



Treaty Series No. 1 (1942)

AGREEMENT

between the Government of the United Kingdom and
the Belgian Government

renewing the arrangements for the

REGULATION OF PURCHASES OF COMMODITIES FROM THE BELGIAN CONGO AND RUANDA URUNDI

together with a note from His Majesty's Secretary of State for Foreign Affairs
to the Belgian Minister for Foreign Affairs respecting
the Requirements of the Belgian Congo

London, June 4, 1942

*Presented by the Secretary of State for Foreign Affairs
to Parliament by Command of His Majesty*

LONDON

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AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM AND THE BELGIAN GOVERNMENT RENEWING THE ARRANGEMENTS FOR THE REGULATION OF PURCHASES OF COMMODITIES FROM THE BELGIAN CONGO AND RUANDA URUNDI, TOGETHER WITH A NOTE FROM HIS MAJESTY'S SECRETARY OF STATE FOR FOREIGN AFFAIRS TO THE BELGIAN MINISTER FOR FOREIGN AFFAIRS RESPECTING THE REQUIREMENTS OF THE BELGIAN CONGO.

London, June 4, 1942.

THE Government of the United Kingdom of Great Britain and Northern Ireland and the Belgian Government, desiring, in view of the expiry of the Purchase Agreement signed in London on the 21st January, 1941,⁽¹⁾ to renew the arrangements for the regulation of purchases of commodities from the Belgian Congo and Ruanda Urundi (hereinafter referred to as "the Congo"), have agreed as follows:—

ARTICLE 1.

1. The Government of the United Kingdom shall guarantee the purchase by buyers in the United Kingdom, including Departments of that Government, during the period from the 1st September, 1941, to the 31st August, 1942, inclusive, of the following quantities of exports from the Congo:—

Copper.—144,000 long tons.

Cotton.—30,000 long tons, not including purchases of Rusizzi quality cotton.

Copal.—7,000 long tons.

Ground-nuts.—All available supplies after allowance for local consumption and export to normal markets.

Palm kernels.—All available supplies after deduction of not more than 20,000 tons for local market and 15,000 tons for South Africa. The estimated quantity to be put at the disposal of the United Kingdom is 50,000 tons.

Palm oil.—25,000 tons of a quality not exceeding 6 per cent. in fatty acids.

The Government of the United Kingdom shall have an option on an additional 10,000 tons of palm oil of any quality, if available.

Tin ore.—All supplies available for export.

Rubber, Wolfram.—All supplies available, subject to such special arrangements as may be made between the two Governments.

Jute substitutes, Coffee.—Quantities to be agreed between the two Governments

2. Where the quantities of the various products are specified in figures in paragraph 1 of this article, these quantities constitute minima only, and further purchases of these or other products from the Congo for import into the United Kingdom according to current requirements are not precluded. In this connexion the Government of the United Kingdom will give sympathetic consideration to applications for licences for such additional imports from the Congo as may be consistent with the restrictions and limitations imposed on them by the united war effort of the two contracting Governments and if shipping space becomes available.

⁽¹⁾ "Treaty Series No. 1 (1941)," Cmd. 6248.

ARTICLE 2.

The quantities mentioned in article 1 shall be deemed in each case to include purchases already made by buyers in the United Kingdom during the period to which the guarantee given under article 1 by the Government of the United Kingdom relates.

ARTICLE 3.

Purchases shall be made at prices ruling in competitive markets subject to the following special arrangements:—

Copper shall be bought at the prices ruling for long-term Rhodesian contracts.

Cotton shall be bought on terms already agreed.

Ground-nuts shall be bought at a price to be agreed.

Palm kernels shall be bought at a price of £12 6s. 6d. per ton for trade kernels, whereas £12 12s. 6d. will be paid for plantation kernels. This price is subject to revision taking as a basis quotations prevailing in the Nigerian market.

Palm oil shall be bought at a price of £18 8s. 6d. per ton, cost and freight United Kingdom, on the basis of the freight charge not exceeding £4 17s. 6d. per ton. This price is subject to revision taking as a basis quotations prevailing in the Nigerian market.

As regards the additional 10,000 tons of any quality, purchasable at option if available, the price shall be discussed at the time of purchase.

Coffee, Jute substitutes shall be bought at prices to be agreed.

ARTICLE 4.

Payment for purchases covered by this agreement shall be made in the usual way; if, however, it proves impossible to ship the agreed quantities, the Government of the United Kingdom 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 August 1942.
- (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 the 31st October, 1942

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 will enter into negotiation with the Belgian Government not later than the 30th June, 1942, in regard to guaranteeing purchases for a further period beginning on the 1st September, 1942.

ARTICLE 7.

The Government of the United Kingdom, recognising the valuable contribution made to the Allied war effort by the Belgian Government in including Belgian vessels in the common pool of merchant shipping available for Allied use, will, within the limits imposed by the shipping situation,

do their utmost to carry the amount of the various commodities included in the priority shipping programme of agreed purchases from the Congo and any further amounts which may be purchased from the Congo for import into the United Kingdom. Moreover, appreciating the desire of the Belgian Government that shipments to and from the Congo should so far as possible be made in Belgian ships, the Government of the United Kingdom will meet this desire to the fullest extent compatible with the need to make the most efficient use of all available Allies' tonnage.

ARTICLE 8.

The Belgian Government will ensure the maintenance in force in the Belgian Congo of legislation prohibiting commercial and financial transactions which may be of assistance to any Power with whom the two contracting Governments are at war.

ARTICLE 9.

The Belgian Government confirm that exports from the Congo will continue to be controlled for blockade purposes by a licensing system, co-ordinated in policy and practice with the system at any time prevailing in territories in Africa administered by the Government of the United Kingdom.

ARTICLE 10.

This agreement is complementary to the financial agreement between the two contracting Governments signed on the 21st January, 1941. It 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 duplicate in London, the 4th day of June, 1942.

(L.S.) ANTHONY EDEN.

(L.S.) P. H. SPAAK.

Foreign Office,

London, June 4, 1942.

Monsieur le Ministre,

In connexion 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 to-day, 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 will for their part 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.

I have the honour to be,

With the highest consideration,

Sir,

Your most obedient Servant,

(Signed) ANTHONY EDEN.

Monsieur P. H. Spaak,
&c. &c. &c.