

No. 1861

**UNITED STATES OF AMERICA
and
UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND**

**Exchange of notes constituting an arrangement providing
for participation by the United States of America in
the Central Commission of the Rhine. London, 4 and
29 October and 5 November 1945**

Official text: English.

Registered by the United States of America on 25 September 1952.

**ÉTATS-UNIS D'AMÉRIQUE
et
ROYAUME-UNI DE GRANDE-BRETAGNE
ET D'IRLANDE DU NORD**

**Échange de notes constituant un arrangement ayant pour
objet la participation des États-Unis d'Amérique à la
Commission centrale du Rhin. Londres, 4 et 29 octobre
et 5 novembre 1945**

Texte officiel anglais.

Enregistré par les États-Unis d'Amérique le 25 septembre 1952.

No. 1861. EXCHANGE OF NOTES CONSTITUTING AN ARRANGEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND PROVIDING FOR PARTICIPATION BY THE UNITED STATES OF AMERICA IN THE CENTRAL COMMISSION OF THE RHINE. LONDON, 4 AND 29 OCTOBER AND 5 NOVEMBER 1945

I

The British Secretary of State for Foreign Affairs to the American Ambassador

FOREIGN OFFICE, S.W. 1

4th October, 1945

No. W 12978/142/803.
IMMEDIATE.

Your Excellency,

As Your Excellency is aware, informal discussions have recently taken place in London between representatives of the Governments of the United Kingdom, United States, France, Belgium and the Netherlands regarding the urgent need for the immediate coordination of all activities undertaken with a view to restoring navigation on the Rhine. As a result of these discussions the representatives agreed to recommend to their Governments that the necessary steps should be taken to invite the Central Commission of the Rhine to resume its functions without delay on an emergency and interim basis. It was, of course, understood that the resumption by the Commission of its pre-war functions would in no way prejudice the future determination of the permanent regime of the Rhine.

2. The above mentioned representatives also recommended that while the Commission operated on an interim basis it should include a representative of the United States Government. They proposed, for the consideration of the Governments concerned, either that the Allied military authorities controlling German riparian territory should be represented at the meetings of the Commission by liaison officers or that the Commission should include a representative of the Allied Control Commission in Germany. Lastly, they proposed that all the Governments and bodies represented on the Commission should have an equal voice in its decisions.

¹ Came into force on 5 November 1945, by the exchange of the said notes.

3. I have the honour to enquire whether Your Excellency's Government are prepared to endorse these recommendations and to propose that, in the event of all the Governments concerned signifying their agreement, His Majesty's Government should on their behalf address a communication to the Chairman of the Central Commission of the Rhine inviting him to summon a meeting of the Commission at an early date.

I have the honour to be, with the highest consideration,
Your Excellency's obedient Servant,

(For the Secretary of State)

N. J. A. CHEETHAM

His Excellency
The Honourable John G. Winant
etc., etc., etc.
1, Grosvenor Square, W. 1

II

The American Ambassador to the British Secretary of State for Foreign Affairs

THE FOREIGN SERVICE
OF THE UNITED STATES OF AMERICA

London, October 29, 1945

No. 5028

Sir :

I am instructed by my Government to acknowledge your note of October 4 and to say that the United States Government will be prepared to participate in the Central Commission of the Rhine on the following assumptions :

1. The United States will participate in the Central Commission of the Rhine on an equal basis as all other participating States, it being understood that each State will have one representative and one vote, and that the decisions of the Commission shall be taken on the basis of a majority of the members present and voting.

2. The United States will pay an equal share of the expenses of the Commission on the assumption that the expenses will be kept to a minimum necessary to enable the Commission to discharge its agreed functions.

3. The United States Government believes that it might eventually be desirable to have a representative of the Allied Control Commission in Germany

on the Central Commission of the Rhine. However, in order to expedite the establishment of the Commission at the earliest possible date, the United States accepts the alternative that the Allied Military authorities controlling German riparian territory should be represented at the meetings of the Commission by liaison officers.

4. It is understood that the Central Commission of the Rhine will be established on a purely provisional basis without prejudice to the conclusion of negotiations by the interested Governments for the establishment of a permanent regime. It is also understood that the Commission will exercise the powers and functions accorded to the pre-war Rhine Commission by the Conventions of 1868¹ and 1919² and that it will coordinate its activities with ECITO.³

The Government hopes that it may be possible for the Commission to convene at an early moment in order that it may render its assistance to the task of restoring navigation on this important means of communication.

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

For the Ambassador :
W. J. GALLMAN
Minister Counselor

The Right Honorable Ernest Bevin, M.P.
Secretary of State for Foreign Affairs
The Foreign Office, S.W.1

III

The British Secretary of State for Foreign Affairs to the American Ambassador

FOREIGN OFFICE, S.W.1

5th November, 1945

No. W 14390/142/803.
IMMEDIATE.

Your Excellency,

In your note No. 5028 of 29th October, Your Excellency was so good as to inform me that the United States Government had agreed to the proposal that steps should be taken to invite the Central Commission of the Rhine to resume its functions on an emergency and interim basis and with the participation of a representative of the United States Government.

¹ *Recueil des Traités de la France, 1867-1872*, vol. X, pp. 177-209.

² *Treaties, Conventions, International Acts, Protocols, and Agreements between the United States of America and Other Powers*, vol. III, pp. 3493-3497.

³ European Central Inland Transport Organization. United States of America: *Executive Agreement Series 494*.

2. I now have the honour to inform Your Excellency that the Belgian and Netherlands Governments and the French Provisional Government have also agreed to the above proposal and are of the opinion that in present circumstances the Allied military authorities controlling German riparian territory should be represented at the meetings of the Commission by liaison officers.

3. His Majesty's Government are accordingly requesting the French Provisional Government to invite the President of the Commission to summon a meeting at an early date.¹

I have the honour to be, with the highest consideration,
Your Excellency's obedient Servant,

(For the Secretary of State)
R. A. GALLOP

His Excellency
The Honourable John G. Winant
etc., etc., etc.
1, Grosvenor Square, W.1

¹ The following information is provided by the Department of State of the United States of America (*Treaties and Other International Acts Series 1571*, p. 4, footnote 1): "The Central Commission of the Rhine met on Dec. 12, 1945. The countries represented were: Belgium, France, Great Britain, the Netherlands, Switzerland, and the United States."