

N° 4566.

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## BELGIQUE, FRANCE ET PAYS-BAS

Accord relatif à certaines questions touchant le régime applicable à la navigation du Rhin, et protocole de signature, signés à Bruxelles, le 3 avril 1939, et échanges de notes y relatifs de la même date.

*Texte officiel français communiqué par les ministres des Affaires étrangères de Belgique et des Pays-Bas. L'enregistrement a eu lieu le 12 mai 1939.*

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## BELGIUM, FRANCE AND THE NETHERLANDS

Agreement regarding Certain Questions connected with the Regime applicable to Navigation on the Rhine, and Protocol of Signature, signed at Brussels, April 3rd, 1939, and Exchanges of Notes relating thereto of the same Date.

*French official text communicated by the Belgian and Netherlands Ministers for Foreign Affairs. The registration took place May 12th, 1939.*

## TRANSLATION. — TRANSLATION.

No. 4566. — AGREEMENT BETWEEN BELGIUM, FRANCE AND THE NETHERLANDS REGARDING CERTAIN QUESTIONS CONNECTED WITH THE REGIME APPLICABLE TO NAVIGATION ON THE RHINE. SIGNED AT BRUSSELS, APRIL 3RD, 1939.

BELGIUM, FRANCE and THE NETHERLANDS,

Desirous, so far as they are concerned, of defining more precisely and completing in certain respects the regime applicable to navigation on the Rhine and the adjacent waters, referred to in the Mannheim Convention<sup>1</sup> of October 17th, 1868, without, however, affecting the principle of collaboration between all the States called upon to form part, like themselves, of the Rhenish community,

Have agreed upon the following provisions :

*Article 1.*

Goods arriving at or leaving Strasburg via the Rhine may, in order to be regarded as transported directly in accordance with the terms of French law, be transhipped with or without warehousing either at the Belgian ports of Antwerp or Ghent or at the Netherlands ports of Amsterdam, Dordrecht or Rotterdam (including Vlaardingen, Schiedam and Hook of Holland).

The documents to be produced in order to benefit by the above-mentioned regime shall be prescribed by French law.

All facilities granted by France to goods passing in transit through one of the ports referred to in the first paragraph of this Article shall be extended to all the other ports enumerated in that paragraph.

*Article 2.*

The regime laid down in Article 1 in respect of goods passing in transit through Netherlands ports shall be applied :

(a) On the date of the entry into force of the present Agreement, to goods from overseas Netherlands territories ;

(b) A year after that date, to goods coming from or consigned to French ports (including Algerian ports) ;

(c) Two and a half years after the same date, to goods coming from or consigned to French colonies and protectorates ;

(d) Four years after the said date, to goods of European origin ;

(e) Five years from the date of the entry into force of the present Agreement, to all other goods.

*Article 3.*

As regards Rhine navigation, the Belgian and Netherlands Governments reciprocally undertake, for a period of ten years from the entry into force of the present Agreement, not to intensify — without previous mutual consent — any measure at present in force intended to facilitate traffic coming from or consigned to Belgian ports, which might be prejudicial to Netherlands ports.

During the same period, the two Governments undertake not to take any new measure of the same kind without previous mutual agreement.

*Article 4.*

More particularly, in respect of the bounties granted by the Belgian Government to traffic in certain goods proceeding up or down the Rhine, it is agreed that, during the period of ten years

<sup>1</sup> *British and Foreign State Papers*, Vol. 59, page 470.

fixed in the previous Article, the total yearly sum at present allotted for the payment of such bounties shall not be increased, that the unitary tariff fixed per ton shall not be increased, and that bounties shall not be granted on goods in respect of which they are not granted at present.

It is also agreed that, if the inland waterway traffic carried in any one year from Belgian seaports to the Rhine, above the frontier between the Netherlands and Germany, exceeds 24 % of the total inland waterway traffic arriving at that frontier, whether from Belgian or Netherlands seaports, the Belgian Government undertakes to proceed to a revision of the bounty system, so that the Rhine traffic from Belgian seaports is reduced below the limit of 24 % provided for in the present paragraph.

The total yearly sum referred to in the first paragraph shall be 16,400,000 Belgian francs, of which not more than 4,000,000 may be allocated to downstream traffic.

Nevertheless, if during one year the proportion between the two categories of traffic referred to in the second paragraph of the present Article falls below 18 %, the Belgian Government shall have the right to revise the bounty system. Such revision may be kept in force only as long as the said proportion for a given year has not reached 21 %.

The details of the revisions provided for in the second and fourth paragraphs of this Article shall be determined jointly by the Belgian and Netherlands Governments. If they fail to agree, such details shall be determined by means of a summary arbitration procedure to be fixed without delay by agreement between the two Governments concerned.

The Netherlands undertake not to grant, during the same period of ten years, bounties to traffic from or to the Rhine.

Mixed Rhine and maritime traffic without transshipment shall not be regarded as inland waterway traffic within the meaning of the present Article.

The following are to be regarded as Belgian seaports for the purposes of the present Article :

Antwerp, Ghent, Selzaete, Brussels, Bruges, Zeebrugge, Ostend, Louvain, Termonde and Nieuport,

and as Netherlands seaports :

Rotterdam (including Schiedam, Vlaardingen and Hook of Holland), Amsterdam, Dordrecht, Terneuzen, Sluiskil, Flushing, Velder, Harlingen and Delfzijl.

#### Article 5.

The Belgian and Netherlands Governments shall set up a Mixed Commission for the purpose of considering the possibility of fixing by common agreement the taxes and dues chargeable in the ports of Antwerp, Ghent, Rotterdam and Amsterdam.

The Commission shall submit the part of its report concerning harbour dues (*havengelden*), as regards the dues payable by vessels not belonging to a regular service, within three months from the coming into force of the present Agreement, and as regards those applicable to other vessels, within six months from that date.

Harbour dues payable by vessels not belonging to a regular service shall not be changed for three months from the date of the entry into force of the present Agreement, subject to any agreement between the Governments concerned ; the dues payable by other vessels shall not be changed for three months from the date of the said entry into force, subject to any agreement between the said Governments.

#### Article 6.

Pending the establishment of a new general regime for Rhine navigation fulfilling the conditions laid down in Article 7 below, the contracting States agree that, in addition to the provisions of Articles 2, 3, 4 and 5 of the Mannheim Convention of October 17th, 1868, as amended and completed as set forth in Article 9 of the present Agreement, the provisions of Articles 7, 9, 10, 11 and 12 of that Convention shall be applied to navigation from or to the Rhine over the navigable waters connecting the Rhine with Belgium.

If the regime laid down by the provisions enumerated in the previous paragraph is amended or completed in respect of certain points, the contracting States agree that such amendments and additions shall apply to the traffic referred to in the said paragraph.

*Article 7.*

The contracting States undertake that the principles set forth in Chapters III, IV, VII and VIII of the revised draft convention for Rhine navigation, concluded at Strasburg in May 1936, shall be applied, under a new general regime of Rhine navigation, to the ports of Rotterdam (including Vlaardingen, Schiedam and Hook of Holland), Amsterdam, Dordrecht, Antwerp and Ghent, and that Rhine navigation proceeding to or from both those ports or the open sea or Belgium shall — in respect of the matters referred to in those chapters — receive the same treatment as it would receive on the Rhine itself.

Under the new general regime of the Rhine referred to above, the measures provided for in Articles 2, 3, 4 and 5 of the present Agreement shall remain in force.

*Article 8.*

The contracting States shall take joint action with a view to the re-establishment of the Rhenish community in full equality of rights.

They undertake, during the continuation of such action, not to consent, unless by joint agreement, to any changes in the regime at present applicable to navigation on the Rhine.

*Article 9.*

The present Agreement shall remain in force as long as the contracting States continue to apply the provisions of the Mannheim Convention of October 17th, 1868, as amended by the clauses of the Treaty of Versailles of June 28th, 1919, in so far as the Netherlands have acceded thereto by the Protocols<sup>1</sup> of January 21st, 1921, and March 29th, 1923.

*Article 10.*

The present Agreement shall come into force on the date of its signature.

Nevertheless, Articles 1 and 2, and the clause in the third paragraph of the Protocol of Signature *ad* Article 6, shall come into application on May 1st, 1939.

In faith whereof the undersigned, duly authorised, have signed the present Agreement and have thereto affixed their seals.

Done at the French Embassy at Brussels, the 3rd day of April, 1939, in a single copy, to be kept in the archives of the French Republic, which shall communicate certified copies thereof to the contracting States.

(Signed) E. CASTEUR.

(Signed) CHARGUERAUD-HARTMANN.

(Signed) J. DERUELLE.

(Signed) KRÖLLER.

(Signed) H. WOESTYN.

(Signed) C. J. M. SCHAEPMAN.

(Signed) DE LA BAUME.

PROTOCOL OF SIGNATURE.

At the time of signing the Agreement relating to certain questions affecting the regime applicable to Rhine navigation, the undersigned, duly authorised, have covenanted to add to the Agreement the following explanatory clauses, which shall have the same effect and shall remain in force for the same period as the said Agreement :

*Ad Article 4.*

It is understood that, for the purposes of the application of Article 4, the statistics concerning the Rhine traffic of Belgian seaports shall be prepared by the Special Committee on Belgian-

<sup>1</sup> Vol. XX, page 111 ; and Vol. XXIV, page 194, of this Series.

Rhine Inland Waterway Communications, and those concerning frontier traffic between the Netherlands and Germany, by the Netherlands Central Statistical Office.

The Netherlands Government shall take the necessary steps to provide, as regards the statistical data to be collected at the frontier between the Netherlands and Germany, a system of supervision adequate for the special requirements of the present Agreement.

The Belgian and Netherlands Governments hereby guarantee the accuracy of the statistical data compiled by their services.

*Ad Article 4, Paragraph 4.*

It is understood that the revision provided for in the fourth paragraph of Article 4 may not entail an increase of the total annual sum mentioned in the third paragraph of that Article nor an extension of the bounties to goods on which no bounty is granted at present.

Nevertheless, if, during the last half of a year, the mean gold rate of the belga should fall by more than 15 % below the present rate, such revision might entail an increase of the sum in question, such increase not to exceed the percentage of the depreciation of the belga.

The present gold rate of the belga is 6,615.46 to one kilogramme of fine gold. The rates of exchange to be taken into account in the case of a change in the gold rate of the belga shall be those published in the *Bulletin d'information et de documentation* of the National Bank of Belgium, under the heading : "Rates of Precious Metals in London".

*Ad Article 6.*

It is understood that any new facilities granted under the provisions of the second paragraph of Article 6 shall be extended to navigation proceeding from or to the Rhine on the Belgian part of the Maritime Scheldt.

If the facilities are granted to such navigation on the waters connecting the Rhine with the port of Amsterdam, they shall also be granted on the Belgian part of the Ghent-Terneuzen Canal.

It is understood that, for the purposes of the application of Article 9 of the Mannheim Convention on the Rhine, its mouths and waterways connecting the Rhine with Belgium, no convoy charges shall be levied other than costs of food, heating and light, whether the cargo is or is not transhipped or warehoused in a Rhine free port.

Nevertheless, free convoy, as defined in the previous paragraph, shall be continued only in respect of Belgian vessels on waterways connecting the Rhine with Belgium, in so far as the same facility continues to be granted to navigation proceeding from or to the Rhine on the Belgian part of the Maritime Scheldt and on that of the Ghent-Terneuzen Canal.

If free convoy is abolished on the waterways connecting the Rhine with Belgium, the Belgian Government may, notwithstanding the provisions of Article 3, refund the convoy charges to users of that waterway.

*Ad Article 7.*

The Plenipotentiaries of the Netherlands declare that the Netherlands Government reserves, under a new general regime of traffic on the Rhine, the right to apply the laws concerning the proportional allocations of freight charges to Netherlands inland traffic on the Netherlands waterways mentioned in Article 7.

*Ad Article 9.*

It is understood that Article 9 cannot be cited for the purpose of contesting the permanent character of the Mannheim Convention or the provisions of the Treaties or Protocols referred to in the said Article.

Done at the French Embassy at Brussels, the 3rd day of April, 1939.

(Signed) E. CASTEUR.

(Signed) CHARGUERAUD-HARTMANN.

(Signed) J. DERUELLE.

(Signed) KRÖLLER.

(Signed) H. WOESTYN.

(Signed) C. J. M. SCHAEPMAN.

(Signed) DE LA BAUME.

## EXCHANGES OF NOTES.

## I.

FRENCH DELEGATION.

SIR,

BRUSSELS, *April 3rd*, 1939.

With reference to the Franco-Belgo-Netherlands Agreement of to-day's date relating to certain questions affecting the regime applicable to Rhine navigation, I have the honour to confirm that the provisions of this instrument shall in no way affect the application of the Franco-Belgian Agreement of April 18th, 1921, in so far as that Agreement applies to traffic not included in the above-mentioned tripartite Agreement.

I have the honour to be, etc.

(Signed) DE LA BAUME.

Monsieur Casteur, Minister Plenipotentiary,  
Head of the Belgian Delegation.

## I bis.

BELGIAN DELEGATION.

SIR,

BRUSSELS, *April 3rd*, 1939.

You have been so good as to send me a letter of to-day's date reading as follows :

“ With reference to the Franco-Belgo-Netherlands Agreement of to-day's date relating to certain questions affecting the regime applicable to Rhine navigation, I have the honour to confirm that the provisions of this instrument shall in no way affect the application of the Franco-Belgian Agreement of April 18th, 1921, in so far as that Agreement applies to traffic not included in the above-mentioned tripartite Agreement. ”

I have the honour to acknowledge receipt of this communication.

I have the honour to be, etc.

(Signed) E. CASTEUR.

Monsieur de la Baume, Minister Plenipotentiary,  
Head of the French Delegation.

## II.

FRENCH DELEGATION.

SIR,

BRUSSELS, *April 3rd*, 1939.

With reference to Article 1, first paragraph, of the Franco-Belgo-Netherlands Agreement of to-day's date relating to certain questions affecting the regime applicable to Rhine navigation, I have the honour to confirm that the effect of this clause will be to maintain the special conditions to which such traffic proceeding to or from Strasburg via Antwerp and the Rhine is at present entitled and to extend them to traffic of the same kind via the other ports referred to in the said clause.

I have the honour to be, etc.

(Signed) DE LA BAUME.

Monsieur Casteur, Minister Plenipotentiary,  
Head of the Belgian Delegation.

II *bis*.

FRENCH DELEGATION.

SIR,

BRUSSELS, *April 3rd*, 1939.

With reference to Article I, first paragraph, of the Franco-Belgo-Netherlands Agreement of to-day's date relating to certain questions affecting the regime applicable to Rhine navigation, I have the honour to confirm that the effect of this clause will be to maintain the special conditions to which traffic proceeding to or from Strasburg via Antwerp and the Rhine is at present entitled and to extend them to traffic of the same kind via the other ports referred to in the said clause.

I have the honour to be, etc.

(Signed) DE LA BAUME.

Monsieur Kröller, Head of the Netherlands Delegation.

II *ter*.

BELGIAN DELEGATION.

SIR,

BRUSSELS, *April 3rd*, 1939.

You have been so good as to send me a letter of to-day's date reading as follows :

“ With reference to Article I, first paragraph, of the Franco-Belgo-Netherlands Agreement of to-day's date relating to certain questions affecting the regime applicable to Rhine navigation, I have the honour to confirm to you that the effect of this clause will be to maintain the special conditions to which traffic proceeding to or from Strasburg via Antwerp and the Rhine is at present entitled and to extend them to traffic of the same kind via the other ports referred to in the said clause. ”

I have the honour to acknowledge receipt of this communication.

I have the honour to be, etc.

(Signed) E. CASTEUR.

Monsieur de la Baume, Minister Plenipotentiary,  
Head of the French Delegation.

II *quater*.

NETHERLANDS DELEGATION.

SIR,

BRUSSELS, *April 3rd*, 1939.

You have been so good as to send me a letter of to-day's date reading as follows :

“ With reference to Article I, first paragraph, of the Franco-Belgo-Netherlands Agreement of to-day's date relating to certain questions affecting the regime applicable to Rhine navigation, I have the honour to confirm to you that the effect of this clause will be to maintain the special conditions to which traffic proceeding to or from Strasburg via Antwerp and the Rhine is at present entitled and to extend them to traffic of the same kind via the other ports referred to in the said clause. ”

I have the honour to acknowledge receipt of this communication.

I have the honour to be, etc.

(Signed) KRÖLLER.

Monsieur de la Baume, Minister Plenipotentiary,  
Head of the French Delegation.

## III.

FRENCH DELEGATION.

SIR,

BRUSSELS, *April 3rd*, 1939.

I have the honour to inform you that goods originating in Togoland and the Cameroons are assimilated, for Customs purposes, to goods originating in the French colonies, and that Syrian and Lebanese goods are subject to the regime applicable to goods originating in foreign countries and hence to the warehousing surcharge.

I have the honour to be, etc.

(Signed) DE LA BAUME.

Monsieur Casteur, Minister Plenipotentiary,  
Head of the Belgian Delegation.

## III bis.

FRENCH DELEGATION.

SIR,

BRUSSELS, *April 3rd*, 1939.

I have the honour to inform you that goods originating in Togoland and the Cameroons are assimilated, for Customs purposes, to goods originating in the French colonies, and that Syrian and Lebanese goods are subject to the regime applicable to goods originating in foreign countries and hence to the warehousing surcharge.

I have the honour to be, etc.

(Signed) DE LA BAUME.

Monsieur Kröller, Head of the Netherlands Delegation.

## III ter.

BELGIAN DELEGATION.

SIR,

BRUSSELS, *April 3rd*, 1939.

You have been so good as to send me a letter of to-day's date reading as follows :

" I have the honour to inform you that goods originating in Togoland and the Cameroons are assimilated, for Customs purposes, to goods originating in the French colonies, and that Syrian and Lebanese goods are subject to the regime applicable to goods originating in foreign countries and hence to the warehousing surcharge. "

I have the honour to acknowledge receipt of this communication.

I have the honour to be, etc.

(Signed) E. CASTEUR.

Monsieur de la Baume, Minister Plenipotentiary,  
Head of the French Delegation.

## III quater.

NETHERLANDS DELEGATION.

SIR,

BRUSSELS, *April 3rd*, 1939.

You have been so good as to send me a letter of to-day's date reading as follows :

" I have the honour to inform you that goods originating in Togoland and the Cameroons are assimilated, for Customs purposes, to goods originating in the French



colonies, and that Syrian and Lebanese goods are subject to the regime applicable to goods originating in foreign countries and hence to the warehousing surcharge."

I have the honour to acknowledge receipt of this communication.

I have the honour to be, etc.

(Signed) KRÖLLER.

Monsieur de la Baume, Minister Plenipotentiary,  
Head of the French Delegation.

#### IV.

BELGIAN DELEGATION.

SIR,

BRUSSELS, April 3rd, 1939.

With reference to Article 3 of the Franco-Belgo-Netherlands Agreement of to-day's date relating to certain questions affecting the regime applicable to Rhine navigation, I have the honour to communicate to you herewith the text of the Regulations prescribing the regime for free towage between Antwerp/Ghent and Dordrecht, dated October 9th, 1919, as completed on December 10th, 1932. I may add that the provisions of this text have not been amended since that date and remain the only provisions at present applicable in this matter.

I have the honour to be, etc.

(Signed) E. CASTEUR.

Monsieur Kröller, Head of the Netherlands Delegation.

### REGULATIONS

FOR FREE TOWAGE BETWEEN ANTWERP/GHENT-DORDRECHT AND VICE VERSA.

(Text adopted on December 10th, 1932, by the Committee of Enquiry into Inland Waterway Communications between Antwerp and Strasburg.)

#### Article 1.

The following shall be entitled to free towage from Dordrecht to Antwerp/Ghent :

Vessels the cargo of which consists exclusively of goods coming from Strasburg and consigned to Antwerp/Ghent.

The following shall be entitled to free towage from Antwerp/Ghent to Dordrecht :

Vessels the cargo of which consists exclusively of goods coming from Antwerp/Ghent and consigned to Strasburg.

The following shall be entitled to a reduction of charges for towage :

Vessels the cargo of which consists in part of goods coming from or consigned to Strasburg and coming from or consigned to Antwerp/Ghent.

The reduction on the charge paid shall be proportionate to the ratio of the weight of the above-mentioned goods to the weight of the vessel's total cargo.

Nevertheless, barges which do not discharge at least 50 tons of goods coming from Antwerp/Ghent at Strasburg shall not be entitled to free towage from Antwerp/Ghent to Dordrecht.

Empty vessels proceeding from Dordrecht to Antwerp/Ghent shall be entitled to a refund of all or part of the towage costs if they take upstream at least a quarter of their cargo consigned to Strasburg, such refund being made proportionate to the ratio of the cargo consigned to Strasburg in the journey upstream to the total cargo. In such cases the refund shall be made when the vessel

leaves Antwerp/Ghent. It is clearly understood that, in the case of these vessels, the first commercial transaction must be the shipment of cargo for Strasburg, and that departure must take place within thirty-one days from the day of arrival at Antwerp/Ghent, otherwise free towage of the empty lighter will not be granted.

*Article 2.*

Goods which, in view of the requirements of navigation, have had to be or may have to be transhipped from one vessel to another during the voyage shall be regarded as goods coming from or consigned to Strasburg if they are accompanied by a bill of lading from Strasburg to Antwerp/Ghent or *vice versa*.

Goods transhipped during the journey from rail to ship and from ship to rail shall not be regarded as entitled to exemption, unless the use of the railway was unquestionably due to *force majeure*.

*Article 3.*

Towage of vessels shall be provided by the Belgian Government and at its expense either by its own tugs or by such other tugs as it may choose, and in accordance with the Rotterdam towage rules.

*Article 4.*

A Supervisory Committee for Free Towage shall be established. It shall consist of not more than three Belgian and three French members and the necessary administrative staff. It shall have offices at Antwerp, at Strasburg and at any other place which the Committee may think desirable.

*Article 5.*

Any master of a vessel who wishes to avail himself of the provisions of the present Regulations must, when ready to depart, present at the local office of the Supervisory Committee: (1) an application in duplicate for free towage; (2) a duly signed copy of the manifest, the nature and weight of the goods from or for Strasburg being shown separately.

The master shall receive, after verifying and signing a certificate recognising the acceptance of the clauses of the present Regulations, a numbered and dated voucher taken from a counterfoil register, stating that he is entitled either to fully or to partly free towage. Such voucher shall enable him to obtain registration at the office of the towage service, subject to payment, in the case of partial exemption, of that part of the towage costs for which his vessel is still responsible. The voucher may be used only on the day of issue and the following day.

In the case of barges leaving Strasburg, the voucher referred to above shall be issued at Dordrecht.

In the case of an empty vessel proceeding to Antwerp/Ghent, the master must apply to the representative of the towage service at Dordrecht and must claim towage on payment, otherwise no refund may be made to him when he leaves Antwerp/Ghent. The said representative shall give the master a voucher stating the presumed date of departure, the name of the tug to be employed and the towage charge.

In order to enable inspection to be carried out, the manifests and the applications for free towage submitted to the office of the Supervisory Committee at Strasburg shall be forwarded to the Antwerp office, which shall notify its representative at Dordrecht of the departure of barges from Strasburg.

The Ghent office shall forward to the Antwerp office the manifests and applications for free towage which are submitted to it.

The Antwerp office shall periodically forward to the Strasburg office a detailed list of vessels leaving Antwerp/Ghent.

*Article 6.*

On arrival at destination, the vessels which have been allowed free towage must, when required, present the receipts given them by the consignees certifying the cargo discharged to the local representative of the Supervisory Committee.

Should there be any lightening during the voyage, the masters of the various vessels which carry part of the cargo shall be required to appear at the local office of the Committee with documents enabling each part of the original cargo to be identified.

The Supervisory Committee may refuse to allow free towage of a cargo if the above-mentioned formalities have not been complied with.

The results of the inspection shall be forwarded to the Antwerp office, which shall centralise the statistical information and shall deal with disputes.

*Article 7.*

On the voucher submitted to the towage service shall be entered the date and hour at which the document is presented, the name of the tug employed and the date of departure.

*Article 8.*

The Supervisory Committee shall send its observations direct to the Belgian Government (Inland Waterway Navigation Service) when it thinks fit. Any dispute that arises shall be submitted to the Antwerp-Strasburg Committee of Enquiry, which, if it cannot arrive at an agreement, shall refer the case to the Belgian and French Governments, together with the opinions of the two delegations on the Committee of Enquiry.

*Article 9.*

If, on the third day after the application for towage has been made to the towage service, no towage has been provided, the master may — unless the delay in towage was caused by a duly established case of *force majeure* — apply to any towage undertaking.

The Supervisory Committee or its local representative must be notified before towage is undertaken. The Supervisory Committee shall fix the amount to be refunded for such towage.

Should there be any dispute between the person entitled to a refund and the Supervisory Committee or between the latter and the Belgian Government, the final decision shall lie with the Antwerp-Strasburg Committee of Enquiry.

*Article 10.*

In the case of fraud, a false declaration, etc., the person concerned shall be obliged to repay double the sum due for the towage charges from which the vessel has been improperly exempted. If the offence is repeated, the Supervisory Committee may temporarily or permanently deprive the person concerned of the benefit of free towage.

*Article 11.*

The budget of the Supervisory Committee shall be prepared by the Antwerp-Strasburg Committee of Enquiry, which shall be responsible for supervision of accounts.

The expenses of the Supervisory Committee shall be met by a charge levied on exempted tonnage, fixed on a proposal of the Supervisory Committee by the Antwerp-Strasburg Committee of Enquiry. Such charge shall be levied at the time of the application for exemption and shall in no case be recoverable.

*Article 12.*

The present Regulations may be amended subject to joint agreement by the French and Belgian Governments on a proposal of the Antwerp-Strasburg Committee of Enquiry.

*Article 13.*

In the present Regulations, the term Strasburg shall be held to mean the whole of the docks included in the area of the Port of Strasburg, as defined by the Decree of September 27th, 1925.

## IV bis.

NETHERLANDS DELEGATION.

SIR,

BRUSSELS, April 3rd, 1939.

You have been so good as to send me to-day a letter which reads as follows :

“ With reference to Article 3 of the Franco-Belgo-Netherlands Agreement of to-day's date relating to certain questions affecting the regime applicable to Rhine navigation, I have the honour to communicate to you herewith the text of the Regulations prescribing the regime for free towage between Antwerp/Ghent and Dordrecht, dated October 9th, 1919, as completed on December 10th, 1932. I may add that the provisions of this text have not been amended since that date and remain the only provisions at present applicable in this matter. ”

I have the honour to acknowledge receipt of this communication.

I have the honour to be, etc.

(Signed) KRÖLLER.

Monsieur Casteur, Minister Plenipotentiary,  
Head of the Belgian Delegation.

## V.

BELGIAN DELEGATION.

SIR,

BRUSSELS, April 3rd, 1939.

With reference to Article 4 of the Agreement signed this day, I have the honour to communicate to you below the amounts of the bounties at present granted, in accordance with the arrangements made by the Special Committee for Belgian-Rhine Inland Waterway Communications, to the owners or, in the case of chartering for a specified period, to the charterers of vessels carrying cargoes through the Maritime Scheldt or Terneuzen Canal from Belgian ports to the discharging points fixed by the said Committee, and *vice versa* :

1. *Up the Rhine* :
  - (a) Mineral ores, concentrated or not (including pyrites, slag or cinders, blast-furnace coal dust) . . . . . 3.— fr. per ton
  - (b) All other goods . . . . . 2.50 ” ” ”
2. *Down the Rhine* :
  - Metallurgical products . . . . . 2.— ” ” ”
3. *Up and down the Rhine* :
  - All goods carried by regular Rhine navigation lines . . 2.50 ” ” ”

I have the honour to be, etc.

(Signed) E. CASTEUR.

Monsieur Kröller, Head of the Netherlands Delegation.

## V bis.

NETHERLANDS DELEGATION.

SIR,

BRUSSELS, April 3rd, 1939.

You have been so good as to send me to-day a letter which reads as follows :

“ With reference to Article 4 of the Agreement signed this day, I have the honour to communicate to you below the amounts of the bounties at present granted, in accor-

dance with the arrangements made by the Special Committee for Belgian-Rhine Inland Waterway Communications, to the owners or, in the case of chartering for a specified period, to the charterers of vessels carrying cargoes through the Maritime Scheldt or Terneuzen Canal from Belgian ports to the discharging points fixed by the said Committee, and *vice versa* :

“ 1. *Up the Rhine* :

(a) Mineral ores, concentrated or not (including pyrites, slag or cinders, blast-furnace coal dust) . . . 3.— fr. per ton  
(b) All other goods . . . . . 2.50 „ „ „

“ 2. *Down the Rhine* :

Metallurgical products . . . . . 2.— „ „ „

“ 3. *Up and down the Rhine* :

All goods carried by regular Rhine navigation lines 2.50 „ „ „ .”

I have the honour to acknowledge receipt of this communication.

I have the honour to be, etc.

(Signed) KRÖLLER.

Monsieur Casteur, Minister Plenipotentiary,  
Head of the Belgian Delegation.

#### VI.

NETHERLANDS DELEGATION.

SIR,

BRUSSELS, *April 3rd*, 1939.

With reference to the conversations which have just taken place between the Belgian, French and Netherlands Delegations, and which have resulted in the conclusion of an Agreement of to-day's date, I have the honour to confirm to you the agreement of the Netherlands Government to the following provision :

“ The Netherlands and Belgian Governments desire to declare that they have not, by the provisions of the above-mentioned Agreement, intended to cause the discontinuance of such greater facilities as may result from previous treaties.

“ With particular reference to the extension, to the waterways connecting the Rhine with Belgium, of the Customs facilities provided for in Articles 7, 9, 10, 11 and 12 of the Mannheim Convention, the Belgian Government hereby declares that it waives any claim to the application on the said waterways of such facilities to Belgian vessels coming from or proceeding to the Rhine.

“ It declares that in this respect it will abide by the provisions of conventions between the Netherlands and Belgium governing this matter.”

I have the honour to be, etc.

(Signed) KRÖLLER.

Monsieur Casteur, Minister Plenipotentiary,  
Head of the Belgian Delegation.

#### VI bis.

BELGIAN DELEGATION.

SIR,

BRUSSELS, *April 3rd*, 1939.

With reference to the conversations which have just taken place between the Belgian, French and Netherlands Delegations, and which have resulted in the conclusion of an Agreement of to-day's

date, I have the honour to confirm to you the agreement of the Belgian Government to the following provision :

“ The Belgian and Netherlands Governments desire to declare that they have not, by the provisions of the above-mentioned Agreement, intended to cause the discontinuance of greater facilities which may result from previous treaties.

“ With particular reference to the extension, to the waterways connecting the Rhine with Belgium, of the Customs facilities provided for in Articles 7, 9, 10, 11 and 12 of the Mannheim Convention, the Belgian Government hereby declares that it waives any claim to the application on the said waterways of such facilities to Belgian vessels coming from or proceeding to the Rhine.

“ It declares that in this respect it will abide by the provisions of conventions between Belgium and the Netherlands governing this matter. ”

I have the honour to be, etc.

(Signed) E. CASTEUR.

Monsieur Kröller, Head of the Netherlands Delegation.

## VII.

### BELGIAN DELEGATION.

SIR,

BRUSSELS, April 3rd, 1939.

In view of the impossibility of guaranteeing for the year 1939 the accuracy of the statistical data referred to in Article 4 of the Agreement signed this day, it is understood that in place of the second and fourth paragraphs of the said Article the following provisions shall be applicable :

“ It is agreed that, if the inland waterway traffic carried during the year 1939 from the ports of Antwerp and Ghent to the Rhine, above the frontier between the Netherlands and Germany, exceeds 20 % of the total traffic (mixed Rhine and maritime traffic included) registered as proceeding up the Rhine at the said frontier, the Belgian Government undertakes to revise the bounty system so that the Rhine traffic from the above-mentioned Belgian ports is reduced in 1940 below the limit of 20 % provided for in the present paragraph.

“ If, during the year 1939, the proportion between the two categories of traffic referred to in the previous paragraph falls below 15 %, the Belgian Government shall have the right to revise the bounty system. Such revision may be kept in force only so long as the said proportion for the year 1940 has not reached 17.5 %.

“ The above-mentioned statistics shall be prepared as prescribed in the first paragraph of the Protocol of Signature *ad* Article 4.

“ It is hereby agreed that as from January 1st, 1940, the provisions laid down in the second and fourth paragraphs of Article 4 shall come into force. ”

I have the honour to be, etc.

(Signed) E. CASTEUR.

Monsieur Kröller, Head of the Netherlands Delegation.

## VII bis.

### NETHERLANDS DELEGATION.

SIR,

BRUSSELS, April 3rd, 1939.

In view of the impossibility of guaranteeing for the year 1939 the accuracy of the statistical data referred to in Article 4 of the Agreement signed this day, it is understood that in place of the second and fourth paragraphs of the said Article the following provisions shall be applicable :

“ It is agreed that, if the inland waterway traffic carried during the year 1939, from the ports of Antwerp and Ghent to the Rhine, above the frontier between the Netherlands

and Germany, exceed 20 % of the total traffic (mixed Rhine and maritime traffic included) registered as proceeding up the Rhine at the said frontier, the Belgian Government hereby undertakes to revise the bounty system so that the Rhine traffic from the above-mentioned Belgian ports is reduced in 1940 below the limit of 20 % provided for in the present paragraph.

“ If, during the year 1939, the proportion between the two categories of traffic referred to in the previous paragraph falls below 15 %, the Belgian Government shall have the right to revise the bounty system. Such revision may be kept in force only so long as the said proportion for the year 1940 has not reached 17.5 %.

“ The above-mentioned statistics shall be prepared as prescribed in the first paragraph of the Protocol of Signature *ad* Article 4.

“ It is hereby agreed that as from January 1st, 1940, the provisions laid down in the second and fourth paragraphs of Article 4 shall come into force. ”

I have the honour to be, etc.

(Signed) KRÖLLER.

Monsieur Casteur, Minister Plenipotentiary,  
Head of the Belgian Delegation.

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**ERRATUM**

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*Volume LXXXIV*, N° 1901.

(Traduction.)

Page 24, article 2, alinéa 2 :

Au lieu de :

« Si l'assistance est temporaire, elle ne pourra donner lieu à un remboursement que si l'indigent lui-même demande son rapatriement. »

Lire :

« Si l'assistance est temporaire, il ne pourra être question que de remboursement, à moins que l'indigent ne demande lui-même son rapatriement. »

*Volume LXXXIV*, No. 1901.

(Translation.)

Page 25, Article 2, paragraph 2 :

Instead of :

“ Where the poor relief is of a temporary character, no question of reimbursement can arise unless the indigent person himself applies to be repatriated. ”

Read :

“ When the poor relief is of a temporary character, the question of reimbursement alone can arise, unless the indigent person himself applies to be repatriated. ”