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CONSERVATION AND DEVELOPMENT OF NATIONAL RESOURCES

The following are excerpts from a recent address by Mr. Arthur Laing, Minister of Northern Affairs and National Resources to the American Bar Association in Montreal:

...Clean fresh water is undoubtedly Canada's greatest resource. It is the first fundamental to human existence. Its use in industry transportation, power generation, agriculture and civic development are about to place upon it the topmost priority. Canada has between 25 per cent and a third of all the fresh water in the world. The annual run-off of our rivers to the seas, on a *per capita* basis, is ten times that of the United States. Gigantic proposals have been advanced to divert Canadian waters into the United States, though I should make it clear that none of these proposals have originated or been endorsed by the Government of the United States. Mr. Udall has been very careful to say that such questions remain for the future. As a resident of British Columbia, where water is indigenous and where we think our water is the chief magnet for industry and population, I am in full agreement with him. Nevertheless, some of your engineers and some of your prominent legislators have seriously suggested plans costing up to \$100 billion for the diversion of Canadian waters. When we talk in terms of such financial astronomy you may agree with me that water will come to rank with trade in importance between our two countries. I am on record as saying that Canadian water is not now negotiable, and I am not certain that it ever will be. We have our arid areas too, and until we satisfy all our current requirements and protect all our future, we lack proper engineering knowledge to know how we can divert our northern rivers which alone could provide us with any surplus. Even the Columbia

River negotiations, which involved no diversion but only extension of natural annual flow, took us 20 years to negotiate. Canadians have no complaint over that agreement, but it cost the Government of Canada alone over \$15 million in studies to ensure the protection of our interest.

WATER AND INTERNATIONAL LAW

Water provides some interesting problems in our national law as well. I am sure you will be astonished to know that there is no interprovincial forum for the arbitration of water disputes between our provinces. Your Supreme Court has jurisdiction in similar questions but ours does not, and such jurisdiction over interprovincial waters as may lie in the Federal Government has never been clearly defined. We rely upon the good common sense of provincial neighbours, though a clearer definition may some day be necessary. Even more, we have not yet tested the limits of whatever powers might be conferred by international agreements in respect to water as in the case of the Boundary Waters Treaty of 1909, which has an overriding effect on the division of powers as described by the British North America Act. Water is, broadly speaking, a provincial resource in Canada, and successive governments have chosen to leave it (except in some respects such as fisheries and navigation) entirely in the hands of the provinces as owners. You who have had an older experience than we in water matters would probably advise us on the basis of your experience that we will one day require machinery for the reconciliation of water differences between the several regions of Canada. Meanwhile, my colleague the Minister of Resources enjoys a commendable degree of co-operation from the resource