EXTERNAL PARTIES”

- “(3) The Council may, on the recommendation of the Senior Officials Meeting and as decided by the Ministerial Council, make arrangement for consultation and cooperation with other relevant external parties.
- (4) A non-Member Country or international organization may be invited to attend a meeting/conference/forum organized by the Council based on the approval of the leaders of the Senior Officials Meeting.”

Article VI

Chapter VIII on Decision Making Process, Article 15 (Voting Procedure), clause (1) shall be amended as follows:

- “(1) Upon admission of new Member Countries, the quorum required for voting in order to make decisions shall be the presence of Member Countries with 70 per cent of total votes.”

Article VII

1. Chapter IX on Budget and Finance, Article 17 (Contribution), clauses (1), (2) and (4) shall be amended, and the new clauses (5), (6), (7), (8), (9) and (10) shall be inserted after clause (4) as follows:

“(1) Member Countries shall make annual contribution to the budget of the Council’s financial year and shall be payable in free convertible currency by 30th April.

(2) The annual contribution to the Council by each Member Country which is determined based on the Council’s budget and programme of work, shall comprise of basic contribution and additional contribution.”

“(4) The Secretariat shall submit the proposals for the draft budget and programme of work for the following financial year to the Senior Officials Meeting, at the latest by 31st August, with explanatory notes.

(5) The Senior Officials Meeting shall review and revise the proposed draft budget and programme of work, as appropriate.

(6) The Senior Officials Meeting shall adopt the draft budget at the latest one (1) month before the beginning of the financial year, provided that it does not exceed the estimate of total annual contribution received from the Member Countries.

(7) Subject to approval of the Ministerial Council, the Council may accept a non-binding third party contribution.

(8) The unspent funds shall be placed in the reserve fund of the Council upon approval of the Ministerial Council.

(9) The use of the reserve fund shall require approval of the Ministerial Council, including the possibility to use the reserve fund to deduct the forthcoming contribution of the Member Countries.

(10) Further details on the mechanism to calculate the basic and additional contributions, and the use of the reserve fund, shall be regulated in the Financial Regulations.”

2. Chapter IX on Budget and Finance, Article 18 (Financial Matters), clauses (2) and (3) shall be amended as follows:

“(2) The Council shall bear the travelling expenses and remuneration of the Secretary-General, the Deputy Secretary-General, Directors and its staff who attend the Council Meetings or other related assignments. The Council may also bear travel and other related costs for invited participants to its meetings.

(3) The Secretary-General shall develop regulations on financial matters of the Council and the Secretariat to be considered by the Senior Officials Meeting and endorsed in the Ministerial Council Meeting.”

Article VIII

1. Chapter XIII on Final Provisions, Article 25 (Accession), clause (1) shall be amended as follows:

“(1) Any country that meets the requirement as set forth in clause (2) of Article 6 (Membership of the Council) may become Member of this Council subject to accession procedures and terms and conditions as determined by the Ministerial Council.”

2. Chapter XIII on Final Provisions, Article 27 (Amendment), shall be amended by substituting for Article 27 the following Article 27:

“ARTICLE 27 AMENDMENTS

(1) Any Member Country may propose amendments to this Charter.

- (2) The proposed amendments to this Charter shall be submitted by the Senior Officials Meeting by consensus to the Ministerial Council Meeting for its decision.
- (3) The amendments to this Charter agreed to by consensus of the Ministerial Council Meeting shall be signed and ratified by all Member Countries in accordance with Article 23 (Signature) and clause (1) of Article 24 (Ratification and Entry into Force).
- (4) Such amendments shall form an integral part of the Charter and shall enter into force on the 30th day following the date of deposit of the last instrument of ratification to the Secretariat by the Member Countries.”

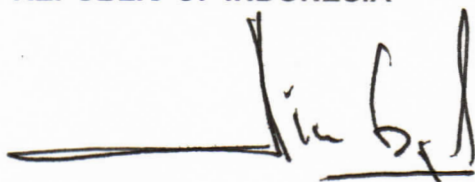
Article IX
Final Provisions

1. This Protocol to Amend the Charter (“Protocol”) shall form an integral part of the Charter, and shall enter into force on the 30th day following the date of deposit of the last instrument of ratification to the Secretariat by the Member Countries.
2. This Protocol shall be deposited to the Secretariat, who shall promptly furnish a certified copy thereof to each Member Country.

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto by their respective Governments, have signed this Protocol.

DONE in Jakarta, Indonesia on this Fourth day of December in the year Two Thousand and Twenty One, in a single original copy in the English language.

**FOR THE GOVERNMENT OF THE
REPUBLIC OF INDONESIA**



H.E. Airlangga Hartarto
Coordinating Minister
for Economic Affairs, the Republic of
Indonesia

FOR THE GOVERNMENT OF MALAYSIA



H.E. Datuk Zuraida Kamaruddin
Minister of Plantation Industries and
Commodities, Malaysia



Salinan naskah resmi

Certified true copy

Nomor : 0044/CTC/04/2022/52

Number



A handwritten signature in black ink, appearing to be "Sahadatun Donatirin".

Sahadatun Donatirin

NIP. 19740603 199803 2 001

Sekretaris Direktorat Jenderal Hukum dan Perjanjian Internasional

Kementerian Luar Negeri, Republik Indonesia

Secretary of Directorate General for Legal Affairs and International Treaties

Ministry of Foreign Affairs, Republic of Indonesia

A Tanggal : 20 April 2022
Date

