

C A N M U N 2 0 2 5

BACKGROUND GUIDE



OPEC+ Organization of the
Petroleum Exporting
Countries

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Letter from the Executive Board

Dear delegates,

It gives us great honour and immense pleasure to welcome you all to the Organisation of Petroleum Exporting Countries (OPEC+) at CANMUN 2025. As representatives of member nations of the OPEC+, you are tasked with debating, deliberating, and reaching a consensus on the agendas at hand.

This background guide has been designed to help you get started on your research. However, this document shouldn't be your only source of research. Building upon the outlook presented by this guide, you are expected to carry out your own research through authentic sources and make sure to engage in comprehensive and pragmatic debate throughout the sessions.

The Executive Board will not interfere in the flow of debate unless absolutely required. Therefore, the obligation to ensure that the committee does not stagnate lies with the delegates. We strongly believe that with good research, the delegates will be able to steer the committee in the right direction.

Please do not hesitate to get in touch with the Executive Board at any time before or during the conference in case you have any queries about the agenda or the rules of procedure. Further, we have added an addendum to this letter that talks about the nature of evidence entailed in this simulation.

We request the delegates not to view this conference as a zero-sum game. Model UN conferences are collaborative rather than competitive, and we would like to keep this spirit alive in our committee. Our goal isn't to solve the world's problems in two days, but rather to educate ourselves about them, thereby ensuring that we go on to become a generation of sensitised leaders, equipped with the skills and will to make our world a better place. With that being said, we wish you all good luck and eagerly look forward to the conference.

Regards,

Chairperson: Samiksha VB (samikshavb@gmail.com)

Vice Chairperson: Arin V Jagtap (arinvjagtap@gmail.com)

Moderator: Hridhhi (hridhhi3000@gmail.com)

Rules Of Procedure - RoP

Rules of Procedure (RoP) refers to the set of rules and conduct that delegates are expected to follow and maintain during the entirety of the conference in order to ensure decorum and order are maintained. This committee follows a structure adapted from standard Model UN formats while reflecting the specific nature of the OPEC+ committee, where economic coordination, negotiation, and technical agreements are at the core of discussions.

Flow of the Committee:

Motion to begin roll call

To put this motion in order, the delegate of (portfolio) raises a motion to begin a roll call. During roll call, the delegate may respond with “Present” or “Present and Voting.”

- If a delegate responds “Present and Voting,” they are committed to voting either “Yes” or “No” in all substantive votes and cannot abstain.
- If a delegate responds “Present,” they retain the option to abstain from voting during substantive votes.

Motion to set the agenda

To put this motion in order, the delegate of (portfolio) raises a motion to adopt the agenda. The agenda determines the order of topics discussed during the session. The motion requires a simple majority to pass.

Motion to open the General Speakers’ List (GSL)

To put this motion in order, the delegate of (portfolio) raises a motion to open the GSL. Delegates are recognised in order and given a fixed speaking time to present their country’s position on the topic.

Motion to move into a moderated caucus

To put this motion in order, the delegate of (portfolio) raises a motion to suspend formal debate and move into a moderated caucus on a specific topic for a defined period. The motion includes details such as the total time for the caucus and the time allotted to each speaker.

Motion to move into an unmoderated caucus

To put this motion in order, the delegate of (portfolio) raises a motion to suspend formal debate and move into an unmoderated caucus for a defined time. Unmoderated caucuses allow delegates to freely negotiate and collaborate.

Motion to present the final agreement

To put this motion in order, the delegate of (portfolio) raises a motion to introduce the final agreement. Only OPEC and OPEC+ member states may sponsor or co-sponsor the final agreement.

Motion to move into amendments

To put this motion in order, the delegate of (portfolio) raises a motion to enter the amendment process for a particular agreement. Delegates can propose changes to clauses of the agreement.

Motion to vote on the final agreement

To put this motion in order, the delegate of (portfolio) raises a motion to move the agreement to the voting procedure. Delegates may vote “Yes,” “No,” or abstain depending on whether they are “Present and Voting” or simply “Present.”

Motion to adjourn the committee

To put this motion in order, the delegate of (portfolio) raises a motion to adjourn the session.

Motion to resume the committee

To put this motion in order, the delegate of (portfolio) raises a motion to resume committee work after adjournment.

General Committee Procedures:

General Speakers’ List (GSL)

- The GSL is a list of delegates who wish to speak during formal debate.
- The default speaking time is 90 seconds, but it can be modified by the chair.
- Points of information may be raised during speeches if recognised by the chair.
- If a delegate finishes early, they may yield the remaining time in four ways:
 - a. Yield to the Executive Board – The board decides how to allocate the time.
 - b. Yield to Questions – Allows delegates to ask questions.
 - c. Yield to Comments – Allows delegates to comment on the speech.
 - d. Yield to another delegate – Allows another delegate to use the remaining time.

Moderated Caucus

- Used for focused discussion on a sub-topic.
- The time per speaker cannot exceed 2 minutes, and the total duration is usually up to 20 minutes.
- Points of information and yielding are not allowed, though points of order are entertained.
- The chair recognises speakers and ensures adherence to time limits.

Unmoderated Caucus

- Allows informal discussion and negotiation among delegates.
- Delegates move freely and collaborate without chair intervention.
- It is usually used to draft agreements, form blocs, or discuss strategies.
- The time limit is typically up to 20 minutes and may be extended by half of the previous session’s duration.

Points

Point of Information

Used to ask questions regarding a speech that has just ended. The delegate must address the Executive Board and may ask follow-up questions at the board's discretion.

Point of Order

Used to point out procedural flaws or errors in another delegate's statement, such as factual inaccuracies or logical fallacies. The point must be raised formally to the Executive Board.

Point of Personal Privilege

Used when a delegate faces personal discomfort or impediments, such as noise or health issues. This point takes precedence over other interventions and can be raised even during a speech.

Point of Parliamentary Enquiry

Used to ask procedural questions regarding the flow of debate, motions, or rules of procedure.

Use of Chits

Delegates may submit written notes known as chits to the chair to request points or clarifications during debate. Approved chits are read aloud by the chair.

Types of Chits:

1. ***Clarification Chit*** – Requests for additional information on another delegate's statement.
2. ***Inquiry Chit*** – Questions regarding procedural matters or technical aspects.
3. ***Request-to-Speak Chit*** – Requests to be added to the GSL outside of scheduled turns.
4. ***Point Submission Chit*** – Notes submitted for points of order, information, or inquiry during moderated caucuses or formal debate.

Format of a Substantive Chit

Substantive Chit

To: Executive Board

From: The Delegate of (portfolio)

[List Points, Max 6]

Final Documentation (Final Agreement)

The final documentation reflects the committee's outcomes and summarises all negotiated agreements and positions.

- The final agreement is structured similarly to a resolution, with the following elements:
 - **Preambulatory Clauses** – Provide background, context, and reasons for action.
 - **Operative Clauses** – Detail the policies, actions, or commitments agreed upon by member states.
 - **Annexes** – Include technical appendices such as production schedules, compliance timelines, or data reports.
- Only OPEC and OPEC+ member states may sponsor or co-sponsor the final agreement.
- Non-member states may contribute to discussions but cannot sponsor or author agreements.
- Final agreements are debated, amended, and voted upon by member states.
- The outcome is recorded as part of the committee's proceedings.
- Non-member contributions are included in statements but not in operative clauses unless consensus allows their inclusion.

Draft Agreements

Draft agreements are the working documents that guide the committee's debate and negotiation.

- Draft agreements include both preambulatory and operative clauses.
- They are modelled after resolutions to provide structure and clarity.
- Only OPEC and OPEC+ members may sponsor or co-sponsor drafts.
- Non-members may suggest changes but cannot formally sponsor agreements.
- Amendments to the draft agreement may be proposed, debated, and voted upon before adoption.

Amendments

Amendments allow delegates to make changes to a draft agreement.

- They can be modifications to wording, additions, or deletions of clauses.
- Amendments must be submitted in writing to the chair.
- Only member states may sponsor amendments.
- Non-members may propose ideas but cannot submit formal amendments.
- Amendments are debated and voted on before the final version of the agreement is adopted.

Voting

Voting procedures are divided into procedural and substantive votes.

- ***Procedural Votes*** – Used for motions such as setting the agenda or approving caucuses. These require a simple majority.
- ***Substantive Votes*** – Used for adopting draft agreements or amendments. These may require a simple or two-thirds majority, depending on the chair's decision.
- OPEC and OPEC+ members vote on all procedural and substantive matters.
- Non-member states generally do not vote on substantive matters but may be allowed to vote on procedural matters at the chair's discretion.
- Delegates vote “Yes,” “No,” or abstain depending on their roll call response.
- Roll-call votes may be called for transparency, while voice votes may be used for less critical issues.



Introduction to the Committee

The Organisation of the Petroleum Exporting Countries (OPEC), founded in 1960, laid the foundation for the collective management of oil markets by major petroleum-producing nations. While OPEC's thirteen members continue to coordinate policies among themselves, the evolving realities of the global oil supply created the need for a broader coalition. This gave rise to OPEC Plus (OPEC+) in December 2016, a partnership between OPEC and ten non-OPEC producers, most notably Russia. The establishment of this alliance transformed it into one of the most influential actors in global energy governance.

OPEC+ emerged during the oil price crisis of 2014 to 2016, when oversupply and competition from United States shale producers caused prices to collapse. Recognising the necessity of coordinated action beyond OPEC, the alliance was formed to stabilise markets through joint production adjustments. Today, OPEC+ controls close to 40% of global crude oil production and nearly 60% of oil exports, granting it immense leverage over international energy markets and pricing mechanisms.

The membership of OPEC+ comprises twenty-three countries. These include the thirteen OPEC members along with ten non-OPEC states, namely Russia, Mexico, Kazakhstan, Oman, Azerbaijan, Malaysia, Brunei, Bahrain, South Sudan, and Sudan. Within this structure, Saudi Arabia and Russia serve as co-leaders, and their cooperation is indispensable for decisions to take effect. While all member states have a voice in discussions, the influence of these two producers is particularly significant given their production capacity and geopolitical weight.

The mandate of OPEC+ extends beyond that of OPEC itself. Whereas OPEC's statute emphasises ensuring stable and fair returns for producers while maintaining reliable supplies for consumers, OPEC+ is primarily concerned with the collective management of supply to prevent severe fluctuations in price. This has involved production cuts during periods of demand collapse, such as the record reduction of 9.7 million barrels per day during the COVID-19 crisis in 2020, as well as increases in production when markets tighten. The central objective is to balance supply and demand, promote stability, and foster a predictable environment for global energy investment.

Decision-making in OPEC+ is conducted through several institutional mechanisms. The OPEC+ Ministerial Meeting serves as the highest decision-making body, where energy ministers determine production targets. Supporting this are the Joint Ministerial Monitoring Committee (JMMC), which oversees compliance with agreed measures, and the Joint Technical Committee (JTC), which provides detailed market data and analysis. Unlike OPEC, which operates under a formal statute, OPEC+ bases its decisions on the 2016 Declaration of Cooperation and the 2019 Charter of Cooperation, both of which are non-binding agreements. This structure makes OPEC+ less rigid than OPEC but also highly adaptable in times of crisis.

The documentation procedures of OPEC+ are rooted in practical consensus rather than treaty law. Key instruments include the Declarations of Cooperation, which set out production adjustments; ministerial communiqués, which formally summarise decisions; production adjustment tables, which distribute quotas among member states; and the Monthly Oil Market Report (MOMR), published by the OPEC Secretariat, which provides the technical foundation for negotiations. These documents act both as internal records of policy and as signals to global markets.

Unlike organisations that operate within the framework of the United Nations, OPEC+ is not a formal international institution. OPEC itself is a recognised intergovernmental organisation and has held observer status at the United Nations General Assembly since 1965. However, OPEC+ remains a coalition based on voluntary cooperation. Its agreements are not legally binding but rely on political will, peer pressure, reputational incentives, and, above all, the leadership of Saudi Arabia and Russia to ensure compliance.

In conclusion, OPEC+ represents a flexible and pragmatic alliance that plays a decisive role in stabilising the global oil market. While OPEC provides the institutional backbone, the inclusion of non-OPEC states grants OPEC+ an unprecedented scope and influence. By combining formal and informal documentation, consensus-driven decision-making, and geopolitical bargaining, OPEC+ has positioned itself as a central force in global energy governance. Its actions continue to shape oil prices, influence economic stability, and define the contours of international relations in the energy sector.

Introduction to the Agenda

“Discussing the Future of Crude Oil and Petroleum Products with Respect to International Environmental Law”

OPEC+, as the coalition responsible for coordinating a significant proportion of global crude oil and petroleum production, stands at a pivotal juncture. The future of crude oil is increasingly influenced by the growing body of international environmental law, which imposes binding obligations through instruments such as the Montreal Protocol, the Basel Convention, and the Paris Agreement. These legal frameworks mandate strict controls over substances that harm the ozone layer, regulation of hazardous waste arising from petroleum extraction and processing, and urgent reductions in greenhouse gas emissions to combat climate change.

The convergence of these environmental imperatives with market realities requires a thorough reassessment of how OPEC+ member states manage crude oil production and petroleum products. The global energy transition, driven by climate obligations and the development of renewable energy technologies, foreshadows a gradual yet decisive reduction in demand for fossil fuels. This shift will have significant repercussions on market dynamics, including heightened price volatility, altered supply-demand balances, and the emergence of cleaner petroleum-based alternatives compliant with evolving environmental standards. Moreover, the agenda underscores the importance of integrating rigorous environmental impact assessments as a mandatory element in production planning and quota setting. Accountability frameworks must also be strengthened to address environmental degradation directly attributable to petroleum sector activities, ensuring compliance with both domestic regulations and international legal standards.

Important Definitions and Legalities

The OPEC+ alliance is an intergovernmental grouping of 23 petroleum-exporting nations, comprising the 13 members of OPEC along with 10 non-OPEC producers. Together, these states coordinate their oil production policies to stabilise global markets and secure predictable revenues. The Conference functions as the supreme governing body of OPEC+, consisting of oil ministers from all member countries. It is tasked with setting production targets, issuing Ministerial Declarations, and providing long-term strategic direction. Complementing this structure is the OPEC Fund for International Development, a financial institution created by OPEC members, which now also plays a role in supporting energy transition projects such as renewable energy and carbon capture, utilisation, and storage (CCUS).

A key instrument of OPEC+ governance is the production quota, a fixed cap on crude oil output for each member state over a defined period. In times of market imbalance, these quotas may be adjusted through output cuts, which are reductions from the baseline reference levels. Spare capacity, which refers to unused production capacity available beyond quotas, is often deployed as a tool for market stabilisation during demand shocks. To ensure fairness and accountability, OPEC+ relies on baseline references, often based on historical production levels, and in some cases applies a price band mechanism, particularly through the leadership of Saudi Arabia and Russia, to stabilise prices when they fluctuate beyond agreed corridors.

Monitoring and compliance are central to the credibility of OPEC+. The Joint Technical Committee (JTC) plays a critical role as a technical advisory body, analysing supply-demand balances, reviewing compliance, and recommending adjustments. Compliance is measured through the compliance percentage, which reflects the ratio of actual production cuts to agreed cuts. In addition, the organisation employs a peer review mechanism, allowing member states to examine one another's compliance data and raise concerns informally. Under the Decision Implementation Mechanism, members also have statutory reporting obligations, requiring them to submit monthly data on production, reserves, and compliance to the Secretariat.

Beyond market regulation, OPEC+ members are bound by international obligations under environmental law. The United Nations Framework Convention on Climate Change (UNFCCC, 1992) requires states to monitor and report greenhouse gas emissions while progressively enhancing their commitments. The Paris Agreement (2015) legally binds parties, including all OPEC+ members, to limit global warming to well below 2 °C and to pursue efforts to restrict it to 1.5 °C. Nationally tailored pledges, known as Nationally Determined Contributions (NDCs), form the basis of this system. Recent developments, such as the International Court of Justice Advisory Opinion on Climate Change (2025), have raised the stakes by affirming that fossil fuel production inconsistent with climate obligations may amount to internationally wrongful acts. This ruling underscored that climate duties are erga omnes, meaning obligations owed to the entire international community. In parallel, the right to a healthy environment is increasingly recognised as a legal standard in both domestic and international courts.

In response to these obligations, OPEC+ members have adopted a range of policy frameworks. The Circular Carbon Economy (CCE) emphasises reducing, reusing, recycling, and removing carbon emissions through technologies such as CCUS, hydrogen, and low-carbon fuels. The principle of a just energy transition has also gained prominence, ensuring that economic shifts in the energy sector are equitable, protecting livelihoods and energy access. Concepts such as the carbon budget, which sets the maximum allowable cumulative emissions to meet global temperature goals, and lifecycle emissions accounting, which quantifies greenhouse gases across the full value chain of petroleum products, are now integrated into OPEC+'s long-term considerations.

Market mechanisms also play an increasing role in aligning oil production with climate goals. Several OPEC+ members have launched or are piloting emissions trading systems (ETS), where emission allowances are allocated and traded under cap-and-trade frameworks. Carbon credits, representing one ton of CO₂-equivalent reduction or removal, are central to these schemes. Initiatives such as Saudi Arabia's Greenhouse Gas Crediting and Offsetting Mechanism (GCOM), the Abu Dhabi Global Market Carbon Exchange, and Qatar's Global Carbon Council highlight how carbon markets are becoming integrated into OPEC+ economies.

Environmental regulations within OPEC+ countries are also evolving. Environmental Impact

Assessments (EIA) are mandatory for new energy projects, requiring comprehensive evaluations of climate and lifecycle impacts. Similarly, stranded asset risk assessments are increasingly important, analysing the likelihood that reserves may lose value due to stricter global climate policies. Regulations on methane emissions require regular detection and reporting, while flare gas reduction standards seek to limit gas flaring and align members with the UNEP-led Zero Routine Flaring by 2030 initiative.

From a legal perspective, OPEC enjoys strong protections. The OPEC Headquarters Agreement (1965) grants the organisation legal personality, privileges, and immunities under Austrian law. In the United States, the Foreign Sovereign Immunities Act (FSIA, 1976) shields OPEC states from litigation for sovereign acts, such as production quota decisions, while the Act of State Doctrine prevents courts from questioning the validity of foreign sovereign actions. In the European Union, principles of sovereign immunity likewise protect member states from enforcement actions against their production decisions.

However, OPEC+ also faces scrutiny under antitrust and competition law. While the Sherman Act (U.S.) prohibits conspiracies restraining trade, attempts to apply it to OPEC+ have been blocked by doctrines of sovereign immunity and acts of state, as seen in IAM v. OPEC and Prewitt Enterprises v. OPEC. Generally, natural resource coordination remains exempt from WTO and regional competition rules because of the recognition of resource sovereignty.

Dispute resolution within OPEC+ is handled politically rather than judicially. An internal review panel may be convened to resolve compliance disputes, but its outcomes are not legally binding. More formal routes include Investor-State Dispute Settlement (ISDS), which allows foreign investors to claim compensation under bilateral treaties, and State-State Dispute Settlement (SSDS) under the Paris Agreement, though the latter remains largely untested in climate contexts. The International Court of Justice also provides advisory opinions, which, while non-binding, exert significant political and normative pressure on OPEC+ members.

Finally, emerging litigation trends increasingly shape the operating environment of OPEC+. Climate litigation is on the rise, with courts examining whether states and corporations must reduce emissions or provide compensation. Greenwashing claims allege misleading environmental disclosures by oil companies, while stranded asset disputes challenge the loss of value in reserves following regulatory changes. Increasingly, human rights-based claims are being filed, invoking the rights to life, health, and a clean environment. These developments illustrate the growing intersection between global climate law and the policies of OPEC+.

Stakeholders and Perspectives

OPEC+ Member States

- ***Oil-Dependent Economies (Saudi Arabia, Iraq, Venezuela, Algeria, Nigeria):*** Focus on maintaining oil production and exports to support national revenues and development. Concerned about strict environmental laws reducing demand and limiting exploration. Seek transitional funding, technology transfer, and fair terms for diversification.
- ***Diversifying Economies (UAE, Kuwait, Russia):*** Support balancing continued oil use with investments in renewable energy and cleaner technologies. Advocate for gradual reforms that enable long-term energy security while meeting climate commitments.
- ***Sanctioned or Volatile Market Economies (Iran, Russia):*** Concerned about geopolitical restrictions and market access. Fear that environmental regulations may be used as trade barriers. Push for exemptions, flexible timelines, or compensation mechanisms tailored to their challenges.
- ***Non-OPEC Oil Producing Countries (USA, Canada, Norway):*** Promote sustainable transition plans while ensuring market competitiveness and energy reliability. Support moderate emission reductions with incentives for innovation and infrastructure improvements.
- ***Environmental NGOs (Greenpeace, WWF):*** Demand strict adherence to international environmental agreements and urgent action to phase out fossil fuels. Call for investments in renewables, climate adaptation, and protection of ecosystems.
- ***United Nations (UNFCCC, UNEP):*** Advocate for global coordination on climate policies, standardised reporting, and equitable burden-sharing among nations. Support compliance mechanisms, carbon accounting, and sustainable development financing.

- **Developing Countries (Nigeria, Angola, Venezuela):** Seek financial support, technology sharing, and fair transitional plans to avoid energy poverty and economic collapse. Stress that developed countries with historical emissions bear greater responsibility.
- **Financial Institutions (IMF, World Bank):** Encourage investments aligned with climate resilience, sustainable infrastructure, and energy efficiency. Warn of risks to global markets if oil-dependent economies collapse without planning.
- **Renewable Energy Corporations and Investors:** Promote policies that incentivise green technologies, carbon capture solutions, and clean energy partnerships. Push for regulatory frameworks that phase out oil subsidies.
- **Consumers (Industrial and Residential Users Globally):** Demand affordable and consistent energy supplies while becoming more conscious of environmental impacts. Support diversified energy sources but fear price increases or disruptions.
- **Legal Experts and International Arbitration Bodies:** Work on establishing frameworks for environmental liability, enforcement, and dispute resolution. Promote clear guidelines for compensation in cases of environmental damage or treaty violations.
- **Public Health Organisations (WHO):** Emphasise health risks linked to air pollution and oil-related emissions. Encourage policies that prioritise cleaner energy sources to reduce disease burden.
- **Oil and Gas Corporations (ExxonMobil, Shell, Aramco):** Seek to align with environmental mandates while protecting profits through innovation and offsets. Invest in carbon capture, energy efficiency, and public-private partnerships.
- **Indigenous and Local Communities:** Advocate for the protection of land, cultural heritage, and livelihoods impacted by oil extraction. Demand participatory decision-making and equitable benefit-sharing in energy transitions.

Timeline

1992 – United Nations Framework Convention on Climate Change (UNFCCC) Adopted

- Established the foundation for global cooperation on climate change mitigation and adaptation. Introduced commitments for reducing greenhouse gas emissions, which later impacted discussions on fossil fuels, including oil and petroleum products.

1997 – Kyoto Protocol Adopted

- Set binding emission reduction targets for developed countries. Increased pressure on oil-producing nations to account for their carbon emissions and explore cleaner energy alternatives.

2009 – Copenhagen Accord

- Recognised the need to limit global temperature rise to below 2°C. Pushed for voluntary emission pledges, prompting oil-dependent economies to start engaging with renewable energy discussions.

2015 – Paris Agreement Adopted

- Marked a turning point by including both developed and developing nations in a framework to reduce emissions. Oil-exporting countries faced growing scrutiny and were encouraged to diversify energy portfolios while ensuring economic stability.

2021 – COP26 Glasgow Climate Pact

- Emphasised the importance of phasing down unabated coal and fossil fuel subsidies. Renewed calls for reducing reliance on oil and petroleum products, while offering mechanisms for technological cooperation.

2023 – OPEC's Circular Carbon Economy Strategy Expanded

- Promoted carbon capture, utilisation, and storage (CCUS) technologies and cleaner extraction methods. Allowed member states to align environmental responsibilities with continued oil production.

2025 – OPEC+ Production Increase Amid Climate Pressures

- Responded to market volatility and demand fluctuations by raising oil production, even as environmental groups called for stricter emission controls. Signalled tensions between economic needs and global climate commitments.

2025 – UN's Updated Reporting Requirements on Fossil Fuels

- Implemented stricter transparency and reporting rules under international environmental law. Oil-exporting and importing countries are required to disclose production volumes, emissions, and mitigation strategies.

2026 and Beyond – Transition Financing and Technology Sharing Agreements Expected

- Developing countries will negotiate for financial support and technology access to diversify energy sectors. Global institutions will coordinate funding mechanisms to assist oil-dependent nations during their transition.

Case Studies

Antitrust Litigation Against OPEC and Its Implications for OPEC+

The first serious legal challenges to OPEC emerged not in the environmental arena but in the field of antitrust law. In *International Association of Machinists v. OPEC* (1978), a United States labour union argued that OPEC's coordinated production cuts violated the Sherman Antitrust Act. Although the case was dismissed, largely due to the Foreign Sovereign Immunities Act and the Act of State Doctrine, it set the tone for how courts treat OPEC's decisions: as sovereign acts beyond the reach of domestic litigation. A similar outcome occurred in *Prewitt Enterprises v. OPEC* (2003), where jurisdictional issues prevented the case from proceeding.

For OPEC Plus, these episodes are more than history. They reveal a consistent legal shield, since production quotas and market coordination are treated as sovereign policy decisions. Yet they also highlight a vulnerability. Even though lawsuits failed, they amplified political debates about the fairness and legality of collective oil production decisions. Today, those debates intersect directly with global climate obligations.

OPEC Plus in International Climate Litigation: The ICJ Advisory Opinion of 2025

The 2025 International Court of Justice Advisory Opinion on Climate Change represents the most direct link between OPEC's policies and international environmental law. OPEC was one of only a dozen international organisations invited to submit statements, placing it in the same category as the African Union and the European Union. This participation is significant because it acknowledges that fossil fuel coordination is central to the climate debate.

The Court's findings were groundbreaking. It declared that activities such as fossil fuel production, exploration licensing, and subsidies may, under certain conditions, constitute internationally wrongful acts. It also held that climate obligations are owed to the global community as a whole, meaning states cannot simply argue sovereignty as a shield. For OPEC Plus, this raises a profound challenge. Its traditional role of managing oil supply now exists in direct tension with binding international climate obligations.

Member Country Case Studies: Nigeria and Environmental Justice

Nigeria's experience illustrates how OPEC Plus members are increasingly drawn into environmental litigation. The case of *Ogale and Bille Communities v. Shell*, filed in the United Kingdom High Court, involves over 42,000 residents of the Niger Delta seeking compensation for decades of oil spills. The magnitude is staggering, with more than 1.5 million tons of crude oil spilled in over 7,000 incidents since 1958.

The willingness of the United Kingdom court to hear the case rather than deferring to Nigeria reflects a growing recognition that domestic systems often fail affected communities. This sets a precedent for extraterritorial liability, where oil companies and, by extension, producing states can be held accountable in foreign jurisdictions. For OPEC Plus, this reinforces the reality that environmental mismanagement by one member can ripple outward, affecting the group's legitimacy and its ability to resist international scrutiny.

Saudi Arabia and the United Arab Emirates: Transition Legal Frameworks in OPEC Plus Leadership

Not all legal pressures on OPEC Plus are confrontational. Some members, particularly Saudi Arabia and the United Arab Emirates, are proactively reshaping their domestic legal landscapes to adapt to international climate norms. Saudi Arabia's Vision 2030 requires that half of its electricity come from renewable sources by 2030 and incorporates carbon capture technologies under its Circular Carbon Economy model. Similarly, the United Arab Emirates' Energy Strategy 2050 legally mandates renewable targets and has introduced a regulated carbon trading exchange under Abu Dhabi law.

These initiatives show that OPEC Plus members are not passively resisting global climate law. Instead, its leading producers are crafting domestic frameworks that balance hydrocarbon production with energy transition obligations. For OPEC Plus, this internal diversity complicates coordination but also offers models for how oil-rich economies can engage constructively with international environmental law.

OPEC Plus and Legal Immunity Challenges

OPEC's immunity has long been anchored in its Vienna headquarters agreement and the broader principle of sovereign immunity. Yet even this foundation has shown cracks. In 2022, Austria's Constitutional Court ruled that certain provisions of the OPEC Headquarters Agreement violated the European Convention on Human Rights by denying employees adequate access to justice. While the case was not about oil or climate, it revealed that absolute immunity is no longer guaranteed.

For OPEC Plus, this signals that its cooperative mechanisms may not remain untouchable. As international law increasingly integrates environmental and human rights standards, there is potential for more direct legal challenges to the group's operations, particularly where they intersect with climate obligations.

Implications for OPEC Plus under International Environmental Law

Taken together, these case studies reveal a clear trajectory. OPEC Plus is no longer insulated from international legal pressures. While early antitrust lawsuits failed, they laid the groundwork for broader scrutiny of coordinated oil policies. The International Court of Justice's climate opinion now directly challenges the legality of fossil fuel production under international law, while national courts, as seen in the Nigerian case, extend liability across borders. Meanwhile, members such as Saudi Arabia and the United Arab Emirates demonstrate how domestic legal frameworks can align oil policy with climate commitments.

The future of OPEC Plus will therefore hinge not only on its ability to stabilise oil markets but also on its capacity to navigate evolving environmental obligations. Its legitimacy will depend on whether it can balance energy security with climate responsibility, transforming from a cartel defined by production quotas into a coalition that engages meaningfully with international environmental law.

Past International Actions

Historically, OPEC and its extended coalition, OPEC+, have played a dominant role in the regulation of global oil production and pricing, wielding significant influence over energy markets and economic stability in member states. OPEC+ nations collectively account for a vast majority of global crude oil production, and their individual and collective engagement with international environmental law has evolved considerably alongside the global urgency of climate and environmental concerns.

Several prominent OPEC+ members, such as Saudi Arabia, the United Arab Emirates, Iraq, Kuwait, and Nigeria, have ratified and implemented major international environmental treaties. Their actions illustrate a spectrum of commitments that impact oil production, environmental governance, and compliance mechanisms:

- Saudi Arabia's Vision 2030 includes strategic investments in renewable energy and carbon capture technologies aimed at offsetting dependence on oil revenues and aligning with climate goals, signalling a proactive shift while preserving market stability.
- The UAE's Masdar Initiative reflects its commitment to sustainable urban development, renewable energy deployment, and research into carbon mitigation technologies, complementing its obligations under binding environmental treaties.
- Nations such as Nigeria and Kuwait have progressively enhanced environmental regulations on oil extraction, waste management in accordance with Basel requirements, and emissions monitoring linked to Paris Agreement reporting frameworks.

However, many OPEC+ producers remain economically reliant on fossil fuel exports, creating inherent tensions between environmental compliance and economic imperatives. This has led to cautious, incremental reforms emphasising market stability and managed production adjustments rather than transformational shifts. For instance, coordinated production quota cuts by OPEC+ since 2016, partly aimed at market rebalancing, have also incidentally limited emissions by restricting excess oil supply, a 'volume effect' contributing to substantial avoided carbon emissions worldwide.

Engagement with Key International Environmental Instruments

Montreal Protocol and Amendments:

OPEC+ countries have adhered to the Protocol's phasedown of ozone-depleting substances commonly used in industrial processes and petroleum-based products. The Protocol's adaptive framework and climate co-benefits set a precedent for the flexibility and responsiveness needed in petroleum sector transitions.

Basel Convention on Hazardous Waste:

Oil-producing member states face strict obligations to manage waste safely, including drilling fluids and contaminated equipment. Compliance has required significant investment to develop hazardous waste management infrastructure and regulatory oversight, making environmental risk management an integral part of petroleum production planning.

Paris Agreement Commitments:

Nearly all OPEC+ states have submitted nationally determined contributions (NDCs) with mid-to-long-term targets for emission reduction, energy diversification, and climate resilience. Many face the complexity of reconciling these pledges with fiscal dependence on oil exports, leading to varied strategies emphasising carbon capture, cleaner fuel standards, and gradual diversification.

UN Convention on the Law of the Sea (UNCLOS):

OPEC+ member countries with offshore reserves have strengthened regulatory mechanisms to prevent marine pollution from oil exploration activities, incorporating impact assessments and cross-border cooperation obligations consistent with UNCLOS mandates.

Stockholm Convention and Global Methane Pledge:

These newer regimes addressing persistent pollutants and methane emissions have prompted the adoption of cleaner technologies and enhanced monitoring and reporting protocols within member states' petroleum sectors.

Legal and Market Adaptations by OPEC+ Members

OPEC+ has historically navigated its environmental responsibilities cautiously, prioritising oil market stability but increasingly integrating environmental considerations in its policies. Landmark production cut agreements since 2016, extended repeatedly, have balanced supply and demand to stabilise prices while inadvertently capping emissions. Key disputes and compromises, such as the 2021 Saudi-Emirati moderation on output quotas, illustrate the ongoing negotiation between economic interests and environmental stewardship.

Several member countries have established sovereign wealth funds from oil revenues to invest in renewable energy and non-fossil fuel sectors, signalling strategic anticipation of a post-oil economic era. These measures, while still nascent, reflect an emerging recognition within OPEC+ that sustainable environmental governance and economic security are not mutually exclusive but must be pursued in parallel.

Questions a Resolution Must Answer (QaRMA)

1. What specific actions can be taken to reduce emissions in adherence to preexisting legalities?
2. How can OPEC+ create fair rules that take into account the different economic needs of member states while working toward reducing emissions?
3. How can OPEC+ include international reporting and transparency requirements in its policies to track progress on environmental commitments?
4. What ways can countries improve cooperation between members to deal with shared environmental problems like oil spills and air pollution?
5. How can members ensure that conflicts between economic goals and environmental responsibilities are resolved in line with international environmental laws?

