

*Garrison Diversion*

citizen groups and, should these measures fail, that the Government bring the United States of America to trial at the International Court of Justice in The Hague.

I might point out to Hon. Members that this motion is substantially the same as that introduced by the Hon. Member on February 9, 1981, and debated again in the House on November 2, 1983. However, while the motion is substantially the same, the Garrison Diversion unit we are facing in 1984 is substantially different from that which was envisaged in 1981, or so I have been advised. In response to persistent representations by the Canadian Government based on the conclusions of the International Joint Commission's 1977 report, in 1982 the United States undertook a major redesign of the full 250,000-acre project into two phases in order to proceed with the construction of only one phase, which would not affect waters flowing into Canada, while deferring indefinitely construction of phase II, which would affect waters flowing into our country. Further project revisions and technical modifications have been introduced by the United States Bureau of Reclamation engineers over the past half year, largely as a result of the technical consultative process developed last fall by federal and Manitoba officials and agreed to by the United States at the November 21, 1983 consultations in Ottawa.

The considerable success achieved by the Canadian Government in securing project modifications and safeguards for phase I features was evident at the most recent round of consultations held on April 25 in Washington. The Hon. Member is himself aware of the very positive results achieved by the Canadian delegation through the technical consultative process, and has gone so far as to stand in the House a week ago on May 1 to portray the April consultation as "good news" and even as "a breakthrough".

I believe that the Hon. Member's statement on May 1 is a more accurate and timely reflection of the success and status of government efforts to resolve the Garrison issue than is his motion which dates back to 1981. I agree, however, with his view that the April consultations represent an important step forward rather than a complete victory. I can assure him, therefore, that the Government will indeed continue diplomatic action through the technical consultative process to the point where no Garrison feature which potentially could damage or pollute waters flowing into Canada is constructed or contemplated. That said, I see no reason at this stage for the Government to adopt additional and unproven measures when measures already in place have already proven effective to the satisfaction of federal and Manitoban representatives.

The process to which I have referred a number of times already is one that is being pursued together by federal and Manitoban officials. It has two clear objectives: first, to ensure that technical modifications and safeguards for phase one Garrison features are fully adequate; and second, to obtain clear, credible and publicly convincing assurances from the U.S. Government that phase II as planned will never be built. These two objectives are based on recommendations of the International Joint Commission's report, which is and always

has been the foundation of Canada's position on the Garrison Diversion unit.

With respect to project features defined by the United States as phase I, Canada has requested technical modifications and safeguards to eliminate the risk of accidental, inter-basin biota transfer, pursuant to the following recommendation of the International Joint Commission:

If and when the Governments of Canada and the United States agree that methods have been proven that will eliminate the risk of biota transfer, or if the question of biota transfer is agreed to be no longer a matter of concern, then the construction of the Garrison Diversion Unit which will affect waters flowing into Canada may be undertaken providing the following conditions are met:

• (1730)

(a) Any agreed modifications or other measures required to resolve the inter-basin biota transfer issue are incorporated into the project—

Canada is categorically opposed, as the Hon. Member knows, to those project features defined by the U.S.A. as phase II, and has requested tangible evidence from the U.S.A. that its assurances on that score are in fact credible, bearing in mind the International Joint Commission's recommendation that:

—those portions of the Garrison Diversion Unit which would affect waters flowing into Canada not be built at this time.

Canada proposed the technical-consultative mechanism to the U.S.A. side at the November 21, 1983 consultations. This was an attempt to shift management of the Garrison issue back on track toward mutually agreeable solutions, after a long period of protracted and often interrupted consultations.

Canada had always valued general assurances provided by the United States at the policy level not to construct Garrison features which would affect adversely Canadian waters, and had always welcomed the commitment of successive United States administrations to the principle of consultations. At the same time, however, the Government realized that if it was to be successful in its determination to protect Manitoba's commercial and native fishing interests and prevent the pollution of Hudson Bay drainage basin waters by foreign biota from redirected Missouri River water, then it must fashion some instrument for translating general assurances from the United States into technical assurances and have safeguards built into the specifications of Garrison engineering plans and drawings.

Further to the requirement for a bilateral mechanism at the technical level was the requirement to institutionalize bilateral consultations at the senior officials' level. Canada was seeking above all else a fail-safe mechanism for preventing a recurrence of the Lonetree Dam *fait accompli*, which in August 1983 had aroused deep concerns if not suspicions in the minds of many Canadians that the United States intended to proceed with construction in advance of consultations.

Against the background of these considerations, Canada presented the United States with two alternatives: either to resolve to manage jointly the Garrison issue in a manner that reflected the two nations' mutual commitments to the 1909 Boundary Waters Treaty and to recommendations of the International Joint Commission, or to allow matters to devolve along separate tracks, with the risk that the inevitable environ-