

AIR SEARCH AND RESCUE OPERATIONS

Exchange of notes at Washington January 24 and 31, 1949
Entered into force January 31, 1949

63 Stat. 2328; Treaties and Other
International Acts Series 1882

The Canadian Ambassador to the Secretary of State

CANADIAN EMBASSY
AMBASSADE DU CANADA

No. 35

WASHINGTON, January 24, 1949

SIR,

I have the honour to refer to the discussions that have taken place in the Permanent Joint Board on Defence, with regard to the necessity of ensuring adequate cooperation between our two Governments in Air Search and Rescue operations along our common boundary.

2. As a result of the conclusions reached in the course of these discussions, my Government wishes to propose:

(1) That, in future, public aircraft of Canada or the United States which are engaged in emergency Air Search and Rescue operations, be permitted to enter or leave either country without being subject to the immigration or customs formalities normally required by the Government of either country, provided that the Rescue Coordination Centre involved in the search or rescue, either directly or through some person delegated by it, assumes the responsibility of informing by telephone or telegraph:

(a) The immigration office at the port of entry nearest to the territory over which any search or rescue is to be instituted, of the intended operation, furnishing it with details concerning the purpose of the flight; the identification markings of each aircraft; and the number of persons comprising the crew of each aircraft.

(b) The customs office nearest to the territory over which any search or rescue is to be instituted, of the intended operation, giving details concerning the territory to be searched; the possible duration of the stay of the aircraft; the identification markings of each aircraft; and the number of persons comprising the crew of each aircraft.

(2) That, should a landing be made by public aircraft of one country in the territory of the other in the course of such emergency search or rescue, an oral or telephonic report shall be made to the nearest Collector of Customs so that he may assist, in any way possible, in connection with any special importation required in the search or rescue operations. This report may be made by the Rescue Coordination Centre organizing the operation, or by the pilots concerned, whichever would best serve the interests of the rescue operations involved.

(3) That, should any merchandise carried, in the aircraft in question, from one country to the other in the course of such search or rescue, remain in the latter country on conclusion of an operation, such merchandise will be subject to the customs treatment normally accorded in that country to imported merchandise.

3. The term "public aircraft", as used in this Note, refers to aircraft of the Canadian and United States Governments and such other aircraft of United States and Canadian registry as may be brought under the control of a Rescue Coordination Centre in either country for the purposes of an emergency search or rescue operation.

4. If your Government concurs in the foregoing proposals, it is the desire of my Government that this Note, together with your reply agreeing thereto, constitute an agreement between our two Governments that is to be effective from the date of your reply and to remain in force until sixty days after either party to the agreement has signified to the other a desire to terminate it.

Accept, Sir, the renewed assurances of my highest consideration.

H. H. WRONG

The Honourable DEAN ACHESON,
Secretary of State,
Washington, D.C.

The Under Secretary of State to the Canadian Ambassador

DEPARTMENT OF STATE
 WASHINGTON
Jan 31 1949

EXCELLENCY:

I have the honor to acknowledge the receipt of your note No. 35 of January 24, 1949, referring to the discussions that have taken place in the Permanent Joint Board on Defense with regard to the necessity of ensuring

adequate cooperation between our two Governments in Air Search and Rescue operations along our common boundary, and to this end proposing:

2. As a result of the conclusions reached in the course of these discussions, my Government wishes to propose:

(1) That, in future, public aircraft of Canada or the United States which are engaged in emergency Air Search and Rescue operations, be permitted to enter or leave either country without being subject to the immigration or customs formalities normally required by the Government of either country, provided that the Rescue Coordination Centre involved in the search or rescue, either directly or through some person delegated by it, assumes the responsibility of informing by telephone or telegraph:

(a) The immigration office at the port of entry nearest to the territory over which any search or rescue is to be instituted, of the intended operation, furnishing it with details concerning the purpose of the flight; the identification markings of each aircraft; and the number of persons comprising the crew of each aircraft.

(b) The customs office nearest to the territory over which any search or rescue is to be instituted, of the intended operation, giving details concerning the territory to be searched; the possible duration of the stay of the aircraft; the identification markings of each aircraft; and the number of persons comprising the crew of each aircraft.

(2) That, should a landing be made by public aircraft of one country in the territory of the other in the course of such emergency search or rescue, an oral or telephonic report shall be made to the nearest Collector of Customs so that he may assist, in any way possible, in connection with any special importation required in the search or rescue operations. This report may be made by the Rescue Coordination Centre organizing the operation, or by the pilots concerned, whichever would best serve the interests of the rescue operations involved.

(3) That, should any merchandise carried, in the aircraft in question, from one country to the other in the course of such search or rescue, remain in the latter country on conclusion of an operation, such merchandise will be subject to the customs treatment normally accorded in that country to imported merchandise.

3. The term "public aircraft", as used in this Note, refers to aircraft of the Canadian and United States Governments and such other aircraft of United States and Canadian registry as may be brought under the control of a Rescue Coordination Centre in either country for the purposes of an emergency search or rescue operation.

In reply I have the honor to inform Your Excellency that the Government of the United States concurs in the foregoing proposals and agrees that Your

Excellency's note and this reply shall be regarded as constituting an agreement between our two Governments that is to be effective from this date and shall remain in force until sixty days after either party to the agreement has signified to the other a desire to terminate it.

Accept, Excellency, the renewed assurances of my highest consideration.

JAMES E. WEBB

His Excellency
H. H. WRONG,
Ambassador of Canada.