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March 25, 1970

SECOND NIAMEY CONFERENCE

CORRESPONDENCE BETWEEN THE FEDERAL AND QUEBEC GOVERNMENTS

INTRODUCTION

The conference held in Niamey last week was a follow up to the first meeting of entirely or partially French-speaking countries--which also took place in Niamey, from February 17 to 21, 1969. At the 1969 meeting, the principle of establishing an agency for cultural and technical cooperation was approved. The second Niamey conference was devoted to study and adoption of statutes and programmes for the Agency.

2. This was a conference of sovereign states, where the countries invited were called upon to undertake formally, by signature of a convention, to set up a new international Agency, with a permanent secretariat and budget. For its part, Canada as a whole undertook to participate in an institutionalized and international Francophonie, similar to its participation in the Commonwealth and the Commonwealth Secretariat.

3. In seeking to define the participation in Franco-phonie by Canada as a whole, the federal government sought always to ensure that Quebec, within the framework of Canada's participation, would take part in the activities of the major institutions of the Agency and in the Agency's programmes.

4. It is worth noting that since September 1969, federal and Quebec officials had been meeting in Quebec City and in Ottawa to discuss possible programmes for the Agency.

THE CORRESPONDENCE

5. Attached are to be found copies of letters and telegrams exchanged between the federal government and that of the province of Quebec about (1) the ad hoc arrangements for the second conference of francophone countries, and (2) arrangements relating to the role of the Quebec government within Canadian membership in the Agency for Cultural and Technical Cooperation.

6. This correspondence is concerned with three fundamental principles which, had they been accepted, would have endangered Canada's international personality. The points at issue were the capacity of provinces, acting independently of the Government of Canada, to send their own delegations to international conferences, to conclude in their own right international treaties and to become members of international governmental organizations.

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7. The exchange of correspondence began on January 8, 1970, at the level of officials with a telegram to the Department of External Affairs from the Quebec Department of Intergovernmental Affairs. This message contained the text of an "Aide Memoire on the Agency for Cultural and Technical Cooperation" setting out "certain conditions" by virtue of which "the Government of Quebec would be prepared to collaborate with the Government of Canada for the purposes of the Agency".

8. On January 16, the Department of External Affairs replied with a telegram which contained two distinct parts, one entitled "Summary of Ad Hoc Arrangements for the Second Conference of Francophone Countries" and the other "Arrangements on Canadian Participation in the Agency". This division was necessary because the initial Quebec proposal put the arrangements for the Niamey conference itself and those dealing with future Canadian participation in the Agency under one and the same heading. The advantage of this separation (which was accepted by the Quebec authorities) was that it clarified the problem and, in addition, applied a clear distinction between the ad hoc modalities, valid for Niamey II only, and those which would affect the parties concerned over the long term, that is, those arrangements dealing with future Canadian participation in the Agency which was to be established at the Niamey conference.

9. Correspondence carried out at the level of officials continued until February 12, when the Prime Minister of Canada intervened and forwarded new proposals to the Prime Minister of Quebec. The exchange of letters and telegrams between the two Prime Ministers, which included a meeting on February 16 during the Federal-Provincial Conference, ended on March 13. On that date, a telegram from M. Trudeau to M. Bertrand sealed the final arrangements between the federal government and the Government of the Province of Quebec.

10. In his final telegram (of March 13), the Prime Minister of Canada underlined that: "The other Canadian provinces concerned have already had an opportunity, at earlier francophone conferences, to observe the modalities which could apply to the participation of their representatives in the Canadian delegation. I have taken steps to inform the provincial governments concerned of the arrangements which provide that provincial representatives on the delegation may, if they wish, participate in Canada's signature of the convention establishing the Agency. It goes without saying that, in general these provinces may avail themselves, as is provided for in the ad hoc arrangements, of the agreed modalities for identification of provincial representatives, expression of their points of view, and so on."

11. The following subjects or aspects of the arrangements, which were dealt with in some detail in the exchange of correspondence, require additional comment.

M. BERTRAND'S FOUR "PRINCIPLES"

12. In his telegram of March 10, that is, in the final stages of negotiations, the Prime Minister of Quebec disclosed for the first time four "fundamental principles" on which, he said, Quebec could not give way. In his reply of March 12, M. Trudeau, without making any reference to these four "principles", put forward new proposals on certain details of two specific points raised by M. Bertrand. These dealt with the matter of the vote and the possibility for the Quebec representative on the Canadian delegation to speak "in the name of Quebec". Late in the afternoon that day, M. Bertrand accepted this final offer from M. Trudeau but asserted that the federal government had accepted his "fundamental principles". Nothing of the kind had happened. In fact, nothing in M. Trudeau's telegrams of March 12 and 13 would allow anyone to contend that the Government of Canada had agreed to accept such conditions.

13. It needs to be emphasized that, if M. Bertrand's "principles" had been accepted as they stood, this would have had the effect of seriously undermining the international personality of the Canadian state.

1. "Quebec's presence and activity must be adequately identified."

As regards the identification of Quebec's presence at Niamey, the terms of the final arrangements with Quebec effectively ensured that Quebec's participation within the Canadian delegation would be adequately identified. This was a simple matter of protocol. This does not, in any way, detract from the unity and integrity of the delegation.

2. "Quebec must be able to speak in its own name and enter into commitments of its own in matters within its competence."

Even if Quebec could "speak in its name" at Niamey, nothing in the arrangements gave the province authority to contract international obligations in its own name, unless specifically authorized to do so by the Government of Canada. Because some of the subjects which were to have been discussed at Niamey are, in Canada,

within the legislative competence of the provinces, what actually happened was that the Government of Canada decided that provincial representatives on the Canadian delegation could, in the name of their provinces, outline their experiences in these specific fields. There was nothing more to it than that.

3. "The voting procedures must reflect this duality by providing for mandatory abstention in the event of disagreement on matters within Quebec's competence."

As regards the question of voting, there was never any question of a compulsory abstention--as the Quebec authorities have claimed--if the provinces were not in agreement with a proposal touching upon their legislative competence. The Prime Minister of Canada explained very clearly to M. Bertrand that even though account would be taken of provincial views on matters within their exclusive jurisdiction, the vote of the Canadian delegation would in the final analysis be subject to considerations of Canadian foreign policy as determined by the Government of Canada. No other arrangements could have been contemplated when, for example, the constitution or the budget of the Agency were being adopted.

4. "The statutes of the Agency must be based on the same principles and allow for direct participation by Quebec in the activities of the Agency."

Finally, as regards the fourth Quebec principle, it is unnecessary to point out that the federal government could not agree to such a formulation. Throughout its negotiations with Quebec, the Canadian government maintained the position that in conformity with the final resolution of the first Niamey conference, the Agency should be an organization composed solely of sovereign states, and that Quebec participation in the activities of the Agency should, accordingly, be carried out within the context of Canada's participation. Direct participation by Quebec could have implied participation distinct from that of Canada. There exists no valid precedent in international law, however, that would enable a province or state which is a member of a federation to be itself a member of an international organization.

CONSTITUTION, OR STATUTES, OF THE AGENCY

14. In his first telegram of January 8, M. Claude Morin, Deputy Minister of the Quebec Department of Intergovernmental Affairs, suggested (page 4) among other things that Canada propose an amendment to the draft statutes of the Agency which had been prepared by the provisional secretariat. The purpose of the amendment would have been to open up membership, not only to every francophone country or sovereign state, but to "all governments that participated in the first conference of French-speaking countries held at Niamey in February 1969". Such an amendment was, according to M. Morin, aimed at greater simplicity and flexibility in the functioning of the Agency. In fact, however, if it had been adopted, it would have permitted the Province of Quebec (as well as Ontario and New Brunswick, which were also represented on the Canadian delegation to the first Niamey conference) to join the Agency as full members and on the same basis as any sovereign state. ✓

15. This proposal was obviously unacceptable to the Government of Canada, which took no account of it in the various counter-proposals which it forwarded to the Quebec government, Quebec, for its part, repeated this idea, in one way or another, in each message it sent to Ottawa.

16. On February 27, the Prime Minister of Quebec specifically asked the Prime Minister of Canada for his views on the proposed amendment. M. Trudeau gave his reaction in his telegram of March 6. M. Bertrand returned briefly to this question in his telegram of March 10 before finally dropping the matter and concentrating on the four "principles".

17. France, during the Niamey conference, proposed amendments designed to allow adherence to the Agency by non-sovereign entities and even of international associations, making the same claim that this would render the Agency structure more flexible.

18. Separate participation by a Canadian province would be contrary not only to well-established rules of international law and to the Canadian constitution, but also to the principle of cooperation by the countries. This principle had been adopted at the first Niamey conference and then expanded upon afterwards by the President of Niger, His Excellency Diouri Hamani, and the provisional Executive Secretary of the Agency, M. Jean-Marc Léger.

19. On the other hand, the federal government made constructive proposals to Quebec--which Quebec in the end accepted--so as to enable the province to assume an important role within

the Canadian participation both at the conference and in the Agency. Canadian participation is very substantial because it represents 33% of the Agency's total budget. The federal government will, at the suggestion of Quebec itself, meet 95% of Canada's contribution to the Agency (that is, the whole Canadian contribution minus one-half the administrative costs of the secretariat, which would amount to approximately 10% of the total Agency budget. (See the telegram of January 8, page 4.)

"IDENTIFICATION OF QUEBEC"

20. In its first proposal, that of January 8, the Quebec Department of Intergovernmental Affairs had an article (page 2 et seq.) setting out in detail how Quebec's presence could be identified at the conference. The Department of External Affairs had no objection to this proposal, especially since every other province represented on the Canadian delegation could avail itself of its terms and fly its flag side by side with the Canadian flag, with precedence being given to the latter (page 3, telegram of January 16). This arrangement had been employed at several earlier conferences to everyone's satisfaction. Agreement was thus reached very early on this point of detail which allowed Quebec, in a specific way, to be identified at Niamey.

21. Nevertheless, in his telegram of March 10 (the one dealing with the four "principles"), the Prime Minister of Quebec returned to this question and insisted that the Prime Minister of Canada acknowledge that Quebec's presence would be adequately identified. It is difficult to explain this final request but, in any event, the arrangements suggested on January 8 are to be found in the final agreement (Article 1-F).

"SPEAKING IN THE NAME OF QUEBEC"

22. This point is closely connected to that of the form of identification. In its initial proposal, Quebec included an article (page 2) stipulating that the Quebec representative on the Canadian delegation "will speak in the name of Quebec on any matter within Quebec's constitutional competence". The Department of External Affairs replied with the following text: "The minister of the Quebec government may express Quebec's point of view and outline the province's experience on any matter within Quebec's constitutional competence" (page 2, telegram of January 16). The two parties maintained their positions. In fact, no one pressed this precise question and, in its telegram of February 27, Quebec implicitly accepted the formulation put forward by the federal government. On March 10, however, the Quebec Prime Minister returned to his earlier position and declared that it was a fundamental point that Quebec be able to "speak in its name".

23. In his telegram of March 12, the Prime Minister of Canada agreed that the words "in the name of Quebec" be inserted in the text of the agreement; this form of words had already been employed in ad hoc arrangements for earlier conferences (see page 5). There was no question of thereby recognizing, for Quebec or any other province, an international status distinct from that of Canada. More than anything else, this arrangement allowed the experiences of the various Canadian provinces to be voiced at the conference. Although somewhat ambiguous, the expression "in the name of Quebec" in fact added very little to the text originally proposed by the federal government and accepted by that of Quebec. The Prime Minister of Canada considered that such a simple question should not be a stumbling block to Ottawa-Quebec agreement, and accepted the following clause: "The Minister or senior official of the Quebec government can speak in the name of Quebec on any subject within the constitutional competence of the Quebec government". The meaning given to this clause is fully explained in the telegram of March 12 from the Prime Minister of Canada.

VOTING

24. The matter of the vote was somewhat more complex. In its initial proposal, the Department of Intergovernmental Affairs adopted a formula used at earlier conferences (page 2). This formula provided that the Canadian delegation would have only one vote and that, if the members of the delegation could not agree among themselves, Canada would abstain.

25. This formula had proved to be satisfactory at earlier conferences because, in fact, no decisions involving budgetary allocations or adoption of a convention were taken on those earlier occasions; in addition, had any such decisions been taken, it would have been by means of consensus, that is, without a vote. This was not, in any event, the situation which would prevail at Niamey II, where a budget and statutes would be adopted and where decisions would be taken on the basis of the unanimous vote of members present and voting. For these reasons, while leaving it open to the provinces to express their points of view on proposals made at the conference which bore on matters of exclusive provincial competence, the federal government could not agree that a province could prevent the federal government from using its right of veto if faced with a proposal at Niamey which involved foreign policy considerations and to which the federal government was firmly opposed. This right was, in addition, not contested by Quebec.

26. The Department of External Affairs therefore proposed a different formula to take account of the foregoing considerations. Proposals and counter-proposals followed one after

another. In fact, the parties were in general agreement on the principle but had difficulty arriving at a formula satisfactory to both sides. Nevertheless, in his telegram of March 10, the Quebec Prime Minister elevated this matter to a question of principle. In his telegram of March 12, the Prime Minister of Canada put forward a new formula which Quebec accepted. This text, which preserved the position of both parties, provided that the delegation would abstain only if there was disagreement on a matter relating to the exclusive domestic competence of the provincial governments. M. Trudeau explained very clearly that in the final analysis the vote of the Canadian delegation would be guided by Canadian foreign policy considerations.

CHAIRMANSHIP OF THE DELEGATION

27. The Quebec Department of Intergovernmental Affairs, in its first proposal, insisted that Quebec name the chairman of the Canadian delegation to the conference and the Canadian representative on the executive council of the Agency. Because the conference and the Agency represented an important foreign policy function and because both would deal with matters which would go well beyond those of exclusive provincial jurisdiction, this proposal was unacceptable to the federal government. It should be noted that the situation was not the same at the conference of francophone ministers of education, where the subjects discussed are, in Canada, in large part within exclusive provincial jurisdiction. Any line of reasoning purporting to put these conferences in the same category with those that have been held at Niamey is, for the same reason, without foundation.

28. The federal government, in its telegram of January 16, therefore, refused this demand made by Quebec. But, so as to take account of the importance of the province in Canada's French-speaking community, the federal government offered Quebec the position of "deputy chairman" of the Canadian delegation to Niamey, as well as to subsequent general assemblies, and on the executive council of the Agency. Quebec (its telegram of January 27) replied, this time asking for the co-chairmanship.

29. The Prime Minister of Canada proposed, in his letter of February 12, that Quebec assume the vice-chairmanship. The Prime Minister of Quebec held to his request for co-chairmanship until March 12, when he accepted as a total package the final proposals from Ottawa, which included the vice-chairmanship of the Canadian delegation to the Niamey conference. It should be noted, finally, that the agreement reached with Quebec does not exclude the possibility of a Quebec minister or senior official eventually--and depending on the circumstances--heading the Canadian delegation to subsequent general assemblies of the Agency.

SIGNATURE OF THE AGENCY CONSTITUTION, OR CONVENTION

30. Initially, Quebec asked (its telegram of January 8) that "immediately under the signature of the Canadian representative and in the place reserved for Canada there will appear the signature of the Quebec representative as well as those of the representatives of other provinces joining the Agency". Such a formula could have implied that provinces could adhere directly as sovereign entities to the Agency convention. The federal government had no objection to the provincial representatives on the delegation signing, in the place reserved for Canada, the convention creating the Agency, but on condition that they did so in the name of Canada and on the basis of "full powers", which only the Government of Canada can confer. The Department of External Affairs sent a counter-proposal to Quebec in this sense (see telegram of January 16).

31. In the ensuing correspondence, the two parties advanced various formulas, which drew closer and closer together as the negotiations progressed. In the end, in his telegram of March 6, the Prime Minister of Canada proposed a simplified formula, which was accepted by the Prime Minister of Quebec. This formula stipulated that, in addition to the chairman of the delegation, a delegate from each province could affix his signature in the name of Canada using the following description: "Gérard Pelletier, Secretary of State of Canada; Marcel Masse, Minister of Intergovernmental Affairs of Quebec". The provincial delegates on the Canadian delegation thus could sign, but not in the name of their respective provinces. Full powers were signed by the Secretary of State for External Affairs on the basis of authorization from the Governor General in Council permitting the following persons to sign for Canada: M. Pelletier, of the Government of Canada; M. Chouinard, of Quebec; M. Saintonge, of New Brunswick; Mr. Larratt-Smith, of Ontario; and M. Teffaine, of Manitoba. (See also the attached list of the Canadian delegation published in a press release of March 13 by the Department of External Affairs.)

QUEBEC, SATURDAY, MARCH 14, 1970

M. MARC LALONDE
OFFICE OF THE PRIME MINISTER
PARLIAMENT BUILDINGS
OTTAWA

I ACKNOWLEDGE RECEIPT OF THE MESSAGE TRANSMITTED BY THE
PRIME MINISTER OF CANADA TO M. JEAN-JACQUES BERTRAND, PRIME
MINISTER OF QUEBEC, CONCERNING THE NIAMEY CONFERENCE.

I SHALL BRING THIS MESSAGE TO THE ATTENTION OF M. BERTRAND
DURING THE WEEK-END, AT THE LATEST MONDAY.

YOURS TRULY,

CLAUDE MORIN
DEPUTY MINISTER
DEPARTMENT OF INTER-
GOVERNMENTAL AFFAIRS

MESSAGE

DATE	FILE / DOSSIER	SECURITY SECURITE
MAR13/70		

FM/DE

NO

PRECEDENCE

TO/A THE HONOURABLE JEAN-JACQUES BERTRAND,
PRIME MINISTER OF THE PROVINCE OF QUEBEC,
PARLIAMENT BUILDINGS, QUEBEC. (QUEBEC)

URGENT

INFO

REF

SUB/SUJ

MY DEAR PRIME MINISTER:

THANK YOU FOR YOUR TELEGRAM OF MARCH 12 INFORMING ME THAT YOUR GOVERNMENT WILL BE REPRESENTED IN THE CANADIAN DELEGATION TO THE NIAMEY CONFERENCE.

2. I AM DELIGHTED THAT WE HAVE BEEN ABLE TO REACH AGREEMENT ON THIS MATTER. CANADA'S INTERESTS, INCLUDING THOSE OF QUEBEC, WILL BENEFIT THEREBY. NEEDLESS TO SAY, AS FAR AS THE GOVERNMENT OF CANADA IS CONCERNED, OUR AGREEMENT ON THE AD HOC ARRANGEMENTS, PARTICULARLY THE CHANGES MADE ON MARCH 12, IS BASED EXCLUSIVELY ON THE PRINCIPLES LAID DOWN IN MY TELEGRAM OF THAT DATE.

3. AS YOU KNOW, SINCE OUR LAST EXCHANGE OF TELEGRAMS OUR OFFICIALS HAVE WORKED OUT THE DETAILS OF THE FINAL TEXT OF OUR AD HOC ARRANGEMENTS. I AM ATTACHING THE TEXT OF THOSE ARTICLES THAT WERE AMENDED FOLLOWING THEIR DISCUSSIONS. I TAKE IT THAT MY TELEGRAM OF MARCH 12, AS AMENDED IN THE LIGHT OF TODAY'S TELEGRAM, ESTABLISHES THE FINAL VERSION OF THOSE ARRANGEMENTS.

4. ARTICLE I.A. " A MINISTER OR SENIOR OFFICIAL OF THE QUEBEC GOVERNMENT WILL BE APPOINTED TO THE CANADIAN DELEGATION OF WHICH HE WILL BE THE VICE-CHAIR-

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MAN. THE DELEGATION WILL INCLUDE MEMBERS OF THE FEDERAL GOVERNMENT, FEDERAL OFFICIALS AND DELEGATES FROM THE (OTHER) PROVINCES."

ARTICLE I.C. "THE DELEGATION WILL SPEAK THROUGH ITS CHAIRMAN OR, IN HIS ABSENCE, THE VICE-CHAIRMAN. THE MINISTER OR SENIOR OFFICIAL OF THE QUEBEC GOVERNMENT MAY SPEAK FOR QUEBEC ON ANY MATTER WITHIN THE CONSTITUTIONAL COMPETENCE OF THE QUEBEC GOVERNMENT. THE DELEGATES FROM THE OTHER PROVINCES MAY DO LIKEWISE. THERE WILL BE PRIOR CONSULTATION ON THE VIEWS TO BE PUT FOWARD AT THE CONFERENCE."

ARTICLE I.D. "IN THE EVENT OF A VOTE AT THE CONFERENCE, THE CANADIAN DELEGATION WILL HAVE ONLY ONE VOTE. IF THE MEMBERS OF THE DELEGATION DID NOT AGREE ON A MATTER UNDER EXCLUSIVE PROVINCIAL LEGISLATIVE COMPETENCE, THE DELEGATION WOULD ABSTAIN."

ARTICLE I.E. "CANADA'S SIGNATURE WILL BE AFFIXED AS FOLLOWS: IN THE PLACE RESERVED FOR IT, AND IMMEDIATELY UNDER THE SIGNATURE OF THE CHAIRMAN OF THE DELEGATION, THERE WILL APPEAR THE SIGNATURE OF THE MINISTER OR SENIOR OFFICIAL OF THE QUEBEC GOVERNMENT, TOGETHER WITH THAT OF A DELEGATE FROM EACH OF THE OTHER PROVINCES. THE FOLLOWING WORDING WILL BE OBSERVED: 'GERARD PELLETIER, SECRETARY OF STATE OF CANADA'; 'JULIEN CHOUINARD, SECRETARY-GENERAL OF THE GOVERNMENT OF QUEBEC'."

WITH REGARD TO ARTICLE I.G., THE SECTION THAT REFERS TO THE QUEBEC MEMBERS OF THE DELEGATION WILL READ AS FOLLOWS, WITH NO OTHER CHANGES IN THAT ARTICLE:

"QUEBEC M. JULIEN CHOUINARD,
SECRETARY-GENERAL OF THE GOVERNMENT OF
QUEBEC AND DEPUTY MINISTER OF THE EXECUTIVE
COUNCIL, VICE-CHAIRMAN OF THE DELEGATION", ETC.

ARTICLE II. A. "A MEMBER OF THE QUEBEC GOVERNMENT WILL NORMALLY BE VICE-CHAIRMAN OF THE DELEGATION. AGREEMENT MAY BE REACHED ON THE CHAIRMANSHIP OF A MINISTER OF THE QUEBEC GOVERNMENT, ACCORDING TO CIRCUMSTANCES AND THE

ISSUES OR MATTERS IN QUESTION AT EACH CONFERENCE", ETC.

WHEREVER THE TEXT REQUIRES IT, THE WORDS "OR SENIOR OFFICIAL" ARE TO BE ADDED TO ANY REFERENCE TO THE MINISTER OF THE QUEBEC GOVERNMENT."

5. THE OTHER CANADIAN PROVINCES CONCERNED HAVE ALREADY HAD AN OPPORTUNITY, AT EARLIER FRANCOPHONE CONFERENCES, TO OBSERVE THE MODALITIES WHICH COULD APPLY TO THE PARTICIPATION OF THEIR REPRESENTATIVE IN THE CANADIAN DELEGATION. I HAVE TAKEN STEPS TO INFORM THE PROVINCIAL GOVERNMENTS CONCERNED OF THE ARRANGEMENTS WHICH PROVIDE THAT PROVINCIAL REPRESENTATIVES ON THE DELEGATION MAY, IF THEY WISH, PARTICIPATE IN CANADA'S SIGNATURE OF THE CONVENTION ESTABLISHING THE AGENCY. IT GOES WITHOUT SAYING THAT, IN GENERAL, THESE PROVINCES MAY AVAIL THEMSELVES, AS IS PROVIDED FOR IN THE AD HOC ARRANGEMENTS, OF THE AGREED MODALITIES FOR IDENTIFICATION OF PROVINCIAL REPRESENTATIVES, EXPRESSION OF THEIR POINTS , AND SO ON .

6. WITH REGARD TO THE PUBLISHING OF OUR CORRESPONDENCE, OUR OFFICIALS WILL DISCUSS THE MATTER NEXT WEEK.

YOURS, ETC.

PIERRE ELLIOTT TRUDEAU.

- T R A N S L A T I O N -

URGENT URGENT

QUEBEC CITY,

MARCH 12, 1970

THE RIGHT HONOURABLE P.E. TRUDEAU,
PRIME MINISTER OF CANADA,
GOVERNMENT OF CANADA,
OTTAWA.

MY DEAR PRIME MINISTER:

I AM REPLYING AT ONCE TO YOUR TELEGRAM, RECEIVED THIS AFTERNOON,
WHICH DEALS WITH QUEBEC'S PARTICIPATION AT THE NIAMEY CONFERENCE.

I AM PLEASED TO NOTE YOUR GOVERNMENT'S ACCEPTANCE OF THE PRINCIPLES
WE WISH TO SEE RESPECTED, AND WHICH I OUTLINED IN MY TELEGRAM OF LAST TUESDAY.
FOR THE MOMENT, I WILL NOT REFER TO CERTAIN ASSERTIONS IN YOUR LETTER THAT
SEEM TO ME TO WARRANT COMMENT. I SHALL HAVE OCCASION TO RETURN TO THEM LATER.

I AM THUS PLEASED TO INFORM YOU THAT QUEBEC WILL PARTICIPATE IN
THIS CONFERENCE. I AM ACCORDINGLY ASKING M. CLAUDE MORIN, THE DEPUTY MINISTER
OF INTERGOVERNMENTAL AFFAIRS, TO GET IN TOUCH WITH YOUR REPRESENTATIVES TO
SETTLE THE VARIOUS QUESTIONS THAT MAY STILL BE OUTSTANDING.

I WOULD LIKE TO PUBLISH THE LETTERS AND (TELEX) MESSAGES WE HAVE
EXCHANGED ON THIS MATTER SINCE THE MONTH OF JANUARY. I DO NOT THINK YOU
WOULD OBJECT TO SUCH A PROPOSAL. WOULD YOU BE GOOD ENOUGH TO CONFIRM YOUR
AGREEMENT ON THIS POINT.

YOURS, ETC.

J.-J. BERTRAND.

TRANSLATION

MESSAGE

DATE	FILE/DOSSIER	SECURITY SECURITE
MAR12/70		

FM/DE EXTERNAL AFFAIRS

NO

PRECEDENCE

TO/A THE HONOURABLE JEAN-JACQUES BERTRAND

URGENT

PRIME MINISTER OF THE PROVINCE OF QUEBEC, PARLIAMENT BUILDINGS,

INFO QUEBEC, QUEBEC

REF

SUB/SUJ

MY DEAR PRIME MINISTER:

I HAVE RECEIVED YOUR TELEGRAM OF MARCH 10 CONCERNING THE ROLE OF QUEBEC IN CANADA'S PARTICIPATION IN THE FORTHCOMING NIAMEY CONFERENCE AND IN THE AGENCY FOR CULTURAL AND TECHNICAL COOPERATION.

YOUR TELEGRAM RAISES QUESTIONS OF VERY GREAT IMPORTANCE AND, FOR THAT REASON, I THOUGHT IT APPROPRIATE TO REVIEW IT WITH MY CABINET COLLEAGUES. I CAN ASSURE YOU THAT WE CONSIDERED IT WITH THE CARE AND SERIOUSNESS WHICH OUR RESPONSIBILITIES DICTATE.

THE ARRANGEMENTS RESPECTING THE PRESENCE OF QUEBEC IN THE CANADIAN DELEGATION AT NIAMEY MUST BE VIEWED IN THEIR PRECISE CONTEXT. THE CONFERENCE IS A MEETING OF COUNTRIES AIMED AT CONCLUDING A FORMAL INTERNATIONAL AGREEMENT. THIS AGREEMENT WILL SET UP AN AGENCY WHICH WILL DEAL WITH NUMEROUS MATTERS -- SUCH AS ECONOMIC AND TECHNICAL COOPERATION -- WHICH RELATE AS MUCH TO THE COMPETENCE OF THE FEDERAL GOVERNMENT AS THEY DO TO THAT OF PROVINCIAL GOVERNMENTS.

CANADA RECEIVED AN INVITATION TO THIS CONFERENCE OF SOVEREIGN STATES,

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CONVENED TO EXAMINE DOCUMENTS WHICH ONLY SOVEREIGN STATES CAN ADOPT. ALTHOUGH THIS IS A CONFERENCE AT THE LEVEL OF COUNTRIES, THE GOVERNMENT OF CANADA INVITED THE QUEBEC GOVERNMENT TO PARTICIPATE THROUGH REPRESENTATION ON THE CANADIAN DELEGATION.

IN THE CIRCUMSTANCES, QUEBEC'S PRESENCE THEREFORE FALLS WITHIN A DEFINITE FRAMEWORK WHICH IS DETERMINED BY THE PURPOSES OF THE CONFERENCE AND BY THE CONVENTION WHICH IT IS TO ADOPT. MOREOVER, THE ARRANGEMENTS CONFORM IN EVERY RESPECT TO RECOGNIZED INTERNATIONAL PRACTICE. THE CANADIAN GOVERNMENT IS NEVERTHELESS ANXIOUS TO ENSURE THAT THE GOVERNMENT OF QUEBEC HAS ITS PROPER ROLE AND PLACE WITHIN THIS FRAMEWORK. IN THIS SPIRIT, THE GOVERNMENT OF CANADA IS CONVINCED THAT CANADA MUST BE REPRESENTED AT THE FORTHCOMING NIAMEY CONFERENCE IN ORDER TO MAKE THE IMPORTANT CONTRIBUTION EXPECTED OF IT, IN CONFORMITY WITH ITS FRANCOPHONE POLICY. IT IS EQUALLY HOPED THAT A SIZEABLE REPRESENTATION FROM THE QUEBEC GOVERNMENT WILL ALSO BE ABLE TO MAKE, WITHIN THE DELEGATION, AN ORIGINAL, USEFUL AND RECOGNIZABLE CONTRIBUTION TO THE WORK OF THE CONFERENCE.

IT IS FOR THIS REASON THAT WE SUGGESTED TO YOU ARRANGEMENTS WHICH, WITHIN THE CANADIAN DELEGATION, WILL PRESERVE THE IDENTITY OF QUEBEC AND OF ITS REPRESENTATIVES. THIS ASPECT OF THE ARRANGEMENTS IS THEREFORE AGREED BETWEEN US.

THUS, FOR EXAMPLE, QUEBEC'S NAME WILL APPEAR ON THE LIST OF THE CANADIAN DELEGATION, QUEBEC'S REPRESENTATIVES WILL BE ABLE TO ADDRESS THE CONFERENCE ON MATTERS WITHIN ITS CONSTITUTIONAL COMPETENCE, THE QUEBEC FLAG WILL BE FLOWN AND THE SIGNATURE OF THE NIAMEY AGREEMENT BY CANADA WILL INCLUDE SIGNATURE BY A QUEBEC REPRESENTATIVE.

WE ALSO INSISTED ON INDICATING CLEARLY IN THESE ARRANGEMENTS, THE IMPORTANCE OF QUEBEC'S ROLE IN BOTH THE CONFERENCE AND THE AGENCY. THIS IS WHY WE PROPOSED THAT THE NUMBER OF QUEBEC GOVERNMENT REPRESENTATIVES IN



THE DELEGATION BE SUBSTANTIAL AND THAT A MINISTER OF THE QUEBEC GOVERNMENT ASSUME THE VICE-CHAIRMANSHIP. WE ALSO SUGGESTED THAT THERE BE QUEBEC REPRESENTATIVES -- AND I BELIEVE WE ARE AGREED ON THIS POINT -- IN THE MAIN BODIES OF THE AGENCY, THAT IS, THE GENERAL ASSEMBLY AND THE EXECUTIVE COUNCIL.

YOU EXPRESS SURPRISE THAT WE WANTED TO CHANGE THE AD HOC ARRANGEMENT WHICH PREVAILED ON VOTING AT PREVIOUS CONFERENCES, SO AS TO ADAPT IT TO A NEW SITUATION. FIRST, IT SHOULD BE NOTED THAT THE PREVIOUS CONFERENCES PROCEEDED BY WAY OF CONSENSUS, NOT BY VOTE, WHEREAS THE COMING CONFERENCE (AS WELL AS THE ENTIRE OPERATION OF THE AGENCY) WILL BE GOVERNED STRICTLY BY VOTE. IN ADDITION, THE PROCEDURE PROVIDES THAT AN ABSTENTION IS EQUIVALENT TO A FAVOURABLE VOTE, WHICH MEANS THAT THE COMPULSORY ABSTENTION WHICH YOU PROPOSE IN THE EVENT OF DISAGREEMENT WITHIN THE DELEGATION WOULD AT TIMES DEPRIVE CANADA, ALONE AMONG ALL THE PARTICIPANTS, OF ITS RIGHT TO VETO MEASURES WHICH MIGHT AFFECT ITS ESSENTIAL INTERESTS, AND IN REGARD TO CANADA'S FINANCIAL CONTRIBUTION TO THE AGENCY, WHICH COULD BE IN THE MILLIONS WITHIN A FEW YEARS.

IN PRACTICE, IT SEEMS TO ME WISE FOR THE CANADIAN DELEGATION TO ABSTAIN IN CASE OF DISAGREEMENT ON MATTERS WHICH LIE WITHIN THE EXCLUSIVE DOMESTIC COMPETENCE OF THE PROVINCES: THIS WILL NO DOUBT BE POSSIBLE AND DESIRABLE IN THE VAST MAJORITY OF CASES. BUT, HOWEVER USEFUL ABSTENTION MAY BE IN RESOLVING CERTAIN POSSIBLE DIFFERENCES, IT MUST NOT PARALYZE CANADA'S FOREIGN POLICY, OR ITS POLICIES ON ECONOMIC AND TECHNICAL COOPERATION. HENCE, THE EFFORT WE HAVE MADE TO RENDER OUR AGREEMENT ON VOTING MORE PRECISE.

HOWEVER, WE WOULD BE PREPARED TO ACCEPT AN AD HOC AND PURELY PRACTICAL ARRANGEMENT FOR THE COMING NIAMEY CONFERENCE, PROVIDED EVERY EFFORT IS MADE TO CLARIFY THIS POINT EXPLICITLY IN FUTURE, AND WITH THE FULL KNOWLEDGE THAT IT MAY GIVE RISE, WITHIN THE DELEGATION, TO SERIOUS DIFFICULTIES OF INTERPRETATION AT THE CONFERENCE. THIS IS BASED ON THE PRIOR ASSUMPTION THAT THE QUESTION OF VOTING ARRANGEMENTS FOR THE GENERAL ASSEMBLIES OF THE AGENCY WOULD BE LEFT OPEN. I THEREFORE SUGGEST TO YOU THE FOLLOWING TEXT:

" IF THE MEMBERS OF THE DELEGATION DID NOT AGREE AMONG THEMSELVES ON A MATTER FALLING WITHIN THE EXCLUSIVE DOMESTIC COMPETENCE OF THE PROVINCES, THE DELEGATION WOULD ABSTAIN." THIS FORMULA DOES NOT RESOLVE THE PROBLEM OUTLINED ABOVE. IT DOES NOT SATISFACTORILY REFLECT THE EXCLUSIVE RESPONSIBILITY OF THE GOVERNMENT OF CANADA IN THE REALM OF FOREIGN POLICY AND INTERNATIONAL RELATIONS. IT IS THEREFORE MY DUTY TO MAKE IT CLEAR THAT, AT THE CONFERENCE, THE DELEGATION WILL NONETHELESS HAVE TO BE GUIDED BY CANADA'S FOREIGN POLICY. IN PARTICULAR, THE AD HOC ARRANGEMENT WOULD NOT PREVENT THE DELEGATION FROM VOTING ON QUESTIONS RELATED TO SUCH MATTERS AS THE BUDGET AND STATUTES OF THE CONFERENCE.

YOU ALSO REQUEST THAT IT ~~BE~~ AGREED THAT THE MINISTER OF THE QUEBEC GOVERNMENT MAY SPEAK "IN THE NAME OF QUEBEC". THESE WORDS WERE IN FACT USED IN THE AD HOC ARRANGEMENTS AGREED BETWEEN US FOR EARLIER CONFERENCES. YOUR LETTER OF FEBRUARY 27 ACCEPTED A TEXT, ON THE EXPRESSION OF PROVINCIAL POINTS OF VIEW, WHICH DID NOT INCLUDE THIS PHRASEOLOGY. HOWEVER, THAT TEXT DID RECOGNIZE THE QUEBEC GOVERNMENT MINISTER'S RIGHT TO SPEAK ON ANY MATTER WITHIN QUEBEC'S CONSTITUTIONAL COMPETENCE. FROM THE STANDPOINT OF THE CANADIAN DELEGATION, IT IS OBVIOUS THAT, IN SUCH CASES, THIS MINISTER WILL SPEAK "IN THE NAME OF QUEBEC" SINCE HE WILL THEN PUT FORWARD PROVINCIAL EXPERIENCE AND POINTS OF VIEW. IT IS JUST AS EVIDENT THAT, FROM AN INTERNATIONAL STANDPOINT, HE WILL SPEAK AS A MEMBER OF THE CANADIAN DELEGATION. THERE WOULD THUS BE NO QUESTION OF RECOGNIZING FOR QUEBEC OR HER REPRESENTATIVES IN THE CANADIAN DELEGATION AN INTERNATIONAL STATUS SEPARATE FROM THAT OF CANADA. RATHER, IT IS FORESEEN THAT CANADA'S CONTRIBUTION TO THE CONFERENCE WILL INCLUDE STATEMENTS BY PROVINCIAL MEMBERS OF THE DELEGATION, DERIVED FROM THEIR PROVINCE'S EXPERIENCE AND INTERESTS. ON THAT BASIS, I ACCEPT THE ADDITION OF THE WORDS "IN THE NAME OF QUEBEC" TO THE RELEVANT PARAGRAPH OF OUR ARRANGEMENTS FOR THE NIAMEY CONFERENCE.

SINCE THIS LETTER CONSTITUTES A POSITIVE REPLY TO THE TWO AMENDMENTS

WHICH YOU PROPOSED, I ASSUME THAT YOU ACCEPT THE OTHER TERMS OF THE PROPOSAL WHICH I MADE ON FRIDAY. FOR GREATER CLARITY, I TAKE THE LIBERTY OF REPRODUCING IN AN APPENDIX TO THIS LETTER THE TEXT OF OUR AD HOC ARRANGEMENTS.

YOURS VERY TRULY,

PIERRE ELLIOTT TRUDEAU

APPENDIX

APPENDIX

I. SUMMARY OF AD HOC ARRANGEMENTS FOR THE SECOND CONFERENCE OF
FRANCOPHONE COUNTRIES

A. WE WOULD AGREE TO ANY OF THE FOLLOWING FORMULAS:

" A MINISTER OF THE QUEBEC GOVERNMENT WILL ACT AS VICE-CHAIRMAN OF THE CANADIAN DELEGATION. THE CANADIAN DELEGATION WILL INCLUDE MEMBERS OF THE FEDERAL ADMINISTRATION, QUEBEC DELEGATES AND DELEGATES FROM OTHER PROVINCES."

" A MINISTER OF THE QUEBEC GOVERNMENT WILL BE A MEMBER OF THE CANADIAN DELEGATION WHICH WILL INCLUDE MEMBERS OF THE ADMINISTRATION AND DELEGATES FROM THE (OTHER) PROVINCES."

" A MINISTER OF THE QUEBEC GOVERNMENT WILL BE APPOINTED TO THE CANADIAN DELEGATION, WHICH WILL INCLUDE MEMBERS OF THE FEDERAL ADMINISTRATION AND DELEGATES FROM THE (OTHER) PROVINCES."

" THE CANADIAN DELEGATION WILL INCLUDE MEMBERS OF THE FEDERAL ADMINISTRATION, QUEBEC DELEGATES AND DELEGATES FROM OTHER PROVINCES."

B. THE DELEGATION WILL DULY MEET, BEFORE ITS DEPARTURE, TO CO-ORDINATE CANADIAN PARTICIPATION IN THE CONFERENCE;

C. THE CANADIAN DELEGATION WILL SPEAK THROUGH ITS CHAIRMAN, OR IN HIS ABSENCE, THE VICE-CHAIRMAN. THE MINISTER OF THE QUEBEC GOVERNMENT MAY SPEAK IN THE NAME OF QUEBEC ON ALL MATTERS WITHIN THE CONSTITUTIONAL COMPETENCE OF THE QUEBEC GOVERNMENT. THE DELEGATES FROM THE OTHER PROVINCES MAY DO LIKEWISE. THERE WILL BE PRIOR CONSULTATION ON THE POINTS OF VIEW TO BE PUT FORWARD AT THE CONFERENCE; (IF THE VICE-CHAIRMANSHIP IS NOT ACCEPTED BY THE QUEBEC GOVERNMENT, THE FIRST SENTENCE OF THIS ARTICLE WOULD READ AS FOLLOWS:

" THE CHAIRMAN WILL SPEAK FOR THE CANADIAN DELEGATION. THE CANADIAN DELEGATION WILL SPEAK THROUGH ITS CHAIRMAN.")

D. IN THE EVENT OF A VOTE AT THE CONFERENCE, THE CANADIAN DELEGATION WILL HAVE ONLY ONE VOTE. IF THE MEMBERS OF THE DELEGATION DID NOT AGREE AMONG THEMSELVES ON A MATTER FALLING WITHIN THE EXCLUSIVE DOMESTIC COMPETENCE OF THE PROVINCES, THE DELEGATION WOULD ABSTAIN.

E. REPLACE THE ARTICLE BY THE FOLLOWING SIMPLIFIED VERSION:

"CANADA'S SIGNATURE WILL BE AFFIXED AS FOLLOWS: IN THE PLACE RESERVED FOR IT, AND IMMEDIATELY UNDER THE SIGNATURE OF THE CHAIRMAN OF THE DELEGATION, THERE WILL APPEAR THE SIGNATURE OF THE MINISTER OF THE QUEBEC GOVERNMENT, TOGETHER WITH THAT OF A DELEGATE FROM EACH OF THE OTHER PROVINCES. FOR THESE SIGNATURES THE FOLLOWING FORMULA WILL BE OBSERVED: "GERARD PELLETIER, SECRETARY OF STATE OF CANADA"; "MARCEL MASSE, MINISTER OF INTERGOVERNMENTAL AFFAIRS OF QUEBEC".

F. QUEBEC'S PRESENCE MAY BE IDENTIFIED AS FOLLOWS, IN THE LIGHT OF LOCAL CUSTOM. THIS APPLIES AS WELL FOR THE OTHER PROVINCES.

1. DURING THE FORMAL OPENING SESSION, AS WELL AS DURING THE CLOSING SESSION, THE CHAIRMAN OF THE MEETING, OR OTHER SPEAKERS, MAY IDENTIFY QUEBEC WITHIN THE CANADIAN DELEGATION WITH AN APPROPRIATE REFERENCE.

2. THE QUEBEC DELEGATE'S CAR WILL BEAR A PLAQUE ON WHICH WILL APPEAR THE WORDS "CANADA" AND "QUEBEC", AND FLAG STAFFS FLYING MINIATURE FLAGS OF CANADA AND QUEBEC.

3. THE QUEBEC FLAG MAY FLY OVER THE HOTEL IN WHICH THE QUEBEC MINISTER IS STAYING.

4. IN THE CONFERENCE HALL OR OUTSIDE THIS HALL, IF FLAGS ARE FLOWN, THAT OF QUEBEC WILL BE DISPLAYED PROVIDED THAT IT IS FLOWN IN ASSOCIATION WITH THE CANADIAN FLAG, PRECEDENCE BEING GIVEN TO THE LATTER.

5. IN THE CONFERENCE HALL, THE CANADIAN DELEGATION WILL BE IDENTIFIED BY A PLAQUE READING "CANADA". A PLAQUE PLACED BEHIND THE CANADIAN PLAQUE WILL IDENTIFY QUEBEC WITHIN THE DELEGATION, AS FOLLOWS: "CANADA-QUEBEC". THE LETTERS INDICATING THE NAME OF QUEBEC WILL BE THE SAME SIZE AS THOSE INDICATING THE NAME OF CANADA.

G. THE OFFICIAL LIST OF THE CANADIAN DELEGATION WILL BE SUBMITTED TO THE CONFERENCE IN THE FOLLOWING FORMAT:

DELEGATION OF CANADA

M. GERARD PELLETIER

SECRETARY OF STATE OF CANADA,
CHAIRMAN AND HEAD OF THE DELEGATION

QUEBEC

M. MARCEL MASSE, MINISTER OF
INTERGOVERNMENTAL AFFAIRS OF QUEBEC

M.

NEW BRUNSWICK

M.

ONTARIO

M.

MANITOBA

M.

ADVISERS:

..... "

II ARRANGEMENTS CONCERNING THE ROLE OF THE QUEBEC GOVERNMENT IN CANADIAN
PARTICIPATION IN THE AGENCY

A. GENERAL ASSEMBLIES

A MEMBER OF THE QUEBEC GOVERNMENT WILL NORMALLY BE VICE-CHAIRMAN OF THE DELEGATION. AGREEMENT MAY BE REACHED TO HAVE A QUEBEC GOVERNMENT MINISTER ACT AS CHAIRMAN, ACCORDING TO THE CIRCUMSTANCES AND THE NATURE OF THE ISSUES OR MATTERS IN QUESTION AT EACH CONFERENCE. (AGREE TO DELETE THIS PARAGRAPH IF THE VICE-CHAIRMANSHIP IS NOT ACCEPTED BY THE QUEBEC GOVERNMENT.)

IN ORDER THAT THE DELEGATION INCLUDE A SATISFACTORY NUMBER OF QUEBEC AND OTHER REPRESENTATIVES, IT WILL BE PROPOSED THAT THE NUMBER OF DELEGATES FROM EACH COUNTRY NOT BE LIMITED TO FIVE. HOWEVER, THE EXPENSES OF ADDITIONAL DELEGATES WOULD NOT BE PAID BY THE AGENCY. THERE WILL BE ADEQUATE QUEBEC REPRESENTATION ON COMMITTEES AND SUB-COMMITTEES, HAVING REGARD TO CONFERENCE RULES OF PROCEDURE.

THE AD HOC ARRANGEMENTS MADE FOR THE FOUNDING CONFERENCE WILL APPLY TO THE GENERAL ASSEMBLIES INSOFAR AS MEETINGS OF THE DELEGATION BEFORE THE CONFERENCES, THE EXPRESSION OF FEDERAL AND PROVINCIAL POINTS OF VIEW, THE IDENTIFICATION OF QUEBEC AND THE LIST OF THE DELEGATION. IF CHANGES ARE REQUIRED BY CIRCUMSTANCES,

THE FEDERAL AND PROVINCIAL AUTHORITIES CONCERNED WOULD SEE TO IT THAT AGREEMENT WAS REACHED ON THIS SUBJECT.

B. EXECUTIVE COUNCIL

THERE WILL BE CONSULTATION WITHIN THE DELEGATION CONCERNING A CANADIAN CANDIDATURE FOR THE SECRETARIAT GENERAL.

D. FINANCE

THE CANADIAN CONTRIBUTION TO THE AGENCY BUDGET WILL BE PRESENTED AS FOLLOWS IN THE AGENCY REPORTS: "CONTRIBUTION OF CANADA: \$ _____, OF WHICH THE CENTRAL GOVERNMENT CONTRIBUTED \$ _____, QUEBEC \$ _____, ONTARIO \$ _____, ETC."

WHILE NOTING THAT THE NATIONAL CONTRIBUTIONS WILL BE PAID IN A LUMP SUM TO THE GENERAL BUDGET OF THE AGENCY, QUEBEC INTENDS TO COMPUTE ITS SHARE IN CANADA'S CONTRIBUTION ON THE FOLLOWING BASIS;

- (A) ADMINISTRATIVE COSTS OF THE SECRETARIAT: QUEBEC'S PARTICIPATION UP TO AN AMOUNT EQUAL TO THAT CONTRIBUTED BY THE FEDERAL GOVERNMENT;
- (B) AGENCY PROGRAMMES: THE CANADIAN CONTRIBUTION TO THE COST OF AGENCY PROGRAMMES WILL IN PRINCIPLE BE PROVIDED BY THE FEDERAL GOVERNMENT, BUT QUEBEC COULD INCREASE ITS SHARE IN THE CANADIAN CONTRIBUTION DEPENDING ON ITS INTEREST IN THE PROGRAMMES.

THE OTHER PROVINCES MAY, OF COURSE, JOIN IN THE CONTRIBUTION IF THEY SO DESIRE.

APPENDIX ENDS

T R A N S L A T I O N

(INCOMING TELEGRAM)

THE RIGHT HONOURABLE PIERRE ELLIOTT TRUDEAU
PRIME MINISTER, GOVERNMENT OF CANADA
OTTAWA, ONTARIO

MARCH 10, 1970

MY DEAR PRIME MINISTER:

I HAVE RECEIVED YOUR LETTER OF MARCH 7 REGARDING QUEBEC'S
ROLE IN CANADA'S PARTICIPATION IN THE FORTHCOMING NIAMEY
CONFERENCE AND IN THE AGENCY FOR CULTURAL AND TECHNICAL COOPERA-
TION. I HAVE STUDIED THIS LETTER AND ALL THE RELEVANT DOCUMENTS
WITH MY CABINET COLLEAGUES.

WE WERE SORRY TO NOTE THAT AN OBVIOUS DISAGREEMENT PERSISTS
ON A NUMBER OF BASIC POINTS, DESPITE NEGOTIATIONS WHICH HAVE
LASTED SEVERAL WEEKS.

THUS, YOUR MOST RECENT PROPOSALS REGARDING THE CANADIAN
DELEGATION'S VOTE CLEARLY DIVERGE FROM THE SPIRIT OF THE
FORMULA ALREADY AGREED UPON BETWEEN US. THIS SAME FORMULA
HAD, HOWEVER, PROVED SATISFACTORY FOR FOUR MEETINGS OF THE
CONFERENCE OF EDUCATION MINISTERS AND THE FIRST NIAMEY CONFER-
ENCE LAST YEAR. THAT IS WHY WE HAD ADOPTED IT ONCE MORE, WORD
FOR WORD, WHILE TAKING CARE TO ENSURE THAT IT IN NO WAY PREVENTED
THE CANADIAN DELEGATION FROM REGISTERING ITS VOTE ON MATTERS
WITHIN FEDERAL COMPETENCE. THIS ADDITION, WHICH WE OURSELVES
SUGGESTED, WAS DESIGNED TO ALLOW FOR THE POSSIBILITY THAT
MATTERS OF CONCERN TO THE FEDERAL GOVERNMENT MIGHT ARISE IN
CONNECTION WITH THE ESTABLISHMENT OF THE AGENCY. BUT, YOUR
NEW PROPOSAL MEANS, IN EFFECT, THAT THE CANADIAN DELEGATION,
LED BY A FEDERAL MINISTER, COULD VOTE ON ANY MATTER, EVEN
THOSE QUESTIONS WITHIN OUR STRICT COMPETENCE, AND EVEN IF QUEBEC

DID NOT AGREE. YOU IMPLY THAT, IN SUCH A CASE, THE VOTE WOULD NOT BE BINDING ON US. THEN WHY INSIST THAT IT SHOULD BE CAST? THIS WOULD GIVE CURRENCY ABROAD TO A FALSE IDEA OF THE DISTRIBUTION OF POWERS UNDER THIS COUNTRY'S CONSTITUTION, TO SAY NOTHING OF THE FACT THAT SUCH A VOTE, RECORDED IN THE PRESENCE OF QUEBEC DELEGATES, WOULD INEVITABLY GIVE THE IMPRESSION THAT OUR GOVERNMENT REFUSED, AFTER THE EVENT, TO FULFIL COMMITMENTS TO WHICH IT HAD APPEARED TO CONSENT. YOU WILL READILY UNDERSTAND THAT WE DO NOT WISH TO BE PLACED IN A SITUATION WHERE WE WOULD BE LED TO ADOPT WHAT APPEARED TO BE CONSISTENTLY NEGATIVE ATTITUDES.

IN YOUR PROPOSALS YOU ARE ALSO NOT PREPARED TO ALLOW FOR THE POSSIBILITY OF QUEBEC'S SPEAKING IN ITS OWN NAME. IF YOU HAD AGREED TO THE QUEBEC MINISTER'S BEING CO-CHAIRMAN OF THE CANADIAN DELEGATION, IT MIGHT NOT HAVE BEEN NECESSARY, IN THIS CONTEXT, TO HAVE BEEN SO SPECIFIC. BUT THIS, TOO, WAS REFUSED, AND WHAT I INFER FROM YOUR LATEST PROPOSAL IS THAT NOT ONLY WILL THE QUEBEC MINISTER NOT BE CO-CHAIRMAN, BUT YOU DO NOT EVEN AGREE TO HIS SPEAKING IN THE NAME OF QUEBEC. HERE AGAIN, YOU ARE DEPARTING FROM THE ARRANGEMENTS WE HAD AGREED UPON, AT ONE TIME OR ANOTHER, FOR PREVIOUS CONFERENCES. I DO NOT UNDERSTAND THIS FURTHER CHANGE IN ATTITUDE ON YOUR PART. YOU GIVE ME TO UNDERSTAND THAT A FEW FRANCOPHONE COUNTRIES--AND NOTABLY FRANCE--COULD ADOPT AN ATTITUDE SIMILAR TO OURS ON THIS POINT, AND THAT YOU INTEND TO OPPOSE THAT ATTITUDE, AND YOU FEEL THAT THIS COULD PROVOKE A GRAVE CRISIS IN LA FRANCOPHONIE. WE ARE

MOST ANXIOUS THAT SUCH A CRISIS SHOULD BE AVOIDED, FOR IF THERE IS ONE GOVERNMENT THAT REALLY WANTS TO SEE THE FRANCOPHONE COMMUNITY ORGANIZED, IT IS THAT OF QUEBEC. PERHAPS THE BEST WAY OF AVOIDING IT WOULD BE FOR CANADA TO ACCEPT SOME CHANGES IN A CHARTER WHICH IS, AFTER ALL, STILL IN A DRAFT STAGE. I THINK I HAVE DEMONSTRATED TO YOU THAT THERE IS NOTHING SINISTER IN THE REASONS THAT HAVE PROMPTED US TO SUGGEST CHANGES IN THE DRAFT STATUTES. I ALSO FIND IT HARD TO ACCEPT THAT YOU SHOULD ACCUSE US, IN A WAY, OF ENDANGERING LA FRANCOPHONIE EVEN BEFORE THE CONFERENCE BEGINS.

THERE EXISTS FOR QUEBEC, MR. PRIME MINISTER, WHAT I WOULD CALL A THRESHOLD OF DIGNITY WHICH WE CANNOT CROSS. AGAINST THIS BACKGROUND I WILL TAKE THE LIBERTY ONCE MORE OF SUMMING UP THE POINTS WHICH QUEBEC CANNOT ABANDON: FIRST, QUEBEC'S PRESENCE AND ACTIVITY MUST BE ADEQUATELY IDENTIFIED. SECOND, QUEBEC MUST BE ABLE TO SPEAK IN ITS OWN NAME, AND ENTER INTO COMMITMENTS OF ITS OWN IN MATTERS WITHIN ITS COMPETENCE. THIRD, THE VOTING PROCEDURE MUST REFLECT THIS DUALITY BY PROVIDING FOR MANDATORY ABSTENTION IN THE EVENT OF DISAGREEMENT ON MATTERS WITHIN QUEBEC'S COMPETENCE. FOURTH, THE STATUTES OF THE AGENCY MUST BE BASED ON THE SAME PRINCIPLES AND ALLOW FOR DIRECT PARTICIPATION BY QUEBEC IN THE ACTIVITIES OF THE AGENCY.

IN THAT THE DATE OF THE CONFERENCE IS APPROACHING VERY RAPIDLY, I WOULD ASK YOU TO INFORM ME OF YOUR ACCEPTANCE OF THE PRINCIPLES SET OUT ABOVE BY TOMORROW EVENING, SO THAT OUR DELEGATES MAY BE ABLE TO COMPLETE THEIR TRAVEL ARRANGEMENTS IN TIME.

YOURS SINCERELY,

THE PRIME MINISTER OF QUEBEC
JEAN-JACQUES BERTRAND

APPENDIX

I. SUMMARY OF AD HOC ARRANGEMENTS FOR THE SECOND CONFERENCE OF FRANCOPHONE COUNTRIES

A. WE WOULD AGREE TO ANY OF THE FOLLOWING FORMULAS: "A MINISTER OF THE QUEBEC GOVERNMENT WILL ACT AS VICE-CHAIRMAN OF THE CANADIAN DELEGATION. THE CANADIAN DELEGATION WILL INCLUDE MEMBERS OF THE FEDERAL ADMINISTRATION, QUEBEC DELEGATES AND DELEGATES FROM OTHER PROVINCES."

"A MINISTER OF THE QUEBEC GOVERNMENT WILL BE A MEMBER OF THE CANADIAN DELEGATION, WHICH WILL INCLUDE MEMBERS OF THE FEDERAL ADMINISTRATION AND DELEGATES FROM THE PROVINCES".

"A MINISTER OF THE QUEBEC GOVERNMENT WILL BE APPOINTED TO THE CANADIAN DELEGATION, WHICH WILL INCLUDE MEMBERS OF THE FEDERAL ADMINISTRATION AND DELEGATES FROM THE PROVINCES".

"THE CANADIAN DELEGATION WILL INCLUDE MEMBERS OF THE FEDERAL ADMINISTRATION, QUEBEC DELEGATES AND DELEGATES FROM OTHER PROVINCES".

B. ARTICLE ACCEPTED AS IS.

C. IF THE VICE-CHAIRMANSHIP IS NOT ACCEPTED BY THE QUEBEC GOVERNMENT, THE FIRST SENTENCE OF THIS ARTICLE WOULD READ: "THE CANADIAN DELEGATION WILL SPEAK THROUGH ITS CHAIRMAN". NO OTHER CHANGE IS SUGGESTED IN THIS ARTICLE.

D. REPLACE THE ARTICLE WITH THE FOLLOWING: "IN THE EVENT OF A VOTE AT THE CONFERENCE, THE CANADIAN DELEGATION WILL HAVE ONLY ONE VOTE. IF THE MEMBERS OF THE DELEGATION DID NOT AGREE AMONG THEMSELVES ON A MATTER UNDER EXCLUSIVE PROVINCIAL LEGISLATIVE COMPETENCE, THE DELEGATION WOULD ABSTAIN, UNLESS ABSTENTION COULD NOT BE RECONCILED WITH CANADA'S FOREIGN POLICY".

THE FOLLOWING SENTENCE COULD BE ADDED IF THE QUEBEC GOVERNMENT SO WISHED: "IN THE LATTER CASE, IT SHALL CONTINUE TO BE UNDERSTOOD

A VOTE WILL NOT COMMIT ANY PROVINCIAL GOVERNMENT TO IMPLEMENT MEASURES IN A FIELD UNDER ITS CONSTITUTIONAL COMPETENCE".

E. REPLACE THE ARTICLE WITH THE FOLLOWING SIMPLIFIED FORMULA: "CANADA'S SIGNATURE WILL BE AFFIXED AS FOLLOWS: IN THE PLACE RESERVED FOR IT, AND IMMEDIATELY UNDER THE SIGNATURE OF THE CHAIRMAN OF THE DELEGATION THERE WILL APPEAR THE SIGNATURE OF THE MINISTER OF THE QUEBEC GOVERNMENT, TOGETHER WITH THAT OF A DELEGATE FROM EACH OF THE OTHER PROVINCES. THE FOLLOWING WORDING WILL BE USED: "GERARD PELLETIER, SECRETARY OF STATE OF CANADA"; "MARCEL MASSE, MINISTER OF INTERGOVERNMENTAL AFFAIRS OF QUEBEC".

F. ARTICLE ACCEPTED AS IS.

G. ARTICLE ACCEPTED, WITH AGREEMENT BETWEEN OUR OFFICIALS ON THE DELETION OF THE WORDS "FEDERAL GOVERNMENT". THE LIST WOULD READ AS FOLLOWS:

"CANADIAN DELEGATION

M. GERARD PELLETIER SECRETARY OF STATE OF CANADA,
CHAIRMAN AND HEAD OF THE DELEGATION.

M.....

QUEBEC

M. MARCEL MASSE, MINISTER OF INTER-
GOVERNMENTAL AFFAIRS OF QUEBEC

M.....

NEW BRUNSWICK

M.....

ONTARIO

M.....

MANITOBA

M.....

ADVISERS

.....

II. ARRANGEMENTS CONCERNING THE QUEBEC GOVERNMENT'S ROLE IN CANADA'S PARTICIPATION IN THE AGENCY

A. GENERAL ASSEMBLIES

- Agreement on deletion of the first paragraph.

- AGREEMENT ON DELETION OF THE SECOND PARAGRAPH IF THE QUEBEC GOVERNMENT DOES NOT ACCEPT THE VICE-CHAIRMANSHIP.
- THIRD PARAGRAPH ACCEPTED AS IS.
- AGREEMENT ON THE WORDING OF THE FOURTH PARAGRAPH AS FOLLOWS:
"THERE WILL BE AN ADEQUATE QUEBEC PRESENCE ON COMMITTEES AND SUBCOMMITTEES, TAKING INTO ACCOUNT REGULATIONS OF THE GENERAL ASSEMBLY."
- FIFTH PARAGRAPH ACCEPTED AS IS.

B. EXECUTIVE COUNCIL

AGREEMENT ON THE WORDING OF THIS ARTICLE AS FOLLOWS: "QUEBEC WILL OCCUPY ONE OF THE EXECUTIVE COUNCIL SEATS OPEN TO CANADA."

C. SECRETARIAT

I AM INFORMED THAT THERE SEEMS TO BE BASIC AGREEMENT ON THIS ARTICLE, BUT THAT THE WORDING HAS NOT YET BEEN SETTLED.

D. FINANCE

PARAGRAPH ACCEPTED AS IS.

MESSAGE

FM/DE	EXTERNAL	DATE	FILE/DOSSIER	SECURITY SECURITE
		6/3/70		
TO/A	THE HONOURABLE JEAN-JACQUES BERTRAND PRIME MINISTER OF THE PROVINCE OF QUEBEC	NO	PRECEDENCE	
			URGENT	
INFO	PARLIAMENT BUILDINGS, QUEBEC CITY, (QUEBEC)			

REF

SUB/SUJ

MY DEAR PRIME MINISTER,

THANK YOU FOR YOUR LETTER OF FEBRUARY 27 ABOUT QUEBEC'S ROLE IN CANADA'S PARTICIPATION IN THE FORTHCOMING NIAMEY CONFERENCE AND IN THE AGENCY FOR CULTURAL AND TECHNICAL COOPERATION. AS YOU KNOW, OUR OFFICIALS HAVE SINCE WORKED OUT ARRANGEMENTS IN THIS AREA TO DEAL WITH MOST OF THE POINTS RAISED IN THE APPENDIX TO YOUR LETTER. I AM THEREFORE ATTACHING A COPY OF YOUR TEXT, SHOWING THE POINTS ON WHICH WE ARE AGREED AND THOSE FEW POINTS ON WHICH FINAL AGREEMENT SHOULD NOW BE POSSIBLE. IT SEEMS TO ME THAT THE SUCCESS OF OUR NEGOTIATIONS TO DATE IS A GOOD ILLUSTRATION OF OUR INTEREST IN LA FRANCOPHONIE AND OUR DESIRE TO DO EVERYTHING POSSIBLE TO ENSURE THE ESTABLISHMENT OF THE AGENCY ON A FIRM FOUNDATION.

YOUR LETTER MENTIONED THAT YOUR OFFICIALS HAD SUGGESTED SUBSTANTIAL CHANGES IN THE AGENCY'S CONSTITUTION, AND YOU ASKED ME WHAT I THOUGHT OF THEIR SUGGESTIONS. IN MY OPINION, THE CHANGES WOULD IN EFFECT ALLOW THE GOVERNMENT OF QUEBEC TO REGARD ITSELF AS HAVING SEPARATE AND DISTINCT MEMBERSHIP IN THE AGENCY. YOUR GOVERNMENT WOULD THUS BE KEEPING

DISTRIBUTION
LOCAL/LOCALE

ORIGINATOR/REDACTEUR

DIVISION

TELEPHONE

APPROVED/AUTORISE

SIG.....

SIG.....

AN AVENUE OPEN WHEREBY IT COULD DISSOCIATE ITSELF FROM CANADA AT ANY TIME. I DO NOT SEE HOW THIS ARRANGEMENT COULD BE RECONCILED WITH CANADIAN FEDERALISM, STILL LESS WITH INTERNATIONAL LAW, ACCORDING TO WHICH INTER-GOVERNMENTAL COOPERATION IS TRADITIONALLY CARRIED ON BETWEEN SOVEREIGN STATES. FURTHERMORE, IN ORDER TO GIVE LA FRANCOPHONIE A TRULY EFFECTIVE IMPETUS, IT IS ESSENTIAL THAT IT BE ESTABLISHED AT THE LEVEL OF COUNTRIES AND NOT SET UP ACCORDING TO A HYBRID FORMULA THAT WOULD DETRACT FROM ITS STATUS AS A MAJOR INTERNATIONAL ORGANIZATION.

IT IS NOT SURPRISING THAT THE PRESIDENT OF NIGER AND THE INTERIM SECRETARY-GENERAL, M. JEAN-MARC LEGER (WHO HAS CONSULTED YOU ON THIS), AS EMPOWERED BY THE FIRST NIAMEY CONFERENCE, SHOULD HAVE CONCEIVED THE AGENCY ACCORDING TO UNIVERSALLY-RECOGNIZED INTERNATIONAL NORMS. THE GOVERNMENT OF CANADA WHOLEHEARTEDLY SUPPORTS THE PLAN AND INTENDS TO SUPPORT IT WITH THE UTMOST VIGOUR, ON BEHALF OF ALL CANADIANS, AT THE FORTHCOMING CONFERENCE. I DO NOT SEE WHAT INTEREST QUEBEC WOULD BE SERVING IN NOT SUPPORTING SUCH A POSITION. ON THE OTHER HAND, I SEE VERY CLEARLY WHERE WE WOULD BE IF THE GOVERNMENT OF QUEBEC WERE TO FAVOUR A FUNDAMENTALLY UN-ATTAINABLE PLAN FOR THE AGENCY. DOUBT WOULD BE FELT ABROAD REGARDING THE FULLNESS OF OUR COUNTRY'S SUPPORT FOR THE AGENCY, WHEREAS CANADA MUST BE ONE OF ITS PRINCIPAL SUPPORTERS. IF A FEW FRANCOPHONE COUNTRIES, AND NOTABLY FRANCE (WHETHER OR NOT THE GOVERNMENT OF QUEBEC WISHED IT) SHOULD ON THIS POINT DEPART FROM THE VERY SOLID PROPOSALS PUT FORWARD BY THE PRESIDENT OF NIGER, THEN WE SHOULD BE FACE TO FACE WITH A GRAVE CRISIS IN FRANCOPHONIE.

EVERYTHING POSSIBLE SHOULD BE DONE TO AVOID SUCH A SITUATION, AND I HAVE ALREADY HAD THESE DANGERS BROUGHT TO THE ATTENTION OF THE PRESIDENT OF THE FRENCH REPUBLIC. UNDER SUCH CIRCUMSTANCES, IN FACT, THE AGENCY MIGHT VERY WELL NOT SEE THE LIGHT OF DAY. CANADA, YOUR GOVERNMENT AND THE COUNTRIES

OF THE FRANCOPHONE COMMUNITY WOULD ALL BE LOSERS. THIS WOULD PLEASE ONLY THOSE WHO DO NOT BELIEVE IN TRUE MULTILATERALISM AMONG FRANCOPHONE COUNTRIES AND WHO PREFER THE FRAGMENTED COOPERATION BETWEEN FRANCOPHONE COUNTRIES THAT NOW EXISTS. HAVING SOUGHT TO RETAIN FOR ITSELF THE POSSIBILITY OF A SEPARATE PLACE WITHIN THE AGENCY, THE GOVERNMENT OF QUEBEC COULD EVENTUALLY FIND ITSELF BEARING THE RESPONSIBILITY FOR HAVING MADE THE AGENCY AN IMPOSSIBILITY. I HESITATE TO BELIEVE THAT YOU CAN ENVISAGE SUCH AN OUTCOME.

IT WAS FOR THESE REASONS, MY DEAR PRIME MINISTER, THAT WE CONCLUDED THAT IT WAS NECESSARY TO ACCEPT THE CONSTITUTION FOR THE AGENCY AS PROPOSED BY THE SECRETARY-GENERAL AND PRESIDENT DIORI. I TRUST YOUR GOVERNMENT WILL REACH THE SAME CONCLUSION.

I HAVE NOT THE SLIGHTEST DOUBT THAT AGREEMENT BETWEEN OUR TWO GOVERNMENTS ON OUR PARTICIPATION IN THE NIAMEY CONFERENCE AND IN THE AGENCY WILL BENEFIT ALL CANADIANS BY ENABLING US TO FULFIL OUR APPOINTED ROLES.

YOURS FAITHFULLY,

PIERRE ELLIOTT TRUDEAU.

- T R A N S L A T I O N -

Quebec, February 27, 1970

The Right Honourable Pierre Elliott Trudeau
Prime Minister of Canada
Government of Canada
Ottawa

My dear Prime Minister,

I have received your letter of February 12 about the founding conference of the Agency for cultural and technical cooperation among Francophone countries.

After reviewing with my colleagues the new counter-proposals attached to your letter, I should like to let you have my comments and to suggest some changes.

You will certainly agree with me that Quebec has a very special interest in seeing the proposed agency set up and functioning properly. I had occasion to mention this to President Diori during his visit to Quebec last September. Indeed, he refers to this great interest in the letter which he has just sent me.

Quebec is interested in this agency because it believes it has something original and constructive to contribute to it. However, to ensure that this contribution will be effective and useful, we consider it essential that the terms of our participation in the agency reflect not only the position which Quebec occupies in Canada, but also the relative importance of its French-speaking population in comparison with French-speaking population of the country as a whole. It is also essential that these terms take into account the fact that Quebec has large and numerous Francophone organizations and institutions which are not found in the other provinces and which can be of service to the Agency.

I do not feel that the arrangements you proposed in your letter of February 12 take these facts sufficiently into account. It is all the more important that these facts be reflected since we are dealing with the creation of an agency intended to promote la Francophonie. Historically, in Canada, it is Quebec which has played this role and which, as you are aware, has directly or indirectly prompted all the present reforms aimed at giving French-speaking Canadians and the French language their proper place in Canada. Likewise because of Quebec, the federal government has begun to place more emphasis on Canada's relations with Francophone countries and is attempting to correct the serious imbalance which exists between the cooperative link established with these countries some time ago and the traditionally broader cooperation it maintains with countries of the British Commonwealth. It would therefore appear both logical and in keeping

with this evolution and with the facts of Canadian life itself, that Quebec's participation in the Agency be viewed in the light of this continuity and with respect for the facts to which I have just alluded.

Moreover, the Government of Quebec intends to act in areas where it has constitutional jurisdiction, and the responsibility for which, in accordance with its frequently stated position, it neither can nor wishes to entrust to another government. Now, as you will no doubt agree, the Agency that is to be established in Niamey will touch on all or almost all of these areas. This situation explains both our interest in the Agency and our concern, as a responsible government and as a Francophone government, that we be able to play a major role, readily identifiable and clearly accepted by all our Canadian partners, including the federal government.

What this amounts to therefore, in our opinion, is that the arrangements proposed must clearly recognize the actual position and role of Quebec in the French-speaking community of Canada and in Francophonie in general. In this regard, it must be admitted that no other Canadian province is in the same situation as Quebec.

From this standpoint, therefore, we feel that it is entirely reasonable for Quebec to request recognition of these undeniable facts, and the inclusion of certain guarantees as to the nature of our participation in the Agency once it has been created. Quite simply, it is a matter of assuring us that the important role of Quebec, about which obviously no one is in any doubt today, will not be questioned later on.

These are the general principles which motivated us in preparing the amendments which we should like to see made to the counter-proposals which you sent me. I should now like to stress some specific points concerning these arrangements, as regards both our participation in the founding conference and in the Agency itself.

A - AD HOC ARRANGEMENTS FOR THE SECOND CONFERENCE OF FRANCOPHONE COUNTRIES

1. It seems to us normal that the Quebec minister should be co-chairman of the Canadian delegation and not Vice-chairman. This would in no way interfere with Canada's foreign policy and would reflect the fact that, of all the Canadian provinces, Quebec can make the greatest contribution to la Francophonie because of its people, its government and its institutions. At the two recent international conferences of education ministers from Francophone countries, the minister representing Quebec acted as Chairman of the Canadian delegation. In the present case, and since the subjects to be

discussed are likely to extend to areas of federal jurisdiction, I feel that the federal ministers and Quebec minister could each act as Co-chairman. Incidentally, I wish to point out to you that it is not correct to indicate in the example which you give on page 3 of the Appendix to your letter that M. Marcel Masse acted as Vice-chairman and Deputy Head of Delegation during the first Niamey conference.

2. As for voting, we prefer the principle of the formula already agreed on between us for previous conferences, notably for the first Niamey conference, that is, that Canada abstain if there is no agreement within the delegation. However, to provide for situations involving matters falling entirely within the competence of the federal government, we would agree that this formula should not be applied in such cases and that the Co-chairman appointed by the federal government should then vote in accordance with the instructions of his government.

3. As for signature of the convention, I would refer you to that part of the Appendix to this letter which deals with this question.

B - ARRANGEMENTS CONCERNING THE QUEBEC GOVERNMENT'S ROLE IN PARTICIPATION IN THE AGENCY:

I need not go into detail regarding these arrangements. The changes which I propose in the Appendix stem from principles previously stated.

On page 5 of the Appendix to your letter, you make reference to the juridical statutes of the Agency. I would have preferred you to indicate in your letter what you thought of these proposals. To make them more flexible our officials suggested several changes in our initial proposal. We have never received any official response to these suggestions and your new counter-proposals make no mention of them. On this subject, I would draw your attention to the fact that the changes which we would like to see made in the proposed statutes are aimed essentially at clearly defining the role, place and specific nature of the Quebec government's participation in the Agency, and furthermore to conform with the constitutional positions we have taken. Since we have already suggested that it should be clearly recognized that there be a single Canadian representative having a single vote, I would like to know what you think of the changes we wish to make in the draft constitution in order to dispel any misunderstanding. Even if I do not again refer to them in the Appendix, I would like you to consider these changes as still being an integral part of our proposal.

In short, through this affair, it seems to me essential that we reflect outside the country the constitutional, historical and demographic reality of Canada, as its people know it. It seems essential to me that the aspirations of Quebec and its Government should be respected. In this respect, the changes I would like to see brought about in your counter-proposals are fundamental in nature.

Yours faithfully,

J.J. Bertrand.

PROPOSED CHANGES

- I - Summary of ad hoc arrangements for the Second Conference of Francophone countries
 - A - Substitute Co-chairman for Vice-chairman
 - B - Article accepted as is.
 - C - Replace the first two lines with: The Co-chairman appointed by the federal government or, in his absence, the Co-chairman, will speak for the Canadian delegation. (No change suggested in the remainder of the article).
 - D - Replace the article with the following: In the event of a vote at the Conference, the Canadian delegation would have only one vote. If the members of the delegation did not agree among themselves, Canada would abstain. However, this rule would not apply to votes bearing on matters of exclusive federal competence.
 - E - Replace the article with the following: At the time of signing the Convention setting up the Agency, immediately under the signature of the Co-chairman appointed by the federal government and in the place reserved for Canada, there will appear the signatures of the Quebec minister delegated as Co-chairman and of a delegate from each of the other provinces, duly identified. The following wording will be used for these signatures: M. Gérard Pelletier, Secretary of State of Canada; M. Marcel Masse, Minister of Intergovernmental Affairs of Quebec.
 - F - Article accepted as is.
 - G - Replace this article with the following: The official list of the Canadian delegation will be submitted to the Conference in the following format:

Canadian Delegation

Federal Government: M. Gérard Pelletier,
Secretary of State of Canada,
Co-chairman of the Canadian delegation.

M.....

Quebec: M. Marcel Masse, Minister of Intergovernmental Affairs of Quebec,
Co-chairman of the Canadian delegation

M.....

New Brunswick: M.....

Ontario: M.....

Manitoba: M.....

Advisers: M....., etc.

II - Arrangements concerning the Quebec government's role in
Canada's participation in the Agency

A - General Assemblies:

Delete the first paragraph,

Replace the second paragraph with the following: A member
of the federal government and a member of the Quebec
government will act as Co-chairmen of the Canadian delegation.

Third paragraph accepted, with the exception that formation
of a disproportionately large delegation should be avoided.

Replace the fourth paragraph with: There will be adequate
Quebec representation on committees and sub-committees of the
Agency.

Fifth paragraph accepted as is.

B - Executive Council:

Replace the paragraph with the following: Quebec will occupy
one of the Executive Council positions available to Canada.

C - Secretariat:

The Canadian delegation will arrange to have a person from
Quebec fill one of the three posts in the Secretariat.

D - Finance

Paragraph accepted as is.

Ends.

- TRANSLATION -

OTTAWA, February 21, 1970

Dear Deputy Minister,

With reference to Prime Minister Trudeau's letter to Prime Minister Bertrand of February 12, 1970, I take the liberty of sending you under cover of this letter the following documents:

- 1) Copy of a letter of invitation which Prime Minister Trudeau received yesterday from President Diiori in connection with the founding Conference of the Agency for cultural and technical cooperation, which is to take place at Niamey, Niger, March 16 to 20, 1970;
- 2) Copy of a telegram dated February 12, 1970, which the Prime Minister has sent to President Diiori. This telegram was sent in answer to the telegram the President had despatched to the Prime Minister on February 9, a copy of which was enclosed with M. Trudeau's letter to M. Bertrand.
- 3) The text of a telegram dated February 20 forwarded by M. Jean-Marc Léger, provisional Executive Secretary of the Agency, to Mr. Sharp. The telegram deals with the organization of the Conference.

We shall no doubt have an opportunity, in the very near future, to discuss the questions raised by M. Léger.

Yours sincerely,

P.A. Bissonnette,
Assistant Under-Secretary.

M. Claude Morin,
Deputy Minister,
Department of Intergovernmental Affairs,
Legislative Buildings,
Quebec, P.Q.

- T R A N S L A T I O N -

Republic of Niger

FRATERNITY - LABOUR - PROGRESS

Niamey, February 17, 1970

The President of the Republic

No.166/PRN

His Excellency Mr. Pierre E. Trudeau
Prime Minister of Canada
O T T A W A

Dear Mr. Prime Minister,

In accordance with the mandate conferred upon me by the first Conference of wholly or partly Francophone countries, at which your country was represented, I intend, as indicated to you in my telegram of February 8, 1970, to invite the Conference to resume its work in Niamey from March 16 to 20 next. This second session will be devoted to the examination and adoption of the statutes and the program of activities of the Agency for cultural and technical cooperation, the creation of which was, as you will recall, recommended last year in the Final Resolution of the Niamey conference.

If this proposal meets with your approval, I would be most grateful if you would appoint a delegation, at the ministerial level if possible, having the authority to approve at the conclusion of this conference, the constitution of the Agency and to signify your country's adherence thereto.

I shall be delighted to welcome to Niamey, shortly, your appointed representatives.

Yours faithfully,

(Signed)

Diori Hamani.

T R A N S L A T I O N

FEB12/70

HIS EXCELLENCY DIORI HAMANI
PRESIDENT OF THE REPUBLIC OF NIGER
NIAMEY NIGER

THANK YOU FOR YOUR MESSAGE OF FEBRUARY 9
INVITING THE GOVERNMENT OF CANADA TO SEND REPRESENTA-
TIVES TO THE CONFERENCE OF ENTIRELY OR PARTIALLY
FRENCH-SPEAKING COUNTRIES, TO BE HELD IN NIAMEY
MARCH 16 TO 20.

I AM PLEASED TO INFORM YOU THAT MY GOVERN-
MENT ACCEPTS YOUR INVITATION FOR THE DATES YOU SUGGEST,
AND THAT IT PLANS TO BE REPRESENTED AT THE CONFERENCE
BY A MINISTERIAL DELEGATION WITH FULL POWERS.

VERY HIGH CONSIDERATION.

PIERRE ELLIOTT TRUDEAU

- TRANSLATION -

February 20, 1970

The Honourable Mitchell Sharp
Minister of External Affairs.

Dear Mr. Minister,

In a letter dated February 17, His Excellency M. Diouri Hamani, President of the Republic of Niger, recently invited the Prime Minister to appoint a ministerial-level delegation fully empowered to represent your country at the second Conference of wholly or partly Francophone countries which is to take place in Niamey from March 16 to 20, 1970. The Conference will be devoted to the examination and adoption of the draft statutes and the programme of activities of the Agency for cultural and technical cooperation, the creation of which was recommended last year by the Final Resolution of the Niamey conference.

I have been instructed to convey to you all necessary information in connection with the organization of the conference and your country's participation. I wrote you on February 3 last, to send you the documents proposed for consideration at this conference. The conference agenda provides that the opening session be held on Monday morning, March 16. Beginning with the afternoon session of the same day the conference will carry on its work in committees. There will be three of these: the Committee on orientation of the Agency, which will study the Agency's field of activities and consider the four reports of the groups of experts; the Legal Committee, which will be responsible for examining the statutes and texts pertaining thereto; and the Finance Committee, to which the budget and the program of activities will be submitted. The committees will meet from Monday afternoon to Wednesday afternoon. Their reports will be submitted to the Plenary Meeting on Thursday, March 19 and, if necessary, on Friday, March 20. As all delegations will be represented on these three committees, it would seem highly desirable that each delegation consist of at least three members and preferably four. Each government will thus be assured that its views are made known fully in the various committees and that it is contributing its full share to the progress of the work of the conference and the course of the new international organization.

I am pleased to inform you that, during their stay in Niamey, the members of your delegation will be the guests of the Government of Niger. I would therefore appreciate your informing me by telegram of the number and rank of the delegates representing your country who will be taking part in the conference, so that I can make the best arrangements for their accommodation in Niamey. In addition, as a result of arrangements which have been made with the airlines concerned, it will be possible to obtain favourable travel arrangements for the members of your delegation, provided their applications for tickets are routed through the office of the Provisional Executive Secretary. Your officials will find attached hereto all the necessary information in this regard. I would be grateful if you would let me know, before March 1, the arrival and departure dates, that are most convenient to the members of your delegation so that I may make the necessary reservations.

I trust that these arrangements will meet with your approval and will make it easier for your country's delegation to take an active part in all the work of the conference. I should be pleased to provide any additional information you may deem necessary.

Very truly yours,

Jean-Marc Léger,
Provisional Executive Secretary.

T R A N S L A T I O N

(February 12, 1970)

My dear Prime Minister,

We have just received an invitation from President Diiori Hamani of Niger to participate in the founding conference of the Agency for Cultural and Technical Co-operation among francophone countries. The conference is scheduled to begin March 16. I am enclosing a copy of the invitation. The President has also arranged for the documentation (of several hundred pages), prepared for this conference by the staff of the Agency's Provisional Secretariat under the direction of M. Jean-Marc Léger, to be distributed to prospective member countries. We received this documentation last week and immediately forwarded it to you.

We are thus left with only a few weeks to study these texts; to initiate consultations between us, with the other provinces and with francophone countries; and to work out our positions, especially on the political and financial issues raised by this documentation. Moreover, as Canada's support of and contribution to the Agency will probably be an important factor in its success, it is up to us not to give our francophone friends the impression that the issue is a subject of controversy in Canada as this might prove detrimental to the establishment of the Agency. It therefore seems to me to be a matter of urgency that we come to agreement on the arrangements on the role of the Quebec government within Canada's participation in the Agency.

Since the beginning of January, our officials have been discussing this matter. I have, as well, had an opportunity to consider the statements you made to the press on January 28 in which you described your government's attitude to the role Canada will play in the Agency for Cultural and Technical Co-operation. Your preoccupations in this respect seem to parallel those of the Canadian government; that is, to ensure an important role for the Quebec government, while respecting the unity of the country.

...2

The Honourable Jean-Jacques Bertrand
Prime Minister of Quebec
Parliament Buildings
Quebec City, P. Q.

and the responsibilities of the Government of Canada in the international field. As this is to be a conference of countries and because it is expected that the Agency will be established on this same basis--in compliance with the Final Resolution of the Niamey Conference and with the draft statutes prepared by the Provisional Secretariat--it is therefore up to us to work out together the terms and conditions that will enable the representatives of the Quebec government to play a major role within the Canadian delegation, both at the conference and in the Agency.

I am taking the liberty of attaching a summary of arrangements to that end. In our view, these proposals represent the outcome which we could arrive at following the discussions between our officials. They are intended to ensure that the Quebec government's representatives take part, as members of the Canadian delegation, in the negotiations leading to the establishment of the Agency and that they subsequently participate in the activities of the major bodies within the Agency. These arrangements are designed to give expression to the importance of the Government of Quebec in this field and the interest it holds for it, while reflecting, at the same time, the full extent of Canada's intended contribution to the francophone world.

I believe these proposals will meet the interests of our two governments, and I hope they will prove acceptable to you.

Yours sincerely,

Pierre Elliott Trudeau

I. Summary of ad hoc arrangements for the second Conference of francophone countries

- A - A Minister of the Quebec Government will act as Vice-Chairman of the Canadian delegation. The Canadian delegation will include members of the federal administration, delegates from Quebec and delegates from other provinces;
- B - The delegation will duly meet before its departure, to coordinate Canadian participation in the Conference;
- C - The Canadian delegation will speak through its Chairman or in his absence the Vice-chairman. The Minister of the Quebec Government may speak on any matter within the Quebec government's constitutional competence. The delegates from the other provinces may do likewise. There will be prior consultation on the points of view to be put forward at the Conference;
- D - In the event of a vote at the Conference, the Canadian delegation will have only one vote. If the members of the delegation do not agree among themselves, Canada will vote according to the instructions of the Canadian government in the light of Canada's foreign policy. It shall continue to be understood that such a vote will not in itself commit any provincial government to implement measures in a field within its constitutional competence;
- E - At the time of signing the Convention establishing the Agency, immediately under the signature of the Chairman of the delegation in the place reserved for Canada, there may appear the signature of the Vice-chairman together with that of a delegate from each of the other provinces and that of any other delegate who might be designated for that purpose. Such signatures will be affixed on behalf of Canada on the basis of full powers emanating from the Government of Canada. The following wording will apply for these signatures: "Gérard Pelletier, Secretary of State for Canada"; "Marcel Masse, Minister of Intergovernmental Affairs of Quebec";
- F - The presence of Quebec may be identified in the following manner, in the light of local custom. This

applies as well to the other provinces.

1. During the formal opening session and at the closing session, the Chairman of the meeting, or other speakers, may identify Quebec within the Canadian delegation by an appropriate reference.
2. The Quebec delegate's car will bear a plaque on which will appear the words "Canada" and "Quebec" and flag staffs flying miniature flags of Canada and Quebec.
3. The Quebec flag may fly over the hotel where the Quebec Minister is staying.
4. In the conference hall or outside this hall, if flags are flown, that of Quebec will be displayed provided that it is flown in association with the Canadian flag, precedence being given to the latter.
5. In the conference hall, the Canadian delegation will be identified by a plaque reading Canada. Plaques placed behind the Canadian plaque will identify the provinces represented within the delegation as follows: "Canada-Quebec", etc. The letters indicating the name of Quebec will be the same size as those indicating the name of Canada.

G - The official list of the Canadian delegation will be submitted to the Conference in the following format:
 (The names of the members of the delegation at the first Conference at Niamey are given by way of example).

Delegation of Canada

Chairman and Head of the delegation:	M. Gérard Pelletier, Secretary of State of Canada.
Vice-chairman and Deputy head of delegation:	M. Marcel Masse, Minister of Intergovernmental Affairs of Quebec.
Delegates:	M. Jean-Pierre Goyer, Parliamentary Secretary to the Secretary of State for External Affairs of Canada.
Quebec:	M. Guy Frégault, Commissioner General for Cooperation

New Brunswick:

M. Arthur Tremblay,
Deputy Minister of Education.

M. Armand Saintonge,
Deputy Minister of Education.

M. Euclide Daigle,
Administrative Secretary,
Société nationale des Acadiens.

Ontario:

M. Jean-Marc Tessier,
Assistant Superintendent of
Programmes,
Department of Education.

Manitoba:**Advisers:**

M. Julien Aubert,
Director of Cooperation,
Department of Education, Quebec.

M. Henri Gaudefroy,
Director General of Liaison and
Evaluation,
Canadian International De-
velopment Agency.

M. Michel de Goumois,
Counsellor, Embassy of Canada,
Niger.

M. Charles Lussier, Assistant
Under-Secretary of State
of Canada.

M. A. Ouellette, Executive
Assistant to the Secretary
of State of Canada.

M. François Reny, Private
Secretary to the Minister
without Portfolio for the
Quebec Public Service.

M. Paul Tardif,
Department of External Affairs.

Mr. Maxwell Yalden, Executive
Assistant to the Under-Secretary
of State for External
Affairs of Canada.

II. Arrangements concerning the role of the Quebec government in Canadian participation in the Agency

A - General assemblies

The make-up of the Canadian delegation to these conferences will reflect the importance of the role of the Government of Quebec within Canadian participation in the Agency. This will apply to the duties and number of representatives of the Government of Quebec within the delegation.

A member of the Quebec Government will normally be vice-chairman of the delegation. Agreement may be reached as to the chairmanship by a Minister of the Government of Quebec, according to the circumstances and nature of the issues or matters in question at each conference.

In order that the delegation may include a satisfactory number of Quebec and other representatives, it will be proposed that the number of delegates from each country not be limited to five. However, the expenses of additional delegates would not be paid by the Agency.

The delegation will agree on ways and means of ensuring effective representation by Quebec and other representatives on the committees and sub-committees, having regard to conference rules of procedures, to the issues in question and to the number of delegates available.

The ad hoc arrangements planned for the founding Conference will apply to the general assemblies insofar as meetings of the delegation before the conferences, the expression of federal and provincial points of view, voting, identification of Quebec and the list of the delegation are concerned. If changes are required by circumstances, the federal and provincial authorities concerned will ensure that they reach agreement on the matter.

B - Executive Council

Quebec will normally occupy the position of alternate representative on the Executive Council, which will ensure Quebec one of the two positions which Canada has on the Council, pursuant to the statutes of the Agency.

C - Secretariat

So as to have a fair geographical distribution of the positions of Secretary-General and Assistant Secretaries-General, it would be desirable that a Canadian fill one of these three posts.

D - Finance

The Canadian contribution to the Agency budget will be presented in the Agency reports as follows: "Contribution of Canada: \$ _____, of which the central government contributed \$ _____, Quebec: \$ _____, Ontario: \$ _____, etc....."

While noting that the national contributions will be paid in a lump sum to the general budget of the Agency, Quebec intends to compute its share in Canada's contribution on the following basis:

- (A) Administrative costs of the Secretariat: - Quebec's share, up to an amount equal to that contributed by the federal government;
- (B) Agency programmes: - the Canadian contribution to the cost of Agency programmes will in principle be provided by the Federal Government, but Quebec could increase its share in the Canadian contribution depending on its interest in the programmes.

The other provinces may, of course, join in the contribution if they so desire.

T R A N S L A T I O N

NIAMEY, February 9, 1970

His Excellency Mr. Pierre E. Trudeau
Prime Minister
Ottawa, Canada

In accordance with decisions taken at the conference of entirely or partially French-speaking countries held in Niamey February 17 to 20, 1969, I propose to invite the conference to reconvene in Niamey March 16 to 20 next. This second session would be devoted to the consideration and adoption of a constitution and a programme of activities for the Agency for Cultural and Technical Co-operation, the establishment of which was recommended last year. It would thus be highly desirable that your government be represented at the conference by a ministerial delegation endowed with the necessary powers. The provisional Executive Secretariat has forwarded to you direct the proposals it has worked out which would serve as a basis for discussion. The Secretariat will provide you with all necessary information about arrangements for the forthcoming meeting. I would very much appreciate your informing me whether the proposed date meets with your approval.

Very high consideration,

Diori Hamani
President of the Republic of Niger
NIAMEY

T R A N S L A T I O N

QUEBEC JAN27/70

URGENT URGENT

MONSIEUR ANDRE BISSONNETTE
ASSISTANT UNDER-SECRETARY OF STATE
DEPARTMENT OF EXTERNAL AFFAIRS
GOVERNMENT OF CANADA

IN ANTICIPATION OF OUR MEETING TOMORROW AT 11:00, HERE IS THE TEXT OF OUR COUNTER-PROPOSAL. I HAVE DIVIDED IT IN TWO: 1 - ARRANGEMENTS FOR NIAMEY CONFERENCE AND 2 - AIDE MEMOIRE ON THE AGENCY FOR COOPERATION. THE PRESENT PROPOSAL IS A FOLLOW UP TO THE ONE WHICH YOU SENT ME LAST WEEK.

I AM SENDING IT TO YOU TODAY SO THAT YOU WILL HAVE AN OPPORTUNITY TO STUDY IT BEFORE OUR MEETING TOMORROW. I SHALL HAVE TYPED COPIES OF IT.

CLAUDE MORIN, DEPUTY MINISTER OF INTERGOVERNMENTAL AFFAIRS OF QUEBEC

TEXT OF THE PROPOSAL:

1 - COMMENTS ON THE AD HOC ARRANGEMENTS CONCERNING THE SECOND CONFERENCE OF FRANCOPHONE COUNTRIES, NIAMEY, MARCH 1970.

1. QUEBEC WILL DELEGATE A MINISTER TO THE NIAMEY CONFERENCE WHO WILL ACT AS CO-CHAIRMAN OF THE CANADIAN DELEGATION.

THE DELEGATION WILL INCLUDE, IN ADDITION TO THE QUEBEC DELEGATES, FEDERAL DELEGATES, DELEGATES FROM THE OTHER PROVINCES, IF ANY, AND FOREIGN AFFAIRS ADVISERS FROM THE FEDERAL ADMINISTRATION.

2. A MEETING OF PARTICIPANTS WILL BE HELD BEFORE DEPARTURE FOR NIAMEY.

3. THE QUEBEC MINISTER WILL SPEAK IN THE NAME OF QUEBEC ON ALL MATTERS COMING WITHIN QUEBEC'S CONSTITUTIONAL COMPETENCE. THE DELEGATES OF THE OTHER PROVINCES WILL DO LIKEWISE. ONE OF THE CO-CHAIRMAN WILL SPEAK ON BEHALF OF THE CANADIAN DELEGATION.
4. QUEBEC'S PRESENCE MAY BE IDENTIFIED IN THE FOLLOWING MANNER:
 - DURING THE FORMAL OPENING SESSION, AS WELL AS AT THE CLOSING SESSION, THE CHAIRMAN OF THE MEETING, OR OTHER SPEAKERS, MAY IDENTIFY QUEBEC WITHIN THE CANADIAN DELEGATION BY AN APPROPRIATE REFERENCE,
 - THE QUEBEC DELEGATES' CAR WILL BEAR A PLAQUE WITH THE WORDS CANADA AND QUEBEC, AND FLAGSTAFFS FLYING MINIATURE FLAGS OF CANADA AND QUEBEC,
 - THE QUEBEC FLAG MAY FLY OVER THE HOTEL IN WHICH THE QUEBEC MINISTER IS STAYING,
 - IN THE CONFERENCE ROOM OR OUTSIDE THIS ROOM, IF FLAGS ARE FLOWN, QUEBEC'S FLAG WILL BE DISPLAYED PROVIDED THAT IT IS FLOWN IN ASSOCIATION WITH THE CANADIAN FLAG, PRECEDENCE BEING GIVEN TO THE LATTER.
5. IN THE EVENT OF A VOTE AT THE CONFERENCE, THE CANADIAN DELEGATION WOULD HAVE ONLY ONE VOTE. IF THE MEMBERS OF THE DELEGATION DO NOT AGREE AMONG THEMSELVES, CANADA WOULD ABSTAIN.
6. IN THE CONFERENCE ROOM, THE CANADIAN DELEGATION WILL BE IDENTIFIED BY A PLAQUE READING "CANADA"; PLAQUES PLACED

BEHIND THE "CANADA" PLAQUE WILL IDENTIFY THE PROVINCES REPRESENTED WITHIN THE DELEGATION AS FOLLOWS: "CANADA-QUEBEC"; "CANADA-NEW BRUNSWICK", ETC. THE LETTERS SPELLING OUT THE NAMES OF THE PROVINCES AND THAT OF CANADA WILL BE COMPARABLE IN SIZE.

- 7. THE OFFICIAL LIST OF THE CANADIAN DELEGATION WILL BE SUBMITTED TO THE CONFERENCE IN ACCORDANCE WITH THE FOLLOWING FORMAT:

CANADIAN DELEGATION

FEDERAL GOVERNMENT: HONOURABLE CO-CHAIRMAN
.....
.....

GOVERNMENT OF QUEBEC: HONOURABLE CO-CHAIRMAN
.....
.....

GOVERNMENT OF NEW BRUNSWICK:
.....
.....

GOVERNMENT OF ONTARIO:
.....
.....

FEDERAL GOVERNMENT ADVISERS:
.....
.....

II - AIDE MEMOIRE ON THE AGENCY FOR CULTURAL AND TECHNICAL COOPERATION.

THE GOVERNMENT OF QUEBEC WOULD BE PREPARED TO COOPERATE WITH THE GOVERNMENT OF CANADA FOR THE PURPOSES OF THE AGENCY FOR CULTURAL AND TECHNICAL COOPERATION ON THE FOLLOWING CONDITIONS:

1) MEMBERSHIP IN THE AGENCY AND SIGNATURE OF THE CONVENTION - AT THE TIME OF SIGNING THE CONVENTION CREATING THE AGENCY, IMMEDIATELY UNDER THE SIGNATURE OF THE CANADIAN REPRESENTATIVE AND IN THE PLACE RESERVED FOR CANADA WILL APPEAR THE SIGNATURES OF THE MINISTER DELEGATED BY QUEBEC AND OF THE DELEGATES OF THE OTHER PROVINCES DULY IDENTIFIED.

2) GENERAL ASSEMBLY

THE CANADIAN DELEGATION TO THE GENERAL CONFERENCE OF THE AGENCY WILL NOT INCLUDE MORE THAN FIVE DELEGATES, TWO OF WHOM WILL BE DELEGATES FROM QUEBEC. THE OTHER THREE MEMBERS OF THE CANADIAN DELEGATION WILL REPRESENT THE FEDERAL GOVERNMENT AND THE GOVERNMENTS OF THE OTHER PROVINCES JOINING THE AGENCY. THE NUMBER OF ADVISERS WILL BE DETERMINED BY MUTUAL AGREEMENT.

THE QUEBEC MINISTER WILL ACT AS CO-CHAIRMAN OF THE CANADIAN DELEGATION.

THE QUEBEC MINISTER WILL SPEAK ON BEHALF OF QUEBEC ON ALL MATTERS WITHIN THE CONSTITUTIONAL COMPETENCE OF QUEBEC. THE DELEGATES OF THE OTHER PROVINCES WILL DO LIKEWISE. ONE OF THE CO-CHAIRMEN WILL SPEAK ON BEHALF OF THE CANADIAN DELEGATION. POSITIONS TO BE EXPRESSED WILL BE COORDINATED IN ADVANCE AMONG THE GOVERNMENTS CONCERNED.

IN THE EVENT OF A VOTE AT THE CONFERENCE, THE CANADIAN DELEGATION WOULD HAVE ONLY ONE VOTE. IF THE MEMBERS OF THE DELEGATION DO NOT REACH AGREEMENT AMONG THEMSELVES CANADA WOULD ABSTAIN.

IF THERE IS A FORMAL DECISION INVOLVING SIGNATURE OF ANY OFFICIAL DOCUMENT, IMMEDIATELY UNDER THE SIGNATURE OF THE CANADIAN REPRESENTATIVE AND IN THE PLACE RESERVED FOR CANADA WILL APPEAR THE SIGNATURES OF THE MINISTER DELEGATED BY QUEBEC, AND OF THE DELEGATES FROM THE OTHER PROVINCES, DULY IDENTIFIED.

QUEBEC'S PRESENCE WILL BE IDENTIFIED IN THE WAY USUALLY EMPLOYED IN SIMILAR CASES, ACCORDING TO THE PROCEDURES ESTABLISHED BETWEEN THE GOVERNMENT OF CANADA AND THE GOVERNMENT OF QUEBEC.

3) EXECUTIVE COUNCIL

THE CANADIAN REPRESENTATIVE ON THE EXECUTIVE COUNCIL WILL BE DESIGNATED ALTERNATELY BY THE FEDERAL GOVERNMENT AND THE QUEBEC GOVERNMENT THROUGH MUTUAL AGREEMENT. THE NUMBER OF ADVISERS WILL BE DETERMINED BY MUTUAL AGREEMENT.

4) SECRETARIAT

THE CANADIAN DELEGATION WILL ENDEAVOUR TO HAVE A PERSON FROM QUEBEC APPOINTED TO THE POSITION OF SECRETARY GENERAL OF THE AGENCY OR FAILING THIS, TO ONE OF THE ASSISTANT SECRETARY GENERAL POSITIONS.

5) COMMITTEES

QUEBEC WILL PARTICIPATE ON COMMITTEES TO THE EXTENT THAT THEY DEAL WITH MATTERS FALLING WITHIN THE QUEBEC GOVERNMENT'S CONSTITUTIONAL COMPETENCE.

6) FINANCIAL PARTICIPATION

QUEBEC WILL CONTRIBUTE TO THE ADMINISTRATIVE EXPENSES

SECRETARIAT UP TO AN AMOUNT EQUAL TO THAT CONTRIBUTED BY THE GOVERNMENT OF CANADA. THE CANADIAN CONTRIBUTION TO THE COST OF THE AGENCY PROGRAMMES WILL IN PRINCIPLE BE PROVIDED BY THE GOVERNMENT OF CANADA. HOWEVER, IN AGREEMENT WITH THE GOVERNMENT OF CANADA, THE GOVERNMENT OF QUEBEC MAY CONTRIBUTE DIRECTLY TO THE COST OF CERTAIN SPECIAL PROGRAMMES WHICH ARE OF PARTICULAR INTEREST TO IT. THE GOVERNMENTS OF THE OTHER PROVINCES MAY DO LIKEWISE.

TRANSPORTATION AND LIVING EXPENSES FOR MEMBERS OF THE DELEGATIONS MAKING UP THE CANADIAN DELEGATION WILL BE BORNE BY THEIR RESPECTIVE GOVERNMENTS.

7) CHANGES IN LEGAL TEXTS (TEXTES JURIDIQUES)

A NUMBER OF CHANGES WILL BE MADE IN THE LEGAL TEXTS WHICH ARE TO BE SENT TO THE GOVERNMENTS INVOLVED IN ESTABLISHING THE AGENCY. SUCH CHANGES ARE INTENDED TO SIMPLIFY THE WORDING AND TO ACHIEVE GREATER FLEXIBILITY IN THE AGENCY'S OPERATIONS.

(A) ON PAGE 10, UNDER THE HEADING "MEMBERSHIP", REPLACE THE PRESENT TEXT BY THE FOLLOWING:

"EVERY GOVERNMENT THAT TOOK PART IN THE FIRST CONFERENCE OF FRANCOPHONE COUNTRIES HELD IN NIAMEY IN FEBRUARY 1969, EVERY COUNTRY WHERE FRENCH IS AN, OR THE, OFFICIAL LANGUAGE, OR EVERY COUNTRY WHICH NORMALLY AND GENERALLY USES THE FRENCH LANGUAGE MAY ACQUIRE MEMBERSHIP IN THE AGENCY BY BECOMING A PARTY TO THIS CONVENTION IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE XX AND THE PROCEDURE LAID DOWN IN THE CONSTITUTION".

- B) AMEND ARTICLE XX TO CONFORM WITH THE FOREGOING.
- C) REVERSE ARTICLES IV AND V.
- D) REPLACE THE FIRST PARAGRAPH OF THE PREAMBLE (P.5) BY THE FOLLOWING:

"THE PARTIES TO THIS CONVENTION,"

- E) ELSEWHERE IN THE TEXT, EXCEPT IN THE LAST PARAGRAPH AND ON PAGE 10/THE FIRST PARAGRAPH ON PAGE 11, AND PARAGRAPHS 14.1, 14.2, 14.7 AND 14.8 ON PAGES 49 AND 50 WHERE THE WORD "COUNTRY" WILL BE REPLACED BY THE WORD "GOVERNMENT"; WHEREVER THE EXPRESSIONS "STATE", "MEMBER STATE", "COUNTRY", "MEMBER COUNTRY" OR "ADHERING COUNTRY" APPEAR, THEY ARE TO BE REPLACED BY THE WORDS "MEMBER" OR "ADHERING" AS THE CASE MAY BE. ON PAGE 45, FIRST LINE, DELETE THE WORDS "MEMBER COUNTRIES". HOWEVER, THESE CORRECTIONS DO NOT APPLY TO PARAGRAPH 4.3 ON PAGE 39.

QUEBEC IS ALSO PREPARED TO STUDY WITH THE GOVERNMENT OF CANADA THE POSSIBILITY OF MAKING OTHER CHANGES REGARDING THE STRUCTURE AND PROCEDURES OF THE AGENCY, THE EXTENT OF ITS POWERS AND THE SCOPE OF ITS PROGRAMMES.

JANUARY 27, 1970.

ENDS.

SENT TO M ANDRE BISSONNETTE (ASST UNDER-SECRETARY OF STATE, DEA)
BY M CLAUDE MORIN, DEPUTY MINISTER OF INTERGOVERNMENTAL AFF
OF QUEBEC.

MESSAGE

T R A N S L A T I O N

DATE	FILE / DOSSIER	SECURITY SECURITE
JAN16/70		

FM/DE

EXTERNAL AFFAIRS

		NO	PRECEDENCE
TO/A	M. CLAUDE MORIN		URGENT
	DEPUTY MINISTER OF INTERGOVERNMENTAL AFFAIRS		
INFO	QUEBEC		

REF

SUB/SUJ

ON JANUARY 8 YOU SENT ME BY TELEX A TEXT DEALING WITH THE AGENCY FOR CULTURAL AND TECHNICAL COOPERATION. I AM COMMUNICATING COMMENTS BELOW, IN THE FORM OF A REVISION OF YOUR TEXT. YOU WILL SEE THAT IN MY TEXT I HAVE SEPARATED THE ARRANGEMENTS RELATING TO THE FORTHCOMING FOUNDING CONFERENCE AND THOSE RELATING TO CANADIAN PARTICIPATION IN THE AGENCY. ANDRE BISSONNETTE.

TEXT BEGINS:

I. SUMMARY OF AD HOC ARRANGEMENTS FOR THE SECOND CONFERENCE OF FRANCOPHONE COUNTRIES

1. A QUEBEC MINISTER WILL ACT AS DEPUTY CHAIRMAN OF THE CANADIAN DELEGATION; THE CHAIRMAN WILL BE A MINISTER OF THE CANADIAN GOVERNMENT. THE CANADIAN DELEGATION WILL INCLUDE MEMBERS OF THE FEDERAL ADMINISTRATION, QUEBEC DELEGATES AND DELEGATES FROM OTHER PROVINCES, SHOULD IT DEVELOP IN THAT WAY.

...2

DISTRIBUTION
LOCAL / LOCALE

ORIGINATOR/REDACTEUR	DIVISION	TELEPHONE	APPROVED/AUTORISE
SIG.....			SIG... (P...A...BISSONNETTE)...

2. THE DELEGATION WILL DULY MEET, BEFORE ITS DEPARTURE, TO COORDINATE CANADIAN PARTICIPATION IN THE CONFERENCE.
3. THE MINISTER OF THE QUEBEC GOVERNMENT MAY EXPRESS QUEBEC'S POINTS OF VIEW AND OUTLINE [THE PROVINCE'S] EXPERIENCE ON ANY MATTER WITHIN QUEBEC'S CONSTITUTIONAL COMPETENCE. DELEGATES FROM THE OTHER PROVINCES MAY DO LIKEWISE. THE CANADIAN DELEGATION WILL SPEAK THROUGH ITS CHAIRMAN OR, IN HIS ABSENCE, THE ASSISTANT CHAIRMAN. THERE WILL BE PRIOR CONSULTATION ON THE POINTS OF VIEW TO BE PUT FORWARD AT THE CONFERENCE.
4. IN THE EVENT OF A VOTE AT THE CONFERENCE, THE CANADIAN DELEGATION WILL HAVE ONLY ONE VOTE. IF THE MEMBERS OF THE DELEGATION DO NOT AGREE AMONG THEMSELVES, CANADA WILL VOTE IN ACCORDANCE WITH INSTRUCTIONS FROM THE GOVERNMENT OF CANADA, IN THE LIGHT OF CANADA'S FOREIGN POLICY.
5. THE PRESENCE OF QUEBEC AND THE OTHER PROVINCES MAY BE IDENTIFIED AS FOLLOWS, IN THE LIGHT OF LOCAL CUSTOM:
 - AT THE FORMAL OPENING SESSION AND AT THE CLOSING SESSION, THE CHAIRMAN OF THE MEETING, OR OTHER SPEAKERS, MAY IDENTIFY QUEBEC WITHIN THE CANADIAN DELEGATION BY AN APPROPRIATE REFERENCE.
 - THE QUEBEC DELEGATE'S CAR WILL BEAR A PLAQUE HAVING THE NAMES OF BOTH CANADA AND QUEBEC AND FLAGSTAFFS FLYING MINIATURE FLAGS OF CANADA AND QUEBEC.
 - THE QUEBEC FLAG MAY FLY OVER THE HOTEL IN WHICH THE QUEBEC MINISTER IS STAYING.

...3

- IN THE CONFERENCE ROOM OR OUTSIDE THIS ROOM, IF
FLAGS ARE FLOWN, QUEBEC'S FLAG WILL BE DISPLAYED
PROVIDED THAT IT IS FLOWN IN ASSOCIATION WITH THE
CANADIAN FLAG, PRECEDENCE BEING GIVEN TO THE LATTER.

- IN THE CONFERENCE ROOM THE CANADIAN DELEGATION WILL
BE IDENTIFIED BY A PLAQUE READING "CANADA". PLAQUES
PLACED BEHIND THE "CANADA" PLAQUE WILL IDENTIFY THE
PROVINCES REPRESENTED WITHIN THE DELEGATION, AS
FOLLOWS: CANADA-QUEBEC, CANADA-NEW BRUNSWICK, ETC.
THE LETTERS SPELLING OUT THE NAMES OF THE PROVINCES
AND THAT OF CANADA WILL BE COMPARABLE IN SIZE.

- 6. THE OFFICIAL LIST OF THE CANADIAN DELEGATION WILL BE
SUBMITTED TO THE CONFERENCE IN THE FOLLOWING FORMAT:

DELEGATION OF CANADA

CHAIRMAN: _____

DEPUTY CHAIRMAN: _____

DELEGATES: _____

QUEBEC: _____

NEW BRUNSWICK: _____

ONTARIO: _____

MANITOBA: _____

ADVISERS: _____

- 7. CANADA WILL PROPOSE THAT THE DELEGATIONS TO THE FOUNDING
CONFERENCE AND TO GENERAL ASSEMBLIES OF THE AGENCY NOT
BE LIMITED TO FIVE DELEGATES. HOWEVER, CANADA WOULD
AGREE THAT THE EXPENSES OF ADDITIONAL DELEGATES BE
BORNE BY THE MEMBER AND NOT BY THE AGENCY.

8. AT THE TIME THE AGREEMENT CREATING THE AGENCY IS SIGNED, IMMEDIATELY UNDER THE SIGNATURE OF THE CHAIRMAN OF THE DELEGATION AND IN THE PLACE RESERVED FOR CANADA, THE SIGNATURE OF THE DEPUTY CHAIRMAN MAY FOLLOW, AS WELL AS THAT OF A DELEGATE FROM EACH OF THE OTHER PROVINCES, AND OF ANY OTHER DELEGATE WHO MIGHT BE DESIGNATED FOR THIS PURPOSE. THESE SIGNATURES WILL BE APPENDED IN THE NAME OF CANADA ON THE BASIS OF FULL POWERS EMANATING FROM THE GOVERNMENT OF CANADA.

II. ARRANGEMENTS ON CANADIAN PARTICIPATION IN THE AGENCY

1. GENERAL ASSEMBLIES - THE COMPOSITION OF THE CANADIAN DELEGATION TO THESE CONFERENCES WILL REFLECT THE IMPORTANCE OF THE ROLE OF QUEBEC WITHIN CANADIAN PARTICIPATION IN THE AGENCY. ONE WAY IN WHICH THIS WILL APPLY WILL BE IN THE NUMBER OF QUEBEC DELEGATES AND ADVISERS WITHIN THE DELEGATION. ANOTHER WAY WOULD BE THAT NORMALLY A QUEBEC MINISTER WOULD BE DEPUTY CHAIRMAN OF THE DELEGATION. THIS WOULD NOT, HOWEVER, EXCLUDE THE POSSIBILITY OF A QUEBEC MINISTER BEING CHAIRMAN, DEPENDING ON THE CIRCUMSTANCES AND NATURE OF CANADIAN INTERESTS INVOLVED AT EACH CONFERENCE.

IT FOLLOWS THAT AN AGREEMENT WOULD BE REACHED WITHIN THE DELEGATION TO ENSURE AN ADEQUATE PRESENCE OF QUEBEC DELEGATES AND OTHERS WITHIN THE COMMITTEES AND SUB-COMMITTEES OF THE GENERAL ASSEMBLIES. IN PRINCIPLE, AND UNLESS THE GOVERNMENTS INVOLVED IN CANADA DECIDE TO MAKE CHANGES REQUIRED BY CIRCUMSTANCES, THE AD HOC

ARRANGEMENTS PROVIDED FOR THE FORTHCOMING CONFERENCE COULD APPLY TO THE GENERAL ASSEMBLIES WITH REGARD TO IDENTIFICATION OF THE PROVINCES, VOTING AND THE EXPRESSION OF CANADIAN AND PROVINCIAL POINTS OF VIEW.

2. EXECUTIVE COUNCIL - BY ENSURING CANADIAN REPRESENTATION ON THE EXECUTIVE COUNCIL, THE GOVERNMENT OF CANADA WILL TAKE INTO ACCOUNT THE IMPORTANCE OF THE ROLE OF QUEBEC WITHIN CANADIAN PARTICIPATION IN THE AGENCY. A QUEBEC MINISTER OR OFFICIAL WOULD THEREFORE NORMALLY BE NAMED AS ALTERNATE REPRESENTATIVE TO THE EXECUTIVE COUNCIL. THIS DOES NOT EXCLUDE THE POSSIBILITY OF A REPRESENTATIVE FROM ANOTHER PROVINCE ASSUMING THIS POSITION.
3. SECRETARIAT - IN THE LIGHT OF AN EQUITABLE, GEOGRAPHIC DISTRIBUTION OF THE POSITIONS OF SECRETARY-GENERAL AND ASSISTANT SECRETARIES-GENERAL, IT WOULD BE DESIRABLE FOR A CANADIAN TO OCCUPY ONE OF THESE THREE POSITIONS MORE OR LESS PERMANENTLY.
4. FINANCES - THE CANADIAN CONTRIBUTION TO THE BUDGET OF THE AGENCY WILL BE PRESENTED IN AGENCY REPORTS AS FOLLOWS: "CONTRIBUTION OF CANADA: \$ _____, OF WHICH THE CENTRAL GOVERNMENT CONTRIBUTED \$ _____, QUEBEC \$ _____, ONTARIO \$ _____, ETC." QUEBEC ESTIMATES THAT ITS SHARE OF THE CANADIAN CONTRIBUTION WILL BE APPROXIMATELY FIVE PER CENT. QUEBEC COULD INCREASE ITS SHARE TO AN AMOUNT EQUAL TO THE CONTRIBUTION OF THE FEDERAL GOVERNMENT. THE OTHER PROVINCES MAY OF COURSE JOIN IN THE CANADIAN CONTRIBUTION IF THEY SO DESIRE.

TEXT ENDS

T R A N S L A T I O N

QUEBEC 8 JANUARY 1970

ANDRE J BISSONNETTE

UNDER-SECRETARY OF STATE FOR EXTERNAL AFFAIRS

DEPARTMENT OF EXTERNAL AFFAIRS

OTTAWA

YOU WILL FIND BELOW THE TEXT I SPOKE OF OVER THE TELEPHONE. I AM ALSO SENDING IT TO YOU BY MAIL.

C MORIN

AIDE MEMOIRE ON AGENCY FOR CULTURAL AND TECHNICAL
COOPERATION

THE GOVERNMENT OF QUEBEC WOULD BE PREPARED TO COOPERATE WITH THE GOVERNMENT OF CANADA FOR THE PURPOSES OF THE AGENCY FOR CULTURAL AND TECHNICAL COOPERATION, IN ACCORDANCE WITH THE FOLLOWING CONDITIONS:

1) MEMBERSHIP IN THE AGENCY AND SIGNATURE OF THE CONVENTION -- AT THE TIME OF SIGNING OF THE CONVENTION CREATING THE AGENCY, IMMEDIATELY UNDER THE SIGNATURE OF THE CANADIAN REPRESENTATIVE, AND IN THE PLACE RESERVED FOR CANADA, THE SIGNATURE OF THE QUEBEC REPRESENTATIVE WILL APPEAR, AS WELL AS THOSE OF THE REPRESENTATIVES OF THE OTHER PROVINCES ADHERING TO THE AGENCY.

2) GENERAL ASSEMBLY

THE CANADIAN DELEGATION TO THE GENERAL ASSEMBLY OF THE AGENCY WILL NOT INCLUDE MORE THAN FIVE DELEGATES. THE QUEBEC DELEGATION WILL FORM PART OF THE CANADIAN DELEGATION AND WILL

PROVIDE AT LEAST TWO OF THE FIVE MEMBERS. THE OTHER THREE MEMBERS OF THE CANADIAN DELEGATION WILL REPRESENT THE FEDERAL GOVERNMENT AND THE PROVINCIAL GOVERNMENTS THAT ARE MEMBERS. THE NUMBER OF ADVISERS WILL BE DETERMINED BY MUTUAL AGREEMENT.

THE CHAIRMAN OF THE QUEBEC DELEGATION WILL ACT AS CHAIRMAN OF THE CANADIAN DELEGATION. ANOTHER DELEGATE WILL ACT AS VICE-CHAIRMAN.

THE CHAIRMAN OF THE QUEBEC DELEGATION WILL SPEAK ON BEHALF OF QUEBEC ON ANY MATTER WITHIN THE CONSTITUTIONAL COMPETENCE OF QUEBEC. THE DELEGATES OF THE OTHER PROVINCES WILL DO LIKewise. THE CANADIAN DELEGATION WILL SPEAK THROUGH ITS CHAIRMAN OR, IN HIS ABSENCE, THE VICE-CHAIRMAN. THE CHAIRMAN OF THE CANADIAN DELEGATION MAY EXPRESS THE VIEWS OF THE FEDERAL GOVERNMENT. IN THAT EVENT, HE WILL DO SO IN ACCORDANCE WITH INSTRUCTIONS ISSUED TO HIM BY THE FEDERAL GOVERNMENT. THE VARIOUS POSITIONS EXPRESSED WILL, HOWEVER, BE COORDINATED IN ADVANCE AMONG THE GOVERNMENTS INVOLVED.

IN ANY VOTING AT THE CONFERENCE, THE CANADIAN DELEGATION WOULD HAVE ONLY ONE VOTE. IF THE MEMBERS OF THE DELEGATION DO NOT AGREE AMONG THEMSELVES, CANADA WOULD ABSTAIN.

IF THERE IS A FORMAL DECISION INVOLVING THE SIGNING OF ANY OFFICIAL DOCUMENT, IMMEDIATELY UNDER THE SIGNATURE OF THE CANADIAN REPRESENTATIVE AND IN THE PLACE RESERVED FOR CANADA, THERE WILL APPEAR THE SIGNATURE OF THE QUEBEC REPRESENTATIVE, AS WELL AS THOSE OF THE REPRESENTATIVES OF THE OTHER PROVINCES JOINING THE AGENCY.

THE PRESENCE OF QUEBEC MAY BE IDENTIFIED IN THE FOLLOWING MANNER:

- AT THE FORMAL OPENING SESSION, AS WELL AS AT THE CLOSING SESSION, THE CHAIRMAN OF THE MEETING, OR OTHER SPEAKERS, MAY IDENTIFY QUEBEC WITHIN THE CANADIAN DELEGATION BY AN APPROPRIATE REFERENCE;
- THE CAR OF THE QUEBEC DELEGATES WILL BEAR A PLAQUE HAVING THE NAMES OF BOTH CANADA AND QUEBEC AND WILL FLY MINIATURE FLAGS OF CANADA AND QUEBEC;
- THE QUEBEC MAY FLY OVER THE HOTEL WHERE THE QUEBEC MINISTER IS STAYING;
- IN THE CONFERENCE ROOM OR OUTSIDE THE ROOM, IF VARIOUS FLAGS ARE TO BE DISPLAYED, QUEBEC'S FLAG WILL BE FLOWN PROVIDED THAT IT IS IN ASSOCIATION WITH THAT OF CANADA, PRECEDENCE BEING GIVEN TO THE LATTER;
- IN THE CONFERENCE ROOM, THE CANADIAN DELEGATION WILL BE IDENTIFIED BY A PLAQUE READING "CANADA". PLAQUES PLACED BEHIND THE "CANADA" PLAQUE WILL IDENTIFY THE PROVINCES REPRESENTED WITHIN THE DELEGATION AS FOLLOWS: CANADA-QUEBEC, CANADA-NEW BRUNSWICK, ETC. THE LETTERS SPELLING OUT THE NAMES OF THE PROVINCES AND THAT OF CANADA WILL BE COMPARABLE IN SIZE.

3) EXECUTIVE COUNCIL

THE CANADIAN REPRESENTATIVE ON THE EXECUTIVE COUNCIL OR HIS ALTERNATE WILL BE NAMED BY THE GOVERNMENT OF QUEBEC, IN AGREEMENT WITH THE GOVERNMENT OF CANADA. THE NUMBER OF ADVISERS WILL BE DETERMINED BY MUTUAL AGREEMENT.

4) SECRETARIAT

THE CANADIAN DELEGATION WILL ENDEAVOUR TO HAVE A PERSON FROM QUEBEC APPOINTED TO THE POSITION OF SECRETARY

GENERAL OF THE AGENCY OR, FAILING THIS, TO ONE OF THE ASSISTANT SECRETARY GENERAL POSITIONS.

5) COMMITTEES

QUEBEC WILL PARTICIPATE IN THE COMMITTEES TO THE EXTENT THAT THEY DEAL WITH MATTERS FALLING WITHIN QUEBEC'S CONSTITUTIONAL COMPETENCE.

6) FINANCIAL PARTICIPATION

QUEBEC WILL CONTRIBUTE TO THE OPERATING COSTS OF THE SECRETARIAT UP TO AN AMOUNT EQUAL TO THAT CONTRIBUTED BY THE GOVERNMENT OF CANADA. THE CANADIAN CONTRIBUTION TO THE COSTS OF PROGRAMMES WILL, IN PRINCIPLE, BE PROVIDED BY THE GOVERNMENT OF CANADA. HOWEVER, IN AGREEMENT WITH THE GOVERNMENT OF CANADA, THE GOVERNMENT OF QUEBEC MAY CONTRIBUTE DIRECTLY TO THE COSTS OF CERTAIN SPECIAL PROGRAMMES OF PARTICULAR INTEREST TO IT. THE GOVERNMENTS OF THE OTHER PROVINCES MAY DO LIKEWISE.

TRANSPORTATION AND LIVING EXPENSES FOR MEMBERS OF THE DELEGATION MAKING UP THE CANADIAN DELEGATION WILL BE BORNE BY THEIR RESPECTIVE GOVERNMENTS.

7) CHANGES IN LEGAL TEXTS

A NUMBER OF CHANGES WILL BE MADE IN THE DRAFT STATUTES (TEXTES JURIDIQUES) WHICH ARE TO BE SENT TO THE GOVERNMENTS INVOLVED IN ESTABLISHING THE AGENCY. SUCH AMENDMENTS ARE INTENDED TO SIMPLIFY THE WORDING AND TO ACHIEVE GREATER FLEXIBILITY IN THE AGENCY'S OPERATIONS.

(A) ON PAGE 10, UNDER THE HEADING "MEMBERSHIP",
REPLACE THE PRESENT TEXT BY THE FOLLOWING:

"EVERY GOVERNMENT THAT TOOK PART IN THE FIRST CONFERENCE OF FRENCH-SPEAKING COUNTRIES HELD IN NIAMEY IN FEBRUARY 1969, EVERY COUNTRY WHERE FRENCH IS AN, OR THE, OFFICIAL LANGUAGE, OR EVERY COUNTRY WHICH NORMALLY AND GENERALLY USES THE LANGUAGE, MAY ACQUIRE MEMBERSHIP IN THE AGENCY BY BECOMING A PARTY TO THIS CONVENTION IN ACCORDANCE WITH ARTICLE XX AND THE PROCEDURE LAID DOWN IN THE CONSTITUTION."

- (B) AMEND ARTICLE XX TO CONFORM WITH THE FOREGOING.
- (C) REVERSE ARTICLES IV AND V.
- (D) REPLACE THE FIRST PARAGRAPH OF THE PREAMBLE (PAGE 5) BY THE FOLLOWING:

"THE PARTIES TO THIS CONVENTION,"

- (E) ELSEWHERE IN THE TEXT, EXCEPT IN THE LAST PARAGRAPH ON PAGE 10,^{AND} THE FIRST PARAGRAPH ON PAGE 11, AND PARAGRAPHS 14.1, 14.2, 14.7 AND 14.8 ON PAGES 49 AND 50 WHERE THE WORD "COUNTRY" WILL BE REPLACED BY THE WORD "GOVERNMENT", WHEREVER THE EXPRESSIONS "STATE", "MEMBER STATE", "COUNTRY" "MEMBER COUNTRY", "ADHERING COUNTRY" APPEAR, THEY ARE TO BE REPLACED BY THE WORDS "MEMBER" OR "ADHERING", AS THE CASE MAY BE. ON PAGE 45, FIRST LINE, DELETE THE WORDS "OF THE MEMBER COUNTRIES". HOWEVER, THESE CORRECTIONS DO NOT APPLY TO PARAGRAPH 4.3 ON PAGE 39.

QUEBEC IS ALSO PREPARED TO STUDY WITH THE GOVERNMENT OF CANADA THE POSSIBILITY OF MAKING OTHER CHANGES REGARDING THE STRUCTURE AND PROCEDURES OF THE AGENCY, THE EXTENT OF ITS POWERS AND THE SCOPE OF ITS PROGRAMMES.

MESSAGE

	DATE	FILE/DOSSIER	SECURITY SECURITE
FM/DE	MAR 17 23 04 '70	30-10-FRAN-NIAMEY	UNCLAS
TO/A	PREMIER EDWARD SCHREYER, LEGISLATIVE BUILDING, WPEG, MANITOBA		NO PRECEDENCE
INFO			

REF

SUB/SUJ

I UNDERSTAND THAT YOU HAVE EXPRESSED AN INTEREST IN RECEIVING INFORMATION ABOUT THE IMPLICATIONS OF THE PROPOSED SIGNATURE, BY REPRESENTATIVES OF PROVINCES ON THE CANADIAN DELEGATION TO THE NIAMEY CONFERENCE OF FRANCOPHONE COUNTRIES, OF THE CONVENTION WHICH WOULD SET UP THE PROPOSED FRANCOPHONE AGENCY FOR CULTURAL AND TECHNICAL COOPERATION.

2. THE FEDERAL GOVERNMENT DECIDED THAT IT SHOULD INVITE OFFICIALS OF PROVINCES TO SIGN THIS CONVENTION ON BEHALF OF CANADA ALONG WITH REPRESENTATIVES OF THE FEDERAL GOVERNMENT. IN THE HOPE THAT THIS INVITATION WOULD BE ACCEPTED THE GOVERNOR GENERAL IN COUNCIL HAS AUTHORIZED THE ISSUANCE OF QUOTE FULL POWERS UNQUOTE WHICH I HAVE SIGNED NAMING THE SECRETARY OF STATE OF CANADA M GERARD PELLETIER (OR M JEAN PIERRE GOYER, MY PARLIAMENTARY SECRETARY) AND OFFICIALS OF THE FOUR PROVINCES REPRESENTED ON THE CANADIAN DELEGATION TO THE NIAMEY CONFERENCE. THESE FULL POWERS (COPY OF WHICH I

PAGE TWO FCO-109 UNCLAS

AM SENDING YOU IN A SEPARATE TELEGRAM)EMPOWER THE PERSONS NAMED TO SIGN THE CONVENTION IN THE NAME OF THE GOVERNMENT OF CANADA.(INCIDENTALLY AS YOU WILL APPRECIATE, THERE ARE NO/NO RESTRICTIONS ON THE GOVERNOR GENERAL IN COUNCIL AS TO THE PERSONS THAT MAY BE AUTHORIZED TO SIGN INTERNATIONAL AGREEMENTS ON BEHALF OF CANADA.)

3.THE REASONS THE GOVERNMENT TOOK THIS STEP ARE TWO-FOLD. FIRST,WE BELIEVE THAT SIGNATURE BY PROVINCIAL OFFICIALS COULD IN FACT BE A CONSTRUCTIVE AND POSITIVE MOVE,SO LONG AS THAT SIGNATURE WAS MADE IN THE NAME OF CANADA AS A WHOLE.IT WAS FELT THAT THE FOUNDING OF AN INTERNATIONAL FRANCOPHONE AGENCY WAS A MATTER OF GREAT INTEREST TO ALL CANADIANS.THUS,ONE OFFICIAL EACH FROM MANITOBA,NEW BRUNSWICK,ONTARIO AND QUEBEC HAS BEEN AUTHORIZED TO SIGN ALONG WITH M PELLETTIER IF THE CONVENTION IS OPENED FOR SIGNATURE AT THE NIAMEY CONFERENCE. OUR SECOND REASON WAS THAT ONE PROVINCE WAS PROPOSING RATHER DIFFERENT PROCEDURES WHICH MIGHT HAVE GIVEN THE IMPRESSION THAT ITS REPRESENTATIVE ON THE CANADIAN DELEGATION WOULD BE SIGNING THE CONVENTION IN THE PROVINCES OWN NAME AND ON ITS OWN AUTHORITY.SINCE THE CONFERENCE IS ONE OF SOVEREIGN STATES AND THE AGENCY WOULD BE AN ORGANIZATION WHOSE MEMBERS ARE SOVEREIGN STATES,WE FELT STRONGLY THAT ANY SUCH ACTION MIGHT CARRY WITH IT IMPLICATIONS INCONSISTENT WITH AND HARMFUL TO CANADIAN UNITY.

4.WE ARE VERY GRATEFUL THAT MANITOBA,LIKE THE OTHER THREE PROVINCES REPRESENTED ON THE DELEGATION,HAS DEMONSTRATED ITS

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PAGE THREE FCO-109 UNCLAS

SOLIDARITY WITH THE GOVERNMENT OF CANADA IN GENERAL SUPPORT OF THE CONCEPT OF FRANCOPHONIE BY DESIGNATING AN OFFICIAL WHO HAS BEEN NAMED TO THE DELEGATION BY THE FEDERAL GOVERNMENT.

5. BECAUSE SOME SUBJECTS TO BE DISCUSSED AT NIAMEY TOUCH UPON FIELDS WHICH, WITHIN CANADA, ARE OF PROVINCIAL LEGISLATIVE COMPETENCE, SUCH AS EDUCATION, THE GOVERNMENT HAS ALSO DECIDED THAT PROVINCIAL REPRESENTATIVES ON THE DELEGATION MAY SPEAK AT THE CONFERENCE IN THE NAME OF THEIR PROVINCES ON THE BASIS OF PROVINCIAL EXPERIENCE IN SUCH FIELDS.

6. SIMILARLY IF THERE SHOULD BE VOTES TAKEN AT THE CONFERENCE THE GOVERNMENT HAS DECIDED THAT IF THE DELEGATION CANNOT/NOT AGREE AMONG THEMSELVES ON AN ISSUE RELATING TO A FIELD OF EXCLUSIVE PROVINCIAL LEGISLATIVE COMPETENCE THE DELEGATION WILL ABSTAIN FROM VOTING. THIS ARRANGEMENT DOES NOT/NOT DEROGATE FROM THE CANADIAN GOVERNMENTS EXCLUSIVE RESPONSIBILITY FOR FOREIGN POLICY AND INTERNATIONAL RELATIONS. ANY VOTE BY THE DELEGATION WHERE THE FOREIGN POLICY OF CANADA WAS INVOLVED, FOR EXAMPLE IN A VOTE ON THE STATUTES OR BUDGET OF THE AGENCY, WILL BE DECIDED UPON IN ACCORDANCE WITH THAT POLICY. THE CANADIAN DELEGATION LIKE ALL OTHER NATIONAL DELEGATIONS AT THE CONFERENCE WOULD HAVE ONLY ONE VOTE.

7. THE MATTER OF SIGNATURE OF THE CONVENTION SHOULD THEREFORE BE SEEN AS PART OF THE GENERAL PACKAGE OF ARRANGEMENTS WHICH APPLY TO ALL PROVINCES REPRESENTED ON THE CANADIAN DELEGATION.

8. SIGNATURE OF THE CONVENTION FOR CANADA BY ANY OR ALL OF THE PERSONS NAMED IN THE FULL POWERS WOULD DEMONSTRATE THE CANADIAN GOVERNMENTS SUPPORT OF THE OBJECTIVES OF THE AGENCY.

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SIGNATURE BY CANADA WILL HOWEVER BE SUBJECT TO RATIFICATION BY THE GOVERNMENT OF CANADA, WHICH WOULD PROPOSE TO CONSULT ALL ^{INTERESTED} PROVINCES. ON THE OTHER HAND, SIGNATURE FOR CANADA BY A PROVINCIAL OFFICIAL WOULD IN NO SENSE, MORAL, LEGAL, FINANCIAL OR OTHERWISE, COMMIT HIS GOVERNMENT TO ANY SUBSEQUENT ACTION OF ANY KIND; NOR WOULD IT CREATE ANY NEW STATUS OR POWER FOR THAT GOVERNMENT. LIKE THE PRESENCE OF PROVINCIAL OFFICIALS ON THE DELEGATION, SUCH SIGNATURE IS BUT A FURTHER MANIFESTATION OF THE GENERAL INTEREST PROVINCIAL GOVTS AND ALL CANADIANS HAVE IN CANADIAN PARTICIPATION IN FRANCOPHONIE AND IN PARTICULAR IN THE AGENCY FOR CULTURAL AND TECHNICAL COOPERATION.

9. IF YOU SHOULD HAVE ANY VIEWS OR COMMENTS ON THE FOREGOING I SHOULD BE VERY GRATEFUL TO RECEIVE THEM.

YOURS SINCERELY,

MITCHELL SHARP
SECRETARY OF STATE
FOR EXTERNAL AFFAIRS

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