

No. 163

UNITED STATES OF AMERICA
and
NETHERLANDS

Exchange of Notes constituting a supplementary agreement to the agreement of 8 July 1942 relating to the principles applying to the provision of aid to the armed forces of the United States. Washington, 14 June 1943

English official text communicated by the Permanent Representative of the United States of America at the seat of the United Nations. The filing and recording took place on 14 April 1949.

ETATS-UNIS D'AMERIQUE
et
PAYS-BAS

Echange de notes constituant un accord complémentaire de l'accord du 8 juillet 1942 relatif aux principes applicables à la fourniture d'aide aux forces armées des États-Unis. Washington, 14 juin 1943

Texte officiel anglais communiqué par le représentant permanent des États-Unis d'Amérique au siège de l'Organisation des Nations Unies. Le classement et l'inscription au répertoire ont eu lieu le 14 avril 1949.

No. 163. EXCHANGE OF NOTES¹ CONSTITUTING A SUPPLEMENTARY AGREEMENT TO THE AGREEMENT OF 8 JULY 1942 BETWEEN THE UNITED STATES OF AMERICA AND THE NETHERLANDS RELATING TO THE PRINCIPLES APPLYING TO THE PROVISION OF AID TO THE ARMED FORCES OF THE UNITED STATES. WASHINGTON, 14 JUNE 1943

I

The Netherlands Ambassador to the Secretary of State

NETHERLANDS EMBASSY
WASHINGTON, D.C.

June 14, 1943

GA 1928

Sir:

In the United Nations' declaration of January 1, 1942,² the contracting governments pledged themselves to employ their full resources, military or economic, against those nations with which they are at war; and in the Agreement of July 8, 1942 between the Governments of the United States and of the Netherlands, on the Principles Applying to Mutual Aid in the Prosecution of the War against Aggression,³ each contracting government undertook to provide the other with such articles, services, facilities, or information useful in the prosecution of their common war effort as it might be in a position to supply. It is the understanding of the Government of the Kingdom of the Netherlands that the general principle to be followed in providing mutual aid as set forth in the said Agreement of July 8, 1942 is that the war production and the war resources of both Nations should be used by each in ways which most effectively utilize the available materials, manpower, production facilities and shipping space.

With a view, therefore, to supplementing the Agreement of July 8, 1942, I have the honor to set forth below the understanding of the Government of the

¹ Came into force on 14 June 1943, by the exchange of the said notes, and, in accordance with their terms, considered to be effective as from 8 July 1942.

² League of Nations, *Treaty Series*, Volume CCIV, page 381.

³ United States of America, *Executive Agreement Series*, 259; 56 Stat. 1554.

Kingdom of the Netherlands of the principles and procedures applicable to the provision of aid by the Government of the Kingdom of the Netherlands to the armed forces of the United States and the manner in which such aid will be correlated with the maintenance of those forces by the United States Government.

1. The Government of the Kingdom of the Netherlands, retaining the right of final decision in the light of its own potentialities and responsibilities, will provide the United States or its forces with the following types of assistance as such reciprocal aid, when and to the extent that it is found that they can most effectively be procured in territory of the Kingdom of the Netherlands:

(a) Supplies, materials, facilities, information and services for the United States forces except for the pay and allowances of such forces, administrative expenses, and such local purchases as its official establishments may make other than through the official establishments of the Government of the Netherlands as specified in paragraph 2.

(b) Supplies, materials, information and services needed in the construction of military projects, tasks and similar capital works required for the common war effort in territory of the Kingdom of the Netherlands, except for the wages and salaries of United States citizens.

(c) Supplies, materials, information and services needed in the construction of such military projects, tasks and capital works in territory other than territory of the Kingdom of the Netherlands or territory of the United States, to the extent that territory of the Kingdom of the Netherlands is a more practicable source of supply than the United States, or another of the United Nations.

2. The practical application of the principles formulated in this note, including the procedure by which requests for aid by either Government are made and acted upon, shall be worked out as occasion may require by agreement between the two Governments, acting when possible through their appropriate military or civilian administrative authorities. Requests by the United States Government for such aid will be presented by duly authorized authorities of the United States to official agencies of the Netherlands which will be designated or established in Washington, or in the areas where United States forces are located, for the purpose of facilitating the provision for reciprocal aid.

3. It is the understanding of the Government of the Kingdom of the Netherlands that all such aid, as well as other aid, including information, received under Article 6 of the Agreement of July 8, 1942, accepted by the President of the United States or his authorized representatives from the Government of the Netherlands will be received as a benefit to the United States under the Act of March 11, 1941.¹ In so far as circumstances will permit, appropriate record of aid received under this arrangement will be kept by each Government.

If the Government of the United States concurs in the foregoing, I would suggest that the present note and your reply to that effect be regarded as placing on record the understanding of our two Governments in this matter and that for clarity and convenience of administration this understanding be considered to be effective as from July 8, 1942, the date of the Agreement of the two Governments on the principles of mutual aid.

Accept, Sir, the renewed assurances of my highest consideration.

A. LOUDON
Ambassador of the Kingdom
of the Netherlands in Washington

The Honorable Cordell Hull
Secretary of State
Washington, D.C.

II

The Secretary of State to the Netherlands Ambassador

DEPARTMENT OF STATE
WASHINGTON

June 14, 1943

Excellency:

I have the honor to acknowledge the receipt of Your Excellency's note of today's date concerning the principles and procedures applicable to the provision of aid by the Government of the Kingdom of the Netherlands to the armed forces of the United States of America.

¹ United States of America, 55 Stat. 31.

In reply I wish to inform you that the Government of the United States agrees with the understanding of the Government of the Kingdom of the Netherlands as expressed in that note. In accordance with the suggestion contained therein, your note and this reply will be regarded as placing on record the understanding between our two Governments in this matter.

This further integration and strengthening of our common war effort gives me great satisfaction.

Accept, Sir, the renewed assurances of my highest consideration.

Cordell HULL

His Excellency Dr. A. Loudon
Ambassador of the Kingdom of the Netherlands
