

No. 3019

**UNITED STATES OF AMERICA
and
BELGIUM**

Exchange of notes (with annexes) constituting an agreement relating to exemption from export licenses for offshore procurement goods purchased by the United States of America. Brussels, 18 June 1953

Official texts of the exchange of notes and enclosure: English and french.

Official texts of annex A: English, French and Dutch.

Official texts of annex B: French and Dutch.

Registered by the United States of America on 30 November 1955.

**ÉTATS-UNIS D'AMÉRIQUE
et
BELGIQUE**

Échange de notes (avec annexes) constituant un accord relatif à l'exemption de l'obligation d'obtenir une licence d'exportation pour les marchandises *offshore* achetées par les États-Unis d'Amérique. Bruxelles, 18 juin 1953

Textes officiels de l'échange de notes et de la pièce jointe: anglais et français.

Textes officiels de l'annexe A: anglais, français et néerlandais.

Textes officiels de l'annexe B: français et néerlandais.

Enregistré par les États-Unis d'Amérique le 30 novembre 1955.

No. 3019. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND BELGIUM RELATING TO EXEMPTION FROM EXPORT LICENSES FOR OFFSHORE PROCUREMENT GOODS PURCHASED BY THE UNITED STATES OF AMERICA. BRUSSELS, 18 JUNE 1953

I

[TRANSLATION² — TRADUCTION³]

*The Belgian Minister for Foreign Affairs to the American Chargé d'Affaires
ad interim*

MINISTRY OF FOREIGN AFFAIRS AND FOREIGN TRADE
BUREAU OF POLITICAL AFFAIRS

No. EM. 1918-M. 2347
3 enclosures

Brussels, June 18, 1953

Mr. Chargé d'Affaires,

I refer to the conversations which took place in Brussels between the competent Belgian and American officials concerning export permits for goods purchased in the BLEU⁴ by the Government of the United States in view of the common defense effort within the framework of the off-shore purchase program.

My Government understands that with respect to goods ordered in the BLEU, the exportation of which is not effected by the supplier himself, the Government of the United States has expressed the desire that this Government, and if need be the Government of any other NATO⁵ country for which the goods in question may be intended, be exempt from the obligation to obtain an export permit or declaration-permit.

My Government further understands that, if satisfaction is given in this connection, the Government of the United States agrees to effect payments under the off-shore contracts in dollars or in francs purchased for dollars from the National Bank of Belgium.

¹ Came into force on 18 June 1953 by the exchange of the said notes.

² Translation by the Government of the United States of America.

³ Traduction du Gouvernement des États-Unis d'Amérique.

⁴ Belgo-Luxembourg Economic Union.

⁵ North Atlantic Treaty Organization.

Furthermore, the Government of the United States agrees to effect payment for goods delivered by the BLEU under off-shore contract by check payable to the National Bank of Belgium, indicating the supplier as the payee. It is understood, however, that the Government of the United States reserves the right to consult with the Belgian Government concerning other means of making payments under off-shore contracts if future developments indicate the desirability of re-examining this method of payment.

I am happy to inform you that, after examination of the question by the various Departments concerned, my Government has acceded to the request of the Government of the United States expressed above.

Consequently, I enclose the French and English texts of a statement of the procedures to be followed with respect to export permits for off-shore goods purchased in the BLEU, by the Government of the United States.

Upon receipt of your confirmation that this note and the enclosures are satisfactory to the Government of the United States and that the French and English texts of the enclosed statement will be equally valid, the Government of Belgium will regard my note and your reply as constituting an agreement between our two Governments.

Accept, Mr. Chargé d'Affaires, the assurance of my most distinguished consideration.

Paul VAN ZEELAND

Mr. Hugh Millard
Chargé d'Affaires of the Embassy of the United States of America
Brussels

II

The American Chargé d'Affaires ad interim to the Belgian Minister for Foreign Affairs

No. 1265

Brussels, June 18, 1953

Excellency :

I have the honor to acknowledge the receipt of Your Excellency's Note No. EM.1918-M.2347 of June 18, 1953, concerning export licenses for goods bought in the BLEU by the United States for the common defense effort under the offshore procurement program, and to confirm that the note and its annexes

are satisfactory to the United States Government, and that the French and English texts have equal authenticity.

Accordingly, this exchange of notes constitutes an agreement between our two Governments.

Please accept, Excellency, the renewed assurances of my highest consideration.

Hugh MILLARD
Chargé d'Affaires ad interim

His Excellency Paul van Zeeland
Minister for Foreign Affairs
Brussels

ENCLOSURE

PROCEDURES TO BE FOLLOWED WITH REGARD TO EXPORT LICENSES FOR OFFSHORE PROCUREMENT GOODS DELIVERED IN THE BLEU TO THE UNITED STATES GOVERNMENT

1. The Belgian supplier who has been entrusted with an offshore order will obtain an export license, even if the delivery of the goods is to be executed within the territory of the BLEU. In the latter case, he will mention on the license under the heading "Country of Destination" the following words "U.S. Forces—O.S.P. Program".

2. At the time of delivery to the Government of the United States, the customs services will send to the place of delivery a representative or delegate who will clear the export license at the rate of the quantities delivered. At that moment the goods shall be regarded as having left the economy of the BLEU.

3. The procurement officer or his delegate will then execute a certificate of receipt following the model attached as Annex A, or such other form as may be agreed upon in the future between the Belgian Ministry of Finance and the competent US Military Authorities. This certificate will be prepared in duplicate one copy being given to the representative of the customs service and the second one being transmitted to the military service or the private firm entrusted with the storage or shipment of the goods.

4. If the goods are afterwards actually shipped outside the territory of the BLEU by the United States Forces or by any other NATO armed forces or private firm legally in possession of the goods, the following procedure will be followed:

a) The exportation being effected by or for the United States Forces:

The military certificate destined for the customs will bear the wording "Locally procured from the Belgium-Luxembourg Economy-Export license No has been produced by the Belgian supplier".

b) The exportation being effected by or for the Forces of other NATO countries:

The exportation may be covered either by the military certificate for the customs established for those Forces, by a declaration of free exportation (Form 139 attached as Annex B), or any other form which may be agreed upon in the future between the parties interested. The documents used should bear the wording " Goods furnished by the American Authorities under the Mutual Security Program. Export license N° has been submitted to BLEU customs authorities at the moment of delivery ".

5. The term " export-license " as used in this text refers to the declaration-license as well as to the export license proper.

ANNEX A
ANNEXE A
ANNEX A

CERTIFICATE
ATTESTATION
ATTEST

The undersigned
Le soussigné
Ondergetekende

Procurement Officer (*)
Procurement Officer à (*)
Procurement Officer van (*)

states that he has accepted the delivery in Belgium of
atteste avoir pris livraison en Belgique de
bevestigt in België in ontvangst te hebben genomen

.
.
.
.

5 (quantity—type of product—value in dollars)
(quantité—nature de produit—valeur dollar)
(hoeveelheid—aard van de goederen—waarde in dollars)

goods covered by Export License No°
Marchandises couvertes par la licence d'exportation No°
die gedekt waren door uitvoervergunning Nr

At date 19
A le 19
. 19

Signature,
Handtekening,

(*) Complete designation of the arm or service of Procurement Officer.
Désignation complète du service auquel appartient le Procurement Officer.
Omstandige aanduiding van de dienst waartoe de Procurement Officer behoort.

ANNEX B

[Annex B appears on the next sixteen pages.]

ANNEXE B

[L'annexe B est reproduite sur les seize pages qui suivent.]

(TRANSLATION — TRADUCTION)

ANNEX B

Front

OFFICE

No.

FREE EXPORT DECLARATION

COUNTERFOIL

(to be used if the declaration is completed by hand)

The undersigned
and acting on behalf of Mr. (1)
declares that he desires to export the following goods on the terms indicated below :

resident at
resident at

Place and country of destination	Via road, sea, canal, river, Rhine, railway, air	Name and flag of exporting vessel	Name of master or skipper	Place or port of shipment	Exit office

Number (in words), kind, marks and numbers of packages	Number, letter, cipher, etc. in tariff	Description of goods (nature and details)	Weight		Number or supplementary measurement (2)	Value (3)
			gross	net		

<p>Where applicable, state here why a detailed verification is requested, also the date, number of the general or special authorization and, where appropriate, the nature of the procedure to which the goods are to be subjected.</p> <p>No. 139</p>				<p>(4)</p> <p>At _____, on _____</p> <p>Declaration made by _____</p>		

Customs and Excise Administration

OFFICE	FREE EXPORT DECLARATION VERIFICATION CERTIFICATE
No.	

Checker present

RESULT

The verification (5)
document has shown (6) (7) :

of the goods specified in this

ANNEX B (*continued*)*Front* (*continued*)

No. 139 — 1953 — Lot 13 — Order 257 — Ets Evrard, s.a., Franière.

Customs and Excise Administration

OFFICE

FREE EXPORT DECLARATION

No.

DETACHABLE FORM

The undersigned, resident at
 and acting on behalf of Mr. (1) resident at
 declares that he desires to export the following goods on the terms indicated below :

Place and country of destination	Via road, sea, canal, river, Rhine, railway, air	Name and flag of exporting vessel	Name of master or skipper	Place or port of shipment	Exit office

Number (in words), kind, marks, and numbers of packages	Number, letter, cipher, etc. in tariff	Description of goods (nature and details)	Weight		Number or supplementary measurement (2)	Value (3)
			gross	net		

19

Validated

on

Collector of Excise

A rectangular box containing the word "Seal" in italics.

Detachable form to be held at my disposal (to be deleted at the option of the person making the declaration.)

Where applicable, state here why a detailed verification is requested, also the date, number of the general or special authorization and, where appropriate, the nature of the procedure to which the goods are to be subjected.

No. 139

ANNEX B (*continued*)*Back*

NOTES

-
- (1) If the person making the declaration is a customs agent or other intermediary, he should indicate here the name and address of the actual exporter, but is not required to do so.
 - (2) Number of pieces, pairs, cubic metres, hectolitres, etc.
 - (3) The value should be indicated in writing wherever detailed verification of the goods is requested.
 - (4) If the declaration is made out by typewriter, the following should be written here *by hand*: "Foregoing declaration certified."
 - (5) "Summary" or "detailed".
 - (6) "That there are no discrepancies." Where this is not the case, indicate the discrepancies observed.
 - (7) Mention in addition the customs marks, if any, applied to the goods.
-

EXPORT CERTIFICATE

N° 3019

export at the office of

The undersigned officials hereby certify that they observed the
on at o'clock.

Registered in the discharge register under No.
to the validation office on

19

and returned

Customs and Excise Administration

EXPORT CERTIFICATE

export at the office of

The undersigned officials hereby certify that they observed the
on at o'clock.

ANNEX B (*concluded*)*Back* (*concluded*)

Customs and Excise Administration

OFFICE

No.

FREE EXPORT DECLARATION

COUNTERFOIL

(to be used if declaration is completed by typewriter)

The undersigned,
and acting on behalf of Mr. (1)
declares that he desires to export the following goods on the terms indicated below :

resident at

resident at

Place and country of destination	Via road, sea, canal, river, Rhine, railway, air	Name and flag of exporting vessel	Name of master or skipper	Place or port of shipment	Exit office

Number (in words), kind, marks, and numbers of packages	Number, letter, cipher, etc., in tariff	Description of goods (nature and details)	Weight		Number or supplementary measurement (2)	Value (3)
			gross	net		

Where applicable, state here why a detailed verification is requested, also the date, number of the general or special authorization and, where appropriate, the nature of the procedure to which the goods are to be subjected.

No. 139

(4)

At , on

Declaration made by