

Letter from Paul-Henri Spaak to Anthony D. Biddle (19 July 1943)

Caption: In this letter, Belgian Foreign Minister Paul-Henri Spaak assures the US Government of Belgium's formal support for the United Nations Relief and Rehabilitation Administration (UNRRA) project, but suggests some adaptations given the country's situation.

Source: GOTOVITCH, José (sous la dir.). Documents diplomatiques belges 1941-1960, De l'indépendance à l'interdépendance. Tome I: Le gouvernement belge de Londres 1941-1944. Bruxelles: Académie royale de Belgique, 1998. 496 p. ISBN 2-8031-0158-0. p. 227-229.

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Your Excellency,

1. The Belgian Government has considered in detail the draft agreement on a 'United Nations Relief and Rehabilitation Administration', which Your Excellency kindly forwarded to me by letter of 10 June 1943. It noted with satisfaction the initiative taken by the US Government and hastens to reply to its request that it assist in the search for a successful outcome to the proposed action. It will lend its full support to achieving this end.

2. The Belgian Government has noted that the document is simply a draft and a basis for future discussions. It also notes that the purpose of the proposed agreement is confined to relief and rehabilitation. The opinions it is expressing do not, therefore, in any way prejudice its attitude in regard to questions that may arise when the United Nations considers international cooperation in other fields.

As Your Excellency requested, I hereby submit the Belgian Government's suggestions based on its consideration of the draft. In setting them out, it is concerned primarily with being as constructive as possible. In so doing, it has taken into account the clarification of various points provided during the informal exchanges of view that took place in the State Department with its representatives.

3. Under the provisions of Article III, the Council shall be the 'policy-making body'. Furthermore, it emerges from the clarifications provided by the State Department that it constitutes the highest authority; all other Administration bodies, including the Central Committee, are subordinate thereto; the Director-General has sole executive authority; in addition to the Director-General, the main bodies of UNRRA include the regional committees and the Committee on Supplies.

This is a judicious approach, and the Belgian Government fully endorses it. Some provisions of the draft agreement, however, appear to conflict with it, and it would be appropriate for these provisions to be brought more closely into line with the fundamental approach with which they must comply.

For instance, under the provisions of Article III, paragraph 3, between sessions of the Council the Central Committee shall exercise all its powers and functions. It might be deduced from this that, between Council sessions, it becomes the 'policy-making body'. To avoid any ambiguity, the Belgian Government suggests specifying that Central Committee measures must remain consistent with the policy adopted by the Council or be justified for emergency reasons. In this case, the Council would have to ratify these measures. This should apply in particular to the admission of new members within the meaning of Article II. In the same context, as provided in Article I, paragraph 2 (c), provision should be made for a measure proposed by a member to be considered as soon as it has been approved by the Council; as a general rule, members of the Committee on Supplies (Article III, paragraph 4), non-European members of the Committee of the Council for Europe and members of the Committee of the Council for the Far East who do not belong to this part of the world (Article III, paragraph 5) and members of the technical committees referred to in Article III, paragraph 6 should be appointed by the Council on a proposal from the Central Committee.

Moreover, Article III, paragraph 3, provides that the Central Committee shall invite the participation of the representative of any member government at those of its meetings at which action of special interest to such government is discussed. It is clear from the State Department's clarifications that all members who so wish have the right to be heard by the Central Committee when it considers questions of special interest to them, but they do not have the right to vote. The Belgian Government considers that members who meet under these conditions should participate in the proceedings and the votes, on an equal footing with the permanent Central Committee members.

Article III, paragraph 5, defines the composition and functions of the regional committees. With a view to

ensuring more rapid and effective decision-making, it would be desirable for some Council powers to be delegated to the regional committees.

Article III, paragraph 2, also provides that the Council shall be convened at the request of the majority of its members. The Belgian Government proposes that it should be convened at the request of one quarter of the members of the Council.

Should it not prove possible to define the respective powers of the Central Committee and the other UNRRA bodies in accordance with the observations set out above, consideration would have to be given to enlarging the Central Committee by including additional members selected from among the governments of the currently occupied countries.

4. Pursuant to Article I, paragraph 2, the form of activities of the Administration within the territory of a member government shall be determined after consultation with, and with the consent of, the member government. The Belgian Government considers that, as soon as a legal government effectively exercises its authority within its national territory, it obviously must be responsible for carrying out all measures relating to relief and rehabilitation, subject only to requirements that could arise from ongoing military operations. The terms of the provision in question need to be defined more clearly in this respect.

5. Article V provides that each member government will undertake to contribute fully to the support of the Administration, within the limits of available resources and subject to compliance with the provisions of its constitutional system. In this connection, the Belgian Government wishes to state that if, as it hopes, Belgium's available resources allow it to do so, it intends to pay itself for purchases made for the country's relief or rehabilitation purposes. It is prepared to consider providing other member governments with the assistance that lies within its power to offer them, but it is not entirely clear about the scope of the undertakings set out in this regard in paragraph 1 of Article V and believes that this should perhaps be clarified. The same applies to the scope of Article VII, which appears to imply that the military authorities will take responsibility for relief and rehabilitation until such time as they themselves have decided that hostilities or other military requirements have come to an end. It would also be useful to specify whether, as the Belgian Government believes on the basis of the clarifications provided to it, the Council will decide by a simple majority except where express provision is made for a different majority. Finally, it should be understood that the agreement must in no way prejudice the occupied countries' right to obtain from the enemy states payments in line with the destruction of their economy resulting from the systematic exploitation of their resources.

Regarding the 'allocation' of food and raw materials or other products, the Belgian Government understands that this will be determined in line with available resources and possibility of delivery and, should these not match up to requirements, on the basis of equality of sacrifice by all the United Nations.

The draft contains no provision on the termination of the agreement or its interpretation. The Belgian Government believes that it would be useful to close this loophole.

6. Subject to these observations, the Belgian Government is prepared to join the United States and other nations concerned in seeking a successful outcome to the proposed action.

Please accept, Your Excellency, the assurance of my highest consideration.