

ANNEX

STATEMENT OF CONDITIONS GOVERNING THE MAINTENANCE AND OPERATION OF UPPER ATMOSPHERE RESEARCH AND COLD WEATHER TESTING FACILITIES AT FORT CHURCHILL

(Hereinafter, unless the context otherwise requires, "Canada" means the Government of Canada, the "United States" means the Government of the United States of America, and "facilities" means the range and related installations for upper atmosphere research and cold weather testing at Fort Churchill, Manitoba.)

1. Consultation

(a) The appropriate authorities of the two Governments will consult closely in connection with the operation, use, maintenance and logistic support of the facilities and plans for and location of any additional facilities. Subsequent construction, major improvements to existing buildings, roads, ranges, etc., and the installation of major items of additional equipment shall be agreed between the appropriate authorities of the two Governments.

(b) An Operational Co-ordinating Group made up of representatives of appropriate departments and agencies of the United States and Canada will be established to facilitate consultation on matters covered by this Statement of Conditions.

2. Operation

(a) As the continued use of the facilities for scientific purposes and cold weather testing for field Army support equipment is in the mutual interest of Canada and the United States, all the activities to be undertaken under this agreement shall, as far as is practicable, be carried out on a joint basis. To this end each Government shall without charge and to the extent compatible with its needs, make available to the other such fixed improvements, equipment and services as the appropriate agencies shall agree are necessary to ensure the effective use of the facilities.

(b) Subject to subparagraph 2(a), the United States shall have those rights of operation necessary to ensure the effective use of the facilities and the right to stockpile equipment, material and supplies.

(c) In order to ensure the most effective use of the facilities, the program of tests shall be submitted in advance to the Canadian authorities for their approval.

(d) Any arrangements which might involve use of provincial or private property will be made only through appropriate Canadian Government agencies.

3. Period of Operation

(a) The facilities will be operated in accordance with the provisions of paragraph 2, and the United States may station the personnel provided for in paragraph 5, for a period of five years commencing from the date when this agreement enters into force, or such shorter period as may be agreed upon by the two Governments. After the expiration of the five-year period, in the event that either Government concludes that the facilities are no longer required