

# COORDINATED CONTROL OF MERCHANT SHIPPING

*Recommendations approved by the United Maritime Executive Board at London February 11, 1946; notification of United States acceptance of Parts A and B dated March 5, 1946*

*Effective March 3, 1946*

*Expired October 31, 1946*

61 Stat. 3791; Treaties and Other International Acts Series 1723

## RECOMMENDATIONS

The United Maritime Executive Board during its Fourth and final Session being unanimously of the opinion that the return to normal processes of international shipping should not be retarded nevertheless recognizes that certain difficulties and problems might arise in the shipping situation after the termination on March 2nd next of the Agreement on Principles of August, 1944,<sup>1</sup> and believes that it would be desirable for Governments to take measures during a limited transitional period to the end that such problems might be resolved and difficulties minimised. Accordingly they have agreed upon the following Recommendations for the consideration of contracting Governments:

### PART "A"

1. That all nations who have regularly contributed tonnage to the common tasks shall continue to provide shipping for the common tasks of relief and rehabilitation.

#### *Arrangements for dry cargo from U.S. and Canadian Loading Areas*

2. That a Contributory Nations Committee consisting of representatives of nations contributing tonnage to provide shipping space for relief and rehabilitation programmes from the United States and Canada shall be established in Washington.

3. That UNRRA [United Nations Relief and Rehabilitation Administration] and liberated nations requiring assistance from the Contributory Pool referred to in (4) below, shall programme their shipping requirements and

<sup>1</sup> TIAS 1722, *ante*, vol. 3, p. 891.

submit them to the Washington Committee established in (2) above. The procedure to be followed is set out in the Appendix.

4. That at the outset of the agreement each contributory nation shall declare to the Washington Committee the maximum and minimum monthly sailings or tonnage it will contribute for the period of the agreement. The tonnage thus contributed is referred to herein as the Contributory Pool.

*Arrangements for dry cargo from other Loading Areas*

5. That a Co-ordinating and Review Committee representative of Nations accepting Part "A" of this agreement shall be set up in London.

This Committee:

(a) shall consider U.N.R.R.A.'s requirements for loading in areas other than the United States and Canada. The nations accepting Part "A" of this agreement recognise the necessity for meeting such requirements to the best of their ability and through their representatives on the Committee shall co-ordinate the provision of tonnage they are able to make available for these programmes.

(b) shall keep the tonnage situation in loading areas other than the United States and Canada constantly under review. Recognising the necessity for an adequate supply of tonnage for loading in these areas the nations represented shall authorise the Committee to consider and recommend the measures that shall be taken to assist the fulfilment of the programmes affected in the event that normal commercial channels are failing to ensure an adequate supply of tonnage.

*General*

6. That nations needing shipping assistance other than that secured from the Contributory Pool, shall make suitable arrangements for the procurement of tonnage through commercial channels or may request it from other nations. The nations from whom tonnage is requested shall make all reasonable efforts to make available the requested shipping space at fair, reasonable and compensatory rates, subject to the reservation that they need not supply such tonnage if it is to be used in a manner contrary to the interests of the nation upon whom the request has been made.

APPENDIX TO PART "A"

1. To maintain without interruption the maximum flow of relief and rehabilitation cargoes from the United States and Canada, a Contributory Nations' Committee shall be established in Washington as provided in (2) of Part "A".

2. With respect to loadings from Canadian ports, the Washington Committee shall collaborate with a Canadian Sub-Committee to be established in Montreal.

3. U.N.R.R.A. and each liberated Nation requiring shipping assistance for the carriage of such cargoes, shall submit to this Committee by the 1st

of each month, its total programme of cargo loadings in the United States and Canada showing the number of coal, grain or other full, bulk cargoes, and the number of general cargoes programmed for loading during the following month, and estimates in the same form for the next two months. The programme for the specific month should also show the number, nationality, and total cargo capacity of vessels already available to the programming claimant for loading during that month.

4. By the 10th of each month each contributing Nation shall notify the Committee as to the amount of tonnage that it expects to have available, such tonnage to be within the maxima and minima as agreed in accordance with (4) of Part "A", and by the 15th of each month shall confirm the actual tonnage to be supplied against the following month's requirements, such tonnage to be stated separately in liner sailings and in tramps.

5. In arranging and determining the amount of tonnage to be provided under 4 of this Appendix, individual members of the Committee shall at all times communicate direct with their respective Nations, who shall, in considering requests for tonnage to load in the United States and Canada, make every effort to avoid causing a deficiency in the supply of tonnage required for other loading areas.

6. To meet each month's berthing requirements in the United States, the Committee shall allocate all of the agreed available tonnage through the established machinery of the War Shipping Administration, so that appropriate co-ordination with respect to loading facilities, inland transportation and availability of cargoes may be secured and the maximum flow of cargo for the month achieved, together with the most efficient use of the shipping available.

#### PART "B"

7. That:

(A) accepting Governments should meet periodically for discussions in a United Maritime Consultative Council for the purpose of exchanging information to the end that individual governments may be enabled to frame their own policies in the post-UMA period in the light of the knowledge of the policies of other governments.

(B) the Council may undertake the consideration and study, for the purpose of making appropriate recommendations to member governments, of any problems in the international shipping field, which may be referred to it and which do not come within the terms of reference of other established governmental conferences or associations active in the field.

(C) it is the intention that the shipping industry should collaborate and assist in devising ways and means to implement the common objectives stated in (A) and (B).

(D) meetings of the Council should be held at such times and places as the Council may determine. A chairman for each meeting should be designated

by the Government of the nation where such meeting is to be held. The Council should determine its own procedure.

(E) the United Maritime Consultative Council should have no executive powers.

(F) this part of the agreement should be open for acceptance by governments whether or not they accept Part "A".

#### PART "C"

8. That the arrangements in Parts "A" and "B" shall remain in effect from 3rd March until 31st October, 1946, unless by unanimous consent of the Governments accepting the respective Parts it is decided to terminate them at an earlier date.

9. That Governments accepting the recommendations in Part "A" and/or Part "B" shall notify their acceptance to the U.S. and U.K. Governments at the earliest possible date and that, as between the Governments notifying their acceptance, the relevant recommendations shall be regarded as an agreement for the period stated in recommendation 8.

10. That other Governments requesting information should be informed of these recommendations to the end that they may participate, if they so desire, by notifying their acceptance of Part "A" and/or part "B", in accordance with recommendation 9.

#### UNITED STATES ACCEPTANCE

##### *The Secretary of State to the British Ambassador*

The Secretary of State presents his compliments to His Excellency the Ambassador of Great Britain and has the honor to inform the Government of the United Kingdom that the United States of America has accepted Parts "A" and "B" of the recommendations to contracting Governments appended to a document entitled "U.M.E.B. 4/16 United Maritime Executive Board, Fourth Session, Recommendation to Contracting Governments, Note by the Secretariat", which recommendations were adopted by the United Maritime Executive Board on February 11, 1946 at its Fourth Session in London.

The Secretary of State understands that in accordance with paragraph 9 of Part "C" of the recommendations referred to above, the relevant recommendations shall be regarded as agreed to from March 3, 1946 until October 31, 1946, unless by unanimous consent of the Governments accepting the respective Parts it is decided to terminate them at an earlier date.

DEPARTMENT OF STATE,  
*Washington, March 5, 1946*

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[The recommendations were accepted by Australia on September 16, 1946; by Belgium, with a reservation, on March 8, 1946; by Brazil on July 20, 1946; by Canada on

March 19, 1946; by Chile on August 5, 1946; by Denmark on April 11, 1946; by France on April 19, 1946; by Greece on August 8, 1946; by India on March 15, 1946; by the Netherlands on March 18, 1946; by New Zealand on April 11, 1946; by Norway on March 4, 1946; by Poland on May 4, 1946; by South Africa on June 10, 1946; by Sweden, with a reservation, on March 1, 1946; by the United Kingdom on March 6, 1946; and by the United States on March 5, 1946.]