

PRESS RELEASE



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RATIFICATION OF CANADA-UNITED STATES AGREEMENT CONCERNING GUT DAM CLAIMS

The Secretary of State for External Affairs, the Hon. Paul Martin, announced today that Mr. A. E. Ritchie, the Canadian Ambassador to the United States of America and Mr. Dean Rusk, the Secretary of State of the United States of America, today exchanged Instruments of Ratification, thereby bringing into force the Agreement between the Government of Canada and the Government of the United States of America concerning the establishment of an International Arbitral Tribunal to dispose of U.S. claims relating to Gut Dam which was signed on March 25, 1965.

In line with provisions contained in the Agreement, the Governments of Canada and the United States have today appointed jointly Dr. Lambertus Erades, Vice-President of the Rotterdam District Court, The Netherlands, to preside over the three-man Tribunal as Chairman. Also Canada has appointed the Hon. Daniel Roach, a recently retired judge of the Court of Appeal of Ontario, as the Canadian national member and the United States Government has appointed Professor Alwyn Freeman of John Hopkins University as its national member.

These claims arose in 1951 and 1952. At that time there were unusually high water levels on Lake Ontario. Residents of the United States owning real estate on the south shore of Lake Ontario and the St. Lawrence complained that these high water levels resulted in damage to their properties and were attributable in whole or in part to the construction by the Government of Canada of a navigation improvement in the international section of the river known as "Gut Dam".

The construction of Gut Dam was carried out at the beginning of the century in pursuance to arrangements entered into between the Canadian and United States Governments of the day. Gut Dam itself was removed in 1953 as part of the St. Lawrence Seaway construction programme.

Over the years inter-governmental negotiations have been in progress with the United States on an intermittent basis with a view to finding a fair solution. The bringing into force of this Agreement today represents the successful results of these negotiations. Under the terms of this Agreement the United States claimants will be afforded the opportunity to have their claims heard and disposed of on their merits. Any award made by the Tribunal will be final and binding on both Governments.