# TREATY SERIES, 1944 No. 31

# AGREEMENT

BETWEEN BETWEEN

# CANADA AND INDIA

ON THE PRINCIPLES APPLYING TO THE PROVISION BY CANADA OF CANADIAN WAR SUPPLIES TO INDIA UNDER THE WAR APPROPRIATION (UNITED NATIONS MUTUAL AID) ACTS OF CANADA, 1943 AND 1944

Signed at Ottawa, November 17, 1944

In Force November 17, 1944



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Whereas Canada and India are associated in the present war, and

Whereas it is desirable that war supplies should be distributed among the Whereas it is desirable that war supplies should be distributed among the Manna Nations in accordance with strategic needs of the war and in such Nations in accordance with strategic needs of the war and in the stabilish as to contribute most effectively to the winning of the war and the tablishment of peace, and

Whereas it is expedient that the conditions upon which such war supplies are Whereas it is expedient that the conditions upon which such war supplies the lost-war all best-war. Whereas it is expedient that the conditions upon which such was supplied to another should not be such as to burden to start the lost-war. ade available by one United Nation to another should not be such as to believe the should not be such as to be such as to be such as the should not be such as to be such as the should not be such as to be such as the should not be such as the should War commerce, or lead to the hard leading peace, and enduring peace, and

Whereas the Governments of Canada and India are mutually desirous of Whereas the Governments of Canada and India are mutually desired applies will, agreement in regard to the conditions upon which Canadian war applies will be made available to India,

The Undersigned, being duly authorithe purpose, have agreed as follows:— The Undersigned, being duly authorized by their respective Governments

The Government of Canada will make available under the War Appropria-The Government of Canada will make available under the War Appropriate Control (United Nations Mutual Aid) Acts of Canada, 1943 and 1944, to the speciment of Canada shall appropriate the Covernment of Canada shall Covernment of Canada will make of Canada, 1943 and 1944, to be covernment of Canada shall such war supplies as the Government of Canada shall such war supplies as the Government of Canada shall such war supplies as the Government of Canada shall such war supplies as the Government of Canada shall such war supplies as the Government of Canada shall such war supplies as the Government of Canada shall shall such war supplies as the Government of Canada shall sh wernment of India such war supplied.

Cahada and the strengthening thereof and will provide such articles, services, acilities or interest of the developacilities or information as it may be in a position to supply and as may from the to time to time to the developthe strengthening thereof and will prove to supply and as may from the to time to time be determined by common agreement in the light of the developpent of the war.

ARTICLE III

ARTICLE III

of Canada ment of India will, in support of any applications to the Govern-The Government of India will, in support of any applications to the Government of Canada for the provision of war supplies under this agreement, furnish of Canada for the provision of war supplies under this agreement. Government of India will, in support of any applied of Canada for the provision of war supplies under this agreement, full of Canada for the provision of war supplies under this agreement, full of Canada for the provision of war supplies under this agreement, full of Canada for Canada with such relevant information as the Government of Canada with such relevant information as the Government of Canada with such relevant information as the Government of Canada with such relevant information as the Government of Canada with such relevant information as the Government of Canada with such relevant information as the Government of Canada with such relevant information as the Government of Canada with such relevant information as the Government of Canada with such relevant information as the Government of Canada with such relevant information as the Government of Canada with such relevant information as the Government of Canada with such relevant information as the Government of Canada with such relevant information as the Government of Canada with such relevant information as the Government of Canada with such relevant information as the Government of Canada with such relevant information with the control of Canada with such relevant information with the control of Canada with such relevant information with the control of Canada with such relevant information with the control of Canada with such relevant information with the control of Canada with such relevant information with the control of Canada with such relevant information with the control of Canada with such relevant information with the control of Canada with such relevant information with the control of Canada with such relevant information with the control of Canada with the control of Canad Covernment of Canada with such relevant information as the Government of Canada with such relevant information as the Government of Canada with such relevant information as the Government of Canada with such relevant information as the Government of Canada with such relevant information as the Government of Canada with such relevant information as the Government of Canada with such relevant information as the Government of Canada with such relevant information as the Government of Canada with such relevant information as the Government of Canada with such relevant information as the Government of Canada with such relevant information as the Government of Canada with such relevant information as the Government of Canada with such relevant information as the Government of Canada with such relevant information as the Government of Canada with such relevant information as the Government of Canada with such relevant information as the Government of Canada with such relevant information as the Government of Canada with such relevant information as the Government of Canada with such relevant information as the Government of Canada with such relevant information of Canada with such relevant information as the Government of Canada with such relevant information of Canada with such relevant inform Canada may require for the purpose of the purposes of this agreement.

The Government of India agrees to use any war supplies deliver this agreement in the joint and effective prosecution of the war. The Government of India agrees to use any war supplies delivered to it agreement of India agrees to use any war supplies delivered to it

### ARTICLE V

The Government of India will not without the consent of the Government of Canada sell to any other Government or to persons in other countries was supplies delivered to it under this agreement.

(GIA JAUTUM ENOITAN CARTICLE VIOLTAINGONGSA The Government of Canada will not require the Government of India to re-deliver to the Government of Canada will not require the Government of India agreement except as specifically provided in Articles VII and VIII and subject to any special agreement which many labeled to any special agreement which agre to any special agreement which may be concluded in the circumstances content plated in Article IX.

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Title to any cargo ships delivered under this agreement will remain with the Government of Canada and the ships shall be chartered to the Government of India on terms providing for their of India on terms providing for their re-delivery.

by one United NaIIIV albitant should not be such as to burden Upon the cessation of hostilities in any major theatre of war, any wal supplies which have been transferred to the Government of India under this agreement and are still in Canada or in agreement and are still in Canada or in ocean transit shall revert to Canadian ownership, except those supplies dectived for the Government of India under decided ownership, except those supplies dectived for the contract of the contract ownership, except those supplies destined for a theatre of war in which hostilities have not ceased or supplies made available at the transit shall revert to Canada have not ceased or supplies made available the transit shall revert to Canada have not ceased or supplies made available. have not ceased or supplies made available for relief purposes or such other supplies as the Government of Canada available for relief purposes or such other supplies as the Government of Canada may specify.

## ARTICLE IX

The Government of Canada reserves the right to request:

(a) the delivery, after the cessation of hostilities in any theatre of warrelief and rehabilitation purpose to the control of for relief and rehabilitation purposes, to another United Nation or to this international organization, of automotive equipment supplied under this agreement;

(b) the transfer to Canadian forces serving outside Canada after the cessation of hostilities of vehicles, aircraft, ordnance or military equipment supplied under this agreement to the supplied under this agreement to the Government of India if such was required for the use of supplies are required for the use of such Canadian forces and are not required by the Government of India if such not required by the Government of India and are not required by the Government of India forces and forces are also are also and forces are also are also are also and forces are also a required by the Government of India for military operations; and

(c) the return to Canada after the war, if required in Canada after the war, if required in Canada under the war, if required in Canada under the war, if required in the same that the Canadian purposes, of aircraft and automotive equipment supplied under the degree of the may still be this agreement which may still be serviceable, due regard being had to that when wastage likely to have be serviceable, due regard being provided that when the serviceable is the serviceable is the serviceable. degree of wastage likely to have been suffered by these articles, provided that when the identity of such Canadian equipment has been lost as India new control of the cont result of pooling arrangements or for other reasons, the Government of

The Government of India agrees to use its best endeavours to meet any such with the Courselled in consultations and consultations and consultations and consultations are consultations. requests on such reasonable terms and conditions as shall be settled in consulta-

The Governments of Canada and India re-affirm their desire to promote world. There is and throughout the complete the comp mutually advantageous economic relations between their desire to promote the world. They declare that their multithe world. They declare that their guiding purposes include the adoption

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measures designed to promote employment, the production and consumption of goods, and the expansion of commerce through appropriate international agreements on commercial policy, with the object of contributing to the attainment of the commercial policy, with the Declaration of August 14th, ment of all the economic objectives set forth in the Declaration of August 14th, 1941, known as the Atlantic Charter.

### ARTICLE XI

This agreement will take effect as from this day's date. It shall apply to war supplies furnished to the Government of India by the Government of Canada (United Nations Mutual Aid) under the authority of the War Appropriation (United Nations Mutual Aid) Acts of Canada, 1943 and 1944, or substituted Act, including supplies furnished under the said Acts before the conclusion of this agreement. It shall continue in force until a date to be agreed upon by the two Governments.

Dated at Ottawa, this seventeenth day of November, nineteen hundred and forty-four.

Signed for and on behalf of the Government of Canada:

W. L. MACKENZIE KING. C. D. HOWE.

Signed for and on behalf of the Government of India:

G. S. BAJPAI, AGENT GENERAL FOR INDIA IN THE UNITED STATES OF AMERICA

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Signed for and on behalf of the Communication of Canada:

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