

## Highlights from this edition

- **Meet our interns**

*Read the Generation Z perspective on international developments relevant to cooperatives (p.3)*

- **International News**

*News about cooperatives and the wider SSE coming from high-level policy tables; ICA President speaks on cooperative law (p. 4-6)*

- **News from the world**

*Legal news from 27 countries directly concerning cooperatives (p.7-20)*

- **Podcast ft. Hans Munkner**

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- **Case Law**

*We take you back to 2003 when the regional tribunal in Brazil made a reference to the Promotion of Cooperatives*

*Recommendation No. 193 to strengthen domestic law (p. 27)*

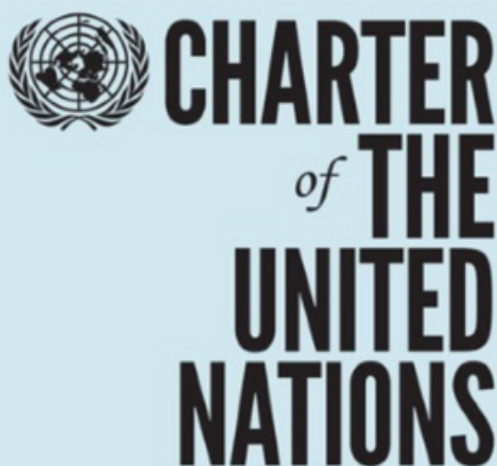
### Countries covered in this edition



Dear members of the ICA Global Network of Cooperative Lawyers and friends,

**24 October** marks the anniversary of the entry into force of the United Nations Charter in 1945 - United Nations Day. It is also the World Development Information Day. The United Nations is committed to promoting peace and prosperity among people and on the planet. As a committed partner of the United Nations, the ICA has promoted lasting peace among peoples and, through its member organizations has brought relief to many communities around the world.

Less well-known is the Statute of the International Court of Justice, which forms an integral part of the Charter (Chapter XIV, Articles 92-96). Article 38(1) of the Statute specifies the sources of international law on which the judges of the ICJ rely when deciding disputes between UN member states. It has been argued by many a cooperative lawyer that cooperation as a practice and, in particular, the values and principles, fall within the interpretation of, inter alia, Art. 38 (1) (b) as evidence of general practice as law.



AND STATUTE of THE  
INTERNATIONAL COURT  
OF JUSTICE

This can be supported by the 2016 inscription of the *idea and practice of organizing shared interest in cooperatives* on UNESCO's Representative List of Intangible Cultural Heritage. In his 2021 paper for the UN Department of Economic and Social Affairs entitled "Cooperative Law - the Translation of the Cooperative Principles into legal rules which respect the legal concept of sustainable development", Prof. Hagen Henry, Chair of the ICA Cooperative Law Committee, explained the nature and role of cooperative law, including public international cooperative law, and the legal obligations of cooperative institutions, including the ICA, in upholding the Statement on the Cooperative Identity.

We are pleased to bring you the season's greetings and the latest issue of the Cooperative Law Bulletin on this day which coincides with the anniversaries of the entry into force of the international rule book for nations, as well as the international day dedicated to drawing the attention of the world to the development problems and fostering cooperation to solve them.



**2023 CEACR  
Report**  
Report of the  
Committee  
of Experts  
on the

**Application of Conventions  
and Recommendations**

In this edition of the Bulletin, the ICA, with the help of its legal interns, brings you news and information on cooperative law and policy from 27 countries around the world, covering all ICA regions. However, the highlight of this edition has to be our podcast with Prof. Hans-Hermann Münkner, perhaps the most important figure in the field of cooperative law in the world today. The podcast was made possible thanks to Prof. Münkner's interest in promoting the knowledge and practice of cooperative law and Prof. Hagen Henry's ability to keep the community of cooperative lawyers motivated and engaged in the field. We are grateful to the members of the Ius Cooperativum Association and the ICA Global Network of Cooperative Lawyers for their participation, and to our friends at The Co-operative News for their support! Another highlight of the issue is a review of a 2003 case in Brazil involving Infocoop Serviços and Caixa Econômica Federal CEF, which relied on paragraph 8(b) [Pseudo-Cooperatives] of the ILO Promotion of Cooperatives Recommendation (No. 193) to strengthen national legislation on the status of workers who carry out activities in the framework of a cooperative. We also bring you information on events - past and future - and a range of news from international and intergovernmental organizations, and blogs written by our ICA legal interns of summer and fall 2023.

We hope that the Bulletin will help you and your colleagues to keep abreast of the latest developments in the field of cooperative law, which is as international as it is local!

*Team ICA Global Lawyers*

# BLOGS BY OUR INTERNS

ICA has had the pleasure of hosting 7 legal interns from June - December 2023. The interns were or are currently students of international relations & politics at the Brussels School of Governance (Vrije Universiteit Brussel).

- [International Perspectives on the Forthcoming UN ITLOS Climate Change Ruling](#)
- [Vietnam's New Law on Cooperatives](#)
- [World Habitat Day 2023](#)
- [Cooperatives are the Future of Education](#)
- [An Intern's Perspective on the ILO Apprenticeship Recommendation](#)
- [UN General Assembly Resolution on the Social and Solidarity Economy Could Generate the Visibility the Movement Needs](#)
- [From Ideals to Action: The ILO's Vision for Cooperative Empowerment](#)
- [Toudarté Cooperative: Women's empowerment through collective action](#)
- [Equity, Inclusion & Owning Our Co-op Identity](#)
- [Cooperatives: Partners in Sustainable Development](#)
- [Madagascar's New Cooperative Legislation Is a Massive Win Nationally and Globally](#)
- [Sustainability Agreements: Building Bridges for a Resilient Future](#)

## OUR SUMMER INTERNS



*Kira Liljegren*



*Carla Moraru*



*Lily Kubala*



*Taylor Thorell*

## OUR FALL INTERNS



*Will Morton*



*Sandy Sica Alisubh*



*Elsa Mitchell*

# INTERNATIONAL

## Arab Financial Cooperatives Opportunities Lost?

23. OCT

Across Europe and North America, cooperatives play a significant role in the finance sector, with thousands of financial cooperatives and even more members. In contrast, the Arab region has a robust cooperative movement, but this activity has not extended to the financial services sector. This lack deprives Arab nations of numerous opportunities financial cooperatives could have provided. [Read more](#)

## EU Competition Law and Sustainability by Fair Trade

11. OCT

The Fair Trade movement successfully merged sustainability with Competition Law, eliminating ambiguity that hindered progress. With the updated guidelines, businesses can pursue sustainability goals more effectively, fostering a future where economic success aligns with social and environmental responsibility. This approach favors cooperation over unilateral action, as sustainability initiatives often increase costs and risk customer loss in price-sensitive markets with little product differentiation. [Read more](#)

11. OCT

**The EC's Social Economy Action Plan** recommendation was adopted during the EPSCO European Council. This encourages states to intervene to support social economy bodies, recognise their values, and reduce variation between EU member states regarding the treatment of these bodies. [Read more](#)

9. OCT

The Council of the EU agreed on their **first-ever recommendation on the social economy**, in which member states are recommended to facilitate access to private and public funding and efficiently use state aid to promote social inclusion and labor market access. [Read more](#)

## EIP Chief discusses cooperatives at IMPACT 2023

4. OCT

Cooperatives play a vital role in the socioeconomic integration of Venezuelan migrants in Peru and Ecuador, giving them more opportunities for social and economic inclusion. Venezuelans with cooperative experience can join Peruvian and Ecuadorian co-ops and credit unions. [Read more](#)

## ILO's Strategy on Social and Solidarity Economy

**29. SEP** The follow-up to the resolution concerning decent work and the social and solidarity economy contains the proposed strategy and action plan on decent work and the social and solidarity economy to give effect to the conclusions adopted by the Conference at its 110th Session. [Read more](#)

**18. SEP** **United Nations SDG Summit 2023** today adopted a sweeping Political Declaration to reaffirm their shared commitment to end poverty and hunger everywhere, combat inequalities within and among countries and build peaceful societies that leave no one behind. [Read more](#)

**13. SEP** **The 2023 UN Secretary General's report on cooperatives** in social development has been released. The report sets out the entrepreneurial ecosystem approach as a key way to support cooperatives in fulfilling their potential to increase economic and social well-being for all. [Read more](#)

**13. SEP** **Experts are concerned about the EU's plan to shift sustainable agricultural practices**, such as banning deforestation-related goods, which may have unintended consequences on small-scale producers. [Read more](#)

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## ICA President Ariel Guarco writes on Cooperative Law

**6. SEP** The 19th Conference of Social Economy Entities discussed the historical role of the International Cooperative Alliance and its collaboration with the ILO, and the relevance of cooperatives in shaping regulatory frameworks, especially in the context of the digital economy and energy transition. [Read more](#)



**5. SEP** ICA releases a **report on the results of the global survey on the cooperative identity statement**, conducted online between April and 31 October 2022. The survey received 2,290 completed responses from 136 countries. The survey mainly questioned what people think of the Cooperative Identity and its founding documents. The results show that in general, respondents positively understand the current Statement on the Cooperative Identity, particularly its impact on their cooperatives and businesses. [Read More](#)

31. AUG

## OCDC launches Cooperative Law and Regulation Initiative (CLARITY 2.0)

US Overseas Cooperative Development Council ([OCDC](#)) partnered with the National Co-operative Business Association (NCBA) to review the Cooperative Law and Regulation Initiative (Clarity). ICA legal office participates in the process [Read more](#)

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28. AUG

## Pan-African Parliament consults ICA on Model law for cooperatives in the African Union

The Pan-African Parliament's Permanent Committee on Monetary and Financial Affairs is set to hold consultations with key regional stakeholders to create a more enabling environment for cooperatives to play a more effective role in poverty reduction and social cohesion. [Read more](#)

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9. AUG

A proposal issued by the European Commission regarding **genetically modified plants** that would breed faster has sparked controversy among different farmer and consumer cooperatives. [Read more](#)

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## Model law for cooperatives in Latin America and the Caribbean

The FAO Regional Office for Latin America and the Caribbean has submitted a proposal for a Model Law. The law focuses on promoting the association of family farming in the region, recognizing the role of agrifood cooperatives in implementing the basic right to adequate food and supporting more inclusive and sustainable agrifood systems. [Read more](#)

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6. JUL

The European Commission has adopted revised **Horizontal Block Exemption Regulations**, providing more straightforward guidance on exemptions from competition restrictions for research, development, and specialization agreements. [Read more](#)

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1. JUN

21. MAR

"The Governing Body of the ILO, having taken note of the **normative gap analysis on decent work and the platform economy** contained in document GB.347/POL/1, decided that the item placed on the agenda of the 113th Session (June 2025) of the Conference on decent work in the platform economy will be devoted to standard-setting with a double-discussion procedure..." [Read more](#)

## AUSTRIA

**21. SEP** **Virtual meetings** at corporations, cooperatives, associations, mutual insurance associations, small insurance associations, and savings banks are now permanently possible under the National Council's Federal Act on the Conduct of Virtual Shareholders' Meetings. These updates come from the COVID-19 pandemic's trend of virtual meetings, and regulation to prevent misuse is advised. [Read more](#)

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## FRANCE

**28. SEP** Giant farm **cooperatives will be subject to the global minimum corporate tax**, generating over 1.5 billion euros for the state, or a minimum 15% tax rate. Since these larger cooperatives have substantial revenues, they must pay this tax rate. [Read more](#)

**8. AUG** The French Cooperative **Enercoop wants to “fundamentally change [the] relationship with energy”** by funding a small French town's energy shift from profit-seeking conglomerates to democratized electricity production. The solar park is the first in France and demonstrates a transformation of the EU's energy system. [Read more](#)

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## IRELAND

**25. MAY** A recent report provides the **social enterprise sector with critical data on social enterprises in Ireland**. This report is unprecedented, with the previous lack of concrete data and efforts impeding raising awareness for social enterprises. [Read more](#)

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## LIECHTENSTEIN

**10. AUG** To establish a cooperative in Liechtenstein, meticulous steps must be taken to avoid potential issues. The article details the **registration process, listing the stages of preparation for establishing a cooperative**, creation, bylaws, reviews, organization, founding protocol, approvals, submitted documents, and fees to pay. [Read more](#)



## POLAND

APR

This academic article aims to present the **evolution of Polish cooperative law**, primarily using the historical method. [Read more](#)

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## SPAIN

30. MAR

Main **changes introduced** by the preliminary draft of the law on structural changes of commercial companies. [Read more](#)

6. APR

The European Association of Co-operative Banks celebrated the 55th Anniversary of the Spanish Cooperative Banking Group "**Caja de Ingenieros**" in April 2023.

[Read more](#)

4. MAY

Spanish government green lights **new law on the social economy**. Ministers also approved a five-year national strategy for the sector, which accounts for 10% of the GDP. [Read more](#)

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## THE NETHERLANDS

2021-23

Historic digital rights win for the App Drivers & Couriers Union members in Great Britain, a driver based in Portugal, and the ADCU over **Uber and Ola at Amsterdam Court of Appeal**. [Read more](#)

3. JUL

It is challenging to ensure that profits are being made within your company and adapted to the challenges and ideals of corporate social responsibility, sustainability, and social impact. To safeguard this mission, one solution is the concept of **cooperative steward-ownership**, where control and economic interest are separated to ensure purpose comes before profit, and cooperatives are one form of achieving this goal. [Read more](#)

# THE UNITED KINGDOM



## Housing co-operatives

celebrate £1.2 million boost in energy efficiency drive through the government's Social Housing Decarbonisation Fund.

[Read more](#)

A comprehensive **report on sustainable development, ethical business culture**, and mitigating big companies' negative social and environmental impacts.

[Read more](#)

**The Regulator of Social Housing** oversees housing cooperatives, and its objectives include ensuring financial viability, proper management, and efficient operation.

[Read more](#)

13. March

**The Co-operatives, Mutuals, and Friendly Societies Bill** (HL Bill 106) would permit ministers to submit draft regulations for parliamentary approval enabling cooperatives, mutual insurers, and friendly societies to adopt legal restrictions to ensure their assets could only be used for specified purposes.

[Read more](#)

16. June

Economic Secretary to the Treasury and City Minister, announced that the government will be **launching a review of the Co-operative and Community Benefit Societies Act 2014** and Friendly Societies Act 1992 were conducted by the Law Commission. [Read more](#)

1. July

## The Co-operative and Mutual Economy 2023 report

highlights substantial growth in the UK's co-operative sector but stresses the need for increased government support to unlock its full potential. [Read more](#)

27. Sep

6. Oct



## TANZANIA

24. Oct

The United Nations' Resident Coordinator, Mr. Zlatan Milisic, lauded **Tanzania's commendable progress in implementing the Sustainable Development Goals (SDGs)** despite global economic challenges triggered by the COVID-19 pandemic and ongoing geopolitical tensions, as the UN marked its 78th anniversary. Tanzania's robust efforts, including favorable economic policies, which shielded the nation from hyperinflation, made notable achievements in SDGs evident while underscoring the critical role of the youth in realizing these goals by ensuring quality education and improved healthcare. [Read more](#)

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## KENYA

4.OCT

The Cabinet of Kenya has approved the **Cooperative Bill 2023** which re-introduces the role of the Commissioner of Cooperatives among other reforms in public administration. [Read more](#)

1.MAR

Deputy President Rigathi Gachagua has pledged to work with Parliament to address legislative, operational, and other gaps in the coffee sub-sector comprehensively. [Read more](#)

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2. DEC

## UGANDA

Anita Among, Speaker of Parliament, directed the House Committee on Finance to incorporate protective measures for Savings and Credit Cooperatives (SACCOs) within the Microfinance Deposit-Taking Institutions (Amendment) Bill, 2022, highlighting the **importance of SACCOs in enhancing financial inclusion** and their exclusion from Bank of Uganda regulation. [Read more](#)

7.MAR

## MOROCCO

Morocco has launched construction work on the first lab for the **legal cannabis industry**. **Morocco adopted Bill 13-21 in 2021**, putting the North African country among a growing list of countries in Africa that are allowing the use of cannabis for medical and therapeutic purposes. Bio Cannat, the first Moroccan cooperative authorized to market and export cannabis and its products for industrial and medical use, launched last week the construction work for its first laboratory. [Read more](#)

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18. JUL

## EGYPT

Egypt has shut down several **non-operating consumer cooperative stores** in the past few years. However, with inflation on the rise, the Parliament is discussing expansion in the operation of consumer cooperative stores. This enhancement of the consumer cooperatives means government initiatives will allow consumer cooperative stores to prove their economic advantages. [Read More](#)

## SINGAPORE

5.APR

Singapore co-ops discussed the sector's **relevance at a national forum where Cybersecurity and competition** from "ethical business" were on the agenda as more than 100 Singapore co-op leaders gathered last month for a sector conference. [Read more](#)

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23.JUL

## NEPAL

Nepal Rastra Bank will establish **a separate body to regulate cooperatives for the 2023-24** fiscal year and a specialized body for effectively regulating and supervising savings and credit cooperatives to handle misconduct in the cooperative sector. [Read more](#)

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## REPUBLIC OF KOREA

29.MAR

How policy is building a social economy in Korea. The passage of the 2011 Framework Act on Cooperatives has also played a critical role in expanding a solidarity economy in Korea. [Read more](#)

10.JUL

**Proposed Korean law** planned to allow financial authorities to supervise major credit cooperatives. [Read more](#)

24.SEP

South Korea's financial regulatory body, has issued management advisories to the **National Federation of Fisheries Cooperatives** after losses. [Read more](#)

# INDIA

Law Department says associations of **flat owners in Karnataka** are now to be registered as a cooperative society or company. [Read more](#)

2. Mar

**Minister for Cooperation** V.N. Vasavan has accused the Union government of taking steps aimed at weakening the cooperative sector in Kerala. [Read more](#)

6. Mar

**Joint Parliamentary Committee** objects to RBI's request for an overarching provision Cooperative Societies Bill. [Read more](#)

15. Mar

**The new book "Farming Futures"**: Reimagining Producer Organisations in India' was published by IRMA researchers. [Read more](#)

18. May

**Waste Pickers and Extended** Producer Responsibility in India. [Read more](#)

24. May

**The Multi-State Co-operative Societies Amendment Bill** 2022 faces controversy based on the array of changes to the operations of cooperatives that the opposition believes hurt the constitutional nature of the Act. The bill aims to try and "cure the ills" of the Cooperative sector and reduce misuse at the State level. [Read More](#)

4. Aug



**The new national cooperative legislation** in India is almost ready for final submission to the central government. [Read more](#)

**The Government of Kerala** has initiated the process of securing a substantial loan of Rs 2,000 crore from cooperative societies to fulfill its commitment to disburse social security pensions. [Read more](#)

**Supreme Court** orders deposit return of Sahara Group's 100,000,000 investors in 9 months. The Centre said that money would be returned to 10 core investors of four cooperative societies of the Sahara group. [Read more](#)



18. Aug

**Mumbai supreme court** rules anyone can file a co-op scam FIR if they believe a cooperative has financial irregularities. [Read more](#)

19. Aug

9. Sep

**The Reserve Bank of India** has issued guidelines allowing banks and financiers to engage in First Default Loss Guarantee arrangements in digital lending. [Read more](#)

1. Oct

**Allahabad High Court** has effectively resolved a protracted jurisdictional dispute related to labor matters within cooperative societies. [Read more](#)

2. Oct

5. Oct

**The state government** has relaxed various provisions of the Kerala Co-operative Societies Act to clear the disqualification of governing bodies of Cooperative Service Societies. This provision regarded the date of the annual general body meeting of cooperatives. [Read more](#)

7. Oct

## JORDAN

19.APR

Proposed amendments to the Associations Law in Jordan would limit potential funding sources and associations for various types of civil society organizations, including cooperatives. [Read more](#)



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## OMAN

30.APR

The Omani Ministry of Commerce, Industry and Investment Promotion recently introduced **new legislation aimed at organizing consumer cooperative activity within the country**. The move is also expected to benefit the consumers of Oman as it will create new supply chains and investment opportunities. [Read more](#)

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## THE PHILIPPINES

2.MAR

The CTA has **set aside the power cooperative's tax liabilities**, saying the utility was entitled to an income tax exemption under the National Electrification Administration Reform Act of 2013. [Read more](#)

9.OCT

Cooperative rice retailers in the Philippines are concerned about Senate Bill (SB) 2342, which sets a P1 million threshold for "agricultural economic sabotage." They fear being labeled hoarders and argue that legitimate practices like stockpiling for rainy days and adjusting prices due to inflation shouldn't be penalized. [Read more](#)

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## VIETNAM

20.JUN

Vietnam's **new Law on Cooperatives** lays out various provisions concerning new and existing cooperatives, aiming to update regulations to ensure shared interests. The Law is set to take effect on 1 July 2024. [Read More](#)



## FIJI

9.JUL

The Drawa community sets an example for sustainable development based on their **successful forest conservation and carbon trading**. The project and forest are owned by the Drawa Block Forest Community Cooperative, which captures carbon credits and promotes biodiversity and economic resilience. This community has taken a step toward achieving the Sustainable Development Goal in taking action against climate change. [Read more](#)

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## KUWAIT

28.SEP

Questions have been raised in the Kuwaiti parliament regarding how to **allocate 5% of cooperative societies' profits to support the government**, which is the private property of the shareholders. [Read more](#)

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## THAILAND

25.SEP

The Ministry of Agriculture and Cooperatives is actively considering an **amendment to the fisheries law** to address fishermen's economic challenges. These challenges have been attributed to stringent regulations that adversely impact their livelihoods. [Read more](#)

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## UNITED ARAB EMIRATES

9.SEP

The UAE Cabinet approved the executive regulation of the Federal Decree-Law No. 6 of 2022 on cooperatives, regulations that include details on forming, governing, and running cooperatives in the UAE. [Read More](#)



# THE AMERICAS

## CANADA

4.APR

**Co-operatives and Mutuels Canada** are responding to the federal budget, which includes measures that could benefit community co-ops or those in the agriculture, green technology, and energy sectors. [Read more](#)

17.AUG

**The Co-operative Corporations Act of Ontario** is changing how co-ops can allow members to participate electronically. [Read more](#)

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## BARBADOS

29.SEP

The Alliance of Reform Minded Entrepreneurs Cooperative Society aims to reintegrate former inmates into society. Tools provided by the Cooperative to the formerly incarcerated and their family members include re-entry services, housing, and counseling. [Read more](#)

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## CUBA

15.MAR

**Cooperatives converted to private MSMEs:** the urgent need to correct regulations: the privatization of cooperatives and, even more, of those that arose from state ownership, is undoubtedly a very serious problem that must be faced with the greatest urgency. [Read more](#)

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## COSTA RICA

28.MAR

**Costa Rica's Labor Court Rules** that the company Uber has a labor relationship with the drivers of its platform, meaning that it must recognise driver's labor benefits. [Read more](#)

12.OCT

**CoopeVictoria R.L. celebrates its 80th anniversary**, founded in 1943 after farmers searched for a place to meet their needs. The cooperative is an agro-industrial type, becoming the first resource in Costa Rica to process refined sugar, and is the first cooperative founded. [Read More.](#)

## MEXICO

28.SEP

To save Altos Hornos de México (AHMSA) from bankruptcy, the company can only recover through radical, structural change. Such **change can be provided utilizing the cooperative model**, where the success of production centers with ethical and humanist values is a possibility. Workers will be able to fix the company's reputation by forming a cooperative. [Read More](#)

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## ARGENTINA

3.OCT

In Posadas, an agreement was signed by six cooperatives, led by the National Institute of Associativism and Social Economy, to form a Federation of Producers of Family Farming of Yerba Mate. This collaboration aims to create joint ownership of the yerbatera chain, empowering small-scale producers and developing a more sustainable model of production. [Read More](#)

12.OCT

The V **Latin American Congress of Cooperative Law** had significant international participation. The topics of the presentations included public policies, labor and production cooperatives, tax aspects, and the theory of the cooperative act. The law of the social and solidarity economy was examined in various spheres, including gender. [Read More](#)

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## PARAGUAY

8.AUG

A meeting was held to analyze the scope of the draft law that establishes the **administrative framework for housing cooperatives**. The central modification will be formed exclusively for housing construction, where the homes will be awarded to each member following this stage. The law also indicated that cooperatives are obliged to supervise of INCOOP. [Read More](#)

# UNITED STATES OF AMERICA

**New York City co-op and condo boards** may finally realize that the city's push for foreign energy is inevitable, clean, efficient, and a potential benefit source. [Read more](#)

**The National Credit Union Administration** Releases 2022 Annual Report. [Read more](#)

**Local Law 97** will require certain cooperative and condominium buildings to comply with specific energy conservation measures. [Read more](#)

**US employers** have gone from opposing international labor standards to hiding behind them. Now a complaint is trying to stop U.S.-style union busting from taking over the world. [Read more](#)

**The Business Law Section of the California Lawyers Association** sponsored legislation making ratification and validation procedures available to California nonprofit and cooperative corporations. [Read more](#)

**Cooperative Business Journal** on discovering opportunities through cooperatives. (for Fall 2023- Winter 2023) [Read More](#)

**Electric Co-op Consortium** Seeks Infrastructure Funds to Speed Next-Gen Smart Grid Deployments [Read more](#)

**Rural farmers and cooperatives:** funding available [Read more](#)

**Washington's New Employee Ownership Program** Paves the Way for Successful Worker Cooperatives. [Read more](#)

**Holland & Knight** Helps Polk Regional Water Cooperative Secure \$305 Million in EPA Loans for Water Supply Projects. [Read more](#)

**California's Legislature** passed two climate disclosure bills requiring reporting indirect emissions by the company, finding better ways to gather this data from third parties soon, and publishing climate-related financial risk reports. [Read more](#)

## The Federation of Southern Cooperatives

comprised of Black farmers, landowners, and cooperatives across the South, gathered for their annual meeting to discuss the issue of heirs' property and interacting with the federal farm system. [Read More](#)

## California's passage of Assembly Bill 1837 and 2170

aimed at increasing homeownership for residents has been extended to create more affordable housing and more community stability to limit investors' purchasing of foreclosed homes. [Read more](#)

**New York State** recently passed two laws following the historic rains and flooding affecting homeowners and renters. The section bill includes co-ops and requires landlords to disclose their property's history and risk of flooding in their lease. However, the law's wording on cooperative corporations is slightly problematic with amending a lease requiring majority consent of shareholders. [Read more](#)

21. Sep

22. Sep

27. Sep

4. Oct

5. Oct

9. Oct

**Under a Minnesota Law**, electric co-ops have had to pay a member fee and, recently, were taxed on property. Stearns Electric fought this reinterpretation to try and clarify the legislation. [Read more](#)

**U.S. Senators introduced the Butcher Block Act** to create grant and loan opportunities through the U.S. Department of Agriculture, enabling small to mid-sized meat processing facilities to expand their operations. This legislation would make it more cost-effective, strengthen local food systems, and increase competition in this industry. [Read more](#)

**Members of Luckey Farmers and Ida Farmers Cooperative** in the Mid-West have approved the merger of their cooperatives, set to take effect on 1 February 2024. The Chairman of Luckey Farms shared that the merger would allow them to become stronger and better positioned to improve their products and services. [Read more](#)

# A CONVERSATION

## WITH THE LEGENDARY PROF. HANS MÜNKNER

In Marburg, Germany, this July, a group of co-op law experts spoke to Professor Hans Munkner about the role of the ICA in advancing knowledge and practice. Besides Professor Munkner, the group included the Chair of the ICA Cooperative Law Committee, Hagen Henry, law committee member Ifigeneia Douvitsa, ICA Cooperative Law Network member Dr. Leonardo Rafael D'souza, and Director of Legislation at the ICA, Santosh Kumar.



*The group with Prof. Munkner & his wife in Marburg*

The discussion began with questions directed to Professor Munkner, the first on improving the cooperative movement. Munkner stated that cooperatives create a “democratic nucleus” that can spread depending on the cooperative’s success. A cooperative that works well is the best argument for democratic economic performance - a case of actions speaking louder than words.



The relevance of the International Statement on Cooperative Identity was the subsequent discussion on the agenda and whether sectors should develop their own identity statement. In Munkner’s opinion, if the statement of cooperative identity is good, then a second is redundant. Instead, individual sector statements of cooperative activity can be based on the original rather than creating separate ones that may weaken the movement.

Next, Munkner was asked what the ICA, as the representative of the cooperative movement, could do to develop cooperative law. Munkner believed that the ICA shouldn’t intervene with the state’s law-making. Instead, if the ICA wants to influence cooperative law at a national level, the best thing to do is to have a clear international statement as a guideline. The ICA identity statement proposes legal suggestions based on experience and isn’t intended as an imposition on the state.

The conversation shifted toward education and what should occur for cooperative law to be part of the university law curriculum. An average legal education does not include cooperatives, and many must be aware of its existence. It is hard to convince lawyers to teach subjects students might not take.

Professor Hagen Henryj specifies that as far as cooperative law is concerned, the predecessor Recommendation 127 is much more precise. To this point, Munkner adds that the more specialized the laws are, the less they can apply as a whole. When identifying which ideas are sector-specific, those should be left out as they don't have the proper place in a general law. Further, Henryj argues that the law is not to go into the details but to set general rules and for nations to maintain a principle of autonomy. Detailed laws are problematic in that they present more like a policy, which can be subject to quick changes.



*(From left to right): Ifigeneia Douvista, Leonardo Rafael D'souza, Santosh Kumar, Hans Munkner, Hagen Henryj*

Cooperative lawyers must introduce cooperatives as an exciting subject matter for studies. Introducing cooperatives has proven successful with the association of cooperative researchers and institutes in Germany, where cooperative subject matter has become mainstream in general company and association law and economic policy. Henryj, as a final message, advocates for lawyers to have an open mind and to recognize cooperative law as an equal to build a solid groundwork for cooperatives.

**[Listen here](#)**

## Criminal Defence with a Social Conscience

Interview with lawyer Sashy Nathan of Commons Legal - a non-profit, cooperative law firm set up in 2016 with the aim to provide outstanding legal advice and representation to all of their clients, regardless of how the case is funded. [Listen here](#)



**Sashy Nathan**  
*Lawyer, Commons Legal*

## Cooperative Research in Legislation and Development

The podcast Further Together's second episode focuses on Cooperative Research in Legislation and Development. The podcast, recorded at Humboldt University in Berlin, collaborates with the ICA's Committee on Cooperative Law and features Sonja Novkovic, Hagen Henry, Arielle Romenteau, Jeffrey Moxom, and Santosh Kumar. [Listen here](#)



**Sonja Novkovic**  
*Chairperson of ICA Committee on Cooperative Research*

## Protecting Mutual Assets and Identity

In this podcast, Member of the ICA-CLC and Lecturer at the University of Newcastle Ann Apps interviews Managing Partner at Mutuo, Peter Hunt. Mutuo, a British advocacy organization and think tank, promotes mutuals and cooperatives in a fast-changing business environment. [Listen here](#)



**Peter Hunt**  
*Manager Partner, UK's Mutuo*



## Lessons from Mongolia's Co-op Law



Mongolia is also home to over 4,700 cooperatives that operate in various sectors, from agriculture and retail to transport, finance, and services. Recognizing the movement's important role, the country's parliament adopted a new cooperative law in May. Ann Apps interviewed Altantuya Tseden-Ish, the Vice-President of the National Association of Mongolian Agricultural Cooperatives, to find out what changes the new law might bring.

[Listen here](#)

### **Altantuya Tseden-Ish**

*Vice-President of the National Association of Mongolian Agricultural Cooperatives*

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## Cooperative Law for Associated Work in Japan

In February 2022 Professor Antonio Fici of the CLC interviewed Osamu Nakano, Vice President of the Board of the International Organisation of Industrial and Service Cooperatives (CICOPA). The interview explored the main changes introduced under the 2020 Worker Cooperatives Act and the impact these had had on Japanese cooperatives. The new law, which allows businesses to register as worker cooperatives, is expected to pave the way for a new wave of co-ops. The interview was facilitated by the International Cooperative Alliance's Cooperative Law Committee (ICA-CLC) of which Prof. Fici is a member. [Listen here](#)



### **Osamu Nakano**

*Director of International Relations at Japan Workers' Co-operative Union and Vice President of the International Organisation of Industrial and Service Cooperatives*



### **Antonio Fici**

*Associate Professor of Private Law at the University of Molise and Senior Research Fellow at EURICSE*

# EVENTS

## Cooperatives and the Social and Solidarity Economy



On 6-10 November 2023, the regional organisation of the ICA in Asia-Pacific (ICA-AP) will convene its 16th Regional Assembly in Manila, Philippines, hosted by the Philippines Cooperative Affiliates (PCA) and achievable action points. [Register here](#)



The 4th International Forum of Cooperative Law will take place in San Sebastian, Basque Country, from 29 November to 1 December 2023. [Register here](#)



### People, Planet, Action

Spanish Presidency Council of the European Union

European Conference on Social Economy

On November 13 and 14, 2023, the Ministry of Labor and Social Economy organizes in Donostia-San Sebastián - Spanish Capital of the Social Economy 2023- the European Conference Social Economy: People, Planet, Action, within the framework of the Presidency Spanish Council of the European Union. [Register here](#)



### Roots of Resilience: Building Platform Co-Ops

Join us in Kerala, India to explore how platform co-ops can empower feminists, strengthen local economies.

The "Roots of Resilience" conference explores the potential of platform co-ops in promoting feminist futures, climate justice, and sustainable agriculture. Platform co-ops are democratically owned and governed digital platforms that provide a means for individuals and communities to cooperatively own and manage digital services. [Register here](#)

### ICA-AFRICA REGIONAL ASSEMBLY AND CONFERENCE

Theme : Cooperatives for a Sustainable Africa

Abuja Continental Hotel, Nigeria  
14th-15th November, 2023

### 16th Africa Regional Assembly and Conference | ICA Africa

Africa is pleased to invite you to the 16th Africa Regional Assembly and Conference, which will be held at Abuja Continental Hotel, in Abuja -Nigeria, from the 14th to 15th of November, 2023. The theme of the conference is: "Cooperatives for a Sustainable Africa". [Register here](#)



On November 14, in Brussels the CEIBS shows Insights 9th Europe Forum on the theme of Toward Another 20 years of EU-China Economic Cooperation. [Register here](#)

# Reports on Previous Events

17. Oct

**COODING - the first international event for cooperatives on digital and new technologies!** "COODING, an acronym for COOperatives Digital Improvement & Networking Growth, took place last on 29 and 30 September 2023 in Bologna, Italy. The event was co-organised by Fondazione Centro Studi Doc, CECOP, Fondazione PICO, and AlmaVicoo, and supported by CICOPA, Cooperatives Europe and ICA. The goal of the organisers was to enhance the inter-cooperation around the use of digital and new technologies in cooperatives". [Read more](#)

9. Oct

**ICA asserts its involvement in the Policy Forum on Development of the EU.** Cooperatives were represented in the discussions by the ICA representatives from the Global and Regional Offices as well as speakers from cooperative enterprises. The topics of inequalities and how to open up civic space to strengthen collective action and partnerships to build an open, free, and democratic future were discussed at length. The objective was to come up with concrete recommendations on best practices and solutions to combat the root causes of shrinking civic space; to contribute to effective partnerships and genuine dialogue to ensure coherence between human rights obligations and commitments under the 2030 Agenda; to share practices and existing monitoring and reporting mechanisms on civic space and enabling environment; and to discuss where the EU could play a greater role in supporting CSOs and LAs in the context of shrinking civic space. [Read more](#)

2. Oct

**G20 recognizes cooperatives' role in accelerating sustainable development.** The G20 Summit in India marked the culmination of a year's work by the ministers and other senior government officials, private sector and civil societies, including cooperatives. The Summit, which brings together world leaders to discuss issues of global economic and trade governance, concluded with the adoption of a final G20 Declaration. [Read more](#)



## CASE LAW

*Regional Labour Tribunal of the Third Region, Rogério Ferreira Gonçalves (1) Infocoop Serviços – Cooperativa de Profissionais de Prestação de Serviços Ltda (2) Caixa Económica Federal CEF (Responsável Subsidiária)*

In the 2003 legal case in Brazil, the main argument revolved around the plaintiff's status under cooperative law, described in the plaintiff's treatment by the cooperative Infocoop Serviços. The plaintiff was a supposed cooperative member but felt he was not being treated as such; instead, he was essentially classified as an employee and did not receive the benefits promised as a cooperative member.

The 2002 ILO Recommendation No. 193 was cited, describing the responsibility of cooperatives to follow certain principles regarding member treatment and “cooperative fraud.” Specifically, state policy should *“ensure that cooperatives are not created for, or directed towards, non-compliance with labor laws or used to establish disguised employment relationships and to combat pseudo-cooperatives that violate workers' rights by ensuring that labor law is applied in all companies.”*

The plaintiff contended that he was treated like an employee under this cooperative and that the above legal framework needed to be followed. The plaintiff argued that he believed he was legally treated as an employee instead of a cooperative member and

that the actions taken by Infocoop Serviços, such as the regular payment he received, the absence of profit-sharing, and ultimately, his termination process, did not fall into the criteria of the legal framework under ILO Recommendation No. 193.

Conversely, Infocoop Serviços, or the defendant in this case, filed an ordinary appeal, arguing that the plaintiff lawfully joined their cooperative and was treated legitimately under cooperative law. Significantly, the defendant contends that the plaintiff should ultimately be treated as a member rather than an employee. Infocoop wanted to avoid the liabilities of dismissing the ILO's Recommendation and Article 442 of the Labor Code.

The court makes the final decision in favor of the plaintiff, recognizing that he had an employment relationship instead of a cooperative member relationship with Infocoop and that the stated cooperative should be held responsible for fines and free legal assistance for the plaintiff. The importance of Recommendation No. 193 in determining the outcome of this case cannot be overstated.

[Read the case here.](#)

*2003; the use of the ILO Promotion of Cooperatives Recommendation*

*Regional Labour Tribunal of the Third Region, Rogério Ferreira Gonçalves (1) Infocoop Serviços – Cooperativa de Profissionais de Prestação de Serviços Ltda (2) Caixa Económica Federal CEF (Responsável Subsidiária), 00652-2003-017-03-00-0RO*

# OPPORTUNITIES



## Local Development Forum

*Consultant*

The LESI Division is looking for a Consultant to support the Local Development Forum and work on local economic development for a nine-month period (January-September 2024). Inter alia, this includes supporting the substantive and logistic organisation of in-person and virtual events for the Local Development Forum, developing content for the PLACES web portal, and contributing to work on local economic development more generally. [Learn More Here](#)

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## The International Labour Organization (ILO)

*Social Solidarity Economy Specialist*

The International Labour Organization (ILO) seeks a Social and Solidarity Economy Specialist to work within the Cooperatives (COOP) Unit. The specialist will be responsible for various tasks, including promoting the social and solidarity economy, enhancing gender-responsive policies, and fostering partnerships to advance the Decent Work Agenda. [Learn More Here](#)

# LOOKING BACK...

## Guyana – “The Spirit of Cooperativism”

ICA Legal Intern Elsa Mitchell writes on the 2019 presentation by Rudolph M. Ten-Pow of the permanent mission of the Cooperative Movement in Guyana to the UN at the Commission for Social Development

Guyana is renowned for being the only country where the development model of cooperativism is in the name: the “Co-operative Republic of Guyana,” originating from the formerly enslaved people who bought and managed plantations, the first cooperatives in Guyana. While most of these plantations failed due to a lack of financing and technology, the spirit of cooperativism lingered until today.

The spirit of community and the pooling of labor, capital, skills, and joint ownership of enterprise led Guyana in 1970 to create the first Cooperative Republic, only four years after independence from its colonial power. The values of cooperatives were emphasized in their potential to empower the marginalized and promote social inclusion in Guyana at a time when equality was hard-pressed.

Following 1970, a few hundred cooperative societies were established in Guyana in many sectors, including farming, consumer marketing, agro-processing, and national institutions to support the cooperatives. Such institutions included a Cooperative Bank, a Cooperative College, and legislation such as the Small Businesses Act.

In the 1980s, however, the cooperative sector began declining due to Guyana's general sustained economic decline. Especially the worldwide reduction in price, the oil shocks, and the brain drain of skilled Guyanese all contributed to the fall. As a result, Guyana went from 1,440 cooperative societies in 1989 to 1,268 in 2016. The Cooperative Bank, no longer necessary, was sold to a commercial bank.

In brighter news, the Cooperative College persevered through the economic hardships and has assisted in the attempts to revive Guyana's cooperative movement. In schools, thrift societies were introduced to try and help reignite the spirit of cooperativism in the youth. Similarly, four model cooperatives were launched in 2008 thanks to the Rural Agricultural Infrastructure Development program.

The revival of the cooperative sector in Guyana can partially be attributed to the industry aligning with the United Nations Sustainable Development Goals with the overlapping principles of social inclusion, gender equality, and the economic empowerment of marginalized or excluded social groups. The UN also assists in implementing the SDGs into Guyana's National Development Plan.

In general, the global environment means the time is ripe for a resurgence of cooperatives, such as what is happening in Guyana. Organizations such as the ICA promote sharing experiences, practices, and resources. Well-known cooperatives, such as Credit Agricole in France or State Farm in the United States, are considered a success story and admired by smaller cooperatives.

Overall, the cooperative sector is recognized as having a giant potential for growth, and these cooperatives can significantly contribute to the SDGs laid out by the United Nations. The Cooperative Republic of Guyana, or Guyana, as it is more colloquially known, can develop closer ties with the global cooperative movement to share experiences and build upon the successes of the early 1970s. Guyana can also continue the process of revitalizing the cooperative sector of the national economy as a way to achieve the nation's broader national development goals.

[Read Here!](#)

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## CONTRIBUTE TO THE NEXT BULLETIN

Join us as we explore the legal innovations, challenges, and success stories that shape the cooperative landscape, creating inclusive and equitable economies in the process.

Please feel free to get in touch with us directly at **legislation@ica.coop** if you are interested in discussing any news from this edition or/and have other news/information related to cooperative law which you would like to share with the ICA Network of Lawyers.

Please also write to us if you are interested in accessing and participating in the building of our **database on cooperative legislation** which contains Bare Acts and (English) translated versions of cooperative legislation from around the world.



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