Exchange of Notes constituting an Agreement between the United States of America and the United Kingdom of Great Britain and Northern Ireland relating to the Delimitation of the Area within the Territorial Waters Adjacent to the Leased Naval Base at Argentia, Newfoundland
13 August and 23 October 1947

I

The British Secretary of State for Foreign Affairs to the American Ambassador

13th August, 1947
No. AN2793/107/45.

Your Excellency,

I have the honour to inform you that discussions have taken place between the competent authorities of the United States and Newfoundland with the view of delimiting the area within Newfoundland territorial waters adjacent to the United States Naval Base at Argentia over which the United States may exercise rights in accordance with the paragraph (1) of Article 1 of the Agreement signed in London on the 27th March, 1941,2/(1) relating to the Bases Leased to the United States of America.

2. As the result of these discussions a draft agreement has been drawn up and, subject to certain modifications of form and wording, has received the approval of His Majesty's Governments in the United Kingdom, Canada and Newfoundland. The revised terms of the agreement are given in the Annex to the present note.

3. I have now the honour to inform Your Excellency that His Majesty's Government in the United Kingdom desire that the agreement should be confirmed by means of an exchange of notes. If therefore the Government of the United States likewise approve of the revised terms of agreement as annexed hereto, I would propose that the present note and Your Excellency's reply to that effect should be regarded as placing on record the formal confirmation of the provisions of the agreement by the Governments of the United Kingdom and the United States of America.

I have the honour to be with the highest consideration, Your Excellency's obedient Servant,

For the Secretary of State.

ANNEX

Whereas, in paragraph 1 of Article 1 of the Agreement signed in London on the 27th March, 1941, relating to the Bases leased to the United States of America, it is provided, among other things, that the United States shall have all the rights, power and authority within the limits of territorial waters and air spaces adjacent to, or in the vicinity of the Leased Areas, which are necessary to provide access to and defence of the Leased Areas, or appropriate for the control thereof; and

Whereas, in paragraph 4 of Article 1 of the said Agreement it is provided that in the practical application outside the Leased Areas of the preceding paragraphs there shall be, as occasion requires, consultation between the Government of the United States and the Government of the United Kingdom; and

Whereas in paragraph 4 of the Protocol to the said Agreement it is agreed that in all consultations concerning

Newfoundland arising out of Article I(4), II and XI(5) of the Agreement or of any other Articles involving considerations of defence, the Canadian Government as well as the Government of Newfoundland will have the right to participate; and

Whereas the waters in the vicinity of Argentia, including anchorages, channels and approaches, are demonstrated to be, in general, the maximum area of territorial water necessary to the United States Forces at Argentia to exercise the rights power and authority conferred by Article 1 of the said Agreement;

Now therefore it is agreed between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the United States of America after consultations in which the Governments of Canada and Newfoundland have participated that the limits of the territorial waters at Argentia within which the United States shall exercise the said rights, power and authority shall be the water areas included in the boundaries defined by a line joining the following points.

Beginning at Moll Point northwest of Placentia (at approximately mean tide level) a hundred and eighty and a half degrees three point nought nought miles (180½º 3.00 miles) from Latine point flashing light which is in position Latitude forty-seven (47) degrees eighteen (18) minutes fifty-five (55) seconds North, longitude fifty-four (54) degrees nought (0) minutes thirty-five (35) seconds West approximately. Thence due west (true) for a distance of three (3) nautical miles.

Thence due north (true) for a distance of six point five four (6.54) nautical miles.

Thence due east (true) for a distance of four point nought nought (4.00) nautical miles.

Thence one hundred and one degrees (true) for a distance of two point seven three miles (101º 2.73 miles) to the shore line in Big Seal Cove (at approximately mean tide level).

II

The American Chargé d'Affaires ad interim
to the British Secretary of State for Foreign Affairs

London, October 23, 1947

Your Excellency,

I have the honor to acknowledge the receipt of Your Excellency's Note of August 13, 1947 (No. AN 2793/107/45) to which there were annexed the revised terms of the agreement delimiting the waters adjacent to the United States Naval Base in Newfoundland. Your Excellency stated that His Majesty's Government in the United Kingdom desired that the agreement should be confirmed by an exchange of Notes.

The Government of the United States of America has approved of the revised terms of the agreement, as annexed hereto, and I now have the honor to state that the present Note and Your Excellency's Note of August 13, 1947, are to be regarded as placing on record the formal confirmation of the provisions of the agreement by the Governments of the United States of America and of the United Kingdom.

Accept, Sir, the assurances of my highest consideration.

Chargé d'Affaires ad interim

ANNEX

Endnotes

1 (Popup - Popup)

2/ League of Nations, *Treaty Series*, Volume CCIV, page 15.