

No. 8540

**AUSTRIA
and
ORGANIZATION OF THE PETROLEUM
EXPORTING COUNTRIES**

**Agreement regarding the headquarters of the
Organization of the Petroleum Exporting Countries.
Signed at Vienna, on 24 June 1965**

Official texts : German and English.

Registered by Austria on 3 February 1967.

**AUTRICHE
et
ORGANISATION DES PAYS EXPORTATEURS
DE PÉTROLE**

**Accord relatif au siège de l'Organisation des pays
exportateurs de pétrole. Signé à Vienne, le 24 juin 1965**

Textes officiels allemand et anglais.

Enregistré par l'Autriche le 3 février 1967.

No. 8540. AGREEMENT¹ BETWEEN THE REPUBLIC OF AUSTRIA AND THE ORGANIZATION OF THE PETROLEUM EXPORTING COUNTRIES REGARDING THE HEADQUARTERS OF THE ORGANIZATION OF THE PETROLEUM EXPORTING COUNTRIES. SIGNED AT VIENNA, ON 24 JUNE 1965

The Republic of Austria and the Organization of the Petroleum Exporting Countries, desiring to conclude an agreement to establish the seat of the Organization of the Petroleum Exporting Countries in the City of Vienna and to regulate questions arising as a result thereof, have agreed as follows :

Article 1

When used in this Agreement,

- (a) "OPEC" means the Organization of the Petroleum Exporting Countries ;
- (b) "The Government" means the Federal Government of the Republic of Austria ;
- (c) "Secretary General" means the Secretary General of OPEC or any officer designated to act on his behalf ;
- (d) "Member Country" means a State which is a member of OPEC ;
- (e) "Governor" means a member of the Board of Governors of OPEC, as defined in the Statute of OPEC ;
- (f) "Representatives of Member Countries" means accredited representatives of Member Countries and members of their delegations, but does not include administrative and technical or other auxiliary staff ;
- (g) "Meeting convened by OPEC" means any meeting of the Conference of OPEC or of the Board of Governors of OPEC, or any international conferences or other gatherings convened by OPEC or under its sponsorship ;
- (h) "Archives of OPEC" means records and correspondence, documents, manuscripts, still and moving pictures, films and sound recordings belonging to or held by OPEC ;

¹ Came into force on 30 December 1965, upon an exchange of notes between the Organization of the Petroleum Exporting Countries and the Austrian Government, in accordance with article 27.

- (i) "Officials of OPEC" means the Secretary General and all members of the staff of OPEC, except those who are locally recruited or on temporary employment;
- (j) "Property" means all property, including funds and other assets, belonging to OPEC or held or administrated by OPEC in furtherance of its statutory functions and all income of OPEC; and
- (k) "Headquarters" means the headquarters area with the building or buildings upon it, as defined in a supplemental agreement between the Government and OPEC, and, as the case may be, any other land or building which may from time to time be included, temporarily or permanently, therein in accordance with the provisions of Article 2 (2).

Article 2

(1) The permanent headquarters of OPEC, as approved by Resolution of the Conference of OPEC and as defined in the supplemental agreement between the Government and OPEC referred to in Article 1 (k), shall be in the headquarters seat.

(2) Any building outside the headquarters seat which is used with the concurrence of the Government for meetings convened by OPEC shall be temporarily included in the headquarters seat.

Article 3

(1) The Government recognizes the extraterritoriality of the headquarters seat, which shall be under the control and authority of OPEC as provided in this Agreement.

(2) Except as otherwise provided in this Agreement, the laws of the Republic of Austria shall apply within the headquarters seat.

(3) Except as otherwise provided in this Agreement, the courts or other appropriate organs of the Republic of Austria shall have jurisdiction, as provided in applicable laws, over acts done and transactions taking place in the headquarters seat.

(4) The headquarters seat shall be inviolable. No officer or official of the Republic of Austria, or other person exercising any public authority within the Republic of Austria, shall enter the headquarters seat to perform any duties therein except with the consent of, and under conditions approved by, the Secretary General. The consent of the Secretary General may, however, be assumed in case of fire or other disaster requiring prompt protective action.

(5) The service of legal process, including the seizure of private property, shall not take place within the headquarters seat except with the express consent of, and under conditions approved by, the Secretary General.

Article 4

The Government recognizes the juridical personality of OPEC and, in particular, its capacity :

- (a) To contract ;
- (b) To acquire and dispose of movable and immovable property ; and
- (c) To institute legal proceedings.

Article 5

The Government recognizes the right of OPEC to convene meetings within the headquarters seat or, with the concurrence of the Government, elsewhere in the Republic of Austria.

Article 6

OPEC and its property, wherever located and by whomsoever held, shall enjoy immunity from every form of legal process except in so far as in any particular case OPEC shall have expressly waived its immunity. It is, however, understood that no waiver of immunity shall extend to any measure of execution.

Article 7

The property of OPEC, wherever located and by whomsoever held, shall enjoy immunity from search, requisition, confiscation, expropriation and any other form of interference, whether by executive, administrative, judicial or legislative action.

Article 8

The archives of OPEC shall be inviolable wherever located.

Article 9

(1) OPEC and its property shall, in principle, be exempt from all forms of taxation, provided, however, that such tax exemption shall not extend to taxes which are in fact no more than charges for public utility services. Moreover, OPEC shall not enjoy the tax exemption in respect of any activity not directly related to the realisation of the aims of the Organization.

(2) Articles imported or exported by OPEC for its official purposes shall be exempt from customs duties and other levies, economic prohibitions and economic restrictions on imports and exports ; it is understood, however, that articles imported in accordance with this paragraph shall not be sold by OPEC in the Republic of Austria except under conditions agreed upon with the Government.

Article 10

OPEC shall enjoy, as far as may be compatible with any international conventions, regulations and arrangements to which the Government is a party, for its official communications, treatment not less favourable than that accorded by the Government to any other organization or government, including diplomatic missions of such other government, in the matter of priorities and rates for mails, cables, telegrams, radiograms, telephotos, television, telephone and other communications, and press rates for information to press and radio.

Article 11

(1) All official communications directed to OPEC, or to any of its officials at the headquarters seat, and all outward official communications of OPEC, by whatever means or in whatever form transmitted, shall be immune from censorship and from any other form of interception or interference with their privacy.

(2) OPEC shall have the right to use codes and to dispatch and receive correspondence and other official communications by courier or in sealed bags, which shall have the same privileges and immunities as diplomatic couriers and bags. If, however, the competent authorities of the Republic of Austria have serious reason to believe that the bag contains something other than correspondence and official communications dispatched by, or directed to OPEC, they may request that the bag be opened in their presence by an authorized representative of OPEC. If this request is refused by OPEC, the bag shall be returned to its place of origin.

Article 12

(1) Without being subject to any controls or regulations of any kind, OPEC may freely for official purposes :

a) Purchase any currencies through authorized channels and hold and dispose of them ;