

No. 9707

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**MULTILATERAL**

**Agreement for the Establishment of an Arab Organization  
for the Petroleum Exporting Countries. Signed at Beirut  
on 9 January 1968**

*Authentic text: Arabic.*

*Registered by Kuwait on 8 July 1969.*

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**MULTILATÉRAL**

**Accord relatif à la création d'une organisation arabe des  
pays exportateurs de pétrole. Signé à Beyrouth le 9 jan-  
vier 1968**

*Texte authentique: arabe.*

*Enregistré par le Koweït le 8 juillet 1969.*

[TRANSLATION<sup>1</sup> — TRADUCTION<sup>2</sup>]

IN THE NAME OF GOD, THE GRACIOUS, THE MERCIFUL

This Agreement entered into in the city of Beirut on 9 January 1968, corresponding to 9 Shawwal 1387 between and among :

The Government of the Kingdom of Saudi Arabia, represented by His Excellency Sheikh Ahmed Zaki Yamani, Minister of Petroleum and Mineral Resources ;

The Government of the State of Kuwait, represented by His Excellency Mr. 'Abd al-Rahman Salim al-'Atiqi, Minister of Finance and Oil ;

The Government of the Kingdom of Libya, represented by His Excellency Mr. Khalifah Mousa, Minister of Petroleum Affairs.

### AGREEMENT<sup>3</sup> FOR THE ESTABLISHMENT OF AN ARAB ORGANIZATION FOR THE PETROLEUM EXPORTING COUNTRIES

The Arab Petroleum Exporting Countries signatories to this agreement,

*Recognizing* the role of Petroleum as a principal and basic source of their income which they should develop and safeguard in such a way as to provide them with the utmost legitimate benefits, and

*Being Aware* that Petroleum is a depleting resource and that fact places upon them the charge vis-a-vis future generations of conserving it and the responsibility of utilizing the wealth derived from it in economically diversified investments in productive and developing projects having the essentials of vitality and prosperity, and

*Believing* that the rational utilization of this asset is related to the role of Petroleum in serving the economies of the consumer countries and consequently entails due consideration for the legitimate interests of said countries in obtaining Petroleum supplies for their markets on equitable terms conducive to the well-being of humanity, and

<sup>1</sup> Official translation provided by the Government of Kuwait.

<sup>2</sup> Traduction officielle communiquée par le Gouvernement koweïtien.

<sup>3</sup> Came into force on 1 September 1968, the first day of the month following the date on which all founding members of the Organization had deposited their instruments of ratification with the Government of Kuwait, in accordance with article 37(b).

The deposit of the instruments was effected as follows :

Libya	16 June	1968
Kuwait	28 July	1968
Saudi Arabia	4 August	1968

*Partaking* in the development and prosperity of the world Petroleum industry, and

*Anticipating* the achievement of close and fruitful cooperation among themselves in such fields,

Have agreed upon the following :

#### A. THE ORGANIZATION, ITS OBJECTIVES AND POWERS

##### *Article one*

(a) There shall be established in accordance with this Agreement an organization called "The Organization of Arab Petroleum Exporting Countries", hereinafter referred to as "the Organization".

(b) The Organization shall be domiciled in the City of Kuwait in the State of Kuwait.

##### *Article two*

The principal objective of the Organization is the cooperation of the members in various forms of economic activity in the petroleum industry, the realization of the closest ties among them in this field, the determination of ways and means of safeguarding the legitimate interests of its members in this industry, individually and collectively, the unification of efforts to ensure the flow of petroleum to its consumption markets on equitable and reasonable terms, and the creation of suitable climate for the capital and expertise invested in the petroleum industry in the member countries.

In pursuit of the said objectives, the Organization shall in particular :

(a) Take adequate measures for the coordination of the petroleum economic policies of its members.

(b) Take adequate measures for the harmonization of the legal systems in force in the member countries to the extent necessary to enable the Organization to carry out its activity.

(c) Assist members to exchange information and expertise and provide training and employment opportunities for citizens of member countries in members' countries where such possibilities exist.

(d) Promote cooperation among members in working out solutions to problems facing them in the petroleum industry.

(e) Utilize the member resources and common potentialities in establishing joint projects in various phases of petroleum industry such as may be undertaken by all the members or those of them that may be interested in such projects.

*Article three*

The provisions of this Agreement shall not be deemed to affect those of the Agreement of the Organization of Petroleum Exporting Countries (OPEC)<sup>1</sup>, and especially in so far as the rights and obligations of OPEC members in respect of that organization are concerned.

The parties to this Agreement shall be bound by the ratified resolutions of OPEC, and shall abide by them even if they are not members of OPEC.

*Article four*

(a) The Organization shall enjoy a juridical personality and the legal capacity entitling it to exercise in the territory of each and every member all the powers of juridical persons.

In particular, the Organization may acquire and own moveable and immoveable property, perform legal transactions, as well as sue and be sued in its own name.

(b) The Organization shall enjoy in the territories of its members such immunities and privileges as are necessary for the fulfillment of its objectives and the performance of its activities, and the premises it occupies shall enjoy immunity. All such shall be defined in detail in a protocol to be appended to this Agreement.

*Article five*

The Organization may conclude agreements with members, or with other countries, or with a federation of states or with an international organization, and especially agreements for establishing joint projects in various phases of economic activity in the petroleum industry.

*Article six*

(a) The contractual liability of the Organization shall be governed by the law of the contract entered into. The liability for tort shall be governed by the common general principles of law of the members.

(b) The rights and duties of the Organization's personnel shall be subject to the provisions of this Agreement and to the statutes, regulations and decisions issued in accordance with it.

**B. MEMBERSHIP OF THE ORGANIZATION***Article seven*

(a) The founding members of the Organization are the signatories to this Agreement.

<sup>1</sup> United Nations, *Treaty Series*, vol. 443, p. 247.

(b) Any Arab country may join the membership of the Organization provided the following conditions are fulfilled :

- (1) Petroleum should constitute the principal and basic source of its national income.
- (2) It should adhere to the provisions of this Agreement and amendments which may be made to it.
- (3) The Council referred to in Article Eight below should approve its membership by a majority of three-quarters of the votes provided all the votes of the founding members are included.

### C. ORGANS OF THE ORGANIZATION

#### *Article eight*

The Organization shall carry out its functions and responsibilities through the following organs :

*First* : A Council of Ministers, hereinafter referred to as “ the Council ”.

*Second* : An Executive Bureau, hereinafter referred to as “ the Bureau ”.

*Third* : A Secretariat General, hereinafter referred to as “ the Secretariat ”.

*Fourth* : A Judicial Board hereinafter referred to as “ the Board ”.

#### First : The Council

#### *Article nine*

The Council shall be composed of one representative from each member country, who shall be the minister of petroleum or someone enjoying a comparable degree of responsibility for petroleum affairs.

The representative may be accompanied by a number of assistants at meetings of the Council.

#### *Article ten*

The Council is the supreme authority of the Organization, responsible for drawing up its general policy, directing its activity and laying down the rules governing it.

Without prejudice to the generality of the foregoing paragraph of this article, the Council shall be concerned with the following :

(a) Deciding on applications for joining the membership of the Organization and approving invitations to petroleum exporting countries to attend its meetings.

(b) Taking resolutions, making recommendations, and giving advice with regard to the general policy of the Organization, or its attitude or the attitude of a