

North Atlantic Treaty

Canadian forces who are now or may later be operating in Alaska in association with the armed forces of the United States as distinguished foreign visitors. These gallant Canadian forces are, I believe, the first foreign troops since Lafayette to stand beside our own armed forces in expelling the enemy from American soil.

To deal with that kind of situation in reverse we have passed certain legislation to which I have referred, and we have also agreed with the other eleven North Atlantic treaty nations to pass certain legislation. The bill to be introduced is designed to carry out our part of that undertaking. It is obvious that it is very much to our advantage to have this legislation enacted because, as the matter stands, and as appears likely to be the case, it is practically certain that there will be far more Canadian troops abroad in other countries than there will be foreign troops in Canada. Consequently it is very much to our advantage to have the other countries pass this legislation, and we are setting the example, I think, by enacting it first.

The 27th Canadian infantry brigade is on the way to Europe. Some elements have already arrived and the main units will begin to arrive, as I have said, on November 20 or 21. We have made arrangements with the government of The Netherlands that such requirements will be waived in respect of Canadian troops in their passage through The Netherlands. We have also made arrangements with the allied high commission, which is the responsible defence authority in western Germany, that while our troops will not be occupation troops and will have no occupation duties they will have the same status with respect to rights and immunities as if they were British, American or French forces, which have been there since the end of the war.

The proposed legislation would define the legal status of a visiting force present in Canada with the consent of, and under arrangement with, the government of Canada. It includes provisions respecting jurisdiction, exemption from taxation, the settlement of claims, and possession and carriage of arms. In accordance with the terms of the agreement, provision has been made to ensure the security and protection of the installations, equipment and records of a visiting force. In cases of immigration and local procurement, no new legislation is necessary.

The bill would provide for its application to signatory states as the need arises; and it may be applied in whole or in part depending upon the circumstances. It is quite conceivable that it may become desirable to apply the measure to visiting forces of commonwealth countries, other than the United Kingdom, who are not signatories to the agreement. The measure accordingly provides

[Mr. Claxton.]

that its provisions may be applied to countries other than signatory states. It is not proposed at this time to repeal either the Visiting Forces (British Commonwealth) Act, 1933, or the Visiting Forces (United States of America) Act; but to avoid the uncertainty which would arise from having those acts and the proposed legislation in effect at the same time it will be possible to make parallel provisions of the visiting forces acts inapplicable from time to time and for such length of time as may be necessary.

Finally the measure includes explicit parliamentary approval of the agreement, which is a schedule to it. In examining the terms of the agreement and the implementing provisions in the proposed measure, I would ask hon. members to do so always bearing in mind the fact that Canada will, to a far greater extent, find itself playing the role of a sending state rather than a receiving state. From a purely selfish point of view we stand to gain more from the adoption of this legislation than the other countries concerned stand to receive. The only considerable groups of forces that are likely to be in Canada at any time are the United States forces on the leased bases in Newfoundland. There are special provisions applicable to them, but we expect that this legislation will, to the extent that it goes, replace those special provisions.

As hon. members know, we also have in Canada from time to time small groups of forces from other countries undergoing training. Whether or not this legislation will apply to them will depend on how many there are at any given time. At the present time, if I recall correctly, we have in training in Canada officers and some men from Great Britain, The Netherlands, Belgium, France, Italy, Norway and several countries of the commonwealth.

Therefore this measure is one of the steps designed to carry out our undertakings under the North Atlantic treaty. It is one of the stages whereby effect is given to the treaty, and provision is made to make it just as workable as it can be in order to bring about that degree of co-operation, understanding and partnership which is essential if the North Atlantic community is to play its great part in preserving peace and maintaining our collective and individual security by preventing aggression.

Mr. Coldwell: Is there any time limit within which this legislation must be enacted by the agreeing countries? Is there any possibility that some of them will neglect to enact similar legislation?