BELGIUM

PRELIMINARY AGREEMENT BETWEEN THE UNITED STATES AND BELGIUM REGARDING MUTUAL AID IN THE PROSECUTION OF WAR AGAINST AGGRESSION, SIGNED JUNE 16, 1942

[For text of agreement, see Department of State Executive Agreement Series No. 254, or 56 Stat. (pt. 2) 1504.]

MILITARY SERVICE AGREEMENT BETWEEN THE UNITED STATES AND BELGIUM

[Effect by exchanges of notes signed at Washington March 31, July 31, and October 10 and 16, 1942. For texts of notes, see Department of State Executive Agreement Series No. 304, or 56 Stat. (pt. 2) 1889.]

NEGOTIATIONS BETWEEN THE UNITED STATES, THE UNITED KINGDOM, AND BELGIUM FOR A TRIPARTITE AGREEMENT RELATING TO IMPORTS FROM AND EXPORTS TO THE BELGIAN CONGO

641.5531/13a: Telegram

The Acting Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, March 16, 1942—8 p. m.

1094. The Department understands that negotiations for the renewal of the Anglo-Belgian economic agreement affecting the Belgian Congo,¹ which expired August 31, 1941, are now in progress. In view of the interest of this Government in many of the products of the Belgian Congo, you are requested to report as to the status of these negotiations. It seems to the Department that it might be desirable for you to be represented in these discussions; and your opinion on this subject is requested.

Welles

¹ For text, see British Cmd. 6248, Treaty Series No. 1 (1941): Agreements . . . relating to the Belgian Congo in respect of Finance and the Purchase of Commodities, London, January 21, 1941, pp. 6-8.
641.5581/14: Telegram

The Chargé in the United Kingdom (Matthews) to the Secretary of State

LONDON, March 21, 1942—2 p.m.
[Received March 21—11:30 a.m.]

1362. Department’s telegram 1094, March 16, 8 p.m. I elicited the following information at the Foreign Office this morning with reference to the status of Anglo-Belgian economic negotiations affecting the Belgian Congo. It appears that ever since the expiration of the agreement last August negotiations for its renewal have dragged on in rather desultory fashion and subject to frequent interruptions. Following the death of the Belgian official engaged in the discussions much delay was due to the difficulty in finding a qualified successor. The latter arrived here some 2 months ago. Since then further difficulties appear to have arisen over differences in purchase prices which the British appear willing to pay for Belgian Congo products and those which the Belgians are asking. My informant remarked that this was due in part to the higher prices which the Belgians said they were offered by American buyers. Furthermore, the powerful trading interests in the Congo area were placing obstacles in the way of the negotiations pending receipt of higher prices.

On the other side of the picture while the Belgians have expressed urgent desire to obtain certain British products in return and are particularly interested in such things as mining machinery, they have never formulated the general programme of their total requirements that the British have requested.

In the light of developments in the Far East, my informant said, the need for a number of Belgian Congo products is naturally more urgent. The British are anxious to coordinate their policy with ours and have accordingly within the last few days despatched several telegrams to Washington to discuss the question with our interested Government organizations.

The Foreign Office has offered to keep us informed here as to the progress of their talks with the Belgians. There are, however, apparently no “negotiations” in the usual sense of the word in progress at this stage, but merely occasional calls at the Foreign Office by the Belgian official to discuss some specific item or aspect of the situation with the interested Foreign Office official (Makins). The latter has offered to send me a memorandum on the subject, and in view of the recent Foreign Office telegrams to Washington mentioned above, I perceive no advantage for the present in participating in these occasional talks.

*Roger M. Makins, Acting Counsellor in the British Foreign Office.*
I shall telegraph a summary of the memorandum as soon as it is received.

Matthews

641.5531/15: Telegram

The Chargé in the United Kingdom (Matthews) to the Secretary of State

London, March 24, 1942—3 p.m.
[Received March 24—1:15 p.m.]

1396. I have now received the promised memorandum on present negotiations for a renewal of the Anglo-Belgian economic accord ("purchase agreement") on the Belgian Congo referred to in my telegram 1362, March 21, 2 p.m. The following is a summary of the pertinent paragraphs of this memorandum:

Since the expiration of the previous purchase agreement on August 31 last certain new factors have become operative. In the light of developments in the Far East the importance to the war effort of the Allies of many of the raw materials produced in the territories of West Africa "has been enormously enhanced". The British Government has accordingly pressed the Belgian Government to increase production of wolfram, tin, copper, palm oil and rubber. The Belgian Government is prepared to do all it can to stimulate production but is finding it increasingly difficult to bring effective pressure to bear on Congo producers in the face of apparently conflicting competitive offers from Allied buyers.

It was agreed in the first purchase agreement that in general Congo produce should be granted treatment with respect to price and customs duties not less favorable than that accorded to produce of British colonies. The discussions for the renewal of the agreement have likewise been based on this principle. In view of the fact, however, that "Congo producers have received offers from the United States for example for palm oil and rubber at prices of pounds 40 to pounds 50 and 14 pence, respectively, as against United Kingdom prices of pounds 18 and 8½ pence, the Belgian Government finds itself in a difficult position. This matter, which in view of its repercussions, political and economic, in all West African territories is of considerable importance, has been taken up urgently with the United States Government through the appropriate channels." (In this connection please see Embassy's telegram number 1273, March 17, 11 p.m.)

A further obstacle, continues the memorandum, has been the difficulty in the absence of "any coordination of orders and programs on the Belgian side" of assessing and meeting Belgian requirements of ma-

*Not printed.
chinery, steel and other goods essential for the maintenance and increase of production in the Congo area. The British hope that this difficulty will be eliminated through the submission by the Belgian Government of a comprehensive program covering its essential requirements for the next 12 months.

While the memorandum does not so state, I understand that an additional difficulty arises from the fact that the Belgians would rather have dollars than pounds.

Matthews

641.5531/16a: Telegram

The Secretary of State to the Ambassador to the Belgian Government in Exile (Biddle), at London

WASHINGTON, April 28, 1942—7 p.m.

Belgian Series No. 2. Department’s 1094, March 16, 1942, your [Embassy’s] 1362 of March 21 and your [Embassy’s] 1396 of March 24. As you are aware, there has been some confusion in the past in the satisfaction of UK and US supply requirements in the Belgian Congo and likewise in satisfying Congo needs. This has arisen in part from the failure of the Congo Government to inform the UK and the US of its needs on a comprehensive basis. Last week the Ministry of Supply in London telegraphed its representatives in Washington, its conclusion that a broad over-all arrangement should be reached with the Government of the Belgian Congo which would comprehend the Congo’s requirements as well as UK and US purchases in the Congo. The Ministry proposed that the UK and the US, through appropriate representatives in London, should together approach the Belgian Minister of Colonies for the purpose of negotiating such an arrangement. Before doing so, it was obviously necessary to secure assurances from the US Government that the latter was willing to participate jointly in such negotiations and further that the US Government would sympathetically consider the future requests of the Belgian Congo for those materials of which the US would be the supply source.

Several meetings have been held in Washington, in which representatives of the Department, the Board of Economic Warfare, the Combined Raw Materials Board and the British Embassy have participated. There was unanimous and complete agreement at such meetings that the suggestions of the Ministry of Supply provided a constructive procedure for simplifying and coordinating the problem of exports to and imports from the Belgian Congo on the part of both the UK and the US.

Confirming the agreement reached at these meetings, the British Embassy is telegraphing London that they found the Department
and other interested agencies entirely favorable to the objectives in view and willing to give assurance of their sympathetic consideration to such future applications for equipment etc. on the part of the Belgian Congo. Such assurances are naturally subject to the reasonableness of the requests and our own supply situation. The specific procedure suggested is that the Belgians should submit to London a single statement of the total quantities of materials which they can supply, and a similar statement of their total requirements from both the UK and the US. These lists would then be considered both in London and Washington, with reference as necessary to UK and US experts on the spot. In connection with the latter, the US Government believes that technical experts should proceed to the Congo as soon as possible so that their reports would be available when detailed discussions with the Belgians occur. The present proposal is to send Dean Frasché, of the War Production Board, as a technical man and another technical man to review the mining situation as a whole. A third man would be dispatched to study Belgian needs for equipment, consumers goods and other materials. In this same telegram from the British Embassy to London it is strongly urged that the UK send corresponding representatives to cooperate on the spot and join with the US representatives in the framing of joint reports.

The Department requests that you immediately consult with Harri man and the Minister of Supply with a view to initiating the projected negotiations with the Belgian Government. It is desired that this Government be represented directly in all such negotiations. The Department wishes to be kept continuously and fully informed of all developments in this matter.

The Department understands that the Belgian Minister for Colonies may be contemplating a trip to Washington in connection with the general question of Congo requirements. On the assumption that negotiations discussed in this telegram will proceed in London, the Department regards it as important that the Minister be promptly informed of projected discussions in order to assure his continued presence in London.

Hull

641.5531/19: Telegram

The Ambassador to the Belgian Government in Exile (Biddle) to the Secretary of State

LONDON, April 30, 1942—10 p. m.
[Received April 30—7:40 p. m.]

Belgian Series No. 3. Your 2, April 28, 7 p. m. I have spoken in a preliminary way to Belgian Colonial Minister de Vleeschauwer

W. Averell Harriman, Special Representative of President Roosevelt in the United Kingdom to facilitate Lend-Lease aid to the British Empire.
regarding problem of Congo purchases and supplies and he is post-
poning contemplated trip to Washington.

[BIDDLE]

641.5531/18: Telegram

The Chargé in the United Kingdom (Matthews) to the Secretary of State

LONDON, April 30, 1942—11 p. m.
[Received April 30—8:45 p. m.]

2308. Embassy's 1362, and 1396 of March 21 and 24 respectively.
Department's 1095 [1094], March 16 and No. 2 Belgian Series to
Biddle, April 28.

1. Meeting at which were present representatives Ministries of
Production, Supply, Harriman and Embassy held last night to dis-
cuss method of joint Anglo-American approach to Belgian colonial
authorities with respect to purchases from and supplies to Belgian
Congo.

It is expected that Mr. Lyttelton ⁶ and Ambassador Biddle will to-
gether approach Belgian Colonial Minister early next week along the
lines of Department's telegram no. 2, April 28.

2. Suggestion was also advanced at meeting that any new Anglo-
American-Belgian Congo supply arrangements might be drawn up
in form of tripartite agreement rather than separate United States-
Belgian and United Kingdom-Belgian agreements.

3. The second Anglo-Belgian purchasing agreement runs from
September 1, 1941 to August 31, 1942. For reasons explained in my
1362 of March 21 this agreement (a summary of which was given in
Embassy's telegram No. 2289 of April 30 ⁶) has not yet been signed.
In view of current developments Foreign Office official at yesterday's
meeting described it as a "hangover arrangement" which Foreign
Office nevertheless felt must be concluded because of Anglo-Belgian
financial agreement of January 21, 1941 ⁷ (Embassy's despatch No.
116, March 19, 1941). ⁶ Foreign Office seem to feel that after the
joint United Kingdom-United States of America meeting with Bel-
gians next week latter will be prepared to sign second purchasing
agreement without further delay.

4. As a matter of convenience and to avoid possible confusion from
overlapping of any new arrangements with this agreement, the tenta-

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⁶ Sir Oliver Lyttelton, British Minister of Production.
⁷ Not printed.
⁸ For text, see British Cmnd. 6248, Treaty Series No. 1 (1941): Agreements ...
relating to the Belgian Congo in respect of Finance and the Purchase of
Commodities, pp. 2-5.
tive proposal has been made that any tripartite agreement should only become operative as from September 1, 1942.

5. Any comments Department might see fit to make concerning paragraphs 2 and 4 above would be helpful.

MATTHEWS

641.5531/18a : Telegram

The Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, May 6, 1942—10 p.m.

1979. For Biddle. Embassy's 2308 April 30, 11 p. m., Embassy's 2289 April 30, 5 p. m., and Belgian Series 3 April 30, 10 p. m.

1. The Department sees no objection to suggestion that new Anglo-American-Belgian Congo supply and purchase arrangements be drawn in the form of tripartite agreement. The Department further agrees that such tripartite agreement should only become operative as from September 1, 1942. There appears to be every reason to operate under the second Anglo-Belgian purchasing agreement until that date. Our objective, however, should be to have the proposed tripartite arrangement concluded and signed prior to September 1, 1942, and to this end it is urged that you press the negotiations forward in London.

2. Department was glad to learn that the Belgian Colonial Minister has postponed his trip, since his presence in London seems obviously necessary for rapid progress in the negotiations. Please keep the Department continuously informed of developments in this matter.

HULL

641.5531/19 : Telegram

The Ambassador to the Belgian Government in Exile (Biddle) to the Secretary of State

LONDON, May 13, 1942—1 p.m.
[Received May 13—8: 35 a. m.]

Belgian Series No. 8. My 3, April 30, 10 p. m. Vleeschauwer now plans to leave for Congo via United States on May 15. He feels he cannot longer postpone departure since this would dislocate his entire program.

Joseph Jennen, Economic Adviser to Colonial Ministry, however has been given full power to negotiate the United States-United Kingdom-Belgian Congo agreement.

[BIDDLE]

* Telegram No. 2289 not printed.
The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, May 20, 1942.
[Received May 20—1:26 a.m.]

2798. 1. The following is text of a self-explanatory letter which Foreign Office desires to send to Mr. Spaak, Belgian Secretary of State.

“In connection with the agreement between the Government of the United Kingdom and the Belgian Government relating to the Belgian Congo in respect of the purchase of commodities, which has been signed in London today, Your Excellency has asked for an assurance that the requirements of the Belgian Congo for equipment and other supplies essential to the maintenance and increase of production would be met.

2. I am glad to be able to give Your Excellency an assurance that His Majesty's Government in conjunction with the United States Government will make every effort, consistent with the restrictions and limitations imposed by the united war effort, to meet the requirements of the Belgian Congo for the purposes specified.”

Foreign Office has inquired whether United States Government have any objection to reference to United States of America in above paragraph 2. The Department will recall the joint memorandum (Embassy's telegram 2671 [2670], May 15)\(^\text{10}\) which was delivered to the Dutch and Belgian [Norwegian] representatives on May 14 with respect to post-war relief purchases. It seems likely that there will be a considerable number of instances in the future when the consent of this Embassy and the Biddle mission will be sought in connection with further joint communications addressed to the various Allied Governments.

It would therefore be helpful to know the Department’s viewpoint with respect to the general policy involved, i.e., whether the joint approach to these Allied Governments as expressed in the above letter may be continued in those instances where they reflect American policy or whether it would be preferable, where a joint approach is desirable, for the mission to address a parallel communication to the Allied Government concerned stating that United States Government is in accord with the viewpoint advanced in His Majesty’s Government's note or memorandum et cetera.

3. Other than exceptional cases, I am inclined to opinion that a parallel rather than joint approach would be preferable procedure and Ambassador Biddle concurs.

Winant

\(^{10}\) Not printed.
641.5531/22: Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, June 3, 1942.
[Received June 3—1:16 p.m.]

3092. Department’s 1094 March 16. Embassy’s 1362 and 1396 of March 21 and 24 respectively.

(1) Foreign Office has today informed Embassy that renewal of Anglo-Belgian agreement to September 1, 1942, with respect to finance and purchase of commodities from Belgian Congo, will be signed tomorrow.¹¹

(2) Embassy’s 2798, May 20. As no reply has been received to this telegram Foreign Office is omitting reference to United States Government in section 2. Otherwise this letter will be handed to Belgian authorities tomorrow unaltered.

WINANT

855A.24/29: Telegram

The Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, June 9, 1942.

2627. Your 2798, 20th. With reference your “3” Department agrees that parallel approach is preferable procedure.

HULL

855A.24/22: Telegram

The Secretary of State to the Ambassador to the Belgian Government in Exile (Biddle), at London

WASHINGTON, June 10, 1942—midnight.

Belgian Series No. 3. For Biddle and Feis:¹²

1. Reference your 3092, June 3. Has agreement referred to in first paragraph been signed?

2. Discussions have been under way here with the Belgian Minister for Colonies, Max Horn of the Belgian Congo Purchasing Mission, representatives of the British Embassy and British missions, the Board of Economic Warfare, Lend-Lease Administration and the Combined

¹¹ Signed June 4, 1942; for text, see British Cmd. 6365, Treaty Series No. 1 (1942): Agreement . . . renewing the arrangements for the Regulation of Purchases of Commodities from the Belgian Congo and Ruanda Urundi.

¹² Herbert Feis, Adviser on International Economic Affairs.
Raw Materials Board. These discussions have reached general agreement along the following lines.

3. It being understood that the Anglo-Belgian agreement referred to in paragraph 1 of this telegram will be signed and will terminate on August 31, 1942, a new three-party agreement between the Belgian, British and American Governments should be entered into to become effective September 1942 and to terminate December 31, 1943. This agreement will relate to the purchase of goods from and the importation of goods into the Belgian Congo as hereinafter more fully described. This new three-party agreement will not affect the existing financial agreement between the United Kingdom and the Belgian Congo dated January 21, 1941, which agreement will continue to remain in force.

4. The proposed three-party agreement will have attached to it a schedule setting forth the requirements of the Belgian Congo which are to be supplied by the British and American Governments. A tentative list has already been supplied by the Belgian authorities here and is under consideration by the Combined Raw Materials Board, the Board of Economic Warfare and Lend-Lease. It is clear, however, that a more detailed list will have to be prepared and that the final list cannot be established until after the Belgian Minister for Colonies reaches the Congo, to which point he is proceeding in the near future. It is expected that as soon as the Belgian Government has received the Minister’s reports from the Congo, the final list will be submitted to the British and American Governments. It is also expected that reports will be received from the representatives of the British and American Governments who in the near future will proceed to the Congo, with the consent of the Belgian Government, to study the requirements of the Congo and make recommendations with respect thereto. The Minister for Colonies has stated his willingness to approve the sending of three American representatives and one British representative.

5. The Anglo-Belgian agreement which expired August 31, 1941 as well as the renewal of this agreement, which it is understood was signed in London recently, contain no detailed provisions as to the exports from the United Kingdom to the Belgian Congo. It is felt here, however, that it is desirable that in the proposed new three-party agreement a list, as definite as possible, as to the goods to be shipped from the United Kingdom and the United States to the Congo should be included. It is the sense of the meetings here that it may be possible, when the definitive list is received from the Belgian authorities and when the reports of the British and American experts are in hand,
to establish a schedule for the proposed three-party agreement which will recite the goods to be furnished by the United States and United Kingdom respectively, and will classify them in three categories. The first category would be goods, the shipment of which to the Belgian Congo could be regarded as assured, subject only to shipping conditions and substantial changes in the world situation. The second class would consist of goods as to which every effort would be made to make them available to the Congo, but where it would be understood that a slight fluctuation in the supply or shipping situations might result in inability to ship the goods. The third category would be those goods which in all likelihood would not be available for shipment to the Congo but which the two supplying governments would be disposed to make available to the Congo in the event of substantial favorable changes in the supply and shipping factors.

6. The proposed division of goods in the three categories referred to in the preceding paragraph has been discussed with the Board of Economic Warfare, the Combined Raw Materials Board and Lease-Lend, all of which agencies have agreed that the establishment of such categories is desirable and practicable.

7. There will also be included in the proposed three-party agreement a list of the materials to be exported from the Congo to the United Kingdom and the United States respectively. Such a list is being prepared here by the Combined Raw Materials Board and the Board of Economic Warfare and will be telegraphed to London as soon as available.

8. It seems desirable that the agreement should be negotiated with the Belgian authorities in London. This is the desire of the Belgian Minister for Colonies and the Department sees no objection to this course. It is accordingly suggested that the procedure be that when the schedules of imports from and exports to the Congo are established to the satisfaction of the three Governments concerned, the proposed three-party agreement be drafted in London and the text thereof telegraphed to the Department for its approval.

9. The representatives of the British Embassy who have participated in these discussions with the Belgian Minister for Colonies are in agreement with the program set forth in this telegram, but since they have no authority to speak finally for their Government on the suggested procedure, are telegraphing the substance of these proposals to the Foreign Office. It is accordingly suggested that you consult with your British colleagues and inform the Department by telegraph of your opinion of the proposals contained in this telegram.

Hull
The Ambassador to the Belgian Government in Exile (Biddle) to the Secretary of State

LONDON, June 17, 1942—midnight.
[Received June 17—11:33 p.m.]

Belgian Series No. 11. Preliminary meeting between Makins and Price of British Foreign Office and Ministry of Supply, and Biddle, Feis, Schoenfeld and Steyne was held yesterday to discuss contemplated United States–United Kingdom–Belgian Congo Agreement. It was consensus of opinion that procedure outlined in your 3, June 10, midnight, formed a satisfactory basis for negotiations.

The suggestion was advanced, however, that since considerable delay may be encountered in obtaining the final schedules of the Congo production and requirements, there would be advantages in trying to work out in advance the general framework of the agreement.

The British are obligated under article 6 of the current Anglo-Belgian agreement to enter into negotiations for a new agreement by the end of June. In the circumstances they propose next week to address a letter to the Belgians suggesting an early three-cornered meeting. At that meeting we propose to explore the possibility of drafting the general sections of the agreement into which the schedules could later be fitted.

[Biddle]

The Ambassador to the Belgian Government in Exile (Biddle) to the Secretary of State

No. 36

LONDON, July 14, 1942.
[Received July 23.]

Sir: Referring to this Mission’s telegram No. 11, of June 17, 12 midnight and the Department’s telegram No. 5 of June 22, 6 p. m. regarding negotiation of a United States–United Kingdom–Belgian Congo Agreement, I have the honor to enclose a preliminary draft of the general provisions of such an Agreement. The enclosed draft seeks to provide a framework into which the schedules of Congo exports to the United States and the United Kingdom and Congo imports from the United States and the United Kingdom may later be fitted.

An informal meeting to discuss this draft was held today. Present at the meeting were Mr. Roger Makins and Mr. Geoffrey Harrison

^2 Rudolf E. Schoenfeld, Counselor of Embassy to the Belgian Government in Exile.
^3 Alan N. Steyne, Second Secretary of Embassy in the United Kingdom.
^4 Latter not printed.
of the British Foreign Office, Viscount de Lantsheere, Counselor of the Belgian Embassy and Mr. Jennen, Economic Adviser at the Belgian Ministry of Colonies, and Mr. R. E. Schoenfeld, Counselor of this Mission and Mr. A. N. Steyne, Second Secretary of the London Embassy.

With regard to Art. 1 providing that the Agreement should run until December 31, 1943, Viscount de Lantsheere suggested that the Belgian authorities might desire a clause permitting revision of the Agreement at an earlier date if Belgian territory should meanwhile be liberated, for in that case the Belgian Government might wish to be free to send Congo products to meet Belgian needs.

Referring to Art. 3, the Belgian representatives sought more light on the procedure for fixing prices and the question of including prices in the Agreement. The resulting discussion revealed that the Article as phrased was designed not to disturb those price arrangements which were already regulated by special agreements; that the task of fixing detailed prices might well extend beyond the time limit for the conclusion of the Agreement; and that in the circumstances it seemed desirable to exclude actual prices from the Agreement itself and to permit of the future fixing of prices by subsidiary arrangements.

With regard to Art. 4 dealing with payment, Mr. Jennen brought up the question of receiving dollar exchange for all Belgian exports to the United States. He made the point that the Belgian Government was in short supply for dollars and needed increasing amounts of dollar exchange to meet its purchases in the United States. Mr. Makins drew attention to the fact that by Art. 4 of the United Kingdom–Belgian Finance and Purchase Agreement of January 21, 1941 (enclosure to London’s despatch No. 116 of March 19, 1941), the British Treasury undertook to make available to the Belgian Government foreign exchange for necessary Belgian imports and financial services.

Mr. Makins referred to the fact that there was no Article in the Agreement that specifically dealt with shipping, but pointed out that this factor was thought to be adequately covered by the three categories of supplies for the Congo listed in Schedule 2 and referred to in Art. 6.

Mr. Jennen suggested that the Belgian Government might wish to have an Article in the Agreement specifically assuring it of the necessary shipping. He remarked that the Anglo–Belgian Shipping Agreement provided that Belgian ships in the shipping pool should be made available for the transport of supplies from the Congo to the United States but that in practice those ships had not been made available despite Belgian requests for them. Mr. Makins suggested that the

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16 Not printed.
17 Printed on p. 16.
problem of securing the execution of a provision of the Shipping Agreement should be pursued with the British Ministry of War Transport as the competent authority. Mr. Jennis indicated that the Belgians were inclined to push the matter wherever they could and suggested that since the Agreement under negotiation would be three-cornered, i.e. with the United States as well as with the British, the inclusion of a reinforcing shipping Article might help. Mr. Makins said that since all shipping was pooled, including that of the United States, there would seem to be no reason to transfer the question from the authorities which should deal with it. Mr. Steyne suggested that if Mr. Jennis so desired, it could be arranged for the Belgian authorities to discuss the problem with Mr. A. C. Kerr, the American Shipping representative of the Harriman Mission.

The question also arose as to an overlapping period in the execution of the current United Kingdom–Belgian Agreement and the entry into effect of the new United States–United Kingdom–Belgian Agreement. The suggestion was advanced that the new Agreement should start with a clean slate and that any uncompleted transactions in the old Agreement should lapse and be assimilated to the provisions of the new Agreement.

In advancing the foregoing views, all concerned stressed that these observations were informal. They are therefore submitted merely to show the lines along which problems may develop.

Respectfully yours,

A. J. DREXEL BIDDLE, JR.

[Enclosure]

DRAFT AGREEMENT

The Government of the United Kingdom of Great Britain and Northern Ireland, the Government of the United States of America, and the Belgian Government, recognising the importance to the common war effort of the orderly regulation of purchases of commodities from the Belgian Congo and Ruanda Urundi (hereafter referred to as "the Congo") and the supply to the Congo of industrial and other material essential to the maintenance and increase of the production of those commodities, have agreed as follows:

Article 1

During the period from 1st September, 1942 to 31st December, 1943, inclusive, the Belgian Government shall undertake to make available to buyers in the United Kingdom or in the United States, including departments or agencies of the Government of the United Kingdom or of the Government of the United States, as the case may be, the quantities of exports from the Congo enumerated in the first Schedule of this Agreement.
Article 2

The quantities of the various products specified in the first Schedule of this Agreement constitute minima only, and further purchases of these or other commodities from the Congo for import into the United Kingdom and United States of America according to current requirements and available stocks are not precluded.

Article 3

Purchases shall be made at prices which have been or may be agreed between the Belgian Government on the one hand and the Government of the United Kingdom or the Government of the United States, as the case may be, on the other hand.

Article 4

Payment for all purchases covered by this Agreement shall be made in the manner usual for such purchases. If however it proves impossible to ship the agreed quantities, the purchasing Government shall—

(a) In the case of copper, cotton and copal, pay for and take title to any unshipped balance where it lies in the Congo during the month of December 1943.
(b) In the case of palm oil, palm kernels and ground-nuts pay for and take title to any unshipped balance where it lies in the Congo not later than December, 1943.

Article 5

The Government of the United Kingdom shall, if necessary, take such measures as may be required so that the products referred to in Article 1 or any other commodity which may be purchased by the Government of the United Kingdom shall not be placed as a result of customs duty in a position less favourable than British colonial products.

Article 6

The Government of the United Kingdom and the Government of the United States undertake to make every effort consistent with the restrictions and limits imposed by the united war effort to deliver to the Congo industrial and other supplies as specified in the three categories under the second Schedule of this Agreement.

Article 7

The Belgian Government shall ensure the introduction, where necessary, and the maintenance in force in the Congo of administrative orders or legislation prohibiting commercial and financial transactions which may be of assistance to any Power with whom the three contracting Governments are at war.
Article 8

The Belgian Government shall ensure the introduction, where necessary, and the maintenance in force in the Congo of a licensing system controlling exports from the Congo for economic warfare purposes, which shall be coordinated in policy and practice with the system at any time prevailing in territories in Africa administered by the Government of the United Kingdom.

Article 9

This agreement shall come into force on signature.

In witness whereof the undersigned duly authorised thereto by their respective Governments, have signed the present Agreement and have affixed thereto their seals.

Done in triplicate in London, the . . . . . . day of . . . . . . . . 1942.

SCHEDULE 2

Category I, comprising goods the shipment of which may be regarded as assured, subject only to shipping considerations and to substantial changes in the world situation:—

Category II, comprising goods as to which every effort will be made to render them available for the Congo, but in regard to which it is understood that slight fluctuations in the supply situation may result in inability to ship:—

Category III, comprising goods which in all probability will not be available for shipment, but which the Government of the United Kingdom and the Government of the United States will be disposed to make available for the Congo in the event of favourable developments in the supply and shipping position:—

855A.24/50 : Telegram

The Secretary of State to the Ambassador to the Belgian Government in Exile (Biddle), at London

WASHINGTON, August 12, 1942—7:25 p. m.

A-17. Your despatch no. 36, July 14. Department desires to make following comments upon matters discussed your meeting July 14.

There is no objection to clause in tripartite agreement permitting revision of agreement before December 31, 1943 if Belgian territory should meanwhile be liberated.

Department desires a list of those prices which have been agreed upon between the Belgian and British Governments in their agree-
ment of June 4th, as a basis for considering the prices to be established in the pending tripartite agreement.

The United Kingdom-Belgian Finance and Purchase Agreement of January 21, 1941 would appear to take care of the question of foreign exchange. In considering this question, however, care should be taken that adequate incentive is offered to secure maximum production. With respect to Article IV, it seems doubtful whether we should pay for and take title to unshipped balance of commodities where they lie in the Congo in December, 1943. It would seem more reasonable to pay for and take title to such commodities at least against warehouse receipts, if possible, at the respective export points for each commodity.

It is out of the question that there be an article in the agreement specifically assuring Belgian Government of necessary shipping. Mr. Makins' remark that since all shipping is pooled, including that of the United States, there would seem no reason to transfer this question from the authorities which should deal with it, is approved.

Department has no objection in principle to the lapsing of any uncompleted transactions in the old agreement and their assimilation to the provisions of the new agreement. Specific information desired, however, as to these transactions.

In addition to above comments with regard to discussion at your meeting, Department desires to advance following suggestions.

Articles I and II of proposed agreement should state not only that Congo products should be made available according to the quantities enumerated in the first schedule of the agreement, but that United Kingdom and United States should have an option on entire output of all products enumerated.

Effort should be made to secure inclusion of a further article providing for development work in the Congo. A report, for example, from our Consul at Leopoldville dated April 28, 1942 stated that pyrethrum, for which we have urgent need, will be produced in 1942 in the maximum amount of 539 long tons. The Consul further reports, however, that the maximum possible production in 1943 is 1470 tons. The proposed article might be drafted along the following lines:

"It is recognized by the contracting parties that it may become desirable to undertake active development work for the purpose of increasing supplies of Congo products. Such development work might involve the sending of governmental organizations to the Congo, or perhaps encouraging private firms to engage in procurement of materials or cultivation of forest projects. It is agreed that the Belgium Government will facilitate such activity if it should become desirable and will place no restrictions upon such activity."

18 Not printed.
Have received following telegram from Day:

"Expect to forward by August 10 complete list of commodities including manufactured goods agreed to by local government as suitable basis for negotiations contemplated agreement covering Belgian Congo civilian consumption requirements. Complete survey of annual quantities and our final will require an additional 6 weeks. Will cable next few days preliminary report on automotive requirements. Gray's section of report expected by August 15 and Frasché's by end of August."

HULL

855A.24/49e: Telegram

The Secretary of State to the Ambassador in the United Kingdom
(Winant)

WASHINGTON, August 18, 1942—6 p.m.

3829. Department is informed that Belgium Minister for the Colonies is under the impression that memoranda, regarding the requirements of the Belgian Congo and regarding the commodities which the Congo is in a position to supply to the British Empire and the United States, should go primarily to the British Foreign Office. Will you please advise the Belgium Government, and request the British Foreign Office to do likewise, of the fact that the Combined Raw Materials Board in Washington and the Combined Production and Resources Board are expected to be the authorities which will allocate both supplies for the Congo and commodities from the Congo, and that consequently it is desirable, in order to expedite matters, that data concerning reciprocal supplies should be sent as soon as possible by the Belgian Congo Government simultaneously to the Foreign Office, and to the Department of State for transmission to these Boards.

This telegram is sent to clarify the situation for the Belgian authorities and also because the local representatives in the United States of the Belgian Congo are being asked to supply data and are hesitant to confuse the issue by asking authorities in Congo for information which is expected shortly in the form of official lists.

HULL

855A.24/50: Airgram

The Secretary of State to the Ambassador to the Belgian Government in Exile (Biddle), at London

WASHINGTON, August 17, 1942—7:45 p.m.

A–22. Department's airgram A–17, August 12. Department informed that export duties have recently been increased in Belgian


Anton Gray and Dean Frasché, members of American Economic Mission in the Belgian Congo.
Congo on palm nuts and oil of geranium. Please consider advisability of suggesting paragraph in tripartite agreement providing that Congo export duties shall not be increased during term of agreement on commodities listed in the agreement as of interest to us.

HULL

S11.20 Defense (M)/8533: Telegram

The Secretary of State to the Ambassador in the United Kingdom
(Winant)

WASHINGTON, August 28, 1942—4 p.m.

4116. Your A-17, August 18, 12:50 p.m.21 Department understands from British Embassy that decision has been reached in London to postpone signing of tripartite Belgian agreement, but to make it retroactive to expiration date of present Anglo-Belgian agreement. Department considers this arrangement satisfactory.

HULL

[Negotiations on this subject continued through 1942 and 1943 without an agreement being reached and were then discontinued by mutual consent, problems of Congo supplies and purchases being taken care of by existing machinery. An Office of Economic Warfare mission went to the Congo in 1943 and an informal Tripartite Supply Committee was set up.]

21 Not printed.