

RELIEF ASSISTANCE

Agreement signed at Vienna June 25, 1947

Entered into force June 25, 1947

*Terminated December 31, 1948*¹

61 Stat. 2970; Treaties and Other
International Acts Series 1631

AGREEMENT BETWEEN THE UNITED STATES AND AUSTRIA

WHEREAS, it is the desire of the United States to provide relief assistance to the Austrian people to prevent suffering and to permit them to continue effectively their efforts toward recovery; and

WHEREAS, the Austrian Government has requested the United States Government for relief assistance and has presented information which convinces the United States Government that the Austrian Government urgently needs assistance in obtaining the basic essentials of life for the people of Austria; and

WHEREAS, the United States Congress has by Public Law 84, Eightieth Congress, May 31, 1947,² authorized the provision of relief assistance to the people of those countries which, in the determination of the President, need such assistance and have given satisfactory assurances covering the relief program as required by the Act of Congress; and

WHEREAS, the Austrian Government and the United States Government desire to define certain conditions and understandings concerning the handling and distribution of the United States relief supplies and to establish the general lines of their cooperation in meeting the relief needs of the Austrian people;

The Government of the United States represented by Lieutenant General Geoffrey Keyes, U.S. High Commissioner, Commanding General U.S.F.A., and the Government of Austria represented by Federal Chancellor Ing. Dr. h. c. Leopold Figl and Federal Minister for Foreign Affairs Dr. Karl Gruber, have agreed as follows:

¹ Pursuant to exchange of notes at Vienna Dec. 23 and 28, 1948.

² 61 Stat. 125.

ARTICLE I

Furnishing of Supplies

(a) The program of assistance to be furnished shall consist of such types and quantities of supplies, and procurement, storage, transportation and shipping services related thereto, as may be determined from time to time by the United States Government after consultation with the Austrian Government in accordance with the Public Law 84, Eightieth Congress, May 31, 1947, and any Acts amendatory or supplementary thereto. Such supplies shall be confined to certain basic essentials of life; namely, food, medical supplies, processed and unprocessed material for clothing, fertilizers, pesticides, fuel, and seeds.

(b) Subject to the provisions of Article III, the United States Government will make no request, and will have no claim, for payment for United States relief supplies and services furnished under this Agreement.

(c) United States Government agencies will provide for the procurement, storage, transportation and shipment to Austria of United States relief supplies, except to the extent that the United States Government may authorize other means for the performance of these services in accordance with procedures stipulated by the United States Government. All United States relief supplies shall be procured in the United States except when specific approval for procurement outside the United States is given by the United States Government.

(d) The Austrian Government will from time to time submit in advance to the High Commissioner of the United States in Austria its proposed programs for relief import requirements. These programs shall be subject to screening and approval by the United States Government and procurement shall be authorized only for items contained in the approved programs.

(e) Transfers of United States relief supplies shall be made under Arrangements to be determined by the High Commissioner of the United States or other designated officials of the United States Government in consultation with the Austrian Government. The United States Government, whenever it deems it desirable, may retain possession of any United States relief supplies, or may recover possession of any United States relief supplies transferred up to the city or local community where such supplies are made available to the ultimate consumers.

ARTICLE II

Distribution of Supplies in Austria

(a) All United States relief supplies shall be distributed by the Austrian Government under the direct supervision and control of the United States representatives and in accordance with the terms of this Agreement. The distribution shall be through commercial channels to the extent feasible and desirable.

(b) All United States relief supply imports shall be free of fiscal charges including customs duties up to the point where they are sold for local currency as provided by Article III of this Agreement unless when because of price practices, it is advisable to include customs charges or government taxes in prices fixed, in which case the amount thus collected in United States relief supply imports shall accrue to the special account referred to in Article III. All United States relief supply imports given free to indigents, institutions and others shall be free of fiscal charges, including customs duties.

(c) The Austrian Government will designate a high-ranking official who shall have the responsibility of liaison between the Austrian Government and the United States representatives responsible for the relief program.

(d) The Austrian Government will distribute United States relief supplies and similar supplies produced locally or imported from outside sources without discrimination as to race, creed or political party or belief. Such supplies shall not be diverted to non-essential uses or for export or removal from the country and an excessive amount of said supplies shall not be used to assist in the maintenance of Austrian armed forces, and in no event shall such supplies be used to maintain the armed forces of any occupying power.

(e) The Austrian Government will so conduct the distribution of United States relief supplies and similar supplies produced locally and imported from outside sources as to assure a fair and equitable share of the supplies to all classes of the people throughout Austria.

(f) A ration and price control system shall be maintained and the distribution shall be so conducted that all classes of the population, irrespective of purchasing power, shall receive their fair share of supplies covered in this Agreement.

ARTICLE III

Utilization of Funds Accruing from Sales of United States Supplies

(a) The prices at which the United States relief supplies shall be sold in Austria shall be agreed upon between the Austrian Government and the United States Government.

(b) When United States relief supplies are sold for local currency, the amount of such local currency shall be deposited by the Austrian Government in a special account in the name of the Austrian Government.

(c) Until June 30, 1948, such funds shall be disposed of only upon approval of the duly authorized representatives of the United States Government for relief and work relief purposes within Austria, including local currency expenses of the United States incident to the furnishing of relief. Any unencumbered balance remaining in such account on June 30, 1948, shall be disposed of within Austria for such purposes as the United States Government, pursuant to Act or Joint Resolution of Congress, may determine.

(d) The Austrian Government will upon request advance funds to the United States representatives to meet local currency expenses incident to the furnishing of relief.

(e) While it is not intended that the funds accruing from sales of the United States relief supplies normally shall be used to defray the local expenses of the Austrian Government in handling and distributing the United States relief supplies, the United States representatives shall consider with the Austrian Government the use of the funds to cover unusual costs which would place an undue burden on the Austrian Government.

(f) The Austrian Government will each month make available to the United States representatives reports on collections, balances and expenditures from the fund.

(g) The Austrian Government will assign officials to confer and plan with the United States representatives regarding the disposition of funds accruing from sales and to assure proper use of such funds.

ARTICLE IV

Effective Production, Food Collections and Use of Resources to Reduce Relief Needs

(a) The Austrian Government affirms that it has taken and is taking in so far as possible the economic measures necessary to reduce its relief needs and to provide for its own future reconstruction.

(b) The Austrian Government will undertake not to permit any measures to be taken involving delivery, sale or granting of any articles of the character covered in this agreement which would reduce the locally produced supply of such articles and thereby increase the burden of relief.

(c) The Austrian Government will furnish regularly current information to the United States representatives regarding plans and progress in increasing production and improving collection of locally produced supplies suitable for relief throughout Austria.

ARTICLE V

United States Mission

(a) The United States Government will attach to the United States Legation in Vienna, representatives who shall constitute a relief mission and shall act under instructions of the High Commissioner of the United States in Austria in discharging the responsibilities of the United States Government under this Agreement and the Public Law 84, Eightieth Congress, May 31, 1947. The Austrian Government will permit and facilitate the movement of the United States representatives to, in and from Austria.

(b) The Austrian Government will permit and facilitate in every way the freedom of the United States representatives to supervise, inspect, report and travel throughout Austria at any and all times, and to cooperate fully

with them in carrying out all of the provisions of this Agreement. The Austrian Government will furnish the necessary automobile transportation to permit the United States representatives to travel freely throughout Austria and without delay.

(c) The United States representatives and the property of the Mission and of its personnel shall enjoy in Austria the same privileges and immunities as are enjoyed by the personnel of the United States Legation in Austria and the property of the Legation and of its personnel.

ARTICLE VI

Freedom of United States Press and Radio Representatives to Observe and Report

The Austrian Government agrees to permit representatives of the United States press and radio to observe freely and report fully and without censorship regarding the distribution and utilization of relief supplies and the use of funds accruing from sale of United States relief supplies.

ARTICLE VII

Reports, Statistics and Information

(a) The Austrian Government will maintain adequate statistical and other records on relief and will consult with the United States representatives, upon their request, with regard to the maintenance of such records.

(b) The Austrian Government will furnish promptly upon request of the United States representatives information concerning the production, use, distribution, importation, and exportation of any supplies which affect the relief needs of the people.

(c) In case United States representatives report apparent abuses or violations of this Agreement, the Austrian Government will investigate and report and promptly take such remedial action as is necessary to correct such abuses or violations as are found to exist.

ARTICLE VIII

Publicity Regarding United States Assistance

(a) The Austrian Government will permit and arrange full and continuous publicity regarding the purpose, source, character, scope, amounts and progress of the United States relief program in Austria, including the utilization of funds accruing from sales of United States relief supplies for the benefit of the people. In addition, at least on two occasions, on its coming into force, and once during the period relief distribution is in effect, the Austrian Government will arrange that this entire Agreement be published in the newspapers of the three largest communities of the country.

(b) All United States relief supplies and any articles processed from such supplies, or containers of such supplies or articles, shall, to the extent practicable, be marked, stamped, branded, or labelled in a conspicuous place in such a manner as to indicate to the ultimate consumer that such supplies or articles have been furnished by the United States for relief assistance; or if such supplies, articles, or containers are incapable of being so marked, stamped, branded, or labelled, all practicable steps will be taken by the Austrian Government to inform the ultimate consumer thereof that such supplies or articles have been furnished by the United States for relief assistance.

ARTICLE IX

Termination of Relief Assistance

The United States Government will terminate any or all of its relief assistance at any time whenever it determines (1) by reason of changed conditions the provision of relief assistance of the character authorized by the Public Law 84, Eightieth Congress, May 31, 1947, is no longer necessary; (2) any provisions of this Agreement are not being carried out; (3) an excessive amount of United States relief supplies, or of similar supplies produced locally or imported from outside sources, is being used to assist in the maintenance of Austrian armed forces, or if any such supplies are used to assist in the maintenance of armed forces of any occupying power, or (4) United States relief supplies or similar supplies produced locally or imported from outside sources are being exported or removed from Austria. The United States Government may stop or alter its program of assistance whenever in its determination other circumstances warrant such action.

ARTICLE X

Date of Agreement

This Agreement shall take effect as from this day's date. It shall continue in force until a date to be agreed upon by the two Governments.

Done in duplicate in the English and German languages at Vienna, this twentyfifth day of June, 1947.

For the Government of the United States:
GEOFFREY KEYES

For the Government of Austria:
FIGL LEOPOLD
GRUBER

[SEAL]