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OFFICE OF THE PRIME MINISTER
CANADA

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Ottawa, 25th April, 1939.

My dear Mr. Pattullo:

I duly received your letter of last month regarding Japanese industrial activity in British Columbia, and referring particularly to the bearing on this question of a Dominion statute, Chapter 27 of 1913.

The Treaty of Commerce and Navigation between the United Kingdom and Japan was signed and ratified in 1911. Canada adhered to it in 1913, after the Statute to which you refer had been enacted, sanctioning the treaty and declaring it to have the force of law in Canada. In accordance with the terms of the Statute, adherence to the treaty was made subject to the reservations that it should not be deemed to affect any of the provisions of the Immigration Acts of Canada. A supplementary convention between the United Kingdom and Japan, was signed in 1925 and ratified in 1927, making minor modifications in the treaty of 1911 as regards coastal trade and mandated territories. These modifications did not apply to Canada. The 1911 treaty is in force in Canada, and, along with the supplementary provisions of 1925, is in force in the United Kingdom.

The treaty provides, among other matters, that the subjects of each high contracting party shall have certain rights of carrying on business and acquiring property. You indicate that the practical effect of the Statute is one-sided, and that Canadian citizens have not the same rights in Japan as would appear to be conferred upon Japanese citizens in Canada. A complete determination of that question would involve a detailed analysis of the laws and practices of both countries. It is true that in some respects Japanese laws are less favourable to resident foreigners than is conversely the case, but I am advised that considered as a whole, there is no very wide difference in the relative advantages open to resident foreigners in the two countries.

The Hon. T. D. Pattullo,
Premier of the Province of British Columbia,
Victoria, British Columbia.

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The question whether the Treaty of 1911 should be abrogated as regards either the United Kingdom or Canada is one that raises issues of wide importance in the present international situation. Conditions are conceivable in which it would be found necessary to bring the Treaty to an end, but in the view of the Government of the United Kingdom, as of our own Government, these conditions have not yet developed.

You may be interested to note that during the fiscal year ending March 31, 1939, the total number of Japanese immigrants qualifying for admission to Canada was only thirty-four.

Yours sincerely,

"W. L. MACKENZIE KING"