

Agreement for the establishment of the European Coal Organisation (London, 4 January 1946)

Caption: On 4 January 1946, in London, representatives from Belgium, Denmark, France, Greece, Luxembourg, the Netherlands, Norway, Turkey, the United Kingdom and the United States sign an agreement on the establishment of the European Coal Organisation for an initial one-year period.

Source: European Coal Organisation 1945 to 1947, Brief description and history. London: European Coal Organisation, 1948. 91 p. p. 38-41.

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Agreement for the establishment of the European Coal Organisation (London, 4 January 1946)

THE Governments of Belgium, Denmark, France, Greece, Luxembourg, the Netherlands, Norway, Turkey, the United Kingdom of Great Britain and Northern Ireland and the United States of America, being convinced that, during the present period of general shortage of coal and of certain types of coal-mining supplies and equipment, effective co-ordination of the demand for and supply of these commodities in Europe will continue to be necessary, have agreed as follows:—

Article 1.

Establishment of a European Coal Organisation.

The European Coal Organisation, hereinafter referred to as the “Organisation” is hereby formally established.

Article 2.

Membership of the Organisation.

The members of the Organisation shall be the Governments on whose behalf this Agreement is signed and those other Governments which accede to the Agreement at the invitation of the Council provided for in Article 3.

Article 3.

Structure of the Organisation.

1. The Organisation shall consist of a Council and a Full-time Staff.
2. The Council shall be composed of representatives of the member Governments. Each Government shall appoint one representative and may appoint an alternate representative and technical advisers.
3. The Council shall draw up its own rules of procedure and may establish such committees or other subordinate bodies as may be desirable.
4. The Full-time Staff shall consist of a Chairman, who shall preside in the Council, a Secretary-General, both appointed by the Council, and other necessary staff appointed by the Chairman with the approval of the Council and in accordance with conditions to be prescribed by the Council.

Article 4.

Purpose of the Organisation.

1. The purpose of the Organisation is to promote the supply and equitable distribution of coal and scarce

items of coal-mining supplies and equipment while safeguarding, as far as possible, the interests of both producers and consumers. With this object the Council shall keep itself constantly acquainted with and, when necessary, discuss the situation in regard to such supply and distribution, disseminate information in regard thereto, and make appropriate recommendations to the Governments concerned and to any other competent authorities.

2. To these ends the member Governments shall:—

(a) provide the Organisation, at its request, with all relevant information, in particular, information regarding production, imports, exports, consumption, stocks and requirements of coal and of coal-mining supplies and equipment, and

(b) give their full co-operation to the Organisation in the accomplishment of its task.

Article 5.

Headquarters.

The Headquarters of the Organisation shall be in London or such other place as the Council may from time to time decide.

Article 6.

Relations with other Organisations, Authorities and Agencies.

1. The Organisation may establish relations with national and international organisations, authorities and agencies.

2. After the establishment of the Economic and Social Council of the United Nations, the Organisation shall communicate with that Council with the view of determining what relationship should be created between it and the Council and, in particular, whether its functions can and should be taken over by the Council.

Article 7.

Administrative Expenses.

The Council shall consider and approve a budget covering the necessary administrative expenses of the Organisation. Administrative expenses shall be apportioned between and borne by the member Governments in a manner to be determined by the Council. Each member Government undertakes, subject to the requirements of its constitutional procedure, to contribute to the Organisation promptly its share of the administrative expenses so determined.

Article 8.

Privileges and immunities.

1. The Organisation shall enjoy in the territories of the member Governments such privileges and immunities as are necessary for the fulfilment of its purpose.

2. Representatives of the member Governments and officials of the Organisation shall likewise enjoy in those territories such privileges and immunities as are necessary for the independent exercise of their functions.

Article 9.

Definitions.

For the purposes of this Agreement:

The word “coal” shall mean all coal (whether anthracite, bituminous brown coal, lignite or other species), coke (whether produced at gas works or coke ovens), briquettes or other manufactured solid fuel and pitch for use in the manufacture of solid fuel.

The expression “coal-mining supplies and equipment” shall mean such articles, including machinery and parts thereof, as are used in the production and treatment of coal.

Article 10.

Entry into force and duration of the Agreement.

This Agreement, which is drawn up in French and English, both texts being equally authoritative shall enter into force on the 1st January, 1946, for an initial period of one year. The member Governments (or some of them) may prolong its operation for such further period as they may determine. On or after the 1st October, 1946, any member Government may give in writing to the Government of the United Kingdom notice of withdrawal from the Organisation and the Agreement shall terminate in respect of any Government by whom such notice has been given three months after the date of the receipt of the notice by the Government of the United Kingdom.

In witness whereof the undersigned, duly authorised by their respective Governments, have signed the present Agreement.

Done in London on the 4th January, 1946, in a single copy which shall be deposited with the Government of the United Kingdom and of which certified copies shall be communicated to all signatory or acceding Governments.

For the Government of Belgium: M. T. BUYSE.

For the Government of Denmark: ANTHON VESTBIRK.

For the Government of France: GUERONIK.

For the Government of Greece: J. ROMANOS.

For the Government of Luxembourg: LEO A. CLASEN.

For the Government of the Netherlands: J. LOOMAN.

For the Government of Norway: JOHAN MELANDER.

For the Government of Turkey: CEMAL SAIT BARK.

For the Government of the United Kingdom: J. EATON GRIFFITH.

For the Government of the United States: THOMAS C. BLAISDELL, JR.