



Treaty Series No. 1 (1945)

PROTOCOL

BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM
AND THE BELGIAN GOVERNMENT

REGARDING

MUTUAL AID

LONDON, 22ND AUGUST, 1944

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

LONDON

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PROTOCOL BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM AND THE BELGIAN GOVERNMENT REGARDING MUTUAL AID.

London, 22nd August, 1944.

THE Government of the United Kingdom of Great Britain and Northern Ireland and the Belgian Government,

Desiring (i) to make fresh arrangements for the attribution of expenditure incurred in the application of the Agreement concluded between the two Governments in London on the 4th June, 1942, regarding the organisation and employment of the Belgian Armed Forces, in substitution of the provisions of Article 6 of the aforesaid Agreement, and (ii) in accordance with Article 16 of the agreement representing the arrangements for civil administration and jurisdiction in Belgian territory liberated by an Allied Expeditionary Force, concluded between the Government of the United Kingdom and the Belgian Government on the 16th May, 1944, to settle the terms on which funds shall be supplied by the Belgian Government to the Allied Expeditionary Force operating in Metropolitan Belgian territory, and to provide for the attribution of expenditure arising out of the grant of aid by the Belgian Government to the Government of the United Kingdom of Great Britain and Northern Ireland,

Have accordingly agreed as follows:—

ARTICLE 1.

(i) The Government of the United Kingdom shall not as from the effective date of this Protocol claim reimbursement of the cost of the equipment (including the supply of war material) and of the maintenance by departments or agencies of the Government of the United Kingdom of the Belgian Armed Forces (comprising land, sea and air forces), but costs relative to goods delivered or services rendered before the effective date of this agreement in respect of such equipment and maintenance shall in the absence of any special arrangements to the contrary be reimbursed by the Belgian Government to the Government of the United Kingdom, in accordance with the Agreement of the 4th June, 1942.

(ii) After the termination of this Protocol, the Government of the United Kingdom may require the return of any of the articles supplied under this Article which have not been lost, destroyed or consumed.

ARTICLE 2.

(i) The costs to which the provisions of Article 1 (i) of this Protocol relate are the costs of all types of supplies, stores, equipment and material, and also all services and facilities required for the equipment and maintenance of the Belgian Armed Forces which can most effectively be provided and are provided directly by departments or agencies of the Government of the United Kingdom, including the cost of arrangements for training and transport and of the necessary administrative, maintenance and medical services incurred by the aforesaid departments or agencies for the benefit of the Belgian Armed Forces.

(ii) The provisions of Article 1 (i) of the Protocol shall not apply to the pay, allowances, pensions and any other emoluments of members of the Belgian Armed Forces. They shall also not apply to stores, supplies, services and facilities specially furnished to the Belgian Armed Forces, which are not intended for their own use but for civil purposes.

ARTICLE 3.

(i) The Belgian Government shall as from the effective date of this Protocol not claim reimbursement of the costs of the reciprocal aid which they are able to supply to the Government of the United Kingdom.

(ii) After the termination of this Protocol, the Belgian Government may require the return of any of the articles supplied under this Article which have not been lost, destroyed or consumed.

ARTICLE 4.

(i) The costs to which the provisions of Article 3 (i) of this Protocol relate are the costs of all stores, supplies, services and facilities required by the British Armed Forces for military purposes and which can most effectively be procured in Belgian Metropolitan Territory as well as the costs of civil affairs in Belgian Metropolitan Territory. As far as possible the procurement in Belgian Metropolitan Territory shall be effected either directly by departments or agencies of the Belgian Government or in accordance with specific agreements on the matter.

(ii) The provisions of Article 3 (i) of this Protocol shall not apply to the pay, allowances, pensions and any other emoluments of members of the British Armed Forces.

ARTICLE 5.

The Belgian Government hereby agree to place, either in notes or in the form of credits, at the disposal of the British War Office such funds in Belgian currency as are required in Belgium and in Luxembourg by the British Armed Forces.

ARTICLE 6.

A representative of the Banque Nationale de Belgique shall accompany the liberating armies as part of the Belgian Liaison Mission.

ARTICLE 7.

On the termination of this Protocol, the British War Office shall hand over to the Belgian Government any such Belgian currency remaining in their possession, and the unused portion of any credits which may have been opened shall be cancelled.

ARTICLE 8.

(i) In so far as the funds mentioned in Article 5 are used for the procurement on behalf of the British Armed Forces of stores, supplies, services and facilities and for civil affairs mentioned in Article 4 of this Protocol, no reimbursement shall be made by the Government of the United Kingdom.

(ii) In so far as such funds are used for the pay, allowances and other emoluments of the British Armed Forces in Belgium and Luxembourg, the Government of the United Kingdom shall place quarterly to the credit of the Belgian Government in London the sterling equivalent of the sum so used calculated at the official rate of exchange current when the Belgian francs are used.

ARTICLE 9.

In order that the satisfaction of the local requirements of the British Armed Forces may have the least possible disruptive effect on the economy of Belgium, the British military authorities and the Belgian authorities will consult together, whenever operations permit, as to the stores and supplies which British Army procurement agencies and individual officers and men

are permitted to obtain locally. The British military authorities will place such restrictions as are agreed to be necessary on purchases, whether by agencies or troops.

ARTICLE 10.

The Government of the United Kingdom undertake to replace, or to refund in sterling the cost of, any articles requisitioned or purchased with francs by the British Armed Forces, which require replacement from abroad. This does not apply to component parts or component material.

ARTICLE 11

The Government of the United Kingdom and the Belgian Government shall consult together with regard to the detailed application of this Protocol. Likewise any difficulty which may arise as to the interpretation and application of this Protocol, and any doubt which may arise as to the nature of the stores, supplies, services and facilities covered by the provisions of Articles 1 (i) and 3 (i) or as to the extent to which these stores, supplies services and facilities shall be furnished shall be resolved by consultation between the contracting Governments.

ARTICLE 12.

The provisions of Articles 1 and 2 of this Protocol replace as from the effective date of this Protocol the provisions of Article 6 of the aforesaid agreement of the 4th June, 1942, in so far as concerns the costs to which Article 1 of this Protocol relates. The provisions of Article 6 of the agreement of the 4th June, 1942, shall, however, continue to apply in respect of any other costs incurred by any department or agency of the Government of the United Kingdom in connexion with the application of that agreement.

ARTICLE 13.

The effective date of this Protocol shall be the 1st June, 1944.

ARTICLE 14.

This Protocol shall remain in force until six months after the general suspension of hostilities with Germany, except that as from the date of the general suspension of such hostilities the provisions of Article 2 shall only apply to the continued maintenance of the then existing units or formations of Belgian Forces and of personnel of those Forces serving with units or formations of the Forces of the United Kingdom. Within two months of the general suspension of hostilities with Germany the contracting Governments will consult together as regards the arrangements to be made after the termination of the present Protocol.

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

Done in London, in duplicate, on the 22nd day of August, 1944.

(L.S.) ANTHONY EDEN.

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