

No. 126

UNITED STATES OF AMERICA
and
CANADA

**Exchange of Notes constituting an agreement relating to the
access to the Alaska Highway. Ottawa, 10 April 1943**

*English official text communicated by the Officer in charge of the New York
Office of the United States Mission to the United Nations. The filing and
recording took place on 10 December 1948.*

ETATS-UNIS D'AMERIQUE
et
CANADA

**Echange de notes constituant un accord concernant l'accès à
la route de l'Alaska. Ottawa, 10 avril 1943**

*Texte officiel anglais communiqué par le Directeur du bureau de New-York de
la Mission des Etats-Unis auprès de l'Organisation des Nations Unies. Le
classement et l'inscription au répertoire ont eu lieu le 10 décembre 1948.*

No. 126. EXCHANGE OF NOTES¹ BETWEEN THE GOVERNMENTS OF THE UNITED STATES OF AMERICA AND OF CANADA CONSTITUTING AN AGREEMENT RELATING TO THE ACCESS TO THE ALASKA HIGHWAY. OTTAWA, 10 APRIL 1943

I

The American Chargé d'Affaires ad interim to the Canadian Under Secretary of State for External Affairs

LEGATION OF THE UNITED STATES OF AMERICA

Ottawa, Canada, April 10, 1943

My dear Mr. Robertson:

The question has been raised in Washington as to whether the two phrases found in the American-Canadian exchange of notes of March 17-18, 1942,² regarding the post-war use of the Alaska Highway, apply equally to the use of the existing Canadian highways which would have to be used in order to reach the southern terminus of the Alaska Highway from the United States.

You will recall that the notes provide that at the conclusion of the war "that part of the highway which lies in Canada shall become in all respects an integral part of the Canadian highway system, subject to the understanding that there shall at no time be imposed any discriminatory conditions in relation to the use of the road as between Canadian and United States civilian traffic."

Elsewhere the Canadian Government agreed "to waive import duties, transit or similar charges on shipments originating in the United States and to be transported over the highway to Alaska, or originating in Alaska and to be transported over the highway to the United States."

Although it was originally intended that most of the traffic over the Alaska Highway would be routed to Dawson Creek, British Columbia, by rail, it has, as you know, been found expedient to send certain vehicles and transport certain

¹ Came into force on 10 April 1943, by the exchange of the said notes.

² United States of America, *Executive Agreement Series*, 246; 56 Stat. 1458.

supplies by highway from the United States to Dawson Creek en route to Alaska. My Government feels that it is a natural inference from the language quoted above that United States vehicles should be allowed to use the roads leading from the boundary to the Alaska Highway under conditions similar to those governing the use of the Highway itself.

Sincerely yours,

Lewis CLARK
Chargé d'Affaires ad interim

Norman A. Robertson, Esquire
Under Secretary of State for External Affairs
Ottawa

II

*The Canadian Under Secretary of State for External Affairs to the American
Chargé d'Affaires ad interim*

DEPARTMENT OF EXTERNAL AFFAIRS
CANADA

Ottawa, April 10, 1943

My dear Mr. Clark,

I have received your letter of April 10th, on the question as to whether the two phrases found in the American-Canadian exchange of notes of March 17-18, 1942, regarding the post-war use of the Alaska Highway, apply equally to the use of the existing Canadian highways which would have to be used in order to reach the southern terminus of the Alaska Highway from the United States.

The notes provide that at the conclusion of the war "that part of the highway which lies in Canada shall become in all respects an integral part of the Canadian highway system, subject to the understanding that there shall at no time be imposed any discriminatory conditions in relation to the use of the road as between Canadian and United States civilian traffic."

Elsewhere in the exchange of notes the Canadian Government agrees "to waive import duties, transit or similar charges on shipments originating in the United States and to be transported over the highway to Alaska, or originating in Alaska and to be transported over the highway to the United States".

You have stated in your letter that although it was originally intended that most of the traffic over the Alaska Highway would be routed to Dawson Creek, British Columbia, by railway, it has been found expedient to send certain vehicles and transport certain supplies by highway from the United States to Dawson Creek en route to Alaska. My Government agrees that it is the natural inference from the language quoted above that United States vehicles should be allowed to use the roads leading from the boundary to the Alaska Highway under conditions and for purposes similar to those governing the use of the highway itself. (It may prove necessary, however, for administrative reasons, to designate certain specific roads to be used in this way. It would not be practicable, for example, that United States trucks should be able to enter Canada at any point and still receive bonding privileges on the assumption that they intend eventually to proceed along the Alaska Highway to United States territory).

Yours sincerely,

N. A. ROBERTSON
Under Secretary of State for External Affairs

Lewis Clark, Esquire
Chargé d'Affaires ad interim
United States Legation
Ottawa, Canada