

C150023

on the other hand, if the United Kingdom advises Japan that specific breaches of treaty obligations on the part of Japan have forced her to regard the Treaty as voided, then Canada would have to dig up similar allegations of treaty violation of Canadian rights to justify our coming to the same conclusion.

(10) It is submitted that such a course would not only invite a good deal of criticism in this country and elsewhere from persons who would doubt the validity of our allegedly independent reasons for happening to follow a line of policy that coincided with the United Kingdom's. It would also constitute a rather dubious precedent which might prove embarrassing on future occasions for the assumption that Canada could be counted on to find her own peculiar reasons for doing whatever British policy of the moment might seem to require.

(11) Instead of seeking separate and independent grounds for giving notice of withdrawal of Canadian adherence to the Anglo-Japanese Treaty or for holding it voided as between Canada and Japan it might be wiser and franker to recognize the anomalous character of our commercial treaty relations with Japan insofar as they arise from our adherence to the Anglo-Japanese Treaty of 1911. We could then accept the consequences either of the formal termination or of the voiding of the 1911 Agreement, as the case might be, and inform the Japanese Government directly of the effect on commercial relations between Canada and Japan of action taken, in the first instance, by the Government of the United Kingdom.

L. A. Roberts
5.8.39.

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