

AGREEMENT¹ ESTABLISHING THE ASSOCIATION OF IRON ORE EXPORTING COUNTRIES

PREAMBLE

The Contracting Parties,

Conscious of the importance of iron ore, which is a non-renewable resource, to the world economy in general and to their own national economies in particular;

Convinced of the need for close co-operation among Member countries with a view to safeguarding their interests in relation to the iron ore export industry;

Believing that such co-operation will contribute to the improvement of international market conditions for iron ore;

Recognising that in any co-operative effort of this nature the interests of importing countries would need to be borne in mind;

Recognizing further the desirability of increasing resources available for the economic and social development of Member countries, consistent with the sustained growth of the world economy and, in particular, with the development needs of the developing countries;

Conscious of the need to safeguard their permanent sovereignty over their natural resources;

Recognising the desirability of effective national control over the exploitation of iron ore within Member countries;

Have agreed as follows:

I. ESTABLISHMENT

Article 1. The Association of Iron Ore Exporting Countries (hereinafter referred to as the Association) is hereby established.

II. MEMBERSHIP

Article 2. Membership of the Association shall be open to:

(a) Algeria, Australia, Brazil, Canada, Chile, India, Liberia, Mauritania, Philippines, Peru, Sierra Leone, Swaziland, Sweden, Tunisia and Venezuela;

¹ Came into force in respect of the following countries on 12 October 1975, i.e. 30 days after signature on behalf of seven countries, in accordance with article 36:

<i>State</i>	<i>Date of Signature</i>
Mauritania	14 May 1975
Algeria	13 June 1975
Venezuela	13 June 1975
Chile	2 July 1975
India	4 July 1975
Australia	10 July 1975
Peru	12 September 1975

Subsequently, the Agreement came into force for the following States 30 days after signature, in accordance with article 36:

<i>State</i>	<i>Date of Signature</i>
Sierra Leone	16 September 1975
(With effect from 16 October 1975)	
Tunisia	16 September 1975
(With effect from 16 October 1975)	

No. 14441

MULTILATERAL

Agreement establishing the Association of Iron Ore Exporting Countries. Concluded at Geneva on 3 April 1975

Authentic texts: English, Spanish and French.

Registered by India on 26 November 1975.

MULTILATÉRAL

Accord portant création de l'Association des pays exportateurs de minerai de fer. Conclu à Genève le 3 avril 1975

Textes authentiques : anglais, espagnol et français.

Enregistré par l'Inde le 26 novembre 1975.

- (b) Any other country exporting, or holding substantial reserves of, iron ore and with similar interests to those of the Member countries.

Article 3. Countries which sign this Agreement in accordance with Article 35 shall become Member countries of the Association.

Article 4. A country referred to in Article 2(b) may, after the Agreement enters into force, apply for membership of the Association and may become a Member country upon the unanimous acceptance of the existing Member countries and signature of this Agreement in accordance with Article 36.

III. OBJECTIVES

Article 5. The objectives of the Association are:

- (a) to promote close co-operation among Member countries with a view to safeguarding their interests in relation to the iron ore export industry;
- (b) to ensure the orderly and healthy growth of export trade in iron ore;
- (c) to assist Member countries to secure fair and remunerative returns from the exploitation, processing and marketing of iron ore with a view to improving their export earnings and terms of trade;
- (d) to contribute to the economic and social development of Member countries and in particular to encourage further processing of iron ore in Member countries including into iron and steel; and
- (e) to provide a forum for the exchange of information and effective and meaningful consultations on problems relating to the iron ore export industry with a view to enabling Member countries to take appropriate action.

IV. ORGANISATION

Article 6. The Association shall consist of the following organs:

- (a) the Conference of Ministers;
- (b) the Board; and
- (c) the Secretariat.

V. THE CONFERENCE OF MINISTERS

Article 7. The Conference of Ministers shall be the supreme authority of the Association and shall concern itself with the attainment of the objectives of the Association.

Article 8. The Conference of Ministers shall consist of delegations representing the Member countries. It will ordinarily meet once in two years. Extraordinary sessions may also be held at the request of a Member country supported by two thirds of the Member countries.

Article 9. All decisions of the Conference of Ministers shall require unanimous agreement of the Representatives of Member countries present. Each Member country shall be entitled to one vote. The Conference may, however, determine from time to time, by unanimous agreement, the matters which may be decided otherwise and the manner of doing so.

Article 10. Sessions of the Conference of Ministers shall normally be held at the headquarters of the Association.

VI. THE BOARD

Article 11. The Board shall consist of representatives of Member countries. It shall meet twice a year at the headquarters of the Association with the same voting requirements as the Conference of Ministers. Extraordinary sessions may also be held at the request of a Member country supported by two-thirds of the Member countries.

Article 12. The Board shall:

- (a) direct the management of the affairs of the Association and implement the decisions of the Conference of Ministers;
- (b) submit reports and make recommendations to the Conference of Ministers;
- (c) approve the annual budget of the Association;
- (d) consider the annual report of the Secretary-General on the activities of the Association; and
- (e) prepare the agenda for sessions of the Conference of Ministers.

Article 13. The Board may make any suitable arrangements for consultation and co-operation with other organisations. To this end, the Board may *inter alia* invite such organisations or non-Member countries to attend particular meetings held under the auspices of the Association as special invitees.

Article 14. The Board shall make mutually acceptable arrangements for consultation with importing countries.

Article 15. The Board shall be responsible for the supervision and evaluation of the technical, consultative and executive functions of the Secretariat and may direct the Secretariat to prepare studies relating to the iron ore industry, having due regard to the work being undertaken by other organisations.

Article 16. The Board may appoint technical committees to study and report on various aspects of the iron ore industry.

VII. THE SECRETARIAT

Article 17. The Secretariat shall receive instructions from the Conference of Ministers and the Board and act according to their decisions.

Article 18. The main functions of the Secretariat shall be:

- (a) to request, collect, centralise and process information related to iron ore and provide such information comprehensively to Member countries;
- (b) to advise on relevant matters upon request by Member countries; and
- (c) to undertake economic and technical studies on, *inter alia*, the demand and supply position for iron ore, trends in prices, scrap availability, marketing, transportation problems, technological advances and their impact on the consumption of iron ore and processing.

Article 19. In order to enable the Secretariat to carry out the above functions, the Member countries shall give it all possible information.

Article 20. The Secretariat shall consist of the Secretary-General and such administrative, research and other technical staff as may be required for the discharge of its functions.

Article 21. The Secretary-General shall be appointed by the Conference of Ministers for a term of four years and shall be eligible for re-appointment.

Article 22. Members of the staff of the Secretariat, except staff engaged in a temporary or consultative capacity, shall be nationals of a Member country. Senior administrative and technical staff shall be appointed by the Board on the recommendation of the Secretary-General. In the appointment of such staff, the Board shall endeavour to secure the widest possible representation of nationals of Member countries which is consistent with efficiency.

Article 23. The Secretary-General shall coordinate the functions of the Secretariat and carry out such functions as are assigned to him by the Conference of Ministers and the Board. In particular the Secretary-General shall:

- (a) act as the representative of the Secretariat;
- (b) supervise the work of the Secretariat;
- (c) make recommendations to the Board;
- (d) engage technical and administrative personnel for the Secretariat according to the instructions of the Board;
- (e) before the beginning of the financial year, submit a draft annual budget of the Association to the Board;
- (f) where necessary, submit a supplementary budget to the Board after the beginning of the financial year;
- (g) authorise expenditure within the approved budget;
- (h) as soon as possible after the close of each financial year, but not later than sixty days thereafter, submit to the Board an annual report of the activities of the Association, including an audited statement of receipts and expenditure in respect of that year.

Article 24. The officials of the Secretariat shall neither seek nor accept instructions from any Member country or from any source outside the Association.

Article 25. The Governments of Member countries shall respect the international character of the functions of the officials of the Secretariat and shall not endeavour to influence them in the performance of their duties.

Article 26. The officials of the Secretariat shall not have any financial interest in the iron ore or related industries.

VIII. INSTITUTIONAL MATTERS

Article 27. The Conference of Ministers shall draw up rules and regulations for the conduct of the business of the Association consistent with the provisions of this Agreement.

Article 28. The official languages of the Association shall be English, Spanish and French.

Article 29. The headquarters of the Association shall be located in London.

Article 30. The Association shall conclude with the Government of the United Kingdom an agreement relating to the status of the Association and to the privileges and immunities to be recognized and granted in respect of the Secretariat and its staff.

Article 31. The Association shall have in the territory of each Member country such legal capacity as may be necessary for the exercise of its functions under this Agreement. In any legal proceedings, the Association shall be represented by the Secretary-General.

Article 32. The expenses of the Association shall be met by equal annual contributions from Member countries. The financial year of the Association shall commence on 1 January and end on 31 December each year.

Article 33. Contributions to the budget shall be paid in freely convertible currency into the Association's banking account in one instalment, which shall become due in January of each year.

Article 34. The representative of a country whose contributions are in arrears by more than twelve months shall not be entitled to vote in meetings of the Board while the payments remain in arrears.

IX. FINAL CLAUSES

Article 35. This Agreement shall remain open at New Delhi for signature by the duly accredited representatives of the countries listed in Article 2(a) of this Agreement.

Article 36. This Agreement shall enter into force thirty days after signature by seven countries. Thereafter it shall enter into force for each new signatory country thirty days after signature.

Article 37. The Board may by unanimous vote recommend to Member countries an amendment to this Agreement. Such amendment shall enter into force thirty days after receipt by the Government of India of the last notification of acceptance of the amendment by Member countries.

Article 38. This Agreement and any amendments thereto shall be registered with the United Nations.

Article 39. A Member country may withdraw from the Association by lodging a written notice of intention to withdraw with the Government of India which shall transmit certified copies of the notice to each Member country. Unless this notice is revoked or modified the withdrawal shall take effect twelve months after the date on which the notice was received by the Government of India.

Article 40. A Member country which withdraws from the Association shall honour any financial obligations incurred during its membership of the Association.

Article 41. This Agreement may be terminated by the affirmative votes of all Member countries.

Article 42. The original of this Agreement, of which the English, Spanish and French texts are equally authoritative, shall be deposited with the Government of India which shall transmit certified copies thereof to each signatory country.

IN WITNESS WHEREOF the undersigned, being duly authorised to this effect by their respective governments, have signed this Agreement on the dates opposite their respective signatures.

EN FE DE LO CUAL, los infrascritos, debidamente autorizados por sus respectivos gobiernos, han firmado el presente Acuerdo en las fechas señaladas al lado de sus firmas.

EN FOI DE QUOI les soussignés, dûment autorisés à cet effet par leurs gouvernements respectifs, ont signé le présent Accord aux dates figurant en regard de leurs signatures respectives.

For Algeria:
Por Argelia:
Pour l'Algérie :

[OMAR OUSSEDIK]¹ 13.6.75
Ambassadeur extraordinaire
et ministre plénipotentiaire

For Australia:
Por Australia:
Pour l'Australie :

[BRUCE GRANT] 10/7/1975³

For Brazil:
Por el Brasil:
Pour le Brésil :

For Canada:
Por el Canada:
Pour le Canada :

For Chile:

[AUGUSTO MARAMBIO CABRERA] July 2/1975

Por Chile:

[AUGUSTO MARAMBIO CABRERA] Julio 2/1975

Pour le Chili :

For India:
Por la India:
Pour l'Inde :

[D. P. CHATTOPADHYAYA] 4.7.75³

¹ Names of signatories appearing between brackets were not legible and have been supplied by the Government of India — Les noms des signataires donnés entre crochets étaient illisibles et ont été fournis par le Gouvernement indien.

² 10 July 1975—10 juillet 1975.

³ 4 July 1975—4 juillet 1975.

For Liberia:
Por Liberia:
Pour le Libéria :

For Mauritania:
Por Mauritania:
Pour la Mauritanie :

[Signed — Signé]

AHMEDOU OULD TOLBA

Le 14.5.75

For Peru:
Por el Perú:
Pour le Pérou :

[ALBERTO MACLEAN URZUA]

12-Set-1975¹

For the Philippines:
Por Filipinas:
Pour les Philippines :

For Sierra Leone:
Por Sierra Leona:
Pour le Sierra Leone :

[LLOYD KOJO ONIKEH RANDALL] 16th September 1975

For Swaziland:
Por Swazilandia:
Pour Souaziland :

For Sweden:
Por Suecia:
Pour la Suède :

For Tunisia:
For Túnez:
Pour la Tunisie :

[ABDUL AZIZ HAMZAOUÏ]

September 16th, 1975

For Venezuela:
Por Venezuela:
Pour le Venezuela :

[JULIO CARDOZO FARIA]

13-6-75

¹ 12 September 1975—12 septembre 1975.