

No. 7667

**UNITED STATES OF AMERICA
and
REPUBLIC OF KOREA**

Petroleum Agreement of 1964 (with agreed minutes). Signed at Seoul, on 12 May 1964

Official text : English.

Registered by the United States of America on 6 April 1965.

**ÉTATS-UNIS D'AMÉRIQUE
et
RÉPUBLIQUE DE CORÉE**

Accord de 1964 relatif au pétrole (avec procès-verbaux d'accord). Signé à Séoul, le 12 mai 1964

Texte officiel anglais.

Enregistré par les États-Unis d'Amérique le 6 avril 1965.

No. 7667. PETROLEUM AGREEMENT¹ OF 1964 BETWEEN
THE UNITED STATES OF AMERICA AND THE REPUBLIC
OF KOREA. SIGNED AT SEOUL, ON 12 MAY 1964

WHEREAS, the Government of the Republic of Korea, in view of changed conditions, has proposed to the Government of the United States that the Petroleum Operating Agreement, concluded between the two Governments and the Korea Oil Storage Company in 1955,² be terminated ;

AND WHEREAS, both Governments are mindful of the continuing need for an Agreement respecting the handling, storage and management of petroleum products within the Republic of Korea ;

NOW THEREFORE, the Government of the United States accepts the proposal of the Government of the Republic of Korea, and both Governments mutually agree to the adoption of the following new Agreement :

Article I

INFORMATION AND ACCESS

The authorities designated by the Government of the Republic of Korea will provide to the Commander of United States Forces Korea on a continuing basis detailed information concerning the existing and prospective supplies and consumption of refined and unrefined petroleum products within the Republic of Korea, and the plans of the Government of the Republic of Korea, its nationals, or entities licensed to do business within the territory of the Republic of Korea, for the management and disposition of these products. Representatives of the Commander of United States Forces Korea shall have the privilege of access and inspection with respect to facilities for the handling, storage and distribution of petroleum products within the territory of the Republic of Korea, for the purpose of determining the role of these facilities in defense planning. The Government of the United States agrees to hold information acquired under the terms of the understandings set forth in this Article in confidence, and to take such administrative action as is necessary to ensure that the confidential nature of this information will be maintained.

¹ In accordance with the provisions of article X, the Agreement came into force on 3 September 1964, ninety days after the Government of the Republic of Korea notified the Government of the United States of America that the National Assembly had concurred and the President of the Republic of Korea had ratified the Agreement.

² Not printed by the Department of State of the United States of America.

Article II

STATE OF EMERGENCY

(a) In the event the Commander of United States Forces Korea deems that a state of emergency exists with respect to the availability to his Command of supplies of petroleum products or of facilities for the handling and storage of such products, and requests the cooperation of the Government of the Republic of Korea, the Government of the Republic of Korea will take such steps as are necessary to provide the Commander of United States Forces Korea with the use of those products or those services of petroleum handling and storage facilities located within the territory of the Republic of Korea which the Commander of United States Forces Korea considers essential to the resolution of the emergency.

(b) In the event the Government of the Republic of Korea deems that a critical situation exists with respect to the availability for civil use of supplies of petroleum products, and therefore requests cooperation, the Commander of United States Forces Korea will agree to the temporary use of all or a portion of those reserves prescribed in Article IV, provided that the use of these reserves will not hamper the combat preparedness of forces in the defense of the Republic of Korea. Additionally, the Commander of United States Forces Korea may, to the extent necessary to prevent the failure of his mission, make available from stocks of United States Forces Korea those products necessary to meet the situation.

(c) Reimbursement for products or services made available to the other party shall be arranged by negotiations between the Government of the United States and the Government of the Republic of Korea within a reasonable time thereafter, provided however, that with respect to the consumption of petroleum products during the course of the events mentioned above, both parties shall have the option of replacing products consumed with like products of the same type, grade, and quality.

Article III

USE OF FACILITIES AND PAYMENT

(a) The Government of the Republic of Korea guarantees to the Government of the United States and to its agencies the right of use of the existing Pusan, Ulsan, Yong-Do and Sasang petroleum terminals and facilities (or if they are relocated, such other terminals or facilities as are constructed to replace them) for off-loading, loading, handling, storage (to include open space for the storage of packaged products) and distribution of petroleum products introduced into the Republic of Korea by the Government of the United States or its agencies, (i) for their own use, or (ii) for carrying out programs designed to assist in the defense or to advance the economic development of the Republic of Korea. In the event that at some future time, the Government of the United States or its agencies require services in connection with the off-loading, loading, handling, storage or distribution of petroleum products from