



DEPARTMENT OF EXTERNAL AFFAIRS
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NORAD AGREEMENT RENEWAL

The Secretary of State for External Affairs, Dr. Mark MacGuigan, and the Minister of National Defence, Gilles Lamontagne, today signed an Exchange of Notes with the Secretary of State of the United States, Alexander Haig, constituting an Agreement between the Governments of Canada and the United States of America to continue their cooperation in the air defence of North America through the North American Aerospace Defence Command (NORAD) for a further five years. The Notes were tabled today in the House of Commons by the Secretary of State for External Affairs.

The five-year term of the renewal will allow for effective long-term planning toward the achievement of necessary modernization and modification of NORAD surveillance systems for the defence of North America. The change of name of the Command to "North American Aerospace Defence Command" and related changes in the text of the Agreement more accurately reflect Canadian participation in the Command's ongoing activities, including space surveillance and warning.

The decision to renew the NORAD Agreement was taken by the Canadian Government following a review of the various factors involved and after taking into account the comments and recommendations made by the Standing Committee on External Affairs and National Defence in its report to the House of Commons submitted on December 19, 1980, following a series of hearings on the question.

The Government has concluded that it is in Canada's interest to cooperate with the United States on questions of North American defence both as a means of dealing with mutual security problems and as a contribution to the security of the NATO area, which includes North America. A credible deterrent and defence against Soviet long-range bombers continues to be needed and the most efficient and cost-effective way to provide the capability required is to continue the air defence command arrangements provided for in the NORAD Agreement.

--- The texts of the Notes exchanged today are attached.

Ottawa, March 11, 1981

Sir,

I have the honour to refer to discussions that have taken place between representatives of our two Governments regarding future cooperation between Canada and the United States in the defence of North America. Our Governments remain convinced that such cooperation, conducted within the framework of the North Atlantic Treaty, remains vital to their mutual security, compatible with their national interests, and an important element of their contribution to the overall security of the NATO area.

As neighbors and allies within North America, our two Governments have accepted special responsibilities for the security of the Canada-United States region of NATO and, in fulfilling these responsibilities, have entered into a number of bilateral arrangements to facilitate joint defence activities. Among these, the arrangements for air defence, aerospace surveillance, and missile warning embodied in the North American Air Defence Command (NORAD) have provided the means of exercising effective operational control of the forces assigned by our two Governments to the aerospace defence of North America.

In the years since the NORAD Agreement was first concluded, there have been significant changes in the character of strategic weapons and in the nature of the threat they pose to North America. The most important of these changes has been the major increase in the number and sophistication of strategic missiles. There has also been an increasing use of space for strategic and tactical purposes. In addition, although missiles constitute the principal threat, long-range bombers continue to pose a threat to North America.

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Mr. Alexander Haig,
Secretary of State of the
United States of America.

In view of the continuing mission of aerospace surveillance and warning and air defence, our two Governments agree that, to properly reflect aerospace surveillance and missile warning related responsibilities, it is appropriate to redesignate NORAD as the North American Aerospace Defence Command.

In light of these developments, our two Governments retain a common interest in the maintenance of effective surveillance and control of North American airspace and in preventing its use for purposes detrimental to the security of North America. Since peacetime surveillance and control are expected to continue as functions important to the sovereign control of national airspace, each Government will maintain a system to carry out these activities in conjunction with the air defence and aerospace surveillance and warning operations of NORAD.

The large volume of air traffic flowing daily to, from, and within North American airspace, much of it across the border between our two countries, dictates that our national airspace surveillance and control systems be compatible with each other and requires a high degree of coordination between their military components. Our Governments agree that the necessary command, control and information exchange arrangements can most effectively and economically be provided by the continued operation of NORAD.

In addition to performing the airspace surveillance and control functions related to air defence, NORAD will monitor and report on space activities of strategic and tactical interest and will provide warning of aerospace events that may threaten North America. In view of the increasing importance of space to the defence of North America, our Governments will seek ways to enhance cooperation in accordance with mutually agreed arrangements in the surveillance of space and in the exchange of information on space events relevant to North American defence.

The primary objectives of NORAD will continue to be:

- a. to assist each nation to safeguard the sovereignty of its airspace;
- b. to contribute to the deterrence of attack on North America by providing capabilities for aerospace surveillance, warning and characterization of aerospace attack, and defence against air attack; and

- c. should deterrence fail, to ensure an appropriate response against attack by providing for the effective use of the forces of the two countries available for air defence.

As in the case of all joint defence activities, the future activities envisaged for NORAD will require the closest cooperation between authorities of our two Governments. It is recognized that this can be achieved in a mutually satisfactory way only if full and meaningful consultation is carried out on a continuing basis. Our two Governments, therefore, undertake to insure that such consultation takes place.

On the basis of our common appreciation of the circumstances described and of the experience gained since the inception of NORAD, my Government proposes that the following principles should govern the future organization and operations of the North American Aerospace Defence Command.

- a. The Commander in Chief, NORAD (CINCNORAD), and the Deputy in CINCNORAD's absence, will be responsible to the Chief of Defence Staff of Canada and the Joint Chiefs of Staff of the United States, who in turn, are responsible to their respective Governments. CINCNORAD will function in support of the concepts of surveillance, warning, control, and defence approved by the authorities of our two Governments for the defence of the Canada-United States region of the NATO area.
- b. NORAD will include such combat units and individuals as are specifically allocated to it by the two Governments. The jurisdiction of CINCNORAD over those units and individuals is limited to operational control as hereinafter defined.
- c. "Operational control" is the power to direct, coordinate, and control the operational activities of forces assigned, attached, or otherwise made available. No permanent changes of station would be made without approval of the higher national authority concerned. Temporary reinforcement from one area to another, including the crossing of the international boundary, to meet operational requirements will be within the authority of

commanders having operational control. The basic command organization for the defence forces of the two countries, including administration, discipline, internal organization, and unit training, shall be exercised by national commanders responsible to their national authorities.

- d. The appointment of CINCNORAD and the Deputy must be approved by the Canadian and United States Governments. They will not be from the same country, and the CINCNORAD staff shall be an integrated staff composed of officers of both countries. During the absence of CINCNORAD, command will pass to the Deputy Commander.
- e. The North Atlantic Treaty Organization will continue to be kept informed through the Canada-United States Regional Planning Group of arrangements for the aerospace defence of North America.
- f. The plans and procedures to be followed by NORAD in wartime shall be formulated and approved by appropriate national authorities and shall be capable of rapid implementation in an emergency. Any plans or procedures recommended by NORAD that bear on the responsibilities of civilian departments or agencies of the two Governments shall be referred for decision by the appropriate military authorities to those agencies and departments and may be the subject of intergovernmental coordination through an appropriate medium such as the Permanent Joint Board on Defence, Canada-United States.
- g. Terms of reference of CINCNORAD and the Deputy will be consistent with the foregoing principles. Changes in these terms of reference may be made by agreement between the Canadian Chief of Defence Staff and the US Joint Chiefs of Staff, with approval of higher authority, as appropriate, provided that these changes are in consonance with the principles set out in this Note.
- h. The financing of expenditures connected with the operation of the integrated headquarters

of NORAD will be arranged by mutual agreement between appropriate agencies of the two Governments.

- j. The Agreement between parties to the North Atlantic Treaty regarding the Status of their Forces signed in London on June 19, 1951, shall apply.
- k. Public statements by CINCNORAD on matters of interest to Canada and the United States will in all cases be the subject of prior consultation and agreement between appropriate agencies of the two Governments.

If the Government of the United States of America concurs in the considerations and provisions set forth herein, I have the honour to propose that this Note, which is equally authentic in English and French, and your reply to that effect shall constitute an agreement between our two Governments, which will enter into force on the date of your reply, with effect from May 12, 1981. This agreement will supersede the agreement on the North American Air Defence Command concluded in Washington, D.C., on May 12, 1958; and subsequently renewed on March 30, 1968; May 10, 1973; May 12, 1975; and May 12, 1980.

The present agreement will remain in effect for a period of 5 years during which its terms may be reviewed at any time at the request of either party. It may be terminated by either Government, following 12 months' written notice to the other.

Accept, Sir, the assurances of my highest consideration.

Secretary of State for
External Affairs

Minister of National Defence

TEXT OF AMERICAN NOTE

Ottawa, March 11, 1981

Sir,

I have the honor to refer to your note of this date setting forth certain conditions and provisions regarding the continued cooperation of our two governments in the North American Aerospace Defence Command, which previously has been governed by the Agreement concluded on May 12, 1958 and subsequently renewed on March 30, 1968; May 10, 1973; May 12, 1975; and May 12, 1980.

I am pleased to inform you that my government concurs in the considerations and provisions set out in your note, and further agrees with your proposal that your note and this reply shall constitute an Agreement between our two governments, with effect from May 12, 1981.

Accept, sir, the renewed assurances of my highest consideration.

The Honourable Mark MacGuigan, M.P., P.C.

Secretary of State for External Affairs

Ottawa, Canada