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DEPARTMENT OF STATE

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STANDARD TIME, THURSDAY, APRIL 6, 1939. NOT
TO BE PREVIOUSLY PUBLISHED, QUOTED FROM OR
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On August 11, 1938, the following Joint Communiqué was issued simultaneously in London and in Washington:

"The Governments of the United States and of the United Kingdom have agreed to set up a regime for the use in common of the Islands of Canton and Enderbury in the Phoenix Group and for the employment of these Islands for purposes connected with international aviation and communication, with equal facilities for each party. The details of the regime will be determined in notes to be exchanged between the two Governments."

The Secretary of State made public today the texts of notes exchanged on Thursday, April 6, 1939, between the Government of the United States and the Government of the United Kingdom defining the future administration of the Islands. The texts of the notes are as follows:

Note from the Secretary of State to the
British Ambassador in Washington

"April 6, 1939.

"Excellency:

"With reference to recent correspondence between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland concerning Canton and Enderbury Islands in the South Pacific Ocean, I have the honor to propose an Agreement concerning these islands in the following terms:

1. "The Government of the United States and the Government of the United Kingdom, without prejudice
to

to their respective claims to Canton and Enderbury Islands, agree to a joint control over these islands.

2. "The islands shall, during the period of joint control, be administered by a United States and a British official appointed by their respective Governments. The manner in which these two officials shall exercise the powers of administration reserved to them under this paragraph shall be determined by the two Governments in consultation as occasion may require.

3. "The islands shall, during the period of joint control, be subject to a special joint ad hoc régime the details of which shall be determined by the two Governments in consultation from time to time.

4. "The islands shall be available for communications and for use as airports for international aviation, but only civil aviation companies incorporated in the United States of America or in any part of the British Commonwealth of Nations shall be permitted to use them for the purpose of scheduled air services.

5. "The use of any part of either of the islands or their territorial waters for aviation purposes, except as herein agreed upon, or for any other purpose, shall be the subject of agreement between the two Governments.

6. "An airport may be constructed and operated on Canton Island by an American company or companies, satisfactory to the United States Government, which, in return for an agreed fee, shall provide facilities for British aircraft and British civil aviation companies equal to those enjoyed by United States aircraft and by such American company or companies. In case of dispute as to fees, or the conditions of use by British aircraft or by British civil aviation companies, the matter shall be settled by arbitration.

7. "The joint control hereby set up shall have a duration of fifty years from this day's date. If no agreement to the contrary is reached before the expiration of that period the joint control shall continue thereafter until such time as it may be

modified

modified or terminated by the mutual consent of the two Governments.

"I have the honor to suggest that if an Agreement in the sense of the foregoing paragraphs is acceptable to the Government of the United Kingdom this Note and Your Excellency's reply thereto in similar terms shall be regarded as placing on record the understanding arrived at between the two Governments concerning this matter.

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

"CORDELL HULL."

Note from the British Ambassador to the Secretary of State

"April 6, 1939.

"Sir:

"I have the honour to refer to your Note of this day's date proposing an Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the United States of America on the subject of Canton and Enderbury Islands in the following terms:

1. "The Government of the United States and the Government of the United Kingdom, without prejudice to their respective claims to Canton and Enderbury Islands, agree to a joint control over these islands.
2. "The islands shall, during the period of joint control, be administered by a United States and a British official appointed by their respective Governments. The manner in which these two officials shall exercise the powers of administration reserved to them under this paragraph shall be determined by the two Governments in consultation as occasion may require.
3. "The islands shall, during the period of joint control, be subject to a special joint ad hoc régime the details of which shall be determined by the two Governments in consultation from time to time.
4. "The islands shall be available for communications and for use as airports for international aviation, but only civil aviation companies incorporated in the United States of America or in any part of the British Commonwealth of Nations shall be

permitted

permitted to use them for the purpose of scheduled air services.

5. "The use of any part of either of the islands or their territorial waters for aviation purposes, except as herein agreed upon, or for any other purpose, shall be the subject of agreement between the two Governments.

6. "An airport may be constructed and operated on Canton Island by an American company or companies, satisfactory to the United States Government, which, in return for an agreed fee, shall provide facilities for British aircraft and British civil aviation companies equal to those enjoyed by United States aircraft and by such American company or companies. In case of dispute as to fees, or the conditions of use by British aircraft or by British civil aviation companies, the matter shall be settled by arbitration.

7. "The joint control hereby set up shall have a duration of fifty years from this day's date. If no agreement to the contrary is reached before the expiration of that period the joint control shall continue thereafter until such time as it may be modified or terminated by the mutual consent of the two Governments.

"I have the honour to inform you that an Agreement in the terms of the foregoing paragraphs is acceptable to the Government of the United Kingdom and that this Note, and your Note under reference, will be regarded as placing on record the understanding arrived at between the two Governments concerning this matter.

"I have the honour to be,
with the highest ~~respect~~
Sir, *consideration*
Your most obedient,
humble servant,

"R. C. LINDSAY."