

PROTOCOL BETWEEN
THE REPUBLIC OF AUSTRIA
AND
THE ORGANIZATION OF THE PETROLEUM EXPORTING COUNTRIES (OPEC)
AMENDING THE
AGREEMENT BETWEEN THE REPUBLIC OF AUSTRIA AND THE
ORGANIZATION OF THE PETROLEUM EXPORTING COUNTRIES
REGARDING THE HEADQUARTERS OF THE ORGANIZATION OF THE
PETROLEUM EXPORTING COUNTRIES

The Republic of Austria and the Organization of the Petroleum Exporting Countries, hereinafter referred to as “OPEC”

WISHING to amend the Agreement between the Republic of Austria and the Organization of the Petroleum Exporting Countries Regarding the Headquarters of the Organization of the Petroleum Exporting Countries of 18 February 1974, as amended by the Exchange of Notes of 8 February 1985, the Exchange of Notes of 3 and 14 July 2000 and the Protocol of 30 September 2009, hereinafter altogether referred to as “Headquarters Agreement”,

HAVE AGREED as follows:

Article I

Article 5 of the Headquarters Agreement shall be amended to read as follows:

“Article 5

- (1) 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 and other disaster requiring prompt protective action.
- (2) 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 the conditions approved by, the Secretary General.
- (3) This article shall apply subject to the provisions of Article 9.”

Article II

Article 9 of the Headquarters Agreement shall be amended to read as follows:

“Article 9

- (1) OPEC and its property, wherever located and by whomsoever held, shall have immunity from every form of legal process, except:

- (a) 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.
- (b) in the case of civil action brought by a third party for damages in connection with the operation of motor vehicles on OPEC's behalf in Austria.

(2) Employment disputes between OPEC and its staff or former staff members shall be settled by an independent and impartial dispute resolution mechanism pursuant to OPEC's internal regulations that protects the rights of its staff or former staff members. The decisions issued by this mechanism shall be final and binding for the parties."

Article III

This Protocol shall enter into force on the first day of the month after the Republic of Austria and OPEC have informed each other of the completion of the procedures required, for each of them, to be bound by it.

Done in Vienna, on _____, in duplicate in the German and English languages, all texts being equally authentic.

For the
Republic of Austria:

For the Organization of the Petroleum
Exporting Countries: