

**EXCHANGE OF NOTES (JANUARY 27, 1943) BETWEEN CANADA AND
THE UNITED STATES OF AMERICA CONSTITUTING AN
AGREEMENT REGARDING THE POST-WAR DISPOSITION OF
DEFENCE PROJECTS AND INSTALLATIONS CONSTRUCTED
IN CANADA BY THE GOVERNMENT OF THE UNITED STATES**

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*The Chargé d'Affaires of the United States
to the Secretary of State for External Affairs of Canada*

LEGATION OF THE UNITED STATES OF AMERICA

Ottawa, January 27, 1943.

No. 827

SIR:

Under instructions from my Government, I have the honor to refer to conversations relating to the post-war disposition of various facilities being or to be constructed in Canada by the Government of the United States.

Although in many instances the Governments of the United States of America and of Canada have reached specific agreements covering the post-war disposition of defence projects and installations which, in order more effectively to prosecute the war, the Government of the United States, with the consent and approval of the Canadian Government, has built or is building in Canada, nevertheless there seemed advantage in defining certain general principles which in the absence of special circumstances should serve as a guide to the two Governments in formulating any future agreements covering the post-war disposition of such projects or installations in Canada. The same general principles would of course apply reciprocally in the event of any project or installation being built by the Canadian Government in the United States territory.

The matter was referred to the Permanent Joint Board on Defence which after careful study adopted the following Recommendation on January 13, 1943:

"The Board considered the question of the post-war disposition of the defense projects and installations which the Government of the United States has built or may build in Canada. The Board noted that the two Governments have already reached specific agreements for the post-war disposition of most of the projects and installations thus far undertaken. It considers that such agreements are desirable and should be made whenever possible.

"The Board recommends the approval of the following formula as a general fair and equitable basis to be used by reference whenever appropriate in the making of agreements in the future and to cover such defence projects, if any, the post-war disposition of which has not previously been specifically provided for:

"A: All immovable defence installations built or provided in Canada by the Government of the United States shall within one year after the cessation of hostilities, unless otherwise agreed by the two Governments, be relinquished to the Crown either in the right of Canada or in the right of the province in which the same or any part thereof lies, as may be appropriate under Canadian law.